

Revised Policy 8.11.1 – Smoke-free Areas

Council Meeting 11 December 2012

POLICY MANUAL

POLICY NO; 8.11.1	Smoke-free Areas
OBJECTIVE	To provide Smoke-free Public Areas
STRATEGIC PLAN LINK	Quality of Life
PROGRAM	Roads & Parks
AUTHORISED: 14 September 2004	REVIEWED: December 2012

1. Purpose

The aim of creating smoke free public areas on land owned and/or managed by Lismore City Council is to:

- Protect the health of community members, in particular children;
- Improve public amenity and maintenance of Council properties;
- Raise community awareness of the issues associated with smoking;
- Provide community leadership in taking measures to protect the health and social well-being of the community; and
- Minimise cigarette butt pollution on Council owned/managed lands and in open space environments and waterways generally.

2. Definitions

- **Authorised person(s):** Lismore City Council Officers with delegated authority.
- **Public area:** Council owned and/or managed land and buildings, including playing fields, sporting grounds and sporting facilities; children's playgrounds; covered bus stops and taxi ranks; public swimming pools; corporate and community buildings; and footpaths/roadways within the central business area (CBD Block) identified by attached mapping.
- **Designated smoking posts:** locations for the disposal of cigarette butts identified by attached mapping.

3. Background/legislative requirements

Council's Smoke-free Areas Policy was adopted in 2004 having the effect of restricting smoking within 10 metres of all children's playground equipment. The policy has progressively been reviewed by Council over subsequent years resulting in incorporating other public areas such as the memorial baths, Council places of work, bus shelters and most recently the nomination within the draft Outdoor Dining Policy for alfresco dining areas to be smoke-free.

A review of the policy commenced in 2010 incorporating a comprehensive community consultation program involving an on-line survey, mail out to a random sample of 500 property owners, direct invitation to key stakeholders and business community members. This policy was subsequently reviewed to include:

- Playing fields, sporting grounds and sporting facilities;
- Events run or sponsored by Council; and
- CBD centre as defined by Council's Outdoor Dining Policy

At the time of adoption of this revised policy Council acknowledged the announcement from the Minister for Health that reforms to the *Smoke-free Environment Act 2000* will be effective from 7 January 2013 restricting smoking in children's playgrounds, public swimming pools, public sporting facilities, public transport stops and stations, within 4m of public buildings and commercial outdoor dining areas.

Under the *NSW Local Government Act 1993* Council has the power to legislate in their own jurisdiction to protect their local communities from the effects of second-hand smoke. In particular, Council has the discretionary power to:

- erect suitably worded and strategically placed signage in public areas; and
- prohibit smoking in any place within the local government area of Lismore City in respect of which Council is the owner or occupier, as a condition of entry to that place.

Council's workplaces and other enclosed public places are already smoke-free as a requirement under the *Smoke-Free Environment Act 2000*. This legislation requires enclosed public places in NSW to be smoke-free.

4. Implementation

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

- Children's playgrounds
- Covered bus stops and taxi ranks
- Council playing fields, sporting grounds, sport centres and sporting facilities
- Events run or sponsored by Council;
- Alfresco dining areas
- Council owned buildings, including sports centres, swimming pools, and community buildings
- General parks, gardens and passive recreation open spaces.
- Council owned roads/footpaths within the defined area of the central business area (known as the block - map attached)

This Policy does not apply to the following public areas:

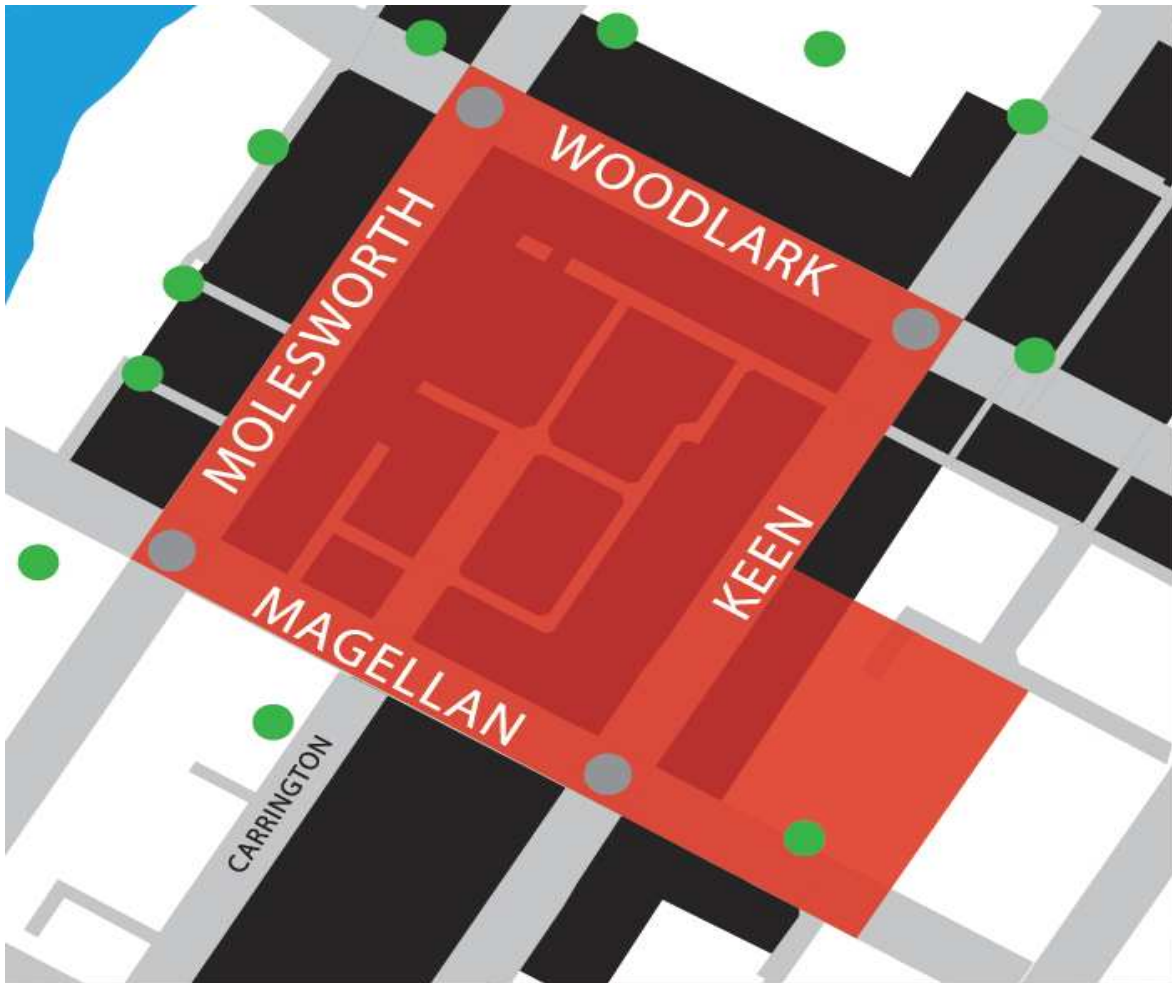
- Public roads/footpaths outside of the defined central business area (known as the block)

5. Enforcement

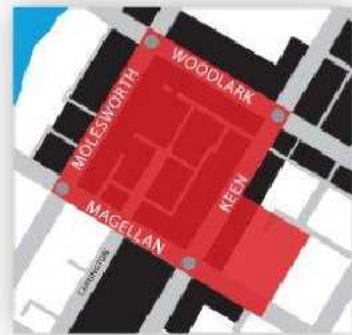
While Council has the power to issue penalty notices to enforce this policy, Council chooses that this policy will be supported by persuasion, community and self-policing, rather than punitive enforcement. However within the "CBD Block" delivery of a more active enforcement focus such as the issuing of warnings and potential for penalty infringement notices will be implemented in association with existing CBD compliance activities.

6. Leases, Licenses and other Council Agreements

Council buildings and land that are leased, licensed or hired by Council will have, where appropriate, smoke-free clauses inserted into their agreements for use.



● = BUTT BIN LOCATIONS



SMOKING PROHIBITED IN LISMORE CBD

