

Diamantina Shire Council

Policy Document



Smoking Policy

CONTROL	
Policy Number	15
Policy Type	Administrative
Authorised by	Chief Executive Officer
Head of Power	<i>Local Government Act 2009</i> <i>Work Health and Safety Act 2011</i> <i>Tobacco and Other Smoking Products Act 1998</i> <i>Tobacco and Other Smoking Products Regulation 2021</i>
Responsible Officer	Chief Executive Officer
Adopted / Approved	Executive Leadership Team Meeting, 27 March 2025
Last Reviewed	October 2020
Next Review Due	March 2027
Version	5

1. INTRODUCTION

1.1 PURPOSE

To ensure that staff, contractors and visitors are aware of their responsibilities in maintaining a smoke free work environment.

1.2 POLICY OBJECTIVES

The purpose of this policy is to ensure the Diamantina Shire Council maintains a smoke free working environment.

1.3 COMMENCEMENT OF POLICY

This Policy will commence on adoption. It replaces all other specific smoking policies of Council (whether written or not).

1.4 SCOPE

This policy applies to all employees and contractors of Diamantina Shire Council, as well as all other individuals visiting or conducting business on or around council property and plant items.

1.5 HUMAN RIGHTS COMMITMENT

Council has considered the human rights protected under the *Human Rights Act 2019* (Qld) (the Act) when adopting and/or amending this policy. When applying this policy, Council will act and make decision in a way that is compatible with human rights and give proper consideration to a human right relevant to the decision in accordance with the Act.

2. POLICY

2.1 POLICY STATEMENT

Diamantina Shire Council recognises the negative impact of smoking on the health of the individual and the rights of people to be protected from the dangers of passive smoking.

It is acknowledged that the individual has the right to choose whether or not to smoke, but this right does not allow the smoker to be a risk to others or contravene safety provisions or reduce the employee's productivity. Council therefore acknowledges the right of its staff to ask smoking staff members to remove themselves from their proximity if they are smoking.

The smoking of E-cigarettes, including vaping and any other smoking related inhaling device, equipment and plant material is considered the same as smoking cigarettes and this policy will apply. This policy applies to all employees and contractors of Diamantina Shire Council, as well as all other individuals visiting or conducting business on or around council property and plant items.

3. STANDARDS AND PROCEDURES

3.1 SPECIFIC AND STANDARD

3.1.1 Restricted Smoking Areas

- Council will enforce a no-smoking policy within the following areas:
 - Within the boundary of all Council workplaces including, Administration Centres, Information Centres, depot compounds, workplaces (excluding designated and signed smoking areas);
 - Within 10 metres of Council public areas including skate parks, outdoor playground equipment, swimming pool compounds and gyms;
 - All Diamantina Shire Council owned or hired vehicles and machinery, mobile camps and temporary accommodation facilities. A designated smoking area will be nominated at each mobile camp site; and

- Within 10 metres of a refuelling site or fuel storage site.

3.1.2 Restricted Outdoor Smoking Areas

- Council will enforce a no-smoking policy in accordance with the *Tobacco and Other Smoking Products Act 1998*.

3.1.3 Restricted Outdoor Smoking Areas

- Council will enforce a no-smoking policy in accordance with the *Tobacco and Other Smoking Products Act 1998*.

3.1.4 Restricted smoking times

- Employees shall only smoke during designated breaks (morning tea or lunch) or where the continuity of work is not broken; and
- Failure to comply with this policy may result in disciplinary action to be taken against employees as per the Code of Conduct.

3.1.5 Defined Workplace Designated Smoking Areas

- Designated Smoking Areas are signed areas located 5 metres away from the entrance of the building. Approved smoking zone locations are:
 - Bedourie Administration Centre and Depot: at the boardroom side of the building;
 - Bedourie Information Centre: at the rear of the centre;
 - Birdsville Wirrarri Centre: at rear of the centre (SW Corner); and
 - Birdsville Depot: at the front of the building.

4. REFERENCE AND SUPPORTING INFORMATION

4.1 DEFINITIONS

To assist in interpretation, the following definitions shall apply:

WORD / TERM	DEFINITION
CEO	Chief Executive Officer.
Council	Means Diamantina Shire Council.
Passive Smoking	Means the inhalation by any person of air contaminated by tobacco smoke.
Fuel Storage Site	A fuel storage site includes any container, no matter what size, that contains or could be assumed to contain fuel. This includes jerry cans.

4.2 RELATED POLICIES, LEGISLATION AND DOCUMENTS

LINKS TO SUPPORTING DOCUMENTATION
Employee Code of Conduct

4.3 VERSION CONTROL

VERSION NUMBER	DATE ADOPTED/APPROVED
Version 1 Original	February 16 2015, Minute No.2015.02.16
Version 2	October 10 2016; Minute No. 2016.10.10-OM-13
Version 3	November 19 2018;Minute No. 2018.11.19-OM-16
Version 4	February 02 2020: Minute No. 2020.02.15-OM-15

Approved by

Julianne Meier
Chief Executive Officer