WAKA KOTAHI
NZ TRANSPORT AGENCY

MINISTERIAL BRIEFING NOTE

Subject	Upcoming Changes to Temporary Traffic Management for New Zealand
Date	20 April 2023
Briefing number	BRI-2734

Contact(s) for telephone discussion (if required)				
Name	**Position**	**Direct line**	**Cell phone**	**1st contact**
Brett Gliddon	Group General Manager Transport Services	s 9(2)(a)		✓

Action taken by Office of the Minister

- ☐ **Noted**
- ☐ **Seen by Minister**
- ☐ **Agreed**
- ☐ **Feedback provided**
- ☐ **Forwarded to**
- ☐ **Needs change [please specify]**
- ☐ **Withdrawn**
- ☐ **Overtaken by events**

Proactively Released

Hon Michael Wood – Minister of Transport

Upcoming changes to temporary traffic management in New Zealand

Purpose

1. This briefing is to inform you of upcoming changes to the Temporary Traffic Management (TTM) system for New Zealand and the implications.

Background

2. The Code of Practice for Temporary Traffic Management (CoPTTM) is the current national guide for TTM and was first published in 2000. Although there have been updates to the CoPTTM over the years, crashes resulting in death and serious injury continue to occur at worksites.

3. Between 2017 and 2021, there were 43 fatalities and 287 serious injuries resulting from crashes at sites where temporary speed limits were installed. This is evidence that the current TTM system is not working, and changes are needed to improve the safety of road workers and road users.

4. In 2015, the Health and Safety at Work Act 2015 (HWSA 2015) was published, which the CoPTTM is not consistent with. The CoPTTM contains a series of engineering rules, but it does not guide decision-making regarding the TTM approach for a site. This is leading to high costs and the adoption of less safe TTM approaches in most situations.

5. Waka Kotahi NZ Transport Agency has been developing and consulting on a new guide, the New Zealand Guide to Temporary Traffic Management (NZGTTM). The NZGTTM focuses on mitigating risk to road workers and road users, therefore, encouraging robust decision-making on the TTM approach. This will in turn influence both safety and cost.

Key points

6. The CoPTTM was developed during the late 1990s and published in 2000. The CoPTTM is a large document focused on engineering detail for how to set out a worksite. It covers matters such as lane widths, sign and cone spacing, operational application of crash attenuator trucks and more.

7. The CoPTTM also contains a process for how a Traffic Management Plan is to be prepared and submitted to councils for approval. This in turn has driven a culture of compliance with rules and has given authority to the wrong organisations (Road and Rail Controlling Authorities). During this time, TTM costs have increased from approximately four percent to 20 percent of project costs, and yet many serious and fatal crashes at worksites continue to occur.

8. The starting point for the NZGTTM is to give effect to HSWA 2015 and the Health and Safety at Work Regulations (HSWR) 2016. The key topics are:

    - Risk management – for each project a risk register including identification of risk controls and residual risks is to be prepared. In doing so there is a robust decision-making process for the TTM approach for a site.

Proactively Released

- Application of the hierarchy of controls – the safest reasonably practicable TTM method must be chosen.

- Authority follows accountability – the lead contractor Person Conducting a Business or Undertaking (PCBU) onsite is accountable for site safety (as demonstrated by case law), therefore the decision to implement a TTM approach rests with the lead contractor PCBU, not the Road or Rail Controlling Authority.

9. By highlighting that the lead contractors are accountable for risk, along with recent WorkSafe New Zealand prosecutions, it is expected this will influence a change in contractor culture. Alongside this, changing from rule compliance to risk management will enable flexible and innovate decision-making regarding the method to undertake works and scheduling of works.

10. The findings from pilots and trials have identified there are both savings and cost increases expected with the implementation of the NZGTTM. Examples include:

    - Use of a robotic mower removes a potentially vulnerable person from close-proximity traffic, which has seen a substantial improvement in safety as well as a reduction in TTM costs.

    - A road closure to complete works in three nights rather than stop/go operations for 16 nights sees a reduction in TTM costs and increased safety for workers.

    - Scheduling multiple operations (litter collection, mowing, sign cleaning, line marking) within a single TTM site, as opposed to one operation with its own TTM site both increases safety and reduces the cost of TTM.

    - Use of temporary crash mitigation barriers for long term sites instead of cones. This substantially improves safety for road workers and road users, however, requires higher expenditure during project construction.

Temporary Traffic Management in relation to electric vehicle (EV) charging

11. The TTM costs as a proportion of EV charger projects are consistent with the costs of TTM for many other projects. The costs being a result of the current processes, rules and culture of the TTM sector.

12. With the correct allocation of accountability for risk to the lead contractor PCBU and the move from prescriptive rules to risk management, Waka Kotahi is expecting to see more creativity in the planning for TTM, which in turn will lead to changes in delivery of TTM.

13. Waka Kotahi is aware that much of the EV charger installation work is either within carparks, or in berms/footpaths. With respect to berm and footpaths, the current CoPTTM rules set out requirements when working within proximity of traffic lanes. These rules can require closure of vehicle lanes to create safety zones, with associated cost and impact on traffic flow.

14. The NZGTTM requires the lead contractor PCBU to identify risks associated with works. For footpath/berm works, especially those where the worksite can be assessed from the adjacent carpark, will not require as much TTM. It is anticipated that the focus will be on managing safety of footpath users in relation to passing vehicles and the worksite. Therefore, TTM site complexity can be reduced which will see a reduction in TTM costs.

Proactively Released

Next Steps

15. The target date for publication of the NZGTTM is late April 2023 and a link to this new guidance will be provided to you in an upcoming weekly report. Waka Kotahi will incorporate the NZGTTM into Waka Kotahi contracts; however, it has no jurisdiction to require other organisations to follow suit. Waka Kotahi will, however, promote the NZGTTM to the construction and TTM sectors, to raise awareness that:

    - The historic approach is not achieving safety outcomes,
    - The new guide is inconsistent with HSWA 2015, and
    - That the new approach enables creativity, flexibility, and an opportunity to approach works in a different manner.

16. Waka Kotahi will announce publication of the NZGTTM on its website, email newsletter (to approximately 3500 recipients), webinars and a multi-location road show post publication.

17. The TTM sector, supported by Waka Kotahi, has established a national TTM Industry Steering Group which held its inaugural meeting on 18 April 2023. The groups focus is to positively influence and support the TTM sector during adoption of the NZGTTM. The group includes representatives from:

    - Road controlling authorities
    - Tier 1 contractors
    - TTM sub-contractors
    - Civil Contractors New Zealand
    - Association of Consulting Engineers New Zealand
    - New Zealand Utilities Advisory Group
    - A worker representative
    - WorkSafe New Zealand
    - Waka Kotahi

Proactively Released

It is recommended that you:

1. **Note** the contents of this briefing.

.....

Brett Gliddon

Group General Manager Transport Services

.....

Hon Michael Wood, Minister of Transport

Date: 2023

Proactively Released