

Infrastructure New Zealand's Submission on the Public Works Amendment Bill

1. About Infrastructure New Zealand

- 1.1 Infrastructure New Zealand (INZ) welcomes this opportunity to provide feedback to the Transport and Infrastructure Committee on the Public Works Amendment Bill.
- 1.2 INZ is Aotearoa's peak membership organisation for the infrastructure sector. We promote best practice in national infrastructure development through research, advocacy, and public and private sector collaboration. Our membership is comprised of around 150 organisations, including government agencies, consultants, contractors, financiers, utilities, and academics. These organisations employ approximately 150,000 people in infrastructure-related roles and are united in their commitment to creating a better New Zealand through outstanding infrastructure.
- 1.3 This submission represents the views of INZ as a collective whole and may not necessarily represent the views of individual member organisations. We have encouraged members to provide their own submissions to raise issues specific to their expertise and areas of interest.

2. General Comments

- 2.1 INZ is broadly supportive of the Public Works Amendment Bill and considers it an important step in modernising the land acquisition system. The Bill aligns with its wider objectives of improving infrastructure delivery, increasing certainty, and reducing unnecessary delays while maintaining appropriate protections for landowners, and supports the Government's infrastructure priorities as set out in the "Going for Growth" strategy.
- 2.2 The Public Works Act is a foundational enabler of nationally, regionally, and locally significant infrastructure. Land acquisition is often a critical component in the delivery of infrastructure projects, and the timely acquisition of this land is in the best interests of the delivery of infrastructure projects. The current Act has not kept pace with modern infrastructure needs, and reform is therefore critical to reducing delays, cost escalation, and uncertainty, which continue to impede progress and affect both investment confidence and infrastructure delivery.

- 2.3 INZ considers that more efficient and predictable land acquisition processes are essential to improving system performance. Current processes have resulted in delays that hinder project viability, funding confidence and delivery pipelines. Predictable processes are paramount to effective infrastructure outcomes.
- 2.4 INZ supports the proposed provisions for land acquisition for emergency recovery. Many critical infrastructure projects arise in response to natural disasters, so allowing for acquisition of land to cater to these circumstances will reduce delays in delivering infrastructure outcomes to address these issues.
- 2.5 INZ supports the land acquisition powers for Transpower works as an important step for enabling energy infrastructure in Aotearoa. Allowing Transpower to adopt these processes under the Public Works Act rather than by application to the Minister for Land Information under the current resource management system will reduce delays and enable development of infrastructure that is critical to the powering of the country.
- 2.6 While broadly supportive of the Bill, INZ stresses the importance of balancing the public interest with private property rights. The fair treatment of landowners is critical to maintaining confidence in the system and securing the cooperation necessary for the efficient delivery of infrastructure projects. Protecting property rights helps to foster this support, however, this must be carefully balanced to ensure that safeguards do not reintroduce unnecessarily complex or delay-prone processes that undermine the Bill's objectives.
- 2.7 INZ supports the requirement of the responsible chief executive to provide the Minister for Land Information a report every 12 months. As noted, land acquired under the Public Works Act is done so for the public interest in fit-for-purpose infrastructure delivery, and accountability by way of an annual report is an appropriate way to measure whether this purpose is being met.

3. Considerations and Recommendations

- 3.1 INZ supports the provision requiring consent of other Ministers in the acquisition of Māori land. This safeguard is an important recognition of Treaty obligations. Effective implementation will be critical to maintaining relationships of trust and ensuring consistent outcomes for affected landowners. INZ emphasises that engagement must be early, with clear guidance to be provided to ensure consistency, transparency, and timeliness in decision-making, upholding rights while avoiding unnecessary delay.
- 3.2 INZ notes the importance of fair and predictable compensation for landowners. While the amendments better reflect the effects of compulsory acquisition, compensations settings

remain largely focused on market value and directly quantifiable costs. INZ considers that compulsory acquisition can impose broader impacts on landowners, and these impacts should be accounted for by way of compensation.

- 3.3 INZ emphasises that inadequate or inconsistently applied compensation and engagement processes are a primary driver of delay in the land acquisition that is required to deliver important public infrastructure. Where landowners perceive the system as unfair or unpredictable, resistance and challenge become more likely, undermining the Bill's objective of improving efficiency. INZ urges that compensation frameworks adequately and consistently reflect the full range of material impacts on landowners, encouraging an overall reduction in dispute, delay and cost escalation.

4. Conclusion

- 4.1 Infrastructure New Zealand supports the intent and direction of the Public Works Amendment Bill and considers it an important step toward improving the efficiency and effectiveness of land acquisition that underpins infrastructure delivery in Aotearoa.
- 4.2 The Bill responds to longstanding challenges within the Public Works Act that have contributed to delays, uncertainty, and increased costs for infrastructure projects.
- 4.3 INZ considers that the proposed amendments strike a generally appropriate balance between enabling timely infrastructure delivery in the public interest and maintaining protections for landowners. In particular, provisions relating to emergency recovery, energy infrastructure, and improved accountability represent practical improvements that will support more predictable and efficient outcomes.
- 4.4 However, INZ emphasises that the success of the Bill will depend on careful implementation. Fair, consistent and transparent processes, including adequate and holistic compensation, are essential to maintaining public confidence and securing the cooperation necessary for efficient infrastructure delivery.

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