

# PARLIAMENTARY SUBMISSION

NZ Natural Environment Bill  
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[commsdeclare.org](https://commsdeclare.org)



# About Us

**Comms Declare** is a network of more than 100 organisations and hundreds of communications and media professionals across Oceania who have committed not to promote fossil fuels and to support responsible communications that advance climate action. The organisation leads the **Fossil Ad Ban** campaign and works with public bodies to align communications practices with environmental and public health objectives.

## Summary

**Comms Declare supports the introduction of environmental limits in the Natural Environment Bill** and recommends that the Bill be amended to enable or require national environmental standards restricting fossil fuel advertising and sponsorship on publicly owned or controlled land, buildings and infrastructure.

We consider this a proportionate, practical and system-consistent measure that would materially strengthen the Bill's ability to achieve its environmental and human health objectives. We propose that this targeted amendment be implemented through the Bill's national environmental standards framework.

# Fossil Fuel Advertising in New Zealand

**Fossil fuel advertising in New Zealand operates along a spectrum**, ranging from explicit product promotion to more subtle forms of institutional branding and sponsorship. At one end are direct promotional advertisements that encourage the continued use of coal, oil or gas products. These advertisements typically depict everyday activities such as driving, cooking, heating or travel as normal and essential, reinforcing continued reliance on fossil fuels at a time when national policy seeks to reduce emissions and transition to cleaner alternatives.

Increasingly, such advertising is layered with language about transition, lower emissions or “net zero”. While these claims may reference limited operational changes, **they often obscure the central reality that the core product being sold remains a fossil fuel whose combustion is the primary driver of climate change.**

A prominent example is Z Energy’s national campaign claiming it was “in the business of getting out of the petrol business”. Consumer NZ, alongside the Environmental Law Initiative and Lawyers for Climate Action NZ, alleged the campaign created a misleading impression of environmental responsibility while Z Energy’s core business of selling petrol and diesel continued. In 2025, Z Energy settled the case and publicly apologised. The case is widely regarded as a landmark example of climate-related greenwashing being tested under New Zealand consumer protection law.

Public authorities recognise that **certain products and industries are incompatible with public health and wellbeing.** For this reason, advertising and sponsorship related to tobacco, gambling and alcohol are commonly restricted on council-controlled land, facilities and events.

**Coal, oil and gas meet the same threshold of harm.** Fossil fuel combustion is the primary driver of climate change and a major contributor to air pollution associated with preventable illness and premature mortality. Climate impacts such as floods, droughts, fires and extreme heat are already affecting communities across Aotearoa and placing increasing pressure on infrastructure, health services and emergency response systems.

**Restricting fossil fuel advertising on government assets is therefore a clear, proportionate and immediately actionable step that supports public health, upholds climate commitments and reduces the influence of vested interests that profit from continued pollution.**

# Rationale for policy change

## Limits-based systems must address drivers as well as impacts

The Bill adopts a modern approach by setting environmental limits and regulating activities to remain within those limits. For such systems to succeed, they must manage both direct environmental effects and upstream drivers that materially increase those effects. Otherwise, the system regulates symptoms while leaving the causes unaddressed.

Fossil fuel combustion is a primary contributor to greenhouse gas emissions, climate-related degradation of water and land systems, and increased risks from flooding, storms, landslides, droughts and heat. In other words, fossil fuel use materially affects the very domains for which the Bill requires limits to be set.

## Limits-based systems must address drivers as well as impacts

Commercial advertising and sponsorship are well-established drivers of consumption, shaping purchasing behaviour, reinforcing social norms and sustaining social licence for high-emissions activities.

Fossil fuel advertising promotes products whose combustion directly drives emissions, undermines low-emissions transition efforts, and contributes to greenwashing and misinformation. From a systems perspective, fossil fuel promotion is therefore an environmental risk factor that contributes to the likelihood that environmental limits will be breached.

It is reasonable and consistent with the Bill's purpose to treat fossil fuel promotion as an activity that may require management in order to safeguard environmental limits.

# Rationale for policy change

## Public spaces should align with environmental objectives

Public authorities manage community assets, implement national environmental policy, and are responsible for safeguarding human and environmental wellbeing. Publicly owned or controlled spaces should therefore reflect the environmental and public health objectives set by Parliament and should not be used to promote products that undermine those objectives.

New Zealand's leadership in tobacco control provides a clear and workable domestic precedent. Advertising was progressively removed from broadcast, outdoor and retail environments, culminating in the elimination of point-of-sale promotion. These measures were treated not as speech controls but as proportionate public health protections. The same behavioural mechanisms that justified restrictions on tobacco advertising apply to fossil fuels.

There is also local precedent for action on fossil fuel advertising. Greater Wellington Regional Council has already enacted a 'Fossil Ad Ban', voting in 2023 to ban fossil fuel advertising across the Metlink public transport network, spanning buses, trains, and ferries across the region. Additionally, some 16 Australian jurisdictions and a host of jurisdictions across the world have enacted similar legislation with a view to preventing harm.

## National environmental standards are the appropriate mechanism

The Bill requires environmental limits to be established for air, freshwater, coastal water, land and soil, and indigenous biodiversity, with those limits expressly intended to protect both human health and ecosystem integrity.

Under the proposed provisions:

- the responsible Minister sets human health limits through national standards;
- regional councils set ecosystem health limits through plans using prescribed methods; and
- national standards operate as preventative tools to regulate activities that could cause limits to be exceeded.

Using national standards to manage fossil fuel advertising on public assets fits squarely within this framework. It directly supports achievement of environmental and health limits, regulates land use and asset management rather than speech content, and can be implemented through existing planning and procurement systems.

# Rationale for policy change

## A targeted and proportionate approach

This approach is proportional to the environmental and health harms the Bill seeks to address and aligns closely with the planning and asset management focus of this legislation.

As a practical first step, we propose restricting fossil fuel advertising and sponsorship on publicly owned or controlled assets such as public transport infrastructure, council facilities and community billboards. This approach:

- supports achievement of environmental limits while protecting human health;
- draws on established New Zealand precedent in tobacco advertising restrictions;
- builds on localised precedents for 'Fossil Ad Bans';
- focuses on activities within the clear control of public authorities;
- mirrors existing signage and advertising controls used by local government;
- is straightforward to administer through existing procurement and leasing processes;
- provides regulatory certainty and consistency nationwide; and
- supports New Zealand's transition to a low-emissions economy.

# Proposed legislative amendment

We recommend inserting a provision within the national environmental standards framework as follows:

## **National environmental standards relating to fossil fuel advertising on public assets**

- (1) The Minister must make national environmental standards that prohibit or restrict the display of commercial advertising or sponsorship relating to fossil fuel products or fossil fuel extraction on land, buildings, or infrastructure that are—
  - (a) owned, managed, or controlled by a public authority; or
  - (b) subject to a natural environment plan.
- (2) Standards made under this section must be directed at supporting the achievement of environmental limits and protecting human health by reducing activities that materially contribute to fossil fuel consumption and associated emissions.
- (3) Standards may provide for transitional arrangements and exemptions for factual or legally required information.
- (4) Every regional council and public authority must give effect to standards made under this section.

# Legislative definitions

## ‘Fossil fuel company’

A fossil fuel company means an entity that—(a) has as its primary or dominant business activity the exploration, extraction, production, refining, processing, transportation, distribution or sale of fossil fuels, or the generation of energy principally from fossil fuels; or (b) is a subsidiary or related body corporate of an entity mentioned in paragraph (a).

## ‘Fossil fuel advertising’

Any paid or in-kind communication promoting fossil fuels, fossil-derived energy services, or fossil-powered vehicles. Includes corporate brand advertising.

# Recommendations

Comms Declare respectfully recommends that the Committee:

- support the Bill’s limits-based framework;
- recognise fossil fuel promotion as a material driver of environmental harm;
- provide for fossil fuel advertising restrictions through the national environmental standards framework;
- limit initial scope to publicly owned or controlled assets;
- include transitional arrangements and narrow exemptions; *and*
- require public authorities to give effect to the standard through plans, procurement, leasing, advertising, and any other relevant policies.

# comms declare



## CHANGING THE INFORMATION CLIMATE

Comms Declare promotes sustainable communication, and is dedicated to shifting the narrative around climate action. We exist to reduce the social licence of climate polluters and champion those that integrate sustainability into their communications practice.

At our core is our unwavering belief in the power of communications to create cultural change and shape a safer, healthier future for each of us and our planet.

We represent dozens of communications agencies and hundreds more professionals across the influence industries across Australia, New Zealand and the Pacific.

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