

FACT SHEET 4

Frequently asked questions



Adopting a smoke-free policy is a positive step Councils can take to help their residents enjoy a clean, healthy environment. It does however raise many questions for Councils on the practical aspects of implementing the policy.

This Fact Sheet assists Councils by addressing frequently asked questions or concerns that Councils may have. It also provides further points of contact for assistance in making their communities smoke-free.



Does the NSW Smoke-free Environment Act 2000 cover outdoor smoking areas?

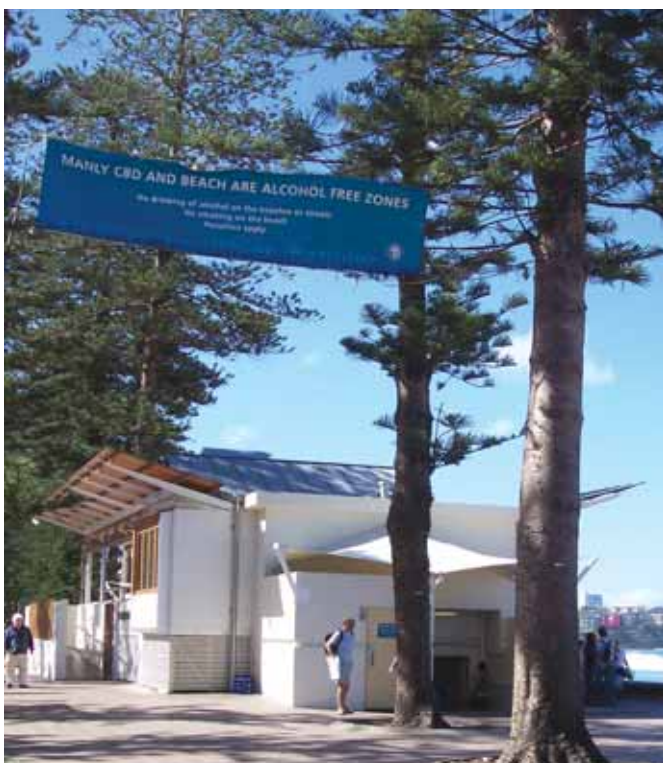
No. This is State legislation and only covers public places that are defined as enclosed under the Act. Such places include the “enclosed” areas of restaurants, cafes, theatres, schools, cinemas, pubs and registered clubs.

We would like to make our Council smoke-free. Where do we start? [steps to take]

1. Contact the Regional Programs Coordinator at your local Cancer Council office, or your local Heart Foundation office for information and support.
2. Decide on which outdoor areas you would like included in the smoking ban.
3. Prepare a report and recommendation for adoption by Council (see Fact Sheet 2)
4. Prepare a draft Smoke-free Policy for adoption by Council (see Fact Sheet 2)
5. Present the report and policy to Council for their consideration and approval
6. If successful, develop an implementation and communication plan to inform residents and the local community.

How can Council be confident the community would support outdoor smoke-free areas?

There is great community support to reduce exposure to other people’s cigarette smoke in a variety of outdoor locations. A recent survey showed a staggering **92%** supported a ban at children’s playgrounds; **69%** supported smoke-free outdoor dining; **80%** believed smoking should be banned in stadiums; and **85%** wanted bans outside workplace doors/entrances.¹



How have other Councils enforced this policy?

Most Councils have implemented their smoke-free outdoor policies through notice powers under the *NSW Local Government Act 1993*, which allows a fine for people not complying with the notice. However, it is usual practice for Council staff to inform the person/s that they are smoking in a place where it is banned, and ask them to stop, rather than issuing a fine. Most Councils find the level of community support ensures that the bans are self-enforced by community members pointing out signage to smokers or visitors.

What sort of signage is required?

Under Section 632 (1) and (2e) of the *NSW Local Government Act 1993* it is necessary for Council to erect suitably worded and placed signage. The internationally recognised symbol for No Smoking is used by a number of Councils and can be easily affixed to existing signage.

Smoke-free Councils (www.smokefreecouncils.com.au) have developed a logo that is being used by a number of Councils to inform the community of the smoke-free areas. Subject to agreement with a Memorandum of Understanding (MOU) other Councils are able to use this logo free of charge.

Enclosed in the Smoke-free Outdoor Areas Resource Kit is a CD-ROM with templates and examples of signage used by a number of NSW Councils.

We are thinking of introducing smoke-free alfresco dining on Council owned land. What is the best way to go about this?

Other Councils have introduced bans on smoking in alfresco dining areas by including smoke-free clauses in their footpath agreements. As each agreement is renewed, transferred or altered, new clauses are included that prohibit smoking and require the venues to display signage to inform patrons that the area is smoke-free. Alternately Councils can choose to erect signage adjacent to alfresco dining areas occupying public land, defining the area where smoking is prohibited. For further information regarding smoke-free alfresco dining, contact Max Glyde, Mosman Municipal Council on 02 9978 4000 or Jo Brama, Manly Council on 02 9976 1757.

What elements should be included in an education and communication plan?

Information should include a letter to all residents, signage at the nominated areas, a press release with a nominated person to act as the spokesperson for the Council, the development of a brochure and/or information on the Council website.

How much will it cost Council?

There can be some cost associated with signage, however adding the international no-smoking symbol to existing signage can reduce this cost. Some Councils have found that they have actually saved money due to reduced cleaning costs.

How many NSW Councils have introduced some form of smoking ban?

Over 50 NSW Councils have already introduced smoking bans in some outdoor areas. For more information visit www.cancercouncil.com.au/smokefreeoutdoors

Are there places where people can still smoke after the introduction of a smoke-free policy?

Yes, people can still smoke in outdoor areas in places where their smoke does not affect others. Signs will indicate where smoking is banned.

Aren't these restrictions taking away personal freedoms and civil liberties?

Providing smoke-free areas protects the right of the public to clean fresh air. 82% of the population are non-smokers. Providing smoke-free areas protect non-smokers and help those smokers who have decided to quit.

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Cigarettes are a legal product. How can we ban their use in our community?

We do not suggest that you ban the use of cigarettes, simply restrict their use in certain areas where they have negative impacts on the community. Mobile phones are also legal products, but they cannot be used whilst driving. Likewise, there are restrictions on where alcohol can be consumed. Prohibitions on the use of legal products in certain defined areas protect the safety and amenity of the whole community.

What is the Butt Littering Trust?

The Butt Littering Trust (BLT) is funded by a tobacco company and states that its sole focus is to reduce the littering of cigarette butts. The BLT makes no attempt to reduce the number of people who smoke. It actively campaigned against the introduction of outdoor smoking bans in Newcastle.

There is strong evidence that smoking bans reduce the number of cigarettes smoked and encourage quitting. Reduced cigarette consumption and lower smoking rates reduce the potential for cigarette-related litter and offset the enormous personal and social costs associated with tobacco use. The introduction of smoke-free policies in locations under local government jurisdiction is a positive way to support other community quit smoking initiatives.

How can we obtain more assistance in becoming a Smoke-free Council?

For more information we encourage you to contact:

- **Cancer Council NSW**
Ph. 02 9334 1900
www.cancercouncil.com.au/smokefreeoutdoors
- **Heart Foundation (NSW Division)**
Ph. 02 9219 2444
www.heartfoundation.org.au
- **Action on Smoking and Health**
Ph. 02 9334 1823
www.ashaust.org.au
- **Smoke-free Councils**
www.smokefreecouncils.com.au
- **Local Government and Shires Association**
Ph. 02 9242 4000
www.lgsa.org.au

How can we assist those who may want to quit smoking as a result of the introduction of smoke-free outdoor areas policy?

The introduction of smoke-free outdoor areas policy may encourage some residents and council staff to quit smoking. By including details of organisations and services that can support their quit smoking attempt in communications about the smoke-free policy, your council can demonstrate its commitment to public health.

Promote the Quitline which provides a free and confidential counselling and information service as well as practical advice on how to quit and avoid relapse. Call 13 QUIT (13 7848) or visit www.13quit.org.au

Encourage people to speak with their General Practitioners and pharmacists to find out more about products such as Champix, Zyban and Nicotine Replacement Therapy, which can greatly assist quit attempts.

Utilise the Tackling Tobacco Program, an initiative of Cancer Council NSW that aims to reduce smoking related harm among the most disadvantaged groups in NSW. Call Cancer Council NSW - 02 9334 1900 or www.cancercouncil.com.au/tacklingtobacco

Information and resources are also available from:

Heart Foundation

Ph. 1300 36 27 87

www.heartfoundation.org.au



FOOTNOTES

1 Centre for Health Research and Psycho-oncology. Tracking NSW community attitudes and practices in relation to tobacco: A biennial telephone survey, March 2007. Unpublished report by Cancer Council NSW.