



Tobacco Control
Unit, Cancer
Programs
Division

Achieving smoke-free
apartment living: a
summary of two
research projects

Contents

	Page
1. Background	4
2. 2015 Strata By-Law Audit	5
2.1 Why did Cancer Council NSW undertake this evaluation?	5
2.2 How did Cancer Council NSW conduct the strata by-law audit?	5
2.3 What did the strata by-law audit find?	6
2.4 What does this mean?	8
3. Evaluation of Cancer Council NSW's Achieving Smoke-free Apartment Living resource	9
3.1 Why did Cancer Council NSW undertake this evaluation?	9
3.2 How was the evaluation conducted?	9
3.3 What did we find?	10
3.4 What does this mean?	16
4. Conclusions	17
5. Recommendations	17
6. Acknowledgements	17
7. References	19

List of Tables and Figures

	Page
Table 1. Characteristics of sampled strata schemes	6
Figure 1. Prevalence of various smoke-free by-laws in NSW Strata Schemes	7
Figure 2. Year when observed smoking by-laws were introduced	8

Achieving smoke-free apartment living: a summary of two research projects led by Cancer Council NSW

Cancer Council NSW is the leading cancer charity in NSW. Our vision is *Together we will beat cancer*. A priority in achieving this vision is preventing cancer by enabling people to lead healthy, cancer-smart lifestyles.

Secondhand tobacco smoke is a cause of cancer and any level of exposure is unsafe. Reducing the community's exposure to secondhand smoke is therefore a priority for Cancer Council NSW.

1. Background

No amount of exposure to secondhand smoke (SHS) is safe.¹ Conclusive evidence exists that SHS causes cancer, respiratory and cardiovascular diseases in adults, as well as sudden infant death syndrome, low birth weight, lower respiratory tract illness, middle ear disease and asthma in children.² NSW smoke-free laws protect the community from SHS in various indoor and outdoor public places (e.g. workplaces, outdoor commercial dining areas, and on public transport), however there are no legislative provisions protecting people from exposure in private living spaces.³

Most NSW adults (93%) prohibit smoking inside their home,⁴ but some continue to experience home-based exposure to SHS because neighbours' smoke penetrates their home. Residents of multi-family housing are especially susceptible to unwanted SHS exposure in their home because smoke can easily move between smoking and non-smoking areas of the building. Research has demonstrated that smoke originating in one unit can penetrate nearby units and common areas.⁵ One NSW-based study found that non-smoking residents of multi-family housing were 20 per cent more likely to be exposed to SHS in their home than people living in detached houses.⁶

While state laws do not mandate rules about smoking in multi-family housing, in most types of multi-family housing it is possible to adopt policies that restrict or ban smoking (including inside private units). In strata schemes, which are the most common type of multi-family housing in NSW, a smoke-free by-law can be adopted to ban or restrict smoking. This by-law can be adopted at an Annual General Meeting of the owners corporation where a motion for a smoke-free by-law is put to the owners corporation and at least 75 per cent of votes cast are in favour of the by-law.

Although owners corporations can adopt by-laws to restrict smoking in strata schemes, anecdotal evidence collected by Cancer Council NSW suggests that there are barriers to adopting a smoke-free by-law and that few schemes have adopted one. Thus, in 2015 Cancer Council NSW conducted two research projects to find out:

1. How common are smoke-free by-laws in NSW strata schemes?
2. What stops strata schemes from adopting smoke-free by-laws?
3. Does Cancer Council NSW's Achieving Smoke-free Apartment Living resource helps owners and residents of strata schemes to achieve a smoke-free by-law?

This report outlines the methods, results and implications of these two projects.

2. 2015 Strata By-Law Audit

2.1 Why did Cancer Council NSW undertake the strata by-law audit?

NSW laws provide a mechanism for strata schemes to create policies to protect against smoke penetration. However, there is no evidence on how many strata schemes have a smoke-free by-law or what types of smoking restrictions are being adopted. Thus, we aimed to establish a baseline measure of the proportion of NSW strata schemes with smoke-free by-laws and to collect evidence on the types of smoking restrictions being included in strata by-laws. This research will inform relevant legislative and regulatory reform and will help Cancer Council NSW to evaluate the effectiveness of the Achieving Smoke-free Apartment Living program.

2.2 How did Cancer Council NSW conduct the strata by-law audit?

As at September 2014 there were 64,062 residential and mixed use strata schemes in NSW. In September 2014 Cancer Council NSW obtained by-law documentation for all strata schemes that had developed by-laws or amended by-laws between 1985 and September 2014 (n=24,988). Cancer Council NSW then reviewed by-law documentation for a random sample of 1,308 NSW strata schemes. This entailed a manual review of 2,927 individual by-law documents (i.e some strata schemes had more than one by-law document).

By-law documents found to contain a by-law restricting smoking were coded to determine the locations or situations where smoking was restricted. Data were entered into an online survey tool.

To ensure good data quality and reliability two trained researchers read and coded each by-law document and a third researcher cross-checked the two datasets. The third researcher rectified discrepancies between data sets by re-reading relevant documents and making a final judgement on coding.

2.3 What did the strata by-law audit find?

2.3.1 Strata schemes sampled represented all regions of NSW

As shown in Table 1, the characteristics of sampled strata schemes (n=1,308) closely matched those of the entire sample (n=24,988). Consistent with the spread of strata schemes across NSW, most sampled schemes were located in higher socio-economic indexes for areas (SEIFA) and predominantly in major cities.

Table 1. Characteristics of sampled strata schemes

	24,865 strata schemes No. (%)	1,308 strata schemes selected for sampling No. (%)	Smoking related by-law (n=1,308) No. (%)
SEIFA quintile			
1 (most disadvantaged)	1,790 (7%)	93 (7%)	1 (2%)
2	1,620 (7%)	88 (7%)	0 (0%)
3	3,340 (13%)	178 (14%)	5 (3%)
4	4,686 (19%)	259 (20%)	11 (4%)
5 (least disadvantaged)	9,530 (38%)	486 (37%)	22 (5%)
N/A*	3,899 (16%)	204 (16%)	29 (14%)
<i>P value**</i>			0.139
Remoteness			
Major cities	19,223 (77%)	1,013 (77%)	38 (4%)
Inner regional	1,688 (7%)	81 (6%)	1 (1%)
Outer regional	198 (1%)	18 (1%)	0 (0%)
N/A*	3,756 (15%)	196 (15%)	29 (15%)
<i>P value**</i>			0.355
Total	24,865 (100%)	1,308 (100%)	68 (5%)

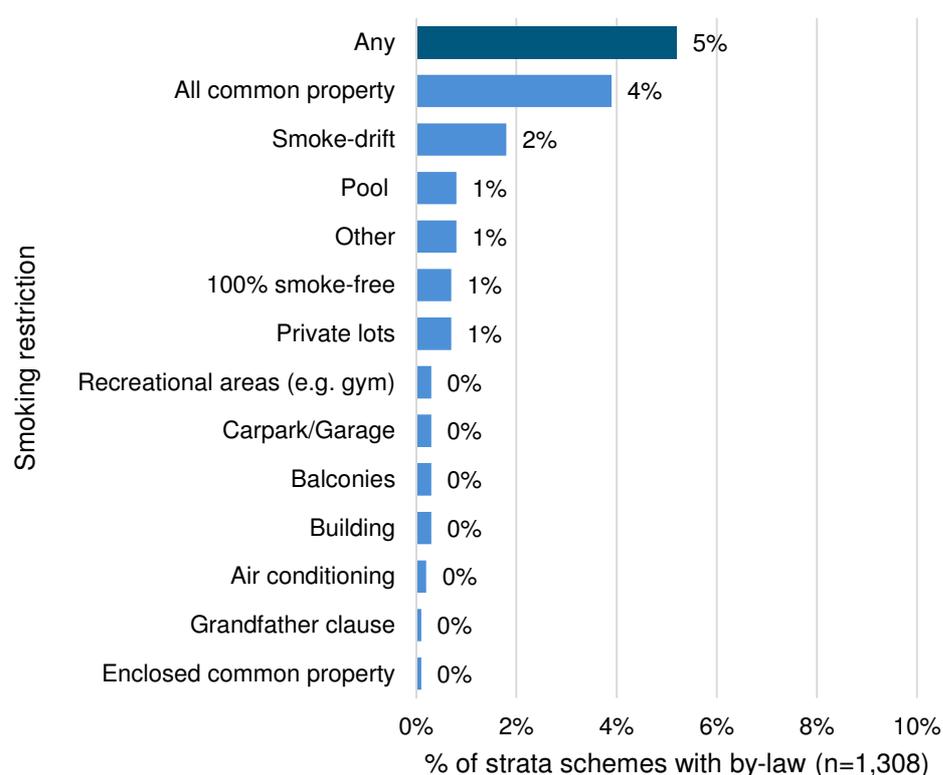
*N/A = SEIFA and remoteness classifications were not available

** Pearson's Chi-Square tests were used to determine significant differences. N/A were treated as missing values in this analysis.

2.3.2 Few strata schemes had a smoke-free by-law

We found that 5% (n=68) of sampled strata schemes had at least one by-law to restrict smoking. The most common type of smoke-free by-law were those that banned smoking from occurring on common property (n=51, 4%). By-laws that prohibited smoking in situations where smoking could "emit" from a private unit into common property or the private unit of another resident were the second most common type of smoke-free by-law (n=23, 2%). Only 1% (n=9) of sampled strata schemes were found to have a 100% smoke-free by-law, whereby smoking was not permitted anywhere on the property. Figure 1 shows the types of smoke-free by-laws identified and how frequently each type of by-law was observed.

Figure 1. Prevalence of various smoke-free by-laws in NSW Strata Schemes



2.3.4 Smoke-free by-laws were rare state-wide, regardless of remoteness classification or socioeconomic status of the area

Remoteness classifications were available for 85% (n=1,112) of sampled strata schemes. No significant difference in the prevalence of smoking-related by-laws by remoteness was found. Overall, 4% (n=38) of strata schemes in major cities restricted smoking, 1% (n=1) of strata schemes in inner regional areas restricted smoking, and no strata schemes in outer regional areas restricted smoking (Table 1).

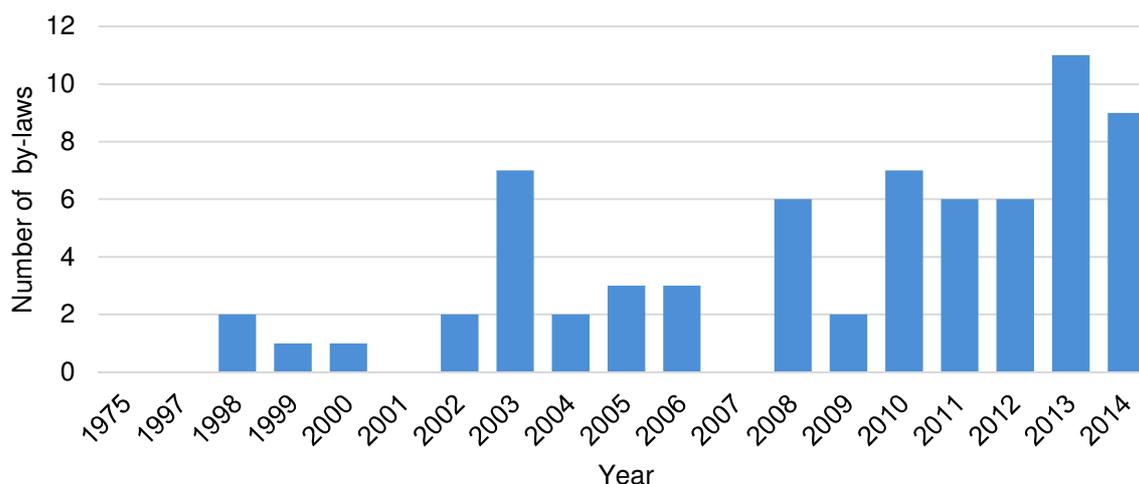
SEIFA quintiles could be determined for 84% (n=1,104) of sampled strata schemes. While slight differences were observed, there were no significant differences in the prevalence of smoke-free by-laws by socioeconomic status. Five per cent (n=22) of strata schemes in the least disadvantaged quintile were found to restrict smoking, compared to 1% (n=2) of strata schemes in the most disadvantaged quintile (Table 1).

2.3.5 Smoke-free by-laws are becoming more common and more comprehensive

Of the 68 smoking related by-laws observed, 38% (n=26) had been introduced since 2012 (Figure 2). The earliest smoking related by-laws observed were introduced in 1998 (n=2). One of these by-laws banned smoking in common areas of the building and the other banned smoking in common areas and on balconies.

In our sample the first by-law banning smoking in situations where smoke could emit or drift into common property or into the lot of another was introduced in 2003 and the earliest 100% smoke-free by-law in our sample was introduced in 2011.

Figure 2. Year when observed smoking by-laws were introduced



2.4 What does this mean?

This study was the first to survey the availability of smoke-free multi-family housing in NSW. The study found that there are very few multi-family housing options available for people who want to live in a smoke-free environment, with five percent of our sample having any type of smoking related by-law and one percent having a 100% smoke-free by-law. Smoke-free by-laws were found to be rare state-wide, regardless of socioeconomic status or remoteness of the area. This is a concern because we know that 100% smoke-free by-laws provide the best protection from smoke penetration in multi-family housing and Australian research indicates that most people want to live in a smoke-free environment.

The results of this research show a recent increase in the adoption of smoke-free by-laws. Encouragingly, this suggests that smoke-free by-laws are becoming more common. About 40 per cent of smoking related by-laws observed in this study had been introduced since 2012 and all nine 100% smoke-free by-laws had been introduced after 2011. This increase coincides with consultation on proposed strata law reform in NSW, including a recommendation to address secondhand smoke penetration,⁷ and the release of Cancer Council NSW's Achieving Smoke-free Apartment Living resource.

Research conducted in the United States (US) has found higher rates of smoke-free policies (13% of participating buildings).⁸ In part, this higher adoption could be due legislative support for the adoption of smoke-free policies in multi-family housing complexes. Utah state law confirms that building management has authority to enact rules about smoking and explicitly recognises that regular "tobacco smoke that drifts into any residential unit a person rents, leases or owns, from another residential or commercial unit" is a nuisance.^{9:10} Legislation covering NSW strata schemes could similarly be reformed to include these parameters.

Programs in the US aimed at encouraging and supporting multi-unit housing complexes to introduce smoke-free policies also contribute to the greater supply of smoke-free multi-family housing in the US. Research investigating the effectiveness of these campaigns reported that successful programs typically include: an understanding of the local context; identification and use of a local champion; partnering with like-minded organisations; building relationships with stakeholders; collecting and using local data; and, making a compelling case to decision makers.¹¹ Policy and community level approaches aimed at increasing the

availability of smoke-free multi-family housing could in NSW be broadened and improved in NSW.

The main limitation of this research is that the results are not generalisable to all NSW strata schemes. The sample did not include strata schemes that: did not have registered by-laws; used model by-laws only; or had not registered any amendments to their by-laws since 1985. Since these strata schemes are less likely to have a smoke-free by-law than sampled schemes (e.g. because model by-laws do not contain a smoking-related by-law), it is probable that our findings overestimate the prevalence of smoke-free by-laws. If we assume that no strata schemes outside our population sample have a smoke-free by-law, then the prevalence of smoke-free by-laws in NSW strata schemes would be closer to two per cent.

3. Evaluation of Cancer Council NSW's Achieving Smoke-free Apartment Living resource

3.1 Why did Cancer Council NSW undertake this evaluation?

Few NSW strata schemes have a smoke-free by-law. The aim of the Achieving Smoke-free Apartment Living program is to reduce exposure to SHS by increasing the uptake of smoke-free policies by multi-unit housing complexes. The Achieving Smoke-free Apartment Living resource is a key component of the program. The resource aims to improve people's knowledge, attitudes, motivation and confidence to advocate for and implement smoke-free by-laws in their own building.

Cancer Council NSW wanted to find out if the Achieving Smoke-free Apartment Living resource helps strata schemes to adopt smoke-free by-laws as well as what stops strata schemes from adopting smoke-free by-laws.

3.2 How was the evaluation conducted?

Semi-structured interviews were conducted with 25 participants: 20 people who reported experiencing exposure to SHS in their multi-family housing, 2 real-estate agents, 1 strata management agent and two Cancer Council NSW Tobacco Control Unit staff members. Participants were identified via:

1. Cancer Council NSW's record of persons who have contacted Cancer Council NSW regarding SHS in multi-family housing
2. a short survey about the Cancer Council NSW Achieving Smoke-free Apartment Living resource
3. an email to Cancer Council NSW's CanAct community asking residents or owners of multi-unit housing if they would be willing to participate in an interview
4. snowballing from interview participants.

All interviews were recorded and transcribed verbatim, and a copy of the manuscript was provided to participants for validation. All transcriptions and participant feedback were entered into NVivo (v10). Using deductive and inductive analytic processes, data were examined to describe findings relevant to the evaluation aims and research questions.

Excluding Cancer Council NSW Tobacco Control Unit staff members, participants were reimbursed for their time with a \$40 gift-card. Ethics approval was received in February 2015 from the Cancer Council NSW Human Research Ethics Committee.

3.3 What did we find?

3.3.1 Unwanted secondhand smoke exposure has a negative impact on residents of strata schemes

3.3.1.1 Unpleasant smell

All study participants, except for one who lived in a complex with a smoke-free policy, reported being negatively impacted by the smell of SHS. Participants described the smell as a nuisance and severely unpleasant. For example:

“It’s a nuisance, it stinks, your house stinks. It can get in the way a nice dinner and the nice ocean breeze and everything else that makes it nice to come home at night.”

“There were times when I would smell my towel and it would smell like cigarette.”

3.3.1.2 Health impacts

Participants expressed concern about the health risks associated with exposure to SHS, with some explaining that exposure worsened their pre-existing health conditions. Participants also explained that the dangers associated with SHS exposure are well known and that SHS is something to be avoided. Some participants attributed their own experience of certain health conditions to SHS exposure, including headaches, difficulty breathing, asthma and sinus. There was particular concern about the health risks to children, including among participants who did not have children. For example:

“Well I get bad sinuses, and I just don’t like it...it makes it harder to breathe...I guess years ago [the health effects of smoking] wasn’t all known, but now we know everything, I think people are selfish.”

“I thought we had a duty of care as unit owners to protect all residents, particularly children, because they can’t choose to live here or not: adults can say they don’t want to put up with the smoke and move somewhere else, but children can’t.”

3.3.1.3 Impact on access to fresh air

Participants discussed feeling trapped inside their home as they shut their doors and windows to block out unwanted smoke. The need to keep windows and doors shut to reduce smoke penetration was considered especially onerous in the summer months and at night when fresh-air and ventilation was considered desirable. The practice of closing doors and windows to reduce smoke penetration was described as “very annoying”. One participant explained:

“Well basically it’s not about a feeling of being trapped...we just feel like we can’t even live in our own space...like we can’t enjoy the lot, you can’t sit in the backyard for any period of time. We can’t just sit out there and enjoy our space...We’ve been forced to get air conditioning because of the inability to keep the windows open and get fresh air...I think it was about \$1700.”

3.3.1.4 Emotional impacts and responses

Participants reported feeling negative emotions towards their experience of SHS penetration. They reported “getting quite upset”, “being annoyed and angry, like a sense that [SHS] is enforced on them”, a “great deal of stress and frustration” and feeling “helpless”. One participant explained:

“I think for my own sanity, if I smelled cigarette smoke I would close the door...It got me a bit twisted and my wife was like “you’re obsessed”. But you do, you become obsessed with it because you don’t want to have to deal with it.”

Participants also reported negative emotions towards the process of trying to address the problem of smoke penetration. One participant explained how smoke penetration and his attempts to stop the smoke penetration had a negative impact on family functioning. For example:

“So every day, my wife wasn’t working because she was looking after the kids, and I would get home and she was crying and it was very, very hard...This issue that can break families apart because me and my wife almost divorced just because of that...it not being your choice that makes you feel useless because it was very close for us to get a divorce.”

3.3.2 Barriers to adopting smoke-free by-laws in strata schemes

3.3.2.1 People are reactive not proactive towards the issue

In all instances participants reported that they were prompted to access the Achieving Smoke-free Apartment Living resource, and supplementary information on smoking in multi-unit housing, when SHS became an issue in their own multi-unit housing complex. In this sense participants’ information seeking behaviour was reactive rather than proactive. For example:

“[Experiencing SHS] was the catalyst for seeking information.”

“I hadn’t really looked [for information on smoke-drift in MUH] because I hadn’t needed to.”

This reactive rather than proactive behaviour is likely to mean that people who have not experienced a problem with SHS in this setting will not be aware of the issue and how to deal with it. Given that 75% owner support is required to adopt a smoke-free by-law, this likely low community awareness could act as a barrier to adopting smoke-free by-laws.

3.3.2.2. SHS is not always considered a nuisance

Participants identified the omission of a by-law dealing with SHS from strata by-laws as a barrier to addressing unwanted smoke penetration. Participants explained that SHS was not typically mentioned in strata by-laws, with the exception of some common area restrictions. The absence of SHS in by-laws is an important barrier because it leaves whether SHS is a nuisance or hazard open to interpretation. For example:

“Cigarette smoke isn’t explicitly mentioned [in by-laws] and so therefore it can’t necessarily be described as something that is a nuisance and a hazard. So there’s no direct thing saying that’s a nuisance you’re causing with that cigarette smoke...complaints from individuals [about SHS] just fall on deaf ears.”

Participants also reported that SHS was not treated the same as other nuisances in strata schemes, such as noise and pets. One participant explained that although *“[noise] is not as a big of a problem as smoke”*, noise is more likely to be recognised as a nuisance and acted upon. This view was also expressed by another participant who reported an inconsistency in the way that strata schemes address different nuisances. For example:

“The same by-law that applies to noise is the same one we have for cigarette smoke so

they will tell someone to be quiet but they won't tell someone to stop smoking...my friend had a party on, at mid-night on the dot they had a knock at the door and were told if they didn't quieten down they would call the police. The police can come in and stop people for those things. You can't call the police if someone is smoking about cigarette smoke, they would laugh at you."

3.3.2.3 Strata committee membership

Participants reported that residents of strata schemes often misunderstand the role of strata schemes. Strata committees were spoken of with a level of confusion and were described by some participants as 'an entity'. Participants described 'strata' as somewhat external to the building. For example:

"There is a predominant view...that strata is some sort of entity, living entity, so the attitude is [why] do we have to worry about that..? That's up to strata to handle... And you sort of say "well who is strata if it's not us, the owners? And they just look at you blankly."

For some participants the composition of strata committees was perceived to create representation issues and was considered a major barrier to the addressing the problem of SHS. Participants explained that the composition of strata schemes was influential in determining what issues were to be considered and addressed. In cases where no strata committee members were experiencing exposure to SHS and in cases where a strata committee member smoked, the composition of the strata committee was considered the main barrier to addressing SHS exposure.

"He [a strata committee member] was a heavy smoker and he didn't want it [the smoke free by-law] and [he] was able to talk to the rest of the committee out of it."

"If it's not affecting them [the strata committee], their own units, they are not going to worry too much."

"The managing agent smokes, one of the other committee members smokes and I don't think they see the problem."

3.3.2.4 Requiring individuals to advocate for smoke-free living

Participants said that their fear of upsetting neighbours and fear of negative responses from neighbours deterred them from advocating for a smoke-free by-law within their own strata scheme. Participants reported that advocating for rules about smoking in strata schemes could be seen to "upset people", "rock the boat" and "potentially causing friction with people you share a stairwell with". For example:

"I wouldn't sort of actively go on this crusade to lobby all the strata committee members to make that [smoke-free rule], I don't know what their thoughts are, I don't know if any of the strata committee members are smokers."

"I tend not to say too much to people because I don't like to provoke an argument."

Some participants explained that when they had tried to negotiate with their neighbours about smoking, they were met with hostile and at times violent responses. Vandalism, damage to property, feelings of being ostracised from the community and needing to take out an Apprehended Violence Order were reported consequences of raising smoke penetration as a problem. For example:

“It was just so aggressive and hostile [the reactions]...and there was a lot of verbal aggressions being used at that point in time. So to be honest I just felt intimidated to keep on with that [advocacy for a smoke-free by-law].”

“You can get ostracised [when you raise issues like smoking], that is a real danger and it did happen to me, very much so. I’m, just after two years, I’m just starting to be accepted as part of the community living and all I did was present this as a health risk and no more than that.”

3.3.2.5 Competing priorities in strata schemes

Participants explained that various issues compete for strata committee time and funding. One participant described the time taken to address other priorities as “roadblocks” to addressing SHS. Participants reported that time delays in addressing SHS were because the issue was “in a sense...not a top priority”. For example one real estate agent explained:

“A strata manger doesn’t actually get paid to be sorting out somebody’s smoking habits. Their job is to run the buildings and maintain them and collect the revenues and create budgets and the management issues are painful and very time consuming. [complaints such as smoking] can be dead set time burners and these people don’t have much spare time you know cos they are busy...If I were a strata manager I would just think ‘ah God I wonder if it will go away if I don’t do anything?’”

The cost of drafting a new by-law was also considered a barrier given there are other issues that require funding to resolve. One participant explained:

“I said to him [the strata manager] that we were going to raise the issue and look into having a [smoke-free] by-law done and he said to us ‘well can you leave that for the minute because your funds are a bit low’ because we’ve just spent sixty thousand.”

3.3.2.6 Limited rights of tenants

Participants also reported a power imbalance between owners and tenants in strata schemes, and perceived that this was a barrier to tenants resolving the issue. In particular participants reported that tenants have very limited avenues for reporting issues as they are unable to go directly to strata managers or strata committees. For example:

“[Strata]...won’t talk to tenants, they just refuse...it seems that strata, they’re not prepared to talk to anyone except the landlords and that kind of leaves us with, well what do we do?”

“We [strata managing agents] don’t really have a relationship with tenants; we only have a relationship with the landlords. So we technically can’t actually take correspondence from them, you know communication with tenants. We basically have to say ‘here that’s nice dear please speak to your property manager’.”

“They [renters] can’t act on their own, in their own interests. They have to go through somebody else... they are not being treated the same way as the landlord or owner...It’s harder for tenants; tenants do get treated badly a lot of the time. Honestly, do many people see tenants as secondhand class citizens.”

Participants who rented their property also reported feeling reluctant to report issues with SHS due to their fear that making a complaint would lead to a rent increase or their eviction. For example:

“For us it’s almost motivated by not wanting to contact our landlord because we don’t want our rent to go up.”

“Just having to move again is such a, moving is terrible. No one wants to move once a year.”

3.3.2.7 Misunderstanding of proposed legislative changes

Some participants reported incorrect beliefs about the scope of strata law reform in NSW. Specifically some participants believed that strata law reforms in NSW would lead to all strata schemes being required to adopt a smoke-free by-law. In some instances, participants also explained that waiting for the anticipated strata law reform was a barrier to addressing smoke penetration in the short term. For example:

“We’re going to wait for the legislation...when the legislation come in presumably it will be blanket on all stratas in the whole area.”

“I was under the impression that legislation might go through banning smoking in new complexes that were being built. I was hoping that if that happened, that would give us cause to reassess our policy on it because if you’re going to ban smoking in new complexes the smokers are going to have to move somewhere else. So I don’t want them to move here.”

3.3.2.8 Concerns about practicality of compliance

Concern about the logistics of implementing and enforcing a smoke-free by-law was also reported to be a barrier. There was a belief that compliance with a smoke-free by-law would be difficult to monitor and enforce since it could be difficult to ascertain where smoke is coming from. For example:

“You would need pretty tight processes and it needs to be enforced because if it isn’t enforced people are going to do it anyway.”

“The difficulty of any legislation is enforcing it and if people just continue to say it wasn’t me it must have come from elsewhere or whatever, which the one to me would deny that it was them if confronted, unless you catch them red-handed they’d still have some story.”

3.3.4 The Achieving Smoke-free Apartment Living resource contains helpful information and enables some people to achieve a smoke-free by-law

3.3.4.1 Good information, structure and format

Overall, participants reported that the Achieving Smoke-free Apartment Living resource was a useful tool that was well structured and contained useful information. For example:

“I think it’s a terrific resource. The people who put it together deserve to be complimented.”

“I thought all this wonderful information; I was very impressed with it.”

“I was just happy that they’d gone and answered so many questions, and the format and everything was very good.”

“It’s good, I liked it. It’s got lots of good information in there. It was well planned and divided up into different sections.”

In particular, Participants reported finding the following information in the resource helpful:

- example smoke-free by-laws
- information on how to address smoking in strata schemes
- case studies
- information on the Residential Tenancies Act 2010
- information on the benefits of smoke-free multi-family housing
- examples of no-smoking signage.

3.3.4.2 Increased users knowledge, confidence and motivation to take action

As a result of reading the Achieving Smoke-free Apartment Living resource participants reported increased knowledge of the benefits of going smoke-free; increased knowledge of how to achieve a smoke-free by-law; and increased confidence and motivation to take action.

Participants reported that the information contained in the Achieving Smoke-free Apartment Living resource informed them of possible avenues for addressing the problem of SHS in strata schemes. Participants also reported that the resource empowered them by confirming that SHS in multi-family housing is a legitimate issue and that taking action to address the problem is justified. Participants were also encouraged to learn that others facing similar problems have resolved the issue. For example:

“It’s totally flipped the perspective from having a nuisance you have to put up with to actually, you’re not allowed to be a nuisance to the tenants in a lot.”

“[The resource] gave us something to relate to when people had an issue and it was good to see that other people who had the same experience were able to have some success. It was encouraging and that motivated us to look at other options and we followed the process where mediation is expected.”

“It was almost like a reinforcement. I didn’t know if I was doing the right thing.”

3.3.4.3 Did not always help users to resolve the problem of smoke penetration

Participants reported that the Achieving Smoke-free Apartment Living resource improved their knowledge, confidence and motivation to advocate for a smoke-free by-law, however some reported that this did not always lead to the adoption of a smoke-free by-law. In particular some participants explained that improving their knowledge did not help them to influence the perspective of other owners and some participants explained that the confidence and empowerment they felt when reading the resource was somewhat eroded when they raised the issue with other owners. For example:

“[The Achieving Smoke-free Apartment Living resource] was a form of support, but at the end of the day I don’t think it makes a difference when it comes to challenges corporations, such as strata, which can sort of have their own set of regulations and rules and if they don’t need to abide by it, then they won’t do it and you have to deal with it, it’s not their problem.”

“[The Achieving Smoke-free Apartment Living resource] was just a great utility or great source, however when you’re dealing with the situation that we have it really doesn’t provide much in the way of workaround of objection.”

“Actually I took that kit and used that as part of my reference for the first meeting we had and used some of the tools in there etc. but that was absolutely discarded, not even considered.”

“It doesn’t answer the question about what next, it tells you how to start but it doesn’t really help you with ongoing matters.”

“The resources from the Cancer Council were superb, second to none. It’s trying to get it pushed across to a group of people who don’t really completely understand it.”

3.4 What does this evaluation mean?

This research found that smoke penetration in multi-family housing is a nuisance and a hazard that causes residents distress. Secondhand smoke penetration was reported to negatively impact health and reduce overall quality of life. In particular participants exposed to secondhand smoke in their home discussed how the smell of tobacco smoke reduces their freedom to enjoy their home and to get fresh air. Smoke-free by-laws in strata schemes could better protect these residents from the discomfort and nuisance caused by secondhand tobacco smoke. However, this research identified barriers that stop strata schemes from adopting smoke-free by-laws.

Barriers to adopting smoke-free by-laws in strata schemes included: secondhand smoke being disregarded as a genuine nuisance, unsupportive members of some strata committees were reported to impede progress, financial costs and competing priorities in strata schemes were reported to delay action, and the fear of causing friction with other residents and owners was reported to stop residents from voicing their concerns. Tenants were perceived to face an additional barrier due to their rental status and limited rights. Participants agreed that there are limited avenues available for tenants to voice their concerns or to motivate others to take action on their behalf.

Positively, the Achieving Smoke-free Apartment Living resource was reported to improve users’ knowledge, confidence and motivation to take action to stop smoke penetration, and it was reported to help some participants achieve a smoke-free by-law in their strata scheme. In particular, information on how to address smoke penetration in strata schemes, the example of smoke-free by-laws and the case studies was reported to be useful.

However, not all participants were able to achieve a smoke-free by-law by using the resource. In circumstances where there was opposition to a smoke-free by-law the toolkit was seen to provide little advice for overcoming this resistance and for harvesting improved support. Participants explained that while the resource improved their knowledge, confidence and motivation, it did not always influence the perspectives of others.

Moving forward, this research suggests that to reduce secondhand smoke penetration in multi-family housing both policy, and community education and capacity building approaches are required. Acknowledgement in strata legislation that secondhand smoke penetration is a nuisance and a hazard could reduce reluctance to treat secondhand smoke like other nuisances. In addition inclusion of a smoke-free model by-law in regulations would reduce

the time and costs associated with drafting a new by-law. However, even with improved legislation it is likely that barriers to adopting smoke-free by-laws will remain. In particular rules about smoking in strata schemes will still require negotiation among residents to achieve 75% support. Thus, campaigns aimed at raising awareness of the problem, how to resolve it and communicating the benefits of smoke-free policies will be required. Tools aiming to increase the ability of individuals to successfully advocate for and negotiate rules about smoking would also assist local advocates to achieve a smoke-free by-law in their strata scheme.

4. Conclusion

There are few multi-family housing complexes in NSW where residents can be confident that unwanted secondhand smoke will not penetrate their home. Furthermore, our research shows that there are significant challenges to achieving smoke-free living through the introduction of a smoke-free by-law. In addition to legislative changes that would better support strata schemes to adopt smoke-free by-laws, there are actions that Cancer Council NSW could take. Specifically Cancer Council NSW could increase community awareness of the problem and how to resolve it as well as increase the capacity of individuals to successfully advocate for a smoke-free by-law in their building. Cancer Council NSW can also measure improvements in the availability of smoke-free multi-family housing in NSW by continuing to monitor the prevalence of smoke-free by-laws.

5. Recommendations

- Update the Achieving Smoke-free Apartment Living resource to reflect the latest research, case law and legislation.
- Provide practical tools and tactics to help individuals undertake more effective advocacy.
- Improve community and stakeholder awareness of the issue and how it can be addressed using a proactive communication strategy that targets all necessary audiences.
- Ensure key advisors in strata schemes (e.g. strata managing agents and real-estate agents) have knowledge of the avenues available for addressing secondhand smoke in MUH.
- Build positive attitudes towards smoke-free strata schemes by communicating the benefits of smoke-free strata schemes.

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