



Frank Zipfinger <frank.zipfinger@gmail.com>

SLOPES - No smoking in NSW National Parks

SLOPES <slopes.au@gmail.com>
Bcc: frank.zipfinger@gmail.com

12 May 2016 at 15:18

Dear SLOPES Members and Associates

This email from OEH is forwarded for your information.

SLOPES has contacted OEH to clarify the operation of these changes in the context of our Club lodges.

Set out below is the text we sent OEH which summarises our understanding of the position.

We await a reply but thought it useful to at least provide this update in the interim.

We will keep you informed.

Regards

Frank Zipfinger
President
SLOPES

SLOPES SUBMISSION TO OEH TO CLARIFY POSITION

The key concern for Clubs will be how this ban on smoking affects their lodges and leased areas.

Our reading of the letter is as follows:

1. smoking is banned in all NSW National Parks, including Kosciuszko National Park as it is now a "prohibited activity" under the 2009 Regulations
2. the ban commenced on 1 March 2016 (in passing we note your letter only arrived by email dated 4 May 2016)
3. an exemption applies for "accommodation areas"
4. relevant to Clubs, an "accommodation area" includes "an area used by visitors and tourists to a park that is within land leased or licensed from NPWS"
5. each of the 88 Clubs has a lodge within land leased from NPWS
6. each lodge is used by people falling within the description "tourists and visitors to a park" ie members, guests, visitors etc
7. accordingly, the exemption applies and the ban does NOT apply within the areas of land (including the lodges) leased to the Clubs
8. Clubs are free to allow or prohibit smoking within their lease areas and within their lodges as they each determine
9. no consent or approval from NPWS is required in connection with this issue in relation to Club lodges and leased areas.

Is this a correct summary?

OEH EMAIL

From: **OEH NPWS DCE Mailbox** <npws.dce@environment.nsw.gov.au>
Date: Wed, May 4, 2016 at 3:09 PM
Subject: no smoking in NSW national parks

To: "slopes.au@gmail.com" <slopes.au@gmail.com>

Dear Mr Zipfinger

Please find attached correspondence from the Office of Environment and Heritage regarding no smoking in NSW national parks.

Regards,

Office of the Deputy Chief Executive NPWS

Office of Environment and Heritage

This email is intended for the addressee(s) named and may contain confidential and/or privileged information. If you are not the intended recipient, please notify the sender and then delete it immediately. Any views expressed in this email are those of the individual sender except where the sender expressly and with authority states them to be the views of the NSW Office of Environment and Heritage.

PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL



Attachment B5 Letter - SLOPES.PDF

424K



DOC16/173817

Mr Frank Zipfinger
The Ski Lodges Organisation of Perisher Smiggins and Guthega (SLOPES)
frank.zipfinger@gmail.com
slopes.au@gmail.com

Dear Mr Zipfinger

No smoking in NSW national parks

On 16 November 2014 the previous Minister for the Environment announced a ban on smoking in all NSW national parks. Banning smoking in national parks increases the community's safety and enjoyment of these environments, reduces the risk of accidental fires caused by unextinguished cigarette butts, and reduces a primary source of litter, with cigarette butts comprising over a third of the measured litter in NSW.

To date, the ban has been implemented through signage in twelve high visitation national parks, including Kosciuszko National Park.

To implement the ban across all parks, the NSW Government has amended the National Parks and Wildlife Regulation 2009 to list smoking as a prohibited activity in a park. This will commence on 1 March 2016. Consistent with the initial announcement, the focus of the initiative is on community education rather than enforcement of compliance with the ban.

Exemptions to the ban will be provided for accommodation areas, or where the National Parks and Wildlife Service (NPWS) provides consent. An accommodation area is an area within a park where accommodation is used by residents, or an area used by visitors and tourists to a park that is within land leased or licensed from NPWS.

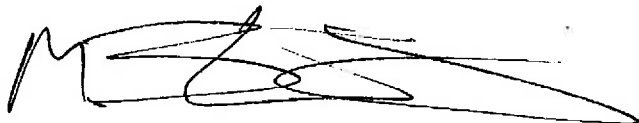
Any conditions of consent of a park authority must be consistent with the *Smoke-free Environment Act 2000* and the intention of the NPWS No Smoking in Parks Policy. This policy provides that the ban is to apply to ski lift areas, picnic areas, campgrounds, lookouts and walking tracks. The policy and other information regarding smoking in national parks can be found on the NSW national parks website at www.nationalparks.nsw.gov.au/safety.

NSW is a world leader in phasing out smoking in public places and smoking is currently banned in certain outdoor areas under the *Smoke-free Environment Act*. This includes places such as outdoor dining areas, near children's play equipment, public swimming pools, sports grounds, public transport stops and within four metres of the entrance to a public building.

Information regarding government initiatives to reduce smoking in NSW can be found on the NSW Health website at www.health.nsw.gov.au/tobacco.

If you would like to discuss this issue further, Ms Melinda Murray, Director Park Strategy and Services, NPWS, can be contacted on 9585 6305 or at melinda.murray@environment.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to be 'M. Wright', written over a rectangular stamp area.

MICHAEL WRIGHT
Deputy Chief Executive
National Parks and Wildlife Service