

Submission to Environment Committee on the Natural Environment Bill and the Planning Bill

Introducing Mana Mokopuna – Children's Commissioner

Mana Mokopuna – Children's Commissioner (Mana Mokopuna) is the independent Crown entity with the statutory responsibility to advocate for the rights, interests, participation and well-being of mokopuna¹ (all children and young people) under 18 years old in Aotearoa New Zealand, and young people under 25 years of age if they are, or have been, in care or custody. The Children's Commissioner is Dr Claire Achmad.

We independently advocate for and with mokopuna within the context of their families, whānau, hapū, iwi and communities, based on evidence, data and research, including the perspectives of mokopuna.

Our work is grounded in the United Nations Convention on the Rights of the Child (the Children's Convention), Te Tiriti o Waitangi and other international human rights instruments. We are a National Preventative Mechanism under the Optional Protocol to the Convention Against Torture, meaning we monitor places where mokopuna are deprived of their liberty, including in the care and protection, youth justice, youth mental health and intellectual disability spaces.

We have a statutory mandate to promote the Children's Convention and monitor the Government's implementation of its duties under the Convention, and to work in ways that uphold the rights of mokopuna Māori including under Te Tiriti o Waitangi. We place a focus on advocating for and with mokopuna who are experiencing disadvantage, and we recognise and celebrate the diversity of mokopuna in all its forms.

Our moemoeā (vision) is *Kia kuru pounamu te rongo – All mokopuna live their best lives*, which we see as a collective vision and challenge for Aotearoa New Zealand.

Our independent advocacy for mokopuna rights focuses on four strategic advocacy areas:

- A strong start in life (first 2000 days)
- Growing up safe and well (free of all forms of child maltreatment in all circumstances; thriving mental health and wellbeing)
- Thriving families and whānau (living free of poverty, with resources needed to support mokopuna to thrive), and
- Participating in what matters to me (mokopuna have told us, for example, about the importance of participating in their education, culture and identity, sport and recreation, and caring for the natural environment).



For more information
please contact:

Matt Langworthy

Manager Rights,
Insights & Advice

Matt.Langworthy@
manamokopuna.org.nz

¹ At Mana Mokopuna we have adopted the term 'mokopuna' to describe all children and young people in Aotearoa New Zealand. 'Mokopuna' brings together 'moko' (imprint or tattoo) and 'puna' (spring of water). Mokopuna describes that we are descendants, and or grandchildren, and how we need to think across generations for a better present and future. We acknowledge the special status held by mokopuna in their families, whānau, hapū and iwi and reflect that in all we do. Referring to children and young people we advocate for as mokopuna draws them closer to us and reminds us that who they are, and where they come from, matters for their identity, belonging and well-being at every stage of their lives.

Summary & Recommendations

“ This is our future, our lives that we are talking about here. We will be living with the decisions made now.”

(Joel, Next Generation Conversation oral submission, Inquiry into climate adaptation)²

1. The way our land and natural environment is used has critical implications for mokopuna, now and into the future. The Planning Bill and the Natural Environment Bill both present significant opportunities to create systems that advance and safeguard the rights, interests and wellbeing of all children in Aotearoa New Zealand, and uphold Te Tiriti o Waitangi obligations to mokopuna Māori.
2. Mokopuna will bear the longest-lasting consequences of decisions made under these Bills. It is hugely important that they are supported to have opportunities to influence these draft laws. Mokopuna have been consistently identifying climate change and the protection of the environment as among their most pressing concerns.³ These Bills must ensure mokopuna voices are heard in shaping the Bills, and their views reflected in the systems being established. Mokopuna have a right to be heard on matters that will shape their futures, and to be respected as active participants and stakeholders in planning and environmental management systems.⁴ In this submission (among other things) we highlight to the Committee examples from New Zealand and overseas of environmental decision-making approaches that centre children in planning and environmental management, demonstrating what is possible and can have a positive impact in this regard.

Recommendations

3. Mana Mokopuna recommends children's rights and the Crown's Te Tiriti o Waitangi obligations are embedded in the Bills by making the amendments set out below.

a. Explicitly include children's rights and Te Tiriti o Waitangi obligations.

- i. Amend Clause 11 of both Bills to include goals that:
 - safeguard and advance the rights, interests, wellbeing, and participation of children, recognising children's rights to a clean, healthy and sustainable environment, and
 - give effect to the Crown's obligations under Te Tiriti o Waitangi to actively protect the rights and interests of mokopuna Māori and their connections to taonga, including the natural environment.
- ii. Amend the Bills to:
 - require the specific health requirements of mokopuna be explicitly considered in developing Human Health limits, and

² Next Generation Conversation oral submission to the Finance and Expenditure Select Committee Subcommittee A Inquiry into Climate adaptation hearing of evidence, 24 07 16 at 2.10.44. Available here: [Finance and Expenditure Committee on Vimeo](#).

³ [A summary of literature reflecting the perspectives of young people in Aotearoa on systemic factors affecting their wellbeing](#).

⁴ Children's Convention, Article 12.

- require children's rights to a clean, healthy and sustainable environment, and in relation to the changing climate and bio-diversity loss, be considered when ecosystem health limits are set by councils.⁵

b. **Require Children's Rights Impact Assessments (CRIAs) and make the best interests of children a primary consideration at all levels of the planning and environmental management systems**, including when:

- ii. setting goals and principles, national policy directions, and national standards
- iii. making land use and natural environment plans
- iv. making consenting and permitting decisions, and
- v. balancing competing objectives.

c. **Recognise mokopuna as key stakeholders and active participants under both Bills** by:

- i. requiring engagement with mokopuna to seek their views, especially on goals and national instruments, and
- ii. ensuring all processes for public consultation under the Bills include child-friendly avenues for feedback and sharing ideas. For example, amending clause 13(a) of the Planning Bill to make it clear that all documents should include the provision of child-friendly information.

Introduction



We are going to grow up on this earth, and we deserve a good planet"

(Submission from Next Generation Conversation to the Ministry for the Environment on proposed amendments to waste legislation)⁶

4. Mokopuna are important and often overlooked stakeholders in planning and environmental management. Yet mokopuna, now and in the future, will be heavily impacted by decisions made under the Natural Environment Bill and the Planning Bill (the Bills). Not only is it important from a practical point of view to embed their rights and interests in the legislative framework (mokopuna make up almost a quarter of the population and will live longest with the consequences of decisions made under the Bills), it is also an obligation under the United Nations Convention on the Rights of the Child (Children's Convention).⁷ Embedding children's rights is consistent with what New Zealand has signed up to under the Declaration on Future Generations,⁸ and it includes providing for child-friendly and meaningful engagement with mokopuna in planning and environmental management processes.

⁵ [CRC/C/GC/26: General comment No. 26 \(2023\) on children's rights and the environment with a special focus on climate change | OHCHR](#).

⁶ Next Generation Conversation oral submission to the Finance and Expenditure Select Committee Subcommittee A Inquiry into Climate adaptation hearing of evidence, 24 07 16 at 2.10.44. Available here: [Finance and Expenditure Committee on Vimeo](#).

⁷ United Nations Convention on the Rights of the Child, Article 4.

⁸ [A Declaration on future Generations - United Nations Summit of the Future | United Nations](#).

5. There are aspects of the Bills that will advance the rights and wellbeing of mokopuna. For example, encouraging more affordable houses to be built, supported by sustainable infrastructure, will help to meet the need for safe, warm homes for mokopuna and whānau, which is a priority under the Government's Child and Youth Strategy.⁹ Protecting and supporting the natural environment is also fundamental to children's rights and wellbeing, including their health. Their size and stage of development mean mokopuna are particularly vulnerable to negative health impacts from pollutants and other damage within the natural environment, including bio-diversity loss.¹⁰ A children's rights approach to planning will help to ensure that consideration is given to how mokopuna can access natural environments and that they have spaces to play and be with their whānau, friends and communities, for example. Not only is such an approach consistent with children's rights and the State's duty to uphold these, but it will also contribute to positive life experiences and outcomes for mokopuna, and support mokopuna Māori connections to whenua and their role as kaitiaki of the natural environment.
6. We are concerned the change from the broad purpose of the Resource Management Act 1991 (RMA) - to encourage sustainable management of resources, including the reasonably foreseeable needs of future generations - to a more operational focus on what can, and cannot, be done with natural resources will result in insufficient consideration being given to the intergenerational impacts of decision-making under the Bills. The Bills need to recognise the use of natural resources will shape the environment and lives of current and future generations. To do so is consistent with the State's role as a duty-bearer of children's rights, under the UN Convention on the Rights of the Child and the rights of children in relation to the environment.
7. We note the Bills have been developed at pace and may need refinement.¹¹ In our view, amendments are needed to ensure the architecture created by the Bills upholds and advances mokopuna rights, interests and wellbeing, supports their active participation in planning and environment management, and gives specific attention to child health and the importance of the natural environment for mokopuna now and in the future.
8. In this submission we:
 - provide information about the application of children's rights to the Bills to assist the Government to meet its obligations under the Children's Convention¹²
 - discuss the impact on mokopuna of the Bill's "funnel" approach
 - highlight the importance of mokopuna participation in planning and environmental management, and
 - provide examples of initiatives from Aotearoa New Zealand and overseas that centre children in planning and environmental management, for the Environment Committee's reference (Appendix one).

⁹ The Child and Youth Strategy 2024-2027.

¹⁰ See [CRC/C/GC/26: General comment No. 26 \(2023\) on children's rights and the environment with a special focus on climate change | OHCHR](#); [Children's Rights in a Changing Climate Thematic Report](#), submitted to the United Nations Committee on the Rights of the Child 6th Periodic Review of New Zealand 93rd Pre-Sessional Working Group (September 2022). OraTaiao: NZ Climate and Health Council.

¹¹ [Ministry for the Environment Initial Briefing to the Environment Committee: Overview of the Planning Bill and Natural Environment Bill](#), 29 January 2026.

¹² Children's Commissioner Act 2022, section 21.

Children's rights and planning and environmental management

9. When it ratified the Children's Convention in 1993, Aotearoa New Zealand committed to take all appropriate legislative, administrative and other measures to implement children's rights.¹³ The Bills present a significant opportunity for the Government – and the State of New Zealand, on an enduring basis – to meet its obligations to mokopuna under the Children's Convention.

Children's right to a healthy environment

10. The United Nations Committee on the Rights of the Child (CRC Committee) has confirmed that children have a right to a clean, healthy and sustainable environment, and that "*A clean, healthy and sustainable environment is both a human right itself and necessary for the full enjoyment of a broad range of children's rights*".¹⁴ The CRC Committee has issued guidance, emphasising the urgent need for governments to address the adverse effects of environmental degradation on the enjoyment of children's rights.¹⁵

Children's rights to health, fresh water, nutritious food

11. Children breathe more air, drink more water, and eat more food per kilogram of body weight than adults, making them particularly vulnerable to environmental contaminants.¹⁶ Air and water pollution, exposure to toxic substances, including chemical fertilizers, soil and land degradation and other types of environmental harm increase child mortality, especially among children under five years of age, and contribute to the prevalence of disease, impaired brain development and subsequent cognitive deficits.¹⁷ The adverse effects of scarcity of clean water, food insecurity, vector- and water-borne diseases, air pollution and physical trauma from sudden or slow onset events fall hardest on children.¹⁸

12. We are concerned that, as drafted, the Bills do not recognise that mokopuna are especially vulnerable to adverse health impacts from pollution and environmental degradation, due to their age and stage of development. Examples include:

- Nitrate contamination from intensive farming has been linked to blue baby syndrome in Canterbury, where a quarter of monitored wells are approaching unsafe limits, posing direct risks to infants.¹⁹

¹³ United Nations Convention on the Rights of the Child, Article 4.

¹⁴ [CRC/C/GC/26: General comment No. 26 \(2023\) on children's rights and the environment with a special focus on climate change | OHCHR](#), paragraph 8.

¹⁵ [CRC/C/GC/26: General comment No. 26 \(2023\) on children's rights and the environment with a special focus on climate change | OHCHR](#).

¹⁶ WHO, Don't Pollute My Future! (2017); World Health Organization, "Children's Environmental Health" (2023); Bearer CF, "How Are Children Different from Adults?" Environmental Health Perspectives 103(6) (1995): 7–12.

¹⁷ [CRC/C/GC/26: General comment No. 26 \(2023\) on children's rights and the environment with a special focus on climate change | OHCHR](#), paragraph 40.

¹⁸ [CRC/C/GC/26: General comment No. 26 \(2023\) on children's rights and the environment with a special focus on climate change | OHCHR](#); Children's Rights in a Changing Climate Thematic Report, submitted to the United Nations Committee on the Rights of the Child 6th Periodic Review of New Zealand 93rd Pre-Sessional Working Group (September 2022). OraTaiao: NZ Climate and Health Council.

¹⁹ RNZ, "[Concerns raised over nitrates' effects on babies](#)" (17 October 2017); Canterbury Regional Council groundwater monitoring data.

- Children in overcrowded and inadequate housing face higher rates of respiratory disease linked to damp environments and poor air quality.^{20, 21}
- Limited access to safe outdoor play spaces can contribute to childhood obesity, and reduced access to natural environments has documented impacts on children's mental health and wellbeing.²²

13. To safeguard mokopuna rights and wellbeing, the goals and national instruments under the Bills need to reference the quality of air, water, soil and ecosystems required for mokopuna to grow up healthy and well, recognising the risks specific to mokopuna health and development posed by environmental degradation. In particular:

- The health requirements of mokopuna need to be explicitly considered in developing Human Health limits.
- When ecosystem health limits are set by regional councils, the legislation must require consideration be given to upholding children's rights to a sustainable, clean and healthy environment, including in relation to changing climate and biodiversity loss.

14. These considerations must account for the impacts on mokopuna Māori as tangata whenua, and due to existing health inequities and environmental exposures. These considerations should account for the particular vulnerabilities of mokopuna whaikaha (disabled children) in this context, who face compounded risks from environmental harm.

The best interests of the child principle

15. Article 3(1) of the Children's Convention establishes that in all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.²³

16. The UN Committee on the Rights of the Child has made it clear that the best interests principle is a threefold concept, all of which apply under the two Bills being considered by the Committee. It is a substantive right (children have a right to have their best interests assessed); a fundamental interpretive legal principle; and a rule of procedure (decision-making must include evaluation of impact on children). "A primary consideration" means children's best interests cannot be routinely outweighed by other considerations; where there are competing interests, children's best interests must be given high priority and clearly identifiable weight.²⁴

17. To uphold New Zealand's duty-bearer obligations as a States Party to the Children's Convention, we recommend that both Bills explicitly state that children's best interests must be a primary consideration in setting goals and national instruments, developing regional and district plans, making consent and permitting decisions, and balancing competing objectives.

²⁰ [Housing, Health, and the Well-Being of Children](#).

²¹ [State of Child Health in Aotearoa NZ • Cure Kids](#).

²² [Access to Healthy Built and Natural Environments and Physical Activity and Screen Time in New Zealand Adolescents: A Geospatial Cross-Sectional Study - Marek - 2025 - GeoHealth - Wiley Online Library; The wonders of nature - Brainwave Trust Aotearoa](#).

²³ Convention on the Rights of the Child, Article 3(1).

²⁴ [General comment no. 14 \(2013\) on the right of the child to have his or her best interests taken as primary consideration \(art. 3, para. 1\), paragraphs 6, 37-39.](#)

Te Tiriti o Waitangi and Mokopuna Māori

18. Management of the natural environment and planning needs to specifically consider and provide for the rights of mokopuna Māori under Te Tiriti o Waitangi. Te Tiriti o Waitangi guarantees to Māori tino rangatiratanga over their taonga, including the natural environment, and imposes on the Crown the duty of active protection of those taonga for current and future generations of mokopuna Māori.²⁵ This includes recognising the cultural and spiritual significance of natural resources to Māori and ensuring their sustainable management for future generations.
19. Environmental degradation has specific impacts on mokopuna Māori. For example, the relationship between Ngāti Hine and tuna (eels) illustrates this point. Tuna are considered taonga by Ngāti Hine, and their protection is integral to the exercise of kaitiakitanga. Ngāti Hine children learn their culture and heritage in an experiential way from their kaumātua and kuia, who pass on deep knowledge about tuna to their mokopuna. When waterways are degraded and tuna populations decline, mokopuna Māori lose the ability to practise traditional harvesting and tikanga, opportunities for intergenerational knowledge transfer, connection to cultural identity and whakapapa, and understanding their role as kaitiaki.^{26, 27}
20. Under Te Tiriti o Waitangi, the Government is obligated to actively protect mokopuna Māori, their taonga, whenua and culture, and ensure mokopuna Māori are involved in decision-making that affects them. The proposed Bills must address the specific rights of mokopuna Māori, particularly those in communities exposed to climate-related hazards such as flooding and coastal erosion, and ensure the preservation of wāhi tapu, urūpā, marae, and other culturally significant sites.
 - Planning and environmental management can impact the cultural rights of mokopuna Māori by supporting connections with ancestral lands, guarding against loss of places of cultural importance including urupā and marae, protecting against loss of relationships with the natural environment, which can lead to loss of traditional ways of life, and preventing disruption of relationships with family and ancestors, which can affect cultural identity and knowledge systems, with potential harmful effects on health.²⁸
 - Mokopuna Māori are more likely to live in communities which are in coastal, rural, and geographically vulnerable areas. Of the approximately 800 marae across Aotearoa, 80 percent are built on low-lying coastal land or near flood-prone rivers.²⁹ As a result, marae and papakainga often sit in places exposed to rising seas, flooding, and slips and so when storms hit Māori communities are at higher risk and are more likely to be cut off from essential services and face a slower recovery.³⁰ Cyclone Gabrielle in 2023 severely damaged marae, urūpā, and taonga across

²⁵ Waitangi Tribunal, Wai 262 Report (2011); NZ Māori Council v Attorney-General [1987] 1 NZLR 641 (CA).

²⁶ [History of the Ngati Hine pilot program for the monitoring, recovery, and protection of eels - Local Biodiversity Outlooks](#).

²⁷ [Children's Rights in a Changing Climate Thematic Report](#), submitted to the United Nations Committee on the Rights of the Child 6th Periodic Review of New Zealand 93rd Pre-Sessional Working Group (September 2022). OraTaiao: NZ Climate and Health Council, page 5.

²⁸ [FINAL Report children's rights and climate 15 August_Final\[48\].docx](#).

²⁹ Public Health Communication Centre, "Cyclone Gabrielle by the Numbers" (2023), citing data on marae locations.

³⁰ [The Unequal Storm: How Natural Disasters Impact Māori Communities – Waatea News: Māori Radio Station](#).

multiple regions, disrupting the cultural and community life of mokopuna Māori.³¹ Planning and environmental management can help to prevent and mitigate the impacts of natural emergencies, such as those caused by severe weather.

- Planning and environmental management are important tools in preventing inequities already faced by mokopuna Māori and their whānau being exacerbated, including long-standing socioeconomic deprivation and inequities in relation to health, education and housing.³²

The impact of the Bills' "funnel" approach on children's rights

21. Overall, we have concerns about the Bills' "funnel" approach and the impact this will likely have on children's rights.³³ The Bills establish a fundamentally different system from the RMA. Rather than a broad purpose clause interpreted at every level, the Bills use a "funnel" architecture: goals at the top drive national instruments, which drive regional plans, which drive consenting. At each level, fewer matters are open for debate. Earlier decisions cannot be relitigated. The Government's own briefing states that if something is not covered by the goals, the system will not be allowed to manage it.³⁴
22. Under the RMA, section 5's reference to "the reasonably foreseeable needs of future generations" provided a broad basis on which children's interests could be raised at any level of decision-making. The proposed Bills remove this. In their place, a narrower set of goals determines what the system can and cannot consider. If children's rights and interests are not explicitly reflected in those goals, they will be structurally excluded from every layer of the system.
23. This exclusion would be compounded by five features of the new system:
 - a. First, more activities will be permitted by default without requiring consent. Children's health and safety considerations must therefore be embedded in the national standards and regulations themselves, to make it clear that children's rights and interests must be considered in decision what activities a consent or permit.
 - b. Second, standardised zones and nationally consistent rules will replace the current 1,100-plus zone framework. If children's needs are not considered when these standards are set, the gap will be nationwide and difficult to remedy.
 - c. Third, regional spatial plans will set 30-year strategic direction for growth and infrastructure. Without a requirement to consider children's rights, these plans risk locking in environments that do not serve mokopuna for generations to come.
 - d. Fourth, the higher thresholds for notification and participation in consenting mean fewer opportunities for children's interests to be raised in individual decisions, making it critical that protections exist at the goals and national instruments level.

³¹ Te Puni Kōkiri, Cyclone Gabrielle Māori Communities Response Fund (2023); Te Papa, "Mana Taonga in Action" (2023).

³² [He huringa āhuarangi, he huringa ao: A changing climate, a changing world](#).

³³ [Planning Bill 235-1 \(2025\), Government Bill Explanatory note – New Zealand Legislation](#).

³⁴ Ministry for the Environment [Initial Briefing to the Environment Committee: Overview of the Planning Bill and Natural Environment Bill](#), 29 January 2026.

- e. Fifth, the Bills introduce a modern digital system to enable faster planning decisions and monitor performance and outcomes; this system should include child-disaggregated data and require monitoring of outcomes, including for mokopuna Māori, to ensure the system is delivering for children and to identify where it is not.
- 24. Mana Mokopuna's recommendations respond directly to this architecture. Amending the goals in both Bills (Clause 3) ensures children's rights enter the funnel at the top and flow through every layer. Requiring CRIAs for national instruments, as recommended in the next section, ensures children's interests are systematically assessed when the rules that govern the entire system are being written. Making children's best interests a primary consideration ensures decision-makers at every level give weight to children's rights when balancing competing goals.

Children's Rights Impact Assessments

- 25. We recommend those exercising powers, functions and duties under the Bills are also required to undertake CRIAs to ensure they consider the rights, interests, wellbeing, and participation of mokopuna.
- 26. A CRIA is a systematic process for evaluating actual and potential impacts of proposed legislation, policies, and programmes on mokopuna and their rights. The United Nations Committee on the Rights of the Child has stated that child rights impact assessment should be built into government processes at all levels to ensure children's best interests are a primary consideration in all actions.³⁵ Additionally, children cannot vote, they are not routinely consulted for their views about systemic matters and decisions affecting them, and generally lack access to legal expertise. CRIAs provide a structured mechanism to ensure mokopuna rights are proactively considered to inform decision-making. The specific amendments Mana Mokopuna recommends to give effect to CRIAs are set out in recommendation 3(b) above.
- 27. For these Bills, CRIAs would require decision-makers to systematically consider how proposed goals, instruments, plans, and standards affect children's rights. The Ministry of Social Development has developed a Child Impact Assessment Tool for use across government, to ensure consistency with the Children's Convention and which could be used to support the use of CRIAs in relation to the Bills.³⁶
- 28. There are international examples of the use of CRIAs. For example, they are used in Wales, Scotland, and Belgium to ensure government decision-making complies with the Children's Convention.³⁷ Wales provides a strong model. Under the Rights of Children and Young Persons (Wales) Measure 2011, Welsh Ministers must have "due regard" to the Children's Convention when exercising any of their functions and undertake CRIAs. Since 2012, approximately 260 CRIAs have been completed across Welsh Government.³⁸ Wales is

³⁵ UN Committee on the Rights of the Child, General Comment No. 5 (2003) CRC/GC/2003/5, para 45.

³⁶ [Child Impact Assessment Tool - Ministry of Social Development](#).

³⁷ Welsh Government, CRIA Guidance (2021); Belgium Federal Government, Child Impact Assessment Guide (2019). Scottish Government, Scotland's Population Health Framework: Child Rights & Wellbeing Impact Assessment, (2025).

³⁸ UNICEF UK, "Strengthening Child Rights Impact Assessment in Wales" (2017), citing approximately 260 CRIAs completed from 2012.

recognised as one of the few countries with a formal mechanism to assess how decisions affect children's rights.³⁹

Children's views and participation

“ In the year 2050, many of us will be in the middle of our careers and lives, and right now we have no idea whether we will be able to live out our hopes and dreams, or whether we will be faced with the burden of frequent natural disasters, widespread suffering, refugee crises, intensified inequality, resource scarcities and war on a scale that humanity has never experienced before. That is the kind of future that science tells us we are heading towards, unless we - unless you - act now” ([School Strike 4 Climate 2021 demands for Government](#))⁴⁰

29. Mokopuna have told us that having a healthy environment is one of the things that matters most to them.⁴¹ They have told the Children's Commissioner that they want to be involved in decision-making about the climate and environment, because these decisions directly affect their lives, and will do so for the longest time. Their views on these Bills should be sought out. Mana Mokopuna is available to provide advice and support on seeking mokopuna views, if required.

30. Upholding children's participation rights (Article 12, Children's Convention) requires the Government to provide for meaningful engagement with mokopuna and child-friendly consultation processes on these Bills (and other proposed legislation affecting children) so that mokopuna can share their views, experiences and ideas on how their environment should be managed and their spaces planned. The current legal framework requires councils to consult with Māori in planning processes, an obligation backed by case law and enforceable through judicial review. No equivalent obligation currently exists for children. The Bills should establish comparable requirements to ensure mokopuna are consulted and their rights considered in planning and environmental decisions. As can be seen from the Streets for Kids programme from the Global Designing Cities Initiative, there is much to be gained for the entire population when children's needs, rights and wellbeing are put at the centre of planning.⁴²

31. We draw the Committee's attention to the 2023 recommendation of the United Nations Committee on the Rights of the Child that the New Zealand Government facilitate access of children and young people, in particular Māori and Pasifika children and children living in low-income settings, to meaningful participation in climate change planning and decision-making, including on adaptation and mitigation work, as this is directly relevant to their participation in planning and environmental management.⁴³ These Bills are a direct opportunity for the Government to take steps to fulfil this recommendation, and we urge that the Government does so.

³⁹ Welsh Government, Children's Rights: Information for Children (2023); Rights of Children and Young Persons (Wales) Measure 2011, section 1.

⁴⁰ [Demands 2021 | School Strikes NZ](#).

⁴¹ [What matters most](#).

⁴² [A New Round of the Streets for Kids Leadership Accelerator - Global Designing Cities Initiative](#).

⁴³ [The UN's Concluding Observations to Aotearoa New Zealand | Mana Mokopuna CRC/C/NZL/CO/6 \(2023\)](#) at paragraph 34.

Conclusion

32. The Bills will establish the system architecture for land and natural environment management with significant impacts for mokopuna, now and into the future. This is a critical window of opportunity. If children's rights and Te Tiriti o Waitangi obligations are not built in from the start, mokopuna will be systematically disadvantaged for the foreseeable future.
33. The Bills must ensure the protections guaranteed in the Children's Convention and Te Tiriti o Waitangi are embedded in Aotearoa New Zealand's planning and environmental law. Specifically, the Bills should:
 - a. explicitly include children's rights and Te Tiriti o Waitangi obligations
 - b. require Children's Rights Impact Assessments
 - c. make children's best interests a primary consideration
 - d. recognise mokopuna as key stakeholders with the right to participate, and
 - e. protect children's health.
34. Mokopuna cannot vote, and public consultation processes are often not child-friendly. Mokopuna will bear the longest-lasting consequences of decisions made under these Bills yet have the least power to influence them. This is especially so for mokopuna Māori, whose rights under Te Tiriti o Waitangi require active protection, and for mokopuna whaikaha, who face compounded vulnerabilities. That is precisely why explicit recognition of mokopuna and their rights must be hardwired into these Bills.
35. Mana Mokopuna is available to provide technical assistance in drafting amendments, facilitating direct engagement between the Committee and mokopuna, and providing further evidence or clarification on any matters.
36. We urge the Committee to ensure that this planning and environmental management legislation is amended so that it truly serves all New Zealanders, including the mokopuna whose futures depend on the decisions you make, and who will be affected by your decisions for the longest time.

Appendix one: Planning for children – International examples

Aotearoa New Zealand

New Zealand has existing foundations to build on, demonstrating both appetite and capacity for child-friendly planning at the local level. Whangārei was a pilot city for the UNICEF Child Friendly Cities Initiative in 2011, coordinated by Manaia Primary Health Organisation and Whangārei District Council. Wellington registered with UNICEF CFCI in 2015, committing to consider children across all council services and urban planning. Auckland's 2040 vision included children and young people as Strategic Priority Number 1.

These initiatives have produced positive outcomes where implemented, demonstrating that when children's perspectives are centred in planning, communities benefit. However, without a legislative mandate, implementation remains inconsistent, dependent on individual council commitment, and vulnerable to shifting political priorities. The proposed Bills present an opportunity to move from ad hoc, locally driven initiatives to a consistent, nationwide legislative framework that embeds child-friendly planning as a requirement, not an aspiration.

International Precedents

Wales — The Rights of Children and Young Persons (Wales) Measure 2011 imposes a statutory duty on Welsh Ministers to have "due regard" to the UNCRC. Approximately 260 CRIAs have been completed since 2012, publicly available for transparency. An independent evaluation concluded the Measure has embedded the Convention in Welsh policy-making.⁴⁴

Scotland — The UNCRC (Incorporation) (Scotland) Act 2024 made Scotland the first UK nation to directly incorporate the UNCRC into domestic law, making it unlawful for public authorities to act incompatibly with children's rights.⁴⁵

Norway — The Planning and Building Act (2008) requires "special emphasis shall be placed on securing children a good environment in which to grow up" and mandates councils to safeguard children's interests and secure their active participation in planning.⁴⁶

Sweden — Incorporates child participation in spatial planning processes.⁴⁷

Germany — The Federal Building Code explicitly includes children as part of "the public" with rights to information and expression on planning decisions. Fifty-nine municipalities participate in the UNICEF Child Friendly Cities programme.

Leeds, England — Child Friendly Leeds (2012) developed its 12 Wishes framework, consulting with over 80,000 children. Outcomes include Children's Services moving from "inadequate" (2010) to "Outstanding" (2018, 2022), a 50% reduction in children on Protection Plans, and childhood obesity decreasing from 9.4% to 8.8% while national rates remained unchanged.⁴⁸

⁴⁴ [Rights of Children and Young Persons \(Wales\) Measure 2011 | Law Wales](#).

⁴⁵ [1. Introduction - UNCRC \(Incorporation\) \(Scotland\) Act 2024 - part 2: statutory guidance - gov.scot](#).

⁴⁶ [Planning and Building Act \(2008\) - regjeringen.no](#).

⁴⁷ [Young People and Spatial Planning in Sweden](#).

⁴⁸ [wearechildfriendlyleeds.com](#).