

Tobacco in Australia

Facts & Issues

Relevant news and research

15.7 Legislation to ban smoking in public spaces

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Research:

15.7.1 Commonwealth legislation

Wilson, N, Jones, AC, & Thomson, GW. (2020). Poor smoke-free status of airports in a country with a smoke-free goal: New Zealand. *Tob Control*. Retrieved from <https://www.ncbi.nlm.nih.gov/pubmed/32709605>

News reports:

15.7.1 Commonwealth legislation

Zhang, M, Garcia, AD, Zamora, M, Anderson, IA, & Jativa, DF. (2019). Exposure to Secondhand Tobacco Smoke at Airport Terminals. *J Environ Public Health*, 2019, 9648761. Available from: <https://www.ncbi.nlm.nih.gov/pubmed/30853997>

15.7.2 Australian Capital Territory legislation

No authors listed. Smoking banned at ACT playgrounds and play spaces. Australian Broadcasting Corporation (ABC), 2016. Sept 8, 2016. Available from: <http://www.abc.net.au/news/2016-09-08/smoking-banned-at-act-playgrounds/7825110>

Boddy, Natasha. Smoking may soon be banned at Canberra's playgrounds. *Canberra Times*, 2016. July 14, 2016. Available from: <http://www.canberratimes.com.au/act-news/smoking-may-soon-be-banned-at-canberras-playgrounds-20160714-gq5lc6.html>

15.7.3 New South Wales legislation

No authors listed. CBD-wide smoking ban for North Sydney. *This is Money*, 2018. Sept 26, 2018. Available from <https://www.thisismoney.co.uk/wires/aap/article-6207009/CBD-wide-smoking-ban-North-Sydney.html>

Thompson, Sean. Bondi Junction Mall latest Sydney shopping strip to ban smoking following success in Martin Place. *Daily Telegraph/Sunday Telegraph*, 2016. Feb 4, 2016. Available from: <http://www.dailytelegraph.com.au/newslocal/city-east/bondi-junction-mall-latest-sydney-shopping-strip-to-ban-smoking-following-success-in-martin-place/news-story/33ca25dd7eb880b10ac34f5500a21c05>

Tomazin, Farrah. Andrews faces backlash over 'confusing' outdoor smoking ban. *The Age*, 2016. Feb 7, 2016. Available from: <http://www.theage.com.au/victoria/andrews-faces-backlash-over-confusing-outdoor-smoking-ban-20160206-gmn9tl.html>

Farrell, Paul. Smokers win out over outside diners at some NSW pubs and bars: health groups. *The Guardian*, 2015. Dec 25, 2015. Available from:

<http://www.theguardian.com/society/2015/dec/25/smokers-win-out-over-outside-diners-at-some-nsw-pubs-and-bars-health-groups>

15.7.3.1 *Smokefree areas – enclosed public areas*

No authors listed. Smoke-free commercial outdoor dining laws. NSW Department of Health, 2015. June 25, 2015. Available from: <http://www.health.nsw.gov.au/tobacco/Pages/outdoor-dining.aspx>

Testa, Christopher. Smoking ban approaches. Sunraysia Daily, 2015. June 10, 2015. Available from: <http://www.sunrasyadaily.com.au/story/3135275/smoking-ban-approaches/>

15.7.3.2 *Smokefree areas – Outdoor Public Places*

No authors listed. CBD's last gasp? *South Coast Register*, 2019. Nov 1, 2019. Available from https://customreport.mediaportal.com/#/articlepresenter/eb6fbd60-72d8-405c-99e7-b2482f21aa57/538194273/1270222192?_k=di3gdw

15.7.3.5 *Local government*

No authors listed,. Smoking ban to be trialled in Sydney's Martin Place after survey finds users want it smoke-free. ABC News, 2015. May 11, 2015. Available from: <http://www.abc.net.au/news/2015-05-11/smoking-ban-to-be-trialled-in-sydneys-martin-place/6459496>

15.7.4 *Northern Territory legislation*

Terzon, Emilia. Darwin council repeals al fresco smoking ban in Smith Street Mall. Australian Broadcasting Corporation (ABC), 2016. Aug 17, 2016. Available from: <http://www.abc.net.au/news/2016-08-17/darwin-council-repeals-smoking-ban-al-fresco-cbd/7751080>

15.7.4.4 *Smoking in cars*

No authors listed. Northern Territory becomes final Australian jurisdiction to outlaw smoking in cars carrying children. Australian Broadcasting Corporation, 2014. Oct 31, 2014. Available from: <http://www.abc.net.au/news/2014-10-31/nt-bans-smoking-in-car-with-children-under-16/5856410>

15.7.5 Queensland legislation

Miles, J. Calls for Queenslanders to do in people flagrantly lighting up in non-smoking areas. *Gold Coast Bulletin*, 2019. Aug 6, 2019. Available from

<http://online.isentialink.com/goldcoastbulletin.com.au/2019/08/05/5ede79a7-8443-4c60-8b88-b64125f0187c.html>

No authors listed. Smokers banned from lighting up near bus stops and outdoor shopping malls under tough new anti-smoking laws. *Daily Mail*, 2016. Sept 1, 2016. Available from:

<http://www.dailymail.co.uk/news/article-3768053/Queensland-introduce-tough-new-smoking-laws.html>

Remeikis, Amy. Queensland to have nation's toughest anti-smoking laws. *Brisbane Times*, 2016. Feb 24, 2016. Available from: <http://www.brisbanetimes.com.au/queensland/queensland-to-have-nations-toughest-antismoking-laws-20160224-gn27k7.html>

Remeikis, Amy. Queensland to have toughest anti-smoking laws in Australia. *Brisbane Times*, 2015. Nov 10, 2015. Available from: www.brisbanetimes.com.au/queensland/queensland-to-have-toughest-antismoking-laws-in-australia-20151110-gkv5h6.html

No authors listed. Queensland to widen smoking bans. *Mail Online*, 2015. Oct 17, 2015. Available from: <http://www.mailonsunday.co.uk/wires/aap/article-3276876/Queensland-widen-smoking-bans.html>

Robertson, Joshua. Queensland considers ban on smoking at skate parks, pools and bus stops. *The Guardian*, 2015. July 13, 2015. Available from: <http://www.theguardian.com/australia-news/2015/jul/13/queensland-considers-ban-on-smoking-at-skate-parks-pools-and-bus-stops>

15.7.6 South Australian legislation

No authors listed. State Government to strengthen tobacco laws. *Mirage News*, 2018. Sept 17, 2018. Available from <https://www.miragenews.com/state-government-to-strengthen-tobacco-laws/>

Azzi, Martha. A breath of fresh air for diners: Smoking ban begins in all outdoor dining areas in South Australia. *This is Money.co.uk*, 2016. July 1, 2016. Available from: <http://www.thisismoney.co.uk/news/article-3669166/Smoking-ban-begins-South-Australia-outdoor-dining-areas.html>

Holderhead, Sheradyn. Government backs away from making outdoor dining areas smoke free. *The Advertiser*, 2015. June 27, 2015. Available from: <http://www.adelaidenow.com.au/news/south-australia/government-backs-away-from-making-outdoor-dining-areas-smoke-free/story-fni6uo1m-1227417210867>

15.7.7 Tasmanian legislation

Barron, J. Full-time anti-cigarette cop will hand out on the spot \$338 fines in a massive new no-smoking zone in the heart of an Australian city - starting TODAY. *Daily Mail Australia*, 2019. Oct 15, 2019. Available from <https://www.dailymail.co.uk/news/article-7571503/Full-time-anti-cigarette-cop-fines-no-smoking-zones-Australian-city-starting-TODAY.html>

Kepton, H. Ulverstone CBD to butt out. Hobart Mercury, 2018. Oct 24, 2018. Available from: <http://readnow.isentia.com/articlepresenter.aspx?guid=72090b5b-8753-4cf0-85a6-5e5782717a0b&serid=137485&ArticleID=1026546000&output=txt&serid=137485>

Alouat, J, & Paynter, J. CBD Smoke Ban Plan. Hobart Mercury, 2018. Sept 17, 2018. Available from: file:///W:/Tobacco Control Library/News library/Quit News compilations/2018/Quit Clips 2018_09_17.pdf

Abey, Duncan. Tassie councils win power to declare streets tobacco free and public events are next. The Mercury, 2015. Mar 18, 2015. Available from: <http://www.themercury.com.au/news/tasmania/tassie-councils-win-power-to-declare-streets-tobacco-free-and-public-events-are-next/story-fnj4f7k1-1227267327306>

15.7.8 Victorian legislation

McKinnon, G, & Squires, M. Ban plan lights fuse. *Herald Sun, Melbourne, 2020. Nov 27, 2020.*

McPhee, E. Cigarettes could be BANNED in Melbourne: New plan to make the entire city smoke-free. *Daily Mail Australia*, 2019. Oct 3, 2019. Available from <https://www.mailonsunday.co.uk/news/article-7531353/Melbourne-ban-cigarettes-entire-city-Bourke-Street-Mall-set-outlaw-smoking.html>

No authors listed. Politicians debate Vic no smoking laws. Special Broadcasting Service, 2016. Jun 21, 2016. Available from: <http://www.sbs.com.au/news/article/2016/06/21/politicians-debate-vic-no-smoking-laws>

Preiss, Benjamin. Smoking to remain in outdoor drinking areas but not where food is served. *The Age*, 2016. Apr 5, 2016. Available from: <http://www.theage.com.au/victoria/smoking-to-remain-in-outdoor-drinking-areas-but-not-where-food-is-served-20160405-gnytfi.html>

Haggan, Megan. Victorians want outdoor dining smoke ban: Cancer Council. *Australian Journal of Pharmacy*, 2016. Feb 8, 2016. Available from: <https://ajp.com.au/news/victorians-want-outdoor-dining-smoke-ban-cancer-council/>

Davey, Melissa. Outdoor areas in Victorian restaurants to be a smoke-free zone from mid-2017. *The Guardian*, 2015. Aug 23, 2015. Available from: <http://www.theguardian.com/australia-news/2015/aug/23/outdoor-areas-in-victorian-restaurants-to-be-a-smoke-free-zone-from-mid-2017>

15.7.8.2 Enclosed and outdoor areas

Banks, Amanda. Smoking in jails to stay. *The West Australian*, 2015. June 29, 2015. Available from: <https://au.news.yahoo.com/thewest/regional/south-west/a/28596119/smoking-in-jails-to-stay/>

Michell, Tim. Monash Council renews call for state-wide ban on smoking in outdoor dining areas. *Waverley Leader*, 2015. June 7, 2015. Available from: <http://www.heraldsun.com.au/leader/east/monash-council-renews-call-for-statewide-ban-on-smoking-in-outdoor-dining-areas/story-fngnvlxu-1226658403912>

No authors listed. Victorian jails go smoke free in July. News.com.au, 2015. June 1, 2015. Available from: <http://www.news.com.au/national/breaking-news/victorian-jails-go-smoke-free-in-july/story-e6frfku9-1227377762094>

No authors listed. Victorian prison system 'very ready' for smoking ban, Corrections Commissioner Jan Shuard says. ABC News, 2015. June 30, 2015. Available from: <http://www.abc.net.au/news/2015-06-30/victorian-prison-system-ready-for-smoking-ban-jan-shuard-says/6583246>

Collins, Peter. No smoking within four metres of an entrance - but what's an entrance? The Standard, 2015. Mar 30, 2015. Available from: <http://www.standard.net.au/story/2977824/smokers-in-a-haze-over-new-laws/?cs=72>

No authors listed. Victorian Government widens smoking bans to include schools, courts and hospitals from April 13. ABC, 2015. Mar 23, 2015. Available from: <http://www.abc.net.au/news/2015-03-23/new-smoking-ban-comes-into-effect-at-start-victorian-school-term/6341370>

No authors listed. No timeline on Vic smoke-free dining, 2015. Herald Sun, 2015. Mar 30, 2015. Available from: <http://www.heraldsun.com.au/news/breaking-news/melbourne-city-considers-smoking-ban/story-fni0xqi4-1227284201621>

No authors listed. Smoking ban comes into force. Sunraysia Daily, 2015. Apr 14, 2015. Available from: <http://www.sunrasyadaily.com.au/story/3008621/smoking-ban-comes-into-force/>

15.7.8.4 Smokefree outdoor areas

No authors listed. A smoke-free promenade? *Southbank Local News*, 2019. Oct 9, 2019. Available from https://www.southbanklocalnews.com.au/editions/article/a-smoke-free-promenade_9029/

Dowse, N. Smoking has been banned in Bourke Street Mall. *Timeout*, 2019. Sept 18, 2019. Available from: <https://www.timeout.com/melbourne/news/smoking-and-vaping-has-been-banned-in-bourke-street-mall-091819>

Cowan, Geordie. Smoking ban stubbed out. *Monash Leader*, 2018. July 3, 2018. Available from: <http://leader.smedia.com.au/oakleigh-monash/?href=LOML-2018-07-03>

15.7.8.5 Local government

No authors listed. "You act or we will", Council tells government on outdoor smoking bans. City of Monash Council, 2016. Aug 31, 2016. Available from: <https://www.monash.vic.gov.au/About-Us/News/You-act-or-we-will>

No authors listed. Melbourne City Council to consider ban on major streets. Herald Sun, 2016. July 11, 2016. Available from: <http://www.heraldsun.com.au/search-results?q=melbourne-city-council-to-consider-smoking-ban-on-major-streets>

No authors listed. Last gasp for smokers on Tan Track. The Australian, 2015. Oct 29, 2015. Available from: http://www.theaustralian.com.au/subscribe/news/1/index.html?sourceCode=TAWEB_WRE170_a&mode=premium&dest=http://www.theaustralian.com.au/news/smoking-to-be-banned-on-melbournes-tan-princess-park-jogging-tracks/story-e6frg6n6-1227587442350&mementype=anonymous

No authors listed. Melbourne Botanic Gardens to become smoke-free zone under plan proposed by local councillor. Australian Broadcasting Corporation, 2015. Aug 5, 2015. Available from: <http://www.abc.net.au/news/2015-08-05/councillor-pushes-for-melbourne-botanic-gardens-smoke-free/6673502>

No authors listed. Melburnians to butt out in new smoke-free areas. City of Melbourne Council, 2015. Aug 12, 2015. Available from: <http://www.melbourne.vic.gov.au/AboutCouncil/MediaReleases/Pages/Melburnianstobuttoutinnewsmoke-freeareas.aspx>

No authors listed. Farmers' market and smoke-free consultation for Goldsbrough Lane. Melbourne Council, 2015. June 17, 2015. Available from: <http://melbourne.vic.gov.au/AboutCouncil/MediaReleases/Pages/FarmersmarketandsmokefreeconsultationforGoldsbroughLane.aspx>

No authors listed. Consultation begins for a smoke-free City Square. City of Melbourne Local Government, 2015. May 1, 2015. Available from: <http://www.melbourne.vic.gov.au/AboutCouncil/MediaReleases/Pages/ConsultationbeginsforasmokefreeCitySquare.aspx>

Worrall, Allison. Proposal to ban smoking in QV. The Age, 2015. May 21, 2015. Available from: <http://www.theage.com.au/victoria/proposal-to-ban-smoking-in-qv-20150521-gh6cmk.html>

Gillett, Christopher. Move to ban cigarettes in Melbourne's outdoor dining areas. Herald Sun, 2015. Mar 29, 2015. Available from: <http://www.heraldsun.com.au/news/victoria/move-to-ban-cigarettes-in-melbournes-outdoor-dining-areas/story-fni0fit3-1227283630116>

15.7.10 Summary of smokefree legislation across Australian states and territories

No authors listed. NT wins AMA Dirty Ashtray award. SBS, 2016. May 27, 2016. Available from: <http://www.sbs.com.au/news/article/2016/05/27/nt-wins-ama-dirty-ashtray-award>