

### Attachment 3: Location Analysis Notice of Motion No 6 of 2011

Based on the consultation outcomes and evidence base as highlighted in the *Reducing Harms from Smoking: Background Paper*, an analysis of specific outdoor areas informs the recommended options to reduce harms from smoking. The locations are specified in the Notice of Motion No 6 of 2011:

Item 12.1 – Notice of Motion No 6 of 2011 – Local Law for Prohibition of Smoking in Confines of Playgrounds at Council Reserves, 15 March 2011

#### **COUNCIL RESOLUTION**

**Moved:** Councillor Clarke

**Seconded:** Councillor Fristacky

1. That Council:

- (a) request a report back to Council in the last quarter of 2011:
  - (i) the outcome of a community consultation on a proposal for mechanisms including the possibility of a local law to prohibit smoking:
    - within the confines of a playground located within a Council owned or managed reserve;
    - within sporting and recreation facilities located within a Council owned or managed property, including: sporting pavilions, swimming and leisure centres, parks and/or reserves and/or recreation grounds (beyond the confines of playgrounds);
    - within the confines of entrances of Council owned or managed facilities or buildings including but not limited to: infant welfare centres, senior citizens centres, libraries, youth centres, public halls and meeting rooms,
    - within the confines of any Council run or sponsored events;
    - within the confines of outdoor dining areas; and
  - (ii) costs of signage options for Council owned playgrounds; and
- (b) where practicable and as soon as possible, display stickers in Council owned playgrounds, advising people against smoking.

**CARRIED**

Location	Community Support	Current Action	Future Action	Resources
<b>Children's Playgrounds</b>	<p>Through the consultation there was much support for bans in this location, to protect children and denormalise the behaviour of smoking.</p> <p>This was a location that had no debate or 'opposition'.</p>	<p><i>Please consider the health of children</i> signage was installed in 25 out of 38 selected playgrounds from July 2011, as part of the consultation process.</p>	<p>Replace temporary signs with internationally recognised non-smoking signs or design stickers to go over the top of current signs. Install in all remaining playgrounds.</p> <p>Run health promotion campaign (including social marketing) of where it is not acceptable to smoke. This includes in the boundary of all children's playgrounds and within 10 metres of playgrounds, and in the vicinity of entrances to schools, kindergartens, child care centres, community and health facilities.</p> <p>Continue to support maternal and child health programs for young parents to not smoke in front of own, and others children.</p>	<p>Cost of additional signs and stickers.</p> <p>Cost of promotional activity including advertising.</p> <p>Community Grants for education program targeting smoking parents??</p>
<b>Sport and recreation facilities located within council property; pavilions, swimming and leisure centres, parks and reserves</b>	<p>Mixed comments regarding banning smoking in parks and gardens. Some feedback were against smoking in parks due to access to children's facilities in these locations. Other comments included wanting to enjoy fresh air in Yarra's open space outdoor areas. Other comments stated car fumes are much worse than secondary smoke so why ban smoking outdoors. Others questioned real health impact to outdoor passive smoking – where is the evidence?</p>	<p>Fitzroy, Richmond and Collingwood Leisure Centres ground and entrances are smoke free. Smoking is also banned from under-cover area at Burnley Golf Course Pro shop.</p> <p>All under-cover pavilions in Yarra parks and sportsgrounds are no smoking.</p> <p>Alcohol consumption is allowed in parks between 9am and 9pm</p>	<p>Option 1: enough is being done to protect residents against secondary smoke in these locations</p> <p>Option 2: extend current smoke free areas from pavilions and entrances of Council facilities to all open space (Parks, reserves and sports grounds) in Yarra. 12 month trial with evaluation and monitoring.</p> <p>Enforcement will be an issue, as alcohol consumption is allowed before 9pm, and liquor licence's associated with sporting clubs and facilities have designated outdoor smoking areas. If smoke free areas introduced, also need designated smoking areas in major parks, close to bins.</p>	<p>Costs associated with promotion of extended smoke free areas, education programs, enforcement.</p> <p>Local Laws officers have provided feedback about challenges to enforce and issue fines, as found with Local Law 8.</p>

<p><b>Entrances to Council owned or managed facilities or buildings ie; infant welfare centres, senior citizens centres, libraries, youth centres, public halls and meeting rooms</b></p>	<p>This was a location that did not appear to have much debate or opposition.</p> <p>Several comments stated appropriateness of Council taking action in Council owned or managed property.</p>	<p>CoY Smoke Free workplace policy complies with the <i>Tobacco Act 1987</i> that all Council premises, buildings and vehicles must be smoke-free at all times, other than in identified Designated Smoking Areas (DSA's) at the 3 town halls. These are located away from windows, doors and entrances where 'drift' of secondary smoke can be minimised.</p>	<p>No further action needed, as these locations are covered by the CoY smoke free workplace policy.</p>	<p>None</p>
<p><b>Council run or sponsored events</b></p>	<p>This specific outdoor space was not debated, however comments regarding inconsiderate smokers in crowded spaces and that introducing bans would make smokers more considerate.</p> <p>Internal feedback from staff raised concerns of enforcement at festivals where alcohol was served.</p>	<p>Currently there are no restrictions to smoking at Council run or sponsored events, that is not additional to current Tobacco Act restrictions (eg 75% enclosed workplaces – even if these workplaces are temporary, they are covered).</p>	<p>Investigate if restrictions can be associated with funding requirements to future events that receive funding, sponsorship or are run by Council.</p> <p>This may be a challenge to enforce and promote if there is liquor consumption allowed at events (eg Johnston Street Spanish Festival). Consideration of smoke free areas would be preferable on a case by case basis, in negotiation with festival organisers.</p>	
<p><b>Outdoor dining areas</b></p>	<p>This was the location that caused the most debate and was evenly mixed for supporting Council to introduce a ban and against Council taking any action.</p>	<p>Currently smoking is permitted in outdoor dining or drinking areas unless the area has a roof in place and walls that cover more than 75% of the total notional wall area.</p>	<p>Advocate to State government for uniform policy.</p> <p>Offer incentives to businesses who wish to introduce smoke free outdoor areas through extra promotion as 'smoke free venue' and let customers decide.</p>	<p>There may be some additional costs for Economic Development in promoting businesses that are smoke free.</p>