



# THE ENTRANCE PENINSULA COMMUNITY PRECINCT

ENCOMPASSING: THE ENTRANCE; THE ENTRANCE NORTH; LONG JETTY TOOWOON BAY; BLUE BAY; SHELLY BEACH & MAGENTA

## The Wyong Shire Councils' Chief Ranger Jody Hinds' presentation, 15 June, 2010 at 7:00pm on "The Ranger's Role in Wyong Shire"

TEPCP gave Jody a warm welcome and thanked Jody for his attendance. Jody was accompanied by Wyong Shire Council's Manager of Regulation and Compliance, Rob Van Hese. He spoke briefly of his background as a lifeguard before becoming a Council Ranger for Burwood Council. Jody has been a Wyong Council Ranger for 14 years and related to us the personal danger that rangers face when confronting those in our community who have no regard for the regulations that are in place for the safety and security of the Shires residents.



Jody explained that Wyong Council now has only six Operational Rangers to patrol the Shire. This equates to one Ranger per 140sq/Km or one Ranger per 25,000 residents. He was able to paint a picture of the huge logistical problem he has to cover the Shire with the available manpower. The Entrance Peninsula has one Ranger assigned. This Officer covers the following suburbs all the suburbs of this precinct plus Bateau Bay. Jody explained that originally The Entrance Town Centre had two ranges assigned to it but on the request The Town Centre Management, they were replaced by Security personnel employed by the Town Centre Management.

To meet this challenge Wyong Shire Council Rangers work a much longer spread of hours than most Councils. His Rangers patrol between the hours of 6 am to 9:30pm compared to most Council's whose rangers are on duty from 9:00am to 5:00pm.

Jody advised that his Rangers work closely with Police Local Area Command. They are involved in intelligence gathering on incidents of vandalism of Council assets and addressing anti-social behaviour where it directly impacts on the use or amenity of Council reserves/assets as well as Heavy vehicle checking.

Jody's presentation detailed the legislation that covered most of a Ranger's duty. This included the Companion Animals Act and Regulations, Environmental Regulations, NSW Road Rules and Local Government Act and Regulations.

What came as a surprise to most in attendance was the fact that over half a Ranger's time was spent applying the provisions of the Companion Animals Act and Regulations. The questions and comments of the experience of the meeting echoed the time ranges spent in dealing with the problems that dogs and their owners cause to the Community. Rob Van Hese was able to add that he had the management of Council's Animal Care Facility as part of his duties. Jody explains the difficulties his Rangers had in responding to reports of stray dogs in a timely manner.





The Ranger's duties relating to Enforcement of Environmental Regulations included noise complaints, barking dogs, illegal tree works (after hours), burning off, and dumped waste. The Rangers of these and other issues for investigation and report results in follow-up for action by other Council Officers. Jody gave numerous examples of dog owners not knowing their dogs barked while they were at work to investigating dumped motor vehicles.

The Enforcement of NSW Road Rules relate to on-street parking, heavy vehicles on the main roads, Council free parking areas, Footpath obstruction and disable parking in privately owned car parks which are subject to written agreement and payment by the owner (eg. shopping centres, clubs etc)

The Enforcement of Local Government Act and Regulations relates to Special Event security/patrols, illegal road side trading that impacts on local businesses that pay rate, anti-social behaviour – alcohol consumption, parties and inappropriate activities on Council Reserve, Litter fines (general, uncovered loads, litter thrown from vehicles), abandoned vehicles in public places and complaints of building material on footpaths.

Protecting Council Assets plays a big part of Ranger's duties. By carrying out regular patrols either on foot or via vehicle they are able to check on the visible appearance of the asset and report the need for repair or maintenance. (eg damaged signs, play equipment, street furniture, etc) They respond to incidents of vandalism in progress to identify offenders for future action by the Police. They follow up response to post vandalism complaints & investigate incident. This enables Rangers to contribute input into Council's strategy for the overall protection of assets.

Rangers also supply organisation support services. These range from security at Council Meetings, Staff security in appropriate situations, support for other parts of the organisation or external bodies to carry out certain enforcement activities and the attendance in court to provide evidence in support of other parts of the organisation or external bodies.

At times of Special events at The Entrance, such as Mardi Gras and New Year Jody has to augment the Police and Town Centre Management Security by assigning extra Rangers to attend. The enforcement the laws and regulations with regard to the consumption of Alcohol in public by Rangers have been authorised by the Local Area Police Commander as Law Enforcement Officers to help enforce alcohol free zones. However this authority is only to be used in conjunction with NSW Police. i.e. when working with NSW Police.

There are two types of alcohol free areas

Type 1- established under Section 644B of the local Government Act 1993. This relates to Street drinking. and Section 642 of the Local Government Act. NSW Police are the main enforcement agency for Sect 642 of the Local Government Act, which allows for the confiscation of alcohol in alcohol free zones. It states:-

1. A police officer or an enforcement officer may seize any alcohol (and the bottle, can, receptacle or package in which it is contained) that is in the immediate possession of a person in an alcohol-free zone if:
  - (a) the person is drinking alcohol in the alcohol-free zone, or
  - (b) the officer has reasonable cause to believe that the person is about to drink, or has recently been drinking, alcohol in the alcohol-free zone.

2. Any alcohol or thing seized under this section is, by virtue of the seizure, forfeited:
  - (a) if seized by a police officer—to the State, or
  - (b) if seized by an enforcement officer—to the council that employs the officer.
  
3. Any alcohol seized under this section may:
  - (a) be disposed of immediately by tipping it out of the bottle, can, receptacle or package in which it is contained, or
  - (b) be otherwise disposed of in accordance with directions given by the Commissioner of Police or the council (as the case requires).

Currently, under Section 632 of the Local Government Act, Council erects signs in public reserves and parks prohibiting certain activities such as camping, dogs off leads, horses, taking on and consumption of alcohol, etc... This does not give Rangers the same power to confiscate alcohol as under 642 of the Local Government Act. There is a new bill before the NSW State Parliament, The Liquor Legislation Amendment Bill 2010. Under this new bill, if it is successful, Section 632A of the Local Government Act, Confiscation of alcohol in certain alcohol prohibited areas, will be amended to read:-

1. A police officer or an enforcement officer may seize any alcohol (and the bottle, can, receptacle or package in which it is contained) that is in the immediate possession of a person in an alcohol prohibited area if the officer has reasonable cause to believe that the person:
  - (a) is drinking, or
  - (b) is about to drink, or
  - (c) has recently been drinking, alcohol in the alcohol prohibited area.
  
2. Any alcohol or thing seized under this section is, by virtue of the seizure, forfeited:
  - (a) if seized by a police officer—to the State, or
  - (b) if seized by an enforcement officer—to the council that employs the officer.
  
3. Any alcohol seized under this section may:
  - (a) be disposed of immediately by tipping it out of the bottle, can, receptacle or package in which it is contained, or
  - (b) be otherwise disposed of in accordance with directions given by the Commissioner of Police or the council (as the case requires).

The presentation generated much discussion and the audience was very appreciative of Jody's very informative address and the manner in which it was delivered, which was clear and concise and direct, with no equivocation.

Elaine Matus thanked Jody on behalf of TEPCP for his stimulating presentation and Jody received an enthusiastic round of applause from the twenty two in the audience.