

CIRCULAR



Annual conference results, analysis and reaction



Navigating the seas of change



Former bus faithful now Napier MP

NOVEMBER 2023

Inside this issue

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Cover: Coachwork Central owners Gaylyn, left, and Neil Alexander (featured in front of one of their buses at the BCA Annual Conference 2023) celebrate 30 years of business in Palmerston North.

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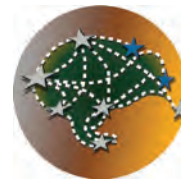
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BROUGHT TO YOU BY OUR PLATINUM MEMBERS



A 'NEW' BCA WITH A RENEWED SENSE OF DIRECTION

I want to say a huge thank you to everyone who participated in our conference and came to the AGM. I hope you saw a 'new' BCA with a renewed sense of direction and that you took away some confidence that after a challenging couple of years, the BCA is well-positioned to improve its performance and effectively advocate for its members.

Embedding any restructuring is always a challenge, and having a governance and management restructure simultaneously doubles down on that. While it's not perfect, we're now in a 'steady state' that will enable us to move forward. Having a strategy is one thing, delivering on it is another, and both the Board and my team are very aware that the BCA's success will be judged on what we achieve, not what we say we will!

As I write this, we're awaiting the outcome of coalition negotiations to form a government. Hopefully, by the time you read this, we'll know what it looks like. In the meantime, the various advocacy organisations, including the BCA, are refining briefings, and identifying common areas of interest to coordinate their approaches to incoming Ministers on behalf of members.

The National Party's published 100-day plan includes repealing the Fair Pay Agreement Act 2023, but until that happens, the law remains the law and so we continue to bargain in good faith with the Council of Trade Unions. The discussions to date have been constructive, and regardless of the future of FPAs, unions are an enduring and important part of our overall sector. There are, clearly, areas of strong alignment where meaningful dialogue and joint problem-solving will offer benefits to employees and employers alike, and I'm keen that we collectively take advantage of that.



THE BCA ANNUAL CONFERENCE 2023 was such a success that plans are already underway for next year's event in Auckland.

Another thing I'm keen we make good use of is the expertise across the ditch. I was warmly welcomed at the Bus Industry Confederation (BIC) conference in Adelaide and there's a lot of enthusiasm there for BIC and BCA to start working together again. The challenges being faced in Australia are almost identical to those our industry faces. However, I was still quite surprised by how many of the presenters referenced the New Zealand context. There's some excellent work being done that we can draw on, and vice versa.

Many of you at the conference will have met Rob Giller and Andrea Thompson, who stepped up on short-term arrangements to help the BCA right after I started. We want to thank you for your patience as we figured out how the phone system worked, how to print DOC cards and what the star-grading system was! I'm delighted to let you know they've both now joined the team permanently – this gives us a very talented team and provides continuity as we go about redesigning our services to give members the advocacy and services you want.

In the Loop update

A CATCHUP ON ALL THE RECENT 'IN THE LOOP' NEWS

Bus infrastructure design workshop



Bus services carry the bulk of public transport passengers and yet the requirements for accessible, safe, and efficient bus infrastructure are often overlooked. A two-day practical workshop, held on 21-22 November, at Rydges Latimer Christchurch, will introduce the New Zealand Public Transport Design Guidance and the key principles for designing high-quality, people-focused bus infrastructure. Hosted by Waka Kotahi NZ Transport Agency, they use live examples to understand what best practice looks like and the issues that can arise if we do not get the design right. This workshop is ideal for those involved in public transport project planning, design, and implementation. To register, or if you can't attend in Christchurch but want a similar workshop in your city next year, contact multimodal@nzta.govt.nz.

Bus and coach parking concerns



As we start engaging with local authorities, it helps if we know the hotspots where your drivers find parking problematic. Please email us at info@busandcoach.co.nz anytime (or have your drivers email us) with specific location concerns and the nature of the problem. We will use this information to create

a database for engaging with local authorities on bus/coach parking in their areas of responsibility. Building a database of available bus/coach parking is progressing well. We will soon demonstrate this to the Tourism, Charter and Long-Distance Advisory Committee for member feedback.

Waka Kotahi SPTF operational policy feedback

BCA feedback on Waka Kotahi NZ Transport Agency's sustainable workforce proposed operational policy (<https://bitly.ws/ZvLd>) is available on the BCA website submissions page (<https://bitly.ws/ZvLj>). Waka Kotahi has now released the discussion document on partnering and delivery models which you can access here at <https://busandcoach.co.nz/communications/latest-submissions/>. Submissions close on 13 December and BCA will be providing feedback.

Industry guidelines on the Children's Act 2014

We've finalised guidelines for the *Children's Act 2014* and created a Child Protection Policy. These guidelines have been reviewed and endorsed by the Ministry of Education. Soon, we'll make them available in a members-only section on our updated website. If you need a copy now, please email us at info@busandcoach.co.nz.

Prospective bus driver applicants



Our BCA contact email addresses are receiving an influx of emails like the below: "Dear sir/madam, Hello. I would like to apply as a bus driver. I've been living and working here in Malta as a bus driver since 2018. Would it be possible to apply even though I am outside New Zealand? Thank you very much." If you or your HR representative is interested in receiving these contacts, please let us know by emailing info@busandcoach.co.nz.

BCA member fuel deals

Mobilcard offers Bus and Coach Association members fuel benefits to meet their everyday needs while supporting the Association with a rebate for every litre purchased. To ensure members have the latest MOPS pricing, info is published at <https://shorturl.at/lyNX4>. Contact Mobil Card Sales on 0800 662 458 or <https://shorturl.at/lwx79> to apply.

BCA Annual General Meeting

The 51st AGM of the Association was held in Christchurch at 4pm on 26 September 2023. It was pleasing to see the AGM was well attended. If you wish to review the slides presented at the AGM that covered the agenda items, please email info@busandcoach.co.nz. These slides include the text of the Chair's and Chief Executive's reports. If you attended the AGM and included your email on the AGM sign-in sheet, we have separately emailed you the slide pack. If you weren't at the AGM but want a copy of the slide pack, please email us for a copy.

Government formation



With the announcement of the new Government, BCA has prepared a briefing for the Minister of Transport covering areas where we are seeking changes at the legislation, regulations and policy levels. This brief has been informed by the feedback we sought from members, discussions at conference, and from advisory committee and branch feedback. We will also be providing letters of introduction to the Ministers of Education, Tourism and Conservation to give them an understanding of BCA and any key concerns related to their portfolios.

COROMANDEL

New 'Beach Bus' service launches



The Beach bus launched in Southern Mercury Bay last month, and will transport passengers on weekends through December 27 then run seven days a week till February 4. Taking in popular Coromandel sights – Ferry Landing, Cooks Beach, Mercury Bay Estate, The Hive, Hahei, and Hot Water Beach – it is the perfect way for visitors and locals alike to explore all the delights of Mercury Bay South without the long drive around. Operated by Go Kiwi Shuttles with an 18-seater shuttle, the five-times-a-day service is likely to be popular, so booking is recommended.

HAMILTON

Meteor outperforms previous routes by 85 per cent



Hamilton travellers are on board with their newest bus service, the Meteor, in significant numbers. The high-frequency service launched on 28 August, replacing the regular-frequency Silverdale (2) and Frankton (8) buses. The Meteor is carrying an average of 9,124 passengers each week, which is 85 per cent more than the combined Silverdale and Frankton services. During the same seven-week period last year, the old services averaged 4,940 passengers a week. The numbers also show people are taking to the service at a range of times. Peak-time passenger numbers are up 48 per cent and weekday

numbers are up 83 per cent. Between its launch day and Sunday, 15 October, the Meteor completed 63,868 passenger trips while the previous services completed 34,583. At this rate, the Meteor should have reached 100,000 this month.

TARANAKI

Waka Kotahi to fund council's first electric bus

With \$308,000 worth of funding from Waka Kotahi NZ Transport Agency's bus decarbonisation programme, Taranaki will soon have its first electric bus. This initiative supports public transport authorities in transitioning their bus fleets to low-emission alternatives, with the Regional Council's Transport Engagement Manager, Cheryl Gazley, confirming the funding covers half the bus's cost. The electric bus will launch in March 2024, following the introduction of electric and hybrid vehicles into their staff fleet. Colin Shotter, Taranaki manager of Transit Coachlines, is enthusiastic about decarbonising public transport in Taranaki, improving travel experiences, and enhancing sustainability.

WELLINGTON

Motorists face hefty fines for driving in a new bus lane



Wellington City Council has issued 4,087 fines, totalling over \$600,000, to motorists who strayed into recently opened bus lanes. After a two-week grace period, enforcement began on bus lanes located on Tinakori Road, Bowen Street, and Riddiford Street and Adelaide Road. These fines averaged about \$25,000 weekly over the last six months. Some drivers were caught unaware of the fines and found them disproportionate. The council's plans include installing fixed cameras on major bus lanes and monitoring during operational hours.

CHRISTCHURCH

Kinetic to bring more electric buses to Canterbury

Kinetic's commitment to expanding electric buses remains strong, with a recent announcement of 10 additional zero-emission buses soon gracing the streets of Christchurch. The new electric buses are set to roll onto roads in 2024 as part of Kinetic's effort to grow its electric bus fleet to 1,000 this year and achieve net zero emissions by 2035. This initiative marks another step towards reducing bus emissions and replacing older diesel buses with eco-friendly alternatives. In 2023 alone, Kinetic's efforts have already had a significant impact, saving more than two million metric tonnes of CO2 emissions this year.

DUNEDIN

Additional buses will run on cruise ship days due to local complaints

To alleviate issues faced by locals unable to access public buses on busy cruise ship days, additional bus services are being introduced between Port Chalmers and Dunedin. During cruise ship visits, the local buses managed by the Otago Regional Council experience high demand, resulting in capacity challenges and tensions between locals and tourists. With more than 130 cruise vessels expected at Port Otago this season, the issue has escalated. To address this problem, the regional council is collaborating with the West Harbour Community Board to provide nearly 300 additional bus trips to and from Port Chalmers. While this will alleviate some pressure, overcrowding may still occur, particularly on very busy days when over 5,000 cruise ship passengers disembark at Port Chalmers. The council encourages passengers to use private bus shuttles offered by their ships, and the Orbus buses will depart with room to accommodate passengers at later stops to address capacity issues. Ange McErlane, the community board chair, welcomed these measures to address local community concerns.

AUSTRALIA

The NSW Government's bus task force plan

A recent white paper submission that aims to tackle commuter frustrations such as long waiting times and traffic delays is under review. Traffic congestion in Sydney has discouraged bus ridership, resulting in significant economic losses. The proposed plan emphasises “bus priority” measures, such as dedicated bus lanes and adaptive traffic lights. These changes aim to make bus travel more frequent and reliable. The task force's Chair, John Lee, compared the initiative to the story of Moses parting the Red Sea, except they wanted “red paint” to mark bus lanes. The white paper identifies 39 potential rapid bus routes across greater Sydney, aiming for “turn up and go” frequencies. The success of the existing B-Line route highlights the effectiveness of such measures, reducing travel times by 15 per cent and enticing more car commuters to choose buses. The task force is also addressing the looming bus driver shortage with incentives and plans to introduce more bus routes shortly.

ENGLAND

'Boycott' bus visits London



October marked the 60th anniversary of the end of discriminatory hiring practices on Bristol's buses. A bus with a unique design arrived at the Palace of Westminster in London for a parliamentary reception hosted by Bristol West MP Thangam Debbonaire. Guests on the bus included Guy Bailey, who had been denied a bus driver job due to his skin colour, sparking the boycott. The reception, held during Black History Month, focused on equality and inclusivity. It acknowledged the efforts of the

boycott protesters and included speeches by politicians and boycott pioneers. Doug Claringbold, Managing Director at First West of England, expressed pride in being part of this historic event, emphasising the significance of the boycott in bringing about change through collective action.

UKRAINE

Ukraine to close 30 per cent of international bus routes

Ukraine is taking steps to discontinue a minimum of 30 per cent of its international passenger bus routes, as announced by Deputy Minister Serhiy Derkach from the Infrastructure Ministry. This action is per legislation mandating that carriers operating international routes must have a partner from another country. Two hundred and eighty routes connecting Ukraine to Poland and Russia have already been shut down. Similarly, routes in Romania, the Czech Republic, and other nations may face cancellation if they fail to comply. The intention is to terminate a minimum of 30 per cent of all these international routes. Currently, a verification process for routes with Moldova is ongoing, encompassing approximately 40 routes. It's worth noting that Ukraine has previously closed 140 bus routes to Poland: 118 due to a lack of necessary permits and 22 at the request of carriers.

ESTONIA

Cars were a status symbol after the Soviets; now buses are overtaking

The transformation of public transport is evident as it evolves from its Soviet-era origins. Bus routes in Tallinn, initially designed to transport workers from factories, are being redesigned to better serve residents. The concept of a “15-minute city” is driving this change, aiming to create districts where jobs, housing, services, and entertainment coexist. The Tallinn City Government Deputy Mayor, Vladimir Svet, says this shift requires a complete re-evaluation of the public transport network. Tallinn has offered free public transport since 2013, primarily to alleviate the

cost of living for its citizens. While environmental concerns played a secondary role in this decision, the city has unintentionally become a pioneer in the movement to decarbonise public transport.

USA

Child prevents school bus accident after driver passes out

A 12-year-old boy from Michigan is being hailed as a hero for his quick thinking and bravery. While on a school bus in the Detroit area, the driver suddenly passed out, putting the lives of all the children on board at risk. Without hesitation, the young boy took control of the situation and prevented the bus from veering into oncoming traffic. He grabbed the steering wheel and hit the brakes, bringing the bus to a safe stop on a busy road. Superintendent Robert Livernois commended him for his extraordinary courage and maturity in handling the situation. The incident was captured on video, showing the driver's distress before the child's quick action.

CHINA

Blending hydrogen with natural gas in efforts to decarbonise

A state-owned oil and gas conglomerate, PetroChina, is using hydrogen blending to work towards China's decarbonisation goals. In April 2023, the company initiated a pilot programme for a 397-kilometre pipeline in northern China, designed to transport hydrogen blended with natural gas. This pipeline project aims to minimise hydrogen loss and increase the percentage of hydrogen in the blend from under 20 to 24 per cent. After rigorous design testing, the pipeline is expected to become operational by the end of 2023. While there are still challenges to overcome, PetroChina's pilot is showing the potential of hydrogen as a cleaner alternative to fossil fuels. PetroChina's investment in this project aligns with China's efforts to lead in the green hydrogen industry and significantly reduce carbon emissions.

ANNUAL CONFERENCE RESULTS, ANALYSIS AND REACTION

BCA Advocacy and Business Development Manager Rob Giller wraps up his first-hand conference experience, which was packed with interesting characters and informative presentations.

I'm one of the two new BCA staff Delaney engaged in July shortly after starting as the Chief Executive. My first tasks included developing a BCA Strategy and an Advocacy programme. My role going forward will be to lead advocacy and business development.

Delaney asked me to write a few words on my first time at a BCA conference, which was quite an experience. The whole conference week raced by and after some pretty long days, it was a slow weekend that followed. I'm told that the AGM was really well attended by historical norms and the welcome drinks that followed had the room packed. Thanks to Thermo King South Island NZ Ltd for supporting a great kick-off.

Delaney had us out of bed around 6am the next day to get out to Wolfbrook Arena early. We set up a small BCA stand and visited the JW Group coffee cart. Powered up for session one, we sat down for a keynote address from the Minister of Transport.

This was followed by Stacey van der Putten from Auckland Transport (AT). Stacey covered how Aucklanders feel about public transport and current usage patterns.

Stacey then talked about AT's vision to massively increase public transport usage and the Regional Public Transport Plan that sets out changes over the next decade, including a 100 per cent public transport growth goal!

Morning tea (breakfast for me) followed. All the conference food was amazing. Thanks to BP, Electric Autobus, CRRC and Zenobe for sending me home to Wellington happier and heavier.

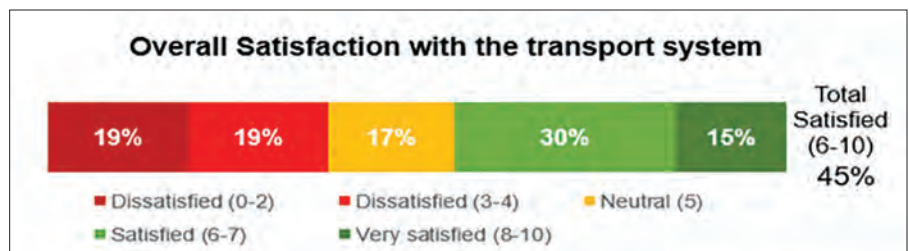
The rest of the morning was focused on the future of the BCA with Grant Lilly (Independent Chair) updating on Board priorities, Delaney covering the draft BCA Strategy (see page 12) and the Advisory Committee Chairs presenting their work programme top issues.

After lunch, we had a panel of public transport managers from Regional Councils and AT present on the state of play in their region and future developments. I particularly enjoyed the presentation from Mark Read, Manager Transport Services at Horizons Regional Council. Mark highlighted the significant differences his council faces in providing public transport compared

with Auckland, Wellington and Christchurch including the population versus public transport disparity shown in the graph below.

The afternoon concluded with four presentations from government agencies. I found Inspector Scott Richardson's presentation on improving road safety compelling.

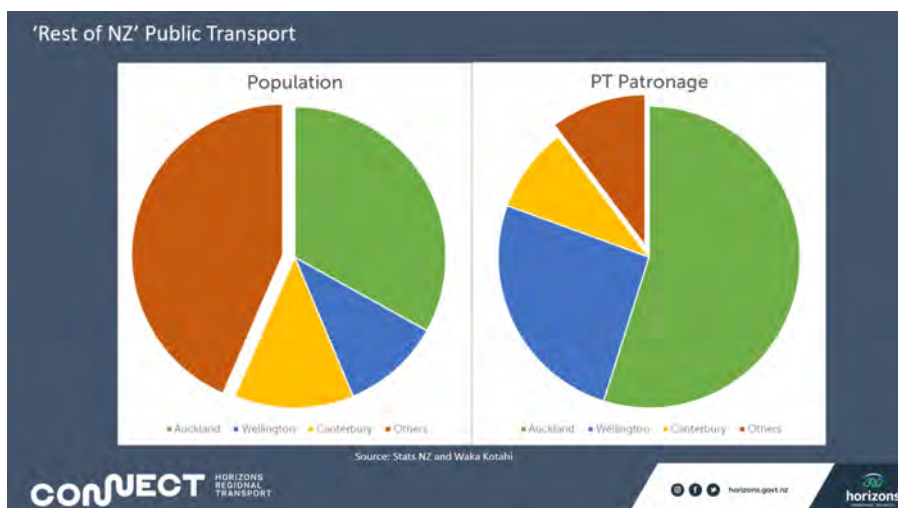
Then it was off to change for dinner at the Wigram Airforce Museum sponsored by Alexander Dennis Ltd. The surroundings were fantastic, it was great to see so many get into the dress-up aspect, and we were treated to excellent entertainment.



The surroundings were fantastic it was great to see so many get into the dress-up aspect and we were treated to excellent entertainment.

Day two started with breakfast and a world-class presentation from Greg Murphy and Nathan Wallis, sponsored by Autosense. Nathan explained things like our four brains and why that coffee only gives you a few minutes of impact before fatigue sets back in.

The rest of the morning included a presentation from MITO on workforce development and training, and what is happening Australia from Ian MacDonald from the Australian Public Transport Industry Association. Then National Party Transport Spokesperson Simeon Brown covered what he would do if he was the Minister of Transport. There was an overlap between some of the things Simeon covered and the emerging BCA advocacy programme. He also stayed for lunch and talked to many conference attendees.



The afternoon concluded with the annual bus auction, a collaboration between Global Bus Ventures and CAL Isuzu, along with the support of many other suppliers. This was followed by a tourism panel. Debbie Summers highlighted that the state of the cruise industry is strong with

2023/24 passengers forecast to be 12 per cent higher than pre-COVID levels and a high level of new ship builds signalling future confidence. Paul Williams provided a BCA member view of some of the challenges and opportunities to work better across all tourism parties.

Thanks to Harker's and their wonderful drivers who moved us around Christchurch and dropped us off at the airport. Nathan Wallis explained why we often don't sleep well in hotel rooms. I had no such problem in my bed again on Thursday night!





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SEEKING YOUR FEEDBACK: BCA STRATEGY 2024-2028

The Bus and Coach Association's new Advocacy and Business Development Manager, Rob Giller, dives into the development of the Association's future direction.

Strategy means different things to different people, so I'll start with my working definition. In a narrow sense strategy comes from the Greek word "stratēgia" or "strategos" meaning "the art of the General". While strategy found its way into the business world, in either case, strategy is about high-level, long-term planning. It often is framed as answering the, "what are we going to do" rather than the "how are we going to do it" questions.

However, good strategy development needs to test the "how" questions. You have probably heard people say, "Hope is not a strategy" which is right in two ways. A strategy that cannot be implemented is worthless but also, a strategy has a desired goal state which 'hope' alone does not.

Strategy development starts with undertaking a realistic assessment of your current situation and assessing the most likely ways the external environment will impact your goal(s). This allows you to test and adjust your goals. While a vision for the future should be aspirational, goals need to be achievable, even if they contain some stretch targets. Strategies should be refreshed for major changes in the external environment but should endure through minor changes.

The external environment I painted for the Board in developing the BCA Strategy was one where:

"Globally we are likely to see a recessionary period although central banks could seek to delay this by reverting to quantitative easing and reducing official cash rates. We are likely to see more protectionism and a deterioration in free trade with key trading nations continuing to pursue near-shoring and home-shoring as a response to the vulnerabilities COVID-19 highlighted but also to mitigate geopolitical risks from demographic shifts and the increased likelihood of regional conflicts in both the Middle East and the South China Sea."

There are both opportunities and challenges for the BCA and BCA members if this future eventuates with impacts on oil prices, commodity prices and trade with key partners.

The BCA's mission is to:

"To foster efficient and sustainable growth of road passenger transport for the mutual benefit of New Zealand community and Association members."

Focusing on the mission and drawing on the recent Pollock review, the current state of the BCA was assessed in the areas of governance, long-term planning, advocacy, member services and support as well as internal processes including financial management. All have potential for significant improvement and led to the development of a goal state to reach by the end of 2028 (a five-year strategy). That is:

By 2028 the BCA will:

1. Be working closely and effectively with Ministers, Ministry of Transport, Ministry of Education, Waka Kotahi NZ Transport Agency, Ministry of Business, Innovation and Employment and the Public Transport Authorities.
2. Be a sought-after 'voice of industry' for advice on road passenger transport.
3. Be highly valued by members as reflected in annual member feedback surveys.
4. Provide a range of products and services that members find useful and regularly use.
5. Be regularly demonstrating to members the impact of advocacy work undertaken.
6. Be sustainably positioned to continue working for members into the next decade.

This 2028 endstate is at the heart of consultation currently underway with you as BCA members. Is this what you want from **your** association? It certainly captures a lot of what came out of the Pollock Review surveys but have we missed anything?

If this endstate is right, think of the four strategic objectives as draws in a filing cabinet. Nothing is lost if we put all the change activities and projects to achieve the 2028 endstate into only one draw. But it is tidier and easier to explain the actions that will deliver the strategy if those actions are grouped. The four strategic objectives selected for group actions are:

This first strategic objective is about being relevant. It is achieved if members and stakeholders want to hear what BCA has to say on an issue and provide trusted advice. The



second is about you as members, ensuring the BCA delivers you value for your membership. Different members will value different things so the offering cannot be one size fits all.

The third objective is about shaping decisions at largely a national and local government level. Your association fights for the things that our collective voice is more likely to impact. The last objective is about business continuity/sustainability. BCA has a long history and actions need to be taken to ensure that continues into the next decade.

BCA has a long history and actions need to be taken to ensure that continues into the next decade.

November issues of IN THE LOOP will contain a link to the six-page draft Strategy document if you would like to see the details under each of the strategic objectives. Page one is the Strategy on a page that I've largely covered in this article. Pages two to five are the detail that sits under each strategic objective. The last page is a road map that shows the key activities from pages two to five on a timeline.

If you think we have it mostly right, that's great. If not, we need your feedback over November.

Once feedback is incorporated into the draft, the Board will approve the BCA Strategy 2024-28 in December and we will launch it in early 2024.

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NAVIGATING THE SEAS OF CHANGE

A surge in “revenge tourism” is contributing to an increased wanderlust with cruise travel emerging as a promising and affordable alternative for those looking to satisfy their travel cravings.

Despite the challenges of the pandemic and adverse weather conditions, the cruise industry is set for an impressive rebound.

ID New Zealand Executive Director and NZ Cruise Association (NZCA) Deputy Chairman Debbie Summers says this season is not just a comeback; it's a historical achievement for the cruise industry.

“We're up by an astonishing 14 per cent compared to pre-COVID levels.

“It's the biggest and most vibrant cruise season we've seen in New Zealand's history, and it's just the beginning, thankfully.”

This season is expected to see 54 vessels reach New Zealand's shores, up from 42 in the 2022/23 season, with a forecasted 1,049 port visits (up from 794) carrying 360,000 unique cruise passengers, according to NZCA data.

Debbie might not have coined the term “revenge tourism” but the data reveals it's playing out here in New Zealand, and is an apt way to describe the heightened wanderlust people are experiencing after the limitations of the pandemic saw a two-year hiatus.

The surge in revenge tourism has caused a rapid escalation in flight and accommodation prices, making traditional travel more costly. However, cruise travel is emerging as a promising and affordable alternative for those looking to satisfy their travel cravings plus less chance of losing your luggage.

Therefore, continued planning and collaboration among all stakeholders during this period of rapid growth is of the highest importance, Debbie says. Cruise lines, communities, transport providers, and ports working collectively are key to ensuring reliability for clients.

“Open communication and partnership should be high on everyone's priority list to meet the demands of a changing industry.”

While the increased tourism will be of huge benefit to the New Zealand economy, the industry is not without its challenges. Issues such as increased road closures, infrastructure demands, and port congestion are just some problems that need grappling with.

Thankfully, collaboration among different stakeholders, including government entities, industry players, and environmental organisations is already in full swing.

All parties are engaging in constructive communication and seeking to comprehend one another's needs, and this is set to accelerate the resolution of hurdles.

“Regenerative tourism is about evolving and adapting. We're working

to spread out port calls, alleviate over-tourism, and encourage a slower, more immersive travel experience.

“The key is to continue collaborating and communicating to navigate these changes.”

Climate change is one obstacle that looms large over the cruise industry, more than one would think, and cruise lines are having to invest billions to make their ships as eco-friendly as possible.

Goals such as carbon neutrality by 2050 and adopting technologies like shore power are all parts of a sustainability initiative.

However, as Debbie pointed out, New Zealand needs to invest in its infrastructure to effectively support these green initiatives.

Government incentives encouraging businesses to adopt sustainable practices could stimulate the private sector’s progress towards carbon neutrality. This might include tax incentives or grants to companies investing in clean energy.

Alternatively, investment in sustainable tourism promotion would highlight eco-friendly practices that resonate with environmentally aware travellers, boosting tourism while aligning with the country’s green goals.

“Whether through government incentives, public funding, or sustainable tourism promotion, these investments are crucial for an eco-friendly nation.”

Debbie expressed appreciation for drivers and guides within the industry and noted them as “unsung heroes” of the cruise experience.

“A good driver can make the journey even more memorable.

“That’s one of the many reasons we are grateful to work closely with the BCA, it ensures an enjoyable experience for all our travellers.”

As the sector rebounds and grows, it faces challenges and opportunities but with the commitment to providing unforgettable experiences for tourists, New Zealand is steered toward success.



RECENT BUSINESS HAS BEEN SO GOOD for Pacific Tourways that, unfortunately, they've had to turn some of it away.

“Cruise tourism in New Zealand is set to navigate the seas of change with resilience and adaptability.”

At another intersection of the tourism frontlines is Manager of Pacific Tourways Christchurch Doug Kirk, who couldn't agree more with Debbie's account of the industry.

Business is so good, in fact, he's had to turn some of it away.

“The season is looking pretty solid for us; we've got more resources on than pre-COVID.

“Through the major part of the season, November through to March, we're actually turning work away at various times. So that's where we are. The growth has been a lot more than what a lot of people think.”

Interestingly, the growth coupled with the destruction of tour and charter businesses during COVID means there aren't as many companies as there once might have been, adding to the pressure faced by people like Doug.

“Within our coaching industry, there has been a loss of companies and resources that saw some smaller ones either pull right out or be absorbed by larger ones. Both of those ingredients have impacted our industry greatly,” Doug says.

“In saying that, you've got to ensure the sustainability of a company in this industry; you've got to have a balance. And we can no longer step up resources for a short time, particularly

with staff, to meet the boom of the summer tourist season.

“In the past, people were probably okay with having seasonal contracts, or even casual contracts, and just taking the highs and lows and finding another job for themselves through the winter.

“So, you have to find the right balance, and that's one of the major differences of the industry now. And, unfortunately, that sometimes means chopping the top off at one end and filling the gap at the other.”

With 90 vehicles in operation and a well-dedicated pool of staff, including some from other companies to help lighten increased demand, Doug says it is once again an exciting time to see tourists flocking back to our shores.

“Our busiest month last year, we got up to pre-COVID levels – and considering that was achieved with only 65 per cent of our usual staffing numbers, it was a big effort,” he says.

“We're a good place here in the world. If think about what's happening in a few different parts of the world, this is still a great place to be.

“And that's why a lot of people want to come here, they feel pretty good about being down here and away from all the turmoil that's going on.

“Even if they're only here for a couple of weeks, or a month or whatever, they just want to have a good time in a happy place. So being part of that's great.”



COACHWORK CENTRAL IN PALMERSTON NORTH, one of only three coach builders left in the country, has just notched up 30 years in the business and still going strong.

DIVERSIFICATION THE KEY IN NEW ZEALAND'S COACHBUILDING INDUSTRY

Flying in the face of the economy's recent difficulties, Coachwork Central is positioned for a strong future thanks to its resilience and innovation.

What started as a "pop-up" company, Coachwork Central in Palmerston North, one of only three coach builders left in the country, has just notched up 30 years in the business and still going strong.

But owner/operator Neil Alexander knows full well that the key to continuing success is diversification and flexibility.

The three manufacturers each have their own areas of expertise. Coachwork Central's focus is on truck school buses and high-end tour coaches. He has no interest in short-term contracts for urban buses because he prefers to have ongoing work for his workforce. He's happy

to be working in a niche market and keeping the business at a size where they can respond to market changes.

"I've been through boom-and-bust times. I don't want that again."

He concedes the biggest competition comes from Chinese imports, but he doesn't believe that is to the disadvantage of the New Zealand industry. What it has meant for Coachwork Central is a different way of looking at how they do business.

"While you can't get bus-building out of your blood, we're trying to get a diverse mix of work so we're not relying on one product range," Neil says.

It can take up to 18 months for any new ideas to come to fruition but in the meantime, Neil says there is still a demand for high-end coaches. To that end, the finished product is not all New Zealand-made. For instance, the plush seats used in Coachwork Central's coaches are imported from Turkey. In the past, they've also imported seats from Malaysia. Seats for school buses come from Australia but were once manufactured in New Zealand.

So, with the need for diversity in mind, these days it's not just high-end tour coaches or truck school buses rolling out the door at Coachwork Central. The workforce of 18 is turning their skills to other body-building projects. They've built motor homes



COACHWORK CENTRAL'S FOCUS is on truck school buses and high-end tour coaches, and it can take up to 18 months for any new ideas to come to fruition.

and recently a mobile health unit for Te Puna Ora o Mataatua, a charitable trust based in the Eastern Bay of Plenty.

Fitted out with two medical examination rooms, a kitchen, a bathroom and an office, the specialist vehicle was put to good use in the aftermath of Cyclone Gabrielle.

Coachwork Central was initially approached by the trust for advice on building the vehicle.

“But they were going down the wrong path with what they were trying to do, so we went back to them with a proposal ... and it went from there,” Neil says.

And there may be more in the pipeline.

Neil began his working life in Auckland with a company called Hawke Coachwork which morphed into Coachwork International. He later moved to Palmerston North with the same company. When the Australian owners decided to close the operation, Neil, who by this stage was the factory manager, joined forces with one other to set up their own company, Coachwork Central.

In 2020, Neil and his wife Gaylyn bought out the other partner and Gaylyn, who had a background in office management, took over the day-to-day running of the company.

Like many New Zealand businesses, and others around the world, the company was hit hard by COVID-19 and the lockdowns which led to many people being laid off and businesses forced to close. Coachwork Central’s branch in Auckland which employed 11 people, was one of the casualties. With the uncertainty surrounding COVID lockdowns in the Auckland region, the decision was made to shut down the operation.

At its head office in Palmerston North, the company was employing 28 staff and it had eight buses under various stages of construction on the factory floor. Two of the eight were able to be completed as planned. The eighth coach finally rolled out the doors a couple of months ago.

That coach was destined for the Nelson-based SBL group which operates a coach tour business as well as a school bus service. It’s the 50th coach Coachwork Central has made for

SBL. It all starts from a Scania chassis and goes from there.

One of the features of Coachwork Central’s ongoing operation is a strong emphasis on training. From the time the company was set up 30 years ago, there have always been apprentices in the workshop.

“One of the first 20 years ago is now the foreman,” Neil says.

Currently, there are three apprentices on the factory floor and two more coach-building trainees will eventually be given apprenticeships.

Neil says it has taken a couple of years to recover from the impact of COVID and the impact it had on employment, contracts and supply chains.

And for a company that manufactures high-end coaches, the upswing in the tourist industry is a real boost.

“Despite the country’s recent past difficulties Coachwork Central is positioned for a strong future being resilient and as innovative as ever,” Neil says.



MEDICINAL CANNABIS ON THE PRECIPICE OF PROLIFERATION

The Drug Detection Agency (TDDA) is seeing increased detection rates of cannabis in workplace drug screenings.

It attributes the rise to the proliferation of medicinal cannabis and easier access to the substance. In-house data from its Imperans IT platform as well as anecdotal evidence from employees and clients paint a risky picture.

“Business leaders need to understand, mitigate risks, and address the issue immediately,” says Glenn Dobson, TDDA CEO. “We’re seeing cannabis trigger our testing devices regularly which isn’t particularly new. What is new is that people in safety-sensitive workplaces then show up with a prescription for cannabis. But just because the substance is legal doesn’t mean it’s safe to take it and get behind the wheel of a 40-tonne truck.”

Proliferation

New Zealand’s Medicinal Cannabis Act came into effect in 2020. Growers and distributors needed time to meet

government standards in terms of product development and quality assurances. TDDA attributes the gap between 2020 and 2023 detection rates to regulatory pressures but now believes the situation is at a tipping point. Employers need to understand how to grapple with the challenge of integrating this change into existing drug and alcohol policies.

TDDA recommends businesses take professional advice to understand the issue of medicinal cannabis within their workforce. Like any prescription medication, such as opioids or prescription painkillers, there need to be clear guidelines on company and employee expectations. Businesses must integrate professional guidance into their substance policies and update them immediately to manage medicinal cannabis.

“Every business will eventually need to deal with substance issues, but having

easy access to high-grade cannabis products will accelerate and amplify those issues. Kiwi companies need to update their drug and alcohol policies immediately,” says Dobson.

TDDA further recommends businesses consult with experts on drug and alcohol policies, employment law, and a doctor trained as a medical review officer (MRO). Each is needed to craft an operational plan that mitigates workplace risks and protects a business’s bottom line. Understanding the pharmacological aspects of medicinal cannabis, testing programmes and technologies, employee rights and employer obligations is essential for businesses to protect their people and maintain a safe and compliant workplace.

Obligations

Medicinal cannabis products may contain the psychoactive

component in marijuana, THC (tetrahydrocannabinol), be CBD-based, or both, posing unique challenges for employers. Those in safety-sensitive industries will be most affected. Employers must understand their duty of care under the Employment Relations Act 2000, and their compliance requirements for the Health and Safety at Work Act 2015, operating within the Privacy Act 2020. Employment information as well as medical testing information can quickly fall afoul of privacy laws.

Employers have an obligation to ensure the safety of all employees in the workplace. But only if a good substance policy is in place will employees have an obligation to inform their employer of relevant prescription medications.

Employers must also carry out testing in a fair, compliant, and transparent manner. It's essential to update workplace drug and alcohol policies to include guidelines for medicinal cannabis.

“If an employee is affected by medicinal cannabis at work, even if it's prescribed, it will affect their ability to safely execute their duties. The substance creates a minefield to navigate, and it poses a risk to the employee, their peers, the business, and the public. Employers must understand these products can adversely affect cognitive abilities and motor function,” says Dobson.

Symptoms

THC, the psychoactive component in many medicinal cannabis products, impairs cognitive functions and motor skills, posing risks in any industry. Additional symptoms include issues with memory, attention, decision-making skills, poor judgment, mood swings and irritability.

“CBD or low THC forms of this drug are particularly problematic. If an employee has a prescription, it's important to work with an MRO to understand if the employee's needs are

in alignment with the requirements for the role,” says Dobson.

Recommendations

TDDA recommends businesses review and update their drug and alcohol policies, and ensure policies are clear and effectively communicated. It also recommends education sessions for managers and employees alike, as well as enhanced training for supervisors to recognise risk in the workplace. Seek guidance from subject matter experts who understand your business and its requirements. If enacting a drug and alcohol testing programme, engage qualified third-party experts.

“Medicinal cannabis is here, and it's in New Zealand's workplaces. It can be a high-potency substance and it needs to be treated as one, it brings risk to any workplace. If someone is driving a company car, you need to have a plan to address the issue. Don't get caught on the back foot,” says Dobson.

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FORMER BUS FAITHFUL NOW NAPIER MP

The Nimon family has never shied away from a bit of hard work and community service. Only this time, the fifth generation is continuing the legacy in the political arena.

Running one of New Zealand's oldest established passenger service operations and being a newly minted Member of Parliament aren't too dissimilar – especially for Katie Nimon.

As the former General Manager of Nimon and Sons and now the MP for Napier, both roles required her to serve her community. Only this time, Katie is pursuing similar results on a much larger scale.

“My motto [is], it doesn't always have to be the way it has always been,” Katie says.

“It's about what you do outside of [the business] and who you are in your community. And so we can continue to do that without the business.”

She's talking about her time at the helm of the family's 116-year-old

business starting in 1818, but the expression is equally as relevant to her new responsibilities to the Napier electorate.

The similarities don't end there. Maintaining and reinforcing relationships are still a crucial part of the gig, so too are long days and nights – Katie says public transport never takes a break over Christmas.

She is driven by the same passion for people she had when innovating Nimon and Sons' tourism functions and has endured a similar roller coaster ride that saw the family business sold after more than a century and first entering politics in 2020.

“I never thought I'd be where I am today when I was younger. But I do recall moments when I felt like I would

be happiest when I was able to just do things for the community. And somehow get paid for it.

“And so, it's worked out perfectly!”

For the unaware, Katie's truck, bus and transport heritage dates back to 1905 when Australian-born John Giles Nimon founded the family company in 1905, buying Hastings firm WA Beecroft.

J Nimon and Sons operated a small team of horse-drawn buses and its first car, a seven-seater Studebaker, in 1910. Studebakers steadily replaced horses and in 1915 the company acquired a 25-seater, built from a horse-drawn body mounted on a truck chassis.

Moving ahead a few decades, Katie's grandad John Nimon (John Joseph

'Joe' Nimon's eldest son) bought a refrigerated truck for long hauls to Auckland and established the national refrigerated trucking firm Roadair.

Like father like son, Bill (Katie's dad) wore the same green uniform.

"The coolest thing was seeing Dad turn up to school events in his Roadair's uniform, stubbies, boots, and matching green aertex shirt.

"Even better was the truck and bus companies' depots being both at Havelock North's Martin Place. So, if Dad was busy, I'd go and see Pa, who would be sitting in his office smoking his pipe.

"I grew up around bus and truck drivers who, as you know, are a very different kind of people. But equally as important in keeping our communities moving. But I also grew up working, stamping envelopes, helping file papers, you name it."

With Roadair winding up in 1996, and the family bus operation growing under Bill's tutelage, Katie would later go on to "decide between trying to become a lawyer or becoming an advertising executive".

"I chose the more fun one."
(Ironically, she's now a lawmaker.)

Her love of the performing arts led her away from Hawke's Bay to achieve an honours degree in marketing and advertising.

But the fifth generation Nimon left Auckland's advertising ecosystem to become the family business' marketing manager in 2015.

"I did want to go and do something different. And Dad always suggested that.

"But inevitably, I came back to the family business, because I just loved the people and being part of the community. It was a very rewarding job and something that I still miss.

"In saying that, I don't miss the 24/7 nature of it, but I suppose politics is much the same, funnily enough."

She worked alongside her dad and mum (administration manager) Sue,



BILL NIMON WITH DAUGHTER KATIE, who is now Napier's newest MP following the 2023 general election.

and uncle Garth Nimon (who looked after the company's school runs), as general manager four years later.

Those first couple of years were great, Katie says, as she set about enacting a "whole lot of new systems" including deepening the business' tourism arm. Katie was named Hawke's Bay's Ambassador for Tourism in 2018.

But times changed when COVID-19 decimated the tourism industry, coupled with an unfortunate Ministry of Education school tender process a couple of years later.

"After 116 years, selling the business was really hard to grapple with. But everything has to end eventually.

"Do you go out on your own terms? Or do you go out when you don't want to? We decided to go out on our terms.

"We moved on after we realised that actually, it's not about the business. It's about what you do outside of that, and who you are in your community.

"We worked hard to make sure our drivers were looked after and our community were looked after, as well as they could be. And that was a big part of our decision."

Wairarapa-based Tranzit Group bought the business, including its contracts and assets, its fleet of 130 vehicles, as well as the leases of three depots at Whakatu, Napier and Taupō.

By this time, Katie was Hawke's Bay Regional Council's new transport manager, having run as National's candidate for Napier a year earlier.

The first-time political challenger lost to the then-Labour incumbent Stuart Nash by 4,525 and her tenacity was later rewarded in this recent election.

"It's been a really long time, a lot of hard yakka over the past six to twelve months. And, of course, the three years before that.

"Now I can serve my community again, just in a different way and arguably in a better way because, you are there to solve the big problems and help deliver solutions. "And that community is far bigger than any previous community I've served from a business point of view; the details are life and death, the weight is heavier, but it's certainly more rewarding.

"We've got some major issues, especially roading and infrastructure here, among many other things.

"At a local level, because that's all I can speak to at the moment, my priority is getting a regional deal across the table, and cyclone recovery is a big part of that so our region can start to rebuild with some vision."

With government negotiations ongoing (as of writing 15 November), Katie is in a bit of limbo about what happens next. But at least she's now earned a well-deserved break over Christmas, to be spent in Mahia and Anaura Bay.

"But you know, I think I just want to do a puzzle. That sounds really boring. But want to do it, hang out with family, and do all the other things that I've neglected for the last six to 12 months."



ARATAKI IS BEING DEVELOPED as a shared sector view of how we need to plan, develop, and invest in the land transport system during the next 30 years. *Photos: Waka Kotahi NZ Transport Agency*

SHAPING THE FUTURE OF NEW ZEALAND'S LAND TRANSPORT SYSTEM

BY TIM SHORE, PRINCIPAL PLANNING ADVISOR, LONG-TERM SYSTEMS PLANNING - WAKA KOTAHI NZ TRANSPORT AGENCY

Imagine trying to build a house without a plan. It'd be a disaster. Building a transport network is no different, except that it's bigger. Much, much bigger. And the plan to support a piece of work that size needs to be equally big. It needs to be detailed, thorough, and robust. It needs to be good.

We call it Arataki.

Arataki provides a plan for how we – as a country – will plan, develop, and invest in the land transport system over the next 30 years.

As the national land transport agency, Waka Kotahi leads this work. But it's not our plan – it's everyone's.

Arataki is a plan for how we can work together and deliver a land transport system that'll keep Aotearoa New Zealand moving well into the future.

It's an ongoing, iterative process, and we want to further refine and develop Arataki alongside our partners – Māori, local government, central government, and the wider transport sector.

And a key task is identifying what's required to support strategic freight networks throughout the Upper North Island, Lower North Island and South Island.

We need to transition to a safer, more reliable, and more resilient freight

system that not only moves goods effectively but does so with low emissions. A system that considers population growth, changing consumer preferences, climate change, and shifts in New Zealand's economic structure.

So, what are some of the issues we need to address?

Urban freight is expected to grow because of the increasing population, more demand for mixed-use neighbourhoods, and growing consumer expectations for more and faster deliveries.

That means not only will increasing noise and vibration impacts need to

be managed, but freight vehicles will also be competing for space with other users.

Road freight accounts for almost a quarter of New Zealand's existing transport emissions, so a priority is the transition to zero-emission heavy vehicles.

Between 2017-18 there were almost 280 million tonnes of freight moved about New Zealand – and the vast bulk of that transportation was done by road. With nearly 93 per cent of the total tonnes and 75 per cent of the total tonne-kilometres done by road, the heavy freight vehicle fleet accounts for 23 per cent of our transport carbon dioxide emissions, but only 6 per cent of the annual vehicle kilometres travelled.

For some goods, there are benefits to moving more freight by rail and coastal shipping, and Arataki emphasises the importance of an integrated freight system where road, rail, and coastal shipping each play to their strengths.

In the short-to-medium term, shifting to options such as rail or coastal shipping will help us reduce carbon emissions, improve road safety, and reduce road maintenance costs.

Of course, road freight still has a place – it can accommodate shifting demands and move time-critical goods to almost any location in the country.

Rail is an attractive alternative for long-distance freight transport and is best suited for moving bulk commodities such as coal, milk, and steel.

While coastal shipping of domestic cargo is best suited to bulk products such as cement, containerised goods, and trucks and trains using roll-on-roll-off ships.

It's all about finding the right mode for the right load.

Road, rail and coastal shipping all have a part to play.

But rail's ability to play a larger role in moving freight is limited by the condition and the capacity of the rail network, its comparatively small size, and a limited number of terminals for transferring freight.



IN THE SHORT-TO-MEDIUM TERM, shifting goods on to rail or coastal shipping will help us reduce carbon emissions.

Inland freight hubs play an important role in sorting and distributing freight away from seaports, freeing up valuable port land for maritime activities. These also influence the mode of transport for how that freight gets there, so inland freight hubs must be in the right place to support different transport modes – road freight, rail, or air.

Through Arataki, we've identified key networks that are critical to economic success, including road and rail links to seaports, airports, and inland freight hubs. While these routes make up a relatively small proportion of the overall transport network, they carry a significant amount of the country's people and freight.

Environmental sustainability, resilience, safety, and economic prosperity are central to how our freight network will operate in future, and other issues are emerging. How will we service growing freight demand on urban networks, particularly in Tāmaki Makaurau, ensure our networks are more resilient to extreme weather events and climate change, and maintain locomotives and rolling stock – some of which require significant maintenance? Arataki seeks to address all of these.

While potential conflicts between freight and passenger services need to be worked through, the potential

of rail is enormous. It would boost the resilience of the transport network, and having additional capacity on key routes would provide growth opportunities.

As an island nation, coastal shipping and ports are vital to our transport system, and there's an opportunity for a much greater role in moving freight.

A coastal shipping network would add resilience to supply chains, connect smaller ports and regions with markets, support the reprioritisation and relocation of existing ports, and maximise existing freight networks.

Arataki is rightfully ambitious. It will require investment, vision, and commitment, shaped by high-quality evidence and data, and Waka Kotahi needs your help.

Whether it's expanding and upgrading the rail network, preparing our road freight for the coming century, or creating a greater role for shipping to move goods, there are big decisions to be made. These are decisions that must be informed by expert opinions and professional input – and by a great plan.

You can see the full plan at nzta.govt.nz/Arataki. And if you would like to help us refine Arataki and deliver a freight network fit for the future, please contact arataki@nzta.govt.nz.

AUBREY CHAMBERS, 1929-2022, (MIDLAND, H & H, MT COOK LANDLINES, RITCHIES)

Rob Webb looks back on the life of a professional coach driver who passed away last year.



AUBREY CHAMBERS OF KAIAPOI was always keen to talk about his coach driving days. (Susan Chambers photo)

Born in Rangiora in 1929, Aubrey William Chambers (Aub) went to Sefton School and Papanui High School.

His apprenticeship as a carpenter at the Addington Railway Workshops gave him skills he later used to renovate several houses. He was from 'the resourceful generation' and even created a mobile caravan out of a traction engine carriage. He attached this to the camping ground shop at Kairaki Beach north of Christchurch, which they lived in while they ran the business. He and his wife Connie (Cunninghame) worked together on their first home in Cridland Street, Kaiapoi, before the arrival of their children, Christopher, Susan, John, and Jane.

As a young man, Aubrey went to Wellington to work on the North Island Main Trunk railway electrification before returning to the South Island to drive taxis and then to go into business with a Commer and GMC logging truck clearing bush in the Motunau area.

'Aub' joined Midland and, often when working an afternoon shift, would



'AUB' IN HIS BELOVED BLUE MIDLAND JERSEY with driving colleagues Richard Lloyd (left) and Graeme Mathews (Graeme Mathews photo)

complete a morning shift at Sutherland Sawmills in Kaiapoi. At Midland Coachlines, he rose through the ranks to become shift supervisor after diverse driving duties on commuter services to North Canterbury towns, the Airways contract services to and from Christchurch Airport, as well as the company's prestigious Starliner

evening service in both directions between Dunedin and Christchurch. He continued this service after it was extended by the new owners, H & H to run between Picton and Invercargill. He would overnight in Invercargill and would smile as he recalled many mornings spent 'window-shopping' around the city before he headed



COACH 69, A 48-SEAT 1967 FORD R226 was a vehicle driven by Aubrey Chambers on 'North Road' timetabled services to places like Rangiora and Kaiapoi. It is seen here in September 1981 at the Lichfield Street Midland depot in Central Christchurch. (Richard Lloyd photo)

north around 1 p.m., reaching Christchurch by midnight. Aub retired from Mount Cook Landlines in 1988.

In the early 80s, when the Midland 'empire' disintegrated, he joined the Christchurch Transport Board and later Ritchies, gaining many long-term friendships along the way. Naturally, through those connections, he subsequently attended many funerals and revelled in the social aspect of gathering with friends and former colleagues from his coach-driving days; he thought nothing of standing up with a few appropriate words and became very good at impromptu speaking on such occasions when old friends were to be honoured.

Aub was an instigator in getting the enjoyable Midland staff reunions underway, and he never tired of proudly donning his blue Midland jersey and reminiscing about the glory days of Midland, tour, charter, and commuter service operators in Canterbury for more than 50 years, as well as leading coach builders for

themselves and others during that time.

After the loss of Connie in 1991 and after his second wife, Romola, passed away many years later, he spent a lot of time in his beloved campervan. He thought nothing of tackling Arthur's Pass for an adventure on the West Coast, and he was in his 90th year before he finally gave those trips away.

A Midland colleague from more than 40 years ago, Richard Lloyd, described his long-time friend as 'a real gentleman,' whose demeanour particularly suited the various Midland tour products as well as the prestigious Starliner 360km round trip, which changed over south of Timaru after 8 p.m. Richard and partner Janine are proud to continue the tradition that Aub and others were so keen on: getting together informally, enjoying a meal with former Midland staff, and chatting about a by-gone era in the bus industry.

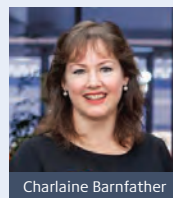
Daughter Susan Chambers agrees that her father would be proud to know

that Midland staff are still getting together: "Actually, in a funny sort of way, I think Dad enjoyed the social interaction that so many funerals provided in those later years," she says. She marvels at how hard Aubrey worked, even managing to volunteer at the Balcairn Museum in North Canterbury in his retirement. "He instilled a great work ethic in all of us because he never stopped. He was always working six days a week through most of his working life," says Susan.

It was a real pleasure to know such a gentleman so willing to share his memories of coach driving, which formed such a big part of his long and interesting life.

An ex-Midland staff get-together is planned for March 2024 in Christchurch. Enquiries, photos and memorabilia always welcome to richard.lloyd@cvc.co.nz

Photos and information thanks to Sean Millar Publishing, Auckland, Ann Stokes, Jean Nicholson and G.T. (Graeme) Carter Transport Books, Whanganui.



Charlaïne Barnfather



WHEN ‘AN APPLE DAY DOESN’T KEEP THE DOCTOR AWAY’ AND SICK LEAVE IS REQUIRED

BY CHARLAÏNE BARNFATHER, HR CONSULTANT

We all know the phrase “*An apple day keeps the doctor away*”, however on occasion a doctor is required to support an employee’s sick leave from work!

When an employee takes sick leave, employers can request proof of the illness/injury that resulted in the absence.

Employees also can use their sick leave where it is essential to care for a sick dependent (e.g., a child or elderly parent), and in this instance, the employer can also request proof of that person’s illness or injury.

Monitor use of sick leave

While employers need to allow employees who are sick to remain at home to rest and recover, they should also be aware of their ability to question the absence and not just accept the request.

There is a growing trend of employees who view their 10 days paid sick leave entitlement as optional days off, and take them as such.

Employers need to monitor the use of sick leave to check for any abuse of the entitlement, potential medical incapacity concerns, and most notably to identify new or emerging health and safety risks in the workplace.

Consecutive sick days

Many employers are not aware that with sick leave, “consecutive sick days” include days on which an employee would not normally work and include any scheduled breaks within the three-day period.

For example, if an employee who normally works Monday to Friday is away sick on Friday and is still sick on the following Monday, the employer can require proof because the employee has effectively been away for three consecutive days.

If you ask an employee for a medical certificate and they don’t provide it (and have no reasonable excuse for this), employers are not required to pay for the absence.

Medical certificate content

Most notably, a medical certificate for sick leave does not need to say what illness or diagnosis the employee has. For example, if an employee needs to take a week off work due to a chest infection, the medical certificate only needs to state that the employee is not fit for work for the next seven days and have this period dated.

The Medical Council of New Zealand has recently issued guidelines (August 2023) reiterating that all medical certificates are legal documents and any statement a health practitioner certifies must be honest and made in good faith.

The guidelines note that a range of factors beyond the underlying medical condition or injury can influence a doctor’s assessment and they reinforce that doctors need to be aware of these influences, distinguishing between what the patient tells them and their clinical observations.

In summary, all medical certificates need to:

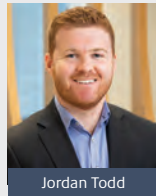
- Be written legibly, minimising the use of medical terms for easy comprehension and include:
 - a. The patient’s name
 - b. Date of examination
 - c. Findings or a statement about the patient’s capacity to work including any duties/ tasks/ limitations, or that the patient is unwell/unfit for work
 - d. Period of absence
 - e. Period of treatment or recovery
 - f. Name of the doctor who issued the medical certificate
 - g. Expected review date
- Backdating of certificates should have clear dating of when the employee was seen versus when the sickness occurred

If an apple a day doesn’t keep the doctor away, and your employees do need to take sick leave – remember ... take care of the bruised ones because, with a little care, employees aren’t ordinarily bad to the core!

For assistance in navigating sick leave issues in your workplace, or should you be seeking other HR or Health and Safety advice, get in touch with a member of the SBS Team. Freephone **0508 424 723** or visit www.safebusiness.co.nz



Sarah Churstain



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MAINZEAL: A LESSON FOR COMPANY DIRECTORS

A recent judgment from the Supreme Court has cemented the importance and scope of directors' duties.

The Supreme Court issued its decision "of fundamental importance to the business community" for *Yan v Mainzeal Property and Construction Limited* on 25 August 2023 (the decision).

Background

The decision addresses the application of sections 135 and 136 of the Companies Act 1993 (the Act) and the evaluation of section 301 as a compensatory provision for breaches of these duties:

- Section 135 is the Act's reckless trading provision. Section 135 places dual obligations on directors not to cause or allow the company to be carried on in a manner likely to create a substantial risk of serious loss to the company's directors and creditors.
- Section 136 is the duty in relation to obligations. Under this section, a director must not agree to the company incurring an obligation unless the director believes at that time, and on reasonable grounds, that the company will be able to perform the obligation when it is required to do so.
- Section 301 allows a direct claim by creditors to be made for breaches of sections 135 and 136.

Mainzeal Property and Construction Limited (Mainzeal) was one of New Zealand's largest property and construction companies until it was placed into receivership, and subsequently liquidation, in February 2013.

In 2015, Mainzeal's liquidators brought proceedings against Mainzeal's directors for breaches of sections 135 and 136 of the Act. The Supreme Court found breaches of these duties, ordering payment of \$39.8 million and accrued interest totalling an additional \$20 million. The Court found breaches of section 135 had occurred from 2011 onwards, as the limited actions taken by Mainzeal's directors were insufficient to reduce the risk of serious loss to Mainzeal's creditors.

Takeaways for you as a director

Monitoring: Directors have a continuing duty to consistently monitor the prospects of their company. Failure to observe this requirement could result in a breach of your duty to exercise the care, diligence, and skill of a reasonable director.

Complexity: Directors often make complex decisions with incomplete information and under various events and time pressures. While a director should act in the best interests of the company, where solvency is in question, these interests more closely align with the creditor's interests. Ensure you consider creditor interests when making complex decisions.

Strategy: Directors should not continue to trade long-term where a company is insolvent or bordering on insolvency (even if you may believe it will be beneficial to creditors). There are circumstances, albeit limited, which allow for a strategy where reliance has been placed on assurances of support.

Advice: If you are concerned as to the application of your duties where questions of solvency begin to arise, seek legal advice immediately. There may still be an opportunity to take reasonable courses of action and develop a plan to mitigate any possible breaches of sections 135 and 136.

Reasonableness: A reasonableness standard is applied by the courts when assessing decisions made by directors. Courts understand a degree of directors' decision-making includes utilising business judgement.

Liability: Where you must pay compensation for breaching director duties, liability may not necessarily be shared. In Mainzeal, Mr Yan was liable for the entire amount of \$39.8 million with the two other directors' liability fixed at \$6.6 million plus interest.

If you are a director who may be concerned about your company's financial position and prospective outlook, contact Sarah Churstain (sarah@fsl.nz), Jordan Todd (jordan@fsl.nz) or Emily Gardiner (emily@fsl.nz) to discuss your options.

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