

Attachment One

Report -Summary of Proceedings

This is the summary of proceedings of the Committee of Council comprising of all Councillors to hear any submitters requesting to be heard and consider any submissions received under Section 223 of the Local Government Act 1989 on Council's proposal to make the Smoke Free Areas Local Law 2021.

The committee met on Tuesday 11 May 2021 at 7:00pm in the Council Chambers and the following Councillors were present: Cr Little, Cr James etc...

The Committee's role was to:

- consider submissions received in response to the public notice;
- hear from any submitters who wish to speak to their submission; and
- agree on a recommendation to put to Council for decision.

Eleven submissions were received, and no submitter requested to be heard before the committee. The submissions received are summarised as follows:

Submitter reference Number	Locality	Expressed Support for Local Law	Submission
Submitter One	Oakleigh	Yes	
Submitter Two	Notting Hill	No	I feel a smoke free ban in front of small shopping strips would attract less patrons and detrimentally affect the income of those businesses. In wide streets where there is room and likelihood of people eating outside in organized seating I feel you can justify a smoke free area.
Submitter Three	Glen Waverley	No	
Submitter Four	Mulgrave	Yes	
Submitter Five	Glen Waverley	Yes	
Submitter Six	Mt Waverley	Yes	Support smoke free municipal and public spaces.
Submitter Seven	Ashwood	Yes	In the interest of health and comfort I support a total ban on smoking in public spaces in Monash, with no exceptions made for smoking areas, and support the council in strengthening any existing laws to achieve this outcome.
Submitter Eight	Glen Waverley	Yes	
Submitter Nine	Oakleigh East	Yes	This is a great initiative and should be adopted immediately. Additional to these laws, public areas like Train Stations, Bus Stops, Shopping districts/strips, public schools etc should also

			be smoke free zones as these areas are frequent by families with young kids and the elderly.
Submitter Ten			<p>I write in relation to the proposed new local law. The draft law itself does not make clear what changes residents might see, nor which areas are owned by the City of Monash. However, the suggestion is that an extension of smoke-free areas “from time to time” would apply to days when particular events, such as festivals, occur, rather than permanent changes applying at all times. This is clearly needed, but we should go further in making these areas permanently smoke-free.</p> <p>I note from the Feb 2021 Monash Bulletin the plan to update Council’s Footpath Trading and Access Policy to require food to be made available on public footpaths available for trade. My concern is with Eaton Mall, and the high prevalence of smoking occurring in sections (drinking only) used by pedestrians. With open doors, smoke obviously drifts into eating establishments and other businesses. I understand that by NOT offering food for consumption, these traders enable people to smoke while drinking coffee or other beverages.</p> <p>This loophole, clearly arising from purported commercial advantage to traders (an argument routinely used by the tobacco industry, with little or no evidence), is a glaring anomaly that must be rectified for the following reasons:</p> <ol style="list-style-type: none"> 1. Exposure of café or restaurant workers to second-hand smoke, a proven risk factor for disease 2. Exposure of pedestrians and indoor workers to drifting smoke, which may exacerbate or generate respiratory distress such as asthma or COPD 3. Discriminating against non-smokers (the vast majority) by reducing their rights to outdoor coffee consumption and dining options (just 10.6% of adult Victorians smoked regularly, Quit Victoria, 2019) 4. Potentially influencing the uptake of smoking or vaping through visible “normalising” of the behaviour 5. Potentially triggering smoking or vaping relapse among ex-smokers. <p>It is high time that we made al fresco drinking and dining permanently smoke-free, not just during events. I no longer have coffee or meals outdoors on Eaton Mall or indoors near outside tables where smoking is permitted.</p>
Submitter Eleven	Ashwood		<p>The use of tobacco and other smoking products in public areas poses a health threat not only to the smoker, but others nearby.</p> <p>In the interest of public health and comfort, Councils should</p>

			take responsibility for providing a totally smoke-free environment by declaring places that are used frequently by the public as smoke-free areas with no exceptions made for smoking-only areas.
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Having considered all submissions received in relation to the proposal to make the Smoke Free Areas Local Law (2021) the committee reached agreement to:

- (a) provide this report of its proceedings to Council; and*
- (b) recommend to Council that it resolves to make the Smoke Free Areas Local Law (2021)*