



## NSW National Parks and Wildlife Service

Our ref: DOC23/934779

Mr Mark Arnold  
General Manager  
Byron Shire Council  
PO Box 219  
MULLUMBIMBY NSW 2482

By email: MArnold@byron.nsw.gov.au

Dear Mr Arnold

In 1998, Byron Shire Council designated a section of Tyagarah Beach as a 'clothes optional area', under section 633(2) of the *Local Government Act 1993* (LG Act). The clothes optional area was designated on what was understood to be council-managed land directly east of Tyagarah Nature Reserve and below the mean high water mark.

In 2023, the National Parks and Wildlife Service (NPWS) commissioned a survey to determine the mean high water mark. The survey indicated that the Tyagarah Nature Reserve boundary is 20 to 40 metres from the base of Tyagarah Nature Reserve dunes (map provided).

I am advised that the survey indicates that a large section of the clothes optional area authorised by Council and mapped on its signs is within Tyagarah Nature Reserve. Clothes optional area users above the water line are primarily in Tyagarah Nature Reserve.

Maintaining a clothes optional area in a nature reserve is not consistent with the values the reserve is managed under. For example, people are accessing not only the beach but also the dune and hind-dune which is creating environmental issues. The continuation of a clothes optional area in Tyagarah Nature Reserve is not supported by NPWS.

NPWS would like to meet with Council as soon as possible to discuss future management of the area. Please contact Jenny Atkins, Manager Tweed Byron, NPWS at [jenny.atkins@environment.nsw.gov.au](mailto:jenny.atkins@environment.nsw.gov.au) to arrange a suitable time to meet.

Yours sincerely

**Deon Van Rensburg**  
**A/Executive Director, Park Operations Coastal**  
**National Parks and Wildlife Service**

6 December 2023

Encl Mean High Water Mark Survey 2023