

On-line Surveys	
Do you support the proposed changes	Comment
Yes	I am not happy with the tables of books for sale set up in Mt Waverley shopping centre for the book/music shop as it impedes pedestrian traffic. Mt Waverley shopping centre is a busy place with families, elderly people, dogs on leashes and I don't think it is necessary to have their wares outside of their actual premises.
Yes	It astounds me that Councils and traders treat footpath traffic as 2nd class to traders' needs: many times pedestrians are obstructed by tables and chairs of footpaths that have NOT been designed for them to be shared spaces. Throw in a pram or mobility scooter or walking aid, or a bicycle and congestion reigns? Where does the liability lie for any incident that causes injury or damage to footpath traffic due to congestion on the footpath: it's NOT the footpath traffics' fault: parties at fault include Council for allowing trading and the traders! As for non smoking ... why is this not enforced? If a local law is not going to be enforced, it should not be in place/repealed (this comment applies across all local laws or policies, not just trading).
Yes	Get rid of smoking in outdoor dining areas
Yes	I have waited years to be able to enjoy al fresco dining in Eaton Mall, one of my favourite local areas, and rejoiced at the new laws on al fresco dining. Imagine my disappointment and surprise to discover that traders were circumventing the spirit of the law by introducing non-eating areas outside. Smoke drifts, so of course, which means once again that non-smokers are forced to inhale and smell tobacco smoke while eating or drinking, detracting from the quality of that experience. Please go through with your plans. Smokers will still come; they will have to go around the corner for a ciggie like in any other similar location.
Yes	We live in the 21st Century. If the no-smoking rules are ever relaxed, there will be a contradiction to Council's health & fitness policies.
Yes	As long as pedestrians are not hindered by the tables and chairs.
Yes	Smoking needs to be banned completely from Eaton mall. It is an absolute joke to allow smoking during certain hours when they say they are not serving food. They are eating places. They serve food all day. I am tired of walking through the mall and being covered by cigarette smoke. Enough is enough. Monash Council, please ban smoking completely from Eaton Mall.
Yes	Smoking is disgusting And its stinks Everytime you walk in oakleigh
Yes	I am guessing this is to enforce the no-smoking laws which are not currently working. So I agree to it for this reason. I do not agree with the amount of Asian businesses destroying the feel of the area. The \$2 shops putting their junk on footpaths is detrimental. The number of "nail" salons is ridiculous. The asian "pop up" shops and Asian only advertising of property developments again is wrong. The general filthy state of these and other Asian owned businesses is destroying this unique area. It is quickly becoming yet another Springvale or Clayton or Box Hill or any other now destroyed filthy area.
Yes	Having shared eating/drinking areas is a complete joke. Smoking is disgusting in these area's ...like Eaton mall. Very greedy traders looking to "Bend" the rules...change the policy...watch the families come back!
Yes	Eton Mall is still not pleasant to walk down due to smoking. The area outside Nikos cake shop on Portman street is worse due to two rows of table and chairs filled with smokers - taking children past here is terrible. It is also made very narrow with the tables and chairs and allows only 1 person to walk on the footpath at a time. My husband and I were having dinner INSIDE a venue in Oakleigh and there was still smoke coming inside as the venue had the door open. We no longer will eat at certain venues in Oakleigh due to the smoke coming inside.
Yes	I understand that under this policy review the Eaton Mall area will focus on serving food, and therefore preclude smoking in those areas. I know that this may be a difficult change for some customers and businesses. I support the change. Currently I live within walking distance of the mall, but do not go there because of the smoky environment. As a local resident, I would welcome the change.
Yes	The current smoking arrangements have been flagrantly twisted by a number of traders in Eaton Mall. The reputation of the mall as an enjoyable place to eat and socialise has been badly damaged by these actions including in state wide press items. The areas where smoking now occurs has caused the smoke to be even more concentrated - this does not meet the councils stated aims of 'safe passage of

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	<p>pedestrians' nor does it ensure the use of footpaths for business purposes contribute positively to the surrounding environment.. when entering Eaton Mall from eastern Portman street a pedestrian is met with a wall of smoke - quite unsafe for those who have respiratory conditions let alone children and the elderly. It is entirely unsatisfactory to suppose that the plastic sheets in place will contain the smoke. The mall appears littered with butts and is both dirty and an eyesore - as well these butts are added to storm water run off further affecting the environment. Whilst I understand that traders depend on passing trade and regulars who like to smoke the reality is that they have to adjust to the health and safety requirements of the environment in which they operate and plan to manage their business in a way that also adjusts -many cafes ban smoking in the mall and they appear to be doing well. I commend the Council for this in innovative policy and hope that will be approved rapidly.</p>
Yes	<p>Eaton Mall traders are banning eating in favour of smokers and there are many of them. Its revolting walking through there now. Please introduce this quickly...this is not Athens in 1955</p>
Yes	<p>In section B2 speed in the Oakleigh Activity Centre proposed 50kph, it is currently 40kph which should stay at 40kph and be enforced.</p> <p>In Eton Mall proposed 2.4m walking space is great as it is less than that now, and once again you need to enforce your rules at all times including Saturday and Sunday, the traders in Eaton Mall seem do as the like especially on weekends and public holidays .</p> <p>The traders have made a joke of the current State Government smoking policy. Smoking in some areas (ie no food) next to a food area 100mm away separated by a plastic sheet which does not contain the smoke.</p> <p>Smoking in Eaton Mall is worse now than when there was no smoking ban. In food areas smokers now stand away from the tables and smoke in the pedestrian walking paths. The butts are also dropped in the Mall as there in no ashtrays or butt disposal receptacles.</p> <p>Where will the smokers go under the proposed policy, around the corners into the trafficked streets and drop their butts there. There needs to be designated smoking areas with butt disposable receptacles provided.</p>
Yes	<p>As a frequent visitor to Eaton Mall, I love the atmosphere in the mall. The only improvement I can think of is to prohibit smoking so that we can sit outside, enjoy our meal, without having to endure smoke. At the moment we do not sit outside due to the smoking.</p>
Yes	<p>This is extremely awkward situation for all involved. Some footpaths are just unsuitable for Al fresco dining principally due to narrow footpath width. "Al fresco" simply does NOT suit all footpaths. Traders may have to come to accept this.</p> <p>Example of this is Hamilton Place footpath that runs from ANZ bank to Commonwealth bank. Hamilton Walk works because footpath is wider.</p> <p>I agree with objective to seek a vibrant shopping area but pedestrians do have equal right to an unencumbered use of the footpath. Not an obstacle contest to find a way past or through tables and chairs and bunches of goods hanging untidily from stands with tubs or pet baskets left around these stands that appear to just be "extra storage" for the business operator.</p> <p>These display stands outside "discount stores" are at eye height and just plain ugly obscuring the view with untidy goods hanging from stand and/or piled up goods placed on top shelf or anywhere goods can be made to fit.</p> <p>If these stands are to remain they should be NO HIGHER than the nearby coffee tables this includes any goods on table. NO goods left piled up on these stands.. And get rid of the tubs on footpath around these stands which are a hazard to pedestrians.</p> <p>The smoking issue is very difficult. There is no easy way to isolate cigarette smoke from nearby Al fresco tables apart from containing the smoke in some way. An enclosed space possibly or divider of some kind to effectively separate diners and smokers. Perhaps areas could be designated as "smoking" and diners who enter tolerate the smoking at their discretion with restricted menu only, basically "snack foods" no table service.</p>
Yes	<p>It sounds fabulous, however for instance in Eaton Mall the whole thing is spoiled by smokers which can put a lot of people off, especially families with small children. Even when you walk into a café you have to walk through a haze of smoke to get inside</p>
Yes	<p>About time I have been complaining for the last couple of years that traders have been given right of way by council and not caring for those in wheelchairs or young families with prams and young children.</p>

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Yes	Support a total ban. Smokers are welcome to frequent places as non smokers. As a result of a total ban the number of patrons will increase as smoking per se puts people off eating and socialising in cafes. Passive smoke is very dangerous and off putting to non smokers
Yes	<p>About time I have been complaining for the last couple of years that traders have been given right of way by council and not caring for those in wheelchairs or young families with prams and young children. I wish to also point out that trading is now becoming a mini asia with the presentation of stores looking nothing more than a factory site I refer mainly to those that supply goods to overseas.</p> <p>I would also like to point out that the Asian Grocers leave vege/fruit scraps on the ground in Kingsway making it very easy for one to slip and fall. It also is looking like a market precinct rather than a shopping mall.</p> <p>I would also like to point out that I have noticed asian grocery stores on Kingsway have plastic bag holders attached to their fruit/vege carts at the height of a small child making it very easy for injury. Please review my comments and hopefully make the City of Monash a place that we can be proud to say we live. Regards Pauline McGuire</p>
Yes	<p>I can't stand the smoking in Oakleigh. Went out Sunday night for a friends party and the smoking was disgusting. I have sat down and left with my family to drive to Carnegie because of the terrible smoking. Those poor employees breathing in all that smoke, just terrible. Are we going back in time? We know it's bad for us so just ban it. People can go elsewhere to get there smokes and coffees. It is not family friendly. I live in Oakleigh and am ashamed of the smoke when visitors stay with us. We know better so do better. The businesses are so worried about losing business but they just sit there with a coffee and smokes for hours because they can't serve food anyway. Wouldn't it be more profitable to have a family of four ordering dinner and dessert and moving in after an hour, give me a break. Save our lungs and show our kids this is not ok. I do not feel comfortable in my own suburb.</p>
Yes	<p>Support some changes not others.</p> <p>Primary purpose of footpath = pedestrian use, including wheelchair users. This must not be obstructed by tables, chairs, congregating people or staff including having to dodge staff walking from shop to tables.</p> <p>Pedestrians must not be forced out into exposed areas (either rain or sunshine [melanoma prevention]) by tables or users.</p> <p>No smoking at all policy is essential: congregating smokers make a footpath unusable.</p> <p>No outdoor heaters at all ever: you make a point in the newsletter about being conscious of climate change. Outdoor heaters are very energy intense and contribute to greenhouse gases/climate change much more than most other items. They should be banned. If it is too cold to be outside then go inside.</p> <p>Need to have a strict policy on cleaning up food scraps and spills to avoid vermin feeding on these after closing time and pedestrians falling and breaking bones on food scraps, greasy spots etc.</p> <p>I no longer shop/dine/drink in areas where there is outdoor smoking or the pavements obstructed and cluttered by furniture etc.</p>
Yes	Current laws are a joke, Eaton Mall is definitely not smoke free with traders and patrons just more clever as to how they get around the laws
Yes	<p>We want accessable areas outdoors at all times of the day for all people, non smokers make up the majority of customers in Oakleigh.</p> <p>If venues can make use of loopholes by not providing food between certain hours just so smokers can sit and have a smoke with a coffee then we will go elsewhere.</p> <p>Smokers should be forced out of public spaces</p>
Yes	The decision by some businesses in Eaton Mall to stop serving food to allow smoking is against the spirit of that legislation and creates pockets where all the smokers congregate. Walking through this smoke haze is revolting and i won't bring my family to dine here while it continues.
Yes	We have been going to Oakleigh shops and cafes for 35 years and support a no smoking outside policy for Eaton Mall. It is such a vibrant family spot and lingering cigarette smoke detracts from what is an attractive area. It seems very old fashioned to have smokers in this lovely community oriented eating area.
Yes	I don't care how long people have been smoking in outdoor restaurants and trading areas in Monash (Eaton mall etc). I don't mind if an outdoor area doesn't offer food but i am against people smoking as they have a drink in public areas. It's anachronistic, filthy, dangerous to public and personal health and it

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	shouldn't be allowed on public footpaths, beaches, parks etc regardless of whether food is made available for consumption or not. Smoke wafts in from even far away areas and endangers other diners health, well-being and enjoyment. It sets a bad example for young people and is detrimental to creating a vibrant outdoor dining and food culture. In new, small emerging boutique foodie destinations like Stanley Avenue it should be banned from the outset. There are no valid reasons to allow nor encourage this filthy behaviour anywhere in Monash Council. (From a reformed smoker of 30 years)
Yes	I think the council should go further and address the trees there, they attract hundreds of birds, and their droppings provides a MAJOR health hazard, to the people eating and shopping there. We should go so far as to replace them to stop the birds from roosting there and also to clean up their droppings on the footpath and street parking areas. Otherwise as we have more outdoor eating the droppings during dry weather will be EXTREMELY unhealthy when you breath it in. Also with numerous developments around the area we should also try and promote the eateries around the other areas like Railway Parade, Kingsway North, Coleman Parade East
Yes	No smoking should apply to all footpath areas outside all shops that have a permit for external use and also areas adjacent to doors/lifts to retail outlets, apartment and public buildings. The smoking ban should be similar play grounds and sporting events. At the moment people are smoking and walking through out door areas such Eaton Mall or standing around adjacent to the outdoor areas.
Yes	Yes footpath trading needs to be for food at all times, to allow everyone to enjoy the outdoors, families & children, & restrict the smoking areas as even still in Eaton Mall people smoking, making us non-smokers having to eat inside or put up with smoke. Even though the law has changed people still do it. Council officers need to patrol these outdoor areas frequently & fine people & businesses who allow smokers.
Yes	My husband and I enjoy outdoor eateries. We are often confronted by very unpleasant smokers fumes as we walk past the many cafes and shops in our area. We would be very happy for stricter outdoor smoking rules to be implemented.
Yes	I have seen the great development of Oakleigh for the last 60 years and the Eaton Street Mall is truly a well renowned, unique and recognised location for what it offers. Referring to the Council published Guiding Principles of the Policy 4.6.1 Council aims to provide clear, safe and unobstructed access at all times for pedestrians of all abilities on footpaths in Eaton Mall, in accordance with Council's statutory responsibilities. Unfortunately the Council is not truly addressing the proper implementation of the state smoking laws as applicable to outside areas of restaurants and cafes in the mall - in accordance to Council's statutory responsibilities which is in their "policy". Most people would like to walk through the mall and not be subject to unsafe and smelly air from smokers. Probably minorities are compelling the traders to "adjust their interpretation" of the smoking bans so not to impact their patronage. Well we all should be law abiding and, whilst an inconvenience, smokers should abide by the state-wide laws on where smoking is permitted. Let the Monash Council show some real leadership and promote the Eaton Mall as a great example and not rely on a "sham approval" of smoking which is clearly in contravention to their legal responsibilities to comply with statutory regulations. Us residents are proud of what we have - let's not a small minority ruin it for the majority ! I feel I have probably just wasted 20 mins of my life sharing my thoughts - which a vast majority of my friends would endorse- as the Council will probably not have the commitment to properly implement the law as it would not be popular and could impact their re-elections !! AL
No	I don't support these changes because I think I have the right to smoke .In a free society people should be free to make their own decisions .This is bullying
No	Smoking free when we do not disturb others activity
No	I don't support these changes because there are simply enough restrictions, there should at least be a vote considering how many people enjoy smoking in outdoor dining areas.

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Do you support the proposed changes	Comment
No	I am a smoker. Smoking is our right, if you want to stop smoking then make it illegal. Guaranteed the council and government will lose a lot of money if smoking is banned, and I can guarantee that they don't want that to be the case.
No	The shops on the strip are following the state law, therefore why should a business lose money when they are following the law. It's a smokers right, considering smoking is legal, to sit outside away from food to have a cigarette. There is no reason for me to come to oakleigh if I can't do what I like to do, which is have a coffee and cigarette.
No	As a customer, the smoking area provides a great atmosphere to any outdoor area. Where the smoking area is correctly established, adhering to the rules and regulations under the law, I do believe, that the removal of all outdoor smoking areas would greatly tarnish the Melbourne cafe and bar atmosphere it has been heralded as in recent times.
No	I enjoy my cigarette with my coffee and feel that smokers are being singled out yet again
No	Smoking is a social thing with me and I love my coffee and chats with it. Find something else to pick on
No	There's no other place in the area anymore to smoke and enjoy a coffee and this is one of the very few ! Need to keep it otherwise there's a huge possibility this shop will lose a number of customers.
No	If there is no smoking here there will be no business here. This is "little Greece and nothing will change it"
No	Having a separation between smokers and non smokers is fair enough but to completely get rid of smoking would leave many business broken and not being able to enjoy a smoke with a coffee will devastate many people especially the elderly which the only reason why they come to oakleigh
No	I enjoy smoking with coffee
No	This is unfair to be treated differently from other council areas.
No	Why should smokers be discriminated against again? This is a mask for council to ban smoking.
No	How can council do this? Is this legal? Unacceptable.
No	Another example of council ignoring state laws to mask their hatred of smokers.This is disgusting.
No	Unbelievable. Kill the buzz you idiots. Smokers gave the mall the vibe you all talk about in Oakleigh .
No	So smart aren't you all.
No	When the government stops the sale of cigarettes this won't be an issue, until then I believe there should be provisions for smokers.
No	Very disappointed. Come on., enough
No	Sick of being judged. This is a food destination already. there's no smoking problem
No	I am a smoker and I enjoy a cigarette with my coffee
No	I have a right to smoke outdoors because it's a legal product to buy . If the government cared about people's health so much why don't they shut down the tobacco factories and make it illegal to sell tobacco, they are hypocrites, people are inhaling fumes from vehicles while walking on the sidewalk anyway, so do we ban vehicles now ,
No	It's working fine just as it is.... your killing oakleigh
No	Stop this nonsense
No	From a non smoker but a worker in the mall enough is enough.
No	What a joke! What next?
No	I defently don't aggrry to stop smoking ,,In my opinion it will be very catastrophic for the area ,
No	We feel victimised. Non smokers can sit inside,
No	No I don't, people need to realise that there's other people in the world too, and just because they want to change it, doesn't mean smokers need to suffer. I personally enjoy having a smoke and coffee together, it bad enough you have taken food away from smoking areas
No	I do not commit to the changes, it's wrong and discrimination towards smokers
No	No I do not agree, this is wrong and discrimination towards smokers

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Do you support the proposed changes	Comment
No	I think it's a joke that non smokers feel like they have a right to tell people what to do and where to do it as they have a whole space detecated For them. Smokers should be able to come and have a coffee and a smoke as they have always done.
No	Smokers should be able to smoke as non smokers have a area detecated for them and there should not be a problem
No	<p>The proposed changes should not be made for a number of reasons.</p> <ol style="list-style-type: none"> 1. It may damage the profitability of a venue if they are forced to serve food at all times. Many venues close their kitchens at certain times in order to operate more efficiently. 2. There are many venues that do not offer food, and therefore are reliant on coffee/alcohol sales. eg. bars, espresso bars, cake/sweet vendors 3. It is every businesses right, providing they abide with state laws, to operate and organise their business in the manner in which they please. It is a commercial decision that falls on the proprietor, not the council. 4. It is an infringement on the rights of businesses. It is creating inequality and disadvantage to the affected businesses when other councils do not have such regulations. Patrons that choose to smoke will simply abandon the area and visit another suburb. 5. Visitors/customers have the freedom of choice whether they want to visit a particular venue. If a venue is allowing smoking, as is their current right to do so, the customer can make an informed decision as to whether they want to visit that venue or not. 6. If these changes are passed, and customers cannot smoke whilst sitting at their table, it has the potential to create an arguably worse situation, whereby smokers will simply get up from their tables and smoke on the footpath. This will create loitering, and the unwanted visual of people congregating in numbers on the footpaths in order to smoke. Pedestrians will then be forced to dodge the smokers (an untinted, but also inconvenient consequence for elderly and disabled), and as a result be walking directly through plumes of cigarette smoke. 7. The City of Monash is blessed with having entertainment areas such as Eaton Mall, Kings Way and many others, that are attractive to visitors and are wildly successful in drawing crowds. If the council has concerns about the ongoing vitality of the area, instead of resticting and controlling the trade practices of businesses, it may be more effective to investigate ways in which they can assist businesses in continuing to be prosperous. 8. This change is unjustified, discriminatory, and impinges on the rights of businesses.
No	We would like to enjoy a coffee with a cigarette It is better then standing in the mall disposing cigarettes on the ground.
No	This is absurd. it seems like the council just does what it wants when it wants. oakleigh is already a foodie destination. to mask the issue as footpath trading changes is crazy. this is a ban on smoking. AGAIN this issue plagues traders and patrons. this is a nightmare.
No	Wow, another waste of taxpayers money having meetings to ban smoking. What will it take for council to understand that people have just gotten used to the new state laws banning smoking in eating areas. Now they want to ban drinking areas? Well done council, you seem to be doing a great job. Not! Very unfair.
No	We are sitting in the Mall right now enjoying a meal. There is no smoking problem around us. There are lots of places to sit where there is no smoking and enjoy a meal. We are regular visitors here and have never been affected by smokers.
No	There is no problem with smokers in Eaton Mall.
No	My father and my uncle will be stuck at home and will be depressed at home if this stupid law comes into effect.
No	It's purely discrimination against the peoples' rights under State Law.
No	Very bad on Council's part.
No	This is unfair - not a very transparent survey either!
No	Its killing hospitality business

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No	Killing hospo
No	Let people smoke any were
No	I don't agree with that new law. Why the smokes can be legal and the smoking can be illegal ?
No	I do not like how smokers are unable to smoke and eat at the same time while socialising. This new law has been enforced and is sending business' in oakleigh broke. Please do not make it a permanent law to not be able to smoke at oakleigh. No one will come and you as a council will be broke.
No	I am a smoker and I peanut to smoke in oak Leigh mall
No	I don't agree with the policy to try and ban smoking in Oakleigh, the eating/smoking ban has already negatively affected all the cafes/restaurants throughout Oakleigh so i dont want to imagine what business will be like for all of them if smoking is completely banned. People already have the option to sit outside in already smoke free areas, it would be unfair to make all areas smoke free for those who do smoke. If smoking becomes completely banned i know I won't be going to Oakleigh anymore and I know a lot of others won't as well.
No	Everyone should be able to smoke if they like
No	Smoking is not illegal don't discriminate
No	No, I feel smokers have been minoritized enough. It's getting ridiculous, I'm not a smoker but the absolute hoo-haa around smoking has gone too far. Next we'll be separating people eating salad and people eating chips.
No	It's killing hospitality
No	Let me smoke
No	Don't smoe but it's ghee
No	Council, this design will not ease congestion, and Council is tending to give traders more sway. As a long term resident, I would like more access space for pedestrians.. The traders and Council cannot control human nature, when non caring people leave chairs out, easily able to trip elderly, and mother's with prams park the pram over the very little pedestrian space. This then becomes a very confronting situation. I would like to walk comfortably instead of dodging tables and chairs, especially outside Niko's Portman Street entrance, that should have no table and chairs, insufficient footpath space. This traders has enough space allocated in Eaton Mall. I would also like a smoking ban in the Mall for the comfort for all, at the moment this is a health hazard. By the way I found the whole draft very hard to understand, most people are not Town Planners or demographic genius.
No	get [redacted] all you non smoking dogs, i dont even smoke and i give zero [redacted] about others smoking.. if you dont [redacted] like it dont go to the smoking area [redacted] simple.
No	This government can get [redacted]!!! You [redacted] Morons you have already banned us from smoking everywhere and now you want to raise revenue and ban smoking everywhere how about get [redacted]! We need to stop being [redacted] and a nanny state everyone of you Politically correct people can go [redacted] yourselves you Low life [redacted]!!!
No	I want smoking here. Because I love smoking.
No	Creating a non smoking environment in Oakleigh will put our local businesses out!
No	As a smoker I prefer to have somewhere to come relax have a coffee and have as many cigarettes I like
No	I enjoy my cigarettes and prefer a place to relax have a coffee at my own leisure
No	Stop making Australia a robot society. I have many non smoker friends who think this is ridiculous. This will discourage more business from patrons in the area, as you can see from current laws.
No	Leave the footpath trading as it is. Smokers have a right to have a coffee and a cigarette out in the sun like everybody else. The non smokers Have there side we have ours so leave us alone and go and plant some trees Stop telling us what we can do and can't do enough We don't live under a Dictator it's democracy every one is equal
No	There is plenty of tables inside for those who want to eat food. For those that wish to smoke with a coffee let it be and stop discriminating against smokers.

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No	There is plenty of tables inside for those who want to eat food. For those that wish to smoke with a coffee let it be and stop discriminating against smokers.
No	Leave it Alone it's working fine smokers have a right to smoke they pay taxes and it's legal. If Monash city council is so concerned ban the sale of cigarettes in Monash and leave the smokers alone
No	It's discriminatory against smokers! Smoking is no illegal!
No	It's going to ruin the culture, ambiance and most importantly local small business. This is ridiculous! If someone a minority does not like it then they can go elsewhere or simply stay at home .The council should be backing local business considering the amount of offshore business we are involved with.
No	Smoking is already banned where food is consumed. There are allocated areas within Eaton mall which cater for smokers. Isn't that enough? This is pure discrimination against smokers. Any further smoking bans in Eaton Mall will destroy this vibrant entertainment hub in the City of Monash
No	Enough already Find something to do Smokers are tax and ratepayers too
No	It is not against the law to smoke and the government would never make it illegal because they make so much revenue off the taxes of cigarettes. We are a democratic society, it's time to stop this.
No	This is simply outrageous. This can be seen as nothing more than simple, by-the-book discrimination against smokers. Not only are the tax rates for cigarettes in Victoria double compared to any other country and smoking is prohibited indoors but smokers are now supposed to be forced into corners just to light a cigarette. And why don't even talk about how smoking is actually harmful by comparing it to alcohol. So I ask how many people have had a cigarette and driven a car and as a result put their and other people's life's in danger? Maybe we don't have our priorities straight... And why don't we say a little something about the biggest area that this problem is related to, Oakleigh... Oakleigh is practically a Greek area, and Greeks are the highest in the world for the number of smokers... So it does not seem like Greeks would be the ones that would be complaining... I would go as far as saying that smoking is part of the Greek culture so it seems to me that people come to a Greek area to enjoy the atmosphere that is brought about by that exact Greek culture but now they wanna change it. Well it doesn't work that way! If this is a liberal and free country let's respect minority groups such as smokers and stop discrimination!
No	let us smoke
No	Allow smoking don't go so hard on smokers
No	Those who deny freedom to others deserve it not for themselves.
No	The oakleigh footpath is full of Greek restaurants and coffee shops where the more than 90% of the people visiting it are Greeks. For us Greeks smoking is part of culture and by stopping it business will go down, something that will disappoint the shop owners and customers.
No	I'm a regular here and I enjoy having a cigarette with my coffee and it wouldn't be the same without it , I along with many disagree with this as the smoking area that has already been sectioned is constantly full. Without smoking at a popular greek coffee shop, could prove detrimental to the business.
No	Smokers are half of the business we get at nights. In winter time they help out a lot because non smokers don't really come out as much on cold nights
No	I believe the smoking parameters that have already been put in place in oakleigh are fair and accompany for both the non smokers and the smokers. By placing further smoking restrictions will only be unfair to the owners of the businesses here which will affect trading and furthermore affect business revenue. These businesses were successfully established many years ago and it would be detrimental to the owners and even more many people would loose their jobs over it. Oakleigh is a hub for socialism and families getting together and it has worked for countless of years and by seizing smoking altogether will cause a major decrease in foot traffic and loss of business. In conclusion I think the retail sector will be affected the most and it's simply not fair if these factors are not taken seriously for the people who love and have been attending the oakleigh square for over 10 years.
No	No
No	FREE WILL IS BEING SMOTHERED BY A POLITICAL AGENDA THAT HAS NO DIRECTION OTHER THAN TO OBSTRUCT THE LIVES OF MANY TO BETTER THE LIVES OF VERY FEWLET THERE BE SMOKE

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Do you support the proposed changes	Comment
No	Don't ban smoking !! This is a. Joke
No	KEEP SMOKING !!!!
No	Dont ban smoking!!!!!!!!!!!!
No	It is beginning to infringement on basic freedoms, and will ultimately affect businesses too.
No	I have no issues with the smoking in oakleigh as i am a smoker
No	I don't mind smoking
No	There is a larger area in restaurants for customers to eat compared to the drink only tables where you can smoke. You can eat inside and eat in most outdoor areas. The extra 5 tables for smokers isn't gonna make or break anything this seems like a stupid policy and I am disappointed in council for proposing this. Surely council has other policies which can be reviewed other than the footpath trading policy. This is a joke.
No	DONT BAN SMOKING
No	there should be no changes to the smoking situation in oakleigh, smokers are only permitted to smoke in designated areas and eveyone has followed these rules, therefore there is no need to completely ban smoking altogether.
No	Smoker, enjoy the atmosphere at oakleigh
No	Is this segregation? It is a right for someone to smoke where they please. In an open environment, which is well ventilated, there should be no problem to enjoy a cigarette and have a coffee which is in the right of the person. Smokers were first kicked to the curb to only enjoy their human right outdoors. Now a smoker cannot even enjoy food and finish their meal with a cigarette. There is plenty of space for everyone! Let them smoke and drink. And guaranteed every business owner in eaton mall will loose business. Economically, this is the stupidest idea passed along. As majority of people that do come to eaton mall wither are smokers, or are friends with smokers. Get a grip and pull your head in
No	Unfair law
No	This is trying to override a state law with a local law
No	These silly changes that want to be implemented are unfair and ridiculous! As we are law bying citizens and pay for legal products such as cigarettes. This does not give any the right to ban it at all! As a local and long term customer for 10 years, I have seen the atmosphere diminish since the 1st August 2017.
No	Ruining oakleigh. Segregation at its finest
No	Ridiculous we are even still having this discussion in Council. Very reckless and arrogant.
No	Firstly after reading your document I am quite sure that you are going against Local Laws and must suspect we are second class citizens to not be able to read between the lines! I would also assume that this is illegal on Council part.... Oakleigh's Eaton Mall is actually renowned as "Little Athens". The traders and its customers enjoy the ambience of food, drinks and SMOKING!!!! Its customers come from all parts of Australia because of its "Greece like feel" . Monash Council are enroaching on our personal rights. Turning all outdoor areas into food consumption only will inevitably cease all smoking areas. This is not acceptable for traders or its customers . Your actions are shameless.
No	We assume you do not expect people to read between the lines. This is to cease smoking in the whole of Eaton Mall without actually mentioning smoking. Surely this is illegal!
No	I don't agree with that law I don't think is fair already i think the smokers vs no smokers are in the same level why you want to make it unfair for the people they smoke ? It's so unfair allt this and without reason
No	My suggestion would be that the mall should have scheduled times through the day for smoking ie: before and after lunch and dinner.
No	Everyone should fight for the right to have CHOICE And not be bullied into a minority of a few espesially in Oakleigh where the demographics clearly show otherwise
No	This is a safe and clean area. There are no junkies like there used to be. As a community we have all shaped the Oakleigh Mall to be a 'foodie' destination that it already is and there is no smoking problem. This proposal is stupid. Why are you trying to go against the state government laws?

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Do you support the proposed changes	Comment
No	<p>I find it abhorrent that the council can discriminate against people who smoke and not allow them to have the right to sit down OUTSIDE in Eaton Mall with family and friends and enjoy a coffee whilst being able to smoke tobacco and being seated nowhere near people consuming food. If this law/rule is passed I personally will stop visiting the mall and attending any of the local businesses and I know that there are many others that share the same view as me. I've been a local resident for 42years and am also a local business owner and will feel very disappointed and in fact betrayed by the council whom of which I've always supported since I've been able to vote. Needless to say, it should seem patently obvious that I will not support the current council or any other that seeks to change the above mentioned law and take away a basic human right to engage in a pastime that nor is it illegal and certainly funds (through taxes) many and various objectives that governments implement in our communities</p>
No	<p>We need areas such as Oakleigh to service area where the community can meet with friends & family over an inexpensive coffee or glass of wine without having to purchase more expensive meals. At the moment the Oakleigh Village is a haven for an increasingly aging community on fixed incomes that every dollar counts. It is unfair that this inexpensive pass time is taken away from us. We need it for our mental health as it provides an outlet & a sense of belonging with people with similar age groups problems. Oakleigh would appear to be also a very diversely multicultural area that caters for all nations colours & creeds. What is in Oakleigh now works very well for the whole community,leave it alone just nurture to enhance what we have already. Overregulation,Overenforcement could destroy what has operated for along time. Council may be rethinking about the use of Crown Land but Council only works as a trustee with powers That were bestowed by the State of Victoria. I have worked for 55 years full time in a variety of jobs paid Taxes,Rates,Registrations,Fees & Fees on Fees I deserve the luxury of a cup of coffee or a glass of wine without being restricted by more expensive fare. Leave it alone, the current has worked for years. Spend the ratepayers revenue to enhance the area For the multicultural ambience it has come to be known for. If the policy is introduced contrary to community needs the result will be disastrous for Traders,Landlords,Community & Council in particular who will suffer because of declining land values. This Policy will open Pandora's box of disastrous consequences not only Oakleigh but all business areas in the Municipality. If I am passionate about this,it is because I care for the Community & small business traders who have given us an island of sanity & belonging.</p>
No	NO RIDICULOUS
No	Ridiculous proposal. What is your real agenda???
No	I feel discriminated against
No	why are we punishing smokers only? these rules should apply for people consuming alcohol as well.more people die on the road from alcohol abuse then someone smoking behind the wheel.if you TRY and ban smoking outdoors, then stop alcohol being served as well.we stopped smoking indoors now your trying to stop us from smoking outside too.I dont agree.
No	If changes made beni can't smoke after faken
No	We as a all rounder community need to blend all cultures together for a great diversity ... drinking eating and communicating is part of everyday life ... we need to make our environment weather friendly to be able to always have business all year round
No	We are loosing our Libity . You are going to make business Broke .we will not come to this area . We do have rights as humans. And we have respected your changes but you have and are becoming a nanny state .All outdoor areas should be free to any individual when they outside. I attend this area twice a week from the other side of town. If you make these changes I might as well go elsewhere
No	The economic argument for changing outside smoking laws in non food areas is baseless. Food is available inside and outside already in allowed zones. Therefore, it is already providing supply to this demand. This supply is ample and in seating plans of restaurants is the majority of seats. The smoking

On-line Surveys

Do you support the proposed changes	Comment
	<p>area then permits for a comprehensive and inclusive audience, including global customers from countries with strikingly different ideologies. I encourage the council to rationalise seating plans and accept that the audience of diners has been well addressed. Include all so therefore everyone can enjoy our inclusive Australian culture.</p>
No	<p>The policy should clearly prioritise pedestrian access ahead of other possible uses for footpaths in Section 1.1. It might be the traditional for pedestrians to use footpaths - but it also hasn't changed.</p> <p>Council's Vision 1.2 lacks mentioning the importance of these areas for Pedestrian use and safe, efficient, egress.</p> <p>I expect when the apartments being constructed in and around The Glen Shopping Centre footpaths will become more congested so you should be planning for growth in pedestrian numbers over the life of the plan and not the status quo.</p> <p>Section 1.3: I suggest you consider bicycle and car share hire schemes and their potential inclusion or exclusion in addition to vending machines and automatic dispensers (ATM, or food).</p> <p>The Aust Roads Guide to Road Design Part 6A: Paths for Walking and Cycling (2017 Edition) sets guidance for footpaths next to shops as between 2.0m and 2.4m not 1.8m as used in the policy.</p> <p>1.8m is only the minimum width for two wheelchairs to pass in a straight line and not to turn into a shop safely - there are additional clearance distances for this in the guide. Please check the specifications as you should ensure that Council has actually set the distance required in the document that would be used as evidence of compliance in Civil proceedings.</p> <p>A 3.0m plus walkway is recommended by the Guide for busy pedestrian areas next to shops - which the Glen Waverly shops certainly are these days. For the record - I have to physically shelter my 4 year older daughter with my body to ensure she can travel safely along the pedestrian walkways.</p> <p>There are a number of scientific papers that you can use to analyse the efficiency of pedestrian movement along a street.</p> <p>There is a requirement for sight lines to be provided for the disabled and elderly as they require visual clues when they have impaired vision. Have you done the work to quantify if you meet this standard?</p> <p>The Policy should include reference to the Tobacco Act 1987 restrictions and I would also like Council to consider the prohibition of smoking at all tables as part of the conditions of licence 100% of the time. This is entirely possible for Council to do using Commercial Law.</p> <p>I am curious to know if smoking (as a public health issue) contravenes the amenity principle in Section 5.3.5 by default automatically?</p> <p>Vendors should also include with their application whether the application is smoking or no smoking - and if smoking is included the application should go to Council (outside the delegation responsibility of a Council Officer). It should also include the opportunity for the public to submit comment on the smoking proposal to Council (just like a development application). I also think that when you have two requests for the same area the priority goes to the 100% no smoking policy or lesser evil (less smoking).</p> <p>How is competition for the same space resolved? I think an open expression of interest process would be in the public interest.</p> <p>Austroroads Guide to Road Design Part 6A should be both listed and used as a key planning document.</p> <p>I would have expected either engineering drawings or GIS maps showing the zones on each of the footpaths.</p>
No	<p>Current proposal to "create a dining hub" based on culture to include banning smoking in already established and renowned areas including Eton Mall seems baseless. The complexity to outside audiences from other shores is difficult enough and complicating it further perplexes. In addition the ability for those who identify as part of their culture to be able to smoke and enjoy a beverage (alcoholic or not) seems discriminatory. The economic argument to keep laws as they are includes businesses to be able to cater and be more inclusive to those who may be on a budget and capitalise on difference</p>

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Do you support the proposed changes	Comment
	instead of relying on people to travel to the area. Further, to be able to keep people in the community (for better mental health) and socialising as oppsed to at home, can only be good for the community and those struggling with isolation or other factors. I implore you to revise the strategy and consider other factors in the submission.
No	The smoking section has been sectioned off, non smokers should not have an issue if they do they should sit inside
No	Non smokers should sit inside
No	The non smoking area isn't even full when people go for coffee.
No	Non smokers need to stop crying. There section is never full when I go for coffee
No	I don't agree. I come to enjoy a coffee and a cigarette, we are sectioned off already not to bother other patrons and I just don't think it's fair to stop smoking completely
No	I don't agree. I come to enjoy a coffee and a cigarette, we are sectioned off already not to bother other patrons and I just don't think it's fair to stop smoking completely
No	As a smoker considers the choice and the lifestyle of a non-smoker, it is only respectful that this applies to the reverse. I am personally extremely conscious and considerate of non offending a non smoker and restrict smoking to a restricted space, I would also expect my choice is respected. Footpath trade should respect and accommodate choices for both parties.
No	As a none smoker I can choose to go and sit where I like. Right now I'm sitting in a smoking section with my friends because they smoke. None smokers like to sit in the none smoking section because it's always packed and the none smoking section is most of the time quite.. obviously they like to sit at the action but that action smokes!
No	The non smoking section is quiet, the smokers section has more atmosphere due to the amount of smokers hence the non smokers wanting to be apart of it. What they don't realise is if the smoking section became non smoking it would be just as quiet. Either take up smoking or sit in the smoking section and don't complain about the smell or the smoke. Simple. No need to ruin it for everyone. Soon no one will be going out and everyone will be staying home to enjoy how they choose to have their coffee. Everyone has a choice. Businesses are respecting both parties and catering for all. Patrons need to do the same
No	State law is what we should abide by. One law should be uniform for the whole State. Otherwise it's too confusing for customers and traders.
No	This is unfair and discriminatory. Look what Cr Jeff Lake said in yesterday's Herald Sun page 3. In same article we as a community are represented as "law dodgers." Other lies are also written. Cr Jeff Lake fails to point out that the new law has restricted smoking in the Mall. There is no smoking problem. I come to the Mall with my friends and we are not "law dodgers" and neither are the shops we visit.
No	The article in the Herald Sun yesterday, p 3, misrepresents the facts. We are not "law dodgers" and it puzzles me that a Councillor would contribute to such a defamatory article. What is more disturbing, it that the article is deliberately misleading. There are many shops in Monash City Council and on Eaton Mall itself that do not even offer smoking and many venues have provided smoke free alfresco dining, even prior to the new Tobacco Laws. Why isn't any of this mention by Cr Jeff Lake. It seems to me and to many of my friends that some in Council are biased against a minority community which they choose to misrepresent instead of celebrate. I feel insulted as an Austrian of Greek background.
No	I come every morning here to have my coffee and if I'm no longer allowed to smoke here in oakleigh I will stop coming. I catch a taxi daily and enjoy the environment as well as my cigarettes. Stop punishing us.
No	We are discriminating against the public that are in fact smokers and legally are intitled to have a cigarette with their coffee. It is our free will.
No	No I DO NOT support this as I would like to think I am a citizen of this country with free will and it is my free will to smoke or not to smoke in public especially whilst having a coffee. Like it is the non-smokers will not to smoke. We are all about equality but where is it for us smokers?
No	I get the "no smoking " in dining area, but the "no eating" in smoking area is crazy and unreasonable. And now you want to band it from everywhere; Please people, consider the businesses and the unsitified customers a little.
No	As a non smoker myself, I have friends that are smokers and are no longer entitled to dine outside and have a smoke. So I don't dine outside just to sit in the company of my friends, and now you want to ban it all together. Last time I checked it was still legal to be a smoker and it is discriminating against all smokers. Stop the nanny state already..
No	It's a sign of racism and i don't support racism in any form

On-line Surveys

Do you support the proposed changes	Comment
No	I think since smoking is legal and we the smokers pay high taxes to smoke we should not be discriminated against. And actually we should have more done for us smokers to make public areas more smoker friendly once again given the amount of tax we pay for our cigarettes.
No	I am saddened by the article in the Herald Sun "Diners Left Fuming" page 3, yesterday. It is another example of stereotyping and defamatory rhetoric that serves only to hurt the community targeted. Councillors should champion their communities and as a minimum they should not support such discussions that create a false and dishonest perception.
No	This comment refers to the article in the Herald Sun yesterday called 'diners left fuming'. The assumption that the community are law dodgers is ludicrous. In fact There are only small pockets of smoking areas and the majority of Eaton Mall eateries are smoke free after the state tobacco amendments. Councillor Geoff Lake should not belittle his public office by contributing to such second rate journalism.
No	I was shocked whilst having breakfast yesterday and reading an article in the herald sun about a smoking problem in Eaton Mall. I am a non smoker and frequent Eaton Mall weekly. Since the State govt changes I have noticed a significant decrease in the number of al fresco smoking tables at eateries there. Why does this councillor (and former Mayor) of our Council continuously make slanderous claims about our area. We are a wonderful community and smoking is not a problem. He should focus on campaigning the State Government on making our suburbs safer and get rid of the crime problem that has been hijacking our rights as citizens in recent years. Get over it Geoff. Stop trying to make a name for yourself by using propaganda. Focus on issues that are positive for your constituents.
No	This is obviously about smoking. State legislation addresses the issue of smoking adequately. I found the article "diners left fuming" on Herald Sun (23/4) as unhelpful. The small pockets of spaces allowing smoking in Eaton Mall do not affect in the slightest the diners who visit the area. There are plenty of dining spaces available. The attempt to totally ban smoking on Eaton Mall will force elderly patrons to stay home and deprive them of catching up with friends and socialise at the Mall. Smokers are not criminals and shop owners are not "law dodgers" by facilitating in very small spaces (in accordance with State legislation) the social gathering of law abiding citizens who happen to be smokers. I think they have been demonized enough.
No	I feel this is unfair and I am disappointed. I am especially worried about the first generation. They should be allowed to enjoy a coffee and cigarette under State law without being forced to spend money on eating which many cannot afford. They need to be protected. I've been a resident here for 40 years. Many people will just choose to stay home and for some who are lonely they will be more vulnerable and suffer immensely.
No	It is absolute nonsense to discriminate against oakleigh like this. If the businesses here can accomodate both smoking and non smoking tables then I don't see what the problem is.
No	I come to Oakleigh to have a coffee and smoke, there is no logical reason to ban something that everyone enjoys.
No	I strongly disssgaree with the changes made on Eaton mall, forcing business owners to adjust the structure of there business due to the council placing into effect new local laws that are changing the culture and atmosphere of a reputable Greek community based in oakleigh, when most certainly the majority would be against the ban to prevent smoking as opposed to the minority
No	Smoking is good for you
No	You are messing with Traders enough as it is. Making more changes will duck more with Traders. There has been a drop in revenue to these Traders due to your ridiculous smoking laws.
No	One of the last smoking-drinking areas of Melbourne. Closing designated smoking areas is a discrimination. Smokers have rights too.
No	The current smoking policy is a joke. People who smoke should also be allowed to eat in that area. You are messing with traders enough as it is imposing smoking bans... People have a right to eat and smoke in the same. If anything create an area that is for smoking and eating and another for non smoking and eating... We are good 2 change the laws for a minority rather than the minority. Stuff messing with buisnesses. Furthermore, if you do this, where will people smoke... I see a lot of cigarette butts building up in the carparks....
No	Smoking shouldn't be banned... You should allow the smokers to be able to smoke in there comfort within reasonable restrictions like you've done already... I am a non smoker just for the record...
No	It's already banned and only 3 cafes left which are sectioned off to smoke.

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Do you support the proposed changes	Comment
No	I am happy to share my space with non smokers but not at the point that I am being discriminated against Having a coffee with a cigarette is not a crime and we shouldn't be treated that way
No	<p>In a time where we as Victorian's have more freedom than ever, with our healthcare, with our social options, with whom we chose to marry, it is absurd that smokers are now being marginalised and discriminated simply due to the choices they make in life.</p> <p>Smoking is widely accepted in Oakleigh, as the predominant demographic of customers who dine in the Eaton mall strip are mostly European smokers. Measures have been implemented to segment smokers from non smokers in such a way that it is almost like the smokers are not even here. But it seems that this is not enough, and we have to ask why? Why the further push to essentially criminalise legal behaviour through such heavy handed laws? It has barely been 6 months since the laws first changed, and it seems that all it takes is a few complainers to further remove our freedom of choice. Because that's what it come down to. A choice, made freely, by adults, to partake in a legal behaviour in a designated area. Meanwhile, there's safe injecting rooms, for illicit drugs users, but I can't have a cigarette? Seems a little paradoxical.</p> <p>Please, for the sake of the oakleigh livelihood, reconsider this drastic move. There are bigger issues you could consider, like loiterers at train stations, inadequate parking, and congestion, which are the real issues oakleigh is facing.</p>
No	The cultural shift to smoking being taboo is evident, however the current policy allows smokers and non smokers to both enjoy the atmosphere and lifestyle provided by the City of Monash. Further changes will alienate those who have made use of; and contributed to developing the unique culture. Furthermore it is reasonable to assume that many retailers and small business owners will be impacted should the policy be implemented.
No	It's s joke, the outdoor areas were made for smoking when the law was passed that smokers could not smoke indoors anymore, smokers are the majority of customers in the outdoor cafe areas of Eaton mall
No	It's stupid let people do what they want to do
No	Yeah nah
No	yea look na mate im tellin ya
No	This is rediculous why is this even a thing
No	I believe that I have the right to choose weather I can smoke or not with my coffee ,without bothering the none smokers who are seated in the non smoking areas at the cafes.I as a smoker have the same rights as a non smoker and I feal that I am being treated as a second grade civilian by you trying to apply changes without me or others being considered at all by you!!!
No	Oakleigh is my favorite suburb for having my coffee and I like the fact that I can smoke with my coffee in the smokers part of the cafes.If you deside to stop us from doing that which is not eligal.Oakleigh and the cafes with eventually close down,think of what that will do to all of the families that own or work at these cafes!!!
No	The non smokers can sit inside or in a non smoking area if it bothers them
No	Keep oakleigh smoking!!!!
No	Oakleigh is a smoker friendly strip
No	I've been smoking in oakleigh for 50 years! Why stop now
No	I say no because business' in Oakleigh have been already affected by this. Oakleigh Eaton mall is the only local place we have and we go to enjoy the atmosphere which has drastically gone downhill since the smoking laws were introduced last year.
No	I dont believe the smoking within an establishment if their not serving food should been affected by any laws.
No	I think that it is complete and utter [REDACTED] that the law wants to try and ban smoking in all cafes and restaurants. There is no reason for doing so as the law should respect that there are smokers and that it will cause big dramas.
No	No. Does this have to do with a recent article about chadstone becoming a foodie destination? Do the chadstone people want to cripple Eaton mall on purpose because retail has gone down?
No	I am a non smoker and do not support this.

On-line Surveys

Do you support the proposed changes	Comment
No	Is this a joke?
No	Came all the way to Oakleigh from Gladstone Park today with my mum to meet with other family. Surprised that this is an issue here. Isn't smoking a State law? Talking about it at the table.
No	Businesses stand to lose many of their customers if this gets put in place. There's already laws in place which prevent smoking near restaurants, this policy is unnecessary and alienates a large amount of people
No	I believe that smokers should have a right to enjoy sitting in a cafe and having a coffee or a wine and to have a cigarette while sitting there. Why not ban drinking alcohol in these places as well if your trying to make it family friendly and smokers don't abuse or make threats like drunk people do
No	You need to retain space for pedestrians. Not enough space remains for pedestrians walking through the mall. Also there is too much smoking in the mall. More and more space is being taken away from pedestrians and given away to traders
No	The State Law should prevail. What council is proposing is actually illegal. People should not be discriminated in this way. It is for the State to decide. People are supposed to be equal before the law. I feel council is trying to pull the wool over people's eyes. They certainly should not be doing this. In any event, putting the law aside, fairness and good governance should preclude such ultra virus acts that have a real impact on people who are being cousiously made into pariahs by some in the media and Council.
No	DO NOT BAN SMOKING
No	I am a resident of Oakleigh. The basis of the policy being to promote the use of the public space, that was the mall, into a commercial space purely for the benefit of traders is wrong and should not be supported. You talk about promoting vitality and a family friendly space, but all you have done is to allow businesses to use the PUBLIC SPACE to to make money. How can you say that you are interested in a 'family friendly' space when you removed the stage and sculpture installation, and allow cafes to put tables and chairs butting up against the public seats at the end of the mall near Vanilla and 5? The starting point for the policy should be not to promote the use of the mall for tables and chairs, but to install a true family friendly area in the middle of the mall - for example a climbing structure for kids or a lovely tiled area with seats and maybe a water feature in the middle of that area. I also do not support the focus on promoting a Greek food culture. This is not only discriminatory but ignores the fact that all cultures should be supported and that the best way of achieving a vibrant and interesting community is through promoting multi-cultural participation. The reference to promoting Greek culture and or food should be replaced with an emphasis on promoting 'multi-cultural' food at a minimum.
No	This is going backwards ... people need to feel relaxed and unwinding in our fast pace world
No	I think it is too dictatorial to tell traders what they can and cant serve on footpath trading, not withstanding that the footpath is clearly council policy. It also ignores the wishes of current hospitality guests who want to just drink and smoke. (I am not a smoker). My understanding is that there would be no areas in a restaurant that they could do that?
No	Don't agree, current split seems to work.
No	As a non smoker the smokers should have a right to smoke and have a coffee somewhere
No	No I do not support the changes it's civil liberty and those who don't like it can avoid this area
No	Blatantly obvious suppression of people's rights. Totally unacceptable.
No	I am a non-smoker and I believe the current laws imposed by the Victorian State Government are adequate in relation to ensuring non-smokers have adequate choice and facilities to dine outside without having the hazards of 2nd hand smoke imposed on them or their families. It must be recognised that smoking is a legal activity in Victoria (and thereby in Monash). The current laws strike a nice balance between opposing view points. I relation to the need to provide unobstructed access for pedestrians through Eaton Mall in Oakleigh, my family and I shop in Oakleigh every weekend, and often spend additional recreation time in Eaton Mall and have never had any problems with pedestrian access - either accessing or passing through the Mall.

On-line Surveys

Do you support the proposed changes	Comment
	Council needs to acknowledge that a part of the fantastic atmosphere of Eaton Mall is the unique cultural element of a european piazza. Changing the laws in the way proposed poses a very real risk of damaging that element and destroying that which people are seeking to protect.
No	As a customer in oakleigh and a resident in the city of Monash for over 20 years, I oppose the proposed changes. The Eaton mall strip is a bustling precinct that caters for all people irrespective of age and ethnicity. The business owners have well structured the area to cater for smokers and non smokers and the ideology of removing this basic right for all strikes at the core of the cultural diversity this area represents. This is an attack on our culture, and a targeted racist movement.
No	<p>As it stands it is a wonderful community gathering place that is inclusive across all age groups . The central area down the mid strip of Eaton mall is a bustling lively place at all times of day and a special dining experience in summer ,for eating and enjoying a glass of wine or coffee and cake in the mornings</p> <p>It is a huge draw card that people can enjoy an out door dining experience protected from the wind but still enjoying the sunshine .</p> <p>There are no other areas like it .</p> <p>Other dining out door areas are next to roads with traffic passing by while you partake of fumes as you eat with a worried look over your shoulder to check that the person parking a few inches from your table is not going to mount the curb with disastrous results .</p> <p>Not to mention the traffic noise and having to strain to hear the person sitting next to you a quiet well kept mall is perfect .</p> <p>I say council PLEASE leave it alone don't meddle with an area that the community frequent and enjoy .</p> <p>Kind regards Mary Blommestein 41 Euston rd Hughesdale 3166</p>
No	<p>I believe that the reason of the European "feel" of Eaton Mall is because of the fact you can sit and have a coffee and cigarette - just like Europe. The balance of having areas for smoking and not is perfectly reasonable. Quite a few of the traders have banned it so there are options for everyone. It would be extremely disappointing to many people to not have a choice. You may notice that the smoking sections are quite full and it would be a shame for these people to not be able to go and enjoy a coffee and cigarette. All people should be considered, particularly as smoking is not illegal. Will you also be banning alcohol from these areas?</p> <p>We have coffee and breakfast in Oakleigh every weekend, Saturday and Sunday and it's lovely to have the choice. I believe the current laws are working well with balance for everyone.</p>
No	State Law and policy should be uniformly be applied. Otherwise, inequalities and hardships (both commercial and social) will emerge. This is not good governance. And is fundamentally unfair.
No	State Law and policy should be uniformly be applied. Otherwise, inequalities and hardships (both commercial and social) will emerge. This is not good governance. And is fundamentally unfair.
No	State Law and policy should be uniformly be applied. Otherwise, inequalities and hardships (both commercial and social) will emerge. This is not good governance. And is fundamentally unfair.
No	<p>RE: Eaton Mall.</p> <p>The footpath trading areas are wide, it leaves little room for pedestrians to walk through from one side to the other especially during busy periods of trading; which is nearly every weeknight and all weekend.</p> <p>Also, outdoor smoking in eating areas continues to be an issue with little being done about this problem. It is a major health concern for non-smokers and especially in a public area where young children regularly frequent and couples out with their babies/toddlers.</p>
No	Please i am a smoker do not deny me my destiny
No	A terrible idea, one that will see the end of the oakleigh precinct. Would strongly suggest exploring other options before this, as it will have extremely damaging consequences on not only the single strip, but other neighbouring precincts
No	<p>I don't think there should be any further development of street trading until Monash council enforces smoking bans, particularly in Eaton Mall.</p> <p>To label Eaton Mall as an internationally renowned food destination is a bit of a joke. To suggest its a family friendly dining area is ridiculous.</p>

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Do you support the proposed changes	Comment
	<p>We have lived in the area for over 20 years and prefer to go to neighbouring suburbs as the air is unbreathable in or outside a food venue.</p> <p>Council's inaction on enforcing the smoking ban near food will become more frustrating if its vision of making food available for consumption in al fresco areas at all times is enacted on, Traders are thumbing their noses at the smoking law and it will only make it worse with more trading and extended food hours.</p>
No	People should be allowed to smoke if they please and if others dont like it there are plenty of non-smoking designated areas.
No	I like the smoking because I am smoker all my life...don't touch our free life and support us to enjoy our lifes in Australia.thanks
No	I don't want to stop smoking in this area cause is not many places we can enjoy our walk or coffee with a smoke;there are a lot of places for non smoking areas already;as you respect the non smokers you must respect and the smokers leaving them a few places like Oakleigh to enjoy their free time;thank you
No	I don't want to stop smoking areas because I'm enjoying smoking at my free time
No	At my free time i enjoy some smoking
No	There're are lot of non smoking areas so I need a place to relax my self and take a smoke
No	I need a place so I can smoke I think I have rights in this country
No	<p>Businesses and the public should be free to choose. The State Laws have already legislated on this issue at a great cost to the taxpayer - why is Council now wasting more time and resources on this issue at the expense of the ratepayer? Are the costs being made public? What is Council's responsibility in this regard? Do we seek freedom of information? I certainly will be doing so. And I will certainly let all my family and friends know about this waste of resources. Council's survey asks a generic question concerning if the footpath trading policy should be changed. What does this mean? I think the the question is deceptive and misleading. What is this really about? I think Councillors have made it plain in the media what this survey is really about. Not happy as a ratepayer. I expect not to have the community's money wasted on such dishonest conduct. This needs to go public and Council needs to conduct itself in a far more transparent manner or it risks being exposed to the appropriate governmental authorities at the state level. I certainly will be talking to our local members of parliament.</p>
No	<p>The Minister Of Health, Jill Hennessey, is right to say the appropriate balance has been struck between smoking and non smoking in alfresco dinning areas. She makes her remarks in the Herald Sun page 3 on the 23 of April , Monday. I feel that the current motion by Council has the result that Cr Geoff Lake intends it to have, as depicted in that same article by his own admissions. I am glad to see the minister of health weighing in on this issue on the side of the law and against the current efforts by some in council who are trying to dodge the State Law and the tobacco act. Ironically in the same article we the people are represented as "law diggers." I strongly detest the misconduct by certain councillors who wish to deceive the public and make political gain at the expense of good governance and the public purse.</p>
No	Leave it alone. The Vic. Gvt has not banned smoking Yet nor the sales of cigarettes
No	I enjoy the freedom of choice. No touch pls.
No	I don't always want to eat,only sometimes. But I love A smoke with my coffee.
No	Don't change anything outdoor trading works. It creates a cosmopolitan ambience
No	Why should my rights as a smoker be impacted for some non smokers who think their rights supercede mine.If they don't like it. Safe smoking area is what's required
No	Don't cut the smoking thanks
No	Smoking is legal, and there is only limited areas for smoking. I will not visit stores if I can't have a coffee and cigarette.
No	I like to enjoy my cigarettes with my coffee and I don't want to change that
No	I like to enjoy my cigarettes with my coffee and I don't want to change that
No	I like to have my coffee with a smoke thank you
No	It is working fine the way it is
No	Where is the democracy. This country is becoming a country of slaves and it's more like a dictatorship than democracy.

On-line Surveys

Do you support the proposed changes	Comment
No	<p>It is outrageous to think that European/Greek vibe that Oakleigh has become synonymous with and known for, is being continuously targeted. Eaton Mall was built by industrious business people who have forged a unique culture within Melbourne and Australia, that should be celebrated as is, not commercialised.</p> <p>Smoking is a legal activity yet essentially the right to participate in this leisure is basically none existent across Melbourne in a cafe setting.</p> <p>Oakleigh has already changed since the implementation of the last law changes in August 2017. There are very few smoking places now which are restricted to adhere to the law.</p> <p>Homogenising Oakleigh Will destroy it while impeding on the right of people smoking in these confined, government recommended spaces.</p> <p>Leave it as it is, it is working and a solid compromise without infringing.</p> <p>This change is targeted. If you cared for people's health you wouldn't allow high rise on main roads like warrigal where people are inhaling 10s of thousands of cars an hour worth of exhaust.</p>
No	I'm not come back to oakleigh if the smoking stops because I can enjoy my coffee with the smoking
No	If the smoking stop at the oakleigh you will lose all the people and you will see an empty area in oakleigh...you will lose money as well as a council.thanks
No	We enjoy coming for a coffee and a cigarette at the designated smoking area. I find the policy discriminating. It is my choice to smoke and it is a free country after all.
No	This policy will stop us from visiting our favourite cafes in Oakleigh. Freedom of choice should not be suppressed
No	This policy will stop us from coming to our favourite cafes in Oakleigh.
No	Smoking should not be banned because everyone should have the freedom of choice and lifestyle. Smoking is a choice an individual should be allowed to make. Smokers should not be made to feel ostracised in society.
No	Smokers should have a place to smoke
No	Businesss will suffer Why should smokers not be able to go out and have a place to drink their beverages and have a cigarette
No	People should have a choice, and everyone should be accomodated.
No	If we can't smoke at list outside drinking our coffee relaxing and enjoy smoking im gonna suicide.It is our right to smoke.
No	The reason I do not support this policy is that smokers need to have right to spend their free time in a way they wish to. Moreover, it will be a big loss for the businesses if they have no right to serve customers who enjoys smoke and drink at the same time.
No	I should have a choice and freedom between smoking and not smoking I agree there should be a place we're u can not smoke but there also should be sumwere where I can smoke
No	I do not support the changes , oakleigh is the only location in Melbourne where you can come and enjoy a coffee and a smoke with company it's should be a choice of smoking and no smoking section as they have now.
No	I believe that is in our culture and we enjoy drinking our coffee with a cigarette.
No	I believe that is in our culture and we enjoy drinking our coffee with a cigarette.
No	Smoking must be continue and you have to respect smokers like you are respecting no smokers
No	I strongly do not support this policy as it discriminates against smokers. Smoking is their right and this is a FREE Country. It is bad for business to enforce the Footpath Trading and Access policy because it turns away potential customers that would have normally frequented the cafe or other eatery. Cafes will lose business in a big way !
No	Don't change what exists there now
No	Iam a regular Pinewood & Oakleigh don't change
No	I love Oakleigh , Clayton the way it is now. Change nothing. You will destroy unique shopping strips
No	We enjoy what's there now. Leave it alone

On-line Surveys

Do you support the proposed changes	Comment
No	I like the way it is now. Don't change
No	The current policy is working for all. Young & Old in a very cosmopolitan area
No	It would be a pity to spoil something as successful as outdoor & sidewalk activities with changes that don't really improve anything
No	I don't want policy changed it works for everyone
No	I'm a smoker and oakleigh is the only place to drink coffee and smoke while socialising with people from my country
No	Equality
No	It's not far for the smokers
No	It's not far for the smokers
No	In a free country it's not fair for smokers not have a place to enjoy their drinks with smoke (in smoking area always)!!!
No	In a free country it's not fair for smokers not have a place to enjoy their drinks with smoke (in smoking area always)!!!
No	This should only be statewide rather than applicable to monash traders
No	Not fair on traders
No	I believe we can just keep the footpath as it is now, we can spent more resources on other area such as the cover from car park to the shop. Many thx
No	The changes to the 'Footpath Trading and Access Policy' will severely inhibit traders to make business decisions based on their individual needs. The question of serving food at all hours is not viable for diverse business environments like Kingsway and Eaton mall. Traders stand to lose to these changes.
No	I like the fact that not all places serve food at all times. It gives the trading areas more life. If it changes to just a foodie location I will cease to go to oaklieghs Eaton mall for a drink at the later hours and choose to go elsewhere
No	<p>The the purpose and general purport of the local law and policy change must adhere to the procedure for making a local law as articulated in the "Guidelines for Local Laws Manual - Local Government Australia.</p> <p>These guidelines are statutory legal requirements that are mandatory and not discretionary.</p> <p>Local Laws Act 1989 states:.</p> <p>119 Procedure for making a local law</p> <p>(1) Before a Council makes a local law it must comply with the following procedure. (2) The Council must give a notice in the Government Gazette and a public notice stating— (a) the purpose and general purport of the proposed local law; and (b) that a copy of the proposed local law and any explanatory document can be obtained from the Council office; and (c) that any person affected by the proposed local law may make a submission relating to the proposed local law under section 223. (2A) The Council must ensure that— (a) a copy of the proposed local law; and (b) an explanatory document setting out prescribed details in relation to the local law— is available for inspection at, and obtainable from, the Council office during ordinary business hours. (3) After a local law has been made the Council must give a notice in the Government Gazette and a public notice specifying— (a) the title of the local law; and (b) the purpose and general purport of the local law; and (c) that a copy of the local law may be inspected at the Council office. (4) After a local law has been made the Council must send a copy to the Minister.</p> <p>The community feels very strongly that council has changed the nature of its rhetoric and public documents to censor itself from discussing a smoking ban for legal reasons precisely related to circumventing Local Laws Act 1989.</p> <p>In doing so council has failed to adhere to the aforementioned statutory legal requirements concerning good governance.</p>

Written Submissions

Written submission one

- From the Oakleigh Village Traders Association
- Does not support the changes on the basis that:
 - the proposed changes will negatively impact on the traders in Eaton Mall and in the municipality more generally,
 - the amendments should be rejected because they are being incorrectly used by Council as a mechanism to restrict smoking in Eaton Mall, which is beyond its authority and against good governance practices, and
 - the changes are not supported by the community

Written submission two

- Supports the changes
- Expressed concern about goods displayed on footpaths and accessibility
- Seeks a review of all footpath trading controls in Mount Waverley

Written submission three

- Does not support the changes
- Footpath trading should not allowed
- Kingsway is dirty and untidy

Written submission four

- Neither support for, or against, the proposal
- Expressed concern about goods displayed on footpaths and accessibility

Written submission five

- Supports the changes
- Would like to see smoking banned in Kingsway
- Smoking causes harm to pedestrians and other customers

Written submission six

- Supports the changes
- Smoking in alfresco areas detracts from the outdoor dining experience

Written submission seven

- Supports the changes
- Seeks an outcome that makes Eaton Mall a great place for friends and family

Written submission eight

- Supports the changes
- Buffer zones between smoking and non-smoking areas should be increased to 10 metres
- Expressed concern about goods displayed on footpaths

Written submission nine

- Supports the changes
- Smoking in alfresco areas detracts from the outdoor dining experience

Written submission ten

- Supports the changes
- Disappointed with the smoking controls introduced by the State in August 2017
- Supports any change that better provides smoke free family dining in all areas through Monash

Written submission eleven
<ul style="list-style-type: none"> • Does not support the changes • The policy does not promote a multi-cultural society and unfairly promotes the commercial use of Eaton Mall over other uses • Seeks steps to be taken to increase public spaces within the Mall.
Written submission twelve
<ul style="list-style-type: none"> • Does not support the changes • Places like Eaton Mall and Kingsway are already 'foodie' destinations • The proposed changes will have a detrimental effect on traders
Written submission thirteen
<ul style="list-style-type: none"> • Supports the changes • Smoking in alfresco areas detracts from the outdoor dining experience
Written submission fourteen
<ul style="list-style-type: none"> • Does not support the changes • The proposed changes will have a detrimental effect on traders •
Written submission fifteen
<ul style="list-style-type: none"> • Does not support the changes • Eaton Mall is already 'foodie' destinations • The proposed changes will have a detrimental effect on traders • The proposed changes are a way of circumventing the state wide smoking controls
Written submission sixteen
<ul style="list-style-type: none"> • Does not support the changes • The policy does not achieve the objectives sought • Eaton Mall is already a 'foodie' destination however the café culture does not necessarily revolve around eating and therefore if the changes are introduced traders would need to adopt new business models • People will still be able to smoke in walkways and smokers may congregate in numbers which will detract from the dining experience of others • The amendments should be rejected because they are being incorrectly used by Council as a mechanism to restrict smoking
Written submission seventeen
<ul style="list-style-type: none"> • Does not support the changes • People have a right to smoke • The proposed changes will have a detrimental effect on traders • Not being able to smoke at a café will be detrimental to elderly patrons
Written submission eighteen
<ul style="list-style-type: none"> • Supports the changes • Smoking in alfresco areas detracts from the outdoor dining experience
Written submission nineteen
<ul style="list-style-type: none"> • Supports the changes • Smoking in alfresco areas detracts from the outdoor dining experience
Written submission twenty
<ul style="list-style-type: none"> • Does not support the changes • The proposed changes will have a detrimental effect on traders

Written submission twenty one

- Supports the changes
- Smoking in alfresco areas detracts from the outdoor dining experience