

29 September 2025

OUR REF: 15125

Mid-Western Regional Council
PO Box 156
Mudgee NSW 2850

DCP VARIATION REQUEST – 14 ZIMMLER LANE GULGONG NSW 2852

To Whom it May Concern,

We thank Council for the opportunity to provide additional information regarding the requested DCP Variation at 14 Zimmer Lane Gulgong. As a starting point, it is recognised that the proposed shed, being 200m² in area, represents a 33% variation to the 150m² “Garages, Outbuildings” control set out at Clause 3.1 “Residential Development in Urban Areas (Single Dwellings and Dual-Occupancies)” of the Mid-Western Development Control Plan 2013. With that noted, it is our respectful contention that this variation is justifiable within the site’s location and context, represents a suitable level of development for the location in line with the objectives of the control, does not preclude future subdivision of the lot for residential purposes, shall assist in appropriate land management practice until such time as subdivision is appropriate, and is preceded on a similar parcel in the vicinity of the site. As such, development consent should be granted for this proposal notwithstanding the DCP non-compliance.

First, it is noted that 14 Zimmer Lane is not a standard urban lot despite its zoning. This is reflected in the relative size of the lot compared to the 3001+m² largest lot size referred to in the “Garages, Outbuildings” control. 14 Zimmer Lane is over 13x larger than this control, and despite its urban R1 – General Residential zoning, is well outside the extent of current urban development for the town of Gulgong. This lot size also permits the provision of setbacks suitable for managing visual impact and an appropriate setback is provided for within the Development Application.

Additionally, it is noted that the stated objective of the DCP control is that “Outbuildings must not negatively affect the amenity of the streetscape or adjoining properties.” This can, in part, be a matter of setback as discussed above, but may also be of bulk, scale, and site coverage. The shed is of a standard design and size and is less than 4.5 metres tall. In terms of site coverage, it is noted that the area controls in the DCP table generally provide for a site coverage between approximately 4% and 8% of lot area. By way of comparison, the proposed site coverage in this Development Application is slightly under 0.5%. Given the small size of

the proposed shed in relation to its lot and its location on the lot, the objective of the DCP control should be considered met.

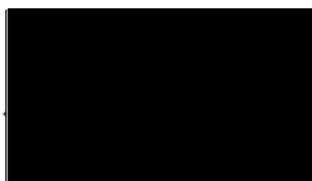
Further, it is noted that the land, despite being well outside the current extent of urban development, is zoned in a manner that would allow for future subdivision as and when the town of Gulgong expands. The proposed shed does not prevent any future subdivision of these lands. In addition, provision of the shed will allow for the storage of landscaping and land management equipment that will allow for vegetation management at a scale befitting the lot's size and simplify any future subdivision works.

Finally, development consent for a functionally identical development has been granted to a neighbouring property previously. DA0057/2020 received consent on or about 14/10/2019 for a shed greater than 150m² at 90 Zimmer Lane. While plans are not available on Council's DA Tracker, review of aerial photography indicates that the approved shed is at least 200m² in area on a lot that is also approximately 40,400m² in area and zoned R1 – General Residential. Review of the DCP and LEP does not find evidence of relevant changes that would invalidate this precedent. As such, Council has previously supported a DCP variation of equal or larger scale on a similar property, and it is our respectful contention that Council should do so again.

In conclusion, it has been established that the characteristics of 14 Zimmer Lane are largely outside the typical scope covered within DCP Clause 3.1, the development is of a scale, in relation to its land area, far lesser than the maximum permitted under the controls and meets the objective of the DCP provision, retains and supports the potential for future subdivision, and is preceded within the local context. For these reasons, the DCP Variation should be considered justified and supported by Council.

If you have any queries, please do not hesitate to contact the undersigned on (02) 4942 5441.

Yours sincerely,
de Witt Consulting



Blair Galloway
Town Planner