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# Submission on the Exposure Draft of the Natural and Built Environments Bill

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4 August 2021



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Attn: Committee Secretariat  
Environment Committee  
Parliament Buildings  
Wellington

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## Submission on the Exposure Draft of the Natural and Built Environments Bill

To the Committee Secretariat,

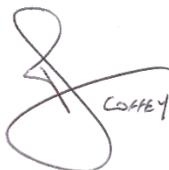
OraTaiao: NZ Climate and Health Council is pleased to have the opportunity to provide feedback on the Exposure Draft of the Natural and Built Environments Bill. We recognise and agree that the Resource Management Act (RMA) is in urgent need of renewal, modification and updating. Our natural and built environment is a significant factor in the development of non-communicable diseases in Aotearoa, and with these responsible for 89% of all deaths in Aotearoa and for an estimated 7,000 premature deaths of New Zealanders between the ages of 30 and 70 in 2012<sup>1</sup>. It similarly influences our climate change emissions via transport choices, energy use and farming. Planning for climate change adaptation is now inevitable, and this will be an essential component of all three Acts which will replace the RMA, not just the Climate Adaptation Act.

We have three overarching points to make in our feedback

- Overall, the Exposure Draft of Natural and Built Environments Bill is encouraging and a significant improvement on the existing RMA.
- We recommend that the specific consideration of health and wellbeing (as distinct from wellbeing alone) be incorporated in the Exposure Draft. There is insufficient focus on the impacts of the natural and built environment on health.
- We recommend that the role of te ao Māori be strengthened and centralised within the Bill. At present the Exposure Draft merely gives “greater recognition” to te ao Māori.

These points will be further expanded on below in our feedback on the Reform Objectives, Blueprint for Reform, and the Exposure Draft itself. Page and numerical point references are to the Natural and Built Environments Bill: Parliamentary paper on the exposure draft (Updated) document, and recommended wording changes are in **bold**.

Ngā mihi,



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<sup>1</sup> Bullen C et al. (2015) ‘Targets and actions for non-communicable disease prevention and control in New Zealand’. *NZMJ*. 128: pp 55-60.

## Submission on Natural and Built Environments Bill: Exposure Draft

### Reform objectives

- Objective 1: We recommend the wording clearly signal the importance and centrality of health by changing the objective wording to “...to provide for the **health and well-being** of present and future generations.”
- Objective 2: We agree.
- Objective 3: We recommend the objective changes to properly centralise the importance of te ao Māori: “...and **centralise and give agency to te ao Māori**, including mātauranga Māori.”
- Objective 4: We strongly recommend this specifically mention reducing climate emissions as part of mitigation i.e. “**to reduce climate emissions and mitigate the effects of climate change.**”
- Objective 5: We Agree.

### A Blueprint for Reform

- Paragraph 33 (p 15) - we commend the mandatory requirement to set environmental limits and are pleased to see the direct reference to human health. It is essential that this wording and viewpoint continues to be specifically referenced throughout the Exposure Draft, for example in point 34 (p 15) where the reference to well-being should be changed to “...all aspects of **health and well-being, including mental health.**”
- Paragraph 37 (p 16) - the carryover of the RMA’s requirement to “avoid, remedy or mitigate” adverse effects of activities on the environment is inadequate. Mitigation should be the last resort and this needs to be made clear. We recommend “**avoiding and remedying any adverse effects of activities on the environment and mitigating only if these are not possible.**”
- Paragraph 38 (p 16) - we commend the specific inclusion of urban tree cover in this point, which has significant implications for mitigating urban heat build-up and its consequent health effects.
- Paragraph 46 (p 17) - we agree with and commend this point.
- Paragraph 49 & 50 (p 18) - while we recognise that the Strategic Planning Act (SPA) is not within the remit of this consultation, it is discussed in Point 62 (p 21) that the NBA will inform the other Bills replacing the RMA. We therefore consider it crucial that due attention be given to physical and psychological health and well-being. Thus, the absence of these from the proposed purpose of the SPA is a significant omission. We strongly recommend that the purpose of the SPA should be to “promote the **physical and psychological health** and the social, environmental, cultural and economic well-being of present and future generations...”

## Natural and Built Environments Exposure Draft

- Clause 5: Purpose of this Act - we agree that te Oranga o te Taiao should be upheld, but recommend that its centrality and primacy be recognised i.e. "...to enable te Oranga o te Taiao to be upheld and **to directly inform all parts of the Act**, including by protecting and enhancing the natural environment." We strongly support the ongoing consultation with iwi, hapū and Māori groups as outlined in Paragraph 99 (p 30).
- Clause 5: Purpose of this Act - We strongly recommend that health be properly referenced in this clause, "...to enable people and communities to use the environment in a way that supports the **health** and well-being of present generations without compromising the **health** and well-being of future generations."
- Clause 6: Te Tiriti o Waitangi - we support this clause, and recommend that clear outlines be given to the provisions that will be developed for hapū and iwi decision-making structures?
- Clause 7: Environmental Limits - OraTaiao strongly agrees with the setting of environmental limits, and we recommend using environmental limits which "**optimise human health and well-being**," both physical and psychological, and incorporating local, national, and global effects. This is in contrast to the wording in the Bill which is to simply "*protect human health.*"
- Clause 7: we recommend that greenhouse gas emissions be specifically named as a matter for which environmental limits must be prescribed (i.e. under Clause 7, Part 4 rather than being included under Clause 7, Part 5).
- Clause 8: Environmental outcomes - OraTaiao agrees with the majority of these stated outcomes, but we are concerned that there is no provision whatsoever for health outcomes. We recommend that a clause be included that **human health is optimised** in all circumstances.
- Clause 8: Environmental outcomes - We recommend that clause 114j be changed from "green house gas emissions..." to "...long-lived greenhouse gas emissions are reduced to net zero by 2050 at the latest, and that there is a reduction of at least 48% in short-lived greenhouse gases by this date." This is in keeping with the recommendations of the Zero Carbon Bill and He Pou a Rangi/Climate Change Commission's first package of advice to the Government<sup>2</sup>.
- Clause 16: Application of precautionary approach - OraTaiao agrees.
- Clause 25: Power to set environmental limits for region - OraTaiao supports the inclusion of an ability for regional planning committees to set regional environmental limits and supports a clear process by which this is enabled, but strictly within the overall national planning framework.

OraTaiao is encouraged that the Natural and Built Environments Bill will be a significant improvement on the existing RMA, though there are areas where it could be further strengthened. By properly embedding health within the Bill and by centralising te ao Māori, we believe legislation can be developed that will stand us in good stead as we face the uncertainties of the upcoming decades.

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<sup>2</sup> <https://www.climatecommission.govt.nz/news/inaia-tonu-nei-the-time-is-now-for-climate-action/>

## About OraTaiao

OraTaiao: The New Zealand Climate and Health Council is an organisation calling for urgent, fair, and Tiriti-based climate action in Aotearoa; we recognise the important co-benefits to health, wellbeing and fairness from strong and well-designed mitigative policies. We honour Māori aspirations, are committed to the principles of te Tiriti o Waitangi, and strive to reduce inequities between Māori and other New Zealanders. We are guided in our practice by the concepts of kaitiakitanga (guardianship), kotahitanga (unity), manaakitanga (caring), and whakatipuranga (future generations).

OraTaiao has grown over a decade to more than 700 health professionals concerned with:

- The negative impacts of climate change on health, well-being, and fairness;
- The gains to health, well-being, and fairness that are possible through strong, health-centred climate action;
- Highlighting the impacts of climate change on those who already experience disadvantage or ill-health (i.e., equity impacts);
- Reducing the health sector's contribution to climate change.

As well as individual members, we are backed by 19 of New Zealand's leading health professional organisations for our Health Professionals Joint Call to Action on Climate Change and Health<sup>3</sup>. This support includes the New Zealand Medical Association, the New Zealand Nurses Organisation and the Public Health Association, plus numerous specialist colleges. Together, these organisations represent tens of thousands of our country's health workforce.

As an organisational member of the Board of the Global Climate & Health Alliance, we work with a worldwide movement of health professionals and health organisations focused on the urgent health challenges of climate change - and the health opportunities of climate action. OraTaiao signed the Doha Declaration on Climate, Health and Wellbeing of December 2012, which reflects this international perspective.

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<sup>3</sup> [https://www.orataiao.org.nz/friends\\_and\\_supporters](https://www.orataiao.org.nz/friends_and_supporters)