

Body Corporate and Community Management and Other Legislation Amendment Bill 2023

Submission No: 18
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Submitter Comments:

In regard to the smoking by-law provisions, I would like to propose that the wording be proposed in such a way that prohibits smoking on balconies and common property by default, and the resolution without dissent be to permit smoking on balconies. This will give the best chance to improve the health and well-being of non-smokers by respecting their right to breathe clean air over the incompatible rights of smokers to pollute the air up to 20m around the smoker's balcony. If government can impose laws such as noise restrictions to protect the health and sanity of occupants, surely it can word the smoking changes in such a way that is restrictive rather than permissive (with the required resolution of dissent).