



NZUAG Code Effectiveness Working Group Call for Nominations

The NZUAG is calling for nominations from NZUAG members to participate in a working group to review the effectiveness of the National Code of Practice for Utility Operators' Access to Transport Corridors (**the Code**).

The Code has been in place since 2012, and has been revised twice since then. The objective of the working group review is to identify how effective the Code has been in achieving its purpose in line with its principles, and recommend to the Board any short, medium and long term measures which could improve the Code's overall effectiveness. Background information and the draft Terms of Reference appear below. The NZUAG is encouraging equal participation from corridor managers and utility operators to ensure a balance of views.

This review is separate from the three yearly operational review of the Code (the most recent of which is currently with the Minister for Infrastructure for approval).

Nominations for the Working Group should be with Colin Lewis, NZUAG administrator, info@nzuag.org.nz by **5pm Friday 7 July, 2019**. It is expected that nominees will be advised of their appointment, or otherwise, by Friday 19 July, 2019.

BACKGROUND INFORMATION

The Code Effectiveness Review

The NZUAG Board has agreed to review the effectiveness of the Code of Practice for Utility Operators' Access to Transport Corridors (the Code). In particular, the review will assess whether the purpose of the Code is being achieved and whether the principles in the Code are being applied by parties to the Code.

The **purpose** of the Code, as outlined in the Utilities Access Act, is to enable access by utility operators' to transport corridors to be managed in such a way that maximises the benefit to the public, while ensuring all utility operators are treated fairly, disruptions are kept to a minimum, safety is maintained and a nationally consistent approach to access is applied.

The Code contains a set of general **principles** that must be applied when utility operators are seeking access to transport corridors. These principles require parties to work together, to apply consistent and efficient procedures, to foster technical excellence and quality, to ensure equity and fairness, to respect others' assets and property rights and to promote safety.

The review will examine how the Code is being implemented nationally in line with its purpose and principles, and whether changes are needed to make it more effective for the Code parties and the wider community.

Terms of Reference

The terms of reference for the Code Effectiveness Review are to:

- Assess the effectiveness of the Code against its Purpose as outlined in Section 9 of the Utilities Access Act 2010;
- Assess the effectiveness of the Code against its Principles outlined in Section 1.4 of the Code;
- Identify the level of awareness of the Code's requirements among CM's, UO's and Contractors;
- Identify the key areas where the Code is being most effective;
- Identify the key areas where the Code is not being effective;
- Assess the adequacy or otherwise of the Monitoring, Reporting and Key Indicators provisions outlined in Section 8.2 of the Code;
- Identify how disputes between parties are being resolved, and assess the effectiveness of the disputes resolution process outlined in Section 7 of the Code;
- Recommend to the NZUAG Board short, medium and long term changes to the Code, (and/or the Act), that would improve the Code's effectiveness; and
- Report regularly to the Board Chair on progress, and report formally to the quarterly NZUAG Board meetings.

The Approach:

The review will be conducted by a NZUAG member-based Working Group made up of technical experts representing Utility Operators (UO), Corridor Managers (CM) in equal numbers.

The Working Group will appoint a chairperson, and convene monthly, either face-to-face or through the Zoom (or similar) meeting platform. A convenor and Secretariat support will be provided to the Working Group.

The working group chair will report regularly to the NZUAG chairman, and report formally to the NZUAG quarterly Board meetings. It is expected that the final report will be presented to the NZUAG Board meeting in May 2020.