



# **Ordinary Meeting of Council**

**23 January 2019**

**UNDER SEPARATE COVER**

**ITEM 12.8 ATTACHMENTS**

**QUEANBEYAN-PALERANG REGIONAL COUNCIL  
ORDINARY MEETING OF COUNCIL**

**ATTACHMENTS – 23 January 2019 Page i**

|              |   |           |
|--------------|---|-----------|
| Item 12.8    | Adoption of the Shopping Trolley Management Plan                                |           |
| Attachment 1 | <i>Summary of Submissions on Draft Shopping Trolley Management Policy .....</i> | <i>2</i>  |
| Attachment 2 | <i>Draft Shopping Trolley Management Policy .....</i>                           | <i>13</i> |



Summary of Submissions

| Reference   | Submission   | Recommended Action   |
|---|--|--|
| Document Title  | The scope of the Policy appears to be primarily the management of shopping trolleys and therefore we suggest that the reference to general litter be removed.  | Agreed – Policy Amended  |
| Document Title  | Rename the document - “Shopping Trolley and Litter Management Policy for Retailers”  | The inclusion of the word Retailers is agreed.<br>Makes it clearer who the policy relates too.   |
| Litter  | Add a specific section for Litter Management.  | Noted – Waste management is a large issue and could be separately considered if necessary with a Waste Management Plan, as required by all new developments. Litter management to be removed from Policy                           |
| Section 2, legal advice on a trolley being defined as litter. | Irrespective of legal advice, a trolley is an item of value for “the store” that is clearly labelled with “the store” branding, enabling any Council officer to easily identify a “store” trolley and inform “the store” of the location so that it may be collected. Given the existing ability of Council to impound trolleys under the impounding Act, can Council please clarify why the classification of a trolley as litter under the POEO Act is also necessary for the purposes of this Policy? | Retailers who are providing trolleys without an appropriate management system may be issued a Prevention Notice under the POEO Act 1997, on the basis that the trolleys constitute ‘littering’ within the meaning of the POEO Act. |
| New Definition  | Add “Retail Landlord” – means the owner of the land on which a shopping centre is situated.  | Agreed - Policy Amended.   |
| Section 6 - Minor wording changes                             | It is an offence to <b>abandon a shopping trolley in a public place.</b>   | Agreed – Policy Amended  |
| Section 6 - Minor wording changes                             | Insert – Retailer <b>and Retail Landlord</b> Requirements.   | Agreed – Policy Amended  |
| Section 6 - Minor wording changes                             | Retailers , <b>subject to receiving consent from the Retail Landlord</b> , must place signage warning people against taking shopping trolleys outside the shopping centre precinct.  | Agreed – Policy Amended  |
| Section 6 - Minor wording changes                             | Retail <b>Landlords</b> control the provision of trolley bays and so this is not a remedial step that “the store” is able to implement.  | Agreed – Policy Amended  |

12.8 Adoption of the Shopping Trolley Management Plan  
Attachment 1 - Summary of Submissions on Draft Shopping Trolley Management Policy (Continued)

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| Section 6 - A coin/token system or perimeter control | Note that any such system will take time to implement. Additionally, a retailer who implements one of these systems will be at a commercial disadvantage if other retailers do not also implement a system.     | Noted  |
| Section 6 – Community Education                      | Leave trolleys <b>only in Trolley bays</b> . Original wording inconsistent with intent of Policy.   | Agreed – Policy Amended  |
| Section 6 – Community Education                      | Removing rubbish before returning trolleys. “Store” position is that Council should be responsible for directing these messages to the community.   | Not supported – Litter within the trolley in the carpark is a store litter management issue. Bins are required to be accessible in the carparks.   |
| Section 6 – Community Education                      | Retailers encouraged to provide publicity for trolley collection service. It is not clear what is meant by this. Can Council please provide an explanation?.  | Stores which have a contractor for offsite retrieval trolley collection should make the details (the App, or telephone number) easily accessible to the public. This may be on the handle of the trolley, on the store receipt or stamped onto the trolley etc   |
| Offsite retrieval                                    | <p>Failure to collect shopping trolleys within a reasonable time.</p> <p>Can Council please clarify under which legislation provision would this be an offence and what will constitute “reasonable time”?.</p> | <p>The POEO Act is the legislative provision however it does not define the meaning for “reasonable”. Dictionary reference generally means not greatly less or more than might be expected.</p> <p>A distinction between the CBD (including the river foreshore) and outer lying areas has been created.</p> <p>Council accepts 24 hours as a reasonable “<b>un-notified</b>” time to have shopping trolleys collected from the CBD and River parkland. A map has been included identifying this area.</p> <p>For outer urban areas, Council accepts a 24 hr “<b>notified</b>” collection of Shopping Trolleys in public places.</p> |

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|   |  | <p>Notified means submitted to the store or trolley collection contractor by App or phone.</p> <p>Policy to be Amended to provide for above.</p>  |
| Fees and Charges                          | <p>Inclusion suggested:<br/>A retailer will be exempt from the impoundment fee, or any other fines, if the shopping trolley has been fitted with a coin/token operated system with refund or the retailer has implemented perimeter control systems.</p>   | No change.  |
| Retail Landlord Consents                  | <p>Inclusion suggested:<br/>A retailer will not be in breach of this Policy or any related legislation if any requirement set out in the Policy or legislation requires consent of a Landlord and that consent is not received despite the Retailer's best endeavour to obtain such consent.</p>   | <p>The retailers "Shopping Trolley Management System" should be adapted to provide a best trolley recovery situation for that particular store. If the landlord does not allow certain devices or containment, then another solution must be provided to ensure retrieval of trolleys.</p>  |
| Shared or Council paid Trolley collector. | <p>I was walking around town this morning and noticed the number of abandoned trolleys either thrown into the river or just left on the side of the road and thinking it would be good to get some focus on this - there are 3 at the low level bridge, one on the river bank near the Leagues Club and one in the river near the suspension bridge. Coles have a coin operated system for their smaller trolleys but not all trolleys and it might be too costly to re-engineer all trolleys in this way (same for Woolies and IGA, etc). I have noticed Coles have an operator who drives around the immediate precinct and collects abandoned Coles trolleys. Maybe there can be an operator paid by all the supermarkets who drives around a wider area collecting trolleys.</p> <p>Consumers are hopeless at following instructions so no matter what policy is put in place it is likely to be ignored by them.</p> <p>I am not sure how the supermarkets could adequately police the policy in any effective manner.</p> <p>If Council is forced to retrieve trolleys, say from the river, then they could be returned to the supermarket for a fee (say \$50 each) as an offset for the cost involved. Council workers get around town more than most so it could be incorporated into the litter patrol, garden &amp; lawn mowing or something similar.</p> <p>Nevertheless, I like the draft policy.</p> | <p>This concept was raised at the 14 November Meeting, with the following resolution:</p> <p><b>That a further report be bought back to Council on the costs and issues associated with employing a Council staff member to carry out trolley collections within Queanbeyan.</b></p> <p>The retailer response to this concept raised numerous concerns, most importantly about safety of the customers. The arrangement they have with trolley collectors is to inspect and confirm the safety and good working condition of it's trolleys. Also the following points:</p> <ul style="list-style-type: none"> <li>Operational efficiency and confusion from operating two arrangements concurrently;</li> </ul> |

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|                  |   | <ul style="list-style-type: none"> <li>• Calculation and substantiation of fees;</li> <li>• Reporting on collection of trolleys; and</li> <li>• Potential contraventions and entitlements of personnel providing trolley collection services at the store.</li> <li>• Another Council trialled this type of arrangement and it was not successful.</li> </ul> <p>No change proposed at this stage.</p> |
| Perimeter System | In Port Macquarie 'Coles' uses a perimeter control systems and it works very well. Retailers must be held accountable for their trolleys.   | Noted  |
|                  | Pay a return fee, like the empty plastic bottles which apparently has been a success.   | Noted  |
| Litter           | <p>Living in Wamboin I am not overly affected by the litter policy, but I am happy to give some comments:</p> <ul style="list-style-type: none"> <li>- In Sect 1, it mentions "other forms of litter", however the policy does not discuss anything other than shopping trolleys.</li> <li>- At Sect 2. The policy only deals with Queanbeyan. Perhaps expand to include Bungendore and Braidwood too. Also abandoned and unattended trolleys are mentioned, but what about shopping trolleys being misused? This would open the policy to cover trolleys stolen by vagrants, joy-riders etc.</li> <li>- Sect 3. 2. has a typo.... 'address on'</li> <li>- Sect 3. 4. This covers Council staff, but perhaps members of the public need to be covered too.</li> <li>- Sect 6 Retailer Requirements.</li> </ul> <p>perhaps the signage needs to include a contact number for members of the public to report abandoned trollies.</p> <p>allowing trollies to be taken to nearby public transport points seems at variance to dot point 2 and Community Education dot point 1.</p> <ul style="list-style-type: none"> <li>- Sect 6 Impounding. It might be a little unfair to penalise the retailer when the policy has already identified the customer is responsible for the abandonment. Perhaps the retailer should be penalised if they don't act in a reasonable time.</li> </ul> <p>General. There is a degree of repetition throughout.</p> | <p>Comments and suggested corrections noted.</p> <p>Litter to be removed from Policy.</p> <p>Program only relates to Queanbeyan where problem is significant.</p>  |

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|                                 | <p>Thank you for ability to comment on the Shopping Trolley and Litter Management Policy.<br/>                 My comments are:</p> <ol style="list-style-type: none"> <li>1. In the Policy section consider adding the following: Abandoned shopping trolley can also be a road safety issue as a hazard and potential crash risk when left on the road or road reserve.</li> <li>2. In Section 5 - Legislative Obligations - consider adding the legislation Roads Act 1993 which is the act that gives Council the responsibility of being a road authority</li> <li>3. In section of Retailer Requirements - consider adding the requirement that all trolleys should be labelled with the retailers name</li> <li>4. In section on Community Education where there is a list of what retailers are encouraged to develop one treatment to consider is the installation of pavement markers at exit points that can prohibit the removal of shopping trolleys</li> <li>5. With regards to a Retailer being required to develop a Trolley and Litter Management Plan does this extend to Retailer's responsibilities in car-parks and with the return and earn machines - these machines generate an extra amount of litter, they are situated in car-parks - in Woolies car park at Jerra Woolies aren't responsible for the return and earn but they would be responsible for the trolleys. But the return and earn generates litter - would a litter management plan be required by the management of Jerra shops</li> <li>6. I'm not sure the financial burden of making a coin/token operated a 'must' is fair - some retailers with trolleys shoppers don't expect to have to provide a coin - such as target or best and less.</li> <li>7. One of the nice things about shopping in Queanbeyan and NSW is that you don't have to pay for the trolleys with a coin deposit.</li> </ol> | <p>Agreed – Policy Amended.</p> <ul style="list-style-type: none"> <li>• Roads Act included</li> <li>• Road risk included.</li> <li>• Labelling of trolleys included</li> </ul> <p>Regardless of return and earn machines, retailers or the retail landlord are responsible about litter management in their carpark. Council can order clean-ups at any time.</p> |
| <p>Monitoring and Reporting</p> | <p>The objectives of the Policy are pretty sound.</p> <p>The policy is short on evidence. How many abandoned trolleys have been collected by Council or reported by the public over time? Is the problem getting worse?</p> <p>How many retailers use them in the QPRC area? I suspect not many (3 in the town centre: 1 at Jerrambomberra; 1 at Googong? 1 in Bungendore?)but knowing the number of retailers involved is crucial in assessing the performance indicators.</p> <p>A key point is that the trolleys must be marked with the owning retailers name and store location so</p>   | <p>Noted</p>   |



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|  | <p>that any necessary action can be directed to the correct store. I think most are so marked as they are not a free resource for the retailer. All of those I see on nature strips etc are from Coles or Woolworths: I suspect Aldi trolleys are not discarded because of the deposit requirement. That should be imposed on Colesworths as well.</p> <p>What has happened in the ACT following their imposition of a requirement for deposit on trolleys? Has it cut down the number of abandoned trolleys? (From what I see around ACT there has been a big drop in abandonment.)</p> <p>In addition to the sanctions listed QPRC could have a name and shame policy: a monthly report naming the retailers and list the number of trolleys picked by - or reported to - QPRC staff. Require retailers to post this by each door into their premises.</p> |                          |
| Coin/token system  | All stores to use the same trolley program as used at the Airport and Aldi stores<br>Coin in slot.   | Noted                    |
| Disabled Access  | You policy preamble has completely ignored the impact on the disabled and in particular, visually impaired and blind people. It seems very sad that you do not take us into consideration when explaining this stuff to the community. It was the council access committee who raised it in the first instance. On a more positive note, it is pleasing to see retailers implementing a deposit system. Aldi trolleys are much less prolific than those of other supermarkets and the main reason seems to be the deposit system on face value. Please consider including comments about the impact on disabled people as it is much more hazardous to be obstructed if you cannot see the obstruction or you are unable to move it yourself.  | Agreed – Policy Amended. |
| Coin/token system or perimeter control<br><br>Subsidise Home Delivery for disadvantaged. | <p>Council could mandate coin trolleys. If such a trolley is abandoned people could return it to obtain the 'refund'.</p> <p>Fine the owner of the trolley and/or the trolley collector/contractor.</p> <p>Install an underground barrier that causes the trolley's wheels to lock up when it crosses the barrier.</p> <p>Those who 'need' to use a trolley to transport their groceries home could have the cost of having their groceries delivered subsidised or donated by council or community group, or a volunteer or team of volunteers could be rostered to bring the groceries home - maybe someone like Uber could sponsor the service.</p> <p>Some combination of the above may also be workable</p>   | Noted                    |

12.8 Adoption of the Shopping Trolley Management Plan  
Attachment 1 - Summary of Submissions on Draft Shopping Trolley Management Policy (Continued)

|                             |   |   |
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| Consultation                | <p>The draft policy is comprehensive, clear and fair.</p> <p>There is a reference early in the policy for signs put up by shops to "warn" shoppers about returning trolleys. I don't understand why the ward warning is used as no punitive action is proposed in the strategy. Perhaps this should be reworded.</p> <p>It would be good if extra effort is made to pass this draft policy to all relevant shops for their input.</p>   | Agreed – Policy Amended with the words "be aware" |
| Coin/token system           | It should be mandatory that a deposit be required to obtain a trolley. For example Aldi has the system where a \$2 coin is inserted into the trolley and is retrieved when the trolley is returned. Across the border at Coles in Manuka they have implemented an identical scheme.   | Noted   |
| Assistance to Home Delivery | To better support residents – add under Retailer Requirements – Businesses are urged to adopt policies that aid customers who are unable to easily get their shopping home or to a nearby car park or public transport stop. These incentives could include free home delivery – possibly on certain days and/or to certain groups (Aged Pensioners, disabled persons, etc), or direct assistance to individuals. Retailers to report these incentives to Council who may then recognise them in an appropriate way (Certificate of commendation, etc).                                       | Agreed – Policy Amended                           |
| Behaviour Change            | In theory the Policy is sound, particularly on the retail side of the coin. The ideal for individuals is to change their behaviour but a Policy can't do that if those people don't want to change.   | Noted   |
| Coin/token system           | Yes I agree this suggests a lack of pride in the community. I saw some in the creek near Spotlight. The \$2 refund for returning trolleys is obviously not enough or do some supermarkets not have this facility? If not it should be compulsory or they have to Employ someone to collect.   | Noted   |
| General Litter              | Any suggestions about removing the building rubbish from the new housing estate off Duncan St Braidwood which is blowing over the fence onto the rural property Bedervale. It is getting worse and didn't look good for the historic Bedervale house and garden opening over the Braidwood Festival week end. The original DA stipulated 25 metres of screening from both parties and from the developer a mesh fence for the safety containment of people and dogs from the grazing property next door. Plastic dangerous to the cattle and human health had not occurred then as a problem. |   |

12.8 Adoption of the Shopping Trolley Management Plan  
 Attachment 1 - Summary of Submissions on Draft Shopping Trolley Management Policy (Continued)

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| <p>Coin/token system,<br/>Perimeter system</p> <p>Bridge Modifications</p> | <p>Far too many shopping trolleys are scattered around Queanbeyan by careless and irresponsible people. They are often pushed into the river by anti-social idiots. There are 3 below the Morisset Street bridge today alone. Others present a hazard to pedestrians and motorists as well as a clean-up cost to the QPRC.</p> <p>I fully support any efforts to restrict the travel of shopping trolleys.</p> <p>A coin operated lock system is one idea that seems to help at Aldi.</p> <p>Perimeter wheel lock devices seem to work at my home town Tesco in the UK.</p> <p>Extend the barrier on Morisset Street bridge to restrict access to the concrete slope into the river. I have suggested this to the QPRC before but apparently to no avail.</p>   | <p>Noted</p>  |
| <p>Sunday Collections</p>  | <p>Most Monday mornings the footpath on main road is covered in trolleys making it hard to even walk past. The shops are obviously not hiring people on the Sunday to do collections from outside. The trolley people when here are often rude to the shoppers, block you in the car park with their ute and trailer.</p>   | <p>Noted</p>  |
| <p>New Developments</p>  | <p>The priority purpose of this policy being to promote the responsible management of shopping trolleys is acknowledged, however there is significant lost opportunity in not considering and applying similar policy to litter more generally.</p> <p>With DAs for McDonalds and KFC in the new Poplars development currently under consideration, the time to apply such policies as a condition of approval is now.</p> <p>Similar requirements for the business to take responsibility for litter originating from the premises could be applied to litter as for shopping trolleys.</p> <p>Proactive positive engagement between Council and the developers could result in a mutually beneficial arrangement involving shared contribution to local environmental management.</p> <p>Thank you for your consideration.</p> <p>Best regards,</p> | <p>Noted - Requirement for Waste Management Plans and considerations during development</p> |



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|   | <p>independence as much as possible – even if this means using a trolley to get their groceries back to their place of residence. I request that the policy needs to take this into account and find a way that it is not illegal for seniors and the aged population to use a trolley in this way. Are there other community groups who also need their needs considered in a similar way?</p> <p>Finally I note that the performance indicators for the policy. I note that they are listed as measures of effectiveness and do not mention efficiency. As per the comments above, efficiency may also need to be considered in terms of cost. There is no indication of how frequently the performance measures will be reported or the impact of non compliance. These factors may also need to be considered.</p> <p>Thanks again for the opportunity to comment.</p> |       |
| Coin/token system                                 | Make the shopping centres only provide coin operated trolleys like Aldi do.  | Noted |
| Coin/token system                                 | I strongly support the system used by Aldi in terms of requiring people to pay to use a trolley and then being reimbursed when they return it - we have seen this working extremely well in relation to return and earn for containers, a financial incentive to return trollies is likely to be seen as a way to earn money by many community members. I also believe shops have a responsibility to do a lot more than they currently do about management of rubbish in and around trollies - the car park at the back of Kmart in Queanbeyan for example is a disgrace. Thanks for the opportunity to comment.  | Noted |
| Coin/token system<br><br>Trolley Round Up Service | <p>There are too many shopping trolleys around Queanbeyan, if they are not left outside someone's house, they are just forgotten about and no-one reports them and they are not collected. The trolleys are a blight and suggest that the city does not care about its appearance.</p> <p>I think QPRC should pursue a two-pronged strategy with the trolleys: it should require that a deposit is paid for them, as currently happens at Aldi, and it should operate a trolley round-up service, with council collection vehicles checking for, and collecting, trolleys from all QPRC streets. The council round-up service should be paid for by the trolley owners. The deposit system, alone, will not be enough.</p>   | Noted |
| Coin/token system                                 | If people need to pay \$2 to use a trolley they would be more likely to put it back. I see many people pushing them around Queanbeyan and then abandoning them for others to missuse.  | Noted |





# Shopping Trolley Management Policy for Retailers

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| <b>Date policy was adopted:</b> |                   |
| <b>Resolution number:</b>       |                   |
| <b>Next Policy review date:</b> |                   |
| <b>Reference number:</b>        | C195237/ SF070632 |

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## Shopping Trolley Management Policy for Retailers

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### 1. OUTCOMES:

The purpose of this Policy is to provide a guide as a more responsible course of action for Council staff, retailers, developers and the community on how to manage shopping trolleys. The primary intent is to reduce the problem of shopping trolleys being abandoned or left unattended in public places.

### 2. POLICY:

QPRC has specifically noted the ongoing proliferation of abandoned shopping trolleys across Queanbeyan urban areas, the impact of abandoned shopping trolleys on the visual environment, the danger presented to the natural habitat of the Queanbeyan River (particularly the platypus) and the propensity for improper use by some in the community. Litter detracts from the amenity of public spaces and reduces the value of our natural environment.

Council in consultation with retailers has explored options to dramatically reduce the number of abandoned shopping trolleys in Queanbeyan.

Where customers are not deterred from taking trolleys away from the vicinity of the retailer there is a reasonable likelihood that trolleys will be abandoned in public places or open private places and surveys indicate that the trolleys are being deposited in a disorderly manner, therefore satisfying the definition of 'litter'. Legal advice has confirmed that shopping trolleys that are discarded or abandoned away from their originating retail precinct are a form of litter, and, because of their size, they are a particularly visible form of litter.

Abandoned shopping trolleys left unattended and disorderly in streets, reserves and roadsides are affecting the visual amenity of Queanbeyan. They have a particular impact on access for the disabled and in particular vision impaired and blind people as it is more hazardous to be obstructed if you cannot see the obstruction or you are unable to move it yourself. Abandoned shopping trolleys can also be a road safety issue as a hazard and potential crash risk when left on the road or road reserve and have an environmental impact once they enter drains and waterways; possibly harming aquatic animals, such as platypus. Improper use may be associated with antisocial behaviour, a liability risk injuring passers-by, damaging motor vehicles or property.

### 3. SCOPE OF THE POLICY:

To work with shopping trolley providers to implement effective shopping trolley management systems.

- a) To recognise and respond to community expectations in minimising the problem of abandoned shopping trolleys from retail businesses.
- b) To guide retailers and shopping centre management on the on-going expectations for management of shopping trolleys and incorporation of trolley containment systems that encourage confinement of trolleys on the premises.
- c) To ensure retailers and shopping centre management address on the on-going expectations for litter management on their premises.
- d) To provide a procedure for Council staff in dealing with abandoned shopping trolleys.
- e) To minimise the potential safety hazards posed by abandoned shopping trolleys.



## Shopping Trolley Management Policy for Retailers

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- f) To protect the visual amenity of Queanbeyan CBD and streetscapes from abandoned shopping trolleys.
- g) To maintain the balance between the convenience of the provision of shopping trolleys and the responsible use and return of trolleys by building relationships with local retail shopping trolley providers and shopping trolley users.

#### 4. DEFINITIONS:

**Litter** - is broadly defined in the Protection of the Environment Operations Act 1997 (POEO Act), as any material, substance or thing deposited in or on a place if its size, shape or nature makes the place where it is deposited disorderly or detrimentally affects the proper use of that place.

**Open private space** – (a) a private place that is situated in or on land and that is not within a building on the land, or (b) a private place that is situated in or on waters.

**Public land** - means any land (including a public reserve) vested in or under the control of the council, but does not include: (a) a public road, or (b) land to which the Crown Land Management Act 2016 applies, or (c) a common, or (d) a regional park under the National Parks and Wildlife Act 1974.

**Public place** – (a) a public reserve, public bathing reserve, public baths or public swimming pool, or (b) a public road, public bridge, public wharf or public road-ferry, or (c) a Crown reserve comprising land reserved for future public requirements, or (d) public land or Crown land that is not: (i) a Crown reserve (other than a Crown reserve that is a public place because of paragraph (a), (b) or (c)), or (ii) a common, or (iii) land subject to the Trustees of Schools of Arts Enabling Act 1902, or (iv) land that has been sold or leased or lawfully contracted to be sold or leased, or (e) land that is declared by the regulations to be a public place for the purposes of this definition.

**Retail Landlord** – means the owner of the land on which a shopping centre is situated.

#### 5. LEGISLATIVE OBLIGATIONS AND/OR RELEVANT STANDARDS:

- Local Government Act 1993 (LG Act)
- Impounding Act 1993
- Roads Act 1993
- Protection of the Environment Operations Act 1997 (POEO Act)
- Environmental Planning and Assessment Act 1979 (EP&A Act)
- Code of Practice for the Management of Shopping Trolleys, by Local Government Association of NSW, Shires Association of NSW and the Australian Retailers Association NSW

#### 6. CONTENT:

The law says you litter when you discard material in a way that makes a place more disorderly or has detrimental effects on the use of that place. Council recognises that provision of shopping trolleys to customers is essential and that some customers may utilise trolleys to convey goods beyond the boundaries of the provider's premises to adjacent carparks, taxi ranks and streets. Council recognises the role played by trolley users, however without a proper and efficient trolley management system in place, customers are not deterred from taking trolleys away from the vicinity of the retailer and there is a likelihood that trolleys will be abandoned in a public places and open private spaces.

## Shopping Trolley Management Policy for Retailers

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Discarded and abandoned shopping trolleys represent a highly visible form of litter with the potential to:

- be hazardous to people by obstructing roads or pedestrian walkways
- end up in waterways
- impact negatively on the amenity of an area
- present clean-up costs for the community and councils

It is an offence to abandon a shopping trolley in a public place.

### i) Retailer and Retail Landlord Requirements

Council requires all businesses providing the use of shopping trolleys for use by their customers to have in operation a Shopping Trolley Management Plan (STMP). This plan must incorporate an appropriate shopping trolley management system. This means that retailers and retail landlords are required to introduce a system specifically designed for that business to take all reasonable and practical means to adequately manage the supply and retrieval of shopping trolleys.

General litter is often left or accumulated in shopping trolleys and must also be addressed by the retailers. The provision of an adequate number of litter bins and property cleaning schedules for preventing and managing litter are required to maintain properties in an acceptable environmental condition.

The following remedial steps should be incorporated into the trolley management system:

- That retailers and retail landlords prepare an appropriate STMP specific to the store vicinity requirements. This plan must include a system of control such as coin/token operated system with refund or perimeter control systems.
- Retailers, subject to receiving consent from the retail landlord, must place signage advising customers against taking shopping trolleys outside a shopping centre precinct. The sign must be at or near the customer exits in the retailer's premises. It must also be able to be seen and easily read by customers.
- Shopping trolleys must be clearly labelled with the retailer's name.
- Retail Landlords provide a sufficient number of trolley bays to encourage trolley return, particularly so that customers with young children can safely return a trolley and maintain a line of sight to their vehicle as children may be in a car seat when goods are unloaded.
- Retailers and Retail Landlords use their best efforts to ensure all trolleys owned by or associated with the operation of the premises are to be kept within the confines of the premises or approved collection bay.
- Retailers and Retail landlords are to ensure best efforts to ensure daily collection of shopping trolleys within the CBD area within 24 hours.
- Retailers and Retail landlords are to ensure best efforts to ensure reported shopping trolleys outside the CBD area are collected within 24 hours
- Retailers and Retail Landlords must ensure that trolley collection services are sufficiently resourced to enable collection within the 24 hour timeframes.

## Shopping Trolley Management Policy for Retailers

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- New shopping centre developments must provide shopping trolley bays near public transport points where these are adjacent to stores/ shopping complexes, with prior approval and consultation of Council.
- Retailers and Retail Landlords are to use their best efforts to ensure that they retrieve all shopping trolleys within the building, or secure the trolley allocated bays when stores are closed.
- Retailers are urged to adopt policies that aid customers who are unable to easily get their shopping home or to a nearby car park or public transport stop. These incentives could include working with volunteer groups for free home delivery – possibly on certain days and/or to certain groups (Aged Pensioners, disabled persons, etc), or direct assistance to individuals.

### 7. Community Education

The community is asked to recognise that shopping trolleys are provided by retailers as a courtesy and a service. Technically the shopping trolleys are being abandoned by customers and not the retailers themselves. Individuals should be aware that they may be liable for a \$250 fine for general littering, by abandoning a shopping trolley in a public place.

Customer information and materials should include the following:

- Shopping trolleys be returned to the collection bays provided.
- Shopping trolleys should not be removed from the premises or abandoned.
- Penalties may apply for dumping of trolleys outside the retail outlet/complex.
- Contact details for collection of abandoned shopping trolley contractor services
- Anti-litter slogans.

Retailers (subject to any required Retail Landlord consent) are encouraged to develop and implement education campaigns in partnership with Council such as:

- Trolley return signage at entry and exit points of stores and carparks;
- Signage on trolleys advising customers to return trolleys;
- Website and/or other forms of information in stores explaining the Code of Practice and the need for customer co-operation in returning trolleys eg. On the back of customer receipts.
- Local media publicity on the impacts of abandoned trolleys;
- Publicity through local media
- Publicity of existing Apps and contacts of trolley collection services;
- Appeal for community-spirited, responsible use of trolleys;
- Information in regard to penalties for people leaving trolleys unattended in public places;
- In-store announcements on the Company environmental values, initiatives and programs;

### 8. Offsite Retrieval

Council accepts 24 hours as a reasonable “**un-notified**” time to have shopping trolleys collected from the CBD and River parkland along Queen Elizabeth Park. See Appendix 1 for map identifying this area.

For outer urban areas, Council accepts a 24 hr “**notified**” collection of Shopping Trolleys in public places.

Notified means submitted to the store or trolley collection contractor by App or phone.

## Shopping Trolley Management Policy for Retailers

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Where Council staff become aware of a trolley which is considered to be a risk to the public safety or to property, Council may undertake one of the following:

- (a) Instruct the retailer, or agent which the retailer has notified in writing to the Council as identified on the trolley as being a designated agent of the retailer, to organise the collection of the trolley as a matter of urgency. This may be through a trolley collection App such as: Trolley Tracker or Coles App.
- (b) Immediately remove trolleys from sensitive and hazardous areas and either relocate to a less dangerous situation and contact the store for collection.

Failure to collect trolleys within a reasonable time once notified can be classified as an offence. Council may impound the Shopping Trolley.

### 9. Enforcement

Whilst Council recognises that most retailers are doing the right thing, some retailers may appear reluctant to take responsibility for their trolleys. In these cases, when consultative processes have been exhausted, councils can use their discretion in the application of appropriate regulatory actions based on the level of goodwill, co-operation and compliance with council policy that exists with particular retailers.

If an unattended shopping trolley has not been collected within the time limit (24 hours) as defined in section 6(iv), the council may proceed to impound the shopping trolley.

Authorised Council officer(s) will take record of the ownership, time, date and location of the shopping trolley as soon as possible and take action as necessary.

#### Impounding

Shopping trolleys that have been removed from shopping centre precincts and abandoned in public places may be collected and impounded by Council. Where shopping trolleys have been impounded, the retailer identified as owning the trolley will receive an Impoundment Notice and will be required to pay a fee to release the impounded trolley/s.

Impounding is to be used as an action of last resort. An impoundment fee is consistent with the approved 'Fees and Charges' adopted by Council.

#### Other Legal Options

Any breach of this policy may result in enforcement action that may be taken includes, but is not limited to:

- (a) Issue of a Notice of Intent
- (b) Issue of a Prevention Notice
- (c) Impoundment of trolleys

Where records and evidence demonstrates that an individual store has failed to comply with the spirit and requirements of this Policy, a Prevention Notice under s96 of the POEO Act can be issued. Under s.96(2) a prevention notice can direct the recipient to take such action as is specified in the notice, and within such period (if any) as is specified in the notice, to ensure that the activity is carried on in future in an environmentally satisfactory manner.

## Shopping Trolley Management Policy for Retailers

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There is a wide scope for the type of action the Council could require under a prevention notice, including that retailers prepare and carry out a plan of action to control, prevent or minimise any contravention of the POEO Act. The action specified in the notice should be limited to what is strictly required to ensure that the provision of shopping trolleys is carried out in an environmentally satisfactory manner.

### 10. Retail Landlord consents

It is the Retailer responsibility to liaise with the Retail Landlord and develop a Shopping Trolley Management Plan and trolley management system which best encourages and services collection of shopping trolleys back to the vicinity of the store.

### 11. PERFORMANCE INDICATOR:

The effectiveness of this policy will be measured by:

- Compliance with requirement to provide a Shopping Trolley Management Plan.
- Provision of trolley containment systems at each shopping centre development.
- Cost recovery from impounding fees for collection of trolleys as per Council's Fees and Charges.
- Retailers sufficient have trolley collection procedure in place.
- Evidence of public education on signage and advertising.
- New retail developments are compliant with the Policy.

## Shopping Trolley Management Policy for Retailers

### APPENDIX 1 – CBD Map



Map showing:  
CBD Zone including both sides of the boundary road and expecting 24 hour daily collections.

## Shopping Trolley Management Policy for Retailers

|  |                                     |
|--|-------------------------------------|
| <b>POLICY:-</b>  |                                     |
| <b>Policy No:</b>  |                                     |
| <b>Policy Title:</b>   |                                     |
| <b>Date Policy was adopted by Council:</b>                                   |                                     |
| <b>Resolution Number:</b>  |                                     |
| <b>Previous Policy Review Date:</b>  |                                     |
| <b>Next Policy Review Date:</b>  |                                     |
| <b>PROCEDURES/GUIDELINES:-</b>   |                                     |
| <b>Date Procedure/Guideline (if any) was developed:</b>                      |                                     |
| <b>RECORDS:-</b>   |                                     |
| <b>Container Reference in TRIM: Policy</b>                                   |                                     |
| <b>Container Reference in TRIM: Procedure</b>                                |                                     |
| <b>Other locations of Policy:</b>  | Intranet (linked to TRIM Container) |
| <b>Other locations of Procedures/Guidelines:</b>                             | Intranet (linked to TRIM Container) |
| <b>DELEGATION (if any):-</b>   |                                     |
| <b>RESPONSIBILITY:-</b>  |                                     |
| <b>Draft Policy developed by:</b>  |                                     |
| <b>Committees (if any) consulted in the development of the Draft Policy:</b> |                                     |
| <b>Responsibility for Implementation:</b>                                    |                                     |
| <b>Responsibility for Review of Policy:</b>                                  |                                     |

|                                       |  |
|---------------------------------------|--|
| <b>INTEGRATED PLANNING FRAMEWORK:</b> |  |
| <b>Strategic Direction (CSP):</b>     |  |
| <b>Service:</b>                       |  |
| <b>Program:</b>                       |  |

|                                   |                                    |   |
|-----------------------------------|------------------------------------|---|
| <b>Senior Authorising Officer</b> | <b>Position</b><br>General Manager | <b>Signature/Date</b><br>(Signed and dated) |
|-----------------------------------|------------------------------------|---|

| ACTION                      | COUNCIL MEETING DATE | RESOLUTION NUMBER | REPORT ITEM NUMBER |
|-----------------------------|----------------------|-------------------|--------------------|
| NEW/RECONFIRMED/<br>AMENDED |                      |                   |                    |
|                             |                      |                   |                    |
|                             |                      |                   |                    |
|                             |                      |                   |                    |

| DATE REVIEWED | REVIEWER POSITION | REVIEWER NAME |
|---------------|-------------------|---------------|
|               |                   |               |
|               |                   |               |

