
From: Arthur Ritar [REDACTED]
Sent: Saturday, 2 May 2026 9:27 AM
To: Kingborough LPS
Subject: Proposed zoning - [REDACTED], Kingston
Attachments: Representation to Kingborough Council Draft LPS re change from LCZ to RLZ.docx

Attn: Nick Heath, Delegate (Chair)

Dear Mr Heath

Please find attached our submission regarding the proposed zoning on part of our property, [REDACTED], Kingston. We would also like to have a hearing on our submission. However, we will be in north Queensland 12 May - 2 June 2026 as a result of a long-standing commitment. We would appreciate the opportunity to have a face-to-face meeting after that time. (It will be difficult or impossible to meet via a conferencing platform because no internet service will be available for most of that time.)

We look forward to your further advice and the opportunity to be heard.

Yours sincerely

Arthur and Angela Ritar

Kingborough Draft LPS representation for [REDACTED], Kingston: Change of LCZ to RLZ

This representation is made by Arthur and Angela Ritar [REDACTED], [REDACTED]).

Introduction

Our property at [REDACTED], Kingston has a portion proposed as Landscape Conservation Zone (LCZ) under the draft Kingborough LPS, which we dispute, and we wish to be heard on this matter. The Ireneinc report identifies the LCZ portion of our land in Kingston West for discussion at a future hearing (pages 84 – 100) and recommends zoning to Rural Zone (RZ). However, we instead propose that this portion be zoned RLZ.

The major portion of our property is proposed Rural Living Zone for minimum 2 ha lots (RLZB). We previously made a representation and had a hearing in August 2025 at the TPC regarding zoning for smaller lots (i.e. RLZA at minimum 1 ha, or even General Residential Zone or Low Density Residential Zone) reflecting the settlement pattern in the immediate area but have not yet had a decision on this matter. However, we did not discuss the portion proposed LCZ at that time.

Our property of 15.15 ha is currently mostly zoned Rural Living A (RLA, minimum 2.5 ha lots) under the 2015 Kingborough Interim Planning Scheme (KIPS) with a portion zoned Environmental Living (EL) along Browns River (Figure 1). The immediately neighbouring properties are zoned RLZ and range from 0.08 – 3.92 ha, all with residences and outbuildings. We have a permit for subdivision, with four lots ranging from 2.5 - 4.65 ha, totalling 13.43 ha, and are now obtaining the title to Lot 1 (Figure 2). Of the remaining less than 2 ha zoned EL, 0.77 ha is a contribution to council for Public Open Space (POS) along Browns River, as well as a road lot (0.27 ha) off [REDACTED]. The proportion of land proposed to be zoned LCZ is small, amounting to about 10% or 1 ha.

The Draft LPS indicates that our property would now mostly be zoned RLZ, and the balance (formerly EL) to be zoned LCZ (Figure 3). However, Zone Guideline RLZ 2(b) confirms that the RLZ may be applied to ELZ land where the primary strategic intention is for residential use and development within a rural setting.

Historically, our property was subdivided from a larger 500-acre farm owned by Bill Hodgman, the former warden of Kingborough Council in the 1970s. Up until then, it had run cattle and other livestock, including along Browns River. On our place, including in the portion proposed LCZ, the fencing and other infrastructure still stands and we have animals grazing on it. An irrigation dam straddles the proposed LCZ and RLZ.

Our home with outbuildings was built in 1978 and the property was and is primarily residential, although it has since had various horticultural ventures at different locations, but had then become neglected before we purchased it 20 years ago. Since our purchase, many weeds, including large areas of blackberry, Spanish heath, and gorse, as well as many radiata pines, have been cleared, allowing improved pasture development for grazing, and regrowth of native plant species, and reduction of bushfire risk.

The landscape values of our property along Browns River proposed to be zoned LCZ are managed not only by a Part 5 Agreement for the POS but the entire property has the proposed code overlays of Waterway and Coastal Protection Area, Priority Vegetation, Bushfire-Prone Areas, and Landslip Hazard. Notably, there is no Scenic Protection Overlay for this area, which is also the case for the other neighbouring properties on our side of the river either upstream or downstream. This is because these properties have little scenic value, whereas those across the river may have scenic

value as they mostly extend from the river upwards and well into the skyline, being visible from Kingston township and elsewhere. This is not the case with ours. However, on our side of the river, ours is the only property that has the proposed LCZ, whereas none of the others have this, even though they have similar landscape values. These properties are all zoned RLZ, right down to the river, so there is no connection on our side of the river with other properties zoned LCZ. This is therefore an inconsistency between our property and those other properties. We request that this inconsistency be removed and that the portion of our land proposed to be LCZ be changed to RLZ.

Our management of the land, regardless of the zoning, seeks to protect its inherent natural values. The POS land along the river, governed by the Part 5 Agreement and within the EL zone, is managed by us to minimise weed infestation. We similarly manage the remaining area in the EL, as well as the rest of the property zoned RL. During the time we have owned the property, the weed problem, as well as the overgrowth contribution to bushfire risk, has been greatly reduced from when we purchased the neglected property. We thus believe that the landscape values of the land proposed as LCZ can still be appropriately managed and should be zoned RLZ.

We are the only property on our side of the river with split zoning, which could be regarded as fragmentation. Our understanding of the position of council planners, the TPC, and Ireneinc, is that both split zoning and fragmentation are undesirable with regard to planning and should only be considered sparingly. In our case, we believe split zoning is unnecessary and that zoning of the property in its entirety should be RLZ. This is in preference to the council proposal to zone it LCZ or the Ireneinc suggestion that it be zoned RZ, where there is no clear reasoning for it to be zoned RZ.

In addition to the arguments favouring a change from LCZ to RLZ (rather than RZ) because of the residential nature of the entire property and all the surrounding properties in the immediate area, we are also close to urban settlement in Kingston. Therefore, a more appropriate zoning should be applied to the property, such as RLZA (if not denser). By contrast, the proposed zoning of RZ is more appropriate for larger properties in non-urban areas where the intended use is rural or agricultural and does not reflect its residential use.

Figure 1. Our property [redacted] Kingston (red circle) and nearby properties.

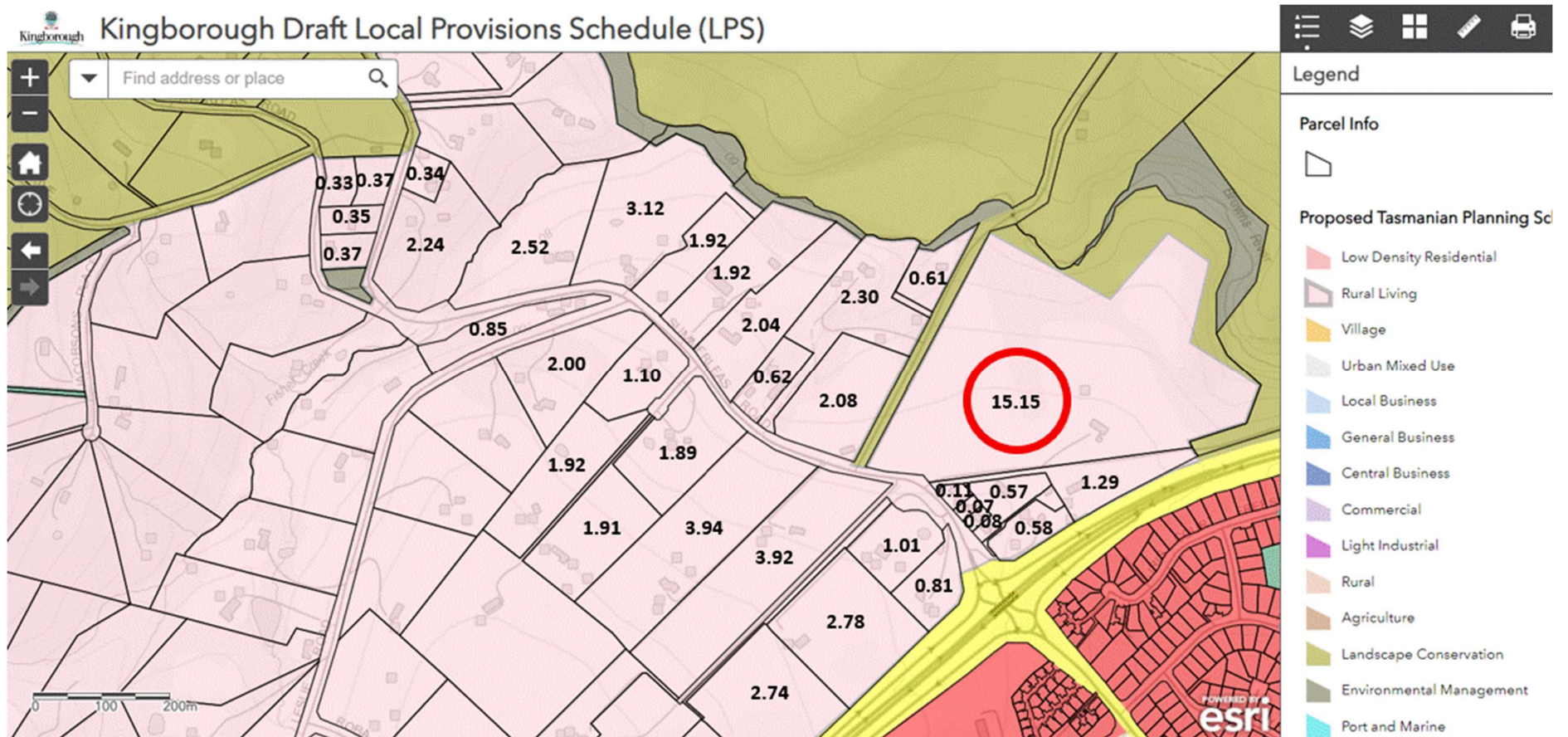


Figure 2. Plan of subdivision for [REDACTED], Kingston.

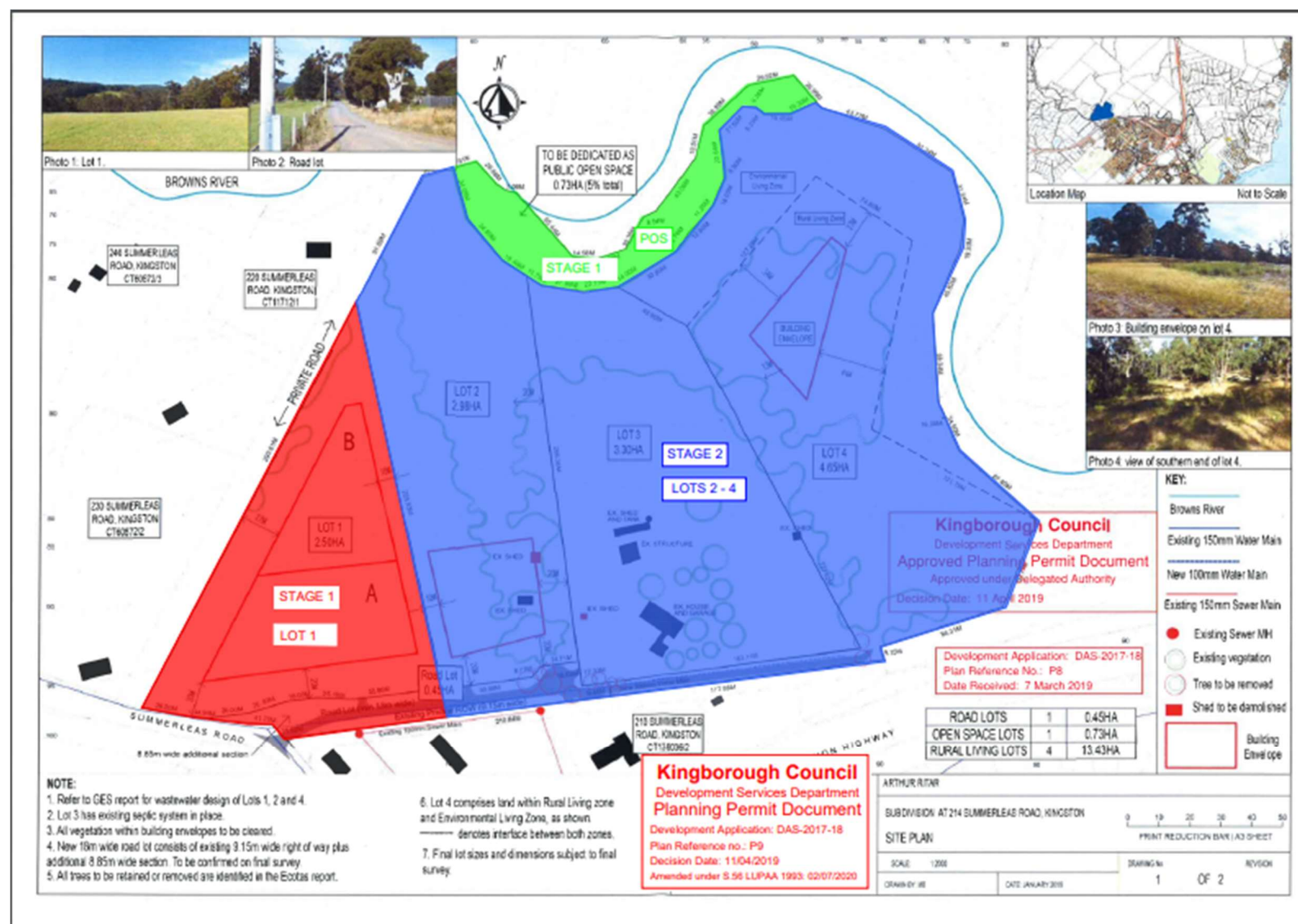


Figure 3. Zoning of [redacted], Kingston under the proposed draft Local Provisions Schedule for Kingborough Council

