

Byron Sea Kayaks Pty Ltd
&
Go Sea Kayak Byron Bay Pty Ltd

7 November 2023

Paula Telford

Leasing Co-ordinator

Byron Shire Council

PO Box 219

Mullumbimby NSW 2482

By email only: ptelford@byron.nsw.gov.au

Dear Paula

Feedback on the Draft Commercial Activities on Coastal & Riparian Crown Reserve Policy 2023

- 1. Submission by Byron Sea Kayaks Pty Ltd & Go Sea Kayak Byron Bay Pty Ltd**
2. This submission has been jointly prepared by Alice Livingston, owner of Byron Sea Kayaks Pty Ltd (trading as Cape Byron Kayaks) and Kurt Tutt, owner of Go Sea Kayak Byron Bay Pty Ltd (referred to as “we” or “our” in this document).
3. Since 2007, we have operated under the same conditions and face the same issues. Accordingly, we have written this submission jointly for ease of review and to avoid duplication.
4. Byron Shire Council (B.S.C) can rely on this submission as representative of the sea kayak license holders in Byron Bay.
5. We understand the need for regulation of commercial activities on Crown Land and wish to continue to work closely with B.S.C and Crown to achieve mutually beneficial outcomes, a workable model that benefits and supports all stakeholders to ensure sustainability in all facets of the business and management of the Reserve.
6. By the very nature of the extremely low impact tours we run, the activity in fact increases the recreational amenity of the beach and reserve for Byron Shire residents and visitors. Since 2007 we have both actively increased our responsibility regarding sustainability, minimum impact tourism and demonstrated ecological sustainable practice of the Reserve and the Marine Park to ensure the benefit and enjoyment of both current and future generations.

Clause 1.1 – Objectives

7. Clause 1.1 does not appear to capture all of the principles for Crown land management from the Crown Land Management Act 2016. We note the following principles which should be clearly expressed as equally important objectives for the Policy:
 - (c) that public use and enjoyment of appropriate Crown land be encouraged, and
 - (d) that, where appropriate, multiple use of Crown land be encouraged...
8. We submit that the above is relevant as it shapes how the Policy is formed and applied. That is, commercial activities on BSC beaches and reserves are, in fact a key method to facilitate public use and enjoyment of Crown Land.
9. We note that in the response to the original submission (29th May 2023) received from Malcolm Robertson (8th June 2023) he stated:
 - (a) Point 7 request to update the Mission Statement clause 2 of the Policy is noted by Council. Councillors have endorsed a re-write of the Policy to bring the Policy in line with Councils chosen policy format.
 - (b) Point 8 is noted by Council.
10. To the best of our knowledge this has not been amended in the current document that is out for public comment.

Yours faithfully,

Alice Livingston

Byron Sea Kayaks Pty Ltd

Kurt Tutt

Go Sea Kayak Byron Bay Pty Ltd