

# Warringah Council Policy

## Policy No. STR-PL 825

### Policy for the Management of Smoking in Public Places

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#### 1. The purpose of this Policy is

- To protect members of the community from the health and social impacts of smoking by others in public places;
- To provide a rationale and framework for the management of smoking in public places;
- To provide a consistent process to identify places where the Policy will apply; and
- To contribute to the protection of the environment from the impacts of discarded cigarette butts.

#### 2. Policy statement

This Policy:

- Bans smoking in public places where people will be in close association, and/or are a focus for children's activities, due to Council provision of services and assets;
- Bans smoking in and near Council-owned buildings; and
- Promotes voluntary arrangements to improve management of smoking in other public places owned or managed by Council.

#### 3. Principles

The Policy recognises that:

- Passive smoking has identified and quantified health risks;
- Children are most vulnerable to the effects of passive smoking on respiratory illness and asthma (Cancer Council; NHMRC);
- Where Council provides assets and services intended to be a benefit to children and other members of the community Council has an obligation to promote public health outcomes;
- The data for public health impacts of smoking in well ventilated open space areas are complex, and that some of these impacts are indirect and cumulative and not related to the inhalation of smoke. Indirect effects can result from children playing with, and swallowing, discarded butts, and from the accumulation of cigarette-derived particles on clothing and skin;
- While smoking remains legal, and the opportunities for enforcement are limited by legislation, the Council needs to apply a measure of reasonableness if any Policy is to be supported and implemented by persuasion rather than by enforcement.

Smoking will be banned:

- In, and within 10 metres of, children's playgrounds;
- Constructed seating areas at sports grounds and courses, sports facilities, and designated non-smoking areas in other public areas;

- In, and within 10 metres of the boundaries of, sports grounds and courses, sporting facilities, and other public areas during sporting and or other events (including the arrival and departure of spectators and or participants) and for this purpose:
  - ‘event’ will extend to include any activity of a properly authorised organisation using the area, or allowing the area to be used by hirers or otherwise, for informal or formal competition, social or other activities, rehearsal or practice; and
  - ‘boundaries’ refers to any fenced or otherwise delineated perimeter inside which a playing field or spectator area is located, or if there is no fenced or otherwise delineated perimeter, then the perimeter of the playing field or spectator area;
- Within the grounds of Brookvale Oval;
- In and near Council owned or managed buildings (including balconies and/or covered areas, and within 10 metres of the entrances to those buildings);
- On beaches;
- At all outdoor dining areas on Council land (footpaths and other access ways);
- Within bus shelters, and within 10 metres of bus stops (bus stops being defined as the designated bus stopping point (indicated by a post or sign) and any nearby seating provided for persons who are waiting for buses);
- In Council-owned parking stations that are partly or fully enclosed by walls and ceilings;
- At all activities and functions run or promoted by Council.

In addition to the bans identified above, Council will:

- Encourage sporting clubs in Warringah to adopt the codes promoted by NSW Health as part of the “Smoke free NSW” program, including:
  - Banning smoking by under 18s at club activities;
  - Banning coaches from smoking whilst coaching or training;
  - Banning smoking by team players at training sessions;
  - Requiring team meetings on the field or during breaks to be smoke-free;
  - Banning the sale of tobacco products at club facilities;
  - Designating outdoor smoking areas in compliance with the Policy.
- Implement educational programs to support the Policy and to promote community awareness and acceptance;
- Include specific requirements that this Policy be enforced in any leases, licences or other estates that apply to Council owned and managed lands and properties.

Each area required to be smoke-free under this Policy shall have notices and or signs displayed indicating by words and or symbols that smoking is not permitted in the area, consistent with any qualifications in this Policy.

For the purpose of outdoor dining areas and other areas leased or licensed from Council on an exclusive basis, an occupier must display signs, in a form approved by Council and at the cost of the occupier, in an outdoor dining area.

For the purpose of sports grounds and courses and sporting facilities leased or licensed from Council on an exclusive basis, a lessee or licensee must display signs, in a form approved by Council and at the cost of the lessee or licensee, near the boundaries of, and normal entrance points to, the sports ground or course or sporting facility.

#### **4. Amendments**

This Policy was last amended on 25 May 2010.

#### **5. Authorisation**

This Policy was originally adopted by Council on 28 September 2004.

The Policy is due to be reviewed in May 2013.

#### **6. Who is responsible for implementing this Policy?**

Manager, Compliance

Manager, Parks, Reserves and Foreshores

Manager, Roads, Traffic and Waste

Manager, Community and Safety Services

Manager, Property and Commercial Development

Manager, Warringah Aquatic Centre

Manager, Cultural Services

#### **7. Document owner**

Director, Planning and Development Services

#### **8. File number**

N/A

#### **9. Legislation and references**

Smoke-free Environment Act 2000

Victorian Government

[http://www.betterhealth.vic.gov.au/bhcv2/bhcarticles.nsf/pages/Passive\\_smoking?OpenDocument](http://www.betterhealth.vic.gov.au/bhcv2/bhcarticles.nsf/pages/Passive_smoking?OpenDocument)

Cancer Council <http://www.cancer.org.au/documents/Position Statement Passive Smoking.PDF>

National Health and Medical Research Council

<http://www.nhmrc.gov.au/advice/nhmrc/foreword.htm>

##### **9.1 Definitions**

The relevant definitions of the Smoke-free Environment Act 2000, and the Local Government Act 1993 apply to this Policy.

