



WARRNAMBOOL
CITY COUNCIL

Smoke Free Outdoors Policy

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1. INTRODUCTION

1.1. Purpose

The purpose of this policy is to outline Council's approach in the fight against harmful impact of tobacco on community health and wellbeing.

The leading cause of preventable death in Victoria is smoking. The rates of smoking in Warrnambool are higher than the State average. The 2008 Victorian Population Health Survey indicates that of Warrnambool adults over 18 years, 23.1% of males and 19.9% of females smoked (21.4% males / 16.9% females – Victoria).

Warrnambool City Council has prioritised the goal of reducing tobacco use in its 2013 – 2017 Health & Wellbeing Plan. This policy will contribute to achieving that goal.

1.2. Scope

This policy is applicable to all relevant Council staff, volunteers, contractors, tenants and infrastructure.

1.3. Definitions

Term	Definition
Community Centre	Means any Council owned, operated or maintained community centre e.g. Archie Graham Community Centre
Kindergarten	Means any Council owned, operated or maintained kindergarten

1.4. References

- Local Government Act, 1989 (Vic).
- Public Health and Wellbeing Act 2008.
- Warrnambool City Council Code of Conduct

2. POLICY

2.1. Objectives

Council will work hard with other stakeholders within the community to achieve the following objectives:

1. Improve the health of the community.
2. Improve public amenity and maintenance of council property.
3. Raise community awareness of the negative health impact of smoking and denormalise smoking.
4. Provide community leadership to protect the health and social wellbeing of the community.
5. Minimise cigarette butt pollution on council owned beaches, waterways, parks and other outdoor areas.

2.2. 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.
- An understanding that scientific evidence indicates that there is no risk-free level of exposure to second hand smoke. Emerging research indicates that outdoor second hand smoke levels can be comparable to indoor levels under specific conditions while smoking is taking place.
- An acknowledgement that the consequences of people smoking in certain outdoor areas may result in children playing with and swallowing discarded cigarette butts that can lead to vomiting and other symptoms of nicotine poisoning.
- 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 and reduces risk of fire from discarded butts in bushland, parks and reserves.

2.3 Smoke Free Areas

In addition to Victorian government legislated smoke free areas; from 1 January 2014 smoking will be prohibited:

1. Across the entire Civic Centre, Post Office and Lighthouse Theatre precinct and within 10 metres of building entrances. An appropriate smoker's area will be designated away from building entrances and public view.
2. Within the entire Works Depot precinct. An appropriate smoker's area will be designated away from building entrances and public view.
3. Within the Stock Saleyard precinct. An appropriate smoker's area will be designated away from building entrances and public view.
4. Within the entire Flagstaff Hill / Visitor Information Centre precinct and within 10 metres of building entrances.
5. Within 10 metres of the following Council controlled buildings
 - WAG
 - ARC stadium
 - Gymnastics Centre
 - Surfside Caravan Park – office, camp kitchen and toilets
 - Shipwreck Caravan Park – office, camp kitchen and toilets.
6. Within the boundaries of and 10 metres from the entrance to Council run:
 - Community Centres
 - Kindergartens
 - Childcare Centres
 - Aquazone

On or before 1 October 2014, aligning with changes in Victorian Government legislation, the following additional areas will become smoke free:

5. Within the boundaries of fenced sporting fields and within 10 metres of unfenced sporting fields, accompanying club rooms and canteens of sporting facilities. An appropriate smoker's area will be designated away from building entrances and more than 10 metres from the playing field boundary.

2.4 Local Law

Council will enforce this policy through Local Law No. 4 Municipal Places. L4.9 states that:

1. The Council may by resolution declare a municipal place or part of a municipal place to be a smoke free area.
2. The Council in any municipal place or part of a municipal place which has been declared smoke free must erect and maintain signs notifying users of these facts.
3. No person may smoke in or on any municipal place or part of a municipal place which has been declared by the Council to be a smoke free area.

Penalty: 5 penalty points

4. Where the Council fails to erect and maintain signs as required under sub-clause (2) no person may be prosecuted for an offence under this Part.

2.5 Signage

Signs will be installed in prominent places in the outdoor areas listed above. The signs will include the international No Smoking symbol and the wording:

WARNING: Penalties apply.

Regulated under the Local Government Act 1989 (Vic).

2.6 Leases, licenses and other council agreements

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

2.7 Enforcement policy

In implementing council's Smoke-free Outdoors Policy, a program of community education and awareness, specifically targeting residents and day visitors will be undertaken.

Enforcement of this policy will be supported by persuasion and self-policing, rather than punitive enforcement (although the power to issue penalties/infringement notices will be available).

3. GOVERNANCE

3.1. Owner

Chief Executive Officer

3.2. Review

The Chief Executive Officer will review the policy for any necessary amendments no later than three years after its formulation or after the last review.

3.3. Compliance Responsibility

- 3.3.1. *Executive Management Team (Chief Executive and Directors)*
To ensure the all stakeholders are aware of this policy
- 3.3.2. *Managers and Supervisors*
To ensure this policy is applied as required
- 3.3.3. *All Employees*
To conform with the policy

3.4. Charter of Human Rights Compliance

It is considered that this policy does not impact negatively on any rights identified in the Charter of Human Rights Act (2007).

Warrnambool City Council is committed to consultation and cooperation between management and employees. The Council will formally involve elected employee health and safety representatives in any workplace change that may affect the health and safety of any of its employees.