

From: Civil Contractors NZ Incorporated

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Civil Contractors New Zealand Submission on the Public Works Amendment Bill

Introduction

Civil Contractors New Zealand (CCNZ) welcomes the opportunity to submit on the Public Works Amendment Bill.

As the industry association representing more than 800 member businesses involved in New Zealand's horizontal infrastructure construction, CCNZ supports the Bill's objective to improve the efficiency, effectiveness, and clarity of the Public Works Act 1981, particularly regarding land acquisition, objections, and compensation functions for public works projects.

Delays to infrastructure construction and emergency response efforts to restore infrastructure damaged by natural disasters do not benefit the country's communities, which rely on transport, water, and other infrastructure. At the same time, landholders should be fairly compensated if their land is acquired for public works. CCNZ hopes the Bill will streamline the processes and provide clarity around these issues.

Support for the Bill

CCNZ supports the Bill's ambition to streamline processes, modernise legislation, and accelerate infrastructure delivery—critical steps towards addressing New Zealand's infrastructure deficit and enabling economic growth.

The proposed changes will assist in the timely delivery of roads, water, energy, and other essential projects, while still protecting the rights of landowners and providing fair compensation.

Efforts to streamline public works will help smooth the path to project construction, meaning infrastructure projects can progress from announcements to construction more swiftly. This is appreciated, however many of the steps occur before the construction contractor's role begins.

The most positive aspect of the Public Works Amendment Bill is its targeted reform to streamline and speed up the delivery of critical infrastructure projects, especially through modernising and accelerating land acquisition processes for specified public works.

This reform directly addresses longstanding bottlenecks, lengthy negotiation processes and complex objection mechanisms that have historically delayed projects, increased uncertainty in the project pipeline, and increased costs for contractors, the wider infrastructure construction sector, and the country as a whole.

Key elements include:

- **Streamlined land acquisition:** The Bill simplifies the process for securing land needed for critical public infrastructure (e.g., roads, water, energy, and schools), cutting down the time and administrative burden involved. This includes combining land acquisition for connected public works, enabling more coordinated project delivery by central and local government agencies.
- **Accelerated objections process:** It replaces the right to take objections to the Environment Court with a more streamlined written submissions process, speeding up resolution and reducing litigation uncertainty.

The Bill's greatest value lies in its modernisation and streamlining of processes that have previously delayed critical infrastructure projects. This means faster project starts, greater certainty, lower compliance costs, and more consistent work opportunities for the sector. It is appropriate that the Bill provides for land acquisition in emergency response and recovery, and CCNZ supports the clauses proposed.

Suggestions for improvement

1. Workability and clarity

CCNZ encourages further improvements to ensure proposed processes are both practical and workable for contractors "on the ground." In particular, CCNZ urges the removal of vague drafting in the Bill to avoid uncertainty and unintended delays, and to ensure clear, actionable provisions that support the efficient delivery of public works.

How the revised Public Works Act interacts with parallel regimes (e.g., the Resource Management Act, Local Government Act) remains ambiguous. This can complicate implementation for civil contractors who must operate under several frameworks at once. Alignment with replacement RMA legislation in the form of the Natural Environment Bill and Planning Bill may result in confusion, especially regarding land acquisition, objections, and dispute processes.

The introduction of new, streamlined procedures and shifts (such as written-only objections for landowners) may cause confusion for those accustomed to current processes. Transitional arrangements may not capture projects already underway, potentially creating delays or gaps in legal coverage as systems adapt. Authorities using the Public Works Amendment Bill will still need to interface with affected parties effectively.

There is also some overlap in the proposed Emergency Response Bill, which is currently also in consultation. The main risk for civil contractors is that imprecise drafting in the Public Works Amendment Bill may result in conflicting interpretations, legal disputes, and difficulties in practical implementation, especially regarding environmental compliance, the interplay of different statutes, and handling emergency works.

2. Timely and Effective Emergency Response

Contractors are often the first on-site following disasters, using specialist equipment and knowledge to reopen roads, repair water networks, and support broader community recovery. The Bill must ensure that emergency response infrastructure works can begin immediately, with clear liability protections and coordination with Civil Defence Emergency Management Groups.

CCNZ has provided input into the Emergency Response Bill around explicitly recognising the pivotal role civil contractors play during emergency response and recovery efforts. Sometimes, these issues result from misunderstanding of which legislation has precedence.

It is essential that the legislation:

- Allows for the rapid mobilisation and deployment of contractors in the aftermath of disasters (such as landslides or flooding) to restore critical infrastructure.
- Provides for protections so contractors are not subject to prosecution for urgent works undertaken to save lives or protect property during such emergencies.

CCNZ supports the Bill's provisions to streamline the acquisition process for critical infrastructure and to enable emergency regulations. However, more clarity may be needed, including:

- Clear timeframes and processes for emergency works and land access
- Explicit listing of critical infrastructure types
- A regulatory framework that avoids unnecessary or time-consuming bureaucratic hurdles in urgent and emergency response scenarios, where time is of the essence.

Conclusion

CCNZ supports the Public Works Amendment Bill's objectives and urges the Select Committee to further review the Bill to ensure it is practical, effective, future-focused and interfaces well with other legislation such as the RMA replacement and Emergency Response Bill with clear precedence and minimal regulatory duplication.

Yours sincerely,



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Civil Contractors New Zealand

