

31 January 2022

The Secretary  
Legislative Council Environment and Planning Committee  
Parliament House, Spring Street  
EAST MELBOURNE VIC 3002

Dear Secretary

The Victorian Health Promotion Foundation (VicHealth) welcomes the opportunity to respond to the Inquiry into the Protections within the Victorian Planning Framework.

VicHealth was established by the Victorian Parliament in 1987 as the world's first health promotion foundation. We are a pioneer in health promotion – the process of enabling people to increase control over and improve their health. Our primary focus is promoting good health and preventing chronic disease, including promoting physical activity, healthy eating and mental health and wellbeing, and preventing risky alcohol consumption and tobacco use.

This submission provides a response to the Terms of Reference in regard to:

- Environmental sustainability and vegetation protection
- Delivering certainty and fairness in planning decision for communities

We also address other related matters including the high priority principles that the planning framework should take into account.

This inquiry presents a real opportunity for the Victorian Parliament to recentre community and people's health, wellbeing and local needs at the heart of the planning framework.

We would welcome the opportunity to discuss our submission further. Should you wish to do so, please contact Jessica Stone, Policy Coordinator, on [jstone@vichealth.vic.gov.au](mailto:jstone@vichealth.vic.gov.au) or 03 9667 9047.

Kind regards



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Dr Sandro Demaio  
Chief Executive Officer

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The Honourable Linda Dessau AC  
Governor of Victoria (Patron-in-Chief)  
Professor Emeritus  
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# VicHealth Submission to the Inquiry into the Protections within the Victorian Planning Framework

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## General Principles for the Victorian Planning Framework

The Planning Framework should reflect and build the foundation for fair, equitable and accessible infrastructure that promotes the health and wellbeing of all Victorians, regardless of their postcode, bank balance or background.

VicHealth would recommend that the planning framework include the following key principles:

- Prioritise planning that benefits the health and wellbeing of the community. This should also be done through a process that ensures planning is done in consultation with First Nations peoples and CALD communities, as well as community members from different age groups, genders, mobility and accessibility needs.
- A 20-minute neighbourhood approach which ensures the inclusion of essential services, access to sustainable and healthy food, physical activity and recreation spaces, green spaces that promote physical activity and mental wellbeing and accessible active transport options are available to all Victorians within 20 minutes of their homes.
- Develop consistent, evidence-informed policies and standards for dwelling density, street connectivity and access to shops, services and public open space while achieving walkable neighbourhoods for all.
- Prioritise planning that ensures the safety of the community through accessible infrastructure that enhances mobility and increased lighting to ensure safety for the whole community.
- Prioritise planning that ensures communities experiencing disadvantage within the region have access to social infrastructure, with the aim of providing a greater level of benefit of support to those with greater need.

These guiding principles for the planning framework are important to promote and support equitable and suitable infrastructure and planning mechanisms that promote healthy communities. They also enable communities to have a greater say in what their community looks like making them feel more connected to their local community.

Urban design, transportation patterns, proximity of facilities, neighbourhood density, street connectivity, perceived safety and availability of cyclist and pedestrian-friendly amenities (including sidewalks and pedestrian crossings), as well as many other aspects of the physical environment, can all affect leisure time and physical activity levels.<sup>1</sup>

Improving the design of the built environment, for example through better street lighting and redesigning stairs and ramps, can improve safety and access for a range of social groups, including people with mobility requirements, and promote physical activity.<sup>2</sup>

The built environment can provide infrastructure that promotes healthy eating, physical activity and mental wellbeing. The COVID-19 pandemic has shown that essential services and opportunities for

exercise within 5km of your home are important for ensuring adherence to public health measures and maintaining or improving community wellbeing.

## **Environmental sustainability and vegetation protection**

To strengthen the outcomes from the planning framework relating to the Term of Reference “Environmental sustainability and vegetation protection”, VicHealth recommends the following actions to promote sustainable community environments and promote healthy and sustainable habits in the community through the promotion and inclusion of active infrastructure.

Specifically, VicHealth would recommend that the planning framework:

- Prioritises planning that incorporates high-quality open green space in new and existing developments and in particular ensures that access to open green space is accessible to all members of the Inner Metro region community who frequently do not have this access.
- Supports private landowners and developers to retain or provide green infrastructure.
- Ensures that amenities are provided to people working from home including active transport, local shops and services and open space.
- Prioritises the creation of safe, efficient and well-connected walking, cycling and public transport networks. This includes:
  - separation of walkers and bike riders in areas where there are high numbers of walkers or bike riders, or fast-moving bike riders
  - separation of bike riders and drivers in areas of high traffic speed or volume.
- Prioritises planning that integrates active transport opportunities within existing and new communities. This includes:
  - urban renewal projects in existing communities that ensure access to frequent ‘turn up and go’ services for bus, rail and tram, and that upgrade and expand cycling and walking paths
  - in new communities, integrating active transport opportunities into the built environment, for example this could include locating new housing near public transport and walking and cycling infrastructure.
- Ensures that walking and pedestrian infrastructure is accessible for people with diverse mobility needs, for example wheelchair users struggle to navigate narrow, tree-rooted and uneven walkways.
- Ensures the inclusion of seating along walking paths does not crowd walkways.
- Ensures the inclusion of end-of-trip bike facilities around transport nodes and activity centres.
- Focuses on the creation of school zones that prioritise pedestrians and cyclists. This includes locating drop-off zones away from schools to encourage children to walk for part of their journey and to create a safer space for pedestrians and cyclists.
- Ensures planning frameworks include access to affordable, fresh, healthy, and culturally appropriate food options through a 20-minute neighbourhood approach. This should include the ability to easily grow local food, create new community gardens and encourage community fruit trees.

- Supports the provision of subsidies for renewable energy sources to create energy efficient homes and communities.

Active transport provides a healthy and sustainable alternative to car travel. Active transport options encourage physical activity and improve access to essential services. When integrated within housing developments and neighbourhoods, this creates a culture and an environment that normalises active travel, particularly among children and families who walk, ride or scoot to and from school. Ensuring housing and public transport are situated in close proximity can optimise active transport options and reduce costs associated with car ownership, as well as reduce pollution from cars and promote air quality.

Providing open space within communities encourages exercise and increases mental wellbeing.<sup>3</sup> Public open spaces in neighbourhoods with high socioeconomic advantage tend to be of higher quality than those in more disadvantaged neighbourhoods in terms of amenities and aesthetics (such as picnic areas, availability of shade, water features and walking and cycling paths). In addition, more disadvantaged areas are less likely to have well-maintained sports facilities or a volunteer base to run or support sports programs or clubs.<sup>4</sup> Proximity to open space, such as being within walking distance of open space and sports and recreation facilities, increases use of these spaces and fosters better social connection with the community through repeated use.<sup>5</sup> Physical activity opportunities, such as access to open space, can have beneficial effects on anxiety, depression and self-esteem. Group-based physical activity programs and sport can also foster social connection.<sup>6</sup>

All Victorians should have physical and economic access to adequate amounts of nutritious, safe, and culturally appropriate foods, at all times and in a dignified manner. Ensuring local access to affordable healthy food creates a resilient and equitable food system that enables all members of the community to eat healthy. Localised food systems simplify supply chains reducing emissions and costs from production to transport.<sup>7</sup>

### **Delivering certainty and fairness in planning decisions for communities**

To strengthen the outcomes from the planning framework relating to the Term of Reference “Delivering certainty and fairness in planning decisions for communities”, VicHealth recommends the following actions to promote the centering of community voices and perspectives at the heart of planning decisions and the planning framework.

Specifically, VicHealth would recommend that the planning framework:

- Ensures planning is done in consultation with First Nations peoples and CALD communities to incorporate cultural heritage, design and stories into the built environment.
- Prioritises planning that benefits the health and wellbeing of the community. It is important that health and wellbeing is prioritised above economic benefits, and that any assessments of benefits in planning takes into account the long-term health and wellbeing of current and future generations. This includes:

- developing frameworks for community consultation on the health and wellbeing impacts of development within the community today and into the future – for example planning decisions should consider the health impacts of outlets selling unhealthy food or drinks, alcohol or tobacco products on their community;
- inclusion of cost/benefit analysis and decision-making frameworks that prioritise health and wellbeing over economic benefits; and
- inclusion of codesign with community member approaches and monitoring and evaluation.
- Provides mechanisms for communities to have a say in the planning of local licenced venues that are likely to cause health, social and community safety harm. It is essential these mechanisms lower the burden of proof of harm.
- Ensures planning is done in consultation with community members representing diversity of infrastructure users including children, young people, older people, range of abilities, parents, pedestrians, cyclists etc.
- Uses planning provisions to prevent outdoor unhealthy food and drink and alcohol advertising on buses and bus stations and other public transport infrastructure, and publicly owned and managed spaces, prioritising sporting grounds and facilities used by children, and within a wider (500 metre) radius of schools. VicHealth commends the work done by the Victorian State Government to ban betting advertising on roads, public transport and within 150 metres of all Victorian schools.<sup>8,9</sup> VicHealth recommends that ban be expanded to include unhealthy food and drink and alcohol advertising.

It is essential to centre community voice and perspectives in the planning framework to allow communities to make decisions about the community they live, work and learn in. All Victorians have a right to a future that is healthy and have a right to have say in how their community can allow them to be their healthiest selves.

In planning provisions to date, there has been little scope for communities to have a say in the establishment of venues that threaten community health and wellbeing, namely unhealthy food and drink, alcohol, and tobacco outlets.

The number and density of alcohol outlets (e.g., pubs, clubs, bottle shops) has been steadily rising in Victoria, with the number of licences growing by 120% between 1996 and 2010.<sup>10</sup> It is well established that neighbourhoods with more alcohol outlets also report higher rates of domestic violence, assault, injury and chronic disease. Subsequently it is no surprise that many of these alcohol harms have increased significantly during this period.<sup>11, 12, 13, 14</sup> Despite the harm alcohol outlets inflict, communities and the local governments that represent them have limited say in where alcohol outlets are established. Under the *Victorian Planning Provisions* most liquor licence applicants are required to obtain a local government planning permit to use land to sell and consume alcohol. However, local governments for the most part can only consider amenity impacts (e.g. noise, litter) when assessing a permit application for a licensed premise, unless they are considering a proposal for a large packaged liquor outlet, in which case they can consider broader alcohol harms, defined in the Liquor Control Amendment Act 2021.<sup>15</sup> Under previous arrangements, very few liquor licence applications were refused and there is little reason to expect this to change. Existing provisions neglect to protect

communities from the most significant forms of alcohol harm and also rarely support communities to prevent the establishment of alcohol outlets that pose a risk.<sup>16,17,18</sup>

This is particularly alarming when we consider that the most common alcohol outlets – bottle shops – are disproportionately more likely to be in disadvantaged communities.<sup>19,20</sup> This presents a significant problem for public health, as Victorians experiencing disadvantage are much more likely to report alcohol related chronic conditions compared to their more affluent counterparts.

Local governments play an important role in promoting the health of their communities. The current planning framework has failed to support local councils to effectively reject planning applications on a public health and wellbeing basis where the planned use of land is likely to have a negative impact on the health and wellbeing of their community, and a negative impact on the levels of overweight, obesity and poor diet in the community. This is particularly important in disadvantaged communities where there are higher numbers of fast-food restaurants compared to areas with lower levels of disadvantage – these chain restaurants are also close to schools in those disadvantaged areas creating a food environment that promotes unhealthy eating.<sup>21</sup> Some attempts by retailers of fast food<sup>22</sup> and alcohol<sup>23</sup> to set up shop in vulnerable communities have been met with backlash from locals who want to create safe and healthy environments however in Victoria the planning framework has not adequately supported communities to protect the health and wellbeing of their members.

Healthy environments create and promote healthy habits within the community. The COVID- pandemic has enabled unhealthy habits to remerge. A 2020 LiveLighter® survey<sup>24</sup> found that 26% of Australians have increased ordering food directly from local restaurants or cafés and 24% have increased ordering takeaway from an online delivery service. The survey also found that younger adults, parents, and those experiencing financial stress due to COVID-19 were more likely to snack more, eat more fast food and drink more alcohol (compared to older adults, non-parents and those with no financial stress). Victorians increased their screens time and were eating less vegetables compared to other states (10% compared to 5%). Harmful industries capitalised on the pandemic, marketing their unhealthy foods, sugary drinks and alcohol<sup>25</sup>, especially during times of increased screen usage. This inquiry into the planning framework has the ability to rebalance the scales and ensure community concerns and voices are heard in decision making and that the planning framework refocuses on creating healthy, sustainable local communities.

## References

- <sup>1</sup> VicHealth 2015, *Evidence review: Addressing the social determinants of inequities in physical activity and related health outcomes*, viewed 12 October 2021, <https://www.vichealth.vic.gov.au/-/media/ResourceCentre/PublicationsandResources/Health-Inequalities/Fair-Foundations/Full-reviews/HealthEquity-Physical-activity-review.pdf?la=en&hash=7AA1A15641A227B3E5AA94FE093C4D0B012AF05A>
- <sup>2</sup> Backholer, K et al 2021, 'Australia in 2030: what is our path to health for all?', *Med J Aust*, vol. 214, no. 8), p. S1-S40, doi: 10.5694/mja2.51020
- <sup>3</sup> Wang, H, Dai, X, Wu, J et al. 2019, 'Influence of urban green open space on residents' physical activity in China', *BMC Public Health*, vol. 19, no. 1093, <https://doi.org/10.1186/s12889-019-7416-7>
- <sup>4</sup> VicHealth 2015, *Promoting equity in physical activity: An evidence summary*, viewed 12 October 2021, [https://www.vichealth.vic.gov.au/-/media/ResourceCentre/PublicationsandResources/Health-Inequalities/Fair-Foundations/Summary/Health-Equity\\_Summary\\_PhysicalActivity.pdf?la=en&hash=253342CE2532365EC0F3425694AA0D6C8837199B](https://www.vichealth.vic.gov.au/-/media/ResourceCentre/PublicationsandResources/Health-Inequalities/Fair-Foundations/Summary/Health-Equity_Summary_PhysicalActivity.pdf?la=en&hash=253342CE2532365EC0F3425694AA0D6C8837199B)
- <sup>5</sup> Home & Place Project 2019, 'Social score: How community design can foster social connection', viewed 12 October 2021, <https://www.homeandplaceproject.com/podcast/2019/4/29/social-score-how-community-design-can-foster-social-connection>
- <sup>6</sup> VicHealth 2015, *Promoting equity in child and adolescent mental wellbeing*, viewed 12 October 2021, [https://www.vichealth.vic.gov.au/-/media/ResourceCentre/PublicationsandResources/Health-Inequalities/Fair-Foundations/Summary/Health-Equity-Summary-Report\\_MentalWellbeing.pdf?la=en&hash=A35248C44EBEC73DDA68E1B5BD53353D50B27813](https://www.vichealth.vic.gov.au/-/media/ResourceCentre/PublicationsandResources/Health-Inequalities/Fair-Foundations/Summary/Health-Equity-Summary-Report_MentalWellbeing.pdf?la=en&hash=A35248C44EBEC73DDA68E1B5BD53353D50B27813)
- <sup>7</sup> VicHealth 2021, *Healthy and sustainable food systems*, viewed on 20 January 2022, <https://www.vichealth.vic.gov.au/programs-and-projects/healthy-and-sustainable-food-systems#>
- <sup>8</sup> Premier of Victoria 2017, 'Gambling Ad Ban Near Schools, Roads and Public Transport', viewed 24 January 2022, <https://www.premier.vic.gov.au/gambling-ad-ban-near-schools-roads-and-public-transport/>
- <sup>9</sup> Victorian Gambling and Casino Control Commission 2018, *Alcohol advertising near schools*, viewed 26 January 2022, <https://www.vcglr.vic.gov.au/alcohol-advertising-near-schools#:~:text=It%20is%20an%20offence%20under,direct%20or%20indirect%20financial%20benefit.>
- <sup>10</sup> Roche, A & Steenson, T 2014, 'Liquor licensing in Australia: an overview of the legislative frameworks, in *Stemming the tide of alcohol: liquor licensing and the public interest*', Manton, E, et al., Editors, Melbourne Foundation for Alcohol Research and Education in collaboration with the University of Melbourne: Canberra.
- <sup>11</sup> Livingston, M 2011, 'A longitudinal analysis of alcohol outlet density and domestic violence', *Addiction*, vol. 106, no 5, p. 919-925.
- <sup>12</sup> Livingston, M 2008, 'A Longitudinal Analysis of Alcohol Outlet Density and Assault', *Alcoholism, clinical and experimental research*, vol. 32, p. 1074-9.
- <sup>13</sup> Livingston, M 2008, 'Alcohol outlet density and assault: A spatial analysis', *Addiction*, vol. 103, no.4, p. 619-628.
- <sup>14</sup> Livingston, M 2011, 'Alcohol outlet density and harm: comparing the impacts on violence and chronic harms', *Drug Alcohol Rev*, vol. 30, no. 5, p. 515-23.
- <sup>15</sup> *Liquor Control Reform Amendment Act 2021 (Vic)*
- <sup>16</sup> Wilkinson, C et al. 2020, 'Barriers to addressing alcohol-related harm through planning and licensing systems: A case study from Victoria, Australia', *Drug and Alcohol Review*, vol. 39, no. 7, p. 781-784.
- <sup>17</sup> Cook, M et al. 2020, 'Alcohol Industry vs. Public Health Presentations at Judicial Reviews of Liquor Licence Applications in Australia', *International Journal of Drug Policy*, vol. 82, no. 102808.
- <sup>18</sup> Muhunthan, J, et al 2017, 'Judicial intervention in alcohol regulation: an empirical legal analysis', *Australian and New Zealand Journal of Public Health*, vol. 41, no 4, pp. 365-370.
- <sup>19</sup> Livingston, M 2011, *Using geocoded liquor licensing data in Victoria—The socioeconomic distribution of alcohol availability in Victoria*, Victorian Health Promotion Foundation (VicHealth), viewed 26 January 2022,

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[https://www.vichealth.vic.gov.au/-/media/ResourceCentre/PublicationsandResources/alcohol-misuse/VicHealth\\_Using-geocoded-liquor-licensing-data-Vic.pdf?la=en&hash=F29F34E702BBB859A6ECF01E0C1832AF7B3F7A52](https://www.vichealth.vic.gov.au/-/media/ResourceCentre/PublicationsandResources/alcohol-misuse/VicHealth_Using-geocoded-liquor-licensing-data-Vic.pdf?la=en&hash=F29F34E702BBB859A6ECF01E0C1832AF7B3F7A52)

<sup>20</sup> VicHealth & Turning Point Alcohol and Drug Centre 2014, *Inequities in alcohol-related chronic disease in Victoria: Research Summary*, viewed on 26 January 2022, <https://www.vichealth.vic.gov.au/-/media/ResourceCentre/PublicationsandResources/alcohol-misuse/Inequities-in-alcohol-related-chronic-disease.pdf?la=en&hash=6C2CFD838918F6DB3C3951C9F549E8367988324A>

<sup>21</sup> Thornton, LE, Lamb, KE & Ball, K 2016, 'Fast food restaurant locations according to socioeconomic disadvantage, urban–regional locality, and schools within Victoria, Australia', *SSM - Population Health*, vol. 2, pp. 1-9, <https://doi.org/10.1016/j.ssmph.2015.12.001>.

<sup>22</sup> Taylor, S 2020, *Fast food not to shire's taste*, The News Mornington Peninsula, <http://www.mpnews.com.au/2020/09/28/fast-food-not-to-shires-taste/>

<sup>23</sup> James, F 2020, *Bagot Aboriginal community still opposes Dan Murphy's bid for Darwin megastore despite location change*, ABC News, <https://www.abc.net.au/news/2020-11-22/dan-murphys-darwin-bagot-community-does-not-support/12897394>

<sup>24</sup> LiveLighter®'s annual Shape of Australia survey analysed the health, nutrition and physical activity behaviours of more than 2,000 Australians aged 18-65, viewed on 20 January 2022, <https://livelighter.com.au/news/Unintended-COVID-consequences-Victorians-snacked-more-Aussies-gained-weight>

<sup>25</sup> Collin, J, Ralston, R, Hill, SE & Westerman, L 2020, 'Signalling Virtue, Promoting Harm: Unhealthy commodity industries and COVID-19', *NCD Alliance & SPECTRUM*, viewed on 20 January 2022, <https://ncdalliance.org/resources/signalling-virtue-promoting-harm>