

Health and Ambulance Services Committee

From: Hans Jakobi [REDACTED]
Sent: Wednesday, 15 July 2015 9:18 PM
To: Health and Ambulance Services Committee
Subject: Re Mark McArdle's Smoking Ban Private Members Bill

Follow Up Flag: Follow up
Flag Status: Completed

Health and Ambulance Services Committee
Parliament House
George Street
BRISBANE QLD 4000

Dear Committee Members,

We understand that Mark McArdle's Private Members Bill has been referred to your committee for consideration and that your report on this Bill is due to be tabled in the Queensland Parliament on the 16th of October 2015.

While we applaud this Bill by Mark McArdle, we would like to point that there is a fundamental flaw in the current Queensland Tobacco Act and that this Private Members Bill does nothing to rectify this.

The flaw is that this smoking ban is really only effective in Brisbane and some areas of the South East of Queensland.

The current Queensland Tobacco Act allows Local Councils to implement and police the smoking bans in their Council areas if they choose to do so but there is no requirement for them to do so.

Primarily the Queensland Health environmental officers are authorised to police the smoking bans but do nothing about it and are too busy with other issues to give this matter any attention.

We feel the Queensland Government should be legislating for ALL Queenslanders, not only those living in Brisbane and the South East.

As far as we are aware, none of the regional councils outside the south east have chosen to implement the smoking bans in their local government areas.

This is in contrast to other states of Australia where we have observed no smoking signs in areas where smoking is banned from the Northern Territory through to Tasmania (except Queensland).

The current Queensland Tobacco Act is claimed to include some of the nation's toughest smoking bans at outdoor places but this isn't really the case.

We live in the Bundaberg area and have a number of grandchildren which we often take to local parks, outdoor areas and cafes.

On numerous occasions we observe people smoking in areas where smoking is prohibited.

Last year we wrote to our local council and to the previous Minister for Health about this issue and as a result of this correspondence it is clear to us that Queensland's smoking ban is possibly only effective in Brisbane and in the south eastern corner of Queensland.

The previous Minister for Health advised us that "under the Tobacco Act, local councils have the option (but not the obligation) of enforcing the smoking bans at childrens' playgrounds, public building entrances and between the flags at beaches.

Gavin Steele, General Manager - Community & Environment at Bundaberg Regional Council has advised us that:

"Queensland Health is predominantly responsible for enforcement of Queensland Tobacco Laws. This information is readily accessible on Qld Health's website. Queensland Local Governments may choose to enforce the Tobacco Laws by creating Local Laws regarding smoking in public places. No Council's in regional Queensland outside the south-east corner have chosen to develop Local Laws for smoking and the peak Local Government Association in Queensland, LGAQ, has not provided a Model Local Law which Queensland Council's could adopt."

Furthermore, Bundaberg Regional Council and our local councillor have shown absolutely no interest in erecting signs publicising the Queensland Government's smoking ban saying:

"A lot of times people read and ignore signs anyway and sometimes too many signs can detract from the amenity of an area, especially one with such a high usage like the Bargara Esplanade."

In this News Mail article from November 2014 the Bundaberg Council advertises that it has no interest to ban smoking in public places:

<http://www.news-mail.com.au/news/council-has-no-plans-for-smoke-bans/2463701/>

We have visited regional areas in 4 states in recent times and in all cases we have found signs advertising that state's smoking ban.

It seems that Queensland is notably lagging behind the rest of the country when it comes to advertising its smoking bans in regional areas.

If the Queensland Government has previously gone to the trouble of enacting The Tobacco Act, surely it is now time to see that it is properly advertised and enforced through the state and not just in Brisbane and the south east.

We have written to the new Minister for Health Cameron Dick, Mark West who we understand to be a director of Queensland Health, the Cancer Council and others.

Cameron Dick has advised us that "the Palaszczuk Government has committed \$500,000 over 2 years to support increased local government participation in the enforcement of tobacco control measures."

It seems to us that the other states have found a way of implementing their smoking bans effectively through local government areas.

We don't know how they have done this, but perhaps Queensland could save some money by finding out how they did it and do the same. It's not really rocket science!

Dear Committee members, while we think it is great that Mark McArdle wants to extend the smoking bans, we think that this needs to be done EFFECTIVELY, throughout Queensland.

Should you recommend that the changes proposed by Mark McArdle be implemented, we ask you to also recommend that an effective signage and enforcement mechanism also needs to be implemented in regional areas of Queensland.

Many Thanks

Warm Regards,

Hans and Colette Jakobi

