

SmokeFree and VapeFree Council Public Spaces Policy 2022

Te Kaupapa here mo ngā wāhi tūmatanui mo te
auahi me te haurehu kore 2022

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1.0 INTRODUCTION – KUPU ARATAKI

Local councils have wide-ranging duties and powers to improve, promote and protect public health. Section 11 of the Local Government Act 2002 mandates Territorial Authorities to promote the social, economic, environment, and cultural wellbeing of communities in the present and for the future; and to improve, promote, and protect public health within its district as stated in section 23 of the Health Act 1956.

The New Zealand Government agreed to a longer-term goal of reducing smoking prevalence and availability to minimal levels, making the country essentially a smokefree nation by [2025](#). The Government passed the Smokefree and Regulated Products (Vaping) Amendment Act 2020 and amended the previous Smokefree Environments Act 1990. The legislation extends regulatory coverage to include all vaping products and smokeless tobacco devices in New Zealand.

Whakatāne District Council supports the Government's efforts to prevent the normalisation of vaping and to reduce the exposure of non-smokers to any detrimental health effects caused by smoking.

The Council will proactively demonstrate leadership by promoting a smokefree and vapefree lifestyle as being both desirable and normal in the Whakatāne District. Having a smokefree and vapefree environment helps support the health and wellbeing of Whakatāne residents and reduces health risks to non-smokers or non-vapers, thus promoting healthier public spaces for everyone to enjoy.

This policy will meet the Council's vision statement to work together to make living better for our communities, now and in the future by ensuring and promoting a healthy environment to meet the current and future needs of the Whakatāne District.

2.0 OBJECTIVES – NGĀ WHĀINGA

The aim of the Whakatāne District Council's Smokefree and Vapefree Public Spaces Policy is to declare Whakatāne District Council-owned public spaces to be smokefree and vapefree.

The purpose of this policy is to support the Government's goal of New Zealand becoming smokefree by 2025 through the promotion of healthy Whakatāne communities. The policy supports: the Smokefree 2025 goal for New Zealand, adopted by the Government in March 2011; the Smokefree Environments Act 1990, including Part 1 Smokefree workplaces and public areas; the Smokefree Environment and Regulated Products (Vaping) Amendment Act 2020.

The policy aims to improve the health and wellbeing of Whakatāne District residents by reducing the prevalence of smoking and vaping. By focusing on providing smokefree and vapefree messaging in Council-owned, managed, maintained or controlled public spaces. The Council will send a positive message that our communities health and the environment should be protected from the effects of smoking and vaping.

The Council seeks to achieve its objectives in a way that would not unduly infringe the ability of others to smoke or vape in open spaces should they want to. The policy is promoted as voluntary and non-regulatory where people can choose to comply in the spirit of promoting healthy lifestyle choices. This educative policy discourages smoking or vaping in public spaces where people particularly children and young people gather.

3.0 DEFINITIONS – NGĀ TIKANGA O NGĀ KUPU

Term	Definition
Smoking	The act of inhaling and exhaling the smoke of burning cigarettes, e-cigarettes, pipes, cigars or other paraphernalia. This activity includes smoking, holding, or otherwise having control over an ignited product or thing whose customary use is, or includes, the inhalation from it of the smoke produced from its combustion or the combustion of any part of it. For clarity, tobacco or herbal tobacco product and/or psychoactive substances, including synthetic cannabis, are deemed smoking products.
Vaping	The use of an electronic cigarette (“e-cigarette”) that heats a solution (the e-liquid) producing a vapour that the user inhales or ‘vapes’. The ingredients of the e-liquid may vary, but most e-liquids contain propylene glycol (also used in asthma inhalers and nebulisers) and flavouring agents. Some, but not all, e-liquids contain nicotine.

4.0 POLICY – TE KAUPAPA HERE

All Council smokefree spaces are also vape-free areas.

This policy is not a ban on smoking or vaping in a public spaces but is more about encouraging compliance in the spirit of promoting healthy lifestyle choices.

4.1 Smokefree and Vapefree Places

The Council’s smokefree and vapefree policy applies to the following public spaces within the Whakatāne District where people are asked not to smoke or vape:

- Neighbourhood reserves
- Cultural and heritage reserves
- Sports and recreation reserves
- Natural reserves
- Playgrounds
- Bus stops and shelters
- Entrances and exits of Council buildings and facilities (e.g. libraries, recreation and sports centres)
- Council events (Council-led, supported, or funded events)

Smokefree and vapefree messages, as well as smoking cessation support services, are promoted at Council-organised or supported events. External organisations are encouraged to promote smokefree/vapefree events when using Council designated smokefree and vapefree areas.

4.2 Implementation

Successful communication and education of this policy requires a collaboration between Council, communities, and the Bay of Plenty District Health Board.

To implement this policy Council will:

- a) Make smokefree and vapefree signage/stickers available.
- b) Display signage with smokefree and vapefree messaging in public spaces areas as signage needs to be renewed or replaced.
- c) On review, Council documents (e.g. reserve management plans), will make reference to smokefree and vapefree public spaces.
- d) All new community leases and licences will require the leased premises to be smokefree and vapefree.
- e) Include a 'no smoking/vaping on premises' clause in the Council's terms and conditions for hiring any Council venue.
- f) Include a smokefree and vapefree need to comply clause in Council contracts.
- g) Include a smokefree and vapefree need to comply clause in all funding agreements / contracts as they are renegotiated/renewed where applicable.

5.0 ACCOUNTABILITY – NGĀ HAEPAPA

The Whakatāne District Council is responsible for the application of this policy including the establishment and maintenance of signs.

This policy takes a non-regulatory approach. Compliance with the policy is not enforced by Council. Compliance instead focuses on the reduction of smoking uptake and de-normalisation of the use of vaping products and tobacco by encouraging people not to smoke or vape in designated smokefree and vapefree open spaces and assets owned, managed, maintained, or controlled by the Council.

6.0 REVIEW – TE AROTAKE

This policy will be reviewed every three years or as determined by Council; or in response to legislative or policy changes as appropriate.