

Safety Alert: Protecting vulnerable road users around work sites

Incident summary

On 30 October 2019, a cyclist was fatally injured in a collision with a concrete truck at the CSM2 Project site. The cyclist was traveling northbound along a temporary road, Christchurch. Simultaneously, a truck driver was driving northbound to the site to deliver concrete.

The driver turned left into the site driveway, across the temporary pedestrian pathway separated from the road the cyclist was riding along. The cyclist collided with the truck and died at the scene. At the time, Downer and McConnell Dowell Constructors Limited were joint venture partners constructing Stage 2 of the Christchurch Southern Motorway extension.

What the WorkSafe investigation found

The project was being undertaken in a joint venture between McConnell Dowell and Downer and, following investigations by both the Police and WorkSafe, each company was charged with the failure of the temporary traffic management on the site.

WorkSafe said that both companies failed to maintain “safe and effective temporary traffic management for cyclists. Particularly by maintaining a minimum one metre usable shoulder for cyclists as required by the Traffic Management Plan”. They also found that they should have “provided adequate information, instruction, and supervision specifically in relation to traffic management operations”.

Enforceable Undertaking commitments

Downer and McConnell Dowell saw that improvements to temporary traffic management were needed, and that they would have a positive industry-wide impact and help prevent future accidents. Consequently, the companies each applied to enter into an enforceable undertaking, with the aim of creating long-lasting change.

WorkSafe agreed that an Enforceable Undertaking (EU) was an acceptable alternative to prosecution for Downer and McConnell Dowell and on 1 April 2021 Downer and McConnell Dowell entered into an Enforceable Undertaking with WorkSafe New Zealand.

Part of each enforceable undertaking included a commitment that Downer and McConnell Dowell would jointly fund the creation of a national document that provides best practice guidance (a Practice Note) on how to ensure the safe passage of vulnerable road users through temporary traffic management sites.

[Read more about Enforceable Undertakings on the WorkSafe New Zealand website>>](#)

[Read more about this Enforceable Undertaking>>](#)

Lessons learnt

Downer and McConnell Dowell investigated the accident and drew on the findings of the WorkSafe investigation. A key focus of the investigation was the TMP set up at the site and whether it adequately managed the needs of all road users, including pedestrians and cyclists that used the road.

Both Downer and McConnell Dowell saw the process by which temporary traffic management is implemented and the current guidance document did not account for all the needs of vulnerable road users and saw this as an area for improvement. As a result, they each committed to working with CCNZ and financially supporting the development, in alignment with NZ's shift towards a risk-based approach to TTM, of a Practice Note for Protecting Vulnerable Road Users in TTM Environments.

Downer and McConnell Dowell chose to work with CCNZ to develop the Practice Note, as it has experience developing similar guidelines. CCNZ also has a strong membership of businesses that undertake or specialise in temporary traffic management and includes as part of its activities, a 'traffic and road safety committee' that regularly meets to discuss and share knowledge and implement improvement across the civil construction industry.

Protecting Vulnerable Road Users in Temporary Traffic Management (TTM) Environments: Practice Note

A Practice Note sponsored by [Downer](#) and [McConnell Dowell](#) has now been published by [Civil Contractors New Zealand](#). The Practice note was developed to assist with those utilising TTM on their work sites, to support them in implementing controls for recognising the needs of vulnerable road users in TTM environments.

A practice note provides good practice guidance for a traffic management activity where risks and mitigation measures are standard practice and repeated regularly. These are developed and maintained by businesses or industry organisations but can be accessed via NZTA Waka Kotahi's website for all to refer to.

This Practice Note is informed by a comprehensive, evidence-based body of research. It is the first of its kind in New Zealand and a valuable resource as the TTM industry moves one step closer to implementing a risk-based approach to TTM.

It provides information for all users about principles to maximise the safety of vulnerable road users in TTM and includes specific guidance for clients and Road Controlling

Authorities, contractors and subcontractors, TTM designers, and field staff, as well as information about physical TTM control measures that can be utilised on sites.

The Practice Note for Protecting Vulnerable Road Users in Temporary Traffic Management (TTM) Environments is [available on the Civil Contractors New Zealand website>>](#)

