

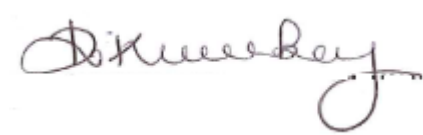
AGENDA

COUNCIL ASSESSMENT PANEL MEETING

**Monday 12 January 2026
at 12:00pm
43 Dauncey Street, Kingscote
and via Teams**

KANGAROO ISLAND COUNCIL ASSESSMENT PANEL

NOTICE is hereby given that a Council Assessment Panel Meeting is to be held on Monday, 12 January 2026 at 12.00pm at 43 Dauncey Street, Kingscote & also via Teams.

A handwritten signature in dark ink, appearing to read 'Rachel Knuckey', with a stylized flourish at the end.

Rachel Knuckey
Assessment Manager

Microsoft Teams

[Join the meeting now](#)

Meeting ID: 423 640 452 720 02

Passcode: bF3am6z5

AGENDA

1.0 **APOLOGIES**

Nil

2.0 **CONFLICT OF INTEREST DECLARATION**

Nil

3.0 **CAP MINUTES OF MEETING HELD 3 NOVEMBER 2025**

That the Minutes of the Council Assessment Panel Meeting held on **3 November 2025** be confirmed.

4.0 **BUSINESS ARISING FROM MINUTES OF 3 NOVEMBER 2025**

Nil

5.0 **APPLICATIONS REQUIRING COMMITTEE DECISION – PLANNING, DEVELOPMENT & INFRASTRUCTURE ACT 2016**

5.1 **DA 25024039 - 39 Ayliffe Street, Kingscote**

Two storey detached dwelling

Individual reports are attached for committee decision.

6.0 **CONFIDENTIAL ITEMS**

Nil

7.0 **GENERAL BUSINESS**

Nil

8.0 **CLOSURE**

DEVELOPMENT NO.:	25024039
APPLICANT:	Longridge Group Pty Ltd
ADDRESS:	39 AYLIFFE ST KINGSCOTE SA 5223
NATURE OF DEVELOPMENT:	Two storey detached dwelling
ZONING INFORMATION:	Zones: • Neighbourhood Overlays: • Airport Building Heights (Regulated) • Hazards (Bushfire - Urban Interface) • Hazards (Flooding - Evidence Required) • Native Vegetation Technical Numeric Variations (TNVs): • Minimum Frontage (Minimum frontage for a detached dwelling is 15m; semi-detached dwelling is 10m; row dwelling is 10m; group dwelling is 15m; residential flat building is 15m) • Minimum Site Area (Minimum site area for a detached dwelling is 450 sqm; semi-detached dwelling is 250 sqm; row dwelling is 250 sqm; group dwelling is 350 sqm; residential flat building is 250 sqm) • Maximum Building Height (Levels) (Maximum building height is 1 level) • Maximum Building Height (Metres) (Maximum building height is 6.5m)
LODGEMENT DATE:	11 Aug 2025
RELEVANT AUTHORITY:	Kangaroo Island Council Assessment Panel
PLANNING & DESIGN CODE VERSION:	P&D Code (in effect) Version 2025.14 dated 31/07/2025
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Brendan Fewster Consultant Planner
REFERRALS STATUTORY:	Not required
REFERRALS NON-STATUTORY:	Not required
RECOMMENDATION	Planning Consent subject to conditions

RELEVANT AUTHORITY:

The Kangaroo Island Council Assessment Panel (CAP) is the relevant authority for this development application under the Planning, Development and Infrastructure Act 2016 as the application is subject to a Performance Assessment pathway, has been subject to public notification and received a representation during the notification period that wishes to be heard by the CAP.

DETAILED DESCRIPTION OF PROPOSAL:

The proposal is for the construction of a two-storey detached dwelling on a vacant residential allotment along the western side of Ayliffe Street, Kingscote.

The proposed dwelling is designed with a simple architectural form that features a pitched gable roof, front balconies with timber balustrades and light weight construction. The upper level comprises an open plan living, dining and kitchen area, a master bedroom and wet areas. At ground level there is a family room and three bedrooms with internal stair access. External materials comprise of Hebel, Colorbond © corrugated iron and horizontal hardiplank smooth wall cladding finished in surfmist and Colorbond © roof sheeting finished in windspray.

The dwelling has two-levels and a floor to ridge height of 7.3 metres. The maximum 'building height' (as defined by the Code) is approximately 7.85 metres.

The main front wall of the dwelling is setback 12 metres from the road boundary. The ground and upper levels are setback 3 metres from the northern side boundary and 6 metres from the southern boundary. The dwelling has a rear setback of nearly 19 metres.

A new vehicle access and driveway is to be located adjacent to the southern side boundary. This access will service a car park at the rear of the dwelling and a future garage that is not being assessed as part of this application.

A 1000 litre rainwater tank for retention purposes is to be provided in the rear yard.

A 3000L septic tank is to be located at the northern end of the frontage, setback 2.5m from the front property boundary, to be connect into the Council Community Waste Management System (CWMS).

A copy of the application plans and relevant information is contacted in **Attachment A**.

SUBJECT LAND & LOCALITY:

Site Description



Figure 1 – Subject Land

Location reference: 39 AYLIFFE ST KINGSCOTE SA 5223

Title ref.: CT 5928/974 **Plan Parcel:** D65423 AL3 **Council:** KANGAROO ISLAND COUNCIL

The subject land comprises a single residential allotment located at 39 Ayliffe Street, Kingscote.

The land is rectangular with a frontage width of 20 metres, a depth of 40 metres and a total site area of approximately 800 square metres. The land is formally described in Certificate of Title Volume 5928 Folio 974 comprising Allotment 3 in Deposited Plan 65423. There are no registered interests on the land titles, such as an easement, encumbrance or Land Management Agreement.

The site is vacant and devoid of vegetation.

The site has a crossfall of approximately 3.3 metres from the rear north-western corner to the road frontage.

Locality

The locality comprises an established residential area on the northwestern side of the Kingscote township.

There are sporting facilities on the eastern side of Ayliffe Street that include a football oval, tennis courts, cricket nets and a small skate park.

Existing residential development consists mostly of detached dwellings of both single and two storey scale. Immediately northwest of the subject land is a tourist accommodation development comprising of four two-storey villas in what was a former squash centre.

Several allotments in the immediate locality are vacant.

Notable features of the locality include the modest size and simple form of existing buildings, the spatial separation between buildings and the elevated topography further north with distant views of the coastline.



Figure 2 – Locality Plan

CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:**
New housing
Detached dwelling: Code Assessed - Performance Assessed
- **OVERALL APPLICATION CATEGORY:**
Code Assessed - Performance Assessed
- **REASON**
P&D Code

PUBLIC NOTIFICATION

- **REASON**
Exceeds the maximum building height specified in Neighbourhood Zone DTS/DPF 4.1 of 6.5m.
- **LIST OF REPRESENTATIONS**
The application was publicly notified between 17 September and 8 October 2025. One (1) representation was received with the representor requesting to be heard.

A summary of the representation received is provided below:

Representor Name / Address	Support / Support with concerns / Oppose	Request to be heard
Theo Avgoulis PO Box 5089 GARDEN CITY VIC 3207 (Owner of 41 Ayliffe Street KINGSCOTE)	Oppose	Yes

The main concerns raised by the representors are summarised below:

- Potential loss of privacy from overlooking.
- Loss of outlook and overshadowing due to building height and side setbacks.
- Impact on amenity due to location of rainwater tank.

A copy of the representations and the applicant's response are contained in **Attachment B**.

AGENCY REFERRALS

Not required

INTERNAL REFERRALS

Not required

PLANNING ASSESSMENT

The subject land is located within the Neighbourhood Zone of the Planning and Design Code, as shown in the below extract. The land is also within the following Overlays:

- Airport Building Heights (Regulated)
- Hazards (Flooding - Evidence Required)
- Native Vegetation



Figure 3 - Zoning

Question of Seriously at Variance

The proposed development entails construction of a new dwelling situated within the Neighbourhood Zone. Development of this nature is appropriate for the following reasons:

- The subject land is an existing residential allotment, and a dwelling is an envisaged form of development in the Neighbourhood Zone.
- The proposed built form is sufficiently compatible with the local context given the size of the subject land, the modest building scale and the setbacks from boundaries.
- It has been reasonably demonstrated that the proposal would not adversely impact upon the amenity of nearby sensitive uses.
- The development includes safe and convenient access and adequate space for on-site car parking.

The proposed development is not considered seriously at variance with the relevant Desired Outcomes and Performance Outcomes of the Planning and Design Code (*the Code*) pursuant to section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016*.

Form of Development / Desired Outcome

The subject land is a vacant residential allotment within the Kingscote township.

The land is situated within the Neighbourhood Zone of the Code. DO 1 and PO 1.1 of the of the zone are seeking new housing that “*supports a range of needs and complements the existing local context*”. DPF 1.1 lists a ‘dwelling’ as a contemplated form of the development.

Item 5.1

As the proposed development comprises a detached dwelling on an existing residential allotment, the proposal is an appropriate form of development from a land use perspective.

DO 1 and PO 1.1 of the Neighbourhood Zone are satisfied.

Built Form, Scale and Streetscape

The proposed dwelling has a simple architectural form that features a pitched gable roof, front balconies with timber balustrades and light weight construction. External materials comprise of Hebel, Colorbond © sheet metal and horizontal hardiplank wall cladding finished in surfmist and Colorbond © roof sheeting finished in windspray.

The Neighbourhood Zone policies provide limited guidance with respect to the style, form and appearance of buildings. DO 1 of the General Policies (Design) encourages development to respond to its natural surroundings and built environment. The built form character within the locality is somewhat varied with conventional building designs presenting pitched roofs and brick veneer or lightweight building materials.

There are several instances of two storey buildings within the immediate locality at 43 and 45 Ayliffe Street and to the rear of the subject land which comprises four two-storey holiday villas in a repurposed building.

Although the built form has two storeys, the low roof profile, modest floor size of only 180m² (ground and upper levels) and setbacks from boundaries are sufficient in minimising the visual mass when viewed from adjoining properties and the road frontage. The lightweight construction is also consistent with existing buildings and complementary to the seaside surroundings. Overall, the built form would be in keeping with the existing built form character as sought by DO 1 of the zone and PO 15.1 of the General Policies (Design).

In terms of building height, DPF 4.1 of the zone recommends a maximum height of 6.5 metres and a preference for only one level. Building height is defined by the Code as:

“the maximum vertical distance between the lower of the natural or finished ground level at any point of any part of a building and the finished roof height at its highest point”.

The maximum ‘building height’ (as defined by the Code) is approximately 7.85 metres, largely due to the filling of the site to the front end to accommodate the bench level for the dwelling.

While the dwelling has two levels and exceeds a building height of 6.5 metres, The overall building height is substantially the same as the dwelling to the north at no. 43, and the departure is not considered to have any notable visual impacts given the small floor size of the ground and upper levels, the low-profile roof and the substantial road setback. There are no unforeseen impacts on streetscape amenity that would result.

The wall heights proposed are comparable with other two storey development in the locality, achieving 5.1m from the top of the footings to the eaves.

For these reasons, the proposal satisfies PO 4.1 of the zone as it is *“generally consistent with the prevailing character of the locality and will complement the height of nearby buildings”*.

On balance, the size, scale and design of the dwelling would respond appropriately to the local context.

Boundary Setbacks

The main front wall of the dwelling is setback 12 metres from the Ayliffe Street. The front setback is greater than that of the adjoining dwelling on the northern side and is generally consistent with the development pattern along Ayliffe Street which is varied. The siting of the dwelling would therefore maintain the existing streetscape pattern in accordance with the PO/DPF 5.1 and 6.1 of the Zone.

Item 5.1

The ground and upper levels are setback 3 metres and 6 metres from their respective side boundaries and 19 metres from the rear boundary. DPF 8.1 of the zone recommends a side setback of at least 1.9 metres from the northern boundary and 2.9 metres from the southern boundary. The side setbacks satisfy PO/DPF 8.1 and the rear setback of 19 metres also satisfies 9.1 of the Zone. The side and rear setbacks provide adequate separation to neighbouring properties to minimise any amenity related impacts such as overshadowing and visual impacts by way of bulk and scale.

Privacy and Overshadowing

The owner of 41 Ayliffe Street has raised concerns with the potential for overlooking from window and door openings on the ground and upper floors.

The proposed dwelling includes two small front balconies that are accessed from the main upper storey living area and bedroom. The balconies will have direct views onto the adjacent road, with only oblique views of the front yard of the two adjoining properties. There are no upper storey windows on the northern side elevation and only one high-level slot window on the southern elevation. This side window and the bathroom windows on the rear elevation will not result in any overlooking as they are either treated with obscure glazing and have restricted openings or have a raised sill height. Similarly at ground level there will be no overlooking impacts as the northern side of the dwelling will be cut into the site while the southern side will require only a small amount of fill.

Therefore, the proposal will sufficiently maintain the privacy of adjacent residential properties, as required by PO 10.1 and 10.2 (Design). No direct overlooking will result.

The shadow cast by the dwelling will be negligible as the dwelling is setback 6 metres from southern boundary and has a relatively low roof profile. The adjoining properties will experience a relatively small amount of overshadowing that would not adversely impact on their amenity. Adequate access to sunlight can be maintained thus PO 3.1, 3.2 and 3.3 of General Policies (Interface between Land Uses) are appropriately satisfied.

Vehicle Access and Car Parking

A new vehicle access and driveway is to be located adjacent to the southern side boundary. This access will service a car park at the rear of the dwelling and a future garage that is not being assessed as part of this application. The vehicle access will not conflict with any street infrastructure and is considered safe and convenient in accordance with PO 19.3, 19.4 and 19.5 of General Policies (Design).

While the proposal does not include any covered car parking, the applicant has identified a site in the rear yard for a future garage. As there is considered space within the rear yard for the parking of at least two vehicles, the proposal is capable of achieving the on-site car parking requirements of PO 5.1 of the General Policies (Transport, Access and Parking). Therefore, the fact that a covered parking space has not been included with the current proposal is not fatal to the overall merits of the application.

Private Open Space

The dwelling will be provided with more than 400m² private open space. While some of the rear yard will be occupied by a future garage, the dwelling has adequate rear yard area that will provide suitable space for entertaining, clothes drying and the like. The private open space satisfies the requirements of the Table 1 of the General Policies (Design in Urban Areas).

Native Vegetation Overlay

There is no native vegetation on the site. The proposal is consistent with the Native Vegetation Overlay.

Earthworks, Retaining and Fencing

The proposal does include any retaining walls as only a small volume of earthworks will be required (a balance of approximately 700mm of cut and fill).

Item 5.1

No boundary fencing is proposed. There is an existing low fence between the subject land and no. 41 that provides limited privacy between the two properties. It is observed that many properties within the township have low fences or in some circumstances none at all. The suitability of the existing fencing between the subject land and adjoining properties is a civil matter.

Stormwater and Wastewater Management

The subject land is not within a Stormwater Management Overlay or Hazards (Bushfire) Overlay.

A 1000 litre rainwater tank for retention purposes is to be provided in the rear yard. Overflow from the tank will be directed to the road. The stormwater management is acceptable.

Council's Environmental Health Department approved a wastewater application on the 24 September 2025. This is contained within **Attachment A**.

CONCLUSION

Having considered the proposal against the relevant provisions of the Planning and Design Code in effect, the proposal is not seriously at variance with the Planning and Design Code.

The proposed detached dwelling is a desirable form of development within the Neighbourhood Zone.

Whilst the proposed dwelling is of two-storey scale, the low roof profile roof, modest floor size and setbacks from boundaries are such that the built form would not visually overwhelm the allotment or the surrounding area.

It has been demonstrated that adequate provision is made for private open space, landscaping and on-site car parking and that any overshadowing or overlooking would not cause adverse amenity impacts.

Also, any increase in traffic movements would not adversely impact upon traffic or pedestrian safety on the adjacent road network.

Accordingly, the proposal would achieve the Performance Outcomes for the Neighbourhood Zone and warrants the granting of Plan Consent subject to conditions.

RECOMMENDATION

It is recommended that the Council Assessment Panel resolve that:

1. The proposed development is not considered seriously at variance with the relevant Desired Outcomes and Performance Outcomes of the Planning and Design Code pursuant to section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016*.
2. Development Application Number 25024039 by Longridge Group Pty Ltd is GRANTED Planning Consent subject to the following conditions:

Planning conditions

- 1) The development granted **Planning Consent** shall be undertaken and completed in accordance with the following stamped plans and documentation, except where varied by conditions below:

Item 5.1

- Site Plan prepared by Sarah Homes, Job No. 6706SL, Drawing No. 1/8 dated 19/11/25.
 - Ground Floor Plan prepared by Sarah Homes, Job No. 6706SL, Drawing No. 2/8 dated 19/11/25
 - Upper Floor Plan prepared by Sarah Homes, Job No. 6706SL, Drawing No. 3/8 dated 19/11/25
 - Elevation Plan prepared by Sarah Homes, Job No. 6706SL, Drawing No. 4/8 dated 19/11/25
 - Elevation Plan prepared by Sarah Homes, Job No. 6706SL, Drawing No. 5/8 dated 19/11/25
 - Section Plan prepared by Sarah Homes, Job No. 6706SL, Drawing No. 6/8 dated 19/11/25
 - Sarah Homes Building and Colour Schedule dated 01/08/25.
- 2) All works detailed in the approved plans and required by any condition of approval shall be completed prior to the occupation of the development unless otherwise specified by condition.
 - 3) The applicant, owner and/or other person(s) making use of the subject land shall maintain the site (including all buildings and structures, car parking areas, driveways and landscaping) in good condition at all times to the reasonable satisfaction of Council.
 - 4) The external materials and colours of the buildings approved herein shall be in accordance with the details specified in the approved application.
 - 5) The driveway and car parking areas must be hard paved or surfaced with crushed aggregate or a similar material to ensure access in both wet and dry conditions and to suppress dust. The covering material must be maintained to the reasonable satisfaction of the Council.
 - 6) The driveway crossover for the development shall be constructed in accordance with Council Detail SD 250 to the satisfaction of Council.
 - 7) Earthworks associated with the development shall be restricted to only that shown on the approved plans and managed in such a way as to prevent erosion and scarring of the land. Any exposed or scarred areas shall be covered with suitable ground cover or plants to the reasonable satisfaction of Council.
 - 8) All stormwater drainage shall discharge so that it does not flow or discharge onto land of adjoining owners or, in the opinion of Council, detrimentally affect structures on this site or any adjoining land.
 - 9) The dwelling approved herein must be connected to an approved waste control system prior to occupation of the dwelling.
 - 10) The dwelling shall not be advertised or used for any tourist or Airbnb type accommodation. This constitutes a change in use and requires a separate authorisation to be obtained.

ADVISORY NOTES

- No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.
- Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.
- This consent or approval will lapse at the expiration of 2 years from its operative date, subject to the below or subject to an extension having been granted by the relevant authority.
- Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).

Attachments

A – Proposed plans and wastewater approval

B – Representations and Applicant Response