

	<b>Outdoor Smoke-Free Areas Policy</b>
	<b>Strategic</b>

### 1. Objectives of the Policy

The objectives of Warrumbungle Shire Council 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 waterways, parks and other open space areas.

### 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;
- 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;
- 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.

### 3. Policy Scope

This policy applies to:

- Within 10 (ten) metres of all children’s playgrounds, youth centre facilities and children’s services/childcare centres;
- Within 10 (ten) metres of an organised event, such as a food fair, where food is sold or supplied for consumption at the event;
- An area set aside for or being used by spectators to watch an organised sporting event at a sports ground or other recreational area, but only when an organised sporting event is being held there;
- The platform of a passenger railway;
- At all swimming pool complexes;
- A bus stop (to include any area where persons queue or gather when waiting at a bus stop)
- A taxi rank (to include any are where persons queue or gather when waiting at a taxi rank)
- A commercial outdoor dining area
- Within 4 (four) metres of a pedestrian access point to a public building

### Signage

The smoke-free areas identified in Section 3 of this Policy will be signposted wherever practicable in prominent places. The signage must include the smoking prohibited symbol (or an equivalent symbol) with a diameter of at least 90 millimetres, the words

“NO SMOKING” in letters of at least 20 millimetres in height, a reference to the name of the Act and the words “Penalties may apply”. Signs must be displayed in such numbers, and in positions of such prominence that they are likely to be seen by a person at a public entrance to, or within, the area. Signage compliant with the Smoke-free Environment Regulation 2016 is available from NSW Health: [health.nsw.gov.au/tobacco/Pages/smoke-free-resources.aspx](http://health.nsw.gov.au/tobacco/Pages/smoke-free-resources.aspx) or [popresources@doh.health.nsw.gov.au](mailto:popresources@doh.health.nsw.gov.au)

#### 4. Responsibilities

This policy can be enforced by an “authorised person”.

#### 5. Definitions

Authorised Person: For the purpose of this policy NSW Health Authorised Inspectors are deemed to be “authorised persons” and may serve a penalty notice upon any person reasonably suspected of failing to comply with the terms of any notices.

#### 6. Enforcement of Ban

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

#### 7. Relevant Legislation

Local Government (General) Regulation 2005  
Smoke-Free Environment Act 2000  
Smoke-Free Environment Regulation 2016  
Liquor Act 2007

#### 8. Associated Documents

Staff 4.13 – Smoke Free Workplace  
Policy Strategic 1.15 – Public Pools  
Policy Strategic – Enforcement Policy

#### Version Control

This policy is subject to regular review at a maximum interval of two years.

Policy Name	Version	Resolution	Date
Outdoor Smoke-Free Areas Policy	1	318	11 March 2010
Outdoor Smoke-Free Areas Policy	2	416	20 May 2010
Outdoor Smoke-Free Areas Policy	3	131/1314	19 September 2013
Outdoor Smoke-Free Areas Policy	4	317/1617	15 June 2017