



Outdoor Smoke-Free Areas Consultation Outcomes

5 November to 17 December 2015

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1. Introduction

From 5 November to 17 December 2015, the ACT Government conducted a public consultation on options for new smoke-free areas at outdoor public places, with a focus on areas that are frequently visited by children and families. A discussion paper was published on the ACT Government's *Time to Talk* website and ACT Health website. Interested parties were invited to respond via an online survey or written submission.

The consultation sought community feedback on the need for new smoke-free areas at public play spaces/playgrounds, skate parks, bus stops and stations, public building entrances, sporting events, and outdoor public swimming pools that are privately owned. It also sought community opinion on compliance measures that should apply, should these places become smoke-free areas. In addition, it sought community opinion on potential benefits and costs of making each place smoke-free.

Respondents were invited to focus on the place or places of interest to them, and did not need to consider each potential smoke-free area, if they did not wish to do so.

This paper will outline consultation outcomes. It will begin with an overview of the nature of submissions received and characteristics of respondents. It will then provide an overview of respondent attitudes to potential new smoke-free areas, and outline the findings for each potential smoke-free area in turn.

2. Nature of submissions and characteristics of respondents

103 complete submissions were received: 93 from individuals; 6 from public health organisations; 2 from the sport/leisure industry; 1 from the tobacco industry; and 1 from a community group. There were 4 written submissions, 1 submission via a telephone discussion, and 98 survey responses. These submissions have been published on the ACT Health website, where consent to do so has been provided by the respondent.

97% of individual respondents are over the age of 18, and 97% of individual respondents are residents of the ACT.

The views of young people are under-represented in the consultation, with only 3% of individual respondents being under the age of 18.

The views of people that smoke may also be under-represented. The current adult daily smoking rate in the ACT is 9.9%, yet only 5.4% of individual respondents indicated that they are current smokers (this number encompasses current adult daily smokers and adults that smoke on a less frequent basis). 89.2% of individual respondents indicated that they do not currently smoke; and 5.4% did not wish to answer.

3. Overview of respondent attitudes to potential new smoke-free areas

The majority of respondents view exposure to second-hand smoke at outdoor public places as a serious concern, and support new smoke-free areas at each of the places outlined in the consultation.

Most respondents are very or somewhat concerned about exposure to second hand smoke at outdoor public places generally (74% and 15% respectively). Nearly all respondents (96%) indicate that they are exposed to tobacco smoke some or most of the time at outdoor public places (64% and 32% respectively).

Support for specific new smoke-free areas is high. This ranges from 73% of respondents supporting outdoor public swimming pools being made smoke-free areas to 91% who support bus stops and bus stations being made smoke-free areas.

Previous smokers (n=14) are particularly supportive of new smoke-free areas, with around 93% supporting each potential new smoke-free area. This contrasts to current smokers, who mostly (80%, n=5) would not support any new smoke-free areas. There is mixed support among current smokers that are trying to quit (n=2).

Respondents aged under the age of 18 (n=3) are broadly supportive of new smoke-free areas at the places outlined in the consultation.

Some respondents state explicit support for the potential smoke-free policy that is described in the survey for each place. Some also comment that other Australian jurisdictions have already implemented similar smoke-free policies.

Many respondents state that the ACT Government should strengthen the described smoke-free policy, for example by extending the reach of a smoke-free area at a specific place. Many call for smoke-free policy at other public places or private residences, particularly multi-unit developments. A number of respondents are concerned about smoke-drift issues in multi-unit developments and state that this is a significant cause of exposure to second-hand smoke in the ACT.

The six public health organisations that participated in the consultation unanimously support the described smoke-free policies. In addition, the Cancer Council ACT recommends smoke-free policies at outdoor pedestrian malls, public events, multi-unit residential buildings and correctional facilities in the ACT. Similarly, the Heart Foundation (ACT Division) suggests that smoke-free policies should also apply at shopping malls, entrances to multi-unit residential buildings, events and festivals and all transport waiting areas.

The two participants from the sport/leisure industry both support new smoke-free areas at their respective places of business. The single tobacco industry participant, Imperial Tobacco Australia, does not support new smoke-free areas. Several participants made submissions on behalf of the single community group. Taken collectively, the community group expressed broad support for new smoke-free areas.

Selected quotes

"...De-normalization of smoking in children's eyes is very important in order to reduce take-up – smokers are now the prime advertisers for Big Tobacco, now that advertising is banned and plain packaging exists. ACT has the lowest smoking rate in Australia (12.4%) – these measures [smoke-free areas] will help reduce that rate even further." (Non-Smokers' Movement of Australia Inc)

"Smoking should be banned in all public places. 5 metres is not enough distance. Nor is 10 metres. I should be able to enter and leave my place of work without exposure to secondhand (sic) smoke. I should be able to catch public transport without the fear of exposing my child to cigarette smoke. If people wish to smoke then they should smoke on private property." (Non-smoker)

"I think all areas where the public go should be smoke free. Everyday (sic) I am exposed to second hand smoke which I detest as I am not a smoker and I am pregnant. I have it outside my office and all over the footpaths and public areas. I even have it from the neighbouring apartment. Since I have chosen not to inhale toxic chemicals I think it unfair that this forced upon me anyway." (Non-smoker)

Respondents that did not support new smoke-free areas include non-smokers, current smokers and previous smokers. Many of these respondents imply that there is no need for smoke-free areas as smokers are courteous and will actively try to minimise others' exposure to second-hand smoke (e.g. by moving away or refraining from smoking). This contrasts with the views of some that did support smoke-free areas, who comment that smokers often have little regard to those around them.

Respondents that did not support new smoke-free areas also raise 'nanny state' arguments and the right for people to smoke tobacco, a legal product. This contrasts with the views of those that did support smoke-free areas, who often see a need for regulation and consider it an individual right not to be exposed to second-hand smoke.

Imperial Tobacco Australia opposes new smoke-free areas and argues that smoke-free policies are flawed, disproportionate and punitive. This contrasts with the views of the public health organisations, many of which cite evidence regarding the harm caused by tobacco and exposure to second-hand smoke. Some also cite evidence on the effectiveness of smoke-free policies in reducing exposure to second-hand smoke, de-normalising smoking and assisting quit attempts.

Selected quotes

"Please give smokers some credit. The ones that I see around outdoor public places (including myself) are considerate of others and move away from people when smoking. This has become the norm and is common courtesy. Please provide the same courtesy back to smokers and give them some credit for considering others around them." (Current smoker)

"Some smokers are considerate and position themselves downwind, but most just don't care about others." (Non-smoker)

"Let them smoke outside. Stop turning our city into a Police state. Encourage them to be respectful of other people when they smoke." (Former smoker)

"...I'm sure some will maintain their human rights are being breached. Unfortunately, the rights of others to not

have their environment polluted by smoke or butts doesn't seem to form part of the conversation.”
(Former smoker)

Respondents consider key benefits from expanding smoke-free areas in the ACT to be improved cleanliness of the environment, improved amenity of the area, health benefits and reduced exposure to second-hand smoke. Some respondents also comment that smoke-free areas denormalise smoking, prevent young people from initiating smoking and provide benefits for smokers by reducing the social cues to smoke and decreasing cigarette consumption.

Many respondents indicate that they would visit public play spaces/playgrounds, bus stops and bus stations and outdoor swimming pools more often if they were made smoke-free areas. Only a few respondents indicate they would use specific places less often if they were made smoke free areas.

Selected quotes

“Laws banning smoking in outdoor areas serve two primary purposes. First, they help to protect the population against the negative health effects of second-hand smoke. Secondly, they help to de-normalise smoking in a variety of contexts, such as in social situations. Smoke-free policies are also likely to decrease smoking cues for those trying to quit and former smokers, as well as decrease consumption among current smokers.”
(Cancer Council ACT)

Many respondents identify no difficulties or costs associated with new smoke-free areas. Some identify enforcement, signage and the potential for conflict with smokers as potential issues.

Most respondents view penalties or fines as effective and necessary compliance measures for smoke-free areas at outdoor public places generally. 83% of respondents think that penalties or fines should apply for new smoke-free areas; 10% think they should not apply; and 7% are unsure. Many respondents also view signage, community education and designated smoking areas as useful to encourage compliance with smoking restrictions.

Selected quotes

“Enforcement may be required, particularly when a ban is first implemented, to issue cautions/warnings in the first instance, and then fines for repeat offences. There will be a cost associated with this. Hopefully, prominent signs will be sufficient.”(Non-smoker)

“Just provide designated smoking areas that are not 5km away from the original location. Responsible smokers will use them, and non-smokers can keep away from them. We are people and voters too, we are not second class citizens. Treating people like criminals will make them less responsible and care less about the thoughts of others.” (Current smoker)

Further detail on respondent attitudes to specific potential new smoke-free areas is outlined in the next section. [Appendix A](#) also summarises quantitative responses for each place.

There is strong commonality across perceived benefits, difficulties or costs and best measures to encourage compliance across each potential new smoke-free area. Given this, the next section will focus predominately on responses that are specific to a particular place.

4. Respondent attitudes to specific potential new smoke-free areas

4.1 Public play spaces/playgrounds

There are currently no restrictions on smoking at outdoor public play spaces/playgrounds (play spaces) in the ACT. The ACT Government is considering making any area within 10 metres of play equipment in play spaces smoke-free. Any structures within the 10 metre radius of play equipment, such as seating or a picnic table, would be included in the smoke-free area. This area would be smoke-free at all times, regardless of whether children or young people are present.

Most respondents (89%) would support smoke-free areas at play spaces. 7% would not support a smoke-free area and 3% are unsure. Some suggest that a 10 metre smoking exclusion is insufficient and that a larger area should apply.

More respondents are concerned about exposure to second-hand smoke at play spaces than any other place in the consultation. Most respondents (91%) are concerned, with 75% being very concerned and 16% somewhat concerned. 9% of respondents are not at all concerned.

Many respondents are concerned about the impact of second-hand smoke on children's health. Many also raise the importance of showing children that smoking is not the norm to help prevent future uptake.

A few respondents question whether people currently smoke at play spaces. However, the majority of respondents (80%) indicate that they are exposed to second-hand smoke some or most of the time (69% and 11% respectively). Only 20% indicate that they are never exposed to second-hand smoke.

Nearly two-thirds of respondents (63%) that visit play spaces believe they would do so more often if they were made smoke-free areas. Only a few believe they would visit less often if they were made smoke-free areas.

A few respondents are concerned that some children will no longer be taken to play spaces if they are made smoke-free areas. A few are also concerned that requiring smokers to be at least 10 metres away from play equipment could pose risks to children if the adult supervising them wants to smoke.

Selected quotes

"Children would consider it less normal to smoke...Also all children, especially those with asthma should be able to play in a smoke free environment." (Non-smoker)

"Most people have the common decency not to smoke when at a playground with children." (Current smoker)

"People will often leave or avoid areas if there is smoke due to it being annoying or the risk to their kids. I think it would encourage more families to visit play spaces." (Non-smoker)

"Some kiddies wont (sic) get taken to the park anymore if mum or dad cant (sic) enjoy a lungbuster while watching them play at the park." (Former smoker)

4.2 Skate parks

There are currently no restrictions on smoking at skate parks in the ACT. The ACT Government is considering making skate parks and areas within a 10 metre buffer zone smoke-free. Any areas within this zone that fall on private land that is not accessible to the public would not be included in the smoke-free area. The smoking ban would apply at all times, regardless of whether children or young people are present.

Most respondents (81%) would support smoke-free areas at skate parks. 12% would not support a smoke-free area and 7% are unsure.

Many respondents think that smoke-free skate parks would de-normalise smoking and reduce uptake among young people. A few respondents think that a smoke-free area would increase smoking among young people, as smoking is often considered an act of defiance.

More than half of the respondents (56%) indicate that they are never exposed to second-hand smoke at skate parks. However, this could reflect that most respondents are not skate park users (as implied by the number of respondents who indicate 'not applicable' when asked how often they are exposed to second-hand smoke or whether smoke-free areas would impact visitation). Just under half of the respondents (44%) indicate that they are exposed to second-hand smoke some or most of the time (36% and 8% respectively). 56% indicate that they are never exposed.

Among those who presumably visit skate-parks, most respondents (79%) are concerned about exposure to second-hand smoke, with 32% being very concerned and 47% somewhat concerned. 21% of respondents are not at all concerned about this exposure.

Nearly one-third of respondents (28%) that visit skate parks believe they would do so more often if they were made smoke-free areas. Only a few respondents believe they would visit less often.

Some consider that fines or requests to stop smoking might be a cause of conflict at skate parks.

Selected quotes

"Teenagers are the main demographic at skate parks. While this age group is seen to be decreasing smoking, there is the pressure and temptation if others are smoking. I think if skate parks became smoke free it may discourage people from starting to smoke." (Non-smoker)

"The reality is that a lot of the youth that use these areas think its (sic) cool to smoke. They would either go somewhere else and not use the facilities as much or it may encourage them to smoke to be rebels. Many youth think its (sic) cool to break the rules and bait the authorities who are expected to enforce these bullshit rules." (Former smoker)

"Younger children and non-smoking adolescents would visit the skate parks more often as they wouldn't be exposed to secondhand (sic) smoke, and it would encourage young people not to smoke." (Non-smoker, under 18 years old)

"Skateparks (sic) are a place for people to express themselves in an inclusive environment. Banning smoking would create unnecessary conflict and tension." (Current smoker)

4.3 Bus stops and bus stations

Smoking is not allowed inside buses in the ACT. However, there are currently no smoking bans at areas where people wait for buses, including bus stops and bus stations (bus waiting areas). The ACT Government is considering the establishment of smoke-free areas within five metres of bus waiting areas. Smoking restrictions would apply at all times. Areas that fall on private land that is not accessible to the public would not be included in the smoke-free area.

Respondents are more supportive of a smoke-free area at bus waiting areas than any other place in the consultation. Most respondents (91%) would support smoke-free areas at bus waiting areas; and 9% would not. Some respondents think that five metres is an insufficient distance and some call for a complete smoking ban at bus interchanges. A few comment that they experience significant smoke drift problems from bus interchanges at a nearby place of employment or private residence.

The majority of respondents (94%) indicate that they are exposed to second-hand smoke at bus waiting areas some or most of the time (48% and 46% respectively). 6% indicate that they are never exposed to second-hand smoke at bus waiting areas. Most respondents (92%) are concerned about this exposure, with 71% being very concerned and 21% somewhat concerned. 8% are not concerned.

Some respondents comment on the necessity of bus transport and the unavoidable nature of exposure to second-hand smoke. A few respondents comment that exposure to second-hand smoke is an occupational health and safety issue for transport employees.

Nearly half of the respondents (47%) that use buses believe they would do so more often if bus waiting areas were made smoke-free. Some (37%) think they would use buses about the same amount of time. Only a few believe they would use buses less often.

Many respondents are concerned about the availability of government staff to enforce any new smoke-free areas. A few consider that a designated smoking area would be beneficial to improve compliance with any smoking restrictions.

Selected quotes

"[I] Feel very strongly about this. It is usually only one offender out of the crowd but affects me greatly. I feel quite ill with cigarette smoke and am concerned about the effect of second hand smoke. Please please please do something about this" (Non-smoker)

"The reason Im (sic) participating in this consultation is the amount of times I've been stuck at a bus station inhaling someone elses (sic) cigarette smoke. I have no choice but to wait for a bus, and shouldn't need to just put up with inconsiderate smokers. Given the amount of children and young people who rely on buses, smoking should be banned at these locations." (Non-smoker)

"Why should I have to put up with smoke in my workplace when even bar staff and hospitality staff don't. I think its (sic) extremely unfair that anybody has to put up with other peoples (sic) bad habits." (Non-smoker)

"When you get to the bus stop and the only bus for an hour has just left, you're going to want a smoke (happens a lot). Give us a break. We're happy to walk to the end of the platform and be away from the majority of people, but stop treating us like second hand citizens." (Current smoker)

4.4 Public building entrances

Smoking is prohibited in enclosed public places in the ACT and a building occupier must take reasonable steps to prevent smoke from drifting into their building. However, the ACT Government does not explicitly restrict smoking in areas immediately outside public building entrances, exits, windows and air intakes.

The ACT Government is considering the establishment of smoke-free areas within five metres of entry points to all public buildings, including doors, windows and air intakes. This smoke-free area would apply at all times.

Most respondents (84%) would support smoke-free areas at public building entrances. 13% would not support a smoke-free area and 3% are unsure. Some respondents state that a five metre restriction is insufficient and suggest a greater area.

Of all the places in the consultation, the highest reported frequency of exposure to second-hand smoke is at public building entrances. The majority of respondents (90.5%) indicate that they are exposed to second-hand smoke some or most of the time (48% and 43.5% respectively). 10% indicate that they are never exposed to second-hand smoke. Most respondents (87%) are concerned about this exposure, with 67% being very concerned and 20% somewhat concerned. 13% of respondents are not at all concerned about this exposure.

Many respondents consider that smoke-free areas at public building entrances would improve indoor air quality. Some suggest that any smoke-free area would simply shift smoke drift or second-hand smoke issues to another location. Some consider that smoke-free areas might result in lost workplace productivity, as some employees may need to move further away from their workplace to smoke. A few respondents suggest that a nearby designated smoking area should be established.

Despite the reportedly higher frequency of exposure at public building entrances, more respondents are concerned about exposure to second-hand smoke at public play spaces/playgrounds and bus waiting areas. More respondents also support these areas being made smoke-free.

Selected quotes

“Every so often when I’m at work, smoke will drift through the automatic doors and it’s extremely unpleasant. Five metre smoking bans would be a fantastic change.” (Non-smoker)

“the (sic) biggest issue is that smokers crowd the footpath to the entrance and as such as long as you are forced to walk through the smoke there is no difference if they are right out front of the building or down the path.” (Non-smoker)

“...But building operators need to ensure they don’t simply move the smoke cloud problem outside of the 5 metre distance – they need to create an obvious Designated Smoking Area well away from building entrances so that smokers cannot impact users of the building.” (Non-smoker)

4.5 Sporting events

Some sports venues and organisations have already implemented smoke-free policies. The ACT Government is considering extending smoke-free arrangements to outdoor sports venues during organised sporting events where children and young people are present. Smoking restrictions could apply only when children are participants or whenever there are children at the venue as spectators. Smoking could be permitted in a designated smoking area, but not in any other part of the venue.

Smoking restrictions could be applied during all organised events, such as games, matches, tournaments, carnivals and meets, as well as training and practice sessions. Alternatively, smoking restrictions could apply only where under 18 year olds are participating.

Most respondents (91%) would support some kind of smoking restriction at sporting events. 85% would support all sporting events being smoke-free areas; and 6% would only support smoke-free areas at sporting events where under 18 years olds are participating. 9% would not support any smoke-free area at sporting events.

The majority of respondents (79%) indicate that they are exposed to second-hand smoke at sporting events some or most of the time (54% and 25% respectively). 21% indicate that they are never exposed to second-hand smoke. Most respondents (84%) are concerned about this exposure, with 59% being very concerned and 25% somewhat concerned. 16% of respondents are not at all concerned.

Many respondents believe that a smoking restriction would better promote ideas associated with sport, such as healthy living. Many consider that is inconsistent or poor messaging for people to be exposed to tobacco smoke at sporting events.

A few respondents comment that current designated smoking areas at sport venues work well and should be continued. A few suggest that designated smoking areas are useful to prevent people from moving to other highly frequented areas to smoke, like entrances or car parks.

Many respondents think there would be no business impacts if sporting events became smoke-free, including the one sport organisation that participated in the consultation. Among those who think there would be impacts, there are mixed views as to whether more or less people would attend a smoke-free event.

Selected quotes

“Sport is about promoting a healthy lifestyle and smoking undermines that message.” (Sport organisation)

“Most people participating in organised sporting events are trying to be healthy and active. Smoking goes against this. There is nothing worse then (sic) training and having someone smoking as you run past.” (Non-smoker)

“I would expect that most smokers will be hanging around the entrances having a cigarette, or in the carparks (sic). So these areas need to also be included in any smokefree (sic) zone.” (Former smoker)

“The stadium has designated smoking areas and they work well. Keep them.” (Current smoker)

4.6 Public swimming pools

Smoking is currently prohibited at all Territory-owned pool facilities. The ACT Government is considering whether to extend smoke-free arrangements to outdoor swimming pools that are privately-owned, but accessible to the public - that is, pools that are provided for use by some or all members of the public, but are not owned by the ACT Government (e.g. outdoor pools at hotels/motels and water parks). The smoke-free arrangements would include all outdoor areas within the perimeter of these pools.

Most respondents (73%) would support extending smoke-free areas to outdoor swimming pools that are privately owned. 12% would not support a smoke-free area and 14% are unsure.

Nearly two-thirds of respondents (61%) indicate that they are exposed to second-hand smoke at outdoor swimming pools some or most of the time (55% and 6% respectively). 39% indicate that they are never exposed to second-hand smoke. Most respondents (77%) are concerned about this exposure, with 50% being very concerned and 27% somewhat concerned. 23% of respondents are not at all concerned about the exposure.

Just over half of respondents (52%) that visit outdoor swimming pools that are privately owned believe they would do so more often if they were made smoke-free areas. No respondents believe they would visit less often if these pools were made smoke-free.

Many respondents think there would be no business impacts if smoking was prohibited. This includes the proprietor of an outdoor public pool that is already smoke-free. Among respondents who think there would be a business impact, there are mixed views as to whether more or less people would attend.

Selected quotes

"It [a smoke-free area] would improve the enjoyability (sic) of the area significantly." (Non-smoker)

"Swimming pools are an area frequented by children and families. I think we need to make these environments safe for our kids and to make smoking seem abnormal and foreign, rather than a normal thing." (Non-smoker)

5. Concluding statements

ACT Health acknowledges the issues and concerns raised through the public consultation, and thanks all respondents who took time to share their views.

Consultation outcomes suggest that there is strong support from the ACT community to make each of the places outlined in the consultation smoke-free. There is particularly strong support among respondents for bus stops and bus stations and public play spaces/playgrounds.

The ACT Government is committed to protecting the health of the community and ensure that all Canberrans can enjoy public amenities without exposure to second-hand smoke. Consultation outcomes will be used to help prioritise locations for new smoke-free areas in the ACT and assist in their implementation.

Appendix A - Summary of quantitative responses for each potential new smoke-free area

Please note that figures for each outdoor public place may not add to 100 per cent due to rounding.

Table 1: Q - Would you support this outdoor public place being made smoke-free?

Area	Survey response (%)			Total number of responses
	Yes	No	Unsure	
Public play spaces/playgrounds	89	7	3	92
Skate parks	81	12	7	89
Bus stops and bus stations	91	9	0	91
Public building entrances	84	13	3	87
Sporting events	91*	9	0	85
Outdoor public swimming pools	73	12	14	83

Table 2: Q - To what extent are you concerned about exposure to second-hand smoke at a particular outdoor public place

Area	Survey response (%)			Total number of responses
	Never	Some of the time	Most of the time	
Public play spaces/playgrounds	20	69	11	91
Skate parks	56	36	8	84
Bus stops and bus stations	6	46	48	89
Public building entrances	10	43	48	84
Sporting events	21	54	25	81
Outdoor public swimming pools	39	55	6	78

Table 3: Q - How often are you exposed to second-hand smoke at an outdoor public place?*

Area	Survey response (%)				Total number of responses
	Never	Some of the time	Most of the time	Not applicable	
Public play spaces/playgrounds	16	57	9	18	91
Skate parks	26	17	4	54	84
Bus stops and bus stations	6	42	44	9	89
Public building entrances	10	43	48	0	84
Sporting events	19	43	22	16	81
Outdoor public swimming pools	33	46	5	15	78

Table 4: Q - Would you visit/use a particular outdoor public place more often if it were made a smoke-free area?*

Area	Survey response (%)					Total number of responses
	Yes, more often	No, less often	About the same	Unsure	Not applicable	
Public play spaces/playgrounds	51	3	20	7	19	90
Skate parks	13	2	21	9	55	86
Bus stops and bus stations	43	3	37	7	10	87
Outdoor public swimming pools	43	0	32	9	16	76

**Note: People responding 'not applicable' presumably do not visit the outdoor public place in question. As such, the figures in the body of the report have been adjusted to remove the 'not applicable' responses from the analysis to more accurately reflect exposure to second-hand smoke and impact of a smoke-free area on visitation.