

EDUCATION AND HEALTH STANDING COMMITTEE

**INQUIRY INTO THE TOBACCO PRODUCTS CONTROL AMENDMENT
BILL 2008**

**TRANSCRIPT OF EVIDENCE TAKEN
AT PERTH
MONDAY, 16 FEBRUARY 2009**

SESSION THREE

Members

Dr J.M. Woollard (Chairman)

Mr P. Abetz

Mr I.C. Blayney

Mr J.A. McGinty

Mr P.B. Watson

Hearing commenced at 11.29 am

TAGLIAFERRI, MR PETER

**Mayor, City of Fremantle,
examined:**

PIGGOTT, MR MATTHEW ROBERT

**Coordinator, Environmental Health and Building Services, City of Fremantle,
examined:**

JONES, MR NICHOLAS IAN

**Manager, Environmental Health, City of Cockburn,
examined:**

HUNT, MR GARRY GEORGE

**Chief Executive Officer, City of Joondalup,
examined:**

The CHAIRMAN: On behalf of the Education and Health Standing Committee, I would like to thank you for your interest and appearance before us today. The purpose of this hearing is to assist the committee in gathering evidence for its inquiry into the Tobacco Products Control Amendment Bill 2008. You have been provided with a copy of the committee's specific terms of reference. The Education and Health Standing Committee is a committee of the Legislative Assembly of the Parliament of Western Australia. This hearing is a formal procedure of the Parliament and therefore commands the same respect given to proceedings in the house itself. Even though the committee is not asking witnesses to provide evidence on oath or affirmation, it is important that you understand that any deliberate misleading of the committee may be regarded as a contempt of Parliament. This is a public hearing and Hansard will be making a transcript of the proceedings for the public record. If you refer to any document or documents during your evidence, it would assist Hansard if you could provide the full title for the record. Before we proceed to the questions we have for you today, I need to ask you a series of questions. Have you completed the "Details of Witness" form?

The Witnesses: Yes.

The CHAIRMAN: Do you understand the notes at the bottom of the form about giving evidence to a parliamentary committee?

The Witnesses: Yes.

The CHAIRMAN: Did you receive and read the information for witnesses briefing sheet provided with the "Details of Witness" form today?

The Witnesses: Yes.

The CHAIRMAN: Do you have any questions in relation to being a witness at today's hearing?

The Witnesses: No.

The CHAIRMAN: We have had many submissions, all of which are now on the internet for people to review. The majority of those submissions have in fact been supportive of the measures introduced in the bill, but have maybe made some minor recommendations in terms of wording and

changes that need to be made. We might start with you first, Peter. If you give a submission, would you mind if members of the committee stop you to ask questions as you give your presentation?

Mr Tagliaferri: That is fine by me, Madam Chair. Can I start firstly by thanking you very much for inviting the City of Fremantle to be involved in these hearings. I apologise in advance for my appearance without a tie. I am in the jury system in the District Court at the moment and have been given leave, otherwise I would have been wearing a tie. It is no disrespect to those members who are sitting in front of me.

My presentation is going to be brief because it will be followed by Matthew Piggott, our senior environmental officer. The City of Fremantle initiated approximately a year ago a change in the way that we went about doing our business with outdoor dining areas in relationship to smoking. We obviously are the most visited destination in Western Australia, with some 11 million visitations a year. One of our largest and most important components, besides many of the other things that we do with heritage and the products that we deliver to the people of Western Australia and on the international circuit, is our outdoor dining area. I would say that most people in this room would have, at some particular time, dined in one of our outdoor dining cafes, restaurants or alfresco areas. Obviously, the previous government had taken out smoking inside those premises in hotels. That went along quite smoothly and we supported that initiative. We did have some issues, though, with the break-out areas because, fundamentally, all those areas were then under local government control. We are still dealing with some of those issues, but we support that initiative in its entirety to reduce the amount of people who can smoke on those premises and the secondary smoke issue that affects other people who attend those premises. We have a significant number of premises that have outdoor dining connected to them and, as I said, during that 12-month period a significant amount of people ate, drank and entertained in those areas. We went through a process of marketing firstly, because we wanted a cleaner, greener atmosphere so that people could enjoy those outdoor areas. We identified very early on that we should target smoking in those particular outdoor dining areas. We set about going through a consultation process, as we do in local government, which was fairly extensive and sometimes a little brutal. We had some adverse submissions—very few I must say—but we had a significant quantity of submissions from the general public supporting the move to cut out smoking in outdoor alfresco areas. We went through the process. We then amended our licensing for outdoor dining areas to preclude smoking in those areas. We then initiated fines and a regime for policing that. We were then criticised that we would not be able to police it and what would happen and so forth, and I am sure that Matt will talk more about that at length. Besides a few small hiccups along the way in the period since it has been introduced, it has been self-regulating. The strike-up rate of people smoking in those alfresco areas has been very few and far between. The issue that we are still grappling with—hopefully this standing committee can deal with that—is that there are alfresco areas that are outside the city's control, such as marine and harbours and private land. That causes a bit of confusion. In marine and harbours, even though some premises have gone along with the City of Fremantle and precluded smoking from their outdoor dining areas, others have chosen not to do that. For the general public, there is a confusion of lines. On one side of the railway track, there is a total ban, while on the other side of the railway track at Fishing Boat Harbour, they do not need to implement those bans. That is a tragedy. We first had a bit of pushback from the owners of those cafes, restaurants and hotels who were not very keen on it. They are now some of the biggest supporters because it has improved their patronage. They first said that they would lose serious quantities of business, but it has been the reverse. We are very proud that we initiated it, and hopefully it will be taken a lot further. I will close on that and pass over to Matt, unless there are questions.

Mr P.B. WATSON: I have one question about the enforcement of it. Is that done by your environmental officer, and how difficult has that been?

Mr Tagliaferri: Matt might be best placed to answer that question.

Mr Piggott: Through the chair, environmental health officers are the professionals who are responsible for the enforcement of the legislation. We decided at the City of Fremantle that we would mirror the implementation of the smoking in enclosed public places legislation, whereby environmental health officers were the authorised officers under the tobacco control act. We mirrored that situation. In terms of the enforcement, the city has been fortunate in that we have very much gone down the path of education and pushing behavioural change, as opposed to strict policing, prosecution and then fine enforcement. We have found that, through the support of the licensees in putting in place no smoking tabletop cards and no smoking stickers, the general will of the public, through peer pressure, is to instigate behavioural change. We have not had need to start to drag people over the coals and take them through the court process because we have found that it is, to a degree, self-regulating.

Mr P.B. WATSON: We had representatives from WALGA here the other day and that was their main concern—the extra time involved in environmental officers going into an environment that was not protective of the environmental officers.

Mr Piggott: Certainly. I think that is a valid point, but we recognised that that was a potential concern. We were very mindful of introducing an education campaign that was aligned to the local law enforcement provisions, so that we were not simply making it illegal to undertake a particular activity and that we would fine people and so forth. We decided to create some information brochures that staff could hand out to their customers if they saw them smoking. It would introduce them to what the ban was all about, the reasons behind it and the obligations that the city is placing on them. It informed them as to what they could and could not do in terms of smoking and not smoking. It also gave them options in terms of seeking help if they chose to quit, for example.

[11.40 am]

Mr P.B. WATSON: Is there much aggression? Some percentage of people who smoke will not want to be told what to do. Has there been any aggression or anything like that from the public about this question? I think it is a great idea, but someone who has been smoking for 10 years and does not want to give up may not particularly want to be told what to do. Have you had any adverse effects from that?

Mr Piggott: No, there has been anecdotal support from licensees and proprietors in so much as once people understand that it is a non-smoking environment, they will respect that and they will walk five metres down the road to light up; then, if they choose to, they will come back to that dining area. Obviously there is the potential there for littering issues and so forth, if there are no cigarette butt bins.

Mr P.B. WATSON: That was going to be my next question: if you take them out of the pub, do they stand outside the pub and people walking past cop the smoke and the littering?

Mr Tagliaferri: Again, that is both a connected and a separate issue, because that is the breakout area conflict that we have. It may be different for other local governments, but the breakout areas for those licensed premises are all on our footpaths, so if there are 20 people outside the front of a hotel late on a Friday night on South Terrace, where most of our licensed premises are concentrated, it causes a bit of conflict, but it is manageable. The issue that has arisen since we have introduced receptacles for butting out cigarettes—I do not know whether it is something in people's psyche—is that we have noticed that the number of cigarette butts on the footpath has greatly increased on what it was in the past. That is something that we are still trying to grapple with and deal with.

Mr P.B. WATSON: Would you consider bringing in a by-law to deal with that?

Mr Tagliaferri: There already is a bylaw for littering. I am not sure what the strike rate is, but again, it is a resourcing issue for us. We have a number of priorities, as local government does, but it costs us significant amounts of money to clean up the CBD. I am not sure what the cigarette

cleanup cost is in particular, but we spend \$1.5 million a year just to clean the CBD streets, especially the entertainment strip, but cigarette butts add on to that.

Mr P.B. WATSON: It would be more state government thing, would it not? I know that in Queensland people are fined for a dropping cigarette butts on the street. You walk down the streets, and you see no cigarette butts, or very few.

Mr Tagliaferri: Even here, I think there is a policing fine also for throwing a butt out of the window, or smoking and dropping a butt. Again, police just do not have the resources to issue those sorts of infringements. I am not taking that to be a negative; it is just one of the other by-products that we as a local government and other agencies need to deal with. People need to be more responsible. When I was walking here today I saw someone smoking while dining at a table. I thought Perth had introduced countermeasures, but obviously you still have dining where you can smoke at the table, so I got up and went to the next table. I saw someone smoking next to a motorbike and he tipped the butt straight down the drain. It seems to be part of the psyche. Something needs to be instilled in people to get them out of that system.

Mr P.B. WATSON: Education.

Mr Tagliaferri: Education, absolutely.

The CHAIRMAN: It appears that what you are calling for is what many other people are calling for, which is a level playing field.

Mr Tagliaferri: Absolutely, yes.

The CHAIRMAN: We have had that from previous presentations; situations in which there is smoking on one side of the street and non-smoking on the other side, and the problems that arise because of that.

Mr Piggott: To add to that, at the City of Fremantle we have found that within our locality, it is pretty well established now that it is a non-smoking, alfresco environment, but obviously when tourists and people from outside Western Australia come to visit Fremantle, they are subject to a different set of rules within Fremantle than they are throughout Perth and Subiaco and other localities. The rationale behind the city lobbying the previous Minister for Health was really to make it uniform on the basis that there are public health gains to be made from customers and staff not being exposed to second-hand smoke within alfresco dining areas. We have not solely focused on the effects of smoking on the individual who chooses to smoke; we do not think that that is where the biggest gains are to be made. We think the public health gains are to be made in the reduction of second-hand and passive smoke to customers and staff. From my own experience to date, we have taken a step or two in the right direction.

The CHAIRMAN: I try to encourage my local council to follow the model that you set down in Fremantle 18 months or so ago. Although they were very supportive, they wanted legislation introduced to make it a bit easier for them. You are really here today as groundbreakers—is that the expression?

Mr P.B. WATSON: Trendsetters!

Mr Jones: I will give a little bit of background. The City of Cockburn recognised a need to focus on lifestyle diseases—probably a couple of years ago, or maybe even before that—such as obesity and diabetes. Local government spends a lot of time inspecting food premises to ensure that there are no food poisoning outbreaks et cetera. With many people dying from obesity, diabetes and these kinds of things, we decided that priority one should be smoking, so we focused on smoking to start with. We created a partnership with the Department of Health—because that seemed to be the appropriate thing to do—through the south metropolitan public health unit. They provided funding of about \$20 000 to develop a local tobacco action plan. This had already been done at Kwinana, but we developed a local tobacco action plan which was modelled on the state tobacco action plan.

Through that, we developed two policies, which were endorsed by council in the middle of 2008. We decided not to choose the local law path, for several reasons. One reason is that policies take less time to gain approval; they cost a lot less to develop and they can actually cover broader areas and more issues as well. There are fewer concerns about the costs of implementing a policy as compared to a local law. The policies that we actually developed depend on most members of the public doing the right thing. In answer to the member's question—I have had to answer that question a few times—most smokers are responsible people who are quite happy to follow the laws and are as aware as anybody else about the right thing to do, and they tend to do the right thing. I think they just need a little bit of a prod in the right direction. We developed two policies; one was the smoke-free council policy. We decided it was important to get our own act in order, so there is no smoking in council buildings and no smoking on council grounds. We also provide significant support for staff who smoke. We have just begun running Fresh Start courses and suchlike; quit smoking courses.

The second policy was the smoke-free environment policy. This has a major focus on signage and events. We make sure that all of our events are smoke-free events. We have had submissions on that; we have had family events where people have wanted to smoke in the middle of the crowd, but because they are our events on our land, we can quite easily go in there and ask them to move away. Our policy and the actual areas that we targeted are very similar to the proposed amendment to the legislation. We got a lot of coverage in the local press, but it did not recognise that this is only a policy. The press interpreted it as a local law; it assumed that there were penalties and things like that. According to the local press, we have effectively banned smoking within 10 metres of all children's playground equipment, 10 metres from sporting facility building entrances, 10 metres from other persons on council playing fields or sporting grounds, 10 metres from other people on Cockburn's beaches, dunes or duties, at all public bus stops, within 10 metres of entrances to council buildings, and at all council events. I received two phone calls; both callers asked the same question: if I am on a beach and I am smoking, and someone comes and sits down next to me, what do I do? I just asked them to use some commonsense and it did not really go any further than that. There has been almost no response and no backlash. There has been nothing. I do not know whether the committee wants specific information about the implementation side of the signage and stickers, because that can be quite expensive. There are 189 playgrounds and Cockburn and a population of between 80 000 and 90 000 people; it is relatively big.

[11.50 am]

We looked at the cost of putting a sign on a pole at each of those playgrounds. It was going to be relatively expensive and it was not popular with people. People do not like signs. Our parks and gardens people did not want any more signs. They are a pain in the bum to put in; they are a pain in the bum to maintain. You have got to mow around them et cetera. What we chose to do was put stickers on the playground poles. We had to get them specially made at the right size for the poles. We have three of those on every playground. Local councils should be paying someone to inspect each playground once a year, every two years or maybe every three years, depending on what they can afford. It cost us \$600 to get all 189 playgrounds fitted with three of those signs, which is just about nothing really. We are putting signs up on beaches in the next week or two. We do not have too many beaches and they would not be as popular as probably the Fremantle beaches, but at the end of the day, it says "please don't smoke within 10 metres of other people on the beach", which is pretty simple.

The CHAIRMAN: Would you leave us a copy of the signs and the posters? Also, before I forget, Matt, could I have a copy of the educational material that you gave to the restaurants?

Mr Piggott: Certainly.

The CHAIRMAN: And you policy as well, Nicholas?

Mr Jones: I have copies of all the signs and the stickers. We did put some stickers up on about 20 bus stops. Within two days they had all been stolen. We may go to some of the bus stops; we are not going to do all the bus stops. We have a stencil and we will probably spray something on those bus stops. As far as implementation goes, I do not consider it to be onerous. I think the public health benefits outweigh the cost of the implementation.

The CHAIRMAN: Garry?

Mr Hunt: Thank you very much. Firstly, thank you for the opportunity for the City of Joondalup to be represented here today. To some degree what I am about to say is repetition, so I will try to couch it in slightly different words. We followed pretty much along the lines of Fremantle. Our approach has been in three areas: alfresco on public land, where we have the same problems about private land and government land as has been espoused already; beaches, where what is being suggested in the legislation, as I understand it, is the whole beach, not the designated, between-the-flags area—

The CHAIRMAN: It is the whole beach?

Mr Hunt: Yes, the whole beach reserve.

The CHAIRMAN: We are not going far enough for you.

Mr Hunt: No. I would suggest you might need to go a tad further. The third area is city buildings, and that is taken, again as suggested by Nicholas, from Cockburn. Both in terms of facilities and approach in one of our new facilities, the works operation centre, we have made it pretty difficult for those who want to smoke and very encouraging for them to quit through a whole series of programs. I guess with the approach we have taken the initiation came from within the elected membership. Two things stand out for us. One is that it certainly put Joondalup on the map at a slightly later time than Fremantle, but definitely from the city's perspective it was an extremely positive media issue. After the history of Joondalup, it was nice to have something positive. Secondly, it went Australia-wide, because we happen to be big enough that we are not seen as a tourism destination like Fremantle. If you talk about Fremantle, people all know where it is. It tends to be, "Oh, it is about tourism." We are 160 000 people and all we are known for is our community being residential. The focus was somewhat different, and we got a lot of attention for that. The bill ostensibly, from our point of view, goes the right way. It might be a significant encouragement for those local governments that have chosen either to go the policy way or stand by and just let other people do it. We are in very early days. I have got no statistics to give to you to say X number people have got cautions and X number of people have been fined. Our primary approach has been about education and encouragement. I will send to you our signs. Our signs, I have got to say, are a fair bit more in your face than the ones you have just seen from Cockburn. They are A3 signs, so they are fairly sizeable. We put many of them out, and our major complaint about this whole process has been not enough signs.

Mr P.B. WATSON: Where do you place them?

Mr Hunt: The signs are there at every entry point on the beach. That again has been good. The philosophy is about self-policing at the moment, mainly from the point of view that this was not meant to be another persecution of what people do. It is more about encouraging. If and when people lay complaints, then we will take action, but at the moment it is very much about encouraging people to do the right thing. I have to say that largely it seems to be working pretty well.

The CHAIRMAN: From the submissions to this committee the statistics we have been given are that at any one point in time 50 per cent of smokers would like to stop smoking. Although the rates are still high in Western Australia at 15 per cent for the general population, and higher in the Indigenous community, we are hoping that with the work you have done as trailblazers and if this legislation is introduced, we can get that percentage down.

Mr P.B. WATSON: We have also been advised that it is the hardest addiction to give up, much more than some people think, as the experts have told us.

Mr Hunt: If you fail once, it is even harder, so I am told. There has been very strong support from within the community for all three aspects. Again, our approach has been education, giving them the signs, encouraging them and having a conversation. As one lady put it to me beautifully the other day as I picked up my flat white, "I hope you are not going to have the guys jump out from behind the trees." I said, "No, we are trying to encourage people to come here, not chase them away." That is the only real concern the business community has. This proprietor's comment was, "I'm happy to tackle it in my patch. I'm happy to tackle it in the public area, but I need to do it in my way, so that I do not chase people away." That is in accord with the approach that we want to do. I guess that pretty much covers it. I am presuming, and I probably should not, that the details in the submission we made of what we did, when we did it and what the approach was, are there for you to read, so I will not go through them, save and except that we would be encouraging you not to reduce the size of the fines. Our levels are, I think, sustainable, particularly the alfresco one. I think you were \$50 less than us in terms of smoking.

We dealt with smoke-free playgrounds and decided that communities have a tolerance level. You can push them so far and then all of a sudden you push them a little too far and it falls apart. We did not go down that path, mainly because anecdotally it has not been an issue. The problems with cigarette butts are probably fewer than with needles, quite frankly, so our approach was not to go that extra step just at this point in time.

The CHAIRMAN: Maybe we could come back to Peter. If we could look at this bill and look at if this legislation is supported, and I am obviously hoping that there will be bipartisan support for the legislation, do you foresee problems with enforcement or can you see that it will be more self-enforcing because it has a positive health message coming out of it?

Mr Tagliaferri: It is going to be a bit of a chicken and egg. We encourage the process you are undertaking and we support it. I suppose the enforcement is going to be the issue for us with the size of the local government we are. I imagine, speaking for a lot of local governments that are not here, they would obviously be a lot less resourced. We have neighbours across the other side in East Fremantle who have barely one environmental officer and one ranger. Yes, enforcement for them is going to be an issue. Resourcing in dollars is something we will need to look into. We have taken the approach where we have addressed alfresco areas and we are working through the process of looking to expand it further out. Because of the size of our local government, 13 square kilometres, and the resourcing issues that we have, it is a suck-and-see approach, but obviously, if this is going to be imposed on all of us, it will test the metal. Hopefully, on the educational side of things it will be similar to what happened when it was legislated that hotels would no longer have smoking, when it was just accepted that no-one smoke in those premises. If there is legislation saying that you cannot smoke here, here and here, then fundamentally, hopefully that will be the end of it, but we will see. If it is there, then local government will need to go out there, either with our ranger services or environmental health officers, and commit resources, and that is something that will be a challenge for us.

[12.00 noon]

Mr Tagliaferri: Absolutely; yes. I am not sure how it is going to be policed.

Mr P.B. WATSON: As I have said before, if it is against the law, a certain percentage of people will just stop doing it. The evidence that we have seen in the past couple of weeks shows what damage it can do to a child. If we can get the message out there, hopefully with the education side of it, we will stop damaging our kids.

Mr Tagliaferri: I just do not understand how parents can do it anyway. I am sure everyone has seen cars with the mother or father smoking away with a little toddler in the back. It is just extraordinary.

Mr P.B. WATSON: They have the windows open thinking that that will help.

Mr Tagliaferri: It is extraordinary. However, it is interesting, with Australia being very young as a culture, that it was not that many years ago when you used to go to a cinema and had to cut through the smoke. We have come a long way, and we still have a long way to go, but hopefully smoking will be wiped out one day. That is coming from a reformed smoker. Unfortunately, I was a back-of-the-bus smoker when I was going to school. I was a bit of a rebel.

Mr P.B. WATSON: Did they have cigarettes in those days?

Mr Tagliaferri: I used to pinch them.

The CHAIRMAN: Matt, do you want to contribute?

Mr Piggott: The key component of the success or failure of this amendment may be the health promotion and education campaign that goes with it. If it is well resourced, it can stimulate the behavioural change and reduce the impact on local government in terms of resourcing, because of that peer pressure aspect, and the willingness of individuals to protect their own public health. In terms of the amendment bill itself, there are a number of areas where the government is seeking to prohibit smoking. In passenger cars, the city thought that, in line with existing traffic offences, the police may be the lead authority in terms of enforcing that particular component of the legislation. In relation to outdoor eating and drinking areas, outdoor playing areas and the safe swimming areas, local government could benefit by having the ability to appoint various authorised officers to police legislation. If there was an ability for environmental health officers to perhaps control the alfresco areas, for lifeguards to look after the swimming areas and for rangers to look after playgrounds, that would perhaps give local government the ability to coordinate resources to a degree and not, perhaps, have one specific professional officer to try to police the whole bounds of the legislation.

The CHAIRMAN: That is very useful, thank you. Nicholas?

Mr Jones: I reiterate everything that Matt said then, in particular the need for a comprehensive health promotion and awareness campaign to be introduced with the legislation.

The CHAIRMAN: I am not sure whether you have been working with the public health groups, but it sounds like the messages that you put together and that you are using in the community are excellent. I look forward, when we get copies of those, to showing them to my local council, and encouraging other councils to follow the pattern or the trend that you have set. Garry, would you like to discuss the enforcement matters?

Mr Hunt: I will just make a couple of comments. First, I encourage the committee to look at the provisions of the Local Government Act about authorised officers so that, instead of defining who it is, you use an authorised officer provision. The city or the local government makes that decision and they will use their resources as they see fit, rather than designating people for particular areas, although as the gentlemen on my right have said, that is probably the way it would go. It needs flexibility, because Halls Creek, Peppermint Grove and some of the others may or may not have some of those positions. In terms of the approach, I was somewhat taken aback by the documentation that was circulated stating that matters pertaining to tobacco are costing the state \$2.4 billion a year.

The CHAIRMAN: I can give you the background to those figures, if you would like. Some research was done by the Cancer Council. They had some health economists look at the area. This was several years ago.

Mr Hunt: I think, in the current climate, there is your message—\$2.4 billion. The amount will not be reduced from \$2.4 billion to nothing immediately, but in the current economic climate

\$100 million saved per annum is a serious inroad into a wide range of issues. Every time I travel overseas, particularly in central Europe, as distinct from—the UK is bad enough, I guess—the level of smoking we have in comparison with some of those European countries places us miles in front of where they are. The message is that we have learnt from what we have done so far. It actually does work; it does impact. Perhaps at times we get fearful about very old people still smoking and very young ones taking it up, but if we can sustain the message the impact will be there. The challenge is to work on the \$2.4 billion. In the current climate, I can tell you, that would go a long way and do a lot of good. Even if it all went back into health, I do not think you would get too many complaints. I encourage you to go on. I would like to see all smoking stopped in cars, but how you do that is another matter.

The CHAIRMAN: All smoking—I do not think you are going far enough! Could I ask the three councils whether they have given feedback on this issue to WALGA in the past?

Mr Hunt: I think WALGA surveyed us all about this issue and is aware of the approach that some councils have taken.

The CHAIRMAN: Did you each put in a submission to WALGA?

Mr P.B. WATSON: WALGA was pretty vague the other day about what its policy was.

Mr Hunt: I think you will find that because—you used the term “trailblazers”, which I do not think I am comfortable with—not everyone is in a position to see the immediate benefits, and WALGA, being a group lobby, will go for the vast majority rather than the trailblazers.

Mr P.B. WATSON: They said they would leave it to each council or shire to make its own decisions.

The CHAIRMAN: Did each council put in a response to WALGA’s survey, all were you given an opportunity?

Mr Tagliaferri: The City of Fremantle did not specifically lobby WALGA.

The CHAIRMAN: And it did not approach you?

Mr Tagliaferri: No.

Mr Hunt: It was aware of our program, and I am sure it was aware of the Fremantle one as well.

The CHAIRMAN: I am actually looking forward to getting—I am particularly interested, Peter, in your—I was going to get statistics for the councils who are the trailblazers to give to WALGA, and I think when we give them both the population your local council covers plus the tourists—the numbers you would have in Fremantle from the tourist industry—then I would hope that WALGA itself might maybe come on board. This might enable them to be more proactive in the area and certainly take it to your next WALGA meeting.

Mr Tagliaferri: If I may say so, Madam Chair, I am one of WALGA’s biggest critics, and it is a very conservative organisation. I am not sure it quite represents all the views of local government. It depends on the chair of the day.

The CHAIRMAN: As Garry could tell you, last year I wrote to all councils, as you probably know, over the third party issue, and I was told I should go to WALGA, so this time I went to WALGA, and was told that it had not discussed the councils. I am thinking that next time I need to write to both WALGA and individual councils to make sure that there is some communication!

As I have said, there has been very positive support for the bill. Have you had any group in particular that is opposed to the bill lobbying your councils?

Mr Piggott: Specifically, the city has not had any concrete evidence presented to it, but at the Fremantle Accord bimonthly alcohol-related meeting, we invite industry representatives, members of the local community, the Department of Racing, Gaming and Liquor, the Department of Health,

the Drug and Alcohol Office and the WA Police. There was a suggestion by a member from the AHA that that group may be in opposition to the proposal, but that is really just an anecdotal suggestion at this stage.

[12.10 pm]

The CHAIRMAN: In fact, it seems they are not happy being described as supporting the tobacco industry but are very critical of anyone who is trying to control the use and abuse of tobacco in society. I specifically did not mention the organisation's name, but I was interested in whether you had been approached in any way by the AHA.

Mr Tagliaferri: We were approached during the consultation process leading up to what we did at the city a year or 18 months ago. The AHA made very strong representation that it opposed any change—as it did when the previous state government introduced the legislation to outlaw smoking inside licensed premises. At that time, the AHA said it would be the death of licensed premises—that it would be all over.

The CHAIRMAN: The sky will fall down!

Mr Tagliaferri: The sky was going to fall down! The AHA attacked us and was very vocal. It did make a submission suggesting that the sky would fall below the table—or wherever it was going to go—if smoking bans were introduced in alfresco areas! The statistics are very, very clear. Even with the current world economic crisis and the drop in the mining economy, visitation numbers to the City of Fremantle increased by 20 per cent in the past financial year. We had already predicted that from the increase in the income stream we target, that is, parking, which dictates how many people can come into the city. We had a 20 per cent increase up until June last year and we have had a further 20 per cent growth since then. More people are coming. The sky-falling scenario predicted by the AHA has not come to fruition. I have to say that since we have introduced those changes to smoking in alfresco areas, we have received a significant number of letters from people saying how much they now enjoy coming to Fremantle—this is not only about South Terrace, but all alfresco areas throughout the municipality—to meet friends and dine in the alfresco areas. The ban on smoking has made their experience better.

Mr P.B. WATSON: Have you increased the number of available parking spaces given the increased number of people coming to the city?

Mr Tagliaferri: That is always a challenge.

Mr P.B. WATSON: It is always a challenge to find a parking spot!

Mr Tagliaferri: It is pretty easy Monday to Thursday, but I would have to agree with you about that on Friday, Saturday and Sunday.

The CHAIRMAN: While we were chatting briefly outside, Garry mentioned he thought the number of smokers at Joondalup had decreased because of the measures introduced and the programs offered to people. Am I correct in saying that?

Mr Hunt: Anecdotally; I cannot provide you with detailed statistics. However, even within our workforce at the new facility that we built—generally it is called a depot, but we call it a works operation centre—the focus is on smoking. A campaign formed part of the building launch; that is, a workplace smoking campaign, including where people could smoke in the facility. A significant number of people became involved and the number of smokers has reduced to the point where giving up smoking is now a topic of conversation in the office. It is encouraging particularly for the younger people, when asked why they smoke. In the current economic climate, we ask them to think about what smoking costs and what it would do for their mortgage over x number of years if they were to give up smoking x number of packs a week. The message is, by and large, heard.

The CHAIRMAN: Have you noticed that, Nicholas?

Mr Jones: Yes; I am just trying to work out how many staff we have in our administration centre—I think it would be around the 180 to 200 mark. We are just about to run our first *Quit* course. Ten people have put up their hands to do that course—which is fantastic! They are all long-term smokers and it is very positive that they want to do the course. We also run courses for the community.

The CHAIRMAN: That is good. And in the borders of Fremantle?

Mr Tagliaferri: I do not know. However, I do know that of our work staff, more females than males smoke. Adding to that, I have 17 and 20-year-old daughters who have just finished school and university. It seems to me that more women or girls than men smoke. I do not know if that is a fact but something has gone wrong somewhere if more women than men smoke!

The CHAIRMAN: I think we have those statistics. I know the figure for women smokers was higher a few years back but I thought the numbers had come down—someone mentioned it in a presentation last week.

Mr I.C. BLAYNEY: Certainly, if we go back longer term, that is 30 or 40 years, half the men smoked and hardly any of the women smoked. Since then, I think it is—as you say—the other way around; perhaps not to those proportions, but it certainly seems that more young women than young men smoke.

The CHAIRMAN: In one of the very interesting presentations last week it was explained that if I, as grandmother, were a smoker, my genes are affected and that those genetic changes would be passed to my grandchildren. I do not know that that message has gone out to women in the public domain. I do not know if you could use this information in your educational campaigns, but one of the presentations referred to the percentile chart for children's growth used by all mums and dads when they first have a child. The presentation explained that a similar representation is used for the damage done in utero. I think it is somewhere in the region of 30 per cent of alveoli that do not develop in utero and that in the next five years another 30 per cent of the alveoli can fail to develop and by the time the child reaches 18, the alveoli are that much smaller. Consequently, people exposed to cigarette smoke will develop various respiratory diseases a lot earlier than people who have been non-smokers. We will ensure that you have a copy of some of the evidence given to the committee because it could be very useful for your educational campaigns.

I will now thank you all very much for coming along today and adding to your submissions. Again, I want to congratulate you as trailblazers and I hope that other councils will follow your example.

Thank you for your evidence before the committee today. A transcript of this hearing will be forwarded to you for correction of minor errors. Any such corrections must be made and the transcript returned within 10 days from the date of the letter attached to the transcript. If the transcript is not returned within this period, it will be deemed to be correct. New material cannot be added via these corrections and the sense of your evidence cannot be altered. Should you wish to provide additional information or elaborate on particular points, please include a supplementary submission for the committee's consideration when you return your corrected transcript. Thank you very much for attending today.

The Witnesses: Thank you.

Hearing concluded at 12:17 pm