



## Public Environment - Smoke Free Policy

<b>Reference Number:</b>	4.32
<b>Type:</b>	Council Policy
<b>Category:</b>	Safety and Community
<b>Relevant Community Plan Outcome:</b>	<ul style="list-style-type: none"> <li>Enhance the diversity of open spaces to create innovative, accessible and flexible community spaces</li> <li>Charles Sturt is made up of strong and vibrant communities; we celebrate our identity, heritage and cultural diversity. People feel a sense of belonging, inclusion and social connectedness</li> <li>Open and accountable governance</li> </ul>
<b>Responsible Officer(s):</b>	Manager Public Health & Safety
<b>First Issued/Approved:</b>	12 June 2013
<b>Minutes Reference:</b>	CoS 5/09/2022, Item 4.28
<b>Last Reviewed:</b>	September 2022
<b>Next Review Due:</b>	September 2024
<b>Applicable Legislation:</b>	Tobacco and E-Cigarette Products Act 1997 Tobacco and E-Cigarette Products Regulations 2019 Local Government Act 1999 Expiation of Offences Act 1996 Expiation of Offences Regulations 2011 Public Health Act 2011 Local Nuisance and Litter Control Act 2016 Local Nuisance and Litter Control Regulations 2017
<b>Related Policies:</b>	Expiation Notice Review Policy Public Consultation Policy
<b>Related Procedures:</b>	Public Environment Smoke Free Procedure Expiation Notice Review Guidelines

### 1. Purpose

Council has a role in advocating better public health for its residents and enhancing the natural environment.

This policy seeks to support the effective regulation of the Tobacco and E-Cigarette Products Act 1997 and Local Nuisance and Litter Control Act 2016 specifically to minimise the harm of smoking to the health of our community and environment within the City of Charles Sturt.

## 2. **Scope**

The Tobacco and E-Cigarette Products Act 1997 and the [Tobacco and E-Cigarette Products Regulations 2019](#) determines it illegal for any person to smoke within 10 meters of children's public playground equipment, under covered public transport areas and in outdoor dining areas. Council has also sought previous approval from State Parliament to declare Bowden Town Square and Henley Square as designated smoke free precincts, making it illegal to smoke in these localities.

Council can apply to the Minister for Mental Health & Substance Abuse (the Minister) at any time to have a particular area or event declared smoke free. Any public open space area that is nominated for Council to consider becoming a smoke free area, shall be assessed against relevant criteria identified within the Public Environment Smoke Free Procedure, in consultation with our community to ensure a fair and equitable process is applied.

Favourable consideration should be given to any Council run or Council financially supported community event to become a smoke free event.

## 3. **Policy Statement**

1. Council supports the Tobacco and E-Cigarette Products Act 1997 and the authorisation of Council Officers to enforce the Act.
2. Council recognises it has an obligation to protect and promote public health outcomes where Council provides assets, services and events.
3. Council has a commitment to improve the natural environment and the amenity of our City by reducing the amount of cigarette butts inappropriately disposed of.
4. Council will consider requesting the Minister to declare any nominated public open space area to become smoke free in line with this Policy and the Public Environment Smoke Free Procedure, ensuring appropriate consultation with our community.
5. Council advocates for all Council run community events, or Council financially supported events, to be declared smoke free.
6. Council does not support selling or providing waterpipe products, including but not limited to shisha and hookahs, within public places due to the negative public health outcomes.