

Gone are the Days of Smoking Freely!

‘Smoke Drift’ in Strata Blocks

In Australia, most apartment blocks, old or new have banned smoking in common areas such as hallways, common living spaces, outdoor communal areas and more.

In some states, strata committees have completely banned smoking in all areas of apartments by introducing smoke free by-laws.

And... fast becoming a reality in strata living is a total ban with smoke free apartment blocks.

In recent times second hand smoke has become a major health concern in Strata blocks with organisations such as the [Cancer Council](#) getting behind the move.

With this fight against smoke drift and new precedents being set landlords, owners corporations and strata managers need to carefully consider what kind of smoking by-laws will be implemented in their strata blocks. Here we outline three options:

1. Unrestricted Smoking By-law

Many older strata blocks may have unrestricted smoking as a default by-law unaware that they are leaving themselves in a vulnerable position. They should consider reviewing their by-laws to keep up with the latest health concerns and legalities.

2. Limited Smoking By-law

A 'middle ground' by-law may limit lot owners and tenants to only smoking within their apartment but not in common areas. However, there have been a number of cases where [fines of up to \\$11,000](#) have been issued due to second hand smoke creating health issues.

3. Complete Smoking Ban By-law

Only some states currently allow a complete smoking ban. A complete ban includes all areas of apartment blocks, including individual apartments, balconies and common areas.

Ensure Your 'Smoke Drift' By-laws are Up to Date

If smoking is a problem in a strata building, the owners corporation should make a by-law prohibiting smoking. This type of by-law is simple to prepare and enforce. Orders can be obtained to stop residents smoking and put an end to second hand smoke drift. It's also important to note that smoke drift can also be caused by BBQ's.

Support for smoke-free multiunit living is high particularly among people living with children. It is only a matter of time before most strata buildings go smoke free.

[DO YOU NEED YOUR 'SMOKE DRIFT' BY-LAW CHECKED?](#)

For all NSW strata legal advice including by-laws, building defects and levy collections contact us [here](#) or call 02 9562 1266, we're happy to assist.