



# **Smokefree outdoor areas: A missing part of Government's new Smokefree 2025 proposals**

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**Smokefree outdoor areas are not 'business-as-usual' for New Zealand. Current efforts for such areas are rarely backed by law. Smokers trying to quit need places where being smokefree is normal, and in particular, they need smokefree outdoor hospitality areas. Aotearoa is far behind many jurisdictions in helping smokers in this way. There is strong public support for major changes, including for smokefree building entrances and outdoor dining.**



Queensland State Government 2008 smokefree campaign logo

## **Great NZ Government Smokefree 2025 proposals, but needing a vital addition**

The NZ Government is to be congratulated with its recent proposals for achieving the Smokefree 2025 Goal,<sup>1</sup> especially with those for markedly reducing retail outlets and removing nicotine to make cigarettes non-addictive.<sup>2</sup> If effectively implemented, these proposals could lead to major health gains, health system cost savings and reducing the unequal health burdens that Māori, Pasifika and low-income New Zealanders suffer. But a major missing part is national law-based smokefree outdoor areas.

The Government's plan needs a fifth specific focus area – smoking denormalisation and smokefree areas. Legally required smokefree outdoor areas are far from 'business-as-usual' for NZ. While many local authorities have tried to fill the void left by central government, existing local smokefree outdoor policies are largely unenforceable, with only a few areas on public land covered by council licence arrangements in some cities.<sup>3</sup> Local Government New Zealand has been asking for national legislation for smokefree outdoor hospitality areas since 2015.

## **Helping smokers quit with outdoor smokefree areas**

Smokers trying to quit need smokefree outdoor public areas. They need places where being smokefree is normal, and to be able to have a drink outside a bar without reminders about smoking. The outside areas of bars and cafés remain one of the most dangerous places in Aotearoa for someone quitting.

There is NZ evidence that seeing smoking around you at the neighbourhood level increases the chance of starting smoking or not being able to quit.<sup>4</sup> International evidence indicates that smokefree outdoor hospitality areas increase quitting attempts and reduce relapses.<sup>5 6</sup>

We have had legally required smokefree school and pre-school grounds (24/7) since 2004,<sup>7</sup> but this is the only type of outdoor area covered by national NZ smokefree law. We are now far behind many jurisdictions in providing smokefree places to help smokers trying to quit, in providing protection from tobacco smoke pollution to workers and others in public places, and in providing protection for those inside buildings from tobacco smoke drifting in from outside (a problem in NZ).<sup>8-10</sup> Government continues to have difficulties in trying to enforce the current impractical guidance on what inside and outside hospitality areas are, resulting in costly court cases.<sup>11</sup>

Many jurisdictions in similar countries (Australia, Canada, and the USA) have long had

effective laws for various types of smokefree outdoor areas. For instance, Queensland has had a smokefree law for outdoor dining businesses since 2006.<sup>12</sup>

## Majority public support

There has been majority public support for a number of policies for years. Even in 2010, 59% of those surveyed by the Health Sponsorship Council wanted smokefree outdoor music or community events and activities.<sup>13</sup> A 2013 Auckland City survey found 64% support for outdoor town centres, 65% support for smokefree footpaths outside local shops, 84% support for smokefree building entrances, and 73% support for smokefree outdoor dining.<sup>14</sup>

Surveys indicate that Māori and Pasifika were more likely than others in Aotearoa to have 'setting an example to children' for wanting to quit or stay quit.<sup>15</sup> Māori, Pasifika and Asian smokers were more likely to support new smokefree outdoor areas than other ethnic groups.<sup>16</sup>

## What do we need in new legislation

Here are just some of the particular areas that new law needs to cover:

- Make current NZ local authority best practice outdoor policies a matter of law for all Aotearoa, so all citizens can benefit. This should include buffer zones, such as the areas within '10 metres of children's play equipment in outdoor public places' law in all Australian states and territories.<sup>12</sup>
- Make all government funded, or publically owned organisations, smokefree for all their grounds: This includes tertiary education and health facility campuses and grounds, railway stations, and airports.
- Smokefree areas within 10 metres of doorways, windows, and air intakes of buildings that the public use, and from outdoor public seating. Amongst other benefits, this would largely eliminate smoking in outdoor hospitality areas.
- Public land within 100 metres of school and pre-school entrances (ie, there would be a smokefree zone on roads and other public areas for 100m).
- Require effective signage for smokefree outdoor areas, as is required for school grounds.<sup>7</sup> Wellington surveys indicate that less than a half of both smokers and the whole public were aware of current voluntary smokefree areas.<sup>17</sup>
- More effective power for local authorities to make smokefree bylaws, similar to their ability to make alcohol-free area bylaws. This should be for special areas where local needs are extra to national smokefree legislation, not a substitute for such legislation.

What we most need to *avoid* in new laws are designated smoking areas for outdoor hospitality venues. This is an approach that has been generally avoided in North America, but was taken by some Australian states. They are now a major obstacle to further progress in Australia.

## Conclusions

In 2003, over 17 years ago, the then Associate Minister of Health, Damien O'Connor said:

'It's crucial that there are smokefree, family-friendly public environments available for

people to use and enjoy, and that we can set a good example for our children and youth by providing the opportunity to grow in safe and healthier environments.<sup>18</sup>

Nearly two decades later, we have the chance to more effectively fulfil this wish, and to better help those quitting, by providing smokefree outdoor areas.

Lead image by [Elia Clerici](#) from [Pexels](#)

## References

1. Ministry of Health. Smokefree Aotearoa 2025. Wellington: Ministry of Health, 2021.
2. Edwards R, Hoek J, Waa A, Thomson G, Wilson N. Progress towards a Smokefree Aotearoa 2025 Action Plan: Congratulations to the Government. Wellington: Public Health Expert: University of Otago, 2021.
3. Thomson G, Wilson N. Local and regional smokefree and tobacco-free action in New Zealand: highlights and directions. *N Z Med J* 2017;130:89-101.
4. Ivory V, Blakely T, Richardson K, Thomson G, Carter K. Do changes in neighbourhood and household levels of smoking and deprivation result in changes in individual smoking behavior? A large-scale longitudinal study of New Zealand adults. *Am J Epidemiol* 2015;182:431-40. doi: 10.1093/aje/kwv097.
5. Zablacki RW, Edland SD, Myers MG, Strong DR, Hofstetter CR, Al-Delaimy WK. Smoking ban policies and their influence on smoking behaviors among current California smokers: a population-based study. *Prev Med* 2014;59:73-8.
6. Chaiton M, Diemert L, Zhang B, Kennedy RD, Cohen JE, Bondy SJ, Ferrence R. Exposure to smoking on patios and quitting: a population representative longitudinal cohort study. *Tob Control* 2016;25:83-8.
7. Wilson N, Oliver J, Thomson G. Ten years of a national law covering smoke-free school grounds: a brief review. *Tob Control* 2016;25:122.
8. van der Deen FS, Pearson AL, Petrovic D, Collinson L. Exploring the potential for the drift of secondhand smoke from outdoor to indoor dining areas of restaurants in New Zealand. *N Z Med J* 2014;127:43-52.
9. Edwards R, Wilson N. Smoking outdoors at pubs and bars: is it a problem? An air quality study. *N Z Med J* 2011;124(1347):27-37.
10. Wilson N, Edwards R, Parry R. A persisting secondhand smoke hazard in urban public places: results from fine particulate (PM<sub>2.5</sub>) air sampling. *N Z Med J* 2011;124(1330):34-47.
11. Wilson N, Delany L, Thomson GW. Smokefree laws and hospitality settings: an example from New Zealand of a deficient approach. *Tob Control* 2020;29:460.
12. Grace C. Legislation to ban smoking in public spaces. In Scollo, MM and Winstanley, MH [editors]. Tobacco in Australia: Facts and issues. Melbourne: Cancer Council Victoria, 2019.
13. Trappitt R, Li J, Peck R, Tu D. Acceptability of smoking in public places – Health and Lifestyles Surveys 2008-2010 [In Fact]. Wellington: Health Sponsorship Council, 2011.
14. Wyllie A. Public support for tobacco control policies in the Auckland Council region [full version]. Auckland: Cancer Society Auckland Division, 2013.
15. Thomson G, Wilson N, Weerasekera D, Edwards R. Strong smoker interest in ‘setting example to children’ by quitting: national survey data. *Aust N Z J Public Health* 2010;35:81-4.
16. Wilson N, Blakely T, Edwards R, Weerasekera D, Thomson G. Support by New Zealand smokers for new types of smokefree areas: national survey data. *N Z Med J* 2009;122(1303):80-9.

17. Wellington City Council Research and Evaluation team. Attitudes towards smoking in Wellington: Report on the 2015 smoke-free survey. Wellington: Wellington City Council, 2015.
18. O'Connor D. All New Zealanders to benefit from significant new smoke free legislation [Media release by Associate Minister of Health]. Wellington: New Zealand Government, 2003.

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