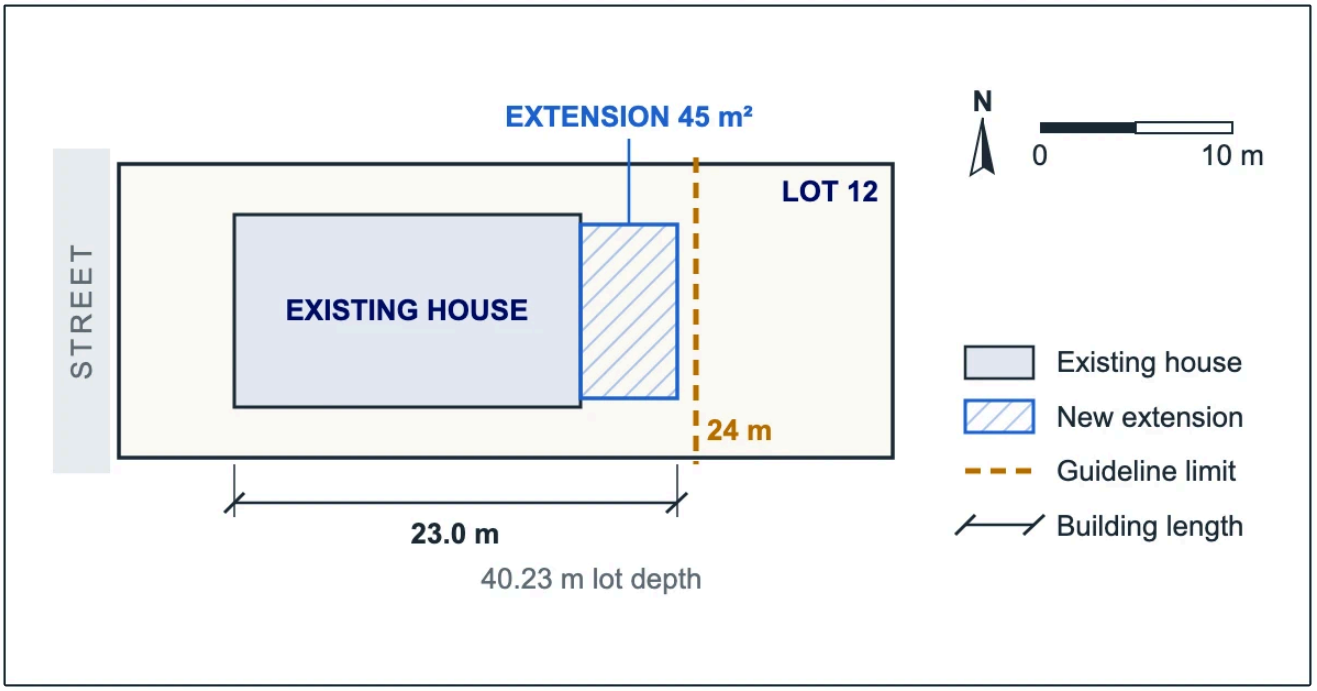


By City Surveyors Newcastle | 24 November 2026

Mine subsidence and your extension: what Subsidence Advisory NSW asks for in Newcastle

If your Newcastle or Lake Macquarie home sits in a mine subsidence district, an extension needs mine subsidence approval before work starts, unless the work is on Subsidence Advisory NSW's exempt list. Depending on your guideline, that approval comes from Subsidence Advisory itself or, for a design that complies with the guideline, from council or a certifier. Your property has been given one of ten Surface Development Guidelines. That guideline decides whether a small addition is exempt, who can approve the work and what size and type of building the land will take.

So most of the subsidence step comes down to two things: knowing your guideline, and drawing the extension so it fits that guideline from the first sketch. This guide is general information drawn from Subsidence Advisory NSW and the Coal Mine Subsidence Compensation Act 2017 (NSW), not engineering or legal advice.

> **Key takeaways**

- Look up the address on the NSW Planning Portal Spatial Viewer. It shows whether the land is in a mine subsidence district and which guideline applies. Neighbouring lots can have different guidelines.
- An "addition of rooms" up to 50 square metres, with no load-bearing masonry, is on the exempt list for every guideline except 1, 1A, 4 and 7. Anything not on the list needs approval.
- On Guidelines 2, 3, 3A, 6 and 8, council or a registered certifier can approve work that complies with the guideline. On Guidelines 1, 1A, 4, 5 and 7, Subsidence Advisory itself must approve any work that is not exempt.
- Subsidence Advisory needs a full set of site, floor and elevation plans. It says it approves guideline-compliant applications within 7 calendar days and usually decides merit assessments within 40 calendar days.
- A structure built without the approval it needs is generally not covered by the mine subsidence compensation scheme, and a buyer can cancel the contract over it.

First, check the address and its guideline

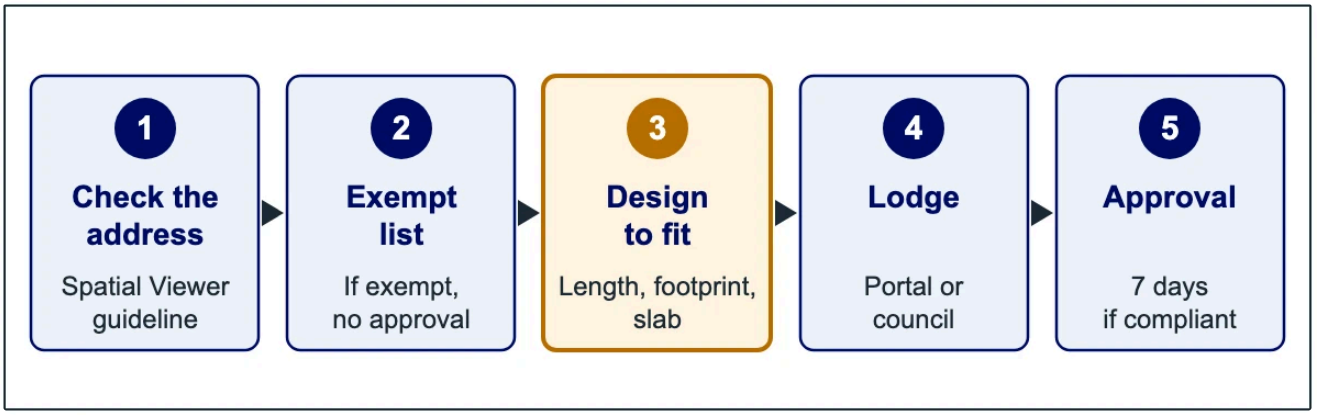
Mine subsidence is ground movement over old or active underground coal workings. Parts of Newcastle and Lake Macquarie were mined underground, so mine subsidence districts are declared there and Subsidence Advisory NSW regulates what is built in them. Subsidence Advisory's list of districts includes Newcastle, Lake Macquarie, West Lake, Killingworth-Wallsend, Lake Macquarie No 1 Extension, Swansea North Entrance and Swansea Heads.

The agency's district maps are a general overview only. For your own lot, search the address or the lot and DP on the NSW Planning Portal Spatial Viewer. If the land is affected, the search results show it, and you can open each result to see the assigned guideline. City of Newcastle's development control plan points owners to the same viewer and the "Mine Subsidence Development" result.

Two things are worth knowing before you go further:

- **The guideline belongs to the lot, not the suburb.** Subsidence Advisory says neighbouring properties can have different guidelines, because one may be mined beneath and the next may not.

- **Your planning certificate is a second check.** A council planning certificate states whether the land is declared to be a mine subsidence district (Environmental Planning and Assessment Regulation 2021, Schedule 2). There is usually one in the contract papers from your purchase, and council can issue a fresh one.



Is your extension exempt?

Subsidence Advisory keeps an exempt development list of minor works that do not need its approval. The current list is dated April 2023. Its rule is strict: "Any development activity that is not explicitly listed requires Subsidence Advisory approval."

The rows that matter most for a house extension:

Work	Limit on the list	Guidelines where it is exempt
Addition of rooms	Up to 50 m², no load-bearing masonry	All except 1, 1A, 4 and 7
Balconies, decks, terraces and verandas	Up to 50 m²	All except 1, 1A, 4, 5 and 7
Carports	Up to 50 m²	All except 7
Granny flat or secondary dwelling	Up to 60 m² internal habitable floor area, steel or timber framed, no masonry	All except 1, 1A and 7
Internal alterations	Steel or timber framed, no structural alterations, total cost of works under $7.5m	All
Retaining walls	Up to 1 m high	All
Pergolas	Up to 50 m²	All

So a lightweight timber-framed rear addition of 45 square metres on a Guideline 2 lot is on the exempt list, while the same addition on a Guideline 1 lot is not. Brick or block walls carrying load take the work off the "addition of rooms" row on every guideline.

Exempt work needs no mine subsidence approval, but it is not exempt from everything else. The extension may still need a development application or a complying development certificate from council or a certifier. Guidelines 4 and 5 allow only one residential building, so if your lot has either of those, ask Subsidence Advisory before relying on the granny flat row.

The guidelines compared for a house

Each guideline sets the building types and sizes that comply. A design inside those limits is "guideline compliant", which is the fast route. A design outside them goes to merit assessment. This table summarises the residential limits on each guideline page as read on 24 November 2026. The full guideline text, with footing details and conditions, is the version to design from.

Guideline	What it covers	Residential limit	Who approves a compliant design
1	Shallow old workings, pothole risk	Up to two buildings. Option 1: single or two storey, max 24 m long and 400 m² footprint, set footing design. Option 2: an engineer's design that spans a 5 m pothole	Subsidence Advisory
1A	Shallow workings, smaller pothole risk (3 m)	Up to two buildings. Option 1: max 24 m and 400 m², waffle pod slab design. Option 2: an engineer's design that spans a 3 m pothole	Subsidence Advisory
2	Trough subsidence over old workings	Up to two buildings, single or two storey brick veneer, max 24 m and 400 m²	Council, certifier or Subsidence Advisory
3	Remote risk	Up to four storeys	Council, certifier or Subsidence Advisory

Guideline	What it covers	Residential limit	Who approves a compliant design
3A	Remote or very low residual risk, over past longwall mining	Up to two storey brick veneer or three storey lightweight, max 36 m and 600 m²	Council, certifier or Subsidence Advisory
4	Likely future mining, high movement	One single storey clad frame house, max 18 m and 250 m²	Subsidence Advisory
5	Likely future mining, moderate movement	One house, single or two storey, max 24 m and 400 m²	Subsidence Advisory
6	Likely future mining, minimal movement	Up to two buildings, single or two storey, max 30 m and 500 m²	Council, certifier or Subsidence Advisory
7	Unknown or severe conditions, or old shafts	Every proposal assessed on merit	Subsidence Advisory
8	Not undermined, no future mining likely	No restrictions	Council, certifier or Subsidence Advisory

What to check in your guideline for an extension

- **Length and footprint.** The guidelines limit the size of the building, and they do not spell out how an extension is counted. The safe reading is to measure the whole house as it will stand, wall to wall, and confirm with Subsidence Advisory if you are close to a limit. The plan at the top of this page shows the idea: an 18 metre house with a 5 metre rear addition stays at 23 metres, under a 24 metre limit. A 20 metre house with a 6 metre addition would be 26 metres, over the limit on Guidelines 1 and 1A (Option 1), 2 and 5 and well over the 18 metre limit on Guideline 4. Old plans do not always match what was built, so measure the existing house on site, along with where the lot boundaries sit, before the design relies on a figure that close.
- **Prohibited works.** Guidelines 1, 1A, 2, 3A, 4, 5 and 6 all rule out basements, suspended, drop edge or stepped slabs, and masonry internal walls. All of them except Guideline 1 also rule out integral retaining walls. Keep this in mind on a sloping block, where a stepped slab might otherwise be the obvious design.

- **How the new part joins the old.** On Guidelines 4 and 5, the guideline permits decks, pergolas, verandas and similar additions only if their connections to the existing house are articulated or flexible, with roofs, walls and floors that are not contiguous with it. Work on those guidelines that is not on the exempt list still needs Subsidence Advisory's approval.
- **Inspections.** On Guidelines 1 and 1A, a Subsidence Advisory officer must inspect the footing steel before any concrete is placed, and the agency needs 48 hours' notice to book it.

What to lodge, and where

Subsidence Advisory asks for "a full set of architectural (site, floor, and elevation) plans" to assess a development. The site plan is where most extension applications start, because it shows the lot, the existing house, the new work, and the lengths and areas the guideline limits.

That site plan is drawn from a survey of the land. A survey of the site and the existing house gives your designer the lot boundaries, the house's real dimensions, levels across the ground and the position of anything nearby, so the extension can be measured against the guideline before the drawings are finished. Our guide pricing for this kind of survey in Newcastle typically ranges from $1,200 to $3,500 or more, depending on the size of the lot and how much is on it, with a turnaround of 5 to 7 business days from booking.

There are two ways to lodge:

1. **Directly with Subsidence Advisory** through the Subsidence Advisory NSW Portal. You log in with a MyServiceNSW account, which costs nothing to create.
2. **As integrated development through council.** Under the Environmental Planning and Assessment Act 1979, development in a district (other than exempt work) is integrated development, and council refers it to Subsidence Advisory.

City of Newcastle's development control plan asks for the Subsidence Advisory approval to be sought before the development application is lodged, with plans stamped by Subsidence Advisory included in the DA. If your designer is working towards a council lodgement in Newcastle, lodging with Subsidence Advisory first keeps that step from holding up the DA. Integrated development works the same way in Lake Macquarie, so check with Lake Macquarie council at what point it wants the stamped plans.

If the extension is complying development under a certificate from a registered certifier, the guideline still applies. On Guidelines 2, 3, 3A, 6 and 8 the certifier can approve a compliant design. On the others, the Subsidence Advisory approval comes first.

Designing an extension in a subsidence district? Send us the address and a short note about what you plan to build. Our licensed land surveyors will survey the lot and the existing house so your designer can draw the site plan to your guideline's limits from the start.

GET A FREE SITE SURVEY QUOTE · CALL (02) 4003 6416

In the project description, mention the extension and your guideline number. Rated 5.0 on **Google** from 4 reviews.

How long it takes and what it costs

Subsidence Advisory's development approval page sets out its timing:

- **Guideline-compliant applications** are approved "within 7 calendar days of receipt".
- **Merit assessments** are decided within 40 calendar days, unless the agency asks for more information or the application is an integrated referral with different timeframes.

Subsidence Advisory's listing on the Australian Government's business licence register (ABLIS) shows no fee for the application. Council fees for a development application, and any certifier's fees, are separate.

An approval does not last forever. Under section 22 of the Act, it lapses if the work has not physically started within the period stated in the approval, which is at least 2 and no more than 5 years. Subsidence Advisory can extend or renew it.

If the design does not fit the guideline

A design that goes over the guideline, for example a longer house, a basement or a stepped slab, is not refused automatically. It goes to merit assessment under Subsidence Advisory's Merit Assessment Policy. The agency looks at how likely subsidence is, what it would do to the building and to public safety, how reliable the mine records are and the

risks of the proposed engineering. It may ask for a desktop geotechnical study or borehole investigations by a suitably qualified geotechnical practitioner, and it can approve with conditions.

Subsidence Advisory asks owners to contact it for preliminary advice if a proposal is not likely to comply with the guideline. The simplest way to keep time and cost down is still to design inside the guideline where the brief allows it.

Why the approval matters when you sell

The approval protects more than the build. Under section 23 of the Coal Mine Subsidence Compensation Act 2017, a compensation claim is generally not paid for an improvement built or altered without the approval it needed, and a buyer may cancel a contract for sale over it. For a home, Subsidence Advisory has a discretion to pay where the missing approval was not the owner's fault or exceptional circumstances exist, but that is not something to plan around. Subsidence Advisory notes that buyers can ask whether a structure has the correct approvals. If work has already been built without approval, contact Subsidence Advisory about the options.

Carrying out the work without the approval it needs also carries a maximum penalty of 120 penalty units for an individual under section 21.

If you see a hole open up or suspect subsidence damage at any time, keep away and call Subsidence Advisory's 24-hour emergency line on 1800 248 083. If there is an immediate threat to life or property, call Triple Zero (000).

Frequently asked questions

How do I find out if my property is in a mine subsidence district?

Search the address or the lot and DP on the NSW Planning Portal Spatial Viewer. If the land is in a district, the search results show it and the assigned Surface Development Guideline. A council planning certificate also states whether the land is in a district. Subsidence Advisory's district maps give only a general picture, so use the viewer for your own lot.

Do I need Subsidence Advisory approval for a deck or a pergola?

A pergola up to 50 square metres is on the exempt list for every guideline. A deck, balcony, terrace or veranda up to 50 square metres is exempt except on Guidelines 1, 1A, 4, 5 and 7.

On Guidelines 4 and 5, a deck needs Subsidence Advisory's approval, and the guideline permits it if its connection to the house is flexible and not contiguous with it. Check the current exempt list for your guideline before you build.

Can I build a granny flat in a mine subsidence district?

Yes, on most guidelines. A steel or timber framed granny flat with no masonry, up to 60 square metres of internal habitable floor area, is on the exempt list for every guideline except 1, 1A and 7. On Guidelines 1 and 1A, a granny flat must follow that guideline's footing options or an engineer's pothole design, and Subsidence Advisory approves it. Guidelines 4 and 5 allow only one residential building, so ask Subsidence Advisory first on those.

Does Subsidence Advisory charge a fee?

No fee is listed for a development application to Subsidence Advisory. Council and certifier fees for the development application or complying development certificate are separate.

How long is a Subsidence Advisory approval valid?

The approval states the period within which work must start, between 2 and 5 years from the date of approval, under section 22 of the Coal Mine Subsidence Compensation Act 2017. If work has not physically started by then, the approval lapses, although Subsidence Advisory can extend or renew it.

Is my block also flood affected?

Flood is a separate check from mine subsidence. Look up the address on council's flood information. If the lot is flood affected, council's flood level sets the floor height of the extension. Our guide to the Newcastle flood map and floor levels explains how, and the same site survey measures the ground and floor levels.

Before your designer starts drawing

- Look up the address on the Spatial Viewer and write down the guideline number.
- Check the exempt list for your guideline and the type of work.
- Measure the whole house as it will stand after the extension against the guideline's length and footprint.
- Avoid basements, stepped or suspended slabs and masonry internal walls unless you are ready for a merit assessment.

- Get a survey of the lot and the existing house so the site plan is drawn from real dimensions and levels.
- Decide the lodgement route: the Subsidence Advisory Portal, or integrated development through council. In Newcastle, get the stamped plans before the DA goes in.
- When it is time to build, a set-out survey puts the approved footprint on the ground.

Start the extension on the right footing. Tell us the address and your guideline number if you have it. Our **land surveyors across Newcastle and the Hunter** will send you a free quote first, then survey the lot and the existing house when you are ready.

GET A FREE SITE SURVEY QUOTE · CALL (02) 4003 6416

Rated 5.0 on **Google** from 4 reviews.

Sources checked 24 November 2026: Subsidence Advisory NSW, development approval process, Surface Development Guidelines 1 to 8 (listed on the development approval page), exempt development list (April 2023), Mine Subsidence Districts, Portal and properties in districts; Coal Mine Subsidence Compensation Act 2017 (NSW), sections 21 to 23; Environmental Planning and Assessment Regulation 2021, Schedule 2; City of Newcastle, Development Control Plan 2023 Section B3 Mine subsidence; ABLIS, approvals for development within mine subsidence districts. Guidelines are subject to change; check the current version for your lot. General information only, not engineering or legal advice.