

This planning application is open for
public comment until
16 January 2026

Reference no	PLN-25-0244
Site	16 BROAD STREET CAMPBELL TOWN
Proposed Development	Removal of tree to facilitate installation of irrigation pipe
Zone	21.0 Agriculture
Use class	Utilities

Written representations may be made during this time to the General Manager;
mailed to PO Box 156, Longford, Tasmania 7301,
delivered to Council offices or
a pdf letter emailed to planning@nmc.tas.gov.au

(no special form required)

PLANNING APPLICATION

FOR BUILDINGS, WORKS AND CHANGE OF USE
(E.g. Residential houses, sheds, carports, retaining
walls, visitor accommodation, commercial
development, signage etc.)

Office Use Only:

Exhibited

The Proposal

Description of proposal: Removal of a single tree to facilitate the installation of an irrigation pipe.

The pipeline cannot be realigned to avoid the tree as the conduit carrier pipe has already been installed by the Department of State Growth at this location.

Driveway construction material:

The Land

Site address:

MERTON VALE 16 BROAD ST CAMPBELL TOWN TAS 7210

Title reference:

C/T: 182750/1

Existing buildings on site:

N/A

Existing use of site:

Agriculture

Applicant justification of any variation/discretion to the *Tasmanian Planning Scheme – Northern Midlands*

No justification or variation is requested. It is unfortunate that the Department of State Growth installed the conduit carrier pipe in the wrong position when undertaking the Midland Hwy upgrade works. If this conduit had been installed correctly the tree could have been viably retained.

4 December 2025

Planning Department
Northern Midlands Council
13 Smith Street Longford, Tasmania 7301

Via Email: planning@nmc.tas.gov.au

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Re: Cover Letter (DA) - 16 Broad St, Campbell Town (C/T: 182750/1)



I am writing to submit a Development Application (DA) for the removal of a single mature tree at 16 Broad Street, Campbell Town (C/T: 182750/1), as illustrated in Figure 2. The removal is required to facilitate the installation of an essential irrigation pipeline by Tasmanian Irrigation Pty Ltd, with the proposed pipeline route shown in Figure 1. The tree, which is partly in poor health, is situated directly above a conduit carrier pipe installed during the Midland Highway upgrade. Due to the fixed location of this infrastructure, the tree’s removal is unavoidable to ensure the safe and effective connection of the new pipeline, which will support regional agricultural productivity.

To support this assessment, please find attached:

- Attachment 1 – Titles
- Attachment 2 – Site Plan & Photos

The pipeline forms essential irrigation infrastructure supporting regional agricultural productivity, and the conduit carrier pipe was previously installed by the Department of State Growth during the Midland Hwy upgrade. Due to the fixed location of that State Growth installed carrier pipe, removal of the tree is now unavoidable for the safe connection of the pipeline.

The landowner will be notified under SPP 6.1 (Type A notification). Owner consent is not required.

Site Location	16 Broad Street, Campbell Town, TAS 7210
PID	1879088
Title Reference	28510/2, 182750/1
Landowner	Private
Planning Authority	Northern Midlands Council
Planning Policy	Tasmanian Planning Scheme – Northern Midlands Local Provision Schedule
Zone	Agriculture (Zone Number 21)
Applicable Overlays	Scenic Road Corridor (LPS Reference: NOR-C8.2.7) – applies to land adjacent to the Midland Highway, identified for the protection of scenic values. <i>Note: While other overlays exist on the property (e.g., priority vegetation, waterway protection, bushfire-prone, attenuation, airport obstacle limitation, flood-prone), only the Scenic Road Corridor overlay is applicable to the proposed works/development.</i>



Figure 1: Location of the tree to be removed



Figure 2: Photos of tree to be removed in relation to pipe sleeve

1. Importance of project

The proposed scheme will provide high-surety irrigation water to support horticultural, viticultural, orchard, and other high-value agricultural uses in the region. The project is designed to minimise environmental and land use impacts, with the majority of infrastructure (including pipelines) to be located underground. Robust management measures are in place for construction and operation, including best practice approaches to weed management, aquatic biosecurity, and site rehabilitation.

The scheme aligns with the planning scheme's objectives for supporting agricultural productivity, diversification, and economic growth, and for providing essential utilities infrastructure. All works have been assessed against, and comply with, the relevant planning codes and best practice guidelines.

2. Application validity

The application is to be made in accordance with SPP 6.1 as a Type A notification. In compliance with the requirements:

- The landowner will be notified of the application, as required under SPP 6.1 by the applicant (Tasmanian Irrigation Pty Ltd)
- Owner consent or signature has not been provided, as it is not required for a Type A notification
- The following supporting documentation will be included with the application (and forms the basis for this assessment):
 - Site plan and supporting information (including tree photos)
 - Certificate of title (folio text and plan); and
- Floor plans and elevations are not applicable to this proposal and have, therefore, not been provided.

The submission satisfies the documentation and notification requirements for a Type A application under SPP 6.1.

3. Potential Exemptions and Statutory Context

Although the Scenic Road Corridor Overlay ultimately requires a permit for the removal of a tree, several statutory and scheme-based considerations strongly support approval and reduce the weight of the overlay's discretion.

3.1.1 Clause 4.2.3 Irrigation Pipes

The pipeline is exempt from a planning permit under Clause 4.2.3 Irrigation Pipes, which states:

If for the laying or installation of irrigation pipes in the Rural Zone or Agriculture Zone that are directly associated with an agricultural use, provided no pipes are located within a wetland, unless the Landslip Hazard Code applies and requires a permit for the use or development.

As the Landslip Hazard Code does not apply to the proposed pipeline, in the Agriculture Zone is exempt.

3.1.2 Clause 4.3.5 Temporary Buildings or Works

Any temporary works (associated with the proposed works) will be removed within 14 days of completion of the development and are exempt from a planning permit under Clause 4.3.5 (temporary buildings or works).

4. Planning assessment compliance statement

This section provides a comprehensive assessment of the proposal against the relevant provisions of the Tasmanian Planning Scheme and the Northern Midlands Local Provision Schedule.

While certain components of the proposed works (such as the installation of irrigation pipelines) may be exempt from planning approval under specific clauses (notably Clause 4.2.3 for irrigation pipes), the proposal must also be considered in the context of applicable overlays and codes. In particular, the Scenic Road Corridor Overlay (NOR-C8.2.7) applies to the subject site and regulates works, including vegetation removal, that may impact the scenic values of the Midland Highway corridor. Where an overlay or code requires assessment, its provisions take precedence over general exemptions. Accordingly, this compliance statement addresses both the exemption status of the pipeline works and the permit requirements for tree removal within the Scenic Road Corridor Overlay, ensuring that all aspects of the proposal are assessed in accordance with statutory requirements and the management objectives for the corridor.

4.1 Exemptions under Clause 4.2.3 (Irrigation Pipeline)

Most of the proposed irrigation pipeline is exempt from a planning permit pursuant to Clause 4.2.3 (Irrigation Pipes) of the planning scheme. This exemption applies as the pipeline is located within the Agriculture Zone, is directly associated with agricultural use, and is not situated within a wetland. In accordance with the clause, a permit is only required for those sections of the pipeline that intersect with identified wetlands or are subject to specific overlays, such as the Landslip Hazard Code or Flood-Prone Areas (not applicable in this instance). Temporary works and security fencing may also be exempt under Clauses 4.3.5 (Temporary Buildings or Works) and 4.6.6 (Fences in the Agriculture Zone), respectively. The planning authority cannot consider the exempt areas of pipeline or any impacts arising from them.

For tree removal, if the land is within a mapped overlay (such as the Scenic Road Corridor Overlay), the overlay provisions take precedence. The Scenic Road Corridor Overlay (NOR-C8.2.7) specifically regulates works, including vegetation removal, that may impact scenic values. The overlay will require a permit for tree removal, even if the general exemptions would otherwise apply. While the Irrigation Act allows for the removal of “obstructions” (including trees) to facilitate irrigation works, it does not override the requirements of the Tasmanian Planning Scheme or local council regulations. The Act enables irrigation works but does not exempt them from compliance with planning and environmental laws.

4.2 Tree Removal – Permit Requirement

The site is subject to the Scenic Protection Code, which aims to maintain scenic views along the Midland Highway. The removal of vegetation within this corridor is regulated to prevent an unreasonable reduction of scenic value. Where the Acceptable Solution cannot be met, the application must address the relevant performance criteria, demonstrating that the removal will not cause an unreasonable reduction in scenic value, with consideration given to:

- The nature, extent, and location of the tree; and
- The management objectives for the corridor (such as maintaining scenic views and avoiding intrusion on skylines).

The exemption for pipeline works does not extend to the removal of the identified tree. Under the Northern Midlands Local Provision Schedule, a planning permit is required for the removal of a mature tree unless it is dangerous (certified by an arborist), a declared weed, or not native/significant and not within a mapped overlay or protected area. In this case, the tree is not mapped as priority vegetation, nor is it protected under a local overlay or heritage listing. However, due to its proximity to the Midland Highway (a major tourist route) and the Scenic Road Corridor Overlay, a permit is required.

Although certain exemptions may apply to works such as irrigation pipelines under Clause 4.2.3, these exemptions do not apply to tree removal within the Scenic Road Corridor Overlay. The work/development is therefore subject to the Scenic Protection Code.

The overlay provisions require that any removal of trees or native vegetation within the mapped corridor be assessed against the relevant performance criteria, and a planning permit is required. Accordingly, this application includes an assessment of the proposed tree removal under NOR-C8.2.7, and the exemption provisions do not apply.

4.3 Scenic Protection Code

The purpose of the Scenic Protection Code (C8.0) is to recognise and protect landscapes that are identified as important for their scenic values. The Scenic Protection Code (C8.0) applies to this proposal because the subject site (16 BROAD ST CAMPBELL TOWN TAS 7210) which is located within the Agriculture Zone and is also within a mapped Scenic Road Corridor Overlay under the Northern Midlands Local Provisions Schedule (as per Figure 3).

The Code specifically applies to development (including vegetation removal) on land within designated zones such as the Agriculture Zone, where the land is also subject to a scenic protection area or scenic road corridor overlay. As the proposed works involve the removal of a tree within the mapped Scenic Road Corridor adjacent to the Midland Highway, assessment against the Scenic Protection Code is required. This ensures that any development or vegetation removal on the site is appropriately assessed to maintain and protect the scenic values of the landscape, in accordance with the purpose and objectives of the Code.

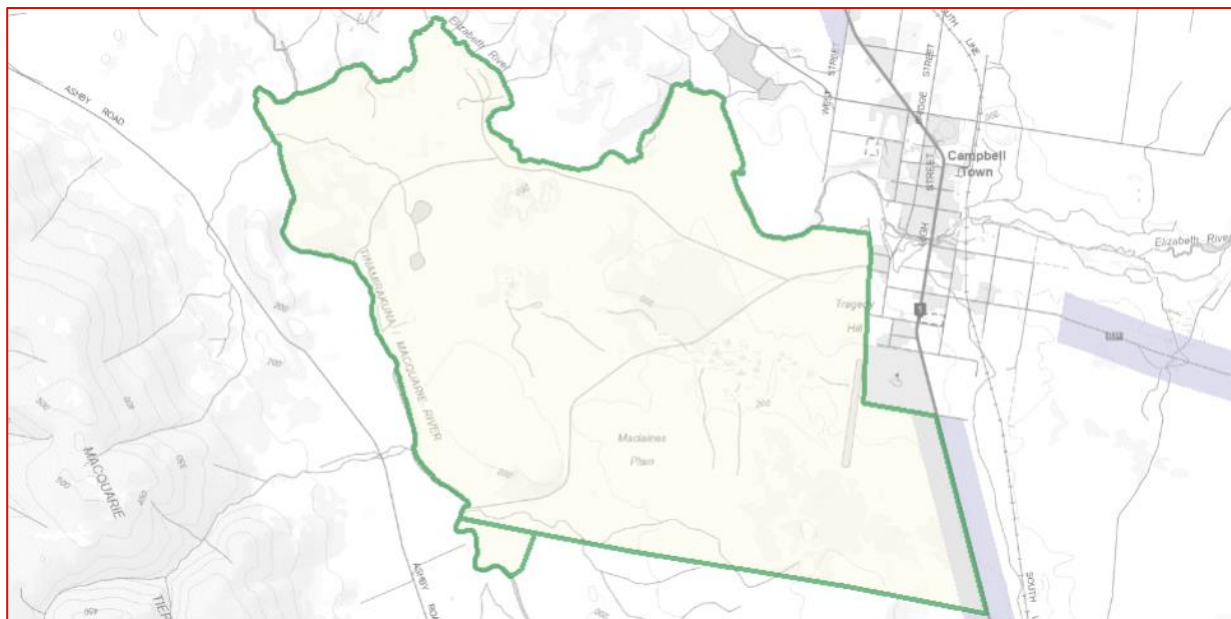


Figure 3: Scenic road corridor (LPS Reference NOR-C8.2.7)

4.3.1 C8.4 Use or Development Exempt from this Code

There are no applicable Use or Development exemptions

4.3.2 C8.5 Use Standards

There are no Use Standards.

4.3.3 C8.6 Development Standards for Buildings and Works

The development/works are not within a scenic protection area as such C8.6.1 is not applicable.

There are development/works proposed within a scenic road corridor, as such C8.6.2 is applicable. The proposal has been designed to minimise visual impact and is consistent with the objectives of the Scenic Protection Code. Supporting documentation (including a site plan, photographs, and justification for removal) demonstrates that the scenic values of the Midland Highway corridor will be preserved.

Compliance with Northern Midlands LPS NOR-C8.2.7 – Objectives:

- The proposal has been carefully assessed against the Scenic Protection Code (C8.0) and the management objectives for the Scenic Road Corridor Overlay
- The removal of the identified tree at 16 Broad Street, Campbell Town, is necessary to facilitate essential infrastructure and has been designed to minimise visual impact
- The site retains its rural character, and the removal will not unreasonably diminish the scenic values of the Midland Highway corridor; and
- The proposal maintains the integrity of the landscape, avoids intrusion onto skylines or prominent features, and is consistent with the management objectives to protect and enhance the scenic qualities of this important route.
- Accordingly, the proposal complies with the relevant scenic values and management objectives of NOR-C8.2.7.

Compliance with C8.6.2

- A1 is not applicable:
 - The Acceptable Solution (A1) for C8.6.2 typically applies only to the removal of vegetation that does **not** meet certain thresholds (for example, vegetation that is not native, not exotic trees over 10m in height, or not part of a hedgerow). In this case, the proposal involves the removal of a [native/exotic] tree with a height exceeding 10m within a mapped scenic road corridor. As such, the removal does not satisfy the criteria for A1 and must instead be assessed against the Performance Criteria (P1).
 - Additionally, A1 may require that the removal is not on a skyline, not within 50m of a skyline, or does not exceed a certain area (e.g., 500m²). The subject tree either exceeds the height threshold, is of a type specified in the code, or is otherwise captured by the overlay's controls, meaning the Acceptable Solution is not available.
 - Therefore, the application must be assessed against P1, which requires a demonstration that the removal will not cause an unreasonable reduction in the scenic value of the road corridor, having regard to the nature, extent, and location of the tree and the relevant management objectives
- Assessment against P1:
 - The proposal involves the removal of a single tree within the mapped Scenic Road Corridor Overlay (NOR-C8.2.7) adjacent to the Midland Highway, a major north-south tourist route providing views of rural landscape with the backdrop of the Western Tiers and Ben Lomond Ranges.
 - Management objectives (NOR-C8.2.7): The management objective for this corridor is to maintain scenic views and minimise development that would adversely impact rural scenery. Development must not intrude onto skylines or river flood plains, or change the landscape character of elevated areas, pastoral scenes, or river flood plain views.
 - Nature, extent and location: The tree is not part of a significant stand, hedgerow, or avenue, but is a single specimen within an open paddock. Its removal is required due to the fixed location of the conduit carrier pipe, which cannot be realigned. The broader landscape character (open rural paddocks with scattered trees) will be retained, and the removal of one tree will not materially alter the overall scenic quality of the area.

- The site is not on a skyline, floodplain, or elevated area, and the removal will not result in development that intrudes upon or dominates the landscape. The rural character and scenic values of the area will be maintained.
- Scenic value: The removal of the tree will not cause an unreasonable reduction in the scenic value of the Midland Highway corridor. The visual impact is minor, as the tree is one of several scattered along the highway, and its removal will not create a visual gap or expose unsightly elements. Where possible, replanting or retention of other screening vegetation will be undertaken to maintain the visual amenity of the route.
- The proposal complies with C8.6.2 and the management objectives for the Midland Highway Scenic Road Corridor Overlay. The removal of the tree is necessary for essential infrastructure, is limited in scope, and will not unreasonably diminish the scenic values or rural character of the corridor.

Compliance with C8.6.2 (A2)

- The proposed irrigation pipeline will be installed underground within the mapped Scenic Road Corridor Overlay. In accordance with Acceptable Solution A2, buildings or works within a scenic road corridor must not be visible from the scenic road. As the pipeline will be entirely below ground level, it will not be visible from the Midland Highway or any other part of the scenic road corridor. Therefore, the proposal complies with A2.

5. Conclusion

The installation of the irrigation pipeline is exempt from planning approval; however, the removal of the tree requires a planning permit as it is located within the Scenic Road Corridor under the Northern Midlands Planning Scheme. This proposal has been assessed against the relevant provisions of the Scenic Protection Code, and the assessment confirms that the works align with the purpose and objectives of the Code. The removal of the identified tree will not result in an unreasonable impact on the scenic values of the area, and measures have been incorporated to maintain the visual character of the landscape.

Thank you for your consideration of this application. We look forward to your response and are available to provide any further information or clarification as required.

Yours sincerely



Katrina Hill
Town Planning Consultant

Enclosed: Attachment 1 – Titles
Attachment 2 – Site Plan & Photos

<p>OWNER: HENRY FRANCIS FOSTER SIMON FRANCIS FOSTER</p> <p>FOLIO REFERENCE: 130638/1</p> <p>GRANTEE PART OF 2000^{A R P} LOC TO JOHN BRIGGS.</p>	<p>PLAN OF TITLE</p> <p>LOCATION LAND DISTRICT OF SOMERSET PARISH OF WINCANTON (LOCALITY OF OATLANDS)</p> <p>CONVERTED BY PLAN No. P130638 P120510</p> <p>COMPILED BY Jacobs</p> <p>NOT TO SCALE LENGTHS IN METRES</p>	<p>REGISTERED NUMBER P182750</p> <p>APPROVED 12 MAY 2023</p> <p><i>[Signature]</i> Recorder of Titles</p>
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SKETCH BY WAY OF ILLUSTRATION ONLY

BALANCE PLAN

EXCEPTED LANDS
 CONV. 5 / 9856 LOT 2 (P.123478) 1.017 ha
 CONV. 16 / 5501
 LOT 1 (P.130637) 16.69 ha
 LOT 9 (P.181426) 50.8m²

<p>FILE NUMBER Y18674</p> <p>GRANTEE WHOLE OF 330-0-0 GTO TO HEZEKIAH HARRISON. WHOLE OF 1200-0-0 LOC TO JOHN ABBOTT. PART OF 2000-0-0 LOC TO JOHN BRIGGS. WHOLE OF 31-0-0 GTO TO FRANCIS DAVIE WICKHAM & PART OF 1333-0-0 GTO TO JOHN LEAKE.</p>		<p>CONVERSION PLAN</p> <p>LOCATION SOMERSET - WINCANTON</p> <p>CONVERTED FROM 71/1252</p> <p>NOT TO SCALE LENGTHS IN METRES</p>		<p>Registered Number</p> <p style="font-size: 1.5em;">P128510</p> <p>APPROVED 16 SEP 1997</p> <p><i>Michael Smith</i> Recorder of Titles</p>
<p>MAPSHEET MUNICIPAL CODE No. (5235 & 5435) 123</p>	<p>LAST UPI No. 4300408, 4300409, 4300419, 4300670, 4300671</p>	<p>ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN</p>		<p>DRAWN J.G.</p>

SKETCH BY WAY OF ILLUSTRATION ONLY

"EXCEPTED LANDS"

CONV. 5/9856 LOT 2 (P123478) 1.017 ha

CONV. 16/5501

Exhibited



Exhibited



Google – Street
View

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Exhibited

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