

Report to the Future Melbourne Committee

Agenda item 6.6

Smoke-free area proposal - McKillop Street

19 October 2021

Presenter: Russell Webster, Director Health and Wellbeing

Purpose and background

1. The purpose of this report is to present the findings from the community consultation on the proposal to make McKillop Street a smoke-free area and seeks endorsement to prescribe the proposed area as smoke-free under clause 3A.3 of Council's Activities Local Law 2019 (Local Law).
2. On 6 July 2021 the Future Melbourne Committee endorsed the Smoke-Free Melbourne policy, making the City of Melbourne the first Australian city to introduce a framework to help protect our community from the harmful effects of smoking.
3. Further to the endorsement the Future Melbourne Committee also resolved:
 - 3.1. Directs that, in light of the extraordinary level of disruption and nuisance being imposed on residents of McKillop Street, Melbourne, the opinions of all persons who own or occupy any part of McKillop Street, or the area immediately adjoining McKillop Street, be canvassed as soon as possible under Schedule 2 of the Activities Local Law 2019, with a view to determining whether to prescribe McKillop Street a smoke free area by the September Council meeting.

Key issues

4. Community consultation for the proposal to make McKillop Street a smoke-free area took place between 18 August and 8 September 2021 via two online surveys on the Participate Melbourne website; one for individuals and one for businesses. Key stakeholders, including McKillop Street property owners and occupiers were informed of the proposal via mail-out and invited to provide feedback via the Participate Melbourne website.
5. A total of 169 individuals responded to the online survey via Participate Melbourne. Of these, 90 per cent were in support of the area becoming smoke-free, three per cent were neutral and seven per cent opposed.
6. Of the 29 McKillop Street residents who responded to the online survey, overwhelmingly 26 were in support of the area becoming smoke-free.
7. Eight businesses responded to the business online survey. Seven out of the eight businesses in the area were also highly supportive of the proposed smoke-free area.
8. Five letters of support for the proposal were received from key health organisations including Cancer Council Victoria/Quit Victoria, National Heart Foundation, Lung Foundation Australia, Tobacco Free Portfolios and the Australian Council on Smoking and Health. The letters also commended the City of Melbourne for its leadership in the development of the Smoke-free Melbourne Policy.
9. The proposal to make McKillop Street a smoke-free area received extremely strong support from the majority of individuals and businesses.
10. The costs relating to this smoke-free area proposal including community engagement and subsequent roll out including appropriate signage and communications will be delivered within the existing Health and Wellbeing 2021-22 operational and capital works budget.

Recommendation from management

11. That the Future Melbourne Committee endorses McKillop Street outlined in Attachment 2 to be prescribed as a smoke-free area under clause 3A.3 of the Activities Local Law 2019.

Attachments:

1. Supporting Attachment (Page 3 of 35)
2. City of Melbourne Proposed Smoke-Free Area (Page 4 of 35)
3. Community Engagement Report (Page 5 of 35)
4. Part B of Schedule 2 to the Activities Local Law 2019 (page 40) (Page 35 of 35)

Supporting Attachment

Legal

1. Clause 3A.3 of the Local Law allows Council to prescribe any other areas within the municipality to be a smoke-free area.
2. Council must follow the guidelines incorporated in Part B of Schedule 2 to the Local Law (refer to Attachment 4) when deciding whether to prescribe an area as a smoke-free area under clause 3A.3.
3. On 5 June 2012, the Future Melbourne Committee resolved to require a public consultation with the community as a pre-condition to any future proposed extension of the smoke free areas under clause 3A.3 of the predecessor of the Local Law.
4. The definition of 'smoking' in the Local Law was extended in 2020 to include e-cigarettes (or vaping) meaning the use of an e-cigarette in existing and future smoke-free areas is not permitted.

Finance

5. The budget for this smoke-free area initiative includes a Health Project Coordinator and signage capital project which are both included in the branch 2021-22 financial year budget. This initiative will be delivered within the existing operational and capital works budget.

Conflict of interest

6. No member of Council staff, or other person engaged under a contract, involved in advising on or preparing this report has declared a material or general conflict of interest in relation to the matter of the report.

Health and Safety

7. Community Health and Safety is a key driver for the expansion of smoke-free areas across the municipality. Smoke-free areas protect the community from second-hand smoke, reduce the uptake of smoking by children and young people by modelling non-smoking behaviour and provide a supportive environment for people who are trying to quit smoking or have recently quit.

Stakeholder consultation

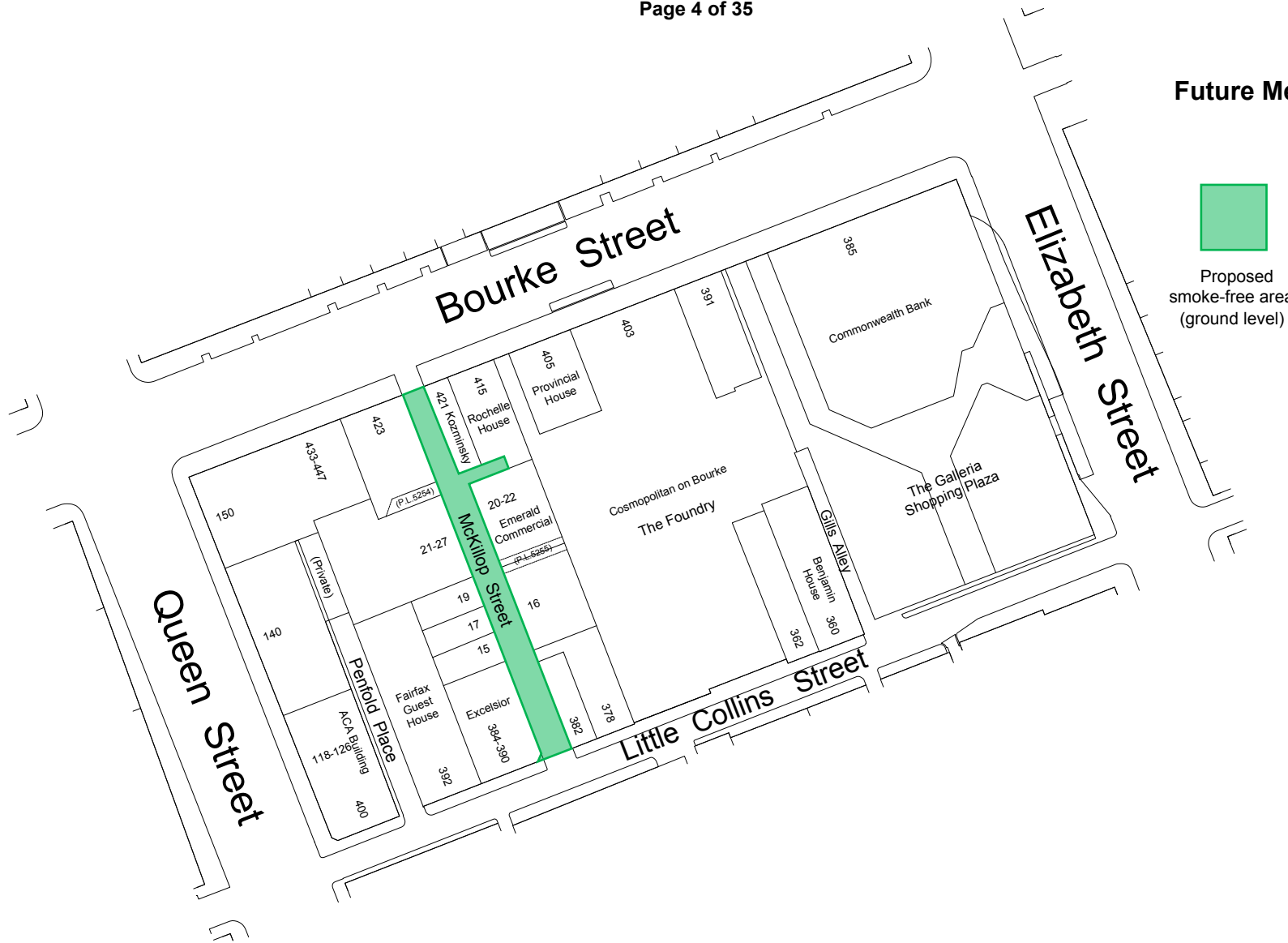
8. Community consultation for the proposal to make McKillop Street a smoke-free area took place between 18 August and 8 September 2021 via two online surveys on the Participate Melbourne website; one for individuals and one for businesses. The engagement period was promoted via a range of communications including emails and a mail out to property owners and occupiers, articles in the Business in Melbourne and Participate Melbourne e-newsletters and the display of promotional posters in McKillop Street. Key findings from the consultation are outlined in the Community Engagement Report (Attachment 3).

Relation to Council policy

9. Prescribing smoke-free areas directly supports Council in achieving its vision outlined in the Smoke-free Melbourne Policy endorsed on 6 July 2021 which states "a smoke-free city where our community are protected from the harms of smoking".
10. The Smoke-free Melbourne policy aligns with the Municipal Public Health and Wellbeing Plan commitment to support and encourage people to make healthy and sustainable lifestyle decisions as highlighted in the Council Plan 2021-25.

Environmental sustainability

11. Smoke-free areas assist in reducing smoking activity therefore decreasing the demand for tobacco products and reducing cigarette butt waste.



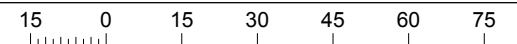
Title

City of Melbourne
Proposed Smoke-Free Area
McKillop Street

Date

10-08-2021

Scale 1: 1500
Lengths in Metres



COMMUNITY ENGAGEMENT REPORT SMOKE-FREE AREA PROPOSAL MCKILLOP STREET SEPTEMBER 2021



SMOKE-FREE AREA PROPOSAL – MCKILLOP STREET

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SMOKE-FREE AREA PROPOSAL – MCKILLOP STREET

INTRODUCTION

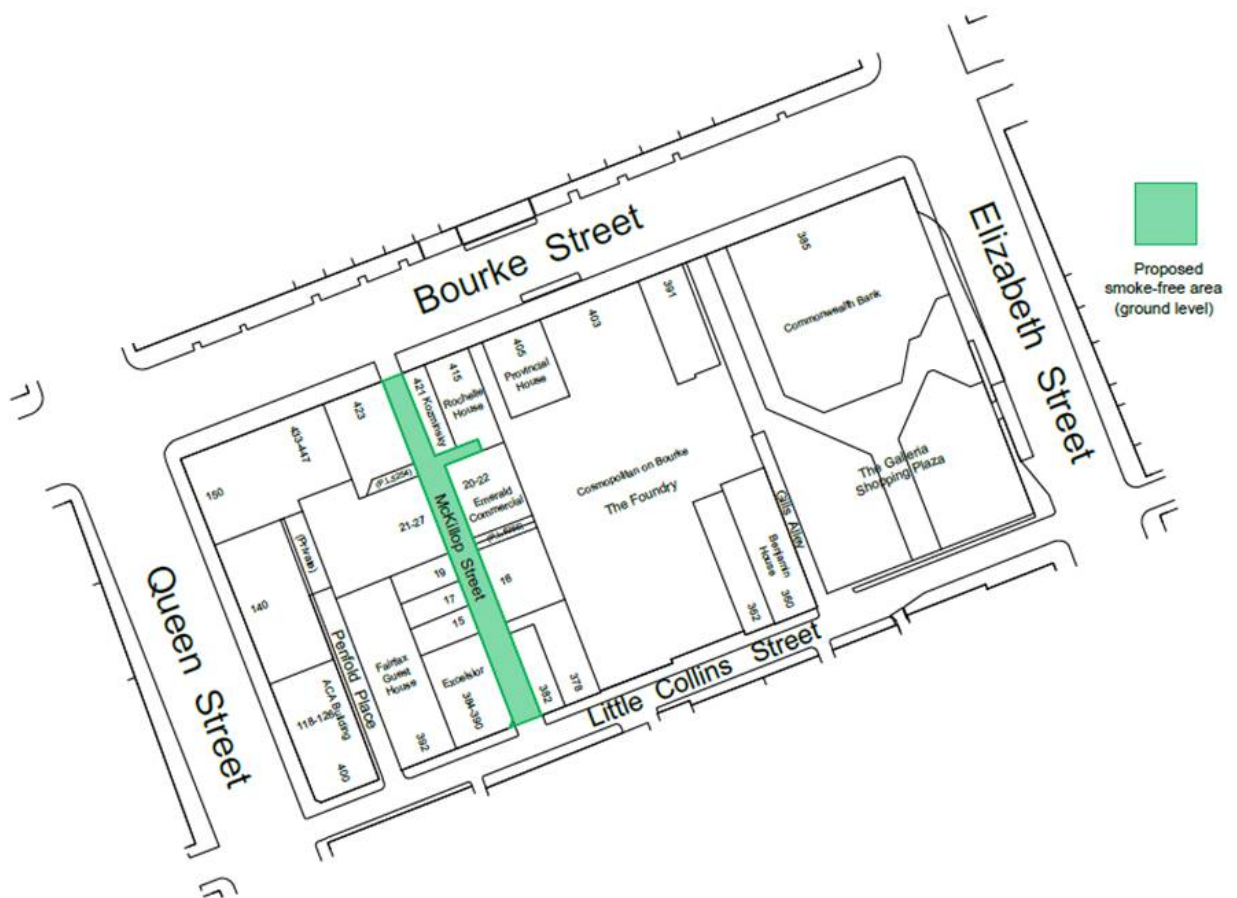
The City of Melbourne is committed to improving the health and wellbeing of our community through reducing the harmful effects of smoking, second-hand tobacco smoke and e-cigarette aerosols. Smoking is the biggest preventable cause of cancer, accounting for 13 per cent of cancer cases per year in Australia. There is no safe level of exposure to tobacco smoke including second-hand smoke.¹

Guided by our Smoke-free Melbourne Policy we aim to protect our community from the harms of smoking through a range of actions including the creation of more smoke-free areas in the central city. Following the successful implementation of 13 smoke-free areas across the municipality, the City of Melbourne is proposing to make McKillop Street a smoke-free area.

McKillop Street is currently undergoing a number of changes with multiple construction projects in and around the area. Making McKillop Street smoke-free, in line with nearby Equitable Place and Collins Way, is a step in the right direction to improve the health and liveability of this area for residents and business owners.

In order to protect the health and wellbeing of families, children, residents and visitors in McKillop Street, the community was asked whether the area should become smoke-free. Community engagement was conducted over a three week period from 18 August to 8 September 2021.

Figure 1: Proposed smoke-free area in McKillop Street



¹ [The Health Consequences of Involuntary Exposure to Tobacco Smoke: A Report of the Surgeon General. Atlanta, GA, U.S. Department of Health and Human Services, Centres for Disease Control and Prevention, Coordinating Centre for Health Promotion, National Centre for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2006.](#)

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QUICK SNAPSHOT OF ENGAGEMENT RESULTS

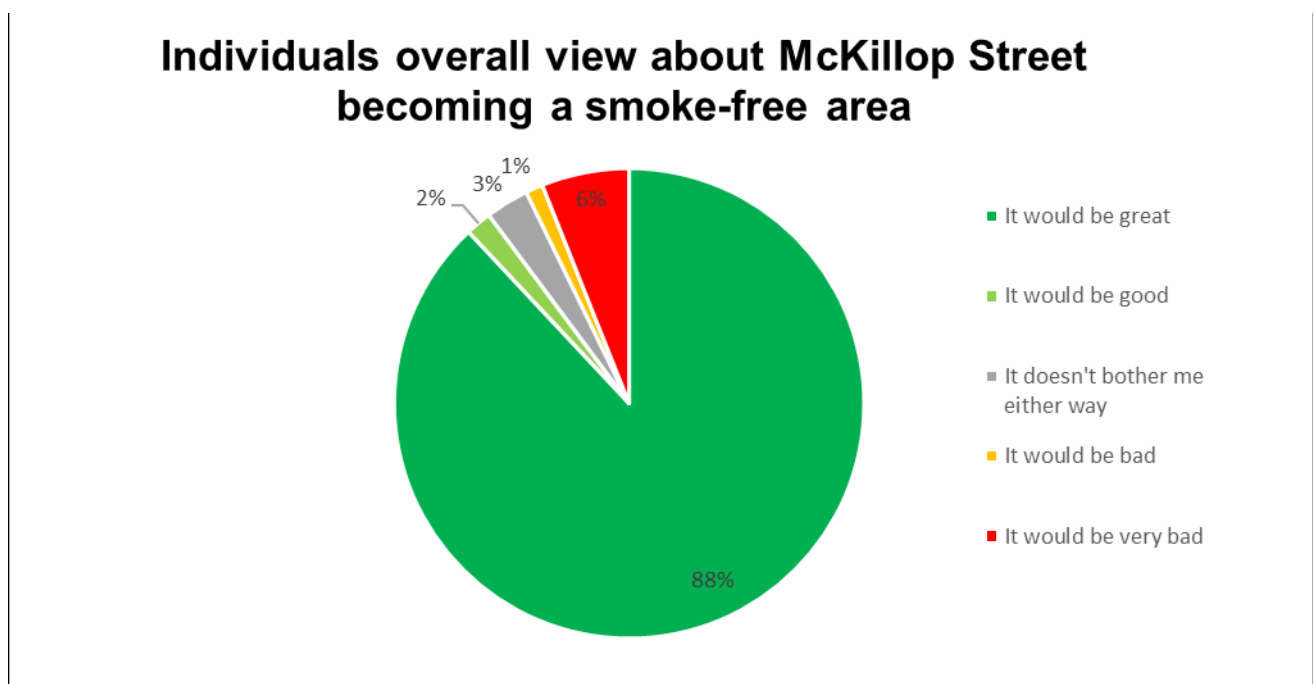
Participants

- A total of 169 individuals and eight businesses completed a survey on Participate Melbourne.
- Two thirds of respondents are aged over 40 (65 per cent).
- A low number of smokers (n=7), vapers (n=3) and those who both smoke and vape (n=2) provided feedback.
- Five formal letters of support from health organisations were received during the engagement period.

Overall findings

- 90 per cent of individual respondents are in support of the proposed smoke-free area.
- 79 per cent of individual respondents indicated that they would be either much more likely or likely to visit McKillop Street as a result of the area becoming smoke-free.
- 87 per cent (n=26) of McKillop Street residents are in support of the proposed smoke-free area.
- Seven of the eight businesses who responded are also in support of the proposed smoke-free area.
- The proposal to make McKillop Street a smoke-free area received extremely strong support from the majority of individuals and businesses.
- It is interesting to note that this positive response is amongst the highest level of support that has been received to date for any smoke-free area proposal.

Figure 2: Individuals overall view about McKillop Street becoming a smoke-free area



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Figure 3: McKillop Street resident views about McKillop Street becoming a smoke-free area

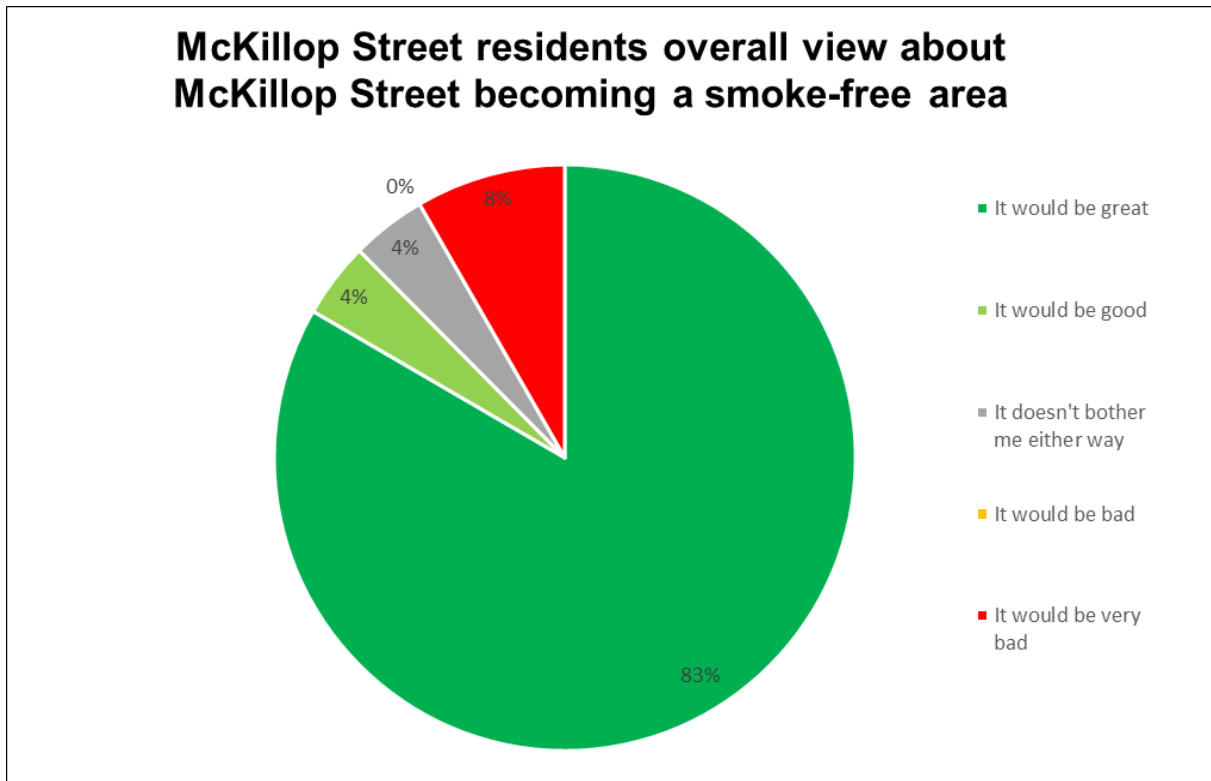
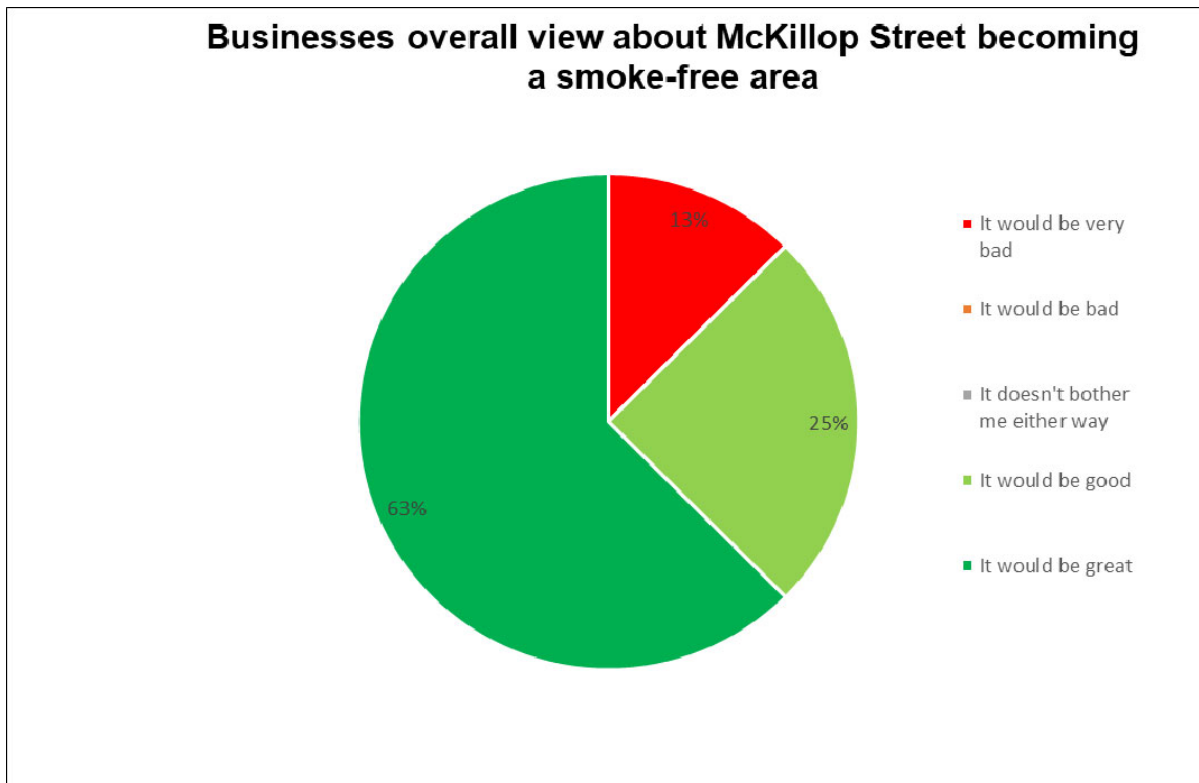


Figure 4: Businesses overall view about McKillop Street becoming a smoke-free area



SMOKE-FREE AREA PROPOSAL – MCKILLOP STREET

BACKGROUND

Smoking is a major cause of preventable death in Victoria and a leading cause of avoidable chronic illness and hospitalisation from conditions including cancer and cardiovascular disease. There is also growing evidence that passive smoking, which is the unintentional breathing in of other people's tobacco smoke or second-hand smoke, increases the risk of disease and premature death in young people and in adults who do not smoke. The World Health Organisation advises that there is no known safe level of exposure to tobacco smoke. In order to protect our community from the harms of smoking, the City of Melbourne have developed the Smoke-free Melbourne Policy which includes a comprehensive framework to drive action including the expansion of smoke-free areas in the central city.

To date Council has resolved to prescribe 13 smoke-free areas in the municipality where it is illegal to smoke under the Activities Local Law 2019. These prescribed areas include The Causeway, Howey Place, Block Place, Equitable Place, Goldsbrough Lane, QV Melbourne, the Tan and Princes Park running tracks, Collins Way, Fulham Place, Market Street Park and Bourke Street between Elizabeth Street and Russell Place (including Bourke Street Mall).²

A smoke-free area is a public space where smoking is not permitted. This may include open air spaces and dining within the smoke-free area. It is illegal to smoke in a smoke-free area under Clause 3A.3 of the *Activities Local Law (Local Law) 2019*. The definition of 'smoking' under the Local Law has been extended to include the use of e-cigarettes (commonly referred to as 'vaping') meaning the use of an e-cigarette in existing and future smoke-free areas is not permitted.

Smoke-free areas support the community in the following three ways:

- Protect the community from second-hand smoke and aerosol (from vaping).
- Reduce uptake of smoking and vaping behaviour in children and young people by modelling non-smoking behaviour.
- Provide a supportive environment for people who smoke / vape who are trying to quit or have recently quit.

There are a number of other smoke-free areas in the municipality which are prescribed under Victorian State Government legislation (Tobacco Act 1987). These areas include children's playgrounds, childcare centres, outdoor dining areas, public transport stops and specific building entrances.

Creating new smoke-free areas

When considering new areas to become smoke-free, the City of Melbourne takes into account a number of factors. This includes location, total number and type of businesses including hospitality with outdoor dining, adjoining buildings and properties, pedestrian traffic as well as existing smoking controls.

An essential part of prescribing an area as smoke-free is community engagement. Consultation must be undertaken at each location to ensure that the requirements of the *Local Law* (and the resolution made by Future Melbourne Committee on 5 June 2012 for further 'public consultation with the community'), are followed. This means that all businesses directly located in or abutting the proposed area would be informed and invited to participate in the consultation. In addition to this, every effort would be made to consult with residents, occupiers, relevant industry sector associations, users of the areas and the broader community.

² City Square was previously a smoke-free area however this prescription has been removed due to the site being under construction for the Metro Rail Tunnel.

SMOKE-FREE AREA PROPOSAL – MCKILLOP STREET

METHODOLOGY OVERVIEW

The City of Melbourne initiated a three week community engagement process on the proposal to make McKillop Street a smoke-free area. Community engagement was largely focused online due to the current COVID-19 restrictions and minimal foot traffic in the area. Stakeholders, key health organisations and community members were also able to make a formal submission to Council about the proposal.

Participate Melbourne

The online consultation via Participate Melbourne took place from 18 August to 8 September 2021. Two online surveys were offered, one for individuals and one for businesses. A copy of the survey questions are provided as an appendix to this report. The proposal was also promoted through a range of City of Melbourne's communication channels as outlined below.

Community engagement activities

Community engagement activities undertaken to ensure a representation of people of diverse ages, backgrounds, abilities and smoking status included:

- Mail out to a total of 1104 property owners and occupiers in McKillop Street including surrounding properties on Bourke Street and Little Collins Street. Emails were also sent to the available 464 email addresses of property owners and occupiers in the area.
- Targeted communication to promote the community engagement period via email to building and property managers in McKillop Street.
- Posters displayed along McKillop Street which included a QR code that directed people to complete an online survey via Participate Melbourne.
- Promotion of the proposal in the Business in Melbourne and Participate Melbourne e-newsletters.

Internal engagement

Internal City of Melbourne branches were informed of the proposal via email and invited to provide feedback and advice on the proposal. A Yammer post was also utilised to highlight the proposal to the organisation. Given the construction works, noise and security issues in the area, discussions were held with key branches who were already engaged with residents and businesses in McKillop Street.

Limitations

A scaled back approach similar to that which was conducted with the Market Street Park smoke-free area consultation was undertaken. In order to reduce costs a consultant was not engaged and the consultation was delivered in-house by the City of Melbourne Health and Wellbeing Branch.

During the entire consultation phase the Victorian State Government had implemented COVID-19 stage four restrictions which meant intercept and observational surveys were not able to be conducted. This means that the results do not reflect a representative sample of the local population who would normally be using or visiting the area, including those who smoke or vape.

SMOKE-FREE AREA PROPOSAL – MCKILLOP STREET

PARTICIPANTS

This table provides the number and demographics of individuals who completed a survey on Participate Melbourne regarding the proposal.

Table 1: Profile of survey participants

<p>In summary:</p> <ul style="list-style-type: none"> • A total of 169 individuals completed a survey. • 65 per cent of respondents are aged over 40. • A small number of smokers (n=7), vapers (n=3) and those that both smoke and vape (n=2) responded.
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Participate Melbourne Responses (n=169)		
Age	Percentage	Count
12 to 17	2%	4
18 to 25	4%	6
26 to 30	7%	11
31 to 40	19%	32
41 to 50	23%	39
51 to 60	21%	36
61 to 70	15%	25
71 or older	9%	16

Smoking Status	Percentage	Count
Smoker	4%	7
Vaper	2%	3
Both smoker and vaper	1%	2
Non-smoker	93%	157

Relationship to the space

The most common response when people were asked about their relationship to the McKillop Street space was that they were a CBD resident (33 per cent). A further 17 per cent indicated that they were a McKillop Street resident. Twenty three per cent indicated that they were a Melbourne resident visiting to shop, dine etc. and 18 per cent indicated that they work nearby or in the city.

Table 2: Participants relationship to the space

Relationship to the space	Participate Melbourne Responses (n=169)	
	Percentage	Count
McKillop Street resident	17%	29
CBD resident	33%	56
Melbourne resident visiting to shop, dine etc.	23%	39
Work nearby/in the city	18%	30
Regional visitor	2%	3
Interstate tourist	1%	2
International tourist	0%	0
Other	6%	10

Q1. Which of these best describes your relationship to this space?

SMOKE-FREE AREA PROPOSAL – MCKILLOP STREET

COMMUNITY ENGAGEMENT FINDINGS

Individual findings

A total of 169 individuals provided feedback via Participate Melbourne on the proposal to make McKillop Street a smoke-free area. An overwhelming 90 per cent of individuals who completed a survey are in support of McKillop Street becoming a smoke-free area. Three per cent of individuals were not bothered either way and seven per cent of people were against the proposal.

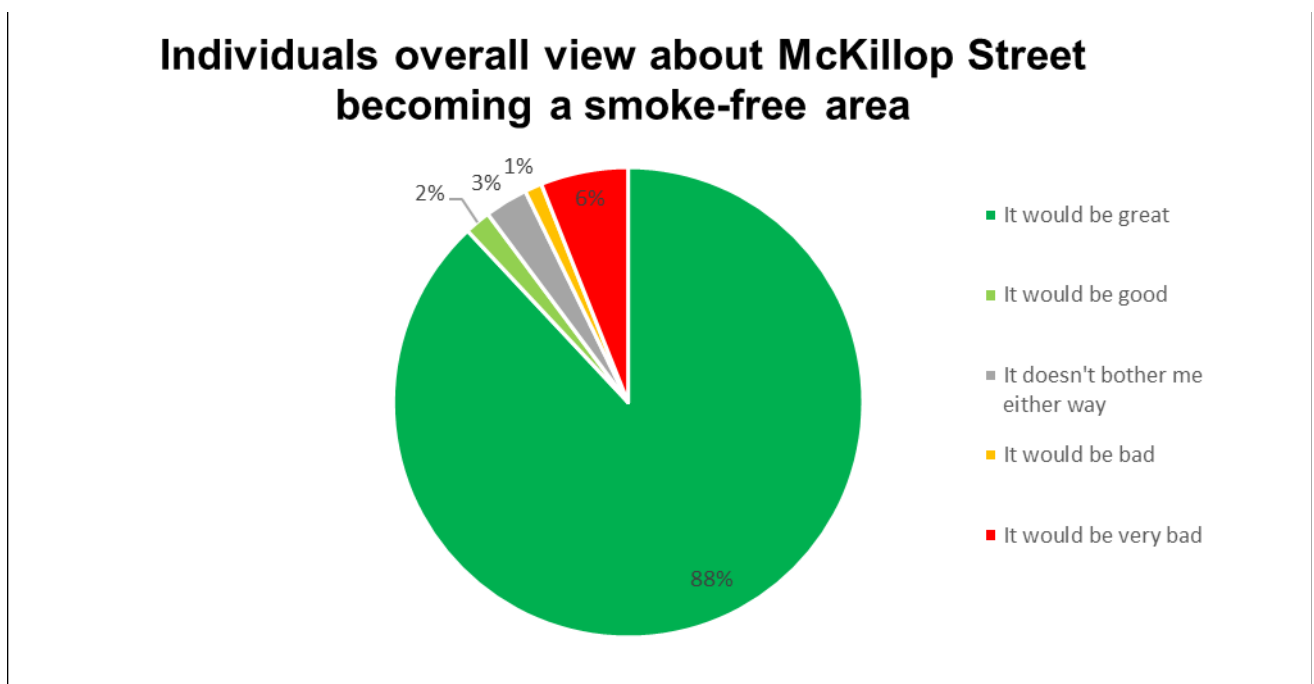
It is interesting to note that this positive response is amongst the highest level of support that has been received to date for any smoke-free area proposal. For a comparison, Market Street Park which became smoke-free in September 2020 received support from 95 per cent of individual respondents. Bourke Street between Elizabeth Street and Russell Place (including Bourke Street Mall) which became smoke-free in October 2019 received support from 83 per cent of individual respondents. The Tan and Princes Park running tracks which became smoke-free in February 2016 also received strong support from individual respondents (81 per cent and 76 per cent respectively).

Table 3: Individuals - Overall view of the proposal

Overall view about McKillop Street becoming a smoke-free area	Participate Melbourne Responses Individuals (n=169)	
	Percentage	Count
It would be great	88%	148
It would be good	2%	3
It doesn't bother me either way	3%	5
It would be bad	1%	2
It would be very bad	6%	11

Q3. What is your overall view about McKillop Street becoming a smoke-free area?

Figure 5: Individuals - Overall view of the proposal



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Supportive comments from individuals regarding the proposal

- *“When the lane way is restored from the painful noisy inconvenient construction site that it is at present, hopefully we can get our nice quiet , attractive lane way back with no cigarette butts littered around the place and enjoy a coffee or a meal without 2nd hand smoke or Vapes.”*
- *“Second hand smoke is not something that pedestrians, residents or traders should have to put up with. Melbourne's vision to extend smoke free areas across the city is admirable and something I support fully.”*
- *“Health is a priority, especially during covid - I think we should have clearer air and not be subject to toxic chemicals that can affect our respiratory system.”*
- *“I feel we need to take every step necessary to make smoking as socially unacceptable as possible.”*
- *“This will encourage businesses to return to the area which have left due to the significant construction in the area.”*
- *“Passive smoking is a health hazard to me and others. Cigarette butts are also unsightly and pollute the environment.”*
- *“Dealing with passive smoking is one of the biggest detractors about living in the city.”*
- *“I appreciate that smoking is legal and that some people choose to do it. However non-smokers should have the same choice when it comes to choosing to not smoke or be in vicinity of second-hand smoke. Additionally I really think reducing smoking or making areas smoke free greatly improves the spaces amenity.”*

Unsupportive comments from individuals regarding the proposal

- *“Victoria has experienced the most stringent restrictions in the world, we are a laughing stock and a Nanny state. While we are still in lockdown, you want to put further restrictions on us? You should consider the timing of your initiatives.”*
- *“There are only limited spaces people can have a meal, drink and a cigarette if they wish (including tourists), and enforcing rules like this will impact businesses in the area as less people will visit.”*
- *“It is our street and everyone has a right. If smoking is illegal, fine. If it is not than we shouldn't ban it.”*
- *“Where else are people supposed to smoke? Fleming place? Or on Lt Collins footpath?”*

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Impact on visitation

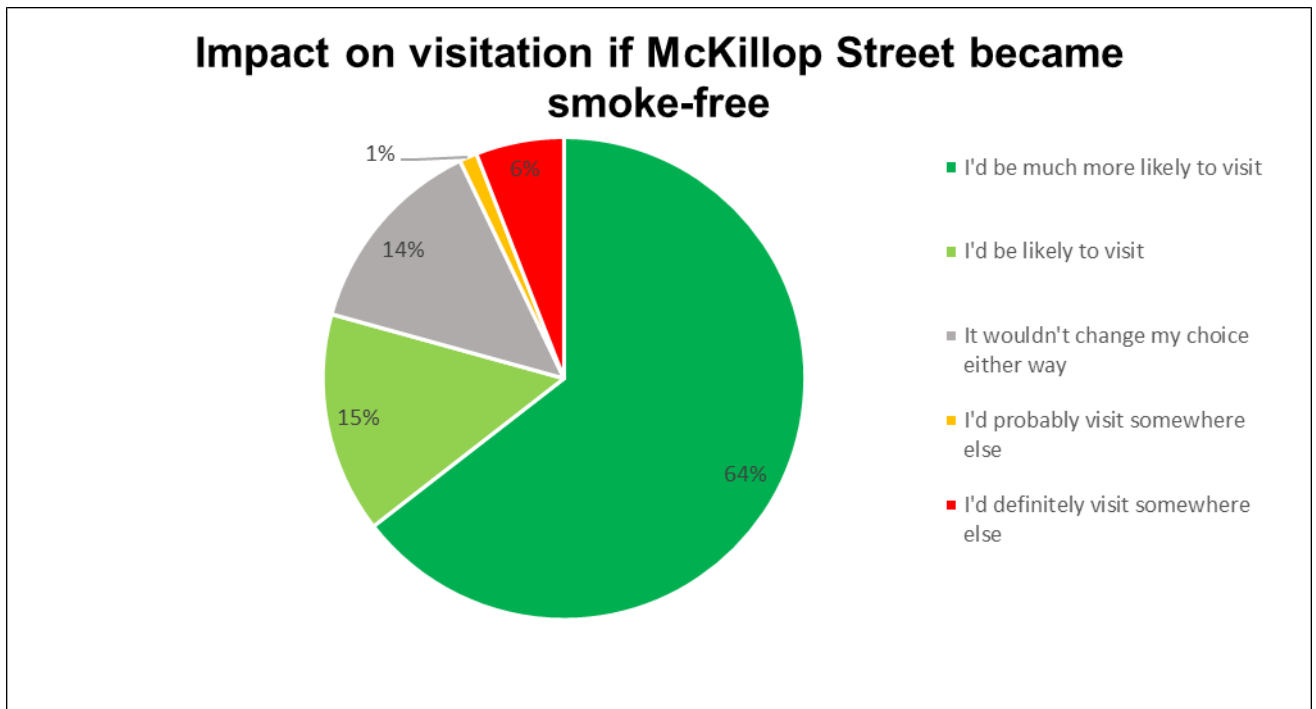
Eight out of 10 individual respondents indicated that they will be either much more likely or likely (79 per cent) to visit McKillop Street as result of the area becoming smoke-free. Fourteen per cent said it wouldn't change their choice of visiting the area and seven per cent said that they would choose to visit somewhere else if McKillop Street became smoke-free.

Table 4: Impact on visitation if McKillop Street became smoke-free

Impact on visitation if McKillop Street became smoke-free	Participate Melbourne Individuals (n=169)	
	Percentage	Count
I'd be much more likely to visit	64%	109
I'd be likely to visit	15%	25
It wouldn't change my choice either way	14%	23
I'd probably visit somewhere else	1%	2
I'd definitely visit somewhere else	6%	10

Q4. How would McKillop Street being smoke-free influence your choice to visit in the future?

Figure 6: Impact on visitation if McKillop Street became smoke-free



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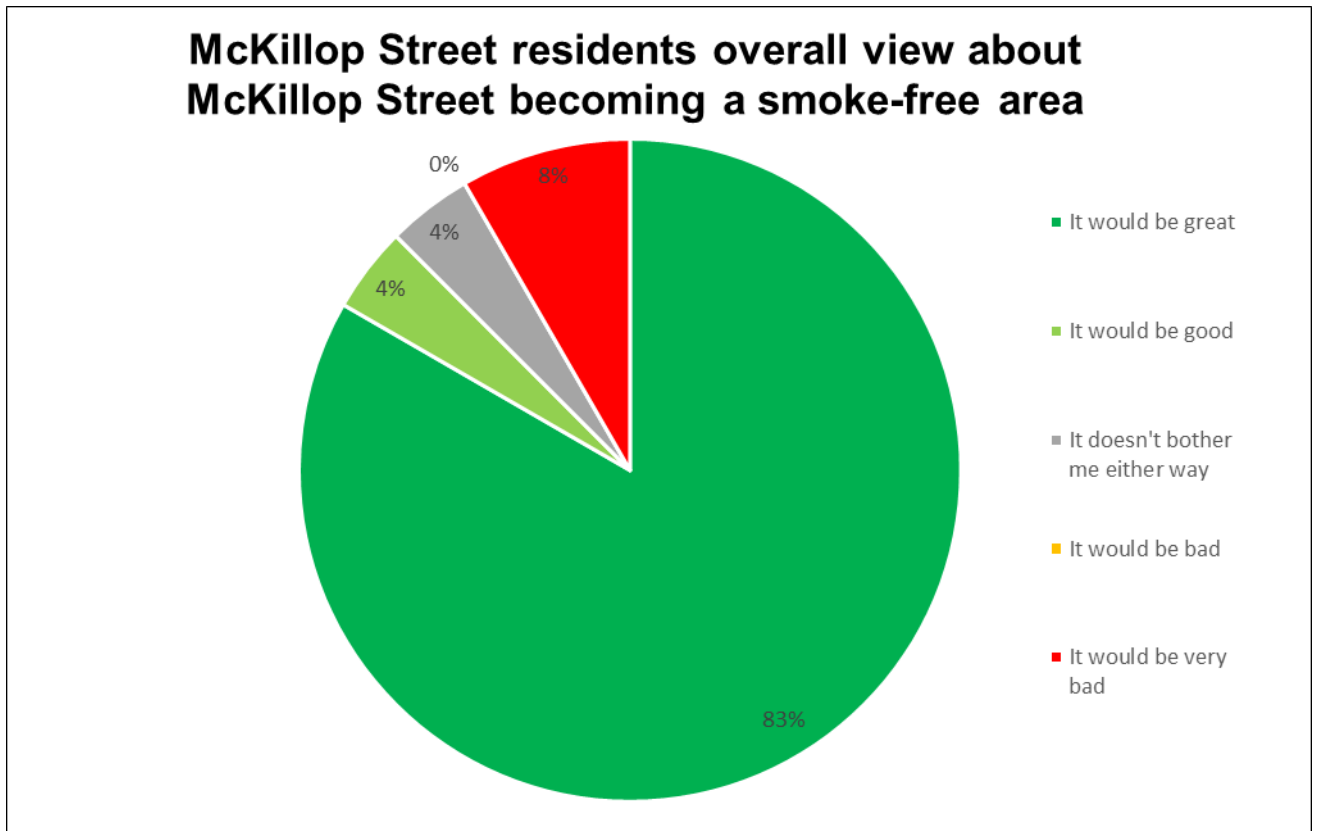
McKillop Street residents view of the area becoming smoke-free

A total of 29 McKillop street residents provided feedback on the proposal to make the area smoke-free. The majority of McKillop Street residents (n=26 or 87 per cent) who completed a survey are in support of the area becoming smoke-free. One McKillop Street resident was not bothered either way and two residents were against the proposal.

Table 5: McKillop Street residents view about McKillop Street becoming a smoke-free area

What is your overall view about McKillop Street becoming a smoke-free area?	Participate Melbourne Individuals (n=29)	
	Percentage	Count
It would be great	83%	25
It would be good	4%	1
It doesn't bother me either way	4%	1
It would be bad	0%	0
It would be very bad	8%	2

Figure 7: McKillop Street residents view about McKillop Street becoming a smoke-free area



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Supportive comments from McKillop Street residents

- *“The amount of smoke, loitering smokers, butts and odour that enters our apartment from the street below is frustrating and disappointing. Making our street smoke free would also set a positive role model for my son.”*
- *“Passive smoking from workers, future office workers, and proposed outdoor cafes in the street is detrimental to the physical and mental health of residents and other users of McKillop Street.”*
- *“As a resident I am concerned with my Health and Wellbeing with the smoke from McKillop Street entering our apartment.”*
- *“A smoke free environment is a healthier environment.”*

Unsupportive comments from McKillop Street residents

- *“All this proposal does is put a fine in place for people who cannot afford it.”*
- *“Stop trying to control people. You can inform people about the risks of smoking and let them make their own choices. I am saying this as a non-smoker who would greatly benefit from an absence of 2nd hand smoke and a less clogged public health system ... I dearly hope you will reconsider implementing these initiatives.”*

SMOKE-FREE AREA PROPOSAL – MCKILLOP STREET

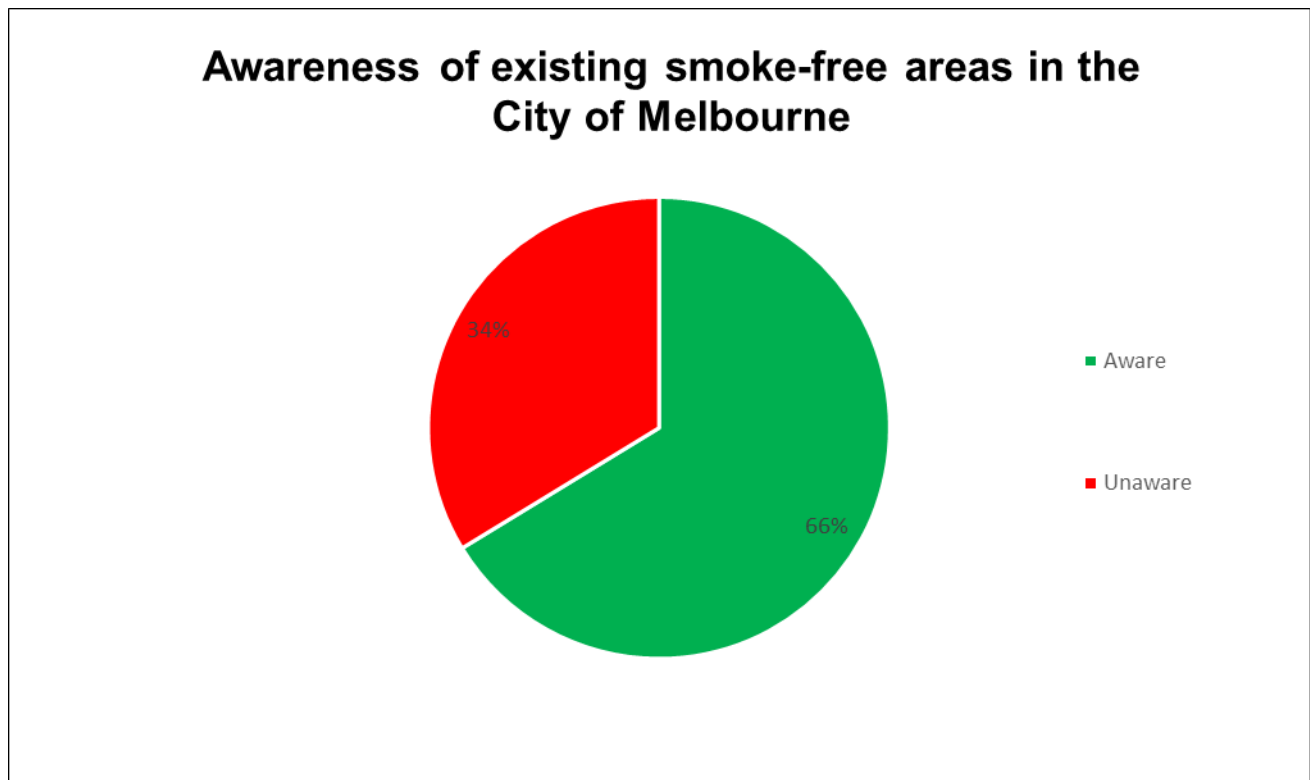
Awareness of existing smoke-free areas

A total of 66 per cent of individual respondents indicated an awareness of the existing smoke-free areas in the City of Melbourne, with the majority recalling Bourke Street Mall. Other respondents indicated an awareness of the Market Street Park and city laneways such as The Causeway, Equitable Place and Collins Way. The remaining 34 per cent of respondents are unaware of existing smoke-free areas in the City of Melbourne.

Table 6: Awareness of existing smoke-free areas

Awareness of existing smoke-free areas	Participate Melbourne Responses Individuals (n=169)	
	Percentage	Count
Aware	66%	112
Unaware	34%	57

Figure 8: Awareness of existing smoke-free areas



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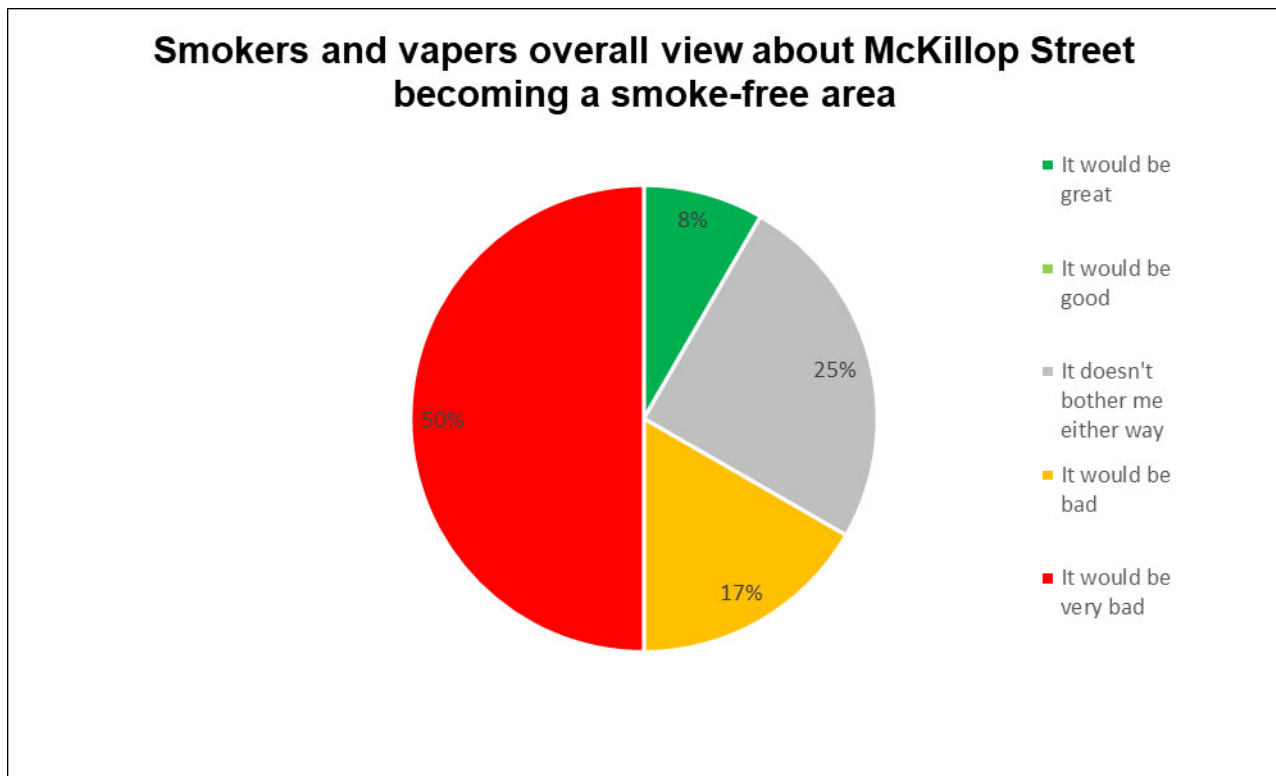
Feedback from smokers and vapers

A low number of smokers (n=7), vapers (n=3) and those that both smoke and vape (n=2) provided feedback on the proposal to make McKillop Street a smoke-free. Of these the majority (n=8) are not supportive, three are not bothered either way and one respondent is in support of the proposal.

Smokers, vapers and those that both smoke and vape overall view about McKillop Street becoming a smoke-free area	Participate Melbourne Responses Smokers / Vapers / Both (n=12)	
	Percentage	Count
It would be great	8%	1
It would be good	0%	0
It doesn't bother me either way	25%	3
It would be bad	17%	2
It would be very bad	50%	6

Q3. What is your overall view about McKillop Street becoming a smoke-free area?

Figure 9: Smokers and vapers overall view of the proposal



Unsupportive comments from smokers and vapers

- *“It is our street and everyone has a right. If smoking is illegal, fine. If it is not than we shouldn’t ban it”*
- *“There are only limited spaces people can have a meal, drink and a cigarette if they wish (including tourists), and enforcing rules like this will impact businesses in the area as less people will visit.”*

SMOKE-FREE AREA PROPOSAL – MCKILLOP STREET

Business findings

A total of eight businesses provided feedback via Participate Melbourne regarding the proposal to make McKillop Street a smoke-free area. Of these businesses seven expressed their support of the proposal with only one business who opposed. The eight businesses were from areas of construction, hospitality, retail, computer software, as well as professional services including a consulting firm, architectural practice and business IT services. All eight businesses are located in or within close proximity to McKillop Street.

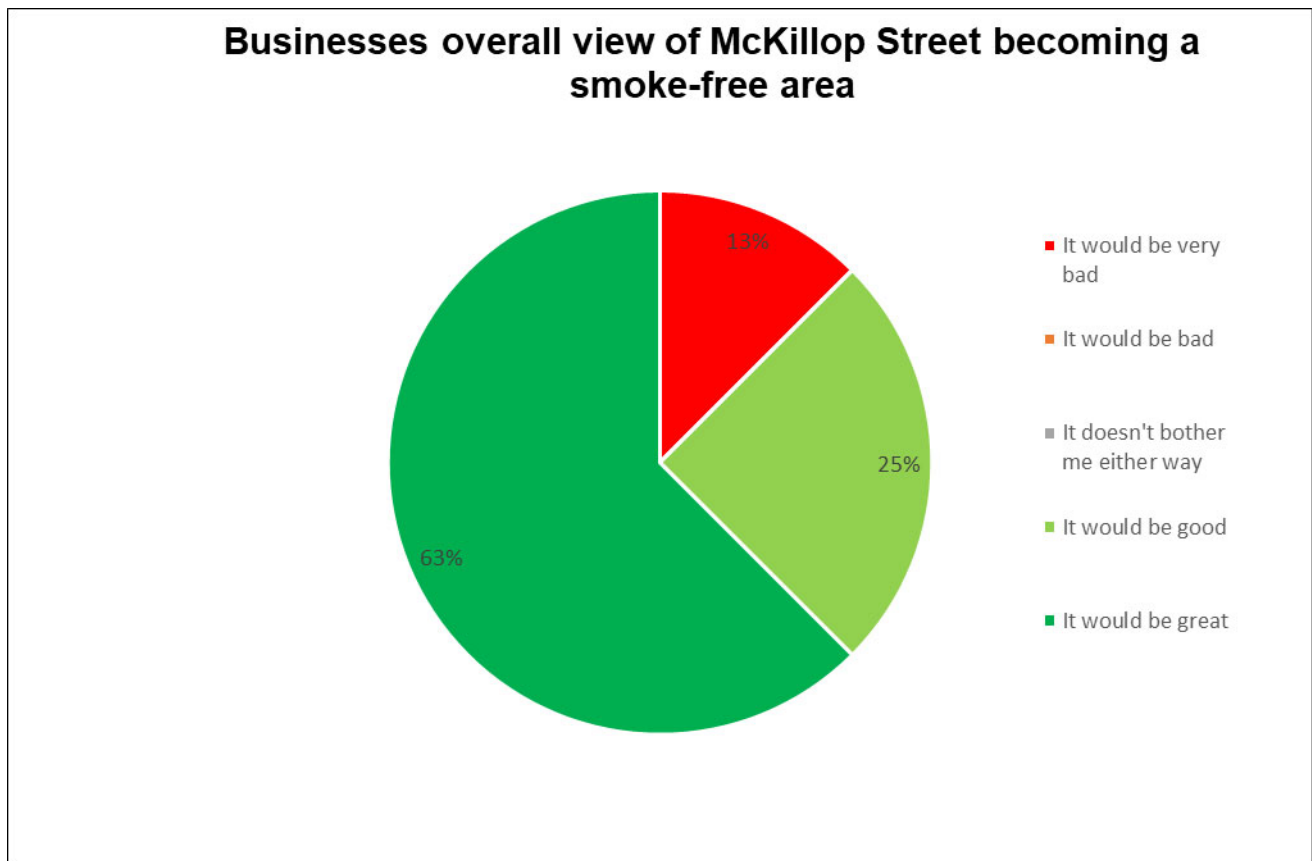
The lower numbers of businesses providing feedback on the proposal may have been due to COVID-19 restrictions that were introduced by the Victorian State Government. Stage 4 restrictions were in place during the entire consultation phase meaning face to face interviews and discussions could not take place. This resulted in a number of businesses in the area being closed and the capacity of businesses to engage during this period significantly reduced.

Table 7: Businesses overall view about McKillop Street as a smoke-free area

Overall view about McKillop Street as a smoke-free area	Participate Melbourne Responses Businesses (n=8)	
	Percentage	Count
It would be great	63%	5
It would be good	25%	2
It doesn't bother me either way	0%	0
It would be bad	0%	0
it would be very bad	13%	1

Q5. What is your overall view about making McKillop Street a smoke-free area?

Figure 10: Businesses overall view about McKillop Street as a smoke-free area



SMOKE-FREE AREA PROPOSAL – MCKILLOP STREET

Supportive comments from businesses

- *I sometimes walk across the street during lunch break and I'd prefer for it to be smoke-free*
- *“Good for environment and staff wellbeing”*
- *I don't like walking through cigarette smoke or being exposed to it. I am a supporter of banning smoking throughout the 'Free Tram Zone', although such a proposal will be years in the making. McKillop Street has been a construction site ongoing since ~2017 with up to 4 major sites undergoing demolition and rebuilding. Even through lockdown, the number of construction workers who filled McKillop and the surrounding streets for 'smoko' was intolerable. Like the local residents, we suffer from construction fatigue. Creating a smoke free zone with appropriate signage and some 'enforcement' will at least educate and remind smokers of the impact they have on the majority of the community”.*

Unsupportive comments from businesses

- *I do not smoke. However, people have a right to have somewhere to smoke. It's an outdoor area and not affecting anyone. Stop taking people's rights away from them. Are you going to stop cyclists coming into the city because they can have an accident? Let people live and have some freedom. If they're at one of the many restaurants they need somewhere to go and have a smoke. People can walk down the street and smoke so why are you even thinking of banning it in McKillop Street is crazy. Surely, you have more important things to focus on?*

Submissions received by City of Melbourne

City of Melbourne received five formal submissions from key health organisations during the community engagement period. The submissions are provided as an appendix to this report and a short summary of each submission included below:

- **Tobacco Free Portfolios** strongly supports the proposal to make McKillop Street a smoke-free area and supports all areas in the CBD becoming smoke-free. Their letter of support also thanks the City of Melbourne for demonstrating continued leadership in tobacco control to ensure the health and wellbeing of Victorians is protected.
- **The National Heart Foundation of Australia** supports the proposal and commends the City of Melbourne for its ongoing commitment to creating smoke-free areas, including its recent Smoke-free Melbourne Policy.
- **Cancer Council Victoria/Quit Victoria** fully support the proposal to make McKillop Street a smoke-free area. Quit Victoria also commend the City of Melbourne for implementing the Smoke-free Melbourne Policy and note that making McKillop Street as a smoke-free area will help to achieve the policy vision of a smoke-free city where the community is protected from the harms of smoking.
- **Lung Foundation Australia** is supportive of the McKillop Street smoke-free area proposal and see numerous benefits to both the community, visitors and Melbourne residents living with lung disease. The Lung Foundation also reiterated the evidence on the benefits of smoke-free areas including protecting people (residents and visitors) from exposure to second-hand smoke and providing positive role modelling for young people.
- **Australian Council on Smoking and Health** express strong support for the proposal to protect the community from second-hand smoke in the City of Melbourne and expand smoke-free areas to include McKillop Street.

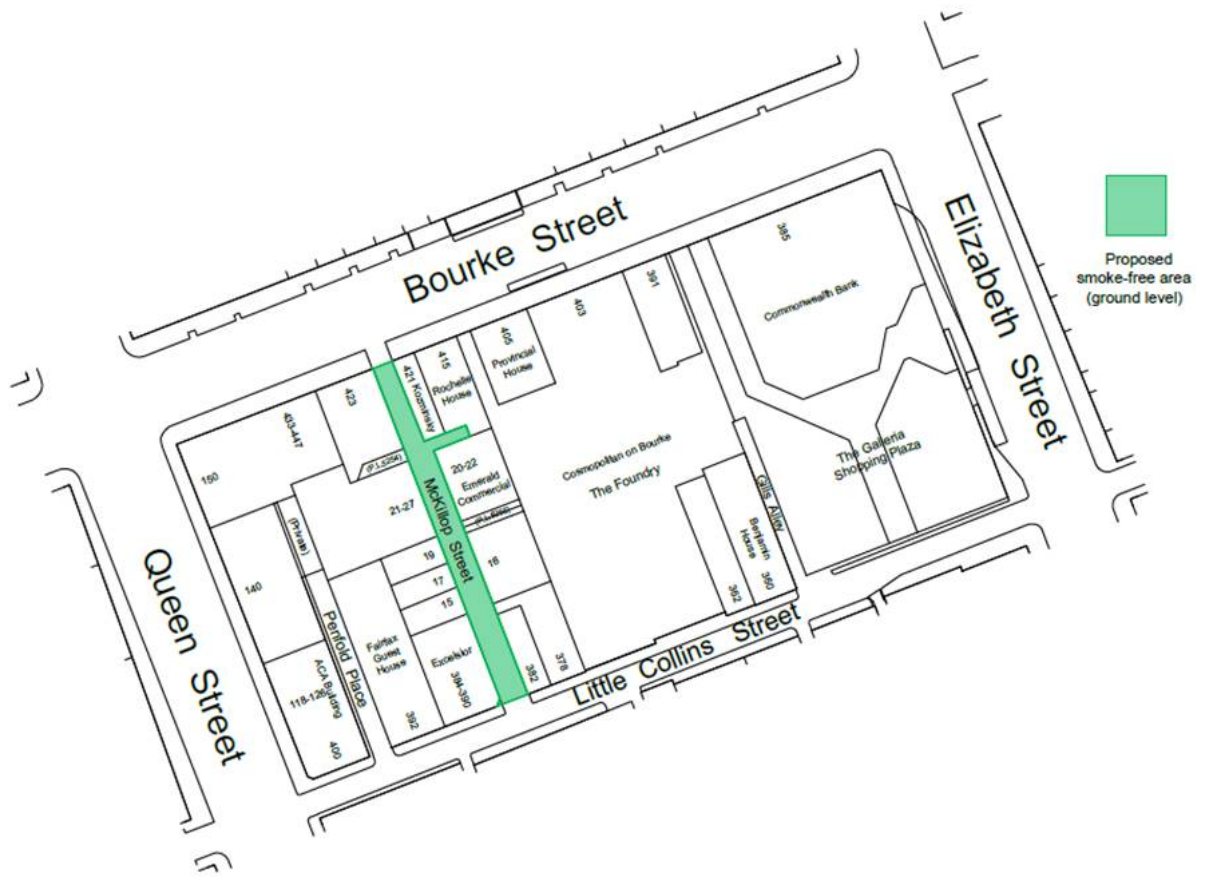
SMOKE-FREE AREA PROPOSAL – MCKILLOP STREET

CONCLUSION

The proposal to make McKillop Street a smoke-free area received extremely strong support from the majority of individuals and businesses who responded. It is clear that the respondents, including McKillop Street residents, want the space to be a healthy, liveable and safe smoke-free environment. Respondents have also indicated that they are far more likely to visit McKillop Street in the future if it were to be made smoke-free. Many comments from this community engagement indicate support for expanding smoke-free areas to further locations across the municipality.

SMOKE-FREE AREA PROPOSAL – MCKILLOP STREET

Appendix A: Map of proposed smoke-free area



SMOKE-FREE AREA PROPOSAL – MCKILLOP STREET

Appendix B: Submissions received by City of Melbourne

City of Melbourne received five formal submissions from key health organisations during the community engagement period. All submissions were in support of the proposed smoke-free area in McKillop Street.

- **Tobacco Free Portfolios**



30 August 2021

Health and Wellbeing Branch
City of Melbourne
Council House 1, 200 Little Collins Street
Melbourne 3000

Dear Lord Mayor,

RE: Support for the proposal to make McKillop Street a smoke-free area.

Tobacco Free Portfolios strongly supports the City of Melbourne's proposal to make McKillop Street a smoke-free area. In fact, we strongly support all areas of the CBD becoming smoke-free.

Tobacco is the world's number one cause of preventable death, killing 21,000 Australians per year and over 8 million people globally. There is also the issue of second-hand smoke. Research confirms there is no 'safe' level of exposure to second-hand smoke. Many Australians are not aware of the devastating numbers and the continued impact of tobacco on Australian society.

Our vision is for a world that is free from tobacco and therefore we welcome all initiatives that bring us closer to a tobacco-free future, such as tobacco-free public places. The proposed expansion of tobacco-free areas, McKillop Street, will improve the amenity of important public places, which have become so crucial to wellbeing during COVID-19.

Not only will people be protected from the harmful damage of second-hand smoke, but smokers themselves can benefit from such policies by providing further motivation to quit.

SMOKE-FREE AREA PROPOSAL – MCKILLOP STREET

We hope that the proposal to make McKillop Street a smoke-free area is accepted and wish to support the implementation by championing the initiative within our networks.

We thank the City of Melbourne for demonstrating continued leadership on tobacco control, ensuring the health and wellbeing of Victorians is protected.

Yours faithfully,



Dr. Bronwyn King AO, MBBS, FRANZCR
CEO Tobacco Free Portfolios
Radiation Oncologist

Tobacco Free Portfolios Limited
ABN 95 608 430 440 | ACN 608 430 440
679 Boronia Road, Wantirna, Victoria, 3152, Australia | tobaccofreeportfolios.org

- **National Heart Foundation of Australia**



8 September 2021

Justin Hanney
CEO
City of Melbourne
GPO Box 1603
Melbourne VIC 3001

Via email: Justin.Hanney@melbourne.vic.gov.au

Dear Mr Hanney

Re: Proposed smoke-free area for McKillop Street

The Heart Foundation welcomes the opportunity to comment on the City of Melbourne's proposal for a smoke-free area in McKillop Street.

National Heart Foundation
of Australia
ABN 98 008 419 761

Level 2,
850 Collins St
Docklands
VIC 3008
T: (03) 9329 8511

SMOKE-FREE AREA PROPOSAL – MCKILLOP STREET

The Heart Foundation is a not-for-profit organisation dedicated to fighting the single biggest killer of Australians – heart disease. For 60 years, we have led the battle to save lives and improve the heart health of all Australians.

As with similar City of Melbourne smoke-free initiatives, we support the proposal and commend the City of Melbourne for its ongoing commitment to creating smoke-free areas, including its recent Smoke-free Melbourne Policy.

Smoking rates are coming down in Australia but there are still more than 15,000 deaths caused by smoking every year. Tobacco smoke is one of the main risk factors for heart disease and is responsible for 12% of the burden (death and illness) of cardiovascular disease in Australia.¹

Exposure to second-hand smoke is associated with immediate and longer-term risks for heart disease. It increases the risk of heart disease by around 30%.² Laws that protect the public from second-hand smoke also help smokers to stay quit and de-normalise smoking behaviour, reducing its uptake by young people. This is in addition to improving CBD amenity.

Once again, we commend the City of Melbourne for this proposal. Should you require any further information, please do not hesitate to contact me.

Yours sincerely


Kellie-Ann Jolly
 Chief Executive Officer, Victoria

¹ <https://www.heartfoundation.org.au/programs/advocacy-smoking-and-tobacco-regulation>

² Barnoya J, Glantz SA. Cardiovascular effects of secondhand smoke: nearly as large as smoking. *Circulation*. 2005;111(20): 2684-98.

- **Cancer Council Victoria/Quit Victoria**



01 September 2021

Andrew Pell
 Health Projects Coordinator
 Health and Wellbeing
 City of Melbourne
 GPO Box 1603
 MELBOURNE VIC 3001

By email: Andrew.pell@melbourne.vic.gov.au

Dear Andy

New smoke-free area proposal: McKillop Street

SMOKE-FREE AREA PROPOSAL – MCKILLOP STREET

Thank you for the opportunity to comment on the proposal to make McKillop Street a smoke-free area. We fully support it. We commend the City of Melbourne for implementing the Smoke-free Melbourne policy and note that making McKillop Street a smoke-free area will help to achieve the policy vision of a smoke-free city where the community is protected from the harms of smoking.

Apart from directly protecting Melbourne residents, workers and visitors from exposure to secondhand smoke, the proposal will make a positive contribution to improving their health and wellbeing by helping to denormalise smoking, motivate existing smokers to quit, and support former smokers in remaining smoke-free. Smoke-free public places are linked to the adoption of smoke-free homes, which in turn are associated with an increase in successful quit attempts.

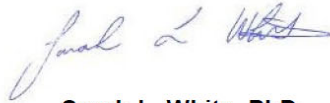
The public health benefits of smoke-free areas have greater significance during the current pandemic. It is now accepted that coronavirus can spread by aerosols, which means there is a very small, but real, risk of coronavirus transmission by tobacco and e-cigarette use. Tobacco smoke and e-cigarette aerosol may transmit the virus in the air and as they settle on surfaces. And of course, in order to smoke or use an e-cigarette product, a person must remove their mask (if they are required to wear one) and exhale heavily.

As always, the Cancer Council and Quit stand ready to assist the City of Melbourne where we can in order to achieve the Smoke-free Melbourne policy vision. Should you require any further information, please do not hesitate to contact me.

Yours sincerely



Todd Harper
CEO
Cancer Council Victoria



Sarah L. White, PhD
Director
Quit Victoria

Preventing Cancer • Empowering People • Saving Lives

Cancer Council Victoria
ABN: 61 426 486 715
ACN: 608 530 972

615 St Kilda Road
Melbourne Victoria 3004
Australia

T: +61 3 9514 6100
E: enquiries@cancervic.org.au
www.cancervic.org.au

 Cancer Information
and support
13 1120

We acknowledge the Traditional Custodians of the land we stand on and pay our respects to Elders both past and present

- **Lung Foundation Australia**

8 September 2021

The Right Honourable the Lord Mayor of Melbourne,
Councillor Sally Capp,
City of Melbourne
LordMayor@melbourne.vic.gov.au

Justin Hanney
CEO
The City of Melbourne
Justin.Hanney@melbourne.vic.gov.au



Dear Lord Mayor and Mr Hanney,

SMOKE-FREE AREA PROPOSAL – MCKILLOP STREET

Re: Support for proposed smoke free area - McKillop Street

Lung Foundation Australia is supportive of the proposal for McKillop Street to become smoke-free, we see numerous benefits to both the community, visitors, and Melbourne residents living with lung disease.

Lung Foundation Australia (LFA) is Australia's only national not-for-profit organisation working to strengthen the lung health of all Australians and supporting those experiencing a lung disease. For more than 30 years, as a patient representative charity, we have partnered with patients, health professionals, researchers, medical organisations and the Australian community to drive reform in the delivery of health services in Australia to benefit more than 7 million Australians impacted by lung disease and lung cancer.

We would like to reiterate the evidence on the benefits of smoke-free places, which includes;

- Creating healthier environments in which to live, work and play,
- protecting people (residents and visitors) from exposure to second-hand smoke,
- reduce tobacco use in current smokers and assist those wanting to quit,
- preventing avoidable illness,
- reduced litter from cigarette butts and packets
- positive role modelling for young people, and
- reduced fire risk.

There is no safe level of exposure to second-hand smoke, and public sentiment has evolved whereby people are more aware of, and concerned about, their lung health and protecting it. Smoking and exposure to second-hand smoke can cause a number of different types of cancer and lung disease, and exacerbate pre-existing conditions. Children are particularly vulnerable to the health impacts of second-hand smoke resulting primarily from their higher breathing rate and developing lungs.

LFA commend the City of Melbourne in progressing with this proposal, and strongly encourage implementation. In addition, we encourage appropriate enforcement of this new smoke-free area, including control of e-cigarettes and related products as they are subject to the same legislation regarding smoke-free areas.

If you would like to discuss this matter, please contact Paige Preston, Advocacy and Policy Manager at paigep@lungfoundation.com.au.

Yours sincerely,



Mark Brooke
Chief Executive Officer

FREE CALL

1800 654 301

Level 2, 11 Finchley St, Milton QLD 4064

PO Box 1949, Milton QLD

enquiries@lungfoundation.com.au | www.lungfoundation.com.au



Winner 2020 PRIME Awards NGO of the Year
Voice Project Best Workplace 2020



ABN: 36 051 131 901

SMOKE-FREE AREA PROPOSAL – MCKILLOP STREET

- **Australian Council on Smoking and Health**



8 September 2021

City of Melbourne
health@melbourne.vic.gov.au

To The City of Melbourne

Re: McKillop Street Smoke-free area proposal

I write on behalf of the Australian Council on Smoking and Health (ACOSH) to express strong support for the proposal to protect the community from secondhand smoke in the City of Melbourne and expand smoke-free areas to include McKillop Street.

ACOSH is an independent, non-government, not for profit coalition established in 1971, and represents a further 35 prominent health and community organisations with a shared concern about smoking and its harmful consequences.

The City of Melbourne has led Australia in the establishment and promotion of smoke-free zones allowing residents and visitors to enjoy shopping and working in your city without being assaulted by secondhand smoke.

ACOSH agrees that making McKillop Street smoke-free will be an important step towards making the street cleaner, healthier and more liveable for all.

As you will be aware, smoking remains the leading cause of preventable death in Australia, causing over 20,000 deaths each year.

We have known for three decades that secondhand smoke increases the risks of lung cancer and heart disease in adults, asthma and breathing problems in children, and SIDS in babies. Tobacco smoke is notoriously difficult to contain – and there is no safe level of exposure.

In addition, cigarette butts are the number one littered item in the world and approximately 20 million cigarette butts are littered in Australia every day, totalling 7 billion per year. Cigarette butts are not biodegradable and will never fully degrade.

Expanding smoke-free areas in the City of Melbourne is a progressive initiative that we are excited to support. Please do not hesitate to contact me for any further information.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Maurice Swanson', written in a cursive style.

Maurice G Swanson OAM
Chief Executive

SMOKE-FREE AREA PROPOSAL – MCKILLOP STREET

Appendix C: Participate Melbourne survey questions

Smoke-Free Area Proposal: McKillop Street - Individual Questionnaire

Q1. Which of these best describes your relationship to this space?

1. McKillop Street resident
2. CBD resident
3. Melbourne resident visiting to shop, dine etc
4. Work nearby/in the city
5. Regional visitor
6. Interstate tourist
7. International tourist
7. Other – **SPECIFY**

Q2. What is your overall view about McKillop Street becoming a smoke-free area?

1. It would be great
2. It would be good
3. It doesn't bother me either way
4. It would be bad
5. It would be very bad
6. Tell us why - Open text comment box

Q3. How would McKillop Street being smoke-free influence your choice to visit in the future?

1. I'd be much more likely to visit
2. I'd be likely to visit
3. It wouldn't change my choice either way
4. I'd probably visit somewhere else
5. I'd definitely visit somewhere else

Q4. Prior answering this survey, were you aware of existing smoke-free areas in the City of Melbourne?

1. Yes – please specify where
2. No I am not aware of any

Q5. Finally some short questions about you. What is your age group?

1. 12-17
2. 18-25
3. 26-30
4. 31-40
5. 41-50
6. 51-60
7. 61-70
8. 71 or older

Q6. Do you smoke and/or vape?

1. No – neither smoke or vape
2. Yes - smoke
3. Yes – vape
4. Yes – both smoke and vape

Q7. How do you think wider smoking bans might impact your smoking?

1. Smoke less
2. Consider quitting
3. Definitely quit
4. No impact
5. Not sure

Q8. What is your postcode?

SMOKE-FREE AREA PROPOSAL – MCKILLOP STREET

Smoke-Free Area Proposal: McKillop Street - Business Questionnaire

Q1. What is your business trading name?

Q2. Where is your business located?

1. Located in McKillop Street
2. Other – please list your business address

Q3. What type of business do you operate?

1. Retail
2. Hospitality
3. Construction
4. Other – please specify

Q4. How many staff does your business employ?

1. None
2. 1-4
3. 5-19
4. 20-199
5. 200 or more

Q5. What is your overall view about making McKillop Street a smoke-free area?

1. It would be great
2. It would be good
3. It doesn't bother me either way
4. It would not be good
5. It would be really bad
6. Tell us why - Open text comment box

Q6. Prior answering this survey, were you aware of existing smoke-free areas in the City of Melbourne?

1. Yes – please specify where
2. No

SMOKE-FREE AREA PROPOSAL – MCKILLOP STREET

Appendix D: Community Engagement Promotions

Figure 11: Poster with QR code

MCKILLOP STREET SMOKE-FREE AREA PROPOSAL

We want to hear your thoughts on making one of Melbourne’s laneways a smoke-free area.

City of Melbourne is committed to creating healthy and safe environments for everyone by reducing smoking in our city and supporting people to quit.

One of the ways we do this is by creating smoke-free areas, where people are protected from second-hand smoke.

We think making McKillop Street smoke-free, in line with nearby Equitable Place and Collins Way as smoke-free areas, is a step in the right direction to improve the future health and liveability of this area for residents and business owners.

Have your say on the proposal to make McKillop Street a smoke-free area by completing our online survey before 8 September 2021 at:
participate.melbourne.vic.gov.au/smokefree


For more information, contact City of Melbourne on 9658 9658 or visit melbourne.vic.gov.au/smokefree

SMOKE-FREE AREA PROPOSAL – MCKILLOP STREET

Figure 12: Poster displayed on McKillop Street




Figure 13: Business in Melbourne e-newsletter article



Smoke-free McKillop Street?

We think making McKillop Street smoke-free is a step towards improving health and liveability of this area. We're keen to hear from local businesses and residents.

 Closing 8 Sep

[Take survey](#)

SMOKE-FREE AREA PROPOSAL – MCKILLOP STREET

Figure 14: Participate Melbourne e-newsletter article



Smoke-free McKillop Street consultation now open

As part of our commitment to creating healthy and safe environments for everyone, we are currently undertaking community consultation on a proposal to make McKillop Street our next smoke-free area.

Share your feedback by completing our online survey by 8 September 2021.

**Have your
say**

Part B of Schedule 2 to the *Activities Local Law 2019* (page 40)

PART B – GUIDELINES FOR PRESCRIBING SMOKE FREE AREAS

When determining whether to *prescribe* a *smoke free area* for the purposes of clause 3A.3 of this Local Law, *Council* must have regard to the following factors:

1. The size of the proposed *smoke free area*.
2. The opinions of any *Person* who is the *Owner* or *Occupier* of any part of the proposed *smoke free area* or the area immediately adjoining the proposed *smoke free area*.
3. The proximity of the proposed *smoke free area* to a *public place*, part or all of which is not in a *smoke free area*.
4. The extent and outcome of any public consultation on the proposed *smoke free area*.
5. Any benefits to the community which would be achieved by *Council prescribing* the proposed *smoke free area*.
6. Any detriments to the community which would be caused by *Council prescribing* the proposed *smoke free area*.