

## **Smoke-Free Environment**

**Policy Number:**

**File Number:** GT4013

**Authority:** General Manager

**Approval date:**

**Review date:**

**Responsible Officer:** Director Community Development & Health

### **OBJECTIVE**

The objectives of Greater Taree City Council in banning smoking in various Council areas are to:

- Improve the health of community members;
- Improve public amenity and maintenance of Council property;
- Raise community awareness of the issues associated with smoking;
- Provide community leadership in taking measures to protect the health and social wellbeing of the community;
- Minimise cigarette butt pollution on Council owned beaches, waterways, parks and other open space areas.

### **PRINCIPLES**

This policy recognises that Council has:

- An obligation to promote public health outcomes where Council provides assets and services intended to be of benefit to children and other members of the community;
- A commitment to improve the natural environment and the amenity of the local area by reducing the amount of cigarette butt litter found in outdoor spaces;
- An understanding that the damaging effects of passive smoking while well documented in regard to indoor areas, is also beginning to emerge in regard to outdoor areas; and

- An acknowledgement that the indirect effects of people smoking in an outdoor area can result in children playing with and swallowing discarded cigarette butts; cigarette-derived particles accumulating on clothing and skin; and smoking causing sensory irritations such as eye watering, coughing, difficulty in breathing or asthma.

## **LEGISLATION**

Under the *NSW Local Government Act 1993* Council has the power to:

- Erect suitably worded and strategically placed notices in “public places” (such places including but not limited to public reserves, Crown reserves, public bathing reserves, public baths, public swimming pools, public parks and public roads) within the local government area of Greater Taree City Council prohibiting smoking (see, relevantly, s.632 (1) and (2)(e) of the Act);
- Serve, by means of an authorised person, a penalty notice (Penalty: \$110.00) upon any person who fails to comply with the terms of any such notice (see, relevantly, s.679 of the Act and cl.5-7 of, and Schedule 1 to, the General Regulation);
- Demand, by means of an authorised person, the name and address of any person reasonably suspected of failing to comply with the terms of any such notice (see, relevantly, s.680 of the Act);
- Remove, by means of an authorised person, from community land any person who fails to comply with the terms of any such notice (see, relevantly, s.681 of the Act); and
- Otherwise prohibit smoking in any place within the local areas of Greater Taree City Council, in respect of which Council is the owner or occupier, as a condition of entry to that place.

## **AUTHORISED PERSONS**

The following Greater Taree City Council staff are “authorised persons”.

- Council Rangers and Environmental Health Officers
- Lifeguards

## **SIGNAGE**

The following Council open space areas will be signposted, wherever practicable, to provide smoke-free zones:

- Within 10 (ten) metres of all children’s playgrounds;
- Within 10 (ten) metres of Council playing fields, sporting grounds and at outdoor sporting facilities;
- On all land used for alfresco dining (alternatively lease conditions may be used).

- At all events run or sponsored by Council;
- Within 10 (ten) metres of Council owned building entrances;
- At all ocean and harbour beaches;
- In all Bushland, parks, reserves and public plazas;
- In all Council car parks;
- At all covered bus stops and taxi ranks.

Signs will be installed in prominent places in the open spaces areas listed above. The signs will include the international no-smoking symbol and the wording: **WARNING: Heavy Penalty. Regulated under s632 NSW Local Government Act 1993.**

### **LEASES, LICENSES AND OTHER COUNCIL AGREEMENTS**

Council buildings and outdoor dining areas that are leased, licensed or hired by Council will have smoke-free clauses inserted into their agreement for use.

### **ENFORCEMENT OF BAN**

In implementing Council's Smoke-Free Policy a program of community education and awareness, specifically targeting residents and day visitors, is to be undertaken.

Enforcement of this Policy will be supported by persuasion and self-policing, rather than punitive enforcement.

### **RELATED COUNCIL POLICIES**

Smoking – Council owned buildings – Policy No. (2.04.10)

### **RELATED LEGISLATION**

S632 *NSW Local Government Act 1993*

Approved by:	General Manager
Date:	