

---

## Hastings District and Napier City Councils Smokefree Policy

### Purpose

The purpose of this Smokefree 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:
  - a. Hastings District Council's Community Outcomes: "Regulatory functions which help to prevent harm and help create a safe and healthy environment for people... and which are responsive to community needs."
  - b. Napier City Council's outcomes: Provide infrastructure and services to support good health and wellbeing; Safe and secure communities; Safe and accessible recreational facilities.
2. Reduce the impacts of smoking and tobacco use on non-smokers. This includes reduced exposure to second hand smoke and de-normalisation of smoking.

### Policy objectives

The objectives of this policy are to:

- Give effect to Hastings District and Napier City Councils' commitments to the Smokefree Hawke's Bay 2025 Strategy, which supports Government's policy goals for a Smokefree New Zealand/ Aotearoa 2025.
- Improve the health and wellbeing of our communities by decreasing the prevalence of smoking and decreasing public exposure to second-hand smoke.
- Increase the likelihood that people, particularly the young, will remain smokefree by reducing the number of places where they see others smoking.

### 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 in particular public places, aimed at lessening the effect of smoking on other people.
3. The focus of the Policy will be on providing more smokefree public environments, particularly for young people.

### Scope

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

- Smokefree public places.
- Smokefree public events.

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

Smokefree public places will apply in respect of both tobacco products and other products that people smoke (including e-cigarettes and similar devices).

## Smokefree Public Places

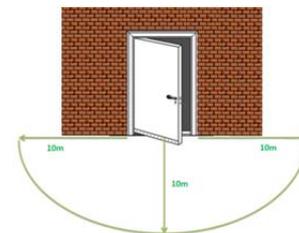
This Policy recognises and supports smokefree areas designated through Government legislation.

Places specifically designated as Smokefree under this policy include public outdoor areas for Hastings District and Napier City as follows:

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

Where a playground is not located within a smokefree park or reserve, a minimum ten metre smokefree perimeter will apply.

- ii. Within ten metres of public pedestrian entrances to Council owned buildings. For the main entrance to Councils' Civic Buildings, the smokefree area will include the full forecourt from the public footpath.
- iii. Hastings City Square / Central Plaza.
- iv. Bus stops, including a ten metre perimeter from bus shelters, signs or bus stop markings.
- v. 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 places on their own property (or on property where they have the authority to do so) will be able to access free smokefree signs or stickers, as available.

The Policy shall be implemented progressively by 1 July 2016.

## Smokefree Community Events

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

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

The Hawke's Bay District Health Board can support event organisers to deliver smokefree messages 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.

If the policy is not effective in 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 messages will be installed in appropriate places.

While the Policy will be educative, self-policing and no fines will apply; the Councils may 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.

## Background

### 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 New Zealand / Aotearoa 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 Legislation and Goals

#### Smokefree New Zealand/ Aotearoa 2025

Government's commitment to the goal of a Smokefree New Zealand / Aotearoa 2025 is defined as:

- our children and grandchildren will be free from tobacco/smoke and enjoy tobacco/smokefree lives
- almost no-one will smoke (greater than 95% of the population smokefree)
- tobacco will be very difficult to sell, supply or purchase.

#### Smoke-free Environments Act 1990

This policy is consistent with the purposes of the Smoke-free Environments Act, 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 in Section 20 to local authorities having powers to provide greater protection from tobacco smoke.

The purposes of Part 1 of the Smoke-free Environments Act 1990 are—

- (a) to prevent the detrimental effect of other people's smoking on the health of people in workplaces, or in certain public enclosed areas, who do not smoke or do not wish to smoke there; and
- (b) to prevent young people who are being taught or cared for in registered schools or early childhood education and care centres from being influenced by seeing other people smoke there; and
- (c) to prevent the detrimental effect of other people's smoking on the health of young people who are being taught or cared for in registered schools or early childhood education and care centres.

The purpose of Part 2 of the Smoke-free Environments Act 1990 includes—

- (a) to reduce the social approval of tobacco use, particularly among young people...

## Local Government Act 2002

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

The Local Government Act 2002 (LGA 2002) part 6 requires councils to consult with communities and provides for participation by communities in decision making.

Part 8 of the LGA 2002 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.

## Health Impacts

Smoking is the single most important cause of preventable ill health and premature mortality (Health Equity Report, 2014). The Hawkes' Bay District Health Board (HBDHB) recognises that:

- Children are three times more likely to smoke if their parent does.
- Tobacco increases the chance of a multitude of diseases, including cancer and heart disease.
- Up to half of current users will eventually die of a tobacco-related disease<sup>1</sup>.

## Statistics

Census data shows that there has been a decrease in both Napier and Hastings in the people classifying themselves as regular smokers, from 22% in 2006 to 16% in 2013.

## Smokefree Survey Results

The Hawke's Bay District Health Board commissioned APR to undertake a random telephone survey in Napier and Hastings in 2013 to gauge public opinion.

In total, 1,000 surveys were undertaken, comprising 485 residents from Napier City and 515 residents from Hastings District.

Headline results of that survey are shown in the tables below. The survey findings found that the following areas should be smokefree:

- Children's playgrounds (96.9%)
- Near the entrance of public buildings (80.3%)
- Outdoor eating places at restaurants or cafes (79.8%)
- Near bus stops and train stations (76.3%)
- Parks and sports fields (73.9%)
- Outdoor music or sporting events (70.8%)

Less support was shown for beaches (45.6%) and outdoor public places in pubs (53.3%).

The full survey is available through Hawke's Bay District Health Board's website, at:

[www.hawkesbay.health.nz/file/fileid/48455](http://www.hawkesbay.health.nz/file/fileid/48455)

---

<sup>1</sup> World Health Organisation, May 2014. *Tobacco* Fact sheet N°339. A recent Australian study has put the risk of premature death even higher. <http://www.biomedcentral.com/1741-7015/13/38>

Should the following areas be smokefree?	Yes	No	Don't know
Children's playgrounds	96.9%	2.5%	0.6%
Near the entrance of public buildings (such as offices and shops)	80.3%	17.5%	2.2%
Outdoor eating places at restaurants or cafes	79.8%	15.1%	5.1%
Bus stops and train stations	76.3%	19.1%	4.6%
Parks and sports fields	73.9%	18.6%	7.5%
Outdoor music or sporting events (including festivals)	70.8%	21.6%	7.5%
Footpaths outside your local block of shops	68.4%	26.7%	4.9%
Public outdoor areas in town centres	66.5%	26.9%	6.6%
Outdoor places in pubs	53.3%	40.3%	6.4%
Beaches	45.6%	43.1%	11.2%

More likely to visit if smokefree?	More likely to visit	Less likely to visit	No difference
Children's playgrounds	57.5%	2.7%	39.8%
Near the entrance of public buildings (such as offices and shops)	41.8%	3.5%	54.6%
Outdoor eating places at restaurants or cafes	54.9%	5.4%	39.7%
Bus stops and train stations	41.6%	3.6%	54.7%
Parks and sports fields	39.0%	5.7%	55.3%
Outdoor music or sporting events (including festivals)	45.6%	6.5%	48.0%
Footpaths outside your local block of shops	41.4%	3.5%	55.1%
Public outdoor areas in town centres	42.8%	5.4%	51.8%
Outdoor places in pubs	43.3%	7.8%	49.0%
Beaches	31.7%	8.1%	60.1%