

Smoke and Vape Free Zones

COUNCIL POLICY NO. 121

1. POLICY OBJECTIVE

To support the community to become safer and healthier in a smoke and vape free environment.

2. DEFINITION

‘Smoke and Vape free zone’ means part of an outdoor area in which smoking and vaping is not permitted. The ‘Smoke and Vape free zone’ will be identified by the presence of one or more signs displaying the phrase ‘No Smoking or Vaping’. Smoking means smoking or vaping, holding or otherwise having control over an ignited smoking or vaping product. Smoking and vaping product includes any tobacco or other product that is intended to be smoked or vaped.

3. POLICY

In the interests of providing a smoke and vape free environment, smoking and vaping will not be permitted in specified public places and Council controlled land, in particular, workplaces, other places used for recreation and places used by children.

The following location have been declared “smoke-free zones” at all times by Gannawarra Shire Council:

1. Council controlled infrastructure and buildings, including children centres:
 - (a) All indoor areas;
 - (b) All outdoor dining areas;
 - (c) Within four (4) metres of major thoroughfares and access points to buildings, such as doors, windows, air conditioning vents and air intakes.
2. Within four (4) metres of substantially enclosed courtyards and building surrounds, including school crossing shelters.
3. Within 10 metres of play equipment, including skate parks.
4. Inside the external fence of all swimming pools, including Koondrook and Quambatook swimming pools which are located on Crown land and managed by an appointed Committee of Management.
5. Within 10 metres of a sporting venue that is an outdoor public space during an organised underage sporting event or a training practice session to prepare for participation in an organised underage sporting event, or any break or interval during the course of the organised underage sporting event or training or practice session.

Council will erect and maintain in all proclaimed no smoking and vaping areas at pedestrian access points, signage that clearly indicates that the area has been declared a “Smoke and Vape free zone”.

Adherence to Policy No. 121 – Smoke and Vape Free Zones will be enforced by Community Amenity Local Law 2023 Part 5 Liquor and Smoking Clause No.53. Declared Smoke and Vape Free Area and will attract a penalty in accordance with Clause 53 of Part 5 of the Community Amenity Local Law 2023.

Council will also enforce the requirements of the *Tobacco Act 1987*, and associated amendments, where this Act is applicable. This includes no smoking or vaping within enclosed workplaces, outdoor drinking and dining areas, children services, public swimming pools, children’s play equipment, skate parks and outdoor sporting venues when organised underage sporting events, training or practice sessions are taking place.

4. POLICY REVIEW

Council will review this policy as required but always within two (2) years of each general election of Council.

At the time it was developed, this policy was compliance with the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

5. FURTHER INFORMATION

Members of the public may inspect all policies at Gannawarra Shire Council's Kerang and Cohuna office or online at www.gsc.vic.gov.au. Any enquiries in relation to this policy should be directed to the Manager Planning & Regulatory Services on (03) 5450 9333.

Revision History

Originally adopted:	17 July 2013
Reviewed:	21 December 2016
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Next review:	August 2029

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