



EVERETT FLIGHT
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Our Ref: PAJ:ZB:PAJ231768

Your Ref:

The General Manager
Waratah-Wynyard Council
PO Box 168
WYNYARD TAS 7325
By email: council@warwyn.tas.gov.au
A hard copy will not be sent unless requested

Dear Sir/Madam

**RE: REZONING APPLICATION PSA 1/2025 – THE CHANGE OF THE ZONING
OF 319 MURCHISON HIGHWAY, SOMERSET FROM AGRICULTURAL TO
LOW DENSITY RESIDENTIAL**

We act for Clinton Leon Thurley and Allison Rachel Thurley (the **Objectors**) of 339 Murchison Highway, SOMERSET TAS 7322, PID 3018839, CT 158979/1 (the **Impacted Land**).

The Impacted Land is the portion of land shown on the various plans and aerial photographs forming part of the application for rezoning lodged by Neil George Machan and Lynette Mary Machen (**Applicants**).

The Impacted Land is surrounded on three sides, by the land which is the subject of the rezoning application.

The Objectors wish to make the following representations, seeking that the Application be rejected, or, if approved, be the subject of conditions that address the objections and concerns herein noted.

The Impacted Land has an area of 8,010sm, which is approximately an area equal to 7.5% of the **Site** (12.89ha) which is the subject of the Application, and is the only land within the overall parcel of the site.

The Impacted Land was purchased by the Objectors from the Applicants in 2014. At that time, and in response to specific inquiries by the Objectors, to the Applicant's selling agents, the Applicants assured and promised the Objectors that the Site would not be rezoned for any form of residential use, and that its current Agricultural use would be maintained, while it was within their control.

The Objectors became aware of the Applicants' intention to seek the rezoning in 2023. At that time, they retained this firm to seek a number of undertakings from the Applicants, to minimize the negative impact that a low-density rezoning would have on the Impacted Land. These included an undertaking that the Applicants would, prior to

any subdivisional works commencing, construct (or pay for) a 2m Colourbond fence, plinthed and capped, in the same colour (monument) as that presently in place on the Objectors' property. The Applicants have expressly rejected that request, and it is reasonable to assume that they would resile from any voluntary steps to minimise the impact of a subdivisional development of the Site.

The Objectors request that the Council and town planning authorities reject the Application on the following grounds:

1. It will negatively impact on the quiet enjoyment and amenity of the Impacted Land.
2. Given that any subdivision would result in any new lots adjoining three of the four boundaries of the Impacted Land, and the negative impact of the privacy of the Impacted Land would be significant.
3. The Sites best use is its presently zoned Agriculture. The Site has been so utilised for decades and is fitting with the area and local amenity. Its present Agricultural use is consistent with the area. The region and municipality is based on rural activity.
4. A subdivision will create undue traffic that will create safety, pollution (noise and emissions) and visual.
5. If the Application is approved, then at the very minimum, the Applicants and any successor in tile, should be obliged to provide the fencing referred to above, and which has been expressly rejected by the Applicants as recently as 15 April 2026.
6. Subdivisional works will alter natural drainage and flows and may adversely affect the Impacted Land, and surrounds.
7. The Objectors shares other local concerns that the development of the Site will result in water pressure problems for existing residents of the immediate and adjoining area.
8. The area is not serviced by sewerage, and therefore all lots would be septic, which creates concerns of effluent disposal.
9. It would appear that the Application indicates that eleven (11) lots would be developed, together with internal roads. The nature and extent of easements is not clear. On this basis it is the Objectors' view that the density would be excessive for the nature and amenity of the area.

The Objectors are not averse to regional residential developments but, along with many rate payers are keen to see that occur in far more appropriate locations than the proposed Site.

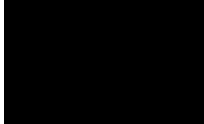
Should the Application be approved, the Objectors seek that stringent conditions be imposed to project and preserve (and much as is practicable) the privacy, and quiet enjoyment that they, and other existing residents have enjoyed to date.

Please advise if you require any further input from the Objectors.

Yours faithfully

EVERETT FLIGHT & ASSOCIATES LAWYERS

Per:



Peter Jans
17 April 2026