



Cabinet

Minute of Decision

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Public Works Act 1981: Initiating a Review

Portfolio Land Information

On 10 June 2024, following reference from the Cabinet Business Committee, Cabinet:

- 1 **noted** that the Public Works Act 1981 (PWA) is critical in enabling land to be acquired for public infrastructure projects, which the Government has committed to supporting and accelerating;
- 2 **agreed** to initiate a review of the PWA to facilitate the Government's delivery of public infrastructure while retaining the principles of the PWA, through targeted amendments focused on improving efficiency, effectiveness, and clarity;
- 3 **agreed** that the review would focus on key issues in the PWA's land acquisition and compensation functions;
- 4 **agreed** that the criteria for the review of the PWA, are:
 - 4.1 efficiency;
 - 4.2 effectiveness; and
 - 4.3 clarity;
- 5 **noted** that any proposals would need to ensure that the following structures are retained:
 - 5.1 the fundamental principles of the PWA, including natural justice and property rights;
 - 5.2 that the Crown's Treaty of Waitangi settlement obligations are upheld;
- 6 **noted** that due to the PWA's significant powers and the level of public interest, an Expert Advisory Panel will be established to provide independent, specialist advice, and to engage with critical stakeholders ahead of any reforms;
- 7 **noted** that the membership of the Expert Advisory Panel and the scope of the review will be refined and set through terms of reference;
- 8 **agreed** to include a Public Works Amendment Bill in the Legislative Programme with a category 7 priority (policy development to continue in or beyond 2024);
- 9 [s 9(2)(f)(iv)]

Rachel Hayward
Secretary of the Cabinet

Secretary's Note: This minute replaces CBC-24-MIN-0043. Cabinet agreed to add recommendation 9.

Proactive release