

Resolution of Council

19 February 2024

Item 14.6

Action on Vaping in the City of Sydney

Moved by Councillor Worling, seconded by Councillor Kok -

It is resolved that:

(A) Council note:

- (i) in March 2023, the Cancer Council reported that young people were the predominant consumers of vapes: with 20 per cent of 18 to 24-year-olds and 14 per cent of 14 to 17-year-olds current vapers;
- (ii) NSW Health Minister Ryan Park called vaping “one of the biggest public health challenges we face.” The Cancer Council’s Public Health Chair called it “a public health crisis...rapidly unfolding before our eyes”;
- (iii) there are ongoing community concerns regarding the escalation in popularity of vaping and e-cigarettes, and the proliferation of tobacconists and convenience stores retailing vaping products and/or illegal tobacco across the City of Sydney;
- (iv) NSW Health figures show there were 19,215 retailers that had notified the state government of their intent to sell tobacco and/or e-cigarette products as of September 2023;
- (v) the unrestrained proliferation of vaping retailers and convenience stores selling these products in our Local Government Area risks overshadowing other forms of commerce, jeopardising the diversity and aesthetic integrity of our high streets; and endangering the health of our residents;

- (vi) researchers at the Australian National University have published a review of global evidence on vaping. The research found:
 - (a) vapes containing nicotine are highly addictive. Vaping can lead to addiction, poisoning, seizures, and lung injury. There is still a lack of evidence on how vaping impacts a range of longer-term health conditions, including cardiovascular disease, cancer, mental health, child development, reproduction, and sleep;
 - (b) a study of the contents of the smoke from a non-nicotine vape found 243 unique chemicals, of which 38 were listed poisons;
 - (c) nicotine exposure during adolescence can change the development and function of the brain; and
 - (d) vaping is bad for the environment. Vape smoke pollutes indoor air; vapes also contain single-use plastics and lithium batteries, which contribute to environmental waste;
 - (vii) from 1 January 2024, the importation of all disposable vapes with or without nicotine was banned by the Australian Federal Government. The changes are the first stage of a suite of reforms to be rolled out over 2024, including a public health campaign and investment in support programs to help people quit;
 - (viii) in January 2024, the NSW Government launched a campaign to educate young people about the harms of vaping;
 - (ix) from 1 October 2021, e-cigarettes and e-liquids containing nicotine are a prescription only medicine. This means pharmacists in community pharmacies can supply e-liquids and e-cigarettes (containing nicotine) to their customers (18 years and over) if they have a valid prescription from a doctor;
 - (x) e-cigarettes that do not contain nicotine are legal in NSW. Adults can buy and use e-cigarettes that do not contain nicotine;
 - (xi) vaping, e-cigarettes and nicotine are regulated by National and State legislation, not planning controls; and
 - (xii) the NSW planning system requires all councils to use common definitions for land use zoning and the City's current planning system does not differentiate between types of retail uses. Councils cannot condition what type of goods can or cannot be sold; and
- (B) the Lord Mayor be requested to write to the NSW Premier expressing concerns about the proliferation of vaping shops and tobacconists in the community and asking the NSW Government to review how tobacconists and e-cigarettes can be better regulated, including signage, packaging and advertising similar to approaches taken to minimise harm of cigarettes and gambling.

The motion was carried on the following show of hands –

Ayes (9) The Chair (the Lord Mayor), Councillors Chan, Davis, Ellsmore, Gannon, Kok, Scott, Weldon and Worling

Noes (1) Councillor Jarrett.

Carried.

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