

**From:** [REDACTED]  
**To:** [IPCN Enquiries Mailbox](#)  
**Subject:** Submission BYRON SHIRE STRA (PP-2021-3351) - Broader info and additional points Speaker No. 32  
Planning panel Meeting  
**Date:** Wednesday, 8 March 2023 4:12:03 PM

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BYRON SHIRE STRA (PP-2021-3351)  
PUBLIC HEARING ON SHORT TERM RENTAL ACCOMMODATION PLANNING  
PROPOSAL IN BYRON SHIRE

"The NSW Independent Planning Commission will hold an in-person Public Hearing at the Byron Community Centre (69 Jonson Street, Byron Bay, NSW 2481) from 21 to 23 February 2023 on housing and rental affordability and rental availability in the Byron Shire, the economic contribution of the Short Term Rental Accommodation industry in the Byron Shire and the Byron Shire Council's proposal to cap Short Term Rental Accommodation. The Minister for Planning has asked the Commission to hold the Public Hearing and prepare advice to the Minister and the Department of Planning and Environment to inform decision-making on Council's planning proposal and on housing and rental affordability and rental availability in the Byron Shire more generally."

Speaker No.32

John Lazarus

Secretary Byron Neighbourhood Resource Centre (focused on addressing homelessness issues)

I was an elected Byron Shire Councillor (2004 - 2008), and Chair of BSC's Disability Access Committee.

During my period as a Councillor, I independently held two Homelessness Conferences.

I also engaged with local Service Providers, Charities and homeless residents, to hold three major public events, as fundraisers to set up a Byron homeless Drop in Centre, to fund construction of a kitchen at the Byron Youth Activities Centre (used for cafe workplace training for homeless, and early school leaver, youth), etc.

I have engaged with State Ministers and Lands Dept. to slow down evictions of homeless residents in bush camps, to successfully get the bush camp members into alternate accommodation.

I have advocated for homeless residents in regard to Centrelink, and accessing emergency accommodation, and accessing social housing.

Please find below - Broader information on Speech Points, and additional Points.

Dear Planning Panel

1) I welcome the independence of the Panel, on what I allege is a major unassessed social engineering proposal, adversely affecting both State wide

access to residential accommodation, and subsequent impacts on employment, and causing adverse state wide impacts on existing residential communities.

I Request the Panel Reject both Byron Shire Councils Short Term Rental Accommodation (STRA) proposal, and advise the State Govt to Rescind the current STRA Legislation as it does not Comply with existing Legislations, existing Planning Law, existing Residential Strategies, and that the Exempt use of residential properties for Tourist STRA use is detrimental to the just and proper development of society

Exempt Use of STRA in a DA Consented, and LEP Zoned, residential premises is non Compliant with existing Prohibition of Tourist Facilities in Residential Zones, non compliant with the Federal Govt of Australia's Classification of Developments, and non compliant with the legal Compliance, and the Australia's Human Rights Commission's governance, of the Disability Discrimination Act.

While separate existing Property investor Tax benefit legislation is already acknowledged as skewing access to residential housing away from access for owner occupiers, this STRA legislation further incentivises investors over owner occupiers, and erodes provision of both residential house tenancies and share house individual rooms tenancies, which are turned into Tourist STRA use.

1a) I request the panel accept that STRA is NOT a subsidiary residential use, but is in reality a purely Tourist Business use, and advises the State Govt to apply the existing Federal Govt of Australia's Classification of Developments, that State Govts (and Councils) are obliged to follow - <https://www.abcb.gov.au/sites/default/files/resources/2022/UTNCC-Building-classifications.PDF> © Commonwealth of Australia and the States and Territories of Australia 2022, published by the Australian Building Codes Board.

Every premises development Use has a registered Class of Development. A greater than 10 % use of a Storey for STRA, requires a separate Class Classification "for short-term holiday accommodation". STRA is further captured by the Federal Classification requirements, regarding the *Disability Discrimination Act*, as the Disability Discrimination Acts Access Legislation also identifies access requirements, and the number of Disability Access units required under the various use Classifications, for premises used for "short term holiday accommodation"

A resident renting their house, or room, for the exact dates of the period that they intend to be absent, is a subsidiary residential use.

A resident, or non resident investor, placing their property on a web site where a multiple number of different Tourists book a multiple variety of specific individual dates for their individual Tourism holidays, is a purely Tourist Accommodation Industry Use.

I note the Planning Panel meeting is in regard to the "Short Term Rental Accommodation **industry** in the Byron Shire"

And I Note that the Fair Trading Code of Conduct is "The Code of Conduct for the Short-term Rental Accommodation **Industry**"

The expansion of this industry from existing Tourist use zones into residential zones, is in breach of Legislation and Planning law.

1b) I request that the Panel recognise that STRA has historically been unlawful in LEP residential living zones (Zone conditions - "tourist facilities prohibited"), for the very reason that it conflicts with residential zone uses and, conflicts with supply of residential housing.

I request that the Panel recognise that individuals, and the STRA Agencies, engaged in STRA in residential zones, have been acting unlawfully in breach of Planning Law.

Please see Case Law and Legal Precedents of prosecutions, such as the Court decision stopping STRA use of a residential zoned house in Coffs Harbour, and on Sydney apartments where the Court determined that less than three months occupancy was unlawful.

Please note that Byron Shire Councils has also initiated six Prosecutions, by the serving of Orders, against the unlawful and prohibited STRA use in residential zoned houses, (the matters did not go to Court as all owners ceased the unlawful use).

The Orders to cease STRA, that Council initiated, have had a dampening effect on this unlawful use, whereas decriminalising STRA use will influence increasing loss of residential accommodation to STRA, driven by STRA's higher financial business returns, ( as would the higher financial returns from the use of residential houses, for even a restricted capped period, for use as a commercial public Bar, or a Brothel, or a cafe, or a vehicle repair shop, based on a fatuous spurious allegation of the similarity to the 'Exempt category' of residential uses of having a drink with friends, having sex, having dinner parties, or repairing your own car).

1c) Tourist STRA use will enshrine social and neighbor conflict. Tourists and residents have different waking and sleep patterns, and different use of a house, and different levels of accommodation numbers and vehicles. Tourists like to make noise - they are on holiday. A neighbourhood school teacher had to sell her house as the noise from the STRA next door prevented her doing her lesson preparation, and getting to sleep (she spoke to the owner - he wrote YES TO HOLIDAY LETTING in metre high letters on his wall facing her). A grandmother was threatened "for interrupting my business" after her request on noise was ignored and she called the Police. There are a thousand stories of residential use conflict with STRA use, in this Shire.

The shires residents can happily coexist with our two million Tourist visitors, if all their noisy, drunken exuberance, and late night activity, is constrained to the CBD or managed by managers in serviced apartments and B&Bs that exist, and are permitted in Residential zones.

However best managed, STRA is an incompatible use with existing residential zone uses.

And Neighborhoods aren't Neighborhoods without Neighbors.

2a) I suggest that any STRA legislation that invalidates LEP zonal use, is social engineering on a major scale, and would be the largest divergence from our LEP zoning system, and the largest divergence from existing land use planning, since the Australian Standard Classification of Developments, and LEP's, were introduced. This social engineering change has major serious unaddressed and unassessed ramifications.

For every 1000 residential houses converted to STRA Tourist accommodation,

STRA displaces approx 2,500 residents in properties used for residential family homes (existing Byron Shire average: 2.5 residents per home), and for properties used for residential share houses, conversion to STRA displaces up to 6000 residents (up to 6 person per 3 bedrooms home).

Exempt use of STRA further completely invalidates both Council and State Govt. planning for the required supply of residential housing development needed to meet projected residential population increases

2b) STRA has invalidated Byron Council and the Community's decision, to progress 'Granny Flat' development on existing house sites, which was for supply of small unit affordable residential accommodation for the section of the society not serviced - single parents, students, low paid workers, aged parents, aged and invalid pensioners, and young couples.

Unlawful STRA use taking over Granny Flats has contributed to Byron now having NO available or affordable residential rentals for those on a pension or benefit.

Legitimising STRA use for Granny Flats invalidates this communities social policy development provision to supply residential units to a sector not serviced.

Granny flat development with a small construction investment of \$50,000 - \$100,00 on existing back yards, provided an accommodation supply that had the capacity to be affordable, but that also concurrently assisted home owners with a long term income - Noting Byron Shire's residential homes have one of the lowest household incomes, and individual residents have one of the lowest individual wages in the state

2c) Any allowance of STRA for a permitted time period in a residential zoned house, invalidates use for residential occupation for the entire year No person can organise, or commit, to have a permanent job, put their kids into a school, take on a loan, etc, with only 6 - 9 month residential leases

2d) I Request the Planning Panel Reject all STRA proposals. Councils STRA proposal is purely 'lets see if we can at least get some restriction'. Councils STRA proposal is not a wholistic addressing of the impacts, and I ask the Panel to Reject all proposals and advise the State Govt to support Compliance of unlawful STRA in residential zones

2e) I Request the Planning Panel advise the State Government to Rescind all STRA legislation and accompanying provisions. And

2f) Advise the State Govt. to go back to allowing each individual Council the local autonomy to provide Tourist Accommodation under the existing State Standard LEP zonal system, which currently prohibits tourist accommodation in residential living zones with the exceptions of Managed Apartments and Managed B&Bs subject to DA Consent. Byron Shire, in conjunction with the residents and business input, has provided the planning framework that has supplied accommodation for two million annual tourists, and is quite able, and should be allowed to, to make the planning decisions for the provision of accommodation for future Tourist demand : -

Land Use Matrix [DPIE version 4.2] - August 2020

Byron Local Environmental Plan 2014

**Tourist Facilities**

RU1 Primary Production - permitted with consent  
RU2 Rural Landscape - permitted with consent  
RU5 Village - prohibited  
R2 Low Density Residential - prohibited  
R3 Medium Density Residential - prohibited  
R5 Large Lot Residential - prohibited  
B1 Neighbourhood centre - prohibited  
B2 Local centre - permitted with consent  
B4 Mixed Use - prohibited  
B7 Business Park - prohibited  
IN1 General Industrial - prohibited  
IN2 Light Industrial - prohibited  
SP3 Tourist - permitted with consent  
RE1 Public Recreation - prohibited  
RE2 Private Recreation - prohibited  
C2 Environmental conservation - prohibited  
C3 Environmental Management - prohibited  
C4 Environmental Living - prohibited  
W1 Natural Waterways - prohibited - prohibited  
W2 Recreational Waterways - prohibited

Please note Byron Shire has events of up to 58,000 attendees in a Shire of 35,000 residents, ie we may presently not have enough houses or rooms for STRA use, even if every house and room in the Shire is turned into commercial STRA use (and please recognise that there would be persistent change of use from residential homes to tourist facilities due to the STRA facilitated demand and commercial financial benefit)

2g) Casual use of a property by owners for occasional holidays is best wholistically served by a DA for a Bed and Breakfast (B&B). The owner can organise the absence of bookings for any period that they wish to use for their holiday. The property, at all other times, becomes part of the Shires Tourist accommodation supply. B&B Business Rates conform to the increased use of the property (Councils Business Rates are higher than Residential Rates - CBD 200%, non CBD 150%).

If a STRA property can not meet the modest Conditions required for a B&B, then the STRA property should not be providing accommodation to the public, or be in a residential zone.

3) Present STRA economic assessments lack credibility.

An economic assessment has two columns - Credits and Debits, with the balance between the Debits and Credits providing the Total economic loss or gain.

Debits that have not been calculated against the STRA generated income are:

3a) Residential generated business income, that would be lost to STRA use, in the STRA use period and in the period where STRA accommodation is vacant, and in periods such as Covid travel restrictions and natural disaster periods, where Tourism income is restricted or absent.

3b) Additional cost of renting or purchasing property, with increased costs driven by market forces of lesser properties available for residential use, and by

competition with increased commercial income from STRA use

3c) Additional costs of travel for workers, business owners, and former residents, forced to seek accommodation in surrounding Shires while still accessing Byron for work, business, family, friends, social networks, volunteer networks, Byron's surf beaches etc etc.

3d) Additional Land Tax costs to existing non STRA land owners, by STRA competition for residential houses driving up house/land prices, with market property purchase competition on price influenced by the property's STRA business income: -

The NSW Land Tax Threshold for 2022 is \$822,000. In NSW, land tax is calculated as \$100 + 1.6% of the land value over \$822,000. For instance, a property with a \$1,000,000 land value would be subject to \$2,948 land tax in 2022, in addition to Council Rates

3e) Additional costs to Council from lack of proportional DA Consent Developer Contributions, via Exempt development of STRA properties as a Residential use, as opposed to the higher occupation and public spaces use from a STRA property: - Byron Council allots developer Contributions based on a residential house having an average of 2.4 Residents, whereas STHL properties generally double or triple that number of occupants (and thus STRA use causes an increase cost for Councils to provide and maintain infrastructure, from roads and parks, to construction of new water and sewerage facilities, etc., but without any Council increase in Developer Contributions income from Exempt STHL use)

3f) Additional costs to business owners from loss of income who PRESENTLY cant get enough staff, which PRESENTLY causes some business to either not open 7 days a week or to restrict opening hours due to no available staff to staff all shifts, and to pay higher wages for the shrinking available pool of staff

3g) Additional costs to business owners who have had to buy apartments for accommodation for staff. I know of two business that have bought apartments for their staffs accommodation - the Chemist in the Mercato development on Jonson Street ( to provide the availability of medication), and the Clarkes Beach Cafe. They both had to spent aprox \$M1.5 each to ensure they have staff accommodation, and both now have an increased business cost of monthly mortgage payments

3h) The loss of both residents capacity to access higher paid employment, and the loss of business access to staff for higher waged business, replaced by the lower waged, significantly menial, domination of a Tourist industry.

3i) Likely cost to the State Govt, of compensation to the existing authorised Tourist Accommodation providers. The precedent for compensation has been made with the State Govts new regulations that allow residential cars to be used as Uber Taxis, which has a nexus with the State Govt allowing residential houses to be used as Tourist accommodation facilities.

The licenced taxi owners have received \$M905 (nine hundred and five million dollars) in Compensation. There is more than 10 Licenced Tourist Accommodation providers for every Licenced Taxi, ie decriminalising STRA may cost the State

Govt \$B9 (nine billion dollars) in Compensation to existing licenced Tourist Accommodation providers

#### 4) Present STRA impacts lack assessments

4a) Unassessed:- Presently elderly residents, who have been assessed and granted budgets for home care, can not get home care, because no Service Provider has staff in this area due to lack of workers accommodation. The impacts of STRA are resulting in Elder Emotional Abuse and Neglect

4b) Unassessed:-Those that control land and its resources create inter generational wealth. The Shires Aboriginal residents are, in effect, the first generation to be able to head in that direction. The majority just have their foot up towards the first rung of that ladder. We have been through a successful ILUA with the local mob, which has resulted in housing, but the housing is full, and with extended family sleeping in the lounge rooms. 60,000 years of unbroken family connections living in Byron, but now no capacity for their expanding families to live here? STRA Broadens The Gap on Aboriginal disadvantage. Failure to address the STRA impacts on Aboriginals access to purchase or rent housing, to live on their land that contains their religious and cultural heritage, can only incite further the high levels of Aboriginal suicide, alcoholism, adverse mental and physical health, and the filling of our jails from contempt at the White Law that continues to disenfranchise them.

While all levels of governments assistance to social housing is welcome, the loss of market availability of accommodation caused by STRA use, causes a social structural barrier particularly to Aboriginal residents entering into the market on their own terms as general members of the community ( and this structural disadvantage also applies to the social strata of all other low socioeconomic residents)

4c) Unassessed:- Council and the State Govt have zoned land, Adopted funding, and are presently doing site works, to construct a TAFE in Byron Bay. No independent student can rent accommodation, due to both the lack of, and the unaffordability of Byron's accommodation. The only young TAFE students will be those still living in their parents house.

4d) Unassessed:- The loss of Residential **share house rooms** to Tourist accommodation. The practice of new and existing house owners, and of those that take the head rental lease, has been to rent individual rooms for residential and worker accommodation on a share house basis.

Both the State Govt's and Councils STRA proposals, ignore the loss of rooms in share house residential accommodation, as an individual room can be rented under both STRA proposals by both a home owner and a head lease renter, for tourist accommodation of up to \$1000 per night for a room in peak summer and for festivals, - a neighbouring old wooden 3 bed home , 3km from the CBD, rents for STRA for up to \$17,500 per week.

4e) Unassessed:- If STRA is classed as a 'residential use', then all financial bonds must legally be deposited with the NSW Residential Rental Bond Board:-  
Fair Trading: "The *Rental Bond Board* is the independent custodian of rental bonds paid by tenants to landlords or their agents for residential tenancies."

4f) Unassessed:- If a tenant is granted defacto STRA residential accommodation, but outstays the agreed accommodation period, then the matter is lawfully required to go to the Residential Rental Tribunal under the Residential Tenancies Act (which can be a 3 month process).

4g) Unassessed:- Legal Precedents that STRA is unlawful in residential zoned houses, and Legal Precedents that less than 3 month occupation is not a lawful use in a residential zoned apartment, -

Note an example: L&E Court decisions Case No 14/40923 "The Respondent, its servant, contractors or agent is restrained from undertaking, permitting or promoting the use for any other purpose than for permanent residential accommodation", with a breach of the L&E Court decision rendering the breaching party "liable to imprisonment or sequestration of property in addition to a fine."

4h) Unassessed:- Council DA Conditions of residential housing Consents which include prohibition on STRA Holiday Letting

4i) Unassessed:- STRA use under the Legal Hierarchy where the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2021, act to Legally Condition the lower legal Hierarchy of the State Environmental Planning Policies (for example the State Environmental Planning Policy (Housing) 2021)

4j) Unassessed:- Councils 5 Compliance staff's' capacity, and Councils' financial budget capacity, of compliance over thousands of STRA properties

4k) Unassessed:- Increased demand for residential accommodation in surrounding Balina, Lismore, and Tweed Shires, driven by the loss of residential accommodation in Byron Shire. Noting the existing loss of accommodation in all three shires due to floods

4l) Unassessed: Change in local capacity to manage natural disasters. It was overwhelmingly the local residents that managed the 2022 flood impacts. With the tourists not having family or friends in Australia, and no access to formal emergency relief, it was the flood victims who also looked after the tourists. The SES and Army took a week to get organised to assist. STRA will enshrine a loss of younger residents, with an increase in tourists staying among older established residents. In this era when temperatures will continue to increase, which will drive an increased intensity of storms and bushfires, STRA undermines our resident social structures' capacity to manage and survive natural disasters

Please Note: That the ongoing unlawful holiday letting use in Byron, has resulted in every Census over the last decades illustrating that Byron has double the State average of empty houses on Census night, while having the largest amount of residents forced into homelessness outside of Sydney, with homeless residents forced into sleeping in bush camps, or in their cars, or sleeping under CBD buildings, with the Shires homeless rate now exacerbated by homes made



unlivable by the floods of one year ago.

And note that Byron Council, in addition to commencing prosecutions of residential premises used for STRA (of which none made it to Court as the unlawful operators ceased their unlawful use prior to the matters going to court), that Council also held a Conference on STRA in 2006 (?) with Councillors, Council staff, the local STRA agency, and Police, which Adopted to expand and create new Tourist Zones to facilitate STRA, while retaining its prohibition in residential living zones. But while the STRA Agency agreed to engage in the conference, they advised that they, and their members, refused to comply with the Conference decision.

4k) Unassessed:- capacity of the Exclusion Register to function where an Excluded operator changes the ownership of the property to another named family member, or to a company name, or sells the property and recommences STRA in another purchased neighboring property

4l) Unassessed:- The loss of agricultural production lands. Presently a restricted number of tourist cabins are allowed on agricultural land as a conjunct to agricultural activity. If STRA is allowed then the main house, or expanded house can also be used for STRA, which will likely turn agricultural properties into purely Tourist Resorts with no agricultural activity.

4m) Unassessed:- The capacity to purchase multiple adjacent residential zoned houses ( whether with boundary adjustments to make them the one lot, or not) to in effect create a Tourist resort in a residential zoned area. And the capacity to purchase either a majority of apartments in one block, and thus with the owners majority of votes to allow unmanaged STRA among residential apartments, or to purchase all apartments and have one manager to allow permanent STRA use

4n) Unassessed; - Pecuniary Conflict of Interest of a range of State Govt. politicians.

I note that, without any thorough assessment, Parliamentarians who have been, are, or appear to be, involved in this prima facie unlawful STRA activity include

Former NSW Deputy Premier John Barilaro (via AirBnB)

Former NSW Opposition Leader Jodi McKay (via AirBnB)

Labor Ryan Park (via R.E Agent)

Labor Clayton Barr (via Stayz)

State nationals Thomas George, John Williams and Kevin Humphries ( all subject to L&E Court Orders, effectively to 'cease and desist')

Liberal Don Harwin

Animal Justice Party Mark Pearson

Labor Jo Haylen

Please Note: this is not a complete list, and while these parliamentarians may have properly Declared these properties in their Assets declarations, it appears that no politician Declared a Pecuniary Conflict of Interest in voting on any of the STRA Legislation, and I request that the Panel direct the State Govt to Conduct an Inquiry into Parliamentarians Failure to declare Pecuniary Conflicts of Interests in voting on STRA Legislation, and that the Inquiry Result be forwarded to ICAC.

4o) Unassessed; - Redevelopment of present residential houses to facilitate higher STRA use. There were formally residential houses within Byron's Tourist zones. They have all been redeveloped for a higher intensity of use. Owners of

residential houses in residential zones, used for STRA, will redevelop these houses utilising every available option of existing Planning Legislation - extended house of connected rooms, second storey, accommodation loft, dual occupancy, granny flat, and for developments of studios, expanded garage, workshop, office, enclosed balcony, and enclosed under balcony, for unlawful accommodation, (note web STRA advertisements, such as on <https://www.stayz.com.au> , advertise STRA accomodation for more than two persons per bedroom). The subsequent redevelopment of residential houses in residential zones will be inconsistent with surrounding residential development, and the increase in use will be inconsistent with surrounding residential use.

#### 5) Legal Non Compliance

I allege that:

5a) the STRA Legislation's Classification of STRA as a Residential use does not comply with the existing Federal Govt of Australia's Classification of Developments

5b) the STRA Legislation's Classification of STRA as a Residential use does not comply with the existing Classification of properties, or part properties, and subsequently does not comply in regard to requirements under the use for the commercial STRA Tourist accommodation under the Disability Discrimination Act

5c) Residents in Residential zoned houses in Councils proposed new Precincts, where the zone Conditions prohibit the use for STRA, have the legal right to claim Existing Use Rights, and thus the Precinct map will not include their properties

5d) Residents have the right to protect their legal right to the peaceful enjoyment of their properties by a Class Action - noting that both the proposed local Complaints process and the Fair Trading Code of Conduct identify adverse impacts on surrounding residents

5e) The false STRA 'Residential' Classification conflicts with the reality that STRA commercial activity in a residential house will be subject to the Tax Departments Capital Gains Tax Legislation

5f) Agents that are, or have been, managing STRA in properties where Tourist facilities are prohibited, are subject to Compliance of their existing and past breaches by the NSW Fair Trading Dept

5g) State Govt Politicians who have been operating personally owned STRA properties, but who have failed to Declare their Pecuniary Conflict of Interest when voting on STRA Legislation, should be referred to ICAC charged with Corrupt Conduct

5h) As no Resident has agreed to be the STRA frontline Compliance manager for the proposed unwieldy and ineffective local STRA noise Complaints process, residents will be enacting Citizens Arrests of those non compliant with any STRA legislation

5i) This situation needs a far greater wholistic assessment, and assessment in regard to the existing Planning Law and consideration of the reasons for existing

Planning Law

Please note my inquiry with questions to the State Govt.

[STHL@planning.nsw.gov.au](mailto:STHL@planning.nsw.gov.au) received a reply that 'there had not been any STRA regulation". I responded with advice of the Planning Legislation, Prosecutions and Legal Precedents, and asked further questions - I received an email Response - <[STHL@planning.nsw.gov.au](mailto:STHL@planning.nsw.gov.au)>:

550: #5.7.1 **Your access to submit messages to this e-mail system has been rejected.**

I further conducted a successful GIPA Request

My further questions, directly to the Department of Planning, Industry and Environment, as the Secretary of a 13 property Strata Development, regarding STRA obligations in regard to the Disability Discrimination Act, which is framed by the Federal Govts Classification of developments, twice received NO Answers to my direct pertinent questions, and only the fatuous answer that properties must comply with their Consent Conditions (Noting that all Residential properties in Residential living zones were given Consent as Residential houses with no obligations under the Disability Discrimination Act, and were all given Consent with Land Title and Development Conditions that Tourist Facilities were prohibited, and that all Residential living zones were subject to the LEP Conditions that Tourist Facilities were prohibited - ie no residential house had previous obligations under the Disability Discrimination Act).

As such, I have raised with the DPIE, prosecution of themselves as party to the STRA Legislation non compliance with the Disability Discrimination Act, and the Dept's Non Compliance with the Federal Govts Classification of properties

5j) Please note STRA use by my neighbor, and a house four houses away, appear to be not Registered, and thus the figure of 43,000 Registered properties in NSW is not an accurate figure of STRA use.

Note: that the impacts from even just the 43,000 premises figure, displaces over 100,000 residents in an average family home (43,000 x aprox 2.5 occupants = 100,000 residents) and displaces over 250,000 NSW residents from access to accommodation in houses used as Share homes (43,000 x up to 6 occupants per 3 bed home = 250,000 residents). STRA providers have always acted in contempt of the Law, and it is unrealistic to expect them to comply with any STRA restrictions, as the STRA income they receive outweighs any costs for breaches. The STRA Agencies have, and continue, to operated provision of a supply of an unlawful and prohibited product. They are in effect prima facie crime networks. I request their activities be referred to the NSW Police Organised Crime Squad

Should there not be a wholistic result from this Planning Panel process, then the matter will not be settled, and the residents will be making decisions on how to address this issue, outside of any State Govt decision and its Pecuniary Conflicted members.

Yours

**John Lazarus**

**Secretary Byron Neighbourhood Resource Centre**