

24 August 2022

Health Committee  
Parliament Buildings  
Wellington

Email: [health@parliament.govt.nz](mailto:health@parliament.govt.nz)

## Canterbury Mayoral Forum submission on the Smokefree Environments and Regulated Products (Smoked Tobacco) Amendment Bill

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1. The Canterbury Mayoral Forum (the Forum) thanks the Health Committee for the opportunity to make a submission on the Smokefree Environments and Regulated Products (smoked tobacco) Amendment Bill.

### Background and context

2. The Canterbury Mayoral Forum comprises the mayors of the ten territorial authorities in Canterbury and the Chair of the Canterbury Regional Council (Environment Canterbury), supported by our Chief Executives. The purpose of the Forum is to promote collaboration across the region and increase the effectiveness of local government in meeting the needs of Canterbury's communities.
3. The eleven local authorities are: Kaikōura, Hurunui, Waimakariri, Selwyn, Ashburton, Timaru, Mackenzie, Waimate and Waitaki District Councils, the Christchurch City Council and Environment Canterbury.
4. The Forum is a primary mechanism for local government leadership, coordination and advocacy for Canterbury and its communities. The following submission has been developed with input from across Canterbury councils. We note that some Canterbury councils are also planning to make more detailed individual submissions. The Canterbury Mayoral Forum submission is intended to complement those submissions.

### *Mayors standing together for Canterbury.*

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5. The Forum supports the general intent of the Bill as a significant step to reducing preventable death, addressing regulatory gaps and providing comprehensive regulations for tobacco products to progress the Smokefree 2025 goal.
6. In particular the Forum wishes to comment on and support those provisions of the Bill designed to reduce retail availability of smoked tobacco products. We support the proposal to require retailers of tobacco to be approved by the Director-General of Health and to limit the number of retail premises allowed in any defined area.
7. The Forum recommends that the Bill include additional regulation of retailers of vaping products. We consider that the regulatory framework for vaping products should be amended to:
  - a. restrict the density of vaping product retail shops in any area
  - b. restrict the proximity and location of retailers of vaping products having regard to sensitive sites such as schools or bus-stops used by school age children; and
  - c. require consultation with local authorities before making any decisions on the above matters.

## **Government Smokefree Aotearoa 2025 and Canterbury local councils**

8. The Forum supports the Government's Smokefree Aotearoa 2025 Action Plan and strongly supports effective regulatory tools relating to tobacco consumption and distribution. We recognise effective measures are needed to improve the health and wellbeing of our local communities, in particular the younger generation.
9. We support the Government's goal of reducing daily smoking prevalence to less than 5 percent across New Zealand by 2025. Almost all Canterbury councils have adopted a smokefree policy to promote a healthy environment for residents and a number of Canterbury councils also promote 'no vaping' in our public spaces.

## **Smoking rates in New Zealand and Canterbury**

10. Smoking kills between 4,500 and 5,000 people every year in New Zealand<sup>1</sup> (12 to 13 deaths everyday) due to smoking, or exposure to second-hand smoke. In 2018, Canterbury had a total population of 599,694<sup>2</sup> with a smoking prevalence of 12.3<sup>3</sup> percent. While this figure is a little lower than the overall New Zealand figure of 13.2 percent for that year, it shows there is a need for us to address the impacts of smoked tobacco products on young people, vulnerable groups, and future generations to ensure they are protected from any harm.
11. We note that daily adult smoking rates in New Zealand continue to decline (from 11.6%<sup>4</sup> in 2019/20 to 9.4% in 2020/21<sup>5</sup>). But while smoking rates for adults continue to reduce, there is

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<sup>1</sup> [Health effects of smoking | Ministry of Health NZ](#). Online search: 1 Aug 2022.

<sup>2</sup> StatNZ: [2018 Census of population and dwellings](#). Online search – 1 Aug 2022.

<sup>3</sup> StatNZ: [2018 Census - Health](#). Online search – 1 Aug 2022.

<sup>4</sup> Ministry of Health. (2020). *Annual Update of Key Results 2019/20: New Zealand Health Survey*. Wellington: Ministry of Health.

<sup>5</sup> Ministry of Health. (2021). *Annual Update of Key Results 2020/21: New Zealand Health Survey*. Wellington: Ministry of Health.

an increasing smoking trend among young people, with year 10 student smokers increasing from 4.7% in 2016 to 5.9% in 2019.<sup>6</sup>

12. Currently there are no licensing requirements for retailers of tobacco products or controls on the location of retail premises that sell tobacco products. Results from the Regional Public Health Mapping Project (2021) show that there are 572 tobacco retailers across the 10 local councils of the Canterbury region, of which 91.4% (523 retailers) are located within 1 kilometre of a school. Of the 10 local councils in the region, six have a significant number of tobacco shops (70-97%) located within 1km of school premises.<sup>7</sup>
13. The same project revealed that Christchurch alone has 339 tobacco outlets<sup>8</sup> across the city, of which 318 are within 1km of a school. The majority of these tobacco outlets (257) are located in areas of high deprivation. As the data clearly shows, retailers in our region are concentrated near schools and in lower socio-economic areas.

## **The proposed Smokefree Amendment Bill**

14. We support the Bill's proposals to regulate smoked tobacco products. The Bill aims to prevent young people from taking up smoking by limiting the number of retailers selling smoked tobacco products, prohibiting the sale of smoked tobacco products to anyone born on or after 1 January 2009, and making smoked tobacco products less appealing and addictive. These new regulatory limitations on smoked tobacco products are expected to help people who smoke to quit smoking, and to help non-smokers to never become addicted.

### ***Sale of smoked tobacco products other than by approved smoked tobacco retailer***

15. The Bill allows only authorised retailers to sell smoked tobacco products. The Forum supports limiting the sale of tobacco products solely to approved retailers. Having fewer tobacco retail outlets will have a positive effect on preventing impulse purchases.

### ***Setting maximum numbers of approved smoked tobacco retailers***

16. The Forum also supports the Bill's proposal to limit the number of smoked tobacco retailers in the community. While smoking rates continue to decline, there are still noted disparities across different socioeconomic groupings. As we have noted above, a significant number of tobacco retail shops are located in lower socio-economic areas.<sup>9</sup> The Forum supports measures to prevent tobacco retailers being concentrated in our most deprived neighbourhoods.
17. We recommend the Government consider setting an appropriate distance between approved tobacco retailers and the places where young people tend to congregate, such as schools and bus stops. In the Canterbury region, young people attending schools are highly exposed to smoked tobacco products. Having these products less accessible to vulnerable groups will help reduce the harm caused by tobacco.

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<sup>6</sup> [Facts & figures | Health Promotion Agency Smokefree](#): Current smoking prevalence in Aotearoa from 1983 to 2020. Online search - 1 Aug 2022.

<sup>7</sup> Northland District Health Board /Auckland Regional Public Health Mapping Project (supplied by Cancer Society on Canterbury Policy Forum, 1 July 2022)

<sup>8</sup> Smokefree 2025 data presented by the Cancer Society at the Canterbury Policy Forum on 1 July 2022.

<sup>9</sup> Northland District Health Board /Auckland Regional Public Health Mapping Project (supplied by Cancer Society at the Canterbury Policy Forum, 1 July 2022)

18. The Bill proposes setting a maximum number of approved smoked tobacco retailers permitted in one or more designated areas. The Forum strongly recommends that the Government consult with the local council when setting the number of retailers allowed in a designated area. We consider that section 20M (3)(a) of the Bill should be amended to require consultation with the relevant local authority. Councils (and their community boards) know their communities well and can provide advice on local circumstances that should be taken into account in making decisions e.g. likely spill-over effects of placing a limit on the number of retailers in a designated area which impacts on adjoining areas where there are no limitations.

### ***Retail shops of vaping products***

19. The Forum acknowledges the Government considers vaping has the potential to help people quit smoking but we are very concerned that vaping is becoming normalised among school students and in local communities in the Canterbury region.
20. Evidence in support of our submission is the Cancer Society survey on vaping conducted with secondary schools in the Canterbury and West Coast regions in 2021. This found that over the preceding 12 months, there was a noticeable change in observed smoking and vaping behaviours. A concerning finding of the survey was that, despite vaping only being recently legalised, it was already a major issue for schools.

### **Conclusion**

21. Thank you once again for the opportunity to make a submission on the consultation document. The Forum supports the sale of smoked tobacco products by approved retailers, and setting the maximum number of smoked tobacco retailers and the area to which it applies.
22. The Forum also recommends that the Government:
- a. consider density limits for vaping product retail shops;
  - b. develop proximity restrictions for vaping product retail shops; and
  - c. consult local authorities when deciding the above matters.
23. The Forum secretariat is available to provide any further information or answer any questions the Ministry may have about our submission. Contact details are Maree McNeilly, Canterbury Mayoral Forum Secretariat, [secretariat@canterburymayors.org.nz](mailto:secretariat@canterburymayors.org.nz), 027 381 8924

Ngā mihi



Sam Broughton, Mayor Selwyn District Council  
Chair, Canterbury Mayoral Forum