

FACT SHEET

Smoke-free dining and drinking

Despite legislation to ban smoking in enclosed public spaces, there are still many outdoor or partially enclosed settings where the community and workers are exposed to dangerous levels of second-hand smoke.

The NSW Government can fix this by introducing legislation to make specific public areas smoke free, including outdoor and partially enclosed settings.

Other States and Territories have stronger legislation banning smoking in outdoor public places.

“No one, myself and my kids included, should have to breathe in smoke with their dinner. It would be nice to have the freedom to dine alfresco with my kids, but I just don’t think to go alfresco because the smokers are inescapable when they are all sitting outside.” Kim

Our state Government has the power to reduce the impact of cancer on our lives and Cancer Council NSW asks “why wouldn’t you?”

The problem...

Smoking is responsible for almost 8% of the total burden of disease and injury in Australia; more than any other single lifestyle factor.ⁱ Studies show that exposure to second-hand smoke increases the risk of lung cancer and heart disease, as well as sore throats, nasal symptoms, asthma, chest infections and eye irritation.ⁱⁱ

Smoking is currently banned in nearly all ‘enclosed’ public places under the Smoke-free Environment Act 2000.ⁱⁱⁱ However, the definition of ‘enclosed’ means that smoking is permitted in many partly enclosed areas including places where people meet to eat and drink and where children may be present. These include alfresco dining areas, beer gardens, sporting grounds and stadiums, and outdoor recreation areas, such as markets, swimming pools and children’s playgrounds. Many of these areas are workplaces so workers are exposed to second-hand smoke.

There is strong community support for smoke-free public places. Surveys have found that:

- 94% of adults agreed that playgrounds should be smoke free.
- 86% supported smoke-free sports stadiums and 74% supported smoke-free beaches.^{iv}
- 69% of respondents to a 2006 telephone survey supported smoke-free outdoor dining.^v

Exposure to second-hand smoke increases the risk of lung cancer and heart disease.

Evidence shows that exposure in some outdoor settings is substantial enough to cause harm.

The US Surgeon-General has determined that there is no safe level of exposure to second-hand smoke.

Increasing the number of smoke-free public settings helps smokers trying to quit AND changes the idea that smoking is “normal” in our communities.

“My family and I love the outdoors and when we go to a restaurant or café, we like to choose to dine on the deck or veranda or in the garden. But we are denied that choice – we want to be able to dine outside and enjoy the fresh air without breathing in cigarette smoke. With non-smokers such as myself making up 80% of the population, why should I be forced to sit indoors?” Wendy

The solution...

Local Councils across NSW have responded to changing community expectations and over 66 Councils and Shires have policies for smoke-free outdoor areas.

Although it is encouraging that local government has shown such leadership in creating smoke-free policies for public areas within their control, local policies alone cannot provide the required population level of protection from exposure to second-hand smoke. It would be far more effective for the state to create uniformity in outdoor smoke-free provisions by introducing legislation governing smoking in public places, with a priority on areas where food or drink is served.

Other States and Territories have introduced similar legislation, such as:

- *Queensland* - prohibits smoking in outdoor eating and drinking areas with strong conditions on designated outdoor areas
- *Tasmania* - established ‘smoke-free areas’ in at least 50% of outdoor dining areas
- *ACT* - banned smoking in outdoor dining and drinking areas from December 2010 and has limited outdoor smoking areas
- *Western Australia* - prohibits smoking in outdoor eating areas, except in designated smoking zones, from September 2010.

WHAT DOES THE NSW GOVERNMENT NEED TO DO?

Cancer Council NSW recommends that the NSW Government provides for smoke-free public places to protect people from exposure to second-hand smoke by:

1. legislating requirements for specific public areas and workplaces to be smoke free, including those that are partially or entirely outdoors, with priority given to banning smoking in areas where food or drink is provided as part of a business
2. developing legislation that enables the government to easily declare new public places to be smoke free, in line with rapidly changing community expectations and emerging evidence.

These low-cost changes would provide healthier environments for all to enjoy, with benefits in reduced ill-health and, over the longer term, reduced smoking rates.

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Printer: Cancer Council NSW. Address: 158 Dowling Street, Woolloomooloo NSW 2011

Document created 28 April, 2011

¹ Begg SJ, Vos T, et al. The burden of disease and injury in Australia 2003. Canberra: AIHW; 2008.

² National Health and Medical Research Council. The health effects of passive smoking: A scientific information paper. Canberra: NHMRC; 1997.

³ NSW Smoke-free Environment Amendment Act 2004. Sydney: NSW Parliament; 2004; Cameron M, Brennan E, et al. Secondhand smoke exposure (PM2.5) in outdoor dining areas and its correlates. *Tob Control* 2010;19:19-23.

⁴ Cancer Institute NSW. New South Wales smoking and health survey 2009. Sydney: Cancer Institute NSW; 2009.

⁵ Bonevski B, Raoul AW, et al. Government slow to act on public preference for total pub smoking ban - Letter to the Editor. *Aust NZ J Public Health* 2010;33:95.