

ANNUAL REPORT

2009

ROAD TRANSPORT
FORUM NZ



Proud to support
Road Transport Forum NZ

2009



BOARD OF

From left: D Dumber, M Wareing,
M Maslin, J Hickman, S Tapper (Chairman), C Winsloe,
S Doughty, C Bonney, C Turner



DIRECTORS

OF
DIRECTORS

BOARD OF
DIRECTORS

CHAIRMAN'S REPORT

The Forum has achieved some major results this year, as this report outlines. The most far-reaching of course is the move towards heavier and longer trucks. It's not just members who would want to operate at over the current 44 tonne gvw who would benefit. The proposed changes to the Rule could offer some worthwhile weight for trucks at lower weight limits too. The RUC review also holds the potential for a simpler and fairer system for charging heavy trucks for their use of the roads.

However I believe our industry is at a crossroad. So in this report I am going to focus on looking forward, on where we take our industry organisation, rather than back on the past year's achievements.

In Truck & Driver in December I flagged that we had some hard work to do to bring about a merger of the NZRTA regions, NRC and the NZ Trucking Association.

Boy, I had no idea of how hard it was going to be trying to get this initiative to gain traction! And we still have a long way to go yet along with a fair amount of wheel-spinning to match.

I can recall a very expensive consultant once telling me that any sort of corporate restructuring usually brought up three times the number of questions for any one answer. And this has clearly happened in this case.

Is our trade organisation simply a lobbying machine with some technical backup? Or is it a means of collating rebates on purchases for our members? What services do our members expect? Are they getting what they want? Who owns the various assets held by the regions, branches and associations?

Trying to find answers to all these questions, and plenty of others, has been a daunting task and is far from over. Quite often, a clear, definitive answer cannot be found and a decision has to be made.

I personally struggle with this process from time to time. Do I make a decision based on what I think my region's members would like? Or do I rely on my own common sense? My usual way of solving this quandary is use the criteria of "What decision would I make if I owned this business?"

Along these lines, there is one decision I have been able to make. The way we run our trade organisation has to change. Every single one of us has, in the current economic environment, reviewed everything we do in our own companies. The smart ones amongst us have made significant changes to adjust to the new landscape. All the time I am hearing the comment "Don't know why I didn't do it bloody years ago!"

All our associations face dwindling contributions from both sponsors and members alike. And, short of handing out begging bowls, there isn't any money coming from any other source. We have to face this reality.

It is clear to me that we need to update our processes – just like we have all done in our own businesses. Our Executive Officers need to use modern resources to provide professional, knowledgeable and timely advice to our members. Their role is to help our members run profitable businesses. It is not their role to meander across the nation organising drinks at the local RSA for a bunch of members who like a chin-wag from time to time.

Having said that, it is important that all our members have a platform available at which they can convey their opinion – and have it reach the Forum Board room. Our branch structure is an essential mechanism for airing common problems (and solutions) and solving local issues.

In short, we need to drag our organisation into the present and prepare it for the future. Insisting on leaving everything the way it is, or was, is not an option. We need to stop hoarding assets for a rainy day and use them to create a professional trade body that is respected by policy makers, regulatory bodies and our own members.

This does not necessarily mean any wholesale spending. It just means using what resources we have at hand a hell of a lot smarter. I ask all members to support their Forum Directors' efforts to make this happen.

On matters other, Tony and his team in Wellington have made huge progress conveying our opinions into the hallways of power in the Beehive. I won't attempt to list them all here. We have a government willing to listen to common sense and brave enough to act with surety and speed.

Accordingly, we must be very careful that any opinions we present to the Government are well thought out and that they represent the wishes of the majority of our members. It is, I have discovered, impossible to please all the people all the time. But, we will keep trying!

Regards to you all and your families.




Simon Tapper
Chairman

WORKING WITH GOVERNMENT

Determined advocacy over many years by the Forum paid off for members with two landmark developments during the course of the year.

The first was the independent, indepth review of the road user charging system which the Forum won from the then Labour Government as a result of last year's nationwide trucking protest.

The second was the breakthrough on heavier, more productive trucks, with the Government moving to have them on the road next year.

These successes are the result of continuous contact with all the major political parties over a considerable number of years, with the Forum's position buttressed throughout by a programme of comprehensive, thorough research which built a compelling case for reform.

HEAVIER AND LONGER TRUCKS

The Forum's long campaign to bring in heavier and longer combinations under a permit system is on the verge of success. The Forum convinced the previous Labour Government to trial 50-tonne trucks. The present Government is now proposing to have them on the road by 2010. The proposed changes, which could see trucks weighing up to 62 tonnes on some routes, will deliver some substantial productivity gains for operators whose business they will suit.

The Government's decision to allow heavier trucks on the road is the pay off for years of persistent hard work by the Forum and the sheer logic of the case it presented to both the previous Labour Government and the current administration.

ROAD USER CHARGES REVIEW

The Minister of Transport's decision to retain the RUC system is disappointing but perhaps inevitable given that Inland Revenue said it could not administer a diesel excise refund system for non-road users.

However there are some significant positive outcomes. The Minister's aim is to produce a simpler, modernised RUC system. He also opted for charging on a maximum gvw rather than a nominated weight. The result should be reduced compliance costs and evasion.

A diesel tax would still be the most efficient option, but the Forum will be working constructively with the Government to see whether their proposals will reduce the waste of money and evasion which occurs under the current RUC system.

The Minister has also taken on board the review's finding that heavy trucks are paying over 20% more than they should. He is promising that the relativity issue compared to light trucks and other vehicles will be addressed over time.

The requirement that members be given adequate warning of any RUC increases has now been enshrined in law with 42 day's notice of any rise now being required. The Minister also adopted the Forum's recommended way to prevent mass forward buying of RUCs by including a provision stipulating that RUCs purchased before any rise would have to be redeemed within a month of the increase.

FOURTH POWER RULE

Members operating heavier vehicles could be in line for significant changes in road user charges as a result of the Minister's decisions over the RUC rule. While the 4th power rule is retained in the meantime while more work is being done, the Minister has not only stated that light diesel users are undercontributing to their roading costs, he has acknowledged a report suggesting that the amount of costs attributed to the wear parameter in the Cost Allocation Model (CAM) appears large in international terms. As heavy trucks are charged for the wear they cause, this could lead to reduced charges for heavy trucks.

The Forum will be working with Government on revisions to the CAM. One significant advantage for the Forum is that, following conflicting advice to the Review Group, the Forum and the New Zealand Transport Agency met with technical experts and agreed that a 2nd power relationship should apply to state highways. This should strengthen the Forum's negotiating position while more work is being done on the CAM.

TRUCK PROTEST PAYOFF

Overnight imposition of higher road user charges on trucks, the Government move which sparked last year's truck protest, can not happen again. Legislation to guarantee six week's notice of any increases in future is now moving through Parliament.

To ensure some operators don't get an unfair advantage, the Government has accepted the Forum's advice on the most effective way to avoid pre-purchasing of road user charges in the notice period and incorporated its proposals in the legislation.

OPERATOR RATING SYSTEM

Development of the Operator Rating System has been slower than the Forum would have preferred with changes to the Police's database delaying implementation. The longer time frame will enable critical parts of the system in particular the CoF component to be fully trialed and to make sure the algorithm works effectively.

The Forum's focus has continued to be on ensuring the system is fair to all operators and targets faults and offences that directly affect safety and not minor infractions.



ROADSIDE DRUG TESTING

Roadside drug testing will become a reality this year with Parliament passing legislation giving Police greater powers to crack down on drug-impaired drivers.

The legislative change is the direct result of the leadership shown by delegates at the 2006 Annual Conference in a remit calling for Government action over drugged drivers.

The issue successfully taken up by the Forum immediately afterwards, with the then Government announcing within three months of the Conference that it would move to ban drugged drivers.

The legislation will come into effect by 1 December.

MORE MONEY FOR ROADS

The Government responded to the Forum's consistent promotion of the need for investment in new roads by announcing in March it would put almost \$1 billion more into the state highway network, bringing the total spend over the next three years to \$3.3 billion.

Over the next decade around \$10.7 billion will be provided for the roading network.

The extra money will come from three sources. \$420 million will be reallocated from what the Minister called "non state highway classes", essentially funding previously earmarked for cycle and walkways and passenger transport, plus administrative cost savings. A further \$258 million will be freed up by the Crown picking up the tab for upgrading Wellington passenger rail rather than being taken from road users' petrol taxes and RUCs. The final \$283 million will come from increases in fuel taxes.

REGIONAL FUEL TAXES AXED

Repeated criticism by the Forum of the Labour Government's decision to impose regional fuel taxes bore fruit with the present Minister of Transport cancelling them in March. The Forum had earlier successfully persuaded the previous Government to delay their implementation until 2011.

Echoing the Forum's case, the Minister of Transport called them an expensive and inefficient means of collecting revenue. As the Forum had consistently pointed out the Minister said regional taxes would impose significant compliance costs on businesses and road users, and would result in much higher fuel prices for road users in some regions.

NEW PRIORITIES FOR LAND TRANSPORT

A major change to transport policy was spelt out in the New Zealand Transport Agency's priorities for 2009-2011. Planning for and delivering corridors and roads of national significance heads the list, with improving the efficiency of freight movements and improving customer service and reducing compliance costs also in the top five. The new priorities contrast strongly with the previous Government's focus on environmental impact and increasing the use of coastal shipping and rail to move freight.

In its submission on the Government Policy statement the Forum reiterated the need for value for money and economic efficiency as key criteria in determining transport spending.

The Government's new direction and the transport policies it released in March take up many of the initiatives the Forum has consistently promoted with the Government, the Minister and his officials in meetings and papers over the past few months.

ALTERNATIVES TO ROADS POLICY ENDED

Subsidies to shift freight from road to rail have been axed by the Government, after the New Zealand Transport Agency approved a \$1 million subsidy to rail logs to Wellington without going through the consent process. The Forum had previously had two decisions by regional councils to apply for Alternatives to Road Funding rejected.

The rail operators have now been firmly told that they should fund their operations from customer revenue and that all investments in the rail network are expected to provide a commercial rate of return. Subsidies will be a matter of last resort and where there is clear evidence of a decent return on taxpayer's money. The Forum has consistently raised the economic inefficiency of paying rail to take freight away from commercially-run trucking companies.





CoF BRAKE TESTING

Well documented evidence of inconsistencies and incorrect procedures in applying the new heavy vehicle brake test in CoF inspections from the Forum persuaded the New Zealand Transport Agency to order a thorough revision of the way the tests are conducted.

This included requiring all roller brake machines to have their calibrations confirmed or reconfirmed. All inspection sites with in-ground roller brake machines have the calibration error values available and uniform training for all inspectors operating these machines to ensure test procedures are generally consistent throughout the country.

ROLLER BRAKE TESTING WHEEL IMBALANCE

Fact finding and a determined approach got the New Zealand Transport Agency to lift the left-right brake imbalance threshold in a CoF brake test from 20% to the international 30% standard. This was a major win for members as the more stringent New Zealand test produced a higher failure rate and greater costs for operators.

Persuading the New Zealand Transport Agency to adopt the EU standard took an unacceptable amount of effort and time. The Forum was forced to contact a wide range of overseas organisations, including testing agencies, buy copies of international standards so it could show the Agency exactly what overseas countries require and even talk to brake lining manufacturers before the Agency would listen.

ROADSIDE BRAKE TESTING

Trucks that severely fail roadside brake inspections now won't get taken back to a 39 tonne gvw and issued an overweight offence notice, as long as the combination can operate at 44 tonne by the Rule rather than by permits. The Forum successfully took up the issue with the CVIU after complaints from members, especially in Northland, Waikato and the Bay of Plenty.

The CVIU also agreed to review a number of cases to ensure operators are getting a fair deal on such offences.

NATIONWIDE CoF TESTING COVERAGE

The New Zealand Transport Agency has been left in no doubt that any significant reduction in the spread of Certificate of Fitness testing stations is unacceptable. The Forum is working with the New Zealand Transport Agency to make sure the 30 minute or 40 kilometre minimum requirements, set at the Forum's instigation in 2007, continue and, where there are sufficient trucks in a catchment area, the existing testing services must be maintained or other providers should be allowed to take over from them.

STOCK TRUCK CoFs

A realistic solution to the problem of brake testing stock trucks at facilities without tie down provisions was reached by the Forum with the New Zealand Transport Agency agreeing trucks could be roller-brake tested unladen at both main and off-site service providers. The concession potentially saves members operating stock trucks considerable savings in time and travel costs.

CoFs & LOW PRESSURE WARNING DEVICES

A high pressure approach from the Forum persuaded the New Zealand Transport Agency to change the Vehicle Inspection Requirement Manual section on positioning of low pressure warning device (LPWD) sender units so that vehicles will be inspected as they had been before the new Brake Rule was introduced. This solved the problem of trucks failing CoFs because of what was deemed as incorrect positioning of the sender units.

EXTRA REST BREAK SENT BY-BYES

Members were saved the added cost and inconvenience of scheduling an extra rest break into their drivers' work day through a co-ordinated campaign by the Forum, the Bus and Coach Association and Business New Zealand that won a last-minute change to a Government bill.

A proposed change to the Employment Relations Act included a provision entitling employees working more than eight hour days extra breaks which effectively overrode the Worktime and Logbook Rule. NZ First's transport spokesperson was persuaded to move an amendment effectively exempting commercial drivers which ultimately was passed unopposed.

SPEAKING UP FOR MEMBERS

Detailed submissions on proposed changes in Government policy and new or amended rules and laws affecting the transport sector ensured that members' interests were clearly and thoroughly represented to officials throughout the year.

These formal submissions were followed up by further discussions when necessary to make sure the industry's preferred outcomes were fully considered throughout the drafting process.

OVERSEAS DRIVERS

Retention of truck drivers from overseas in the latest Department of Labour review of the Immediate Skills Shortage List was a significant win for members and the Forum as over 40 other trades were removed.

The Forum will continue to seek to safeguard members' right to employ overseas drivers and vigorously press for them to be included on the Long Term Skills Shortage List as well.

The Forum's position is that while the immediate need for overseas drivers may have slackened, the demand for road transport will grow strongly over the coming decades as the economy recovers and unless action is taken now, New Zealand will find itself with a significant driver shortage again in a few years time.

COMPULSORY THIRD PARTY INSURANCE

Exhaustive analysis of the benefits and disadvantages of compulsory third party insurance established that it would not significantly increase the number of insured vehicles or reduce the financial impact on members of not-at-fault accidents. Despite the superficial attraction of compulsory insurance, coverage costs could be increased not decreased and repairs to damaged vehicles delayed.

The Forum argued the proposal should not proceed. The Government has taken no action on compulsory insurance requirements.

LOWER ALCOHOL LIMITS

Lowering the legal blood alcohol level for drivers won't reduce drink-driving offences or accidents the Forum said in its submission on the proposed Ministry of Health's National Alcohol Action Plan which suggests evaluating lowering the permissible levels for commercial drivers.

Road crash statistics prove that people who exceed the current limits are the problem and more likely to be involved in both offences and accidents the Forum said. Lowering the limit wouldn't affect their behaviour, but it would increase the police's workload, annoy the general driving public and wouldn't help target drivers of obvious concern.

There's also no evidence supporting singling out commercial truck drivers and there would be little benefit in doing so, given commercial drivers are a very small proportion of the driving community.

The Ministry is still considering its position.

VEHICLE EQUIPMENT NOISE

Proposed changes to the way vehicle noise levels are measured should be modified to recognise the reality that heavy vehicles will operate in environments that generate more noise than the manufacturer's noise values state the Forum said in its submission.

The Forum recommended that for NB and NC vehicles the drive-by test exclude noise caused by ancillary equipment on the vehicle, or that the tests results reflect the manufacturer's limits for the form in which the vehicle was tested.



ACC LEVIES

ACC should not be increasing its levies while it is reporting strong surpluses the Forum said in response to ACC's proposed increases for the 2009/10 year. The problem is that ACC as a state-run monopoly can continually overcharge as there is no alternative for consumers to consider.

The current funding difficulties, which arose after the Forum's submission, now raise significant questions about the ability of ACC to accurately forecast its own profitability and the level of fees it actually requires to discharge its duties. The Forum supports a return by ACC to its core function of accident compensation only.

The final decision was that the levy rates for the self-employed and employers would not increase overall, although the levy rate for non-work claims for employees was increased by around 20%.

HANDHELD CELLPHONE USE

Banning use of handheld cellphones while driving was supported by the Forum because of the clear link with increased accidents by other road users, potentially involving truck drivers. The Forum pointed out the difficulty an enforcement officer might have distinguishing use of a hands-free kit from operating other dashboard mounted equipment.

Hearing impaired truck drivers should also be allowed to continue to use hand-held phones with a medical or audiologist's certificate.

CRANE CODE OF PRACTICE

Owner/operators should continue to be able to carry out annual maintenance inspections of truck loader cranes the Forum said in its submission on the Approved Code of Practice for Cranes. The Forum also questioned why 0.9-tonne metre cranes have become the default capacity for differences in inspection criteria when it was five tonne metres previously.

No decisions have yet been made by the Department of Labour.

WORKING WITH OTHER ORGANISATIONS

Active collaboration with other organisations with shared interest in the Forum's preferred outcome gave added weight to the position the Forum took on a number of issues affecting members. Where such issues arise the Forum can harness the contacts it has built up to maximise the effectiveness of its representations on behalf of members.

LOG TRANSPORT SAFETY ACCORD

Significant positives were achieved for logging operators in the new log transport safety accord negotiated by the Forum and the Log Transport Safety Council with the NZ Forest Owners Association and the NZ Farm Forestry Association. The accord recognises the importance of contracts which support continued investment in health and safety and training. The need to minimise delays when loading and unloading and at checkpoints and to seek to maximise efficiencies within the supply chain is acknowledged.

The Council's role in reviewing truck and trailer manufacturing standards and dimensions to improve safety standards was supported as are appropriate changes to vehicle weights and dimensions. The parties have also agreed to work together on roading priorities and with central and local government on improving roading standards.

ANIMAL WELFARE CODE

A united approach was also taken by the Forum and the National Livestock Transport and Safety Group to the draft Animal Welfare (Sheep and Cattle) Code of Welfare. The Forum pointed out inconsistencies with the animal transportation requirements in the Transport Code and also sought clarification of the sections referring stock standing and speed of transport.

NATIONAL ANIMAL IDENTIFICATION AND TRACING

Close consultation with the National Livestock Safety and Transport Group led to successful opposition from the Forum to any involvement by stock truck operators in the proposed National Animal Identification and Tracing (NAIT) scheme. The Forum said that including them in the scheme could result in consignors and consignees delegating their responsibilities to the contractors employed to provide transportation. This would not assist the NAIT scheme to achieve its objective.

Stock truck operators should simply remain a service provider and only responsible for the safe transport of animals.

The result is that it was agreed stock truck operator should have no formal responsibilities under the scheme.

SOUTHLAND EFFLUENT SITES

The determined front presented by NZRTA Region 5 and the Forum to the Southland Regional Council's decision to prosecute operators for effluent spills while failing to provide disposal sites has brought a positive outcome. Environment Southland arranged for temporary disposal sites to be available and, with NZRTA Region 5 support, undertook an active information campaign to make sure farmers were aware of the obligation to stand their stock. Longer term the Council is committed to providing six permanent disposal facilities in the region.

The outcome has been positive with the Council reporting that this year's "Gypsy Day" was one of the cleanest ever.

INDUSTRY IMAGE

The positive contribution the commercial trucking sector makes to the economy and the lives of all New Zealanders was again actively promoted throughout the year.

As well the Forum leveraged its reputation as the voice of road transport and its longstanding relationships with the media and other industry organisations to quickly counter any adverse comment about the road transport industry and its activities.

INFLUENCING ELECTION POLICIES

Briefings and meetings with all the major political parties in the lead up to the election ensured that they were fully informed of the trucking industry's perspective on land transport as they were developing their election policies. Associations were also supplied with briefing papers on national issues and were encouraged to supplement the Forum's efforts through meetings with their local candidates.

MPs' TRUCK SAFETY AWARENESS DRIVE

Greater understanding of the role of the road transport industry, the issues it is facing and the skill needed to drive a large truck were the universal reaction of the MPs who took part in the Forum's Truck Safety Awareness Drive this year. All of the MPs agreed that the Drive gave them an insight into trucking they would not otherwise have got.

Giving MPs a grass roots view of the trucking businesses and the way it operates helps build a more informed and receptive attitude among parliamentarians when they are considering legislation affecting the industry.

CYCLE SAFETY PROTOCOL

Members' commitment to improving road safety was highlighted on the safety protocol agreed with Cycle Tour Operators of New Zealand. The protocol sets out in broad terms how cyclists and other truck drivers should behave towards each other on the road.

The tour operators association is very positive about the value of the protocol and the Forum has been able to point to the protocol as evidence of the responsible attitude the industry is taking towards bike riders when there has been criticism of road user behaviour generally from cyclists.

MEDIA RELATIONS

As the authoritative national representative of the road transport industry, the Road Transport Forum continued to be an automatic contact for media seeking comment on roading and transport issues. This ensured the Forum could provide informed comment on the industry's point of view on transport policy or to balance the public's perception on any areas of national controversy involving trucking.

A policy of targeted releases and media contacts focused on topics of major importance to members and the industry helped maximise the exposure the Forum achieved for the measures it wanted covered throughout the year.

SPEAKING OUT

Opportunities to present the industry's perspective on transport policy and issues and to point up its contribution to the country at conferences and seminars were fully exploited. As well as providing a platform for developing a deeper knowledge of the industry, these events enabled the Forum to expand and reinforce its network of contacts among influential business, local government and other sector organisations.



COMMUNICATIONS

Keeping members fully informed about transport policy, regulatory and law changes and the Forum's actions to promote the viability of the road transport industry continued to be a priority for the year. The Forum's range of publications gave members unique access to policy and enforcement decisions which could have a major impact on the way they run their businesses.

DRIVING THROUGH THE DOWNTURN

To help members make sure their businesses were in the best possible position to weather the recession, the Forum commissioned experienced road transport accountants, Grant Thornton to produce a practical guide for members. Designed to assist members in assessing the risks their businesses were facing and to work out the actions they could take to keep their businesses going and ready for the upturn, the guide won praise from other sectors for the useful information it offered.

TRUCKING BRIEF

A concise wrap up of major developments over the previous month, Trucking Brief kept members up to date on proposed changes to key legislation and rules as well as advice on implementation and enforcement practices.

CIRCULARS (SPONSORED BY LUMLEY)

With detailed information on new policy, rules and regulations plus advice on how they will be put into practice, the Forum Circulars offered members guidance on issues and requirements which can have a major impact on their operations. Based on the Forum's own expert knowledge of transport matters, the Forum circulars gave members a way to save time, avoid compliance hassles and often the cost of getting outside advice.

TRUCK & DRIVER

New Zealand's best selling trucking magazine, Truck and Driver provided members with indepth analysis of key issues and developments throughout the year. As well members got industry news, truck reviews and insights into the way other operators run their businesses.

www.rftnz.co.nz

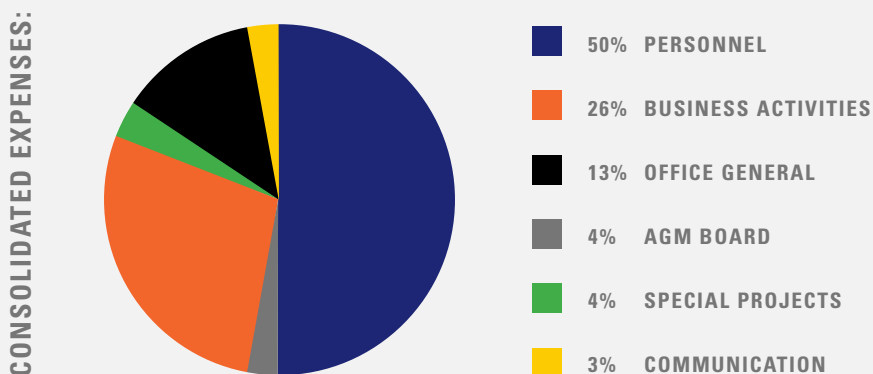
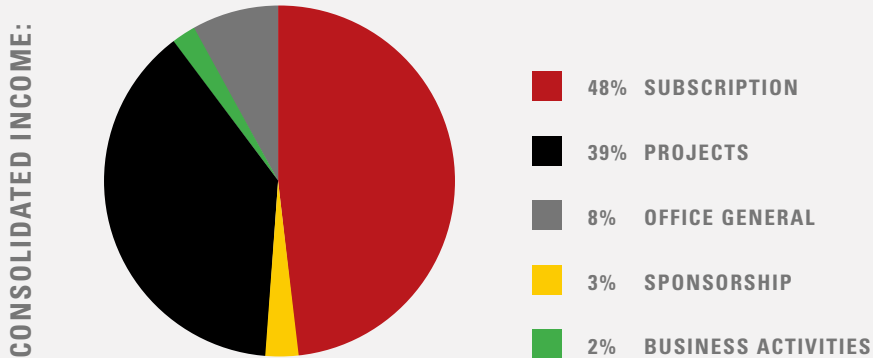
An always available ready-reference source, the Forum website offered instant access to members needing the Forum's technical advice or wanting to know the Forum's position on key issues affecting the industry. The Forum website was also an important source of information for the media and for members of the public wanting to know more about the industry.

RTFNZ DELOITTE INDEX

An invaluable tool for tracking movements in nine key costs centres, the RTFNZ Deloitte Index was revised this year to minimise the lag between fuel data collection and publication to give members the most up to date changes possible at the time of publication. In the current economic climate, the Index continues to be a useful guide for members wanting to keep track of cost movements across the industry and for use in adjusting rates for their own businesses.

FINANCES

Prudent financial management and targeted cost cutting enabled the Forum to significantly reduce its outgoings while maintaining its level of service for members throughout the year. As a result the Forum remains in a sound financial position despite reduced subscription levels.



OBITUARIES

NATIONAL ROAD CARRIERS

Merle Clendon	Len French	Hugh Thomas	Malua Tapuvae
Noel Mason	Ray O'Neil	Royce Huggins	Frank Foster
Kevin Kitto	Cliff Guy	Bevan Short	Guy Spurr

CENTRAL AREA ROAD TRANSPORT ASSOCIATION

Peter Barrett	Brian Flowers	Brian Hansen	Alan (Podge) Pinfold
Tuaru Reatihu	H F O'Brien Reeve	Barry Renau	

NZRTA REGION 4

Hugh Garner
Trevor Solly

NZRTA REGION 5

Kevin Duncan



Back row: Kerry Arnold, Technical Manager, Annie Stuart, Secretary/Receptionist, Mark Ngatuere, Senior Technical Analyst, Clive Litt, Communications Manager
Front row: Deirdre Doyle, Accountant, Tony Friedlander, Chief Executive Officer, Helen Slater, Secretary



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