



**Illawarra
Venues
Authority**

NON SMOKING POLICY

SUBJECT: Non Smoking Policy

Policy No: IVA 014

ISSUE	ISSUE/REVIEW DATE	REVIEWED BY	APPROVED BY MANAGER	
		NAME	NAME	SIGNATURE
1	05/02/2002	Stuart Barnes	Stuart Barnes	
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1. POLICY

Smoking is prohibited in all WIN Sports and Entertainment (WSEC) occupied buildings and in all 1 WSEC vehicles. This prohibition is for all buildings owned by the Illawarra Venues Authority (IVA).

Through this policy the Illawarra Venues Authority fully complies with the NSW Legislation Smoke-Free Environment Act 2000 No. 69 Current version 6 July 2009.

This Policy has been established to:

- minimise adverse health effects from passive smoking
- meet legal obligations
- meet community expectations.

2. BUILDINGS

The ban on smoking within the WSEC buildings includes, but is not limited to:

- all enclosed public places such as function rooms, meeting rooms, foyers and corridors
- all offices and workshop areas
- all common rooms, tea rooms and staff rooms.

For events only, there are designated areas for patrons in the following areas

- Grassed area on the Western side of the Entertainment Centre (See Appendix A)
- WIN Stadium – (See Appendix A)

In order to mitigate the effects of passive smoking, smoking is also banned in the vicinity of air intakes, building entrances (including the loading dock), external doors and windows that are regularly opened and semi-enclosed thoroughfares such as verandas and colonnades.

3. VEHICLES

Smoking is prohibited in all IVA vehicles including pool vehicles and vehicles that are partly private-use vehicles.

4. POLICY RATIONALE

4.1. Health Effects of Passive Smoking

Passive smoking occurs when people breathe in Environmental Tobacco Smoke (ETS). ETS is a combination of sidestream smoke from the end of lit cigarettes and exhaled mainstream smoke. ETS is similar in composition to the mainstream smoke, which has been estimated to contain over 4000 chemical compounds, including 43 known carcinogens.

Since ETS is similar to the mainstream smoke inhaled by smokers, non-smokers who inhale ETS are at risk of the same diseases as active smokers.

Health risks found to be associated with passive smoking include:

- lung and throat cancer
- heart disease
- respiratory system effects such as sore throat, hoarseness, chronic cough, chronic phlegm, shortness of breath, chest illness, and exacerbation of asthma
- irritation of eyes
- stroke
- reduced birth weight, which several studies have linked to exposure of pregnant women to ETS. [4]

Some people who are already suffering from respiratory diseases or allergies may be at increased risk in a smoke-filled environment.

4.2. Legal Obligations

The IVA's legal obligations to control smoking are established through:

- the NSW Smoke-Free Environment Act 2000 and NSW Smoke-Free Environment Regulation 2000
- the NSW Occupational Health and Safety Act 2000
- case law.

The Smoke-Free Environment legislation:

- prohibits smoking in enclosed public places,
- places a duty on occupiers of premises to enforce the prohibition by requiring people to stop smoking in smoke-free areas or leave the area
- requires occupiers to display "no smoking" signs.

Enclosed public places are those that are enclosed by walls and ceilings or roofs, and that are open to or being used by the public or sections of the public, including on payment of money or by membership of a club or other body.

Occupational Health and Safety Act:

Sections 8 and 10 of the OHS Act 2000 require employers and controllers of premises to ensure people at workplaces, whether employees or otherwise, are not exposed to risks to their health.

The most effective means of controlling health risks is to eliminate the hazards from the environment. In the case of passive smoking, this means the elimination of Environmental Tobacco Smoke from the workplace.

Case Law

In the case of Sharp vs Port Kembla RSL Club, a NSW Supreme Court Jury found that exposure to tobacco smoke at work had caused throat cancer in a former employee of the Club and awarded her substantial damages. The employer was found to be negligent in not acting to prevent or control passive smoking in the workplace. This case reinforces the duty of employers to prevent exposure to ETS in the workplace.

4.3. Community Expectations

The IVA is committed to service to the community. In order to meet this goal the IVA seeks to act responsibly and ethically as a community member. The Policy on Smoking in the Workplace is in line with this goal.

5. IMPLEMENTATION OF THE POLICY

Staff members, including those who supervise other staff or contractors and other visitors to the WSEC, all have responsibilities for implementing this Policy. In addition, the IVA as a whole makes certain provisions for implementing the Policy, which are described below.

5.1. Staff

Members of staff are required to:

- refrain from smoking indoors and in outdoor areas where smoking is banned under this Policy
- direct people found smoking in enclosed public places to cease smoking or leave the enclosed public place, and inform them that if they continue to smoke in the area they are committing an offence; if smokers do not cooperate with the direction, contact Security personnel for assistance
- during events, direct patrons to approved smoking areas. (See Appendix A)
- if working in a supervisory or managerial capacity in relation to other staff or to visitors, ensure that the people in their area of authority comply with the Policy
- ensure information for prospective students, employment advertisements and contracts for services performed on IVA premises include a statement of the IVA's smoke-free workplace Policy.

5.2. Contractors and Other Visitors

All non-employees who use the WSEC's premises are required to:

- refrain from smoking indoors and in outdoor areas where smoking is banned under this Policy
- cooperate with staff directions in relation to smoking in enclosed public places.

5.3. Other Implementation Provisions

The Policy will be published such that it comes to the attention of staff and visitors. The IVA will:

- post appropriate signage to remind people not to smoke in smoke-free areas
- encourage staff members wishing to quit smoking
- investigate and take action concerning breaches of the Policy
- review the Policy periodically
- make arrangements for Smoking Areas (where appropriate) at events, in locations that do not create an OH&S hazard due to their location or access arrangements.

