Report on the Performance of the

National Code of Practice

for

Utility Operators' Access to Transport Corridors

2021/22

NZUAG

February 2023

Introduction

Under the provisions of the *National Code of Practice for Utility Operator's Access to Transport Corridors,* (the **Code**), the New Zealand Utilities Advisory Group (**NZUAG**) is required to report to the Minister for Infrastructure on the performance of the Code on an annual basis. NZUAG is required to analyse the Code's performance, and to identify whether "Code compliance, operational understanding or quality control processes need attention and whether any amendments to the Code are necessary" (Code 8.2.3).

This report provides an analysis and interpretation of the 2021/2022 Key Performance Data (Code 8.2.2) collected from industry in the latter part of 2022 and early 2023.

Summary

As reported in previous years, despite the mandatory reporting requirement in the Code, the survey return rate is not at an acceptable level. This year has seen a slight increase in return rate from Corridor Managers with 36 returns (representing only 53% of corridor managers who were requested to provide data), and a significant drop by Utility Operators with only 24 providing returns (representing only 22% of utility operators who were requested to provide data) responding. This is a decrease on overall returns of 9% on last year's return rate and 29% from the highest return rate in the 2019/20 collection.).

The variability of responses rates makes cross-yearly comparisons and trend analysis extremely difficult. This is a matter that requires further attention from NZUAG, and we will be continuing our efforts in raising the data return rates with the aim of providing the industry with useful data on the Code's effectiveness.

BACKGROUND

The *National Code of Practice for Utility Operator's Access to Transport Corridors* is a mandatory Code of Practice established under the provisions of the Utilities Access Act 2010. All corridor managers, and utility operators seeking to access transport corridors, are governed by its provisions. NZUAG is the industry-approved guardian of the Code, and is responsible for its oversight, implementation and review. To assist in monitoring the Code's effectiveness, a set of key performance measures are specified in the Code, against which all corridor managers and utility operators are required to report annually.

The list of required measures is contained in section 8.2.2 of The Code:

- **Corridor Managers** are required to report on:
    - The number of Corridor Access Requests (CARs) submitted each year;
    - The number of completed Works Completion Notices (WCN's) received each year;
    - The number of non-conformance notices (NCN's) issued each year;
- **Utility Operators** are required to report the number of known third party damages incidents during that year.

The 2021/22 report on Code performance represents the fifth year of formal reporting.

Methodology

All corridor managers and utility operators were asked to provide data relating to the mandatory reporting requirements, as well as a Voluntary section based on some of the Code Effectiveness Working Group recommendations. The questions used to collect the data are set out in Appendix 1.

Corridor Access Requests (CARs):

In order to allow a comparative analysis between Territorial Local Authorities (TLA's), and to account for variability between respondents and the fact that the number and identity of responses vary between

years, a derived measure of *Total individual utility operator CAR equivalents per 1000 network km's* has been introduced. This is an amalgamation of:

a) the reported number of single utility operator CARS submitted;
b) respondent estimates of the number of individual CARs that would have been required had utility operator global cars not been available; and
c) respondent estimates of the number of individual CARs that would have been required for the number of Multiple Street utility operator CARS issued.

These numbers were then divided by the centre-line length of each TLA's road network to allow comparability between different TLA's.

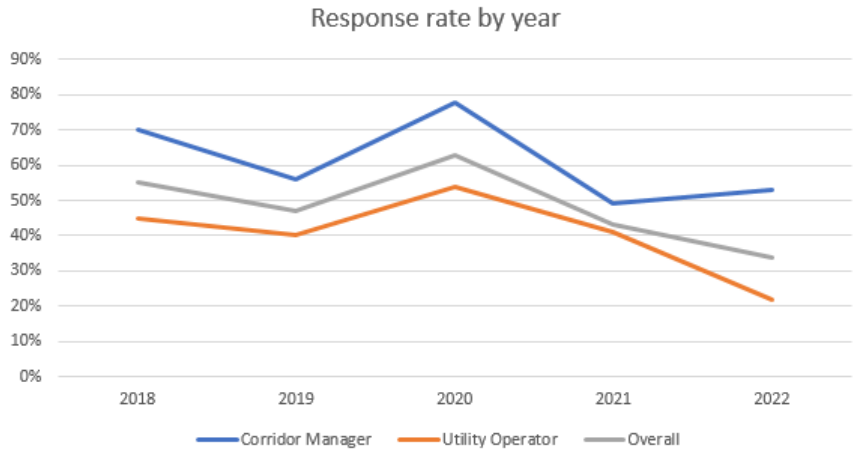
Works Completion Notices (WCN's): While the analysis of CARs used a measure of total equivalent CARS, (including allowances for Global CARs and Multiple Street CARs), reported WCNs that relate to individual CARs have been used as there is a 1:1 correspondence between CARs and WCNs. This comparability is difficult if Global CARs and multiple street CARs are included in the analysis

Strikes: Utility Operators of water, electricity, gas and telecommunications assets were asked to provide the total number of strikes on their assets for 2020/21. These numbers are normalised by dividing total strikes by the total network length for each utility sector, allowing cross-utility sector comparisons.

Survey Results and Analysis

Response Rate

The following graph highlights the response rate for the past four years.



Graph 1

Corridor Manager CAR numbers

The following table shows the total number of CARs reported by respondents for 2018-2022 years

	2018	2019	2020	2021	2022
Single CARs submitted	38,661	46,314	38,924	71,355	41,608
Equivalent individual Global CARs	86,793	59,221	103,599	134660	122,791
Equivalent individual Multiple Street CARs	25,572	19,165	59,288	70,014	25,398
Total:	151,026	124,700	201,811	276,029	189.797
Total per 1,000km of centreline roading	3896	3209	2925	3695	2,860

Table 1

Works Completion Notices (WCN's)

The following table provides a comparison of WCN to UO CARs submitted for 2018-2022 years.

Total utility operator CAR WCNs: individually submitted CAR's					
	2018	**2019**	**2020**	**2021**	**2022**
Utility operator CAR WCN's/ utility operator CARs	0.64	0.44	0.431	0.46	0.54

Table 2

Strikes on Utility Operator Assets

The following tables shows the comparative response numbers by sector and the total number of strikes, while the graph shows the total number of strikes against assets divided by the total network km's for each utility sector, for the last 5 years.

	Responses				
Sector (invited)	2018	2019	2020	2021	2022
3 Waters (63)	16	21	26	19	5
Electricity (28)	20	10	15	15	11
Gas (5)	5	5	4	5	5
Telecoms (11)	2	2	4	4	3

Table 3

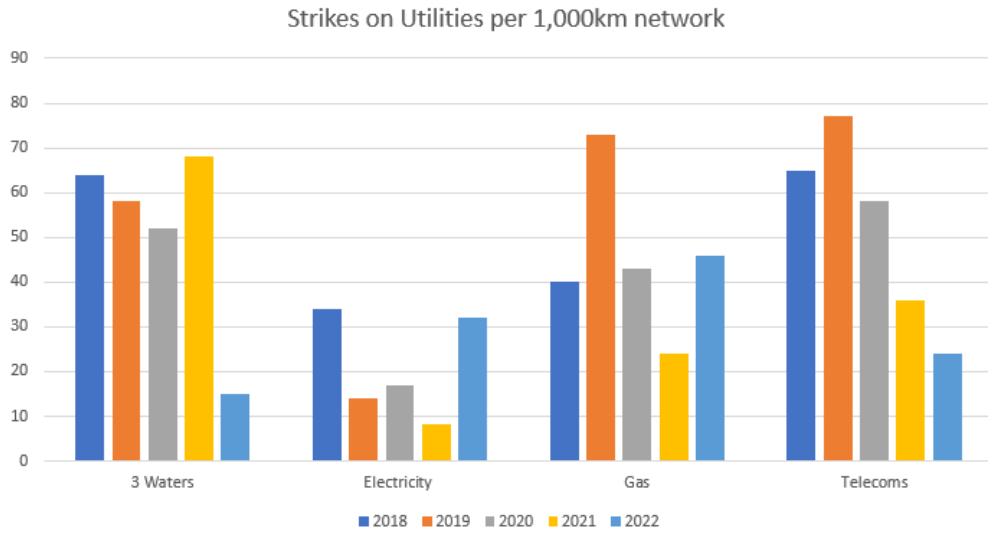
	Strikes Reported				
Sector	2018	2019	2020	2021	2022
3 Waters	779	2084	2435	1102	158
Electricity	1221	375	1151	456	1667
Gas	712	970	558	325	663
Telecoms	9076	10133	8501	7265	4992

Table 4

	Strikes per 1000km network				
Sector	2018	2019	2020	2021	2022
3 Waters	64	58	52	68	15
Electricity	34	14	17	8.3	32
Gas	40	73	43	24	46
Telecoms	65	77	58	36	24

Table 5

The very low response rate from Three Waters Utility Operators is disappointing, however it is acknowledged that the sector is significantly impacted by the current Water Reforms. This very low rate though does mean the level of strikes reported is likely very unreliable.



Graph 2

The number of Liaison meetings held by corridor managers and attended by utility organisations was also requested as part of the survey. The responses indicate that these were not being held regularly (or at all) during the 2020/21 year which is of concern, however it is recognised that the COVID lockdowns and restrictions on meetings will likely have impacted on these being held. It is expected, and will be promoted by NZUAG, that these will be reinstated in the 2022/2023 year as these are seen as invaluable for ensuring the objectives of the code are achieved.

Voluntary Section (Section B)

Voluntary questions were again included as part of the survey this year. The aim of the questions was to test some of the recommendations made by the Code Effectiveness Working Group in their report tabled in May 2020.Net Promotor Score (NPS) is a common way to measure customer experience and can be used to predict business growth. Respondents are grouped in the following manner;

- Promoters (score 9-10) are loyal enthusiasts who will keep buying and refer others, fuelling growth.
- Passives (score 7-8) are satisfied but unenthusiastic customers who are vulnerable to competitive offerings.
- Detractors (score 0-6) are unhappy customers who can damage your brand and impede growth through negative word-of-mouth.

Subtracting the percentage of Detractors from the percentage of Promoters yields the NPS score, which was 43 down from 53 last year.

A number of different questions were added this year in this section, primarily to assess training in relation to the Code and whether there we conditions being placed on WAP's that could be better managed by the Code. Verbatim comments highlighted the challenges of the current training available

citing cost, accessibility and time constraints. There were consistent comments from both Corridor Managers and Utility Operators that training is fundamental in improving Code performance.

Verbatims (from survey):

‘I think the code works well when all parties understand the process and nature of work the others are trying to undertake. Some forget a utility has rights within road corridors and the corridor managers are there to work with all parties not against. ‘

‘Can communications about the obligations of a RCA as Corridor Manager be sent out the CE or CEO's of the council so they know about it?’

‘only if Utility operators educate their workers/contractors on reading the code then only the conditions in the code will be effective.’

Conclusion

The collection and reporting of the Key Performance Data is to measure the performance of the Code, however the low return rate (Graph 1) and the subjectiveness of the returns has made any detailed analysis difficult and thus making any conclusions on the effectiveness of the Code.

An analysis of one of the systems used by Corridor Managers to manage CARs highlighted an 18% variance in the numbers subjectively provided by the individual corridor managers. As there are 2 key systems used by Corridor Managers to manage CARs, the NZUAG will investigate the opportunity of collecting key data directly from these suppliers as well as including functionality that may reduce the need to estimate.

There are indications that in some areas the Code is very effective, as highlighted above with the success of Global CARs, yet in other areas, such as the mandatory return rates and Utility Operators working without WAPs, there are performance issues. The key feedback received both through this survey and at liaison meetings is education is key

On this basis the NZUAG is continuing its engagement with industry, as part of the triennial Code Review (Code 8.1.1), to discuss the Key Performance Data with the purpose of making industry aligned changes to enable a better understanding of the Code Performance. There is also a working group within the NZUAG board managing a project targeted at offering on-line training courses for practitioners of the Code.

Appendix 1 – Data Collection Questions