

Smoking Bans For All Bayside Beaches

Community Engagement Summary



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Overview

In April 2019, Council resolved to commence a process (in accordance with Clause 68 of Council's Local Law No.2) to declare all Bayside beaches -including Ricketts Point Marine Sanctuary and surrounds - as smoke-free.

The community engagement phase was scheduled for the summer season of 2019/2020. The engagement process was open to all residents and any visitors/tourists to the Bayside area. The purpose of the engagement was to seek resident, visitor and other stakeholder feedback on the smoking ban, the boundaries proposed and understand the level of support and any concerns.

A total of 1700 respondents participated in the engagement, with additional email submissions from interested community groups and individuals. There were 1447 contributions submitted to the on-line engagement platform *Have Your Say* and a further 253 comment cards completed at the six listening posts.

Overall 91 percent of *Have Your Say* respondents supported the proposed ban. This view was supported also by attendees at the listening posts with approximately 95 per cent supporting the proposed ban.

Over 500 relevant comments were made by the *Have Your Say* respondents. The most common comment (15 per cent) was that the smoking ban does not cover a wide enough area and should include areas such as foreshore car parks, shopping precincts or be a Council-wide ban. Respondents queried the practicality and resourcing of enforcement of the ban and questioned how Council would educate community members (11 per cent).

Other concerns and issues raised were:

- supporting the ban as smoking is a health risk (4 per cent)
- questioning Council's role in banning a legal substance (4 per cent)
- supporting the ban as butt litter is harmful to the marine environment (3 per cent)
- the need for Council to provide more bins for cigarette butt litter (3 per cent).

Next steps

A report to Council on the community engagement process and outcomes was presented to the Ordinary Council Meeting in April 2020. Council resolved to declare all Bayside beaches (sand only) including Ricketts Point Marine Sanctuary, the Brighton Dunes and surrounds as 'smoke free'. Signage and a community information campaign will be implemented. Council referred the possible extension of the smoke free zone to all foreshore reserve areas on the western side of Beach Road, between Charman Road Beaumaris and Head Street Brighton, for consideration as part of the complete review of Local Law No: 2 in late 2020.

Council has installed 'No smoking' signs throughout the foreshore, at Ricketts Point and Brighton Dune carparks. Over the winter period, Local Law Officers will patrol and educate the community about the new restrictions. As part of the proposed 2020/2021 summer amenity program, Local Laws will increase patrols of the foreshore area for a range of issues including enforcement of the smoking ban, litter and responsible pet ownership during the summer peak periods. Local Laws will investigate and monitor complaints from the community to aid targeted patrols of any identified hotspots.

The Local Law Review engagement planned for 2020 will clarify the definition of smoking to include e-cigarettes, vaping and pipes.

1 Background

At the February 2019 Ordinary Council meeting, Council received a petition seeking Council to: “Ban smoking on the beaches, car parks, barbeques and foreshore areas in and around the Ricketts Point Sanctuary”. Ricketts Point Marine Sanctuary is a 115-hectare sanctuary in Beaumaris that forms part of a system of marine national parks.

It was proposed that the reduction of cigarette butt litter on beaches would result in cleaner streets and beaches, and improved amenity for the Bayside community and visitors. The reduction of cigarette butt litter would enhance protection for local wildlife include marine birds and mammals, shellfish and fish. It is acknowledged that the majority of cigarette butt litter on beaches and in the bay does not come directly from patrons smoking on the beach. Rather the majority of butt litter on beaches, and in the bay, stems from smoking at other locations with butts often washing into waterways through stormwater systems. Regardless, the smoking ban will draw attention to this environmental issue pending an assessment of the actual impact of the ban.

At the April 2019 Ordinary Council meeting, Council resolved to commence a process (in accordance with Clause 68 of Council’s Local Law No.2) to declare all Bayside beaches - including Ricketts Point Marine Sanctuary and surrounds - as smoke-free. A Rapid Planning Session was held with internal stakeholders (Council staff) in July 2019. The community engagement phase was then scheduled for the summer season of 2019/2020.

The reduction of cigarette butt litter as part of Council’s operations aligns with Goal 5 ‘Environment’ of the Council Plan, which states that *“Council and the Bayside community will be environmental stewards, taking action to protect and enhance the natural environment, while balancing appreciation and use with the need to protect natural assets for future generations.”*

This document provides a summary of stakeholder and community feedback on the proposal to declare all Bayside beaches as smoke-free.

2 Definitions and scope

The proposal is to implement a local law resulting in the ban of smoking on Bayside beaches. Issues considered ‘out of scope’ for the engagement process included an increase in Council staffing for enforcement of the ban; any enforcement or communication in areas other than beaches; any monitoring of the ban’s impact; and the existing smoking and littering regulations.

Within this document, reference is made to stakeholders. The external stakeholders are:

- smokers (residents and visitors);
- local environmental groups and their members;
- the regular (and occasional) customers of foreshore businesses;
- foreshore business owners and operators, and their staff;
- members of foreshore clubs and community groups (lifesaving, yachting, sea scouts, coastguard);
- lease holders of bathing boxes;
- visitors to Bayside beaches and foreshore reserve (locals and visitors to Bayside);
- Bayside Tourism Network;
- dog owners and walkers;
- Bay Trail users (walkers, cyclists);
- Parks Victoria;
- State Government Department of Environment, Land, Water and Planning.

The internal stakeholders are the Councillors and the following Council departments – Local Laws (project owner); Open Space, Recreation and Wellbeing; Environmental Health; Commercial Services, Communication and Engagement, Urban Strategy, Traffic and Transport and Governance.

2.1 Glossary

Item	Definition
DEWLP	Department of Environment, Land, Water and Planning
Stakeholders	See above for stakeholder list.

2.2 Related Council documents and consultations

- Local Law No. 2 'Neighbourhood Amenity'
- Bayside Coastal Management Plan 2014 (and foreshore masterplans)
- Biodiversity Action Plan 2018-2027
- Bayside Community Plan 2025
- Wellbeing for All Ages and Abilities Strategy 2017-2021
- Bayside Tourism Strategy 2013
- Active by the Bay Recreation Strategy
- Environmental Sustainability Framework 2016-2025 and Action Plan 2019-23
- Recycling and Waste Management Strategy 2018-2027
- 'Water for Bayside' 2019-2039 Integrated Water Management Plan
- Bayside Open Space Strategy.

3 Consultation process

3.1 Consultation purpose

The engagement process was open to all residents and any visitors/tourists to the Bayside area. The purpose of the engagement process was to seek resident, visitor and other stakeholder feedback on the smoking ban, the boundaries proposed and understand the level of support and any concerns.



The reputational risk of the engagement was initially categorised as 'Major' (due primarily to the locations involved and various interest groups), with a project complexity rated as 'Standard'. The final engagement plan addressed the key reputational risks and so the risk rating should have been subsequently re-assessed. This process improvement has been noted by the Community Engagement and Research team.

The community engagement negotiables and non-negotiables were as follows:

Non-negotiables	Negotiables
Council has resolved to introduce a ban	Ban boundaries
It will be a 24 hour, 365 day ban	Enforcement process
Fine amount (\$)	Council approach to enforcement
No change to existing restrictions and laws	Reporting process (community reporting)

3.2 Consultation methodology

The following engagement activities were undertaken:

- project information and survey hosted on the on-line engagement platform *Have Your Say*;
- six listening posts/drop-in sessions held at foreshore locations and community events;
- promotion of the project using Council communication channels, including social media.

Details	Activity
18 January – 15 February 2020 At various foreshore locations and community events Approximately 261 attendees	Listening posts (Drop-in sessions) - Rickets Point Teahouse (2), Bayside Farmers Market, Dendy Beach, Australia Day Swim, North Road foreshore. Attendees filled out comment cards and Council officers listened and documented suggestions
11 December 2019 – 24 February 2020 2,616 visitors 1,358 contributors 1,447 contributions 101 project followers	On-line engagement platform <i>Have Your Say</i> Project information and short survey seeking feedback on proposed ban
19 December 2019 -11 May 2020 242 Facebook comments made 454 Facebook 'Likes'	Social media <i>Bayside Council</i> Facebook, Twitter, Instagram pages Eight separate posts were made by Council alerting readers to the engagement project.
December 2019 – May 2020 4 of the 6 emails were sent from community groups or other organisations	Correspondence to officers in Local Laws team Six emails with detailed comments were sent to Council.

3.3 Communication tools and channels

The project was promoted via the following communication channels:

On-line

- Council website and email subscription service – *This Week in Bayside* news items
- On-line engagement platform *Have Your Say* project page
- *In The Loop* news item for staff who are residents/visitors
- Digital screens in Corporate Centre foyer and staff only areas
- *Inside Word* bulletins to update Councillors on status of project

Collateral

- Postcards with survey distributed to libraries, community centres, Highett Senior Citizen Centre, Highett MCH, Livingston Kindergarten, Highett Youth Club, Corporate Centre, foreshore businesses (targeting non-digital users)

On-site signage and event banners

- Corflute signs and footpath decals at various foreshore locations
- Council *Have Your Say* banners

Social media

- Facebook, Twitter and Instagram posts

Advertising

- Facebook advertising (boosted posts)
- Bayside Leader NOT used due to limited reach and high cost of advertising

Direct Email

- External stakeholders/organisations and community groups (as listed)
- *Have Your Say* subscribers

4 Participant profile

Participant characteristics were assessed as being not relevant for this phase of community engagement. Where registered *Have Your Say* members participated in the engagement, some limited demographic data was recorded.

5 Consultation findings

The following section summarises the community sentiment regarding the smoking ban proposal and the key themes from their verbatim comments. In the interest of stakeholder and community privacy, individual quotes have not been included within this public document.

Results discussed in this report were drawn from the 1447 contributions submitted to the on-line engagement platform *Have Your Say*. In addition to this data, a further 253 comment cards were completed with Council officers at the listening posts, providing verbatim comments on the proposal.

5.1 Support for the proposed smoking ban

The on-line engagement *Have Your Say* page asked a simple Yes/No question regarding support for the proposed ban. Overall 91 percent of *Have Your Say* respondents supported the proposed ban. This view was supported also by attendees at the listening posts with approximately 95 per cent supporting the proposed ban.

5.2 Concerns about the proposed ban/boundaries

In addition to indicating a response to the proposed ban, participants were invited to make a comment or pose questions or concerns. Over 500 relevant comments were made by the *Have Your Say* respondents.

The most common comment (15 per cent) was that the smoking ban does not cover a wide enough area and should include areas such as foreshore car parks, shopping precincts or be a Council-wide ban. Respondents queried the practicality and resourcing of enforcement of the ban and questioned how Council would educate community members (11 per cent).

Other concerns and issues raised were:

- supporting the ban as smoking is a health risk (4 per cent)
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- the need for Council to provide more bins for cigarette butt litter (3 per cent).

A small number of verbatim comments (32) were made by attendees at the listening posts, consistent with the themes noted above.

Given the overwhelming support for the smoking ban, no analysis has been conducted comparing the views and comments of those for/against the smoking ban.

6 Project evaluation

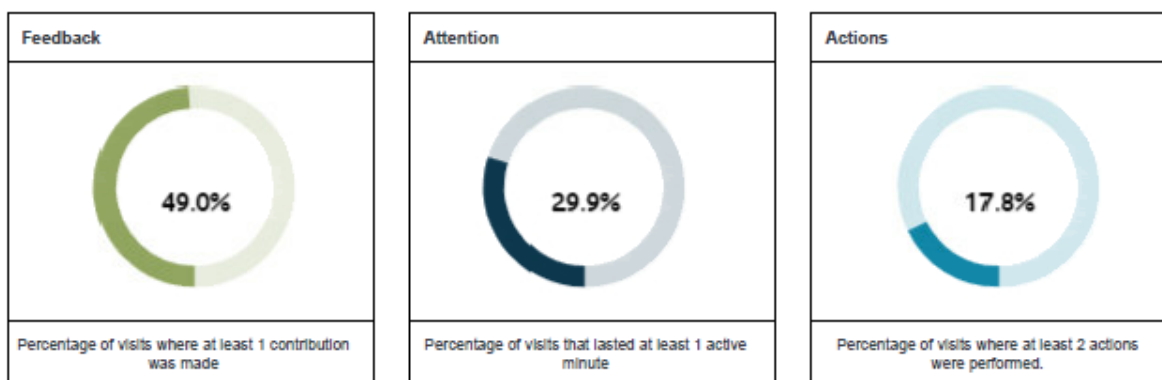
In terms of stakeholder reach, it was proposed that the engagement activities would attract at least 30 attendees at each of the listening posts (achieved – 43 on average); and at least 1500 visitors to the on-line engagement platform *Have Your Say* (achieved - 2,616 visitors).

Only some of the identified stakeholder groups responded to the invitation to provide feedback – whilst many of the foreshore community groups responded, foreshore café owners and Government agencies did not respond.

The conversion goals for visits to the *Have Your Say* project page were, that:

- 15% of visits would have at least one contribution made; and
- 30% of visits would last at least one active minute (time spent actively looking at project information).

The results for this project are shown below, with both conversion goals achieved:



Stakeholder satisfaction was not quantitatively measured however positive feedback was received at the listening posts about the opportunity provided to express views.

Other key success measures for the engagement were:

- that the Council or the delegated decision maker was confident in the reliability of data - measured by the attachment of the full engagement summary to the Council report however this was not achieved; and
- that Council does not request further engagement be conducted on the smoking ban (achieved).

Outrage management is also an important measure for the engagement process. Project communication should ideally occur using the preferred Council channels with less than twenty items of correspondence sent separately (outside those channels) and, no speakers opposing the smoking ban at the Council meeting. Both these outcomes were achieved.