

STATEMENT OF PROPOSAL

Smokefree and Vapefree Policy

March 2021

This Statement of Proposal is made for the purposes of Sections 82A, 83, 83AA and 87 of the Local Government Act 2002.

It includes:

- Background to the proposal
- Reasons for the proposal
- Summary of proposal
- How to provide your feedback
- A copy of the draft Smokefree and Vapefree Policy 2021

WAIPĀ DISTRICT COUNCIL SMOKEFREE AND VAPEFREE POLICY

STATEMENT OF PROPOSAL

Introduction

Waipā District Council (the Council) has prepared a new policy aimed at contributing to the goal of a smokefree New Zealand by promoting a smokefree and vapefree Waipā.

The Smokefree and Vapefree Policy is about declaring Council-owned public places to be smokefree and vapefree and de-normalising smoking and vaping behaviour.

Background to the proposal

The Smokefree 2025 goal for New Zealand was adopted by the Government in 2011. Most local authorities have adopted smokefree policies; Council is one of only three North Island authorities not to have a Smokefree Policy.

Council was approached in 2019 by the Waikato District Health Board and the Bay of Plenty Cancer Society with regard to developing a Smokefree Policy to improve the health and well-being of Waipā communities.

Reasons for the proposal:

The reasons for developing this policy are to:

- support and contribute to the Smokefree 2025 goal for New Zealand by discouraging smoking and vaping behaviours which have harmful health effects
- support the Smokefree Environments Act 1990, including Part 1 Smokefree workplaces and public areas
- support the Smokefree Environment and Regulated Products (Vaping) Amendment Act 2020
- support the Waipā District Council vision of “Waipā Home of Champions – building connected communities”.

The draft Smokefree and Vapefree Policy is attached to this Statement of Proposal.

Purpose of the Policy

The Smokefree and Vapefree Policy’s main purposes are to:

- declare Council-owned public places to be smokefree and vapefree
- reduce the incidence of smoking and vaping in public places
- de-normalise smoking and vaping behaviour in public places.

OPTIONS CONSIDERED BY COUNCIL

Council considered five options in developing this policy:

- a) smokefree public areas: local authority smokefree policies typically consider appropriate smokefree places to be council-owned or managed parks, reserves and playgrounds; skate parks; council-owned or managed sports locations, walking tracks, lakes or river spots; all bus stops and shelters; public toilets. Council has accepted these should be included, and has added the entrances to all Council-owned and operated buildings, and camping grounds.

Including outdoor/street dining areas is recommended. Dining permits issued under the Waipā District Public Places Bylaw 2018 may already include a condition restricting activities for reasons of public health. It is an option to include outdoor/street dining areas in the policy immediately, or to add them after 12 months to allow time for businesses to make the necessary adjustments.

An alternative is to use the definition of public places as per the Waipā District Public Places Bylaw. However, this is a much wider definition and includes all roads, malls, access ways and thoroughfare. This is considered to be too broad a definition for this policy, and so this approach is not recommended.

- b) Inclusion of vaping: Council recommends that vaping should be treated the same as smoking other substances as it:
- is consistent with providing safe environments for the public (free of second hand vape impacts – vape can contain a substantial mixture of chemicals)
 - reinforces the health message
 - aligns with concerns from the Government and health officials due to clear evidence of the vaping industry targeting young people
 - reduces confusion.

Vaping may be considered safer than smoking, but not safe. There is currently some evidence of harm from vaping, but it may be many years before the full health effects are known.

Waikato District Health Board and the Cancer Society of New Zealand support a recommendation to Government that all areas legislated as smokefree should also become vape-free.

- c) Inclusion of non-tobacco substances: Council has considered whether to include smoking substances that are not tobacco such as cannabis or methamphetamine.

Council recommends that a 'smokefree area' should be defined to refer to, and include, all combustible and smoking-related devices including pipes, cigars, e-cigarettes, meth pipes, cannabis pipes or paraphernalia etc.

- d) Policy enforcement: Council recommends that this should be an education-based policy. It would rely on good faith that people who smoke or vape, will refrain from smoking or vaping in areas that are designated smokefree.

Having a policy makes it easier for the community to self-regulate. A smokefree policy with signage provides a simple way for a person to remind a smoker that an area is smokefree.

An effective promotional campaign and signage would make the community aware of the smokefree areas. Enforcement of the policy would not be necessary if there is good promotion, and the public have been given enough time and opportunities to be informed.

An alternative approach would be to develop a Council bylaw to enforce the policy. However, this would require new operating resources to monitor and enforce without any additional penalties or enforcement tools. This option is not recommended.

- e) Policy monitoring: Monitoring should be undertaken by using wellbeing questionnaires, and online surveys asking people's perceptions/comments on compliance. This is Council's recommended approach.

However, monitoring in the sense that Council officers will ensure nobody is smoking at smokefree areas (enforcement), is not recommended. Good signage, a good campaign and/or consultation process, and opportunities for the community to be informed, would be more cost-effective for compliance.

SUMMARY OF PROPOSAL

Waipā District Council proposes to adopt a Smokefree and Vapefree Policy aimed at contributing to the goal of a smokefree New Zealand by promoting a smokefree and vapefree Waipā.

The policy takes a non-regulatory, persuasive approach. Compliance with the policy will not be actively enforced by Council. Compliance with the policy is instead encouraged by empowering the public to model and promote smokefree and vapefree behaviour in a positive manner, which in turn encourages others to be smokefree and vapefree.

The following public places would become smokefree across the entire district:

- All Council-owned and/or managed parks and reserves (including Council-owned playgrounds, skate parks, pump tracks, sports fields, camping grounds) and leased areas.
- All bus stops and shelters.
- All Council-owned public toilets.
- Council-owned or managed cycle trails.
- Outside the entrances/exits of all Council-owned and operated buildings.
- All public car parks;

and:

- Outdoor public areas within the central business districts of Cambridge, Te Awamutu, Kihikihi, Ohaupo and Pirongia

- All outdoor/footpath dining areas within the central business districts of Cambridge, Te Awamutu, Kihikihi, Ohaupo and Pirongia.

Restaurants, cafes and bars with a licence to use the street pavement for their outdoor dining would need to make sure those spaces are smokefree and vapefree.

All Council-owned events and those receiving Council funding or support would need to be smokefree and vapefree. Event organisers would be encouraged to share the smokefree and vapefree message leading up to, and at, their events.

To implement this policy Council will:

- make smokefree and vapefree signage/stickers available.
- display signage with smokefree and vapefree messaging at Council buildings, facilities and parks and reserve areas as signage needs to be renewed or replaced
- on review, Council documents (e.g. reserve management plans), will make reference to smokefree and vapefree public places.
- on review, community leases and licences will require the leased premises to be smokefree and vapefree.
- include a 'no smoking/vaping on premises' clause in the Council's terms and conditions for hiring any Council venue.
- include a smokefree and vapefree compliance requirement in Council contracts.
- include a smokefree and vapefree requirement in all funding agreements / contracts as they are renegotiated/renewed.

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

HAVE YOUR SAY

Submission forms/surveys and copies of the Statement of Proposal are available:

- Online at the Council's website: www.waipadc.govt.nz/haveyoursay
- At the Council Offices and Libraries
- By phoning (07) 872 0030 and requesting a copy.

Any person may make a written submission on the proposed Smokefree and Vapefree Policy.

Submissions must be made online or in writing in the format shown in the detachable submission form following this page. This form is intended as a guide only, but is suitable for brief submissions. Please attach additional pages as necessary.

Please note that written submissions are to be received by Waipā District Council by **5.00 pm** on **4 June 2021**.

Submissions can be:

Online: www.waipadc.govt.nz/haveyoursay

Emailed to: submissions@waipadc.govt.nz
Subject heading should read: *Smokefree and Vapefree Policy – Submission*

Posted to: Waipā District Council
Attn: Smokefree and Vapefree Policy – Submission
Private Bag 2402
Te Awamutu 3840

Delivered to: Waipā District Council
101 Bank Street
Te Awamutu

Waipā District Council
23 Wilson Street
Cambridge

Key Dates:

Submissions open	3 May 2021
Submissions close	4 June 2021
Submissions hearing	3 August 2021
Council adopts (or not) Policy	31 August 2021

Council will acknowledge in writing each submission received. All submissions will be considered and deliberated on. You have the opportunity to have your submission heard in person at the Strategic Planning and Policy Committee meeting on Tuesday 3 August 2021. When you complete the submission form, please tell us if you would like to be heard.

If you have any further queries or would like more copies of the draft Smokefree and Vapefree Policy 2021, please contact Council on 0800 924 723.

Submission Form



Smokefree and Vapefree Policy Submission Form

To: Waipā District Council, Private Bag 2402, Te Awamutu 3840
Phone: 0800 924 723 | Fax: 07 872 0033 | Web: www.waipadc.govt.nz | Email: submissions@waipadc.govt.nz

SUBMISSIONS CLOSE: 5pm – 4 June 2021

Full name: _____

Organisation: (if applicable) _____

Address for correspondence: _____

Email: _____

Phone: _____

For office use only:

Submission No.

Submissions made under the Local Government Act 2002 are public documents. They are made available in a report to the elected members of Council and to the public via Council's website and on request. Personal information supplied will be used for administration purposes and as part of the consultation process. You have the right to correct any errors in personal details contained in your submission.

Are you happy for your name to be released to the public in association with this submission?

Yes

No

I wish to present my submission verbally to a public Council hearing:

Yes

No

I/we support / oppose the proposed Smokefree and Vapefree Policy

The reasons for my/our support or opposition of the proposed Smokefree and Vapefree Policy:

I would like to see the following changes to the proposed Smokefree and Vapefree Policy:

I have attached additional information: Yes No

.....
Signature of person making submission or person authorised to sign on behalf of person making submission

.....
Date
