

# Using public health law to strengthen the role of local governments in creating a healthy and sustainable food system

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# ARC Discovery Grant Project

## ***Strengthening Food Systems Governance at the Local Level*** **(2019-2022)**

### **Research team**

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# Why food?




Over **10 million deaths globally** are attributed to unhealthy diets, which place us at risk of weight gain and **non-communicable diseases**.

NCDs such as **heart disease**, **cancer** and **diabetes** remain the main cause of death and illness in Australia and around the world, despite the Covid-19 pandemic.

Food insecurity is estimated to have affected over **4 million** Australians this year.

Yet, globally, we throw away over **a billion meals** per day.

A background image of a vast field of golden wheat, with the stalks in sharp focus in the foreground and a soft-focus horizon in the distance under a clear sky.

Food production and consumption is one of the most important drivers of **environmental pressures**.

Agriculture consumes 70% of total global “blue water” withdrawals from rivers and aquifers


The food system contributes an estimated 14.2% to Australia’s greenhouse gas emissions.

The share of global resources needed for food production is expected to **increase** as the global population increases.

# Why local governments?



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A narrow alleyway between brick buildings and corrugated metal fences. The path is paved with cobblestones and leads into the distance. The scene is brightly lit, suggesting a sunny day. The fences are made of various materials, including corrugated metal and wood. The brick buildings are red and have a traditional appearance. The overall atmosphere is that of a quiet, residential neighborhood.

Local governments are closer to their communities than state or federal governments.

Local government legislation places a responsibility on local governments to act for the benefit of local communities.

Issues such as food system sustainability link to policy areas within the traditional remit of local governments, e.g., land-use planning.

There are opportunities for community input into policies and programs that aren't available at other levels of government.

## Project aims:

1. Identify the enablers/barriers to **local governments** contributing to healthy, sustainable, and equitable food systems
2. Identify the barriers/enablers to **community-based initiatives** that contribute to healthy, sustainable, and equitable food systems
3. Identify pathways to strengthen the role of local governments and communities in creating healthy, sustainable, and equitable food systems, including recommendations for law and policy reform

## **Key methods included:**

1. A policy mapping study including all LGs in NSW and Victoria
2. A survey of local governments
3. Case studies of local governments we identified as representing best practice or doing something innovative (three in NSW and Victoria)

# Policy mapping study: methodology

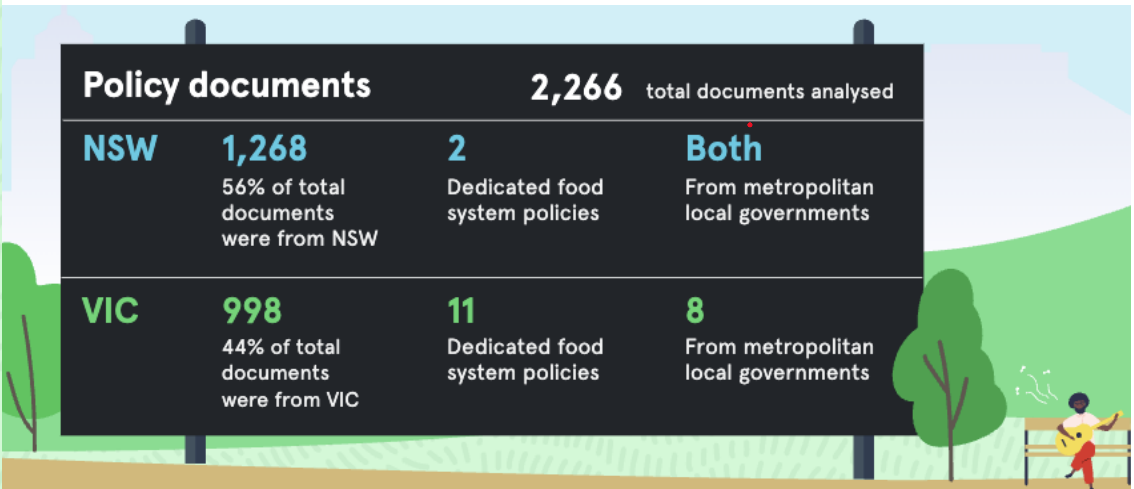
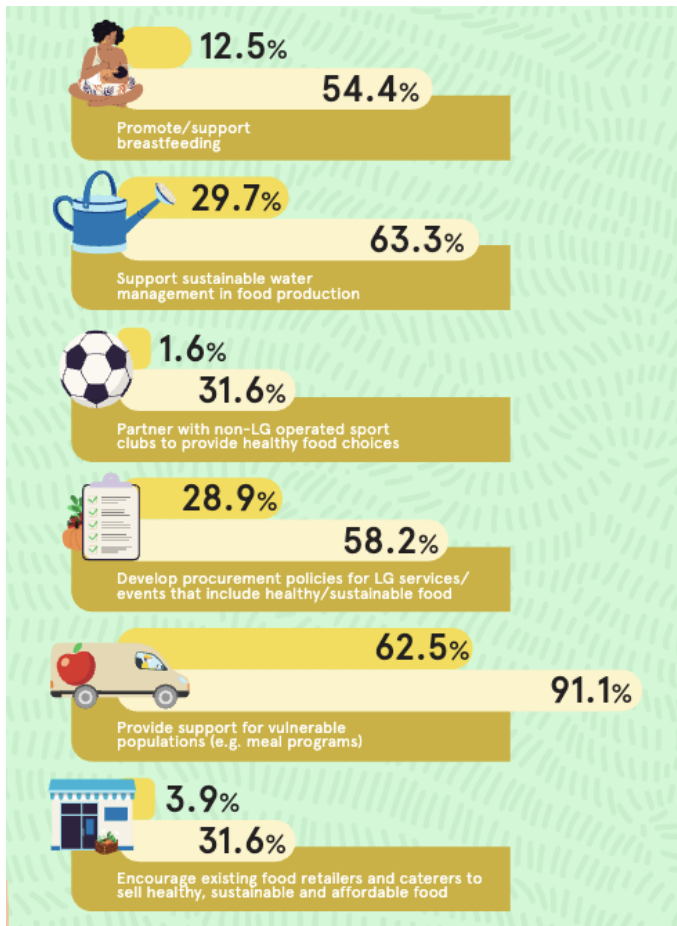
- Between July 2019 and June 2020, we searched the websites of local governments in New South Wales (128) and Victoria (79) for policies relevant to the food system
- We included policies created under the integrated planning and reporting framework, public health plans (Vic), and other relevant policies, but not planning instruments
- We analysed these documents against a framework of recommendations for LG action on food systems

# Key findings

## The main areas of action were:

- Provide education on/enforce **food safety regulations** (96.6 percent)
- Support **sustainable local food production** (92.3 percent)
- Reduce **food losses and food waste** (89.4 percent)
- Host/support education campaigns and events on food system issues (86.5 percent)
- Support access to safe drinking water (86.0 percent)

# Key differences between LGs in NSW and Victoria





# FOOD CITY

CITY OF MELBOURNE FOOD POLICY



# Public health law: The role of local governments

- Each state has its own public health act, with state health departments acting as the central administrative body
- Public health law is traditionally concerned with managing “nuisances” and specific identified public health risks (e.g., swimming pools), as well as infectious disease reporting and control
- Public health law also provides for the division of public health functions between state health departments and local governments
- Local government functions are narrowly construed under the *Public Health Act 2010* (NSW)

# Public health law: The role of local governments

- In Victoria, each LG must develop a Municipal Public Health and Wellbeing Plan (*Public Health and Wellbeing Act 2008 (Vic) s 26*)
- The *Vic Public Health Plan* recognizes climate change as a focus area
- The *Climate Change Act 2017 (Vic)* requires local governments to consider climate change when undertaking public health planning (s 17, sch 1)
- The Dept of Health identifies food systems as one area where LGs can address the health impacts of climate change

# Public health law and food systems policies: City of Melbourne *Health and Wellbeing Action Plan 2021-25*



## 1. Public health and safety

All people feel safe and included when participating in community life, with a zero tolerance of violence in our community including family violence, gender inequality, violence against women, racism and discrimination in all forms.



## 2. Mental wellbeing and inclusion

Melbourne's diverse community is celebrated, with our Aboriginal community and history central to our city. Bonds and social connections are strengthened, and all people have equal access to employment, arts, culture, nature and physical activity in the city and core services such as mental healthcare, lifelong learning and the internet.



## 3. Healthy and sustainable lifestyles

People are supported and encouraged to make healthy and sustainable lifestyle decisions. This includes increasing opportunities for participating in sport and physical activity, healthy food choices, reducing alcohol and other drug related harm; and promoting smoke free environments.



## 4. Housing and homelessness

Fair, appropriate and accessible range of affordable housing for people of all backgrounds is available, with special focus on people experiencing homelessness.



## 5. Food security

Access to nutritious, safe, fair and culturally appropriate food for everyone, especially the most vulnerable.



## 6. Health impacts of climate change

Resilient and safe communities that are adapting to the public health impacts of climate change.

# City of Melbourne *Health and Wellbeing Action Plan 2021-25*

COUNCIL PLAN STRATEGIC OBJECTIVE	KEY ACTIVITY MAJOR INITIATIVE (MI), DELIVERY ROADMAP (R)	ACTION	COUNCIL ROLE	TIMELINE	KEY PARTNERS (IF KNOWN)	KEY STRATEGIC LINKS
<b>Access and Affordability</b>	(MI 40) Develop and deliver initiatives and programs that will provide food relief to vulnerable members of our community and improve local food production by supporting communities to grow their own food.	Develop and deliver a Food Security Action Plan, including research on food relief in the municipality.	Deliver	2021-2022	Food relief providers, community members, peak bodies, Victorian government	City of Melbourne Food Policy
<b>Climate and Biodiversity Emergency</b>	(MI 32) Lead the reduction of food waste and diversion of waste from landfill, by continuing the Food Organics, Green Organics rollout through high-rise apartment innovation and by addressing food-waste reduction.	To address food and garden waste diversion from landfill from low-rise unit and apartment complexes (up to five storeys in height) and to develop and pilot solutions for managing food waste in high-rise buildings.	Deliver	2021-2025	DELWP, Sustainability Victoria, Victorian councils, composting networks and community groups; body corporates, building managers and resident groups.	Waste and Resource Recovery Strategy 2030

# Conclusions

- Australian public health laws can be used to address 21<sup>st</sup> century health risks such as diet-related health, non-communicable disease, and the health impacts of climate change
- Public health law can be an important enabler for local-level action on healthy and sustainable food systems
- Many states have introduced innovative provisions to their public health acts...but not NSW?
- Is it time for reform?

# Questions?

More about the project:

<https://law-food-systems.sydney.edu.au/>

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