

1 May 2009



Statutory Planning Systems Reform
Department of Planning and Community Development
GPO Box 2392
Melbourne Victoria 3001

Dear Sir/Madam

Re: Modernising Victoria's Planning Act

Please find attached a submission from the Cancer Council Victoria's SunSmart Program in response to your discussion paper on opportunities to improve the Planning and Environment Act 1987.

Our submission provides an overview of the problem of UV exposure in Victoria and the role that the Planning and Environment Act 1987 (the Act) revision can play in reducing the risk of skin cancer in the Victorian population.

I thank you for this opportunity to be involved in this review and look forward to the outcomes of your consultation. Please do not hesitate to contact Shannon Jones, SunSmart Community Programs Coordinator, Cancer Council Victoria, (03) 9635 5648, Shannon.Jones@cancervic.org.au, if you wish to discuss any of the issues raised in this submission or need any further information.

Yours sincerely

A handwritten signature in black ink that reads "David Hill".

Professor David Hill AO
Director

Modernising Victoria's Planning Act: A discussion paper on opportunities to improve the Planning and Environment Act 1987.

Submission from the SunSmart Program, Cancer Council Victoria

The SunSmart program aims to minimise the human cost of skin cancer in Victoria. SunSmart has also taken a leadership role in promoting a balance between the benefits and harms of ultraviolet (UV) radiation exposure and the links with vitamin D. The program, jointly funded by Cancer Council Victoria and the Victorian Health Promotion Foundation (VicHealth), leads the world in skin cancer prevention, with the Cancer Council appointed the World Health Organization Collaborative Centre for Ultraviolet Radiation in 2004.

Context: Why skin cancer

Australia has one of the highest skin cancer rates in the world. Every year, 1600 Australians die from skin cancer.¹ At least two in three Australians will be diagnosed with skin cancer before 70 years of age.² In 2002, skin cancers accounted for over 80% of all cancers diagnosed in Australia.³ Cancer incidence in regional areas is significantly higher than in major cities; 60% of these excess cancer cases in regional Australia are due to melanoma⁴.

In 2005, in Victoria, there were 2,347 new cases of melanoma and 245 people died from melanoma.⁵ Excluding NMSC, melanoma is now the third most common cancer diagnosed in Victorian women and the fourth most common in Victorian men.⁶

The cost to the health system in Australia of treating skin cancer is approximately \$300 million per year.⁷ Skin cancer is the most expensive burden on our health system of all cancers.⁷

Sunburn at any age, whether serious or mild, can cause permanent and irreversible skin damage and increase the risk of skin cancer.⁸ However skin cancer is one of the most preventable cancers in Australia.

The link between skin cancer, shade and planning

The way we plan and design urban environments can have a profound effect on the long-term physical and mental health of the inhabitants. Australians have a high awareness of the risks that UV exposure poses to health but for a variety of reasons people will continue to be outside at times when UV radiation levels are high. The easiest way for them to do so safely, in relation to skin cancer prevention is by the provision of shade.

Shade alone as a sun protection measure, can reduce overall exposure to ultraviolet radiation by about 75%.⁹ There is strong evidence that if shade is made available people will use it. However, in many areas where outdoor activities occur, there is little or no access to quality shade. Despite the community seeing shade as an important issue, there currently seems to be little mention of shade in building and planning guidelines at state or local level for public and educational facilities or for residential and recreational areas.

As a result, shade provision for new developments or facility upgrades is, more often than not, considered only in an ad hoc manner, resulting in greater costs and sometimes quality and safety problems.

Safe environments that offer protection from UV exposure can protect individuals from sunburn and skin damage. In Australia, sunburn can occur in as little as 15

minutes on a fine January day if sun protection measures are not used.¹⁰ All types of sunburn, whether serious or mild, can cause permanent and irreversible skin damage and can lay the groundwork for skin cancer to develop later in life.⁸ Further sunburn only increases the risk of skin cancer.

It is with this context that the submission then addresses the questions outlined in the Modernising Victoria's Planning Act discussion paper.

Response to section 1.2 Scope of the review – a new car or a major service?

SunSmart does not have a strong opinion on whether the current Act should be upgraded or whether a whole new Act is required. The following recommendations are applicable to either the current Act or any new Act that may result from this consultation process.

The primary recommendation regarding the inclusion of climate change and health and wellbeing to the objectives of the Act would require revisions to supporting information such as the application for permit process and application notices to ensure climate change and health and wellbeing is a mandatory consideration in the planning process.

Response to section 3. The Planning System and the *Planning and Environment Act 1987*

The discussion paper highlights the environmental social and economic effects of inevitable climate change and the link with emerging planning issues.

Climate change will have many and diverse effects on health including heat related illness, increases in infectious disease, and a predicted increase in UV levels.

Research suggests that temperature is a strong determinant of sunburn for adults and adolescents. Next century global warming of 1.1 – 6.4°C is predicted.¹¹ Early data shows that for each 1 °C increase there are estimated increases in the incidence of basal cell carcinoma and squamous cell carcinoma of 3% and 6% respectively.¹² With Australia and New Zealand already being world leaders in skin cancer rates, any further increases in rates are extremely alarming.

Shade can effectively reduce effects of climate change (temperature and UV) on human health. In addition to enabling people to live more safely in our climate, there are energy efficiency benefits to factoring in shade when planning neighbourhoods, subdivisions and single dwellings. Well-designed shade next to buildings can provide a natural cooling effect, reducing reliance on use of fossil fuels to run air-conditioning systems.

In light of any possible addition of objectives to include climate change and health and wellbeing, consideration should be given to the name of the Act to reflect the need to put people first ie 'Planning for Community Act'.

Response to section 4. Are the objectives of planning in Victoria still relevant?

The discussion paper raises the question of whether the objectives of planning in Victoria are still relevant. Whilst planning for health is evident and supported in the Victorian Planning Provisions and planning schemes, the enabling Act itself fails to recognise the need for health and well being and climate change to be a priority or mandatory consideration in planning.

The Act should make specific reference to climate change and health and wellbeing. Health and wellbeing and climate change need to be integrated explicitly into current

objectives, or clearly identified as one objective ie “to improve the health and wellbeing of all Victorians” or “to promote and protect public health and well being in Victoria”

Subsequent to the review of the Act, and any changes that may arise as part of it, the Victorian Planning Provisions will need to be amended to reflect the above recommendation. This will present a significant opportunity to establish major policy statements relating to health and well being, ensuring people are put 'first' in planning and that the built and natural environment can support healthier choices as easier choices for all.

Response to section 6. The permit process

The discussion paper raises the question of whether there is a need to change the permit process to make it more responsive to the scale and complexity of the proposal. If climate change and health and wellbeing are encompassed in the objectives of the revisions to the existing Act (or in fact any new Act), health related evidence would be recommended as a mandatory consideration in the planning process. The use of a Social Impact Assessment (SIA) and Health Impact Assessment (HIA) in the permit application process would inform planning decisions and ensure long-term effects of any developments on health and planning implications on climate change are considered. Without this, health outcomes may be compromised through ill-informed planning decisions.

For further information:

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