



## Organic Free-Range Poultry Farm, Darling Downs

We were engaged to provide due diligence advice regarding the proposed establishment of an organic free-range poultry farm on the Darling Downs. We were subsequently engaged to coordinate ecological assessment for the development application.

The 21-shed facility was located on land that was in part rural, but also supported regulated vegetation. The site was also known to support plants listed under the *Environment Protection and Biodiversity Conservation Act 1999*, and the *Nature Conservation (Wildlife) Regulation 2006*.

### **Statutory Context**

The proposed development required assessment against the *Environment Protection and Biodiversity Conservation Act 1999*; Module 8 (Native Vegetation Clearing) of the State Development Assessment Provisions; and the Toowoomba Regional Planning Scheme.

### **Challenges and Solutions**

Previous assessment had identified the occurrence of plants listed under Commonwealth and State legislation in fallow croplands where establishment of sheds was proposed. The occurrence of these species was considered a constraint. However, both the EPBC Act and Queensland's Protected Plants Framework provide exemptions for damage to threatened species arising from rotational cropping. Due diligence and development planning were expected to take several years, and when this was considered in context of the landholder's planned cropping it became apparent that the constraint would be lawfully removed before the development application for the proposed use was submitted.

Design refinements allowed most sheds and access tracks to be positioned outside areas of regulated vegetation, but there were areas in which this could not be practically achieved. To avoid the need for offsets, detailed negotiation with the State was required to demonstrate that the performance outcomes of Module 8 could be achieved. We successfully negotiated this outcome.

### **Outcome**

The development application was approved.

**CLIENT**  
CONFIDENTIAL

**LOCATION**  
DARLING DOWNS  
QUEENSLAND



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