

FAQ's

Smoke-free Play Spaces

1. Why is Council implementing this?

An action within Council's endorsed Living Well Plan for Health and Wellbeing, notes an objective to promote and expand Smoke Free Environments within the City of Unley, in line with the Tobacco Products Regulation Act 1997 (the Act).

In line with this, on the 25th March 2019, Council endorsed to apply sub-clause 9.9 of Council's Local Government Land By-Law 2015 (Smoking) to certain parks that they are effectively smoke-free.

The key purpose of applying this law is to protect children from the dangers of passive smoking. This will help promote positive health and a cleaner and safer environment.

2. What areas/spaces are affected?

The fenced play spaces that are now smoke-free are located as follows:

- Princess Margaret Playground (Black Forest)
- Dora Gild Playground (Clarence Park)
- Everard Park Reserve (Everard Park)
- Fern Avenue Reserve (Fullarton)
- Fullarton Park (Fullarton)
- Scammell Reserve (Fullarton)
- Goodwood Community Centre (Goodwood)
- North Unley Play Park (Goodwood)
- Souter Park (Goodwood)
- Haslop Reserve (Malvern)
- Goodwood Oval (Millswood)
- Orphanage Park (Millswood)
- Fraser Reserve (Myrtle Bank)
- Henry Codd Reserve (Parkside)
- Leicester Street Playground (Parkside)
- McLeay Park (Parkside)
- Unley Oval (Unley)
- Morrie Harrell Reserve (Unley Park)
- Wayville Reserve (Wayville)

3. Why is this being implemented at some and not all play spaces?

Smoking is already prohibited within 10 metres of all play equipment, pursuant to the *Tobacco Products Regulation Act 1997*. As Council has some fenced play spaces that have play equipment which falls outside of the 10 metre rule, this initiative will apply a secondary level of protection to children from passive smoking within those fenced play spaces. Council may consider expanding this initiative to additional parks/reserves in future.

4. When do these bans come into effect?

Bans will come into effect as of 1 June 2019.

5. What is the expiation fee if this By-Law is breached?

The expiation fee for breach of By-Law is \$187.50 and the expiation fee for breach of S50(1) of the *Tobacco Products Regulation Act 1997* is \$75.00.

6. What should I do if I see someone smoking in the play space?

Only if you are comfortable in doing so, make the smoker aware of the signage at the play space. If they continue to smoke within the fenced area contact Council on 8372 5111 and report.

7. How will Council let people know about these changes?

Council will install signage at the relevant play spaces, provide notice to the community through social media and the City of Unley website and publish an advertisement in the SA Government Gazette.

8. What was the process to determine these changes?

Through Council's Strategic plans and the Living Well Plan for Health and Wellbeing, the need was recognised to protect the health and wellbeing of its community and to increase the comfort and enjoyment of its citizens, including its children.

The *Tobacco Products Regulation Act 1997* (the Act) and associated *Tobacco Products Regulations 2012* (the Regulations) are the overarching legislative documents that regulate tobacco and smoking in South Australia.

On 31 May 2012, the Act was amended to encompass additional public areas, where smoking is prohibited. These additional areas included within ten metres of children's playground equipment.

Whilst the ten-metre rule assists in mitigating the risk of passive smoking, there continues to be examples of passive smoking risk throughout City of Unley, particularly in relation to children's fenced play spaces, where smoking is permitted within these fenced areas at distances greater than 10 metres away from children's play equipment.

There is a significant amount of evidence linking passive smoke exposure with a range of serious health impacts, including heart disease, stroke, cancer, asthma and other respiratory problems.

The purpose of having designated smoke-free fenced play spaces is to provide an additional layer of protection to those existing legislative controls, by further limiting exposure to second-hand smoke to children using play equipment in our fenced play spaces. Therefore, Council resolved to prohibit smoking in specified Council land.

9. Where can I find out more about this topic?

Please visit the City of Unley website – <https://www.unley.sa.gov.au/facilities-events/parks-playgrounds>

10. I want to provide feedback. What will you do with it?

Your feedback can be sent to pobox1@unley.sa.gov.au and will be answered where appropriate.

11. Support to Quit Smoking

For information and support to quit smoking, call the Quitline 13 7848, visit www.quitsa.org.au to register for text messaging support or talk to a GP or pharmacist.

This information is correct at time of publication – 1st May 2019