

Your views – feedback summary

New Zealand guide to temporary traffic management

31 August 2022

Version 1

--





Copyright information

Copyright ©. This copyright work is licensed under the Creative Commons Attribution 4.0 International licence. In essence, you are free to copy, distribute and adapt the work, as long as you attribute the work to Waka Kotahi NZ Transport Agency and abide by the other licence terms. To view a copy of this licence, visit http://creativecommons.org/licenses/by/4.0/.

Disclaimer

Waka Kotahi has endeavoured to ensure material in this document is technically accurate and reflects legal requirements. However, the document does not override governing legislation. Waka Kotahi does not accept liability for any consequences arising from the use of this document. If the user of this document is unsure whether the material is correct, they should refer directly to the relevant legislation and contact Waka Kotahi.

More information

Waka Kotahi NZ Transport Agency

If you have further queries, call our contact centre on 0800 699 000 or write to us:

Waka Kotahi NZ Transport Agency Private Bag 6995 Wellington 6141

This document is available on Waka Kotahi NZ Transport Agency's website at: www.nzta.govt.nz/roads-and-rail/new-zealand-guide-to-temporary-traffic-management/

NZGTTM - summary of feedback

Over March and April 2022, we gathered the views of the TTM sector. Thank you to everyone who shared their views.

How we raised awareness and gathered feedback

During March and April 2022, we asked the sector for their views about the draft New Zealand guide to temporary traffic management (NZGTTM). We asked questions to help understand the important considerations for updating the content of the guide along with how best to transition to a risk-based approach.

- Over 1,200 individual pieces of feedback
- 20 stakeholder meetings
- Three deep dive workshops
- Six e-newsletter updates between 8 March 2022 and 28 April 2022
- Three dedicated TTM webinars
- 16,168 clicks to the NZGTTM project website.

What we asked

- We sought wider industry comment and feedback on the draft NZGTTM to help further develop the content in the guide (a document review template was provided)
- We asked questions via Survey Monkey to gain insights into what support the sector would need to help transition from the Code of Practice for Temporary Traffic Management (CoPTTM) to the NZGTTM
- We asked questions about format preferences (e.g., online vs print), and what other supporting resources the sector would need.

How we received feedback

- 63 online surveys
- 59 feedback forms
- 39 feedback emails
- 365 questions asked during three webinars
- 100's of questions asked via emails, phone calls and meetings.

Who we heard from

Waka Kotahi received approximately 1,200 individual pieces of feedback.

75 entities submitted feedback from a range of sector and community stakeholder group.

Entity	Number of submissions
Agriculture	1
Community and Sport	5
Construction	9

Entity	Number of submissions
Consultant	5
Education	1
Engineering	1
Local Government	23
Safety	1
Transport	7
ТТМ	9
Utilities	13
Total	75

What we heard - key themes

1. Why not keep CoPTTM?

You said: "My preference is to stay with the CoPTTM model with some amendments."

Our response:

The Code of Practice for Temporary Traffic Management (CoPTTM) has been in place for 20 years. However, ongoing safety issues are occurring. People continue to die and be seriously injured at road work sites - this needs to change.

To improve safety for road workers and road users we need to change the approach and culture around how we manage people's safety on and around temporary traffic management sites. A set of rules cannot cover all situations and, in some cases, may create more risk.

That's why we recommend moving away from the current prescriptive set of rules in CoPTTM to a more flexible set of guiding principles and processes. Taking a risk-based approach puts more emphasis on good planning up front and provides the flexibility to create safe practices for a range of different activities to keep roadworkers and road users safe.

2. Using two different guides

You said: "What does a contractor do if a worksite requires approval from different Road Controlling Authorities who use different guides?"

Our response:

In all cases, the Contracting PCBU (Client), Lead Contractor PCBU, Sub-Contractor PCBU and Engineer/Designer PCBU must comply with the requirements of New Zealand legislation, in this case the <u>Health and Safety at Work Act 2015</u> (HSWA 2015). Under no circumstances does an industry best practice guide such as CoPTTM or NZGTTM alter these legislative obligations.

Where more than one PCBU has the same duty, they must consult, cooperate, and coordinate as far as reasonably practicable. Refer to HSWA 2015 Section 34 Subsection 1. Any person who contravenes Subsection 1 is liable to a fine (refer Section 34, Subsection 2)

If a Lead Contractor PCBU undertakes a risk assessment and presents this to a Road Controlling Authority (RCA), the RCA must consult, coordinate and cooperate with the Lead Contractor to ensure all reasonably practicable steps have been taken to ensure the safety of workers and others.

Alternatively, if a Lead Contractor PCBU follows traditional CoPTTM process and doesn't prepare a risk assessment and submits to an RCA for approval, the RCA is encouraged to ask for a risk assessment.

3. Roles and responsibilities

You said: "Clarity of roles and responsibilities need to be much clearer throughout the TTM process, as well as active regulation of TTM activity."

Our response:

While Waka Kotahi will continue to have a major leadership role in supporting temporary traffic management practices, we're all accountable for road safety as outlined in the Health and Safety at Work Act 2015 Section 36: "A PCBU must ensure, so far as is reasonably practicable, the health and safety of workers, and that other people are not put at risk by its work. This is called the 'primary duty of care'."

NZGTTM requests that all types of road workers and road users (the Health and Safety at Work Act 2015 highlights the obligation to others, not just to workers) are included in a risk assessment so that we can make a significant difference to road safety and ensure that "Every road worker and road user goes home safely" so we all need to work together to embed the risk-based approach outlined in the new guide.

The Health and Safety at Work Act 2015 has various requirements of PCBUs, Waka Kotahi has translated these into the operational workflow as described in the NZGTTM. A TTM operation workflow diagram will be included in the next version of the NZGTTM to assist with clarity.

The proposed model is that the Lead Contractor PCBU prepares a risk assessment for the site, this is peer reviewed by the RCA, who provides recommendations to protect the needs of the public. The RCA is encouraged to highlight to the Lead Contractor PCBU if there are safety improvements that could be made. After the risk assessment is completed the Lead Contractor PCBU prepares and quality controls the detailed site layout in a TMP. The RCA then has two further functions - which is to coordinate all sites and to complete regulatory functions (approval of sign installation, approval installation of temporary speed limits and approval of road closures).

WorkSafe has prepared a document titled <u>PCBUs working together: advice when contracting.</u> This covers health and safety obligations when there are overlapping duties in a contracting chain, where contractors and subcontractors provide services to a lead contractor or client.

Case Law and WorkSafe's advice on PCBUs working together emphasises that the Lead Contractor PCBU (note this may be an event management company, civil works contractor, utilities contractor or other organisation contracted to deliver services) has the greatest influence and control over a worksite and therefore has the greatest responsibility.

Road Controlling Authorities have obligations to protect and promote the safety of the community.

Waka Kotahi will continue to help facilitate the development of critical capabilities, monitor and report on how temporary traffic management is being applied across the country, and continue to provide examples, information and data to help the sector continuously improve their practice.

4. Focus on large contractors

You said: "The content of the NZGTTM seems to be heavily focused on Tier One contractors, how can this guidance be applied to other contractors and what support will be provided."

Our response:

Contractors of all sizes are responsible for ensuring the safety of workers and others as much as reasonably practicable regardless of their size. However, we appreciate that small contractors do not have the same resources available as larger contractors.

To assist smaller contractors, we will create a platform to share practice notes. We encourage national organisations to take a leadership role in preparing their own practice notes. RCAs may wish to prepare and make available practice notes to address specific needs or gaps. At all times, it is the contractor's responsibility to ensure the practice note is applicable to their site.

5. Consistency of language

You said: "The NZGTTM lacks consistent and accurate terminology, wording, and framing of key statements."

Our response:

We have taken the feedback relating to language and will be making these updates, where appropriate, as part of the next release.

6. Support material

You said: "Will you provide practice notes, diagrams to support content, risk assessment framework, example forms?"

Our response:

Waka Kotahi is adding further material to the next version of the NZGTTM. This includes:

- Design guides these are thought prompts to assist with risk assessments, planners and STMS regarding their roles and applicable references to the NZGTTM (like Austroads Guide to TTM layouts – Chapter 9).
- Risk Assessment Framework while many organisations will have their own risk assessment
 framework, an example risk assessment framework is being referenced for those that do not. The
 first iteration of this framework will be from the Austroads Guide to TTM; however, we are aware
 that Downer is working on a New Zealand TTM industry specific risk assessment framework.
- Practice note template the draft NZGTTM contained a brief guide for a practice note, this will be
 expanded into a template document for Version 1 of the NZGTTM. Waka Kotahi will not provide
 practice notes in relation to how to manage the operation of a site. This is because the operational
 practice of a site is the responsibility of the Lead Contractor PCBU.
- Forms new forms have been produced that will be included in the next version of the NZGTTM.
 These forms include TMP Planning Form, TMP General Form, TMD form and On-Site Record
 form. These forms are being provided as examples to aid the sector; it is for the contractor to
 ensure the forms are fit for purpose.
- Geometric Design a table will be included with basic geometric design dimensions. This material
 is intended for simple sites only, for complex sites we will retain references to permanent design
 guides as included in the consultation draft of the NZGTTM.

7. Risk capability and appetite across industry

You said: "Planning will be subjective based on risk experience/risk tolerance. Many are not trained to complete risk-based assessments."

Our response:

The hierarchy of controls model, from the Health and Safety at Work Regulations 2016 (NZGTTM TTM System section 1.1.7 refers to this) requires that we must seek to eliminate risk before we use lower forms of risk controls, the least effective control being PPE. Therefore, we must all do everything we can to reduce risk, rather than apply personal risk tolerance.

As TTM training and competency advisory groups work with Waihanga Ara Rau to produce new unit standards and assessment you are likely to see unit standards produced on the topic of risk management processes in a TTM setting. Downer New Zealand is also producing a training package for industry to develop risk assessment capability at all levels as part of their Enforceable Undertaking agreement with WorkSafe.

In the meantime, continue with your current workplace training on risk assessment and management, or consider working with one of the many health and safety focussed training organisations within New Zealand.

8. Lack of details

You said: "Minimum standards missing, less technical guidance, could result in inconsistencies across the network."

Our response:

A consistent geometric design approach along with consistent equipment specification will enable road users to safely detect and navigate sites. Geometric design, which is based on a driver's ability to detect and navigate the site safely means adopting the principals of advanced warning, guidance, protection and return to normal. Consistent equipment means using signs, vertical delineators, plant and dynamic equipment (such as portable traffic lights) which are being moved to Specification M23 Appendix F.

However, it is not appropriate to expect all sites to be the same. Some examples include:

- A construction site in mountainous terrain should look different to one on flat terrain if an
 alternating flow approach were adopted. One key difference would be stopping locations. This is
 because the stopping points on mountainous terrain should consider ability of vehicles to restart
 after stopping.
- A site on a high-volume road vs low volume road where queueing occurred. As the queue lengths
 are different the advanced warning locations would be minimum distances from site on the low
 volume roads. However, on high volume roads the advanced warning locations should be
 upstream of the queue tail and therefore more than the minimum distance from the site.

The next version of the NZGTTM will contain further geometric design guidance in addition to the links to permanent design guides. Equipment specification will be being moved to a new appendix to specification M23, Appendix F.

9. Clarity of the process

You said: "How do the processes outlined in the guide work practically?"

Our response:

Refer to the roles and responsibilities section above. Note the difference between PCBU's roles and responsibilities and the operational workflow.

A TTM operation workflow diagram will be included in the next version of the NZGTTM

10. Audit Process

You said: "How does the updated guide impact the audit process?"

Our response:

Waka Kotahi has reviewed the feedback received regarding the current Monitoring and Review (M&R) section.

Some of the key M&R feedback themes included:

- 1. Concern regarding:
 - a. Confusion with the M&R section outlined in the NZGTTM
 - b. Concern regarding the impact the M&R section has on certain roles within the industry e.g., TMCs
 - c. Where do WorkSafe audits sit when compared with the M&R section in the NZGTTM?
- 2. Alignment with Austroads Review, Inspection and Road Safety Audit principles
- 3. How the M&R impacts the current CoPTTM Site Condition Rating (SCR) process?
- 4. What resources are required? Contracts, internal audits etc.?

A group of industry professionals was formed by Waka Kotahi ("Audit Stakeholder Champions Group") to develop a working process that understood the M&R existing shortfalls and build a system that would work best in the future. The Audit Stakeholder Champions Group worked collaboratively to create an Assurance Process that will be included in the next version of the NZGTTM.

The Audit Stakeholder Champions Group created a 5 + 1 Surety Process currently named Quality, Assurance and Control. Assurance looks at the prevention aspects and Control detection aspects of a greater overall quality system.

The 5+1 Surety Process is as follows:

- 1. TMP Review (Risk Assessment Review)
- 2. STMS/Contractor Review
- 3. G Check / Partial Review
- 4. Compliance Based Audit (existing)
- 5. Systems Audit (Quality / Process Assurance)
- 6. Full Risk Based Review (Similar to comprehensive Road Safety Audit).

It is the Systems Audit that gives the process a +1. Although TTM companies, contractors, etc. can unofficially conduct systems audits, it is Telarc who is the official organisation who conducts this audit. The other five fall within the TTM industry to undertake.

This process will be officially tested initially by the Auckland Transport Temporary Traffic Monitoring team and the Waka Kotahi NOC Audit Programme team. It is possible that gaps will appear when the processes are put to the test, and amendments will be made, and the processes will need to be tested again. Since these will form part of the next version of the NZGTTM, Waka Kotahi encourages companies to test them and provide feedback.

11. Alignment with WorkSafe's new Good Practice Guidelines: Keeping healthy and safe while working on the road or roadside

You said: "How does the NZGTTM align with the WorkSafe Good Practice Guideline? What resources will WorkSafe have available to support these changes?

Our response:

The NZGTTM has been designed to be consistent with the Good Practice Guidelines (GPG): <u>Keeping</u> healthy and safe while working on the road or roadside.

The WorkSafe GPG provides clarity and guidance to PCBUs on ways they can meet their duties under the Health and Safety at Work Act 2015 when managing the health and safety risks to road and roadside workers. Where relevant, it may point to other guidance for examples of what good looks like such as the NZGTTM, including any practice notes.

The GPG covers a number of health and safety matters relevant to road and roadside workers such as noise, dust, weather, toilets, utilities, as well as traffic. GPG Traffic section refers to the NZGTTM.

The NZGTTM recognises the duties of PCBU in the contracting chain and the requirement for risk management to manage health and safety risks as outlined in Part 1 of the GPG. These are captured in the temporary traffic management system section of the NZGTTM.

12. Alignment with legislation

You said: "How does the NZGTTM align with relevant current legislation?"

Our response:

The NZGTTM has been designed to enable all parties to give effect to their legal obligations. The primary legislation that influence temporary traffic management have been outlined in the introduction section of the NZGTTM.

The WorkSafe GPG): Keeping healthy and safe while working on the road or roadside will provide clarity and guidance to PCBUs on ways they can meet their duties under the Health and Safety at Work Act 2015 when managing the health and safety risks to road and roadside workers. Where relevant, it may point to other guidance for examples of what good looks like such as the NZGTTM, including any Practice Notes.

Waka Kotahi has completed legal reviews of the NZGTTM to ensure alignment with legislation.

13. Procurement

You said: "Procurement of TTM under the proposed NZGTTM would need consideration and communication to the industry."

Our response:

Waka Kotahi are working on TTM procurement with its suppliers given the changes the NZGTTM brings to the TTM system. Other client organisations are encouraged to review their procurement practices.

14. Resourcing

You said: "Implementing a whole new guide will be costly as internal processes and contracts will need changing and staff require additional training. This will add pressure to an already stretched workforce, which ultimately is a risk to safety in itself."

Our response:

Current legislation requires that we do all things reasonably practicable to reduce risks to workers and others. All possible options to reduce risk must be identified before cost is considered. PCBUs are encouraged to read WorkSafe's guidance on what is reasonably practicable.

15. Training

You said: "How will training providers be supported to create common training materials and programmes, and how will this new training regime affect training costs and career pathways?"

Our response:

Waka Kotahi has continued to work closely with Waihanga Ara Rau, the associated TTM Advisory Group, CCNZ, and their TTM training advisory group to gather feedback, contribute to discussion, and enact changes over the past few months. There has been some excellent work already undertaken by members of these groups which builds on and refines the current training and competency model and incorporates requests received via the NZGTTM engagement feedback.

For now, as previously indicated, there are no immediate changes to be made to the training provided by Waka Kotahi or registered TTM Trainers and Assessors. As the advisory groups work through details and

agree on outcomes you can ultimately expect to see new unit standards for TTM planners, additional pathways for workers and STMSs, and eventually management and auditor training and qualifications. You should see consultation for the first of these qualifications and micro-credentials on the Waihanga Ara Rau website in October 2022 with a view for the first to be released mid-2023.

16. How did Waka Kotahi develop Version 1 of the NZGTTM?

You said: "How did Waka Kotahi develop Version 1 of the NZGTTM?"

Our response:

Significant ongoing safety issues and pockets of excellence in taking a risk management approach to improve road safety means that this version of the NZGTTM has been written afresh and is not a revised version of the CoPTTM.

The development process included:

Waka Kotahi drafted this version of the NZGTTM.

A copy editor reviewed the draft for accessibility and consistency of language, with a focus on plain English.

Waka Kotahi engaged with internal and external reference groups through online webinars and workshops, taking deep dives into specific aspects of the guide

Waka Kotahi shared the draft NZGTTM for wider sector feedback on the content of the draft, including the level of detail, any gaps that needed addressing, and what supporting material is required.

Following the release of Version 1 of the NZGTTM further feedback will be gathered and assessed to determine updates for the guide, appendices, and other supporting information.

If you have any feedback on the guide please email: TTM.consult@nzta.govt.nz

17. What is the transition plan?

You said: "What is the transition process? How long it will take, and what role Waka Kotahi will play, costs etc.?"

Our response:

Waka Kotahi is still working and consulting on the best way to transition from CoPTTM to the NZGTTM with the Road Worker Safety Governance Group, including discussing a phased approach to implementing the new risk-based guidance.

Our first step is to integrate the new guidance into the contracts of a selection of construction and maintenance companies that are contracted to Waka Kotahi to carry out road works across our State Highway network.

Fulton Hogan, Downer, Higgins, HEB and WSP, along with Waka Kotahi, are the early adopters of the new risk-based guidance. We expect the new risk-based approach to be used consistently by all Waka Kotahi suppliers from 2023.

Over the coming months, Waka Kotahi will engage with key stakeholder groups, including local contractors and Road Controlling Authorities, to discuss how best to implement the new guidance, and embed the skills and safety culture required to reduce harm on our roads.

Other organisations are encouraged to review their policies and processes to confirm they are doing all things reasonably practicable to ensuring the safety of road workers and road users, and that their current policies and processes are giving effect to legislation.

Next steps

Our first step to transition to the new risk-based guidance will start with making Version 1 of the NZGTTM available in September 2022. This version is specifically for Waka Kotahi suppliers and other stakeholders who request it.

We will support organisations who are ready to use NZGTTM and provide guidance to those developing their own practice notes and other specific materials.

Over the coming months we will continue to expand our engagement with the wider TTM sector. We will do this through:

- Continuing proactive engagement through existing workshops/meetings
- Engaging with groups who reach out to us through TTM.consult@nzta.govt.nz
- · Reaching out to those who have expressed interest in working with us through their feedback
- Sharing lessons learned and case studies
- Providing advice, support, and guidance were requested
- Keeping you updated through webinars and regular communications.

Opportunities to get involved

There will be opportunities to continue to refine the guidance during the next phase which will involve applying the new risk-based approach to construction and maintenance scenarios on our state highway network with a selection of suppliers contracted to Waka Kotahi, bespoke trials and innovation projects.

We welcome feedback to improve Version 1 of the NZTTM. Lessons learned from early adopters will be shared with the TTM sector.