

POLICY TITLE Smoke Free Zones**CATEGORY****ST120****112/212/25/7****OBJECTIVE**

The objectives of Orange City Council in 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.

APPLICABILITY

This policy applies to any place within the local government area of Orange City Council, in respect of which Council is the owner or occupier public areas as identified within this policy.

GENERAL

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

- Within 10 (ten) metres of all children's playgrounds;
- At all Council playing fields, sporting grounds and at outdoor sporting facilities (including grandstands but excluding carparks servicing the designated sporting facility);
- The entrances of major shopping centres within the Central Business District (CBD);
- Bus stops within the CBD
- All entrances to the Orange Base Hospital precinct;
- Within the Orange Aquatic Centre; and
- In Post Office Lane

Signs will be installed in prominent places in the open space areas listed above. The signs will include the international no-smoking symbol and the wording:

"WARNING: Heavy Penalty. Regulated under s632 NSW Local Government Act 1993."

PROCEDURE

Under the NSW Local Government Act 1993 Council has the power to:

- Erect suitably worded and strategically placed notices in "public places" within the local government area of Orange City Council prohibiting smoking;
- Serve, by means of an authorised person, a penalty notice (Penalty: \$110.00) 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;



All policies can be reviewed or revoked by a resolution of Council, at anytime.
This document is scheduled for review in September 2012

- Remove, by means of an authorised person, from community land any person who fails to comply with the terms of any such notice; and
- Otherwise prohibit smoking in, as a condition of entry to that place.

LEASES AND HIRE OF COUNCIL BUILDINGS

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

ENFORCEMENT OF BAN

In implementing Council’s Smoke-free Policy a program of community education and awareness is to be undertaken. Enforcement of this Policy will supported by persuasion and self-policing, rather than punitive enforcement.

Responsible Area – Development Services

	DATE	RESOLUTION	REVISION	DATE	RESOLUTION
1	July 2010	10/388	2	January 2011	11/