CM13.3. Development Application 010.2023.00040511.001 - Animal Care Facility, Car Park, Vegetation Removal and Demolition of Existing Buildings - 595 Mudge Street, Hamilton Valley

DATE	30 July 2024	**FIL REFERENCE**	AF23/04670
CONFIDENTIAL	No		
FURTHER ENQUIRIES	David Christy City Development	**PHONE**	6023 8111
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Summary

This report is presented to advise Councillors that BioPlan was engaged to provide an independent assessment of Development Application 10.2023.40511.1, which seeks approval for 'Animal Care Facility, Car Park, Vegetation Removal & Demolition of Existing Structures Onsite' on land situated at 595 Mudge Street, Hamilton Valley.

This report is presented to Council for determination as the cost of works exceeds $2,000,000 and the subject land is owned by Albury City Council. Consequently, an independent assessment of the application was undertaken in accordance with the *Council-Related Development Application Conflict of Interest Policy*.

The proposed development has been assessed against the requirements of Section 4.15 of the *Environmental Planning and Assessment Act 1979*. The assessment has involved consideration of the requirements of relevant State Environmental Planning Policies, the *Albury Local Environment Plan (LEP) 2010*, and the *Albury Development Control Plan (DCP) 2010*.

The independent assessment of Development Application 10.2023.40286.1 has concluded that the application warrants approval, subject to the conditions contained in the Draft Determination, included in this report as Attachment 4.

People

N2SH Design Studio P/L on behalf of the Albury City Council.

Cost

$4,986,394.

Development Description

The application seeks consent for the redevelopment of the existing Albury Animal Care Centre (AACC). The development proposes demolition of all existing structures and tree removal (see Figure

1), to facilitate the construction of a new purpose-built facility (see Figures 2 and 3), comprising the following:

- accommodation and support spaces for dogs and cats (including puppies and kittens);
- ranger facilities for captured and feral animals;
- food preparation and storage facilities to service the animal accommodation areas;
- animal interaction, activity and/or training spaces (indoor and outdoor);
- animal treatment and veterinary facilities;
- education/training centre including kitchen/kiosk, multipurpose rooms and outdoor training area;
- reception and waiting area;
- animal adoption facilities;
- office, staff room and meeting space/s; and
- staff and public amenities.

The development is shown in the Development Plans (included as Attachment 1) and as described in the Statement of Environmental Effects (included as Attachment 2).

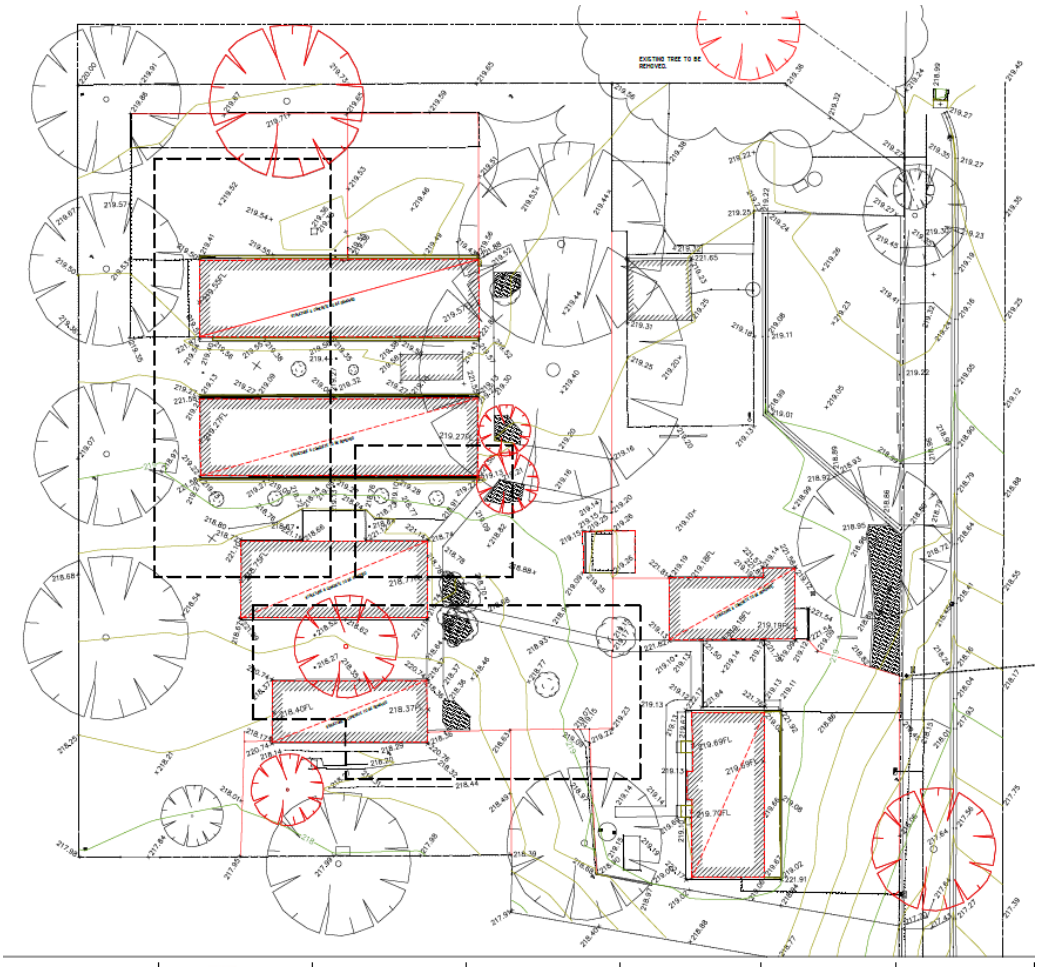


Figure 1 – Demolition Plan

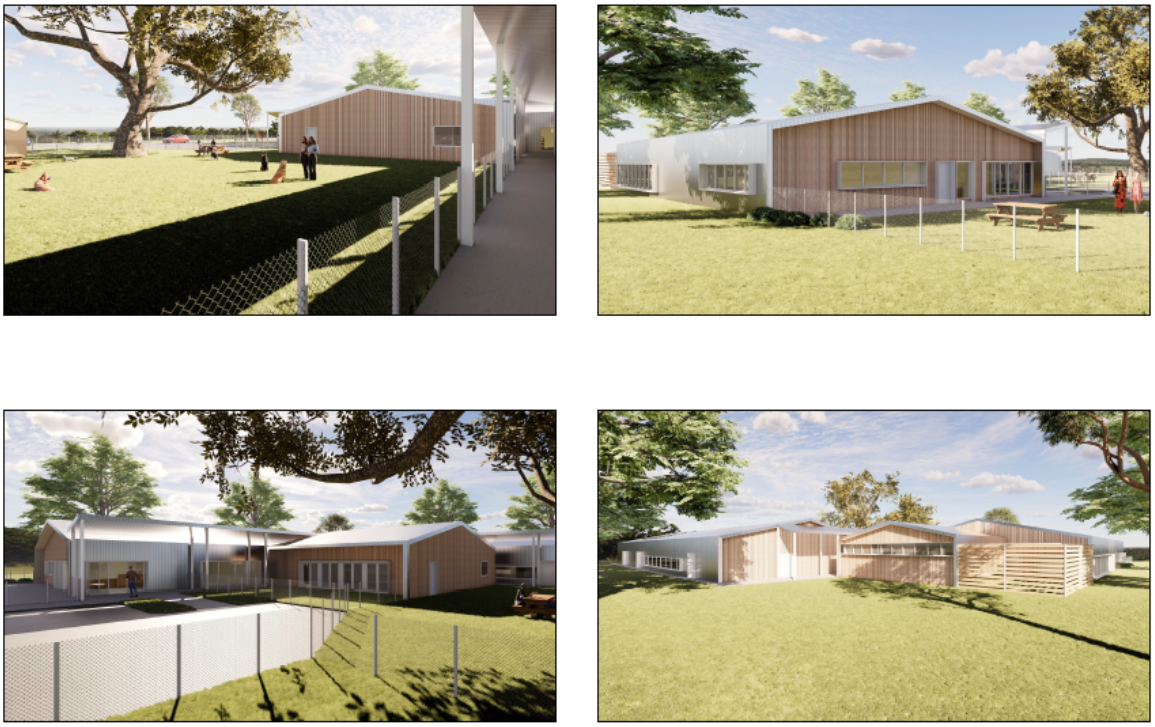


Figure 2 – Animal Care Centre perspectives

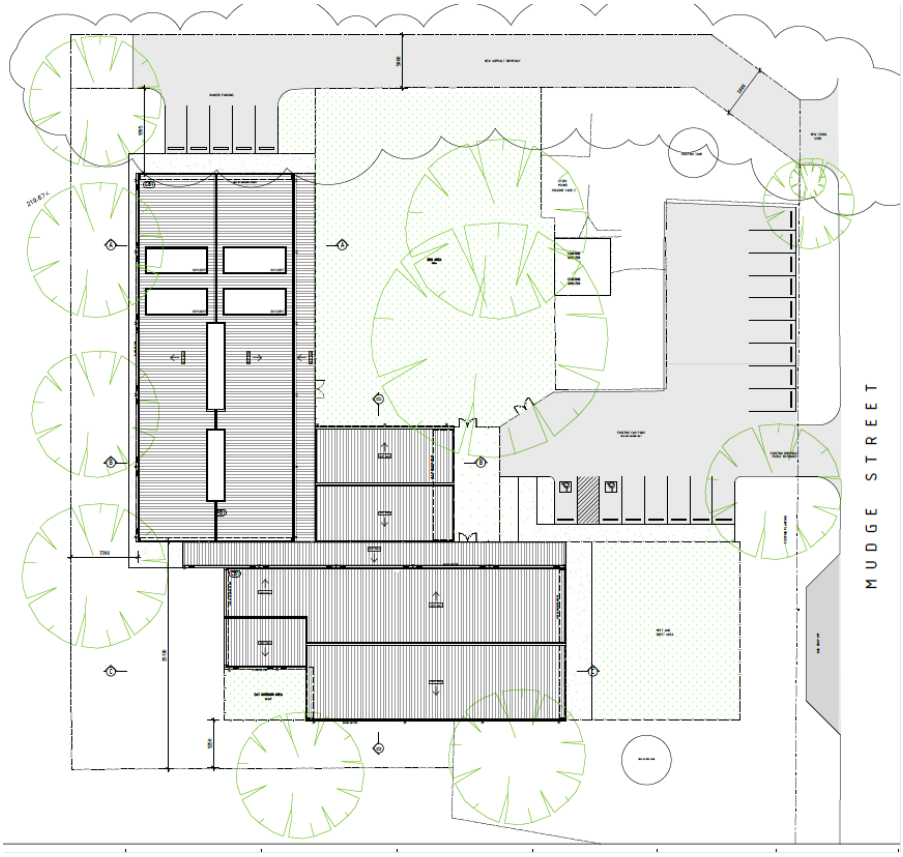


Figure 3 – Proposed Floor Plan

Site and Locality Description

The site is within an SP2 Infrastructure zone and is located within the south-east section of Lot 695 which comprises land primarily used and developed as the Albury Waste Management Centre (see Figure 4). The AACC comprises a separate fenced off area that occupies approximately 2,680m^2 of the 9ha property.

The subject land is currently developed as an animal care facility and is separately accessed via an existing vehicle crossover from Mudge Street. Formerly known as the Albury Animal Management Facility, the AACC has been in operation at this current site since 1998 and provides services to Albury, Wodonga, Indigo, Towong and Greater Hume local government areas. The facility houses dogs, cats and livestock that have been found stray or abandoned, or alternatively have been seized.

The land is serviced with reticulated water, telecommunications and electricity and relies upon existing septic services for onsite wastewater management.



Figure 4 – Locality Plan

Key Assessment Considerations

An independent assessment of the Development Application has been undertaken by BioPlan and is presented with this report for consideration by Council (see Attachment 3). The development complies with the relevant requirements of the *Albury LEP 2010* and the *Albury DCP 2010*, and State Environmental Planning Policies.

The independent assessment has concluded that there are no significant issues raised that would otherwise preclude a favourable determination, subject to appropriate Conditions of Consent.

Submissions

The Development Application was notified in accordance with the Council's Community Participation Plan from 2 November 2023 to 4 December 2023.

To date, no submissions have been received.

Options

The Council has the following options in relation to this report:

1. approve the application – **Not Recommended**; or
2. approve the application, subject to conditions – **Recommended**; or
3. defer the application for further information or redesign – **Not Recommended**; or
4. refuse the application – **Not Recommended**.

Based on the independent assessment of the application, this report recommends that Council resolves to approve the application, subject to the conditions contained in the Draft Determination, included as Attachment 4 to this report, as per Option 2.

Conclusion

As Council is the landowner, BioPlan was engaged to independently assess the proposed development. The application is assessed in accordance with Section 4.15 of the *Environmental Planning and Assessment Act 1979* and has involved consideration of the submitted information and planning controls and requirements contained within the *Albury LEP 2010*, the *Albury DCP 2010,* and the relevant State legislation.

The development will facilitate the redevelopment of the existing Albury Animal Care Centre and will deliver a facility that provides a valuable service to the community of Albury and surrounding local government areas.

The independent assessment has concluded that the application, as submitted, can be supported, subject to the imposition of appropriate conditions.

Recommendation

That Council:

a. receive the contents of this report; and

b. grants consent to Development Application 10.2023.40511.1 for 'Animal Care Facility, Car Park, Vegetation Removal & Demolition of Existing Structures Onsite' on land situated at 595 Mudge Street, Hamilton Valley, subject to the conditions contained in the Draft Determination, included at Attachment 4 to this report.

Attachments:

1. Development Plans (DOC24/174293).
2. Statement of Environmental Effects and supporting documentation (DOC24/174249).
3. Assessment Report (prepared by Peter O'Dwyer, BioPlan) (DOC24/179515).
4. Draft Determination (prepared by Peter O'Dwyer, BioPlan) (DOC24/180770).