

BACKGROUND

This Policy has been developed to recognise that Council plays an important role in advocating public health outcomes and a commitment to improving the natural environment and amenity of the local area by reducing the negative effects of smoking in public areas.

There is substantial evidence linking exposure to second-hand smoke with a range of serious and life-threatening health impacts including heart disease, cancer, asthma and other respiratory problems. Children exposed to second-hand smoke are at an increased risk of asthma, acute respiratory infections and other health issues. This extends to electronic cigarettes, also known as e-cigarettes or vapour cigarettes, as their cartridges are filled with nicotine and other chemicals.

Council has a role in advocating better public health for its residents and the provision of this Policy will assist in reducing the risks of children and adults being exposed to passive smoking.

In addition to the health impacts, cigarettes also contribute to street and storm water litter therefore having a negative impact on the environment. The provision of smoke-free areas can assist in reducing cigarette-butt litter and enhance our local environment.

OBJECTIVE

The main objectives of this Policy are to –

- 1 Provide community leadership in taking measures to protect the health and social wellbeing of the community.
- 2 Raise community awareness of the issues associated with smoking.
- 3 Improve the health of community members.
- 4 Improve public amenity and maintenance of Council property.
- 5 Minimise cigarette-butt pollution on the environment.

POLICY STATEMENT

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 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 understanding that smoke-free environments are beneficial for smokers by supporting their efforts to quit as smoke-free environments provide fewer opportunities to smoke and that they contribute to the de-normalisation of tobacco smoking.

DEFINITIONS OF THIS POLICY

Crown Street Mall

The term 'Crown Street Mall' where stated in this Policy refers to Council road situated on Crown Street between Keira and Kembla Streets and Crown and Church Streets; and in Globe Lane and Globe Way – see Figure 1 below.



Figure 1 – Crown Street Mall boundary area

Wollongong Arts Precinct

The term 'Wollongong Arts Precinct' is defined as:

- 1 The Town Hall, including the entrance and paved forecourt area bordered by Crown and Kembla Streets
- 2 The Wollongong Art Gallery including the entrance bordered by Burelli and Kembla Streets
- 3 Illawarra Performing Arts Centre bordered by Burelli Street and Town Hall Place
- 4 The open space including the grassed area and seating between Burelli Street and the rear of the Wollongong Art Gallery and Illawarra Performing Arts Centre
- 5 The laneway between Town Hall and the Wollongong Art Gallery
- 6 Town Hall Place
- 7 Ethel Hayton Walk
- 8 The area in front of the Wollongong City Council Administration Building as access points, as well as the public transport stop and waiting area.

The map at Figure 2 below details the boundaries of the Wollongong Arts Precinct for the purposes of this Smoke-Free Policy.

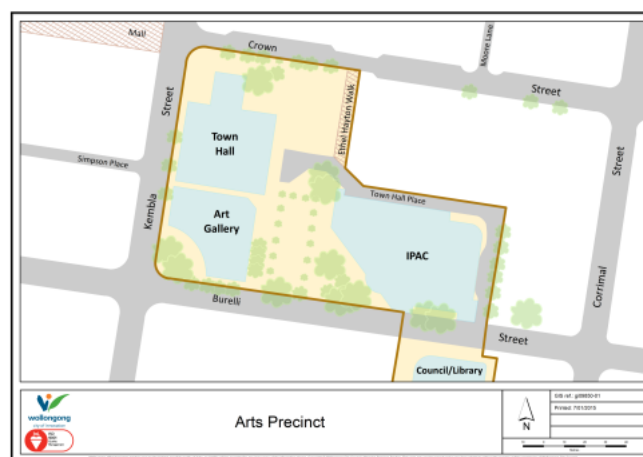


Figure 2 – Wollongong Arts Precinct boundary area

STATEMENT OF PROCEDURES

1 Signage

The roads managed by Council in the Crown Street Mall and the open space managed by Council in the Wollongong Arts Precinct will be signposted, wherever practicable, to advise of the smoke-free zone.

Signs will be installed in prominent places and will include the international no-smoking symbol.

2 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 prohibiting smoking;
- serve, by means of an authorised person, a penalty notice upon any person who fails to comply with the terms of any such notice;
- 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; and
- otherwise prohibit smoking in any place within the local government area of Wollongong, in respect of which Council is the owner or occupier, as a condition of entry to that place.

NSW Smoke-Free Legislative Environment

The Smoke-Free Environment Act 2000 bans smoking in the following outdoor public places:

- within 10 metres of children's play equipment in outdoor public places;
- public swimming pools;
- spectator areas at sports grounds or other recreational areas used for organised sporting events;
- public transport stops and platforms, including ferry wharves and taxi ranks;
- within four (4) metres of a pedestrian access point to a public building; and
- from 6 July 2015, in commercial outdoor dining areas.

The Smoke-Free Environment Amendment Bill 2018

This Bill is an amendment to the Smoke-Free Environment Act 2000 and the Public Health (Tobacco) Act 2008. It:

- (a) prohibits the use of e-cigarettes and heat-not-burn tobacco products in places where smoking of tobacco is currently prohibited, and
- (b) requires persons who intend to engage in e-cigarette retailing to notify the Secretary of the Ministry of Health of that intention and certain other matters.

This amendment came into force from 1 July 2018.

ENFORCEMENT APPROACH

Both the community support and community benefit that Council aims to achieve through this Policy encourage self-policing.

Compliance with this Policy will therefore be supported in the first instance by community education and self-policing rather than enforcement. If self-policing does not however achieve the objectives of this policy, enforcement options may be implemented subject to resources.

SUMMARY SHEET

Responsible Division	Community, Cultural and Economic Development
Date adopted by Council	August 2018
Date of previous adoptions	July 2015
Date of next review	2021
Prepared by	Manager Community Cultural and Economic Development
Authorised by	Director Community Services (Acting) – Creative and Innovative