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Smokefree and Vapefree Outdoor Areas Policy

Purpose and scope

1. To identify the areas in the city where smoking and vaping is prohibited.
2. To enable a collaborative action plan with agencies representing the Council's commitment to the national goal of supporting New Zealand to become a Smokefree nation by 2025.

Definitions

Definition	Detail
Smoking	<p>The act of inhaling and exhaling the smoke of burning cigarettes, pipes, cigars or other paraphernalia.</p> <p>This activity includes to smoke, hold, or otherwise have 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.</p> <p>For clarity, tobacco or herbal tobacco product and/or psychoactive substances including synthetic cannabis are deemed smoking products.</p>
Vaping	<p>The use of electrical devices (e-cigarettes) that heat a solution (or e-liquid) to produce 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</p>
Council owned or operated building	<p>A facility that is provided for public amenities including artistic, social or cultural facilities. Such facilities may include but are not limited to community halls, civic spaces and centres as well as major sport, recreation and entertainment facilities.</p>

Principles

3. The Council will provide community leadership in supporting the national goal of New Zealand to become a Smokefree nation by 2025 as it improves public amenity and improves the well-being of Hamiltonians.
4. The Council will work with other agencies to deliver actions to promote the reduction of smoking and vaping at public places outlined in this policy.
5. Council will seek to prevent, so far as is reasonably practicable, the detrimental effects of smoking and vaping on the health of any person who does not smoke or vape or who does not wish to be exposed to second hand smoke or vapour.

Smokefree and vapefree environments/events

6. Smoking and vaping is prohibited in the following places:
 7. Central City public space
 - a. Garden Place and Civic Square
 - b. Victoria on the River
 - c. Ward St (from Victoria St to the end of Worley Place and the commencement of the Centre Place pedestrian mall)
 8. Council owned buildings and facilities
 - a. On or within ten (10) metres of Council owned or operated buildings and facilities
 9. Parks, public buildings and Open Space
 - a. All Hamilton City parks and open spaces
 - b. On or within ten (10) metres of all Council playgrounds
 - c. Hamilton Gardens
 10. Transport spaces
 - a. The entire precinct of the Hamilton Transport Centre
 - b. Within two (2) metres of all bus stops and shelters within the Hamilton City boundaries.
11. Council may, from time to time, by resolution include any part or parts of the city as a Smokefree and vapefree public place within the policy.

Education and Enforcement

12. The policy will be supported by a collaborative action plan that will be delivered by the Council and other agencies that have an interest in working towards a Smokefree and vapefree city.
13. The Council will collaborate with key advocacy groups to communicate the intent of the Policy through the media including social media to educate the public.

Signage

14. Wherever practicable, the areas where smoking and vaping is prohibited will be signposted, to communicate Smokefree and vapefree zones

Monitoring and implementation

15. The Policy will be reviewed every three years or at the request of Council or in response to changed legislative and statutory requirements or in response to any further issues that may arise (whichever comes first).

References

- Health Act 1956
- Smokefree Environment Amendments Act 2004
- Smokefree Environments and Regulated Products (Vaping) Amendment Act 2020
- Smokefree Environment Act 1990
- www.smokefree.org.nz