

*Napier City and
Hastings District Councils*

SMOKEFREE AND VAPEFREE POLICY



NAPIER
CITY COUNCIL
Te Kaunihera o Ahuriri

Adopted by	Napier City Council on 25 August 2022
Relevant Legislation	Local Government Act 2002
NCC Documents Referenced	N/A

Purpose

The purpose of this Smokefree and Vapefree Policy (the Policy) is to:

1. Support the Hawke's Bay region's identified Community Aspiration of "A lifetime of good health and wellbeing" reflected in our shared responsibility to promote community well-being through improving the social, economic, environmental, and cultural well-being of our communities
2. Reduce the impacts of smoking, vaping and tobacco use on non-smokers. This includes reducing exposure to second-hand smoke and the de-normalisation of smoking and vaping.

Policy Objectives

The objectives of the Policy are to:

- Demonstrate Hastings District and Napier City Councils' support of the Smokefree Hawke's Bay 2025 Strategy and the Government's policy goal for a Smokefree New Zealand/Aotearoa 2025.
- Contribute to improving the health and well-being of our communities by decreasing the prevalence of smoking and vaping and decreasing public exposure to second-hand smoke.
- Increase the likelihood that people, particularly the young, will remain smokefree and vapefree by reducing the number of places where they see others smoking or vaping.

Principles

1. The Policy will be guided by national legislative and policy direction and by community opinion.
2. The Policy will take a non-punitive approach to controlling smoking and vaping in particular public places, aimed at lessening the effect of smoking and vaping on other people.
3. The Policy will provide more smokefree and vapefree public environments, particularly for young people.

Scope

This Policy covers Hastings District and Napier City Councils' position in relation to:

- Smokefree and vapefree public places
- Smokefree and vapefree public events.

This Policy applies to both tobacco products and vaping products (with or without nicotine, including e-cigarettes and similar devices).

This Policy focuses on where people are requested not to smoke or vape. Whether people choose to become smokefree or vapefree is outside the scope of this Policy (assistance to become smokefree or vapefree is offered through health agencies).

Smokefree and Vapefree Public Places

This Policy recognises and supports smokefree and vapefree areas designated through Government legislation.

Places specifically designated as smokefree and vapefree under this Policy include public outdoor areas for Napier City and Hastings District as follows:

- i. Council managed urban parks, sportsgrounds, playgrounds and reserves, excluding beach reserves.

Where a playground is not located within a smokefree and vapefree park or reserve, a minimum ten metre smokefree and vapefree perimeter will apply.
- ii. Within ten metres of public pedestrian entrances to Council offices and Council owned buildings and facilities. For the main entrance to Council offices, the smokefree and vapefree area will include the full forecourt from the public footpath.
- iii. Hastings City Square (Map 1 below).
- iv. Council managed pedestrian laneways in urban retail areas (Maps 2 – 8 below) including future developed Council managed pedestrian laneways.
- v. Bus stops, including a ten metre perimeter from bus shelters, signs or bus stop markings.
- vi. Areas set up primarily for café or dining purposes on publicly-owned land; and Council owned tables in public areas.

Businesses or organisations that wish to implement further smokefree and vapefree areas on their own property (or on property where they have the authority to do so) will have access to free signage and promotional materials, as available.

The Policy shall be implemented progressively from 1 January 2023.

Smokefree and Vapefree Community Events

To promote healthier public places and a healthier Hawke's Bay, under this Policy:

- Events held at any of Councils' smokefree and vapefree public places will be smokefree and vapefree.
- Public events receiving Council funding will be required to support smokefree and vapefree messages.

The Hawke's Bay District Health Board supports event organisers to deliver smokefree and vapefree events through the provision of resources, including signage and flags. These are available through their Resource Coordinator at the Napier Health Centre.

Review

The Councils will review this Policy every three years, or at an appropriate alternative time. The Policy remains in force until such time as it is reviewed. Council staff will undertake an annual internal review of the Policy's implementation and report to Council.

If the Policy is not effective in reducing the number of places where people, particularly the young, see others smoking or vaping, or reducing people's exposure to second-hand smoke in public places and at community events, the Councils will investigate how to make the Policy more effective. This may include regulatory mechanisms.

Education and Enforcement

Signage promoting positive smokefree and vapefree messages will be installed in appropriate places.

While the Policy will be educative, self-policing and no fines will apply. The Councils may however take other action in the event of a persistent issue.

Related Matters

Littering will be addressed through the relevant provisions of the Litter Act 1979.

Alcohol consumption is addressed through Napier City Council's Public Places Liquor Control Bylaw 2021, and Chapter 4 'Alcohol Bans' of Hastings District Council's Consolidated Bylaw 2021.

Additional Information

Smokefree Hawke's Bay 2025 Strategy

The Hawkes' Bay District Health Board in partnership with Ngati Kahungunu Iwi Incorporated developed this strategy in 2012, to support Government's goal of a Smokefree Aotearoa New Zealand 2025.

Both Hastings District Council and Napier City Council are signatories to the Strategy's "Smokefree Hawke's Bay Declaration 2025", supporting in principle the vision of Smokefree Hawke's Bay 2025.

Government Goal and Legislation

Councils will look for opportunities to work with Central Government to align implementation of this Policy with national direction and guidance.

Smokefree Aotearoa New Zealand 2025

The Government's Smokefree Aotearoa New Zealand 2025 Action Plan was launched in late 2021. It has three desired outcomes:

- Eliminate inequities in smoking rates and smoking-related illnesses
- Create a smokefree generation by increasing the number of children and young people who remain smokefree
- Increase the number of people who successfully quit smoking.

Smokefree Environments and Regulated Products Act 2020

This Policy is consistent with the purpose of the Smokefree Environments and Regulated Products Act 2020, which prohibits smoking inside workplaces and other public enclosed areas and in both the open and indoor areas of schools and facilities for young children. The Act also refers to local authorities having powers to provide greater protection from tobacco smoke.

The Act was amended in 2020 to include regulation of vaping and smokeless tobacco products, in particular regulating the safety of vaping products and their marketing, advertising, and promotion. It also was amended to prohibit smoking and vaping in motor vehicles carrying children and young people under the age of 18 years.

Local Government Act 2002

The Councils are taking a non-punitive policy approach to controlling smoking and vaping in particular public places to lessen the effect on other people. Public consultation was used to inform the Policy.

The Local Government Act 2002 ('The Act') mandates Territorial Authorities to promote the social, economic, environment, and cultural well-being of communities in the present and for the future.

The Act (Part 6) requires councils to consult with communities and provides for participation by communities in decision making.

Part 8 of The Act provides councils with the ability to regulate and enforce behaviours.

This includes having control over behaviours in public places. One example of this is the ability to control whether people are allowed to drink alcohol in public places where the drinking has been causing an issue and the controls are reasonable.

Other Strategic Linkages

The Napier and Hastings Smokefree Policy contributes to a number of local strategies. The Policy supports both Councils' Youth and Positive Ageing Strategies. It also supports Napier City Council's Disability Strategy. All have a focus on enhancing wellbeing and supporting the outcome of safer communities.

Health Impacts

Tobacco use is the single most important cause of preventable ill health and premature mortality. Approximately 4,500 – 5,000 New Zealanders die each year from smoking related illnesses. These illnesses disproportionately affect Māori and Pacific people and smoking is a large driver of health inequities.

Statistics

Census data shows that Hawke's Bay District Health Board has the fourth highest smoking rate across the 20 District Health Boards. Smoking rates are 15% in Napier and 16% in Hastings compared to 13% nationally. Smoking rates amongst Māori are 29% in Napier, 31% in Hastings, and 28% nationally.

Local data on vaping is not routinely collected. A small survey of Hawke's Bay schools found a daily vaping of 9.8% amongst year 9-13 students, with a corresponding relative decline in smoking rates. Almost one in five students had vaped in the previous seven days.



Public Opinion

Support for additional smokefree and vapefree spaces in Napier and Hastings is generally high, particularly for outdoor dining areas and footpaths outside local shopping centres.

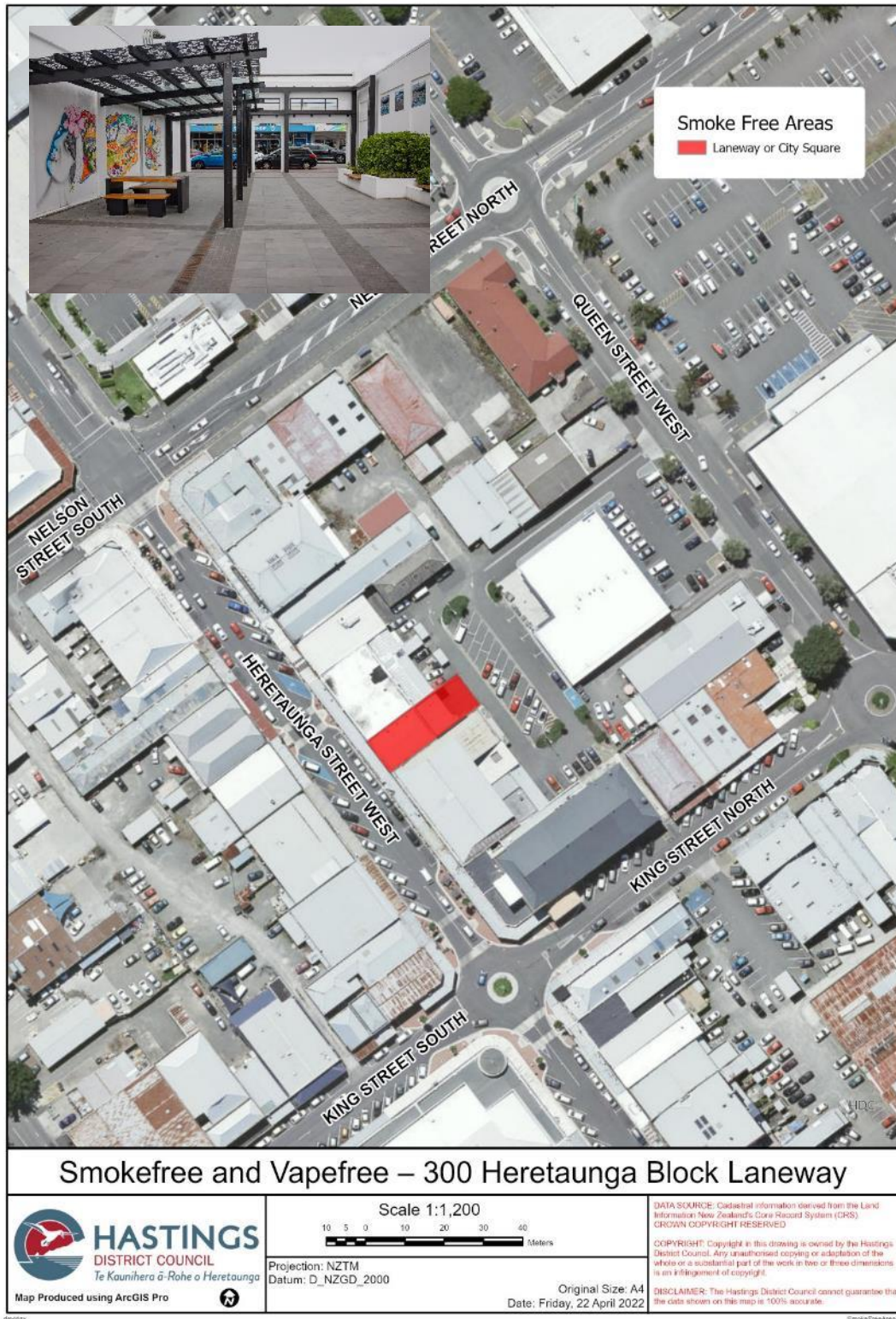
Map 1 - Hastings City Square



Smokefree & Vapefree – City Square

 <p>HASTINGS DISTRICT COUNCIL <i>Te Kauhīero ā-Rohe o Heretaunga</i></p> <p>Map Produced using ArcGIS Pro</p>	<p>Scale 1:1,000</p>  <p>Projection: NZTM Datum: D_NZGD_2000</p> <p>Original Size: A4 Date: Friday, 22 April 2022</p>	<p>DATA SOURCE: Cadastral information derived from the Land Information New Zealand's Core Record System (CRS). CROWN COPYRIGHT RESERVED</p> <p>COPYRIGHT: Copyright in this drawing is owned by the Hastings District Council. Any unauthorised copying or adaptation of the whole or a substantial part of the work in two or three dimensions is an infringement of copyright.</p> <p>DISCLAIMER: The Hastings District Council cannot guarantee that the data shown on this map is 100% accurate.</p>
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Map 2 - Hastings Laneway, 300 Heretaunga Block (Hastings CBD)



Map 3 - Hastings Laneway, Opera House Laneway (Hastings CBD)



Map 4 – Napier Laneway, Paxies Lane (Napier CBD)

Smokefree and Vapefree Laneway

Dickens St

Hastings St

Marianne Pde

ion St

NAPIER CITY COUNCIL
Te Kaitiaki o Ahatūti

186 Hastings Street - Paxies Lane

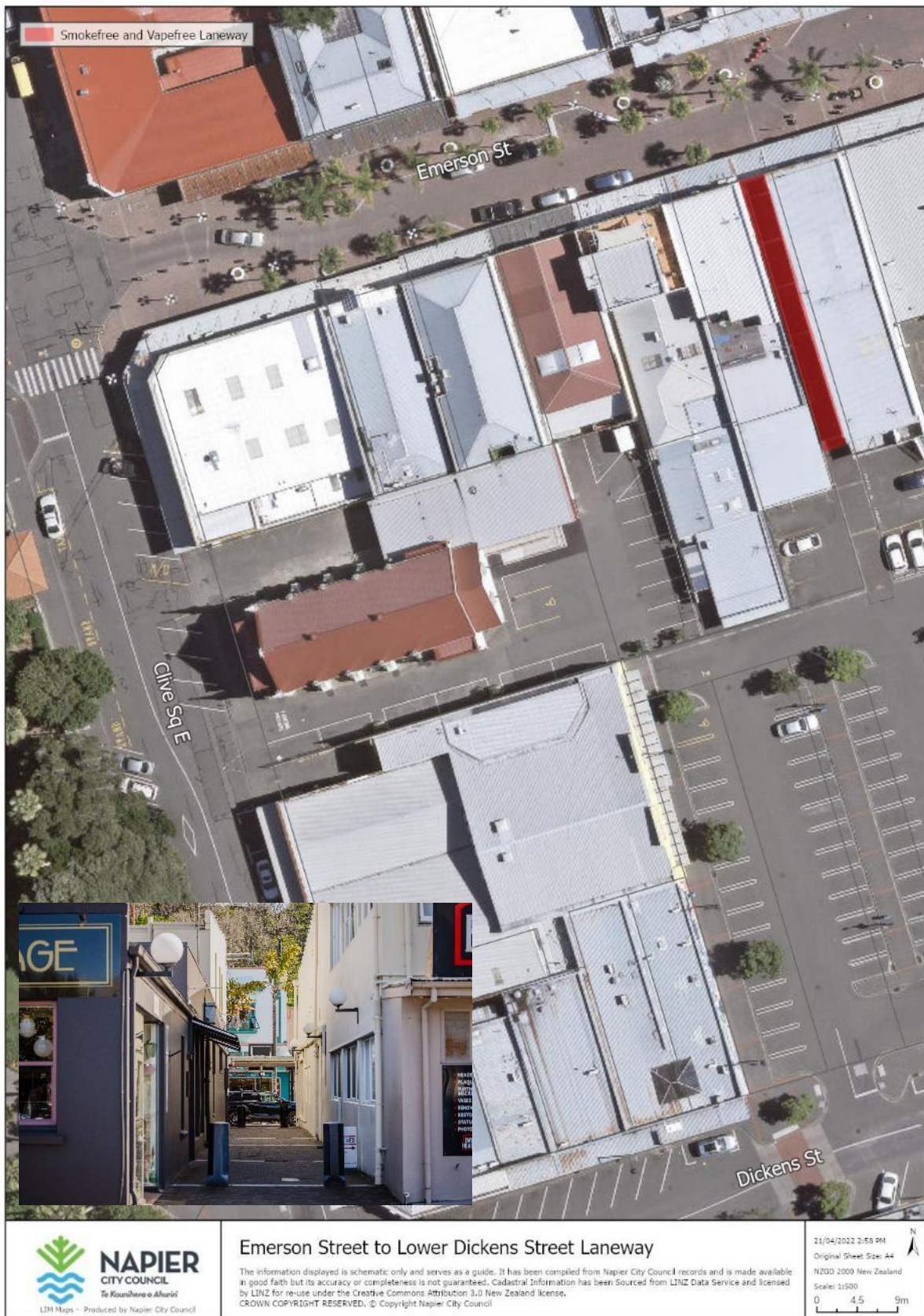
This information displayed is a thematic only and serves as a guide. It has been compiled from Napier City Council records and is made available in good faith but its accuracy or completeness is not guaranteed. Derivative Information has been Sourced from LIDZ Data Service and Licensed by LIDZ for re-use under the Creative Commons Attribution 3.0 New Zealand license. CROWN COPYRIGHT REBRIEVED. © Copyright Napier City Council

21/12/2022 2:58 PM
Original Street Open: A4
HDB: 3000 New Zealand
Scale: 1:1000
0 4.5 9m

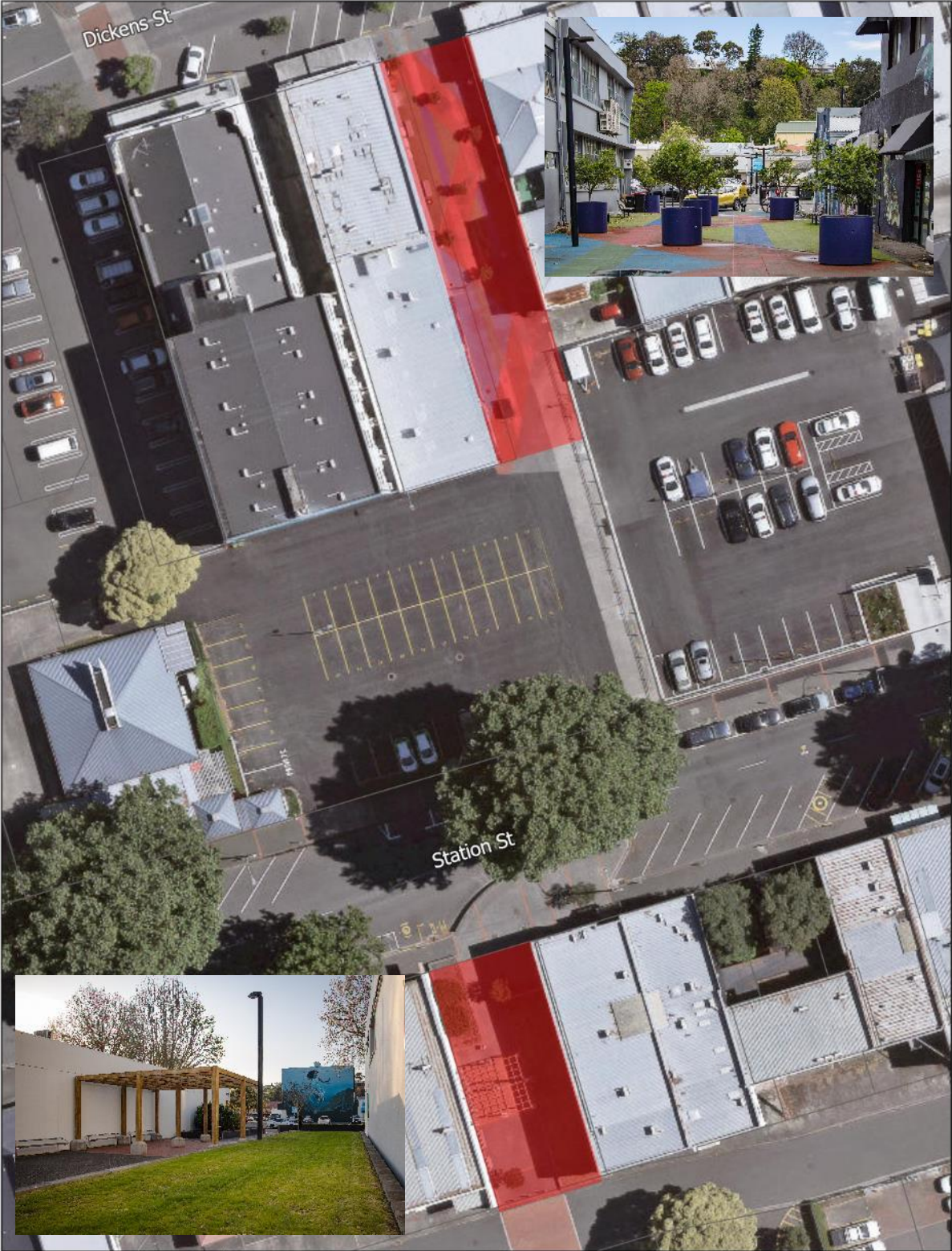
Map 5 – Napier Laneway, Upper Dickens Street (Napier CBD)





Map 6 – Napier Laneway, Lower Dickens Street (Napier CBD)

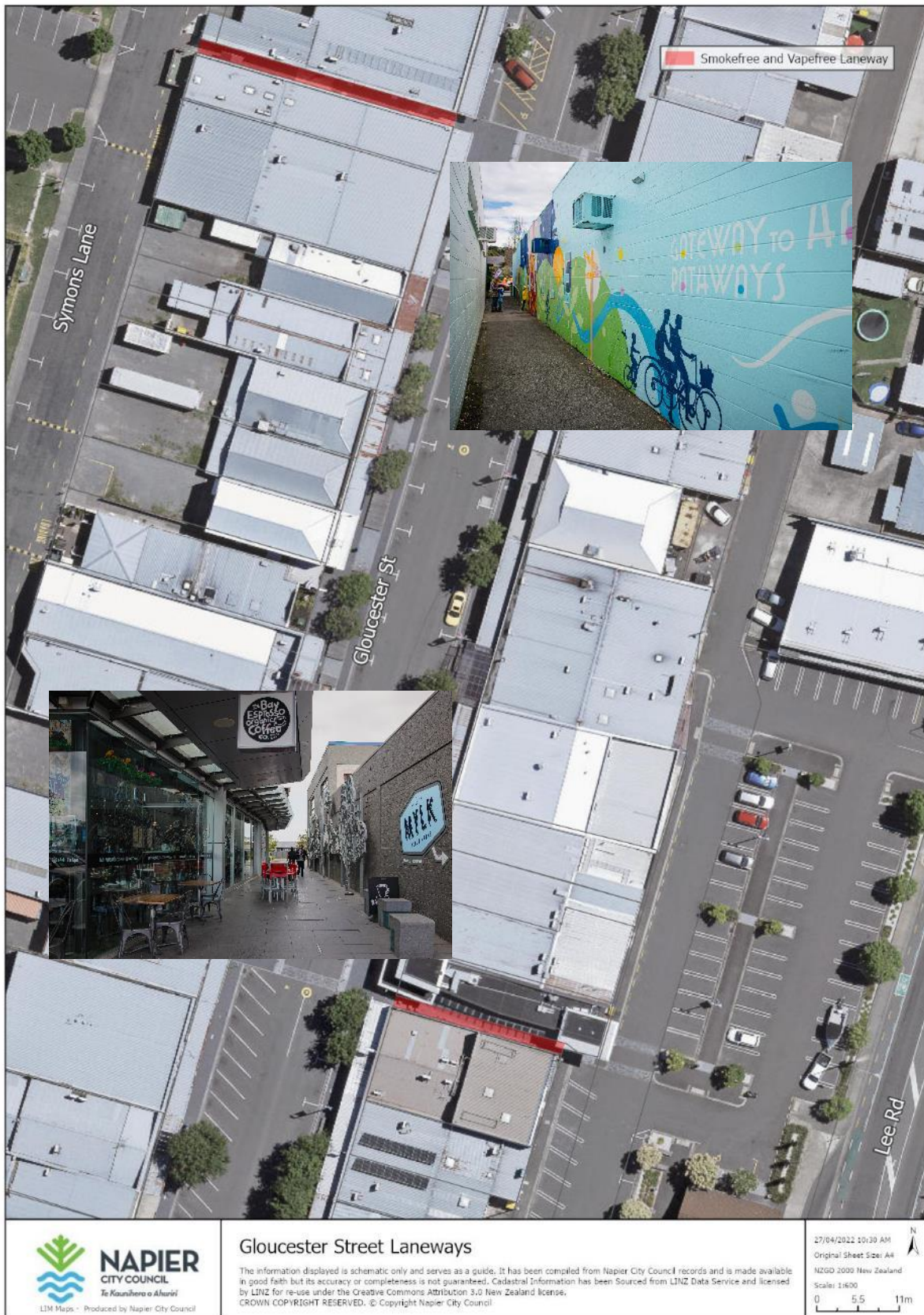


Map 7 – Napier Laneways, Station Street (Napier CBD)



 <p>NAPIER CITY COUNCIL <i>To Kāunhera o Ahariri</i></p> <p><small>LDM Maps - Produced by Napier City Council</small></p>	<p>Station Street Laneways</p> <p><small>The information displayed is schematic only and serves as a guide. It has been compiled from Napier City Council records and is made available in good faith but its accuracy or completeness is not guaranteed. Cadastral information has been Sourced from LINZ Data Service and licensed by LINZ for re-use under the Creative Commons Attribution 3.0 New Zealand license. CROWN COPYRIGHT RESERVED. © Copyright Napier City Council</small></p>	<p><small>21/04/2022 2:56 PM</small></p> <p><small>Original Sheet Size: A4</small></p> <p><small>NZGD 2000 New Zealand</small></p> <p><small>Scale: 1:500</small></p> <p><small>0 4.5 9m</small></p> 
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Map 8 – Napier Laneways, Gloucester Street (Taradale)





NAPIER
CITY COUNCIL
Te Kaunihera o Ahuriri