

# Last gasp: not even the balcony is safe for a puff

Susan Wellings  
and Jimmy Thomson

A SMALL block of flats in Sydney's inner west has made history by becoming what is believed to be the first residential building in Australia to ban smoking inside all residents' homes.

In a move that has outraged civil libertarians and smokers, but delighted the anti-smoking

lobby, unit owners have introduced a bylaw to stop anyone smoking anywhere within the building and on its balconies. And now it is expected that many other buildings will follow suit.

"We've made it a smoke-free zone in its entirety," Alex Antic, chairman of the owners' corporation, said.

Owners of the building in Ashfield acted after complaints about smoke drifting into neigh-

bouring flats, and butts dropped from balconies.

"The right for people to smoke has to be balanced with other people's rights to clean and fresh air in their own home," Mr Antic said. "Smoking isn't just a nuisance, either; it has serious health effects."

A spokesman for the lobby group Action on Smoking and Health, Stafford Sanders, said other people had approached

him about stubbing out smoking in their blocks.

But the ban prompted protests from smokers and civil libertarians. Craig Percival, 29, said it was his right to smoke in his apartment and on its balcony. He lives in a Kings Cross block where smoking is permitted away from common areas. "The practicality of banning it, and policing that, is complete nonsense. What are they going to do? Break down

your door if they suspect you of having a cigarette?"

The president of the NSW Council for Civil Liberties, Cameron Murphy, said: "You can't ban the use of a lawful product in someone's own home. The next thing is they'll be banning the drinking of coffee."

But industry insiders said the trend could catch on. The president of the Institute of Strata Title Management, David Ferguson,

said several older buildings had difficulties with smokers, especially when smoke passed through wall and ceiling cavities, cracks or vents, and wafted into their homes from balconies.

A strata lawyer, David Bannerman, said apartment residents were becoming more sophisticated and aware of their rights, so he, too, expected other buildings to follow suit.

► **Butt out** - Domain Apartments



Craig Percival on his Kings Cross balcony. Photo: Dallas Kilponen