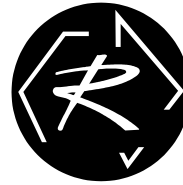




Local Government
Association of NSW
Shires Association of NSW



A U S T R A L I A N
R E T A I L E R S
A S S O C I A T I O N
NEW SOUTH WALES

CODE OF PRACTICE FOR THE MANAGEMENT OF SHOPPING TROLLEYS

January 2004

AGREEMENT

Between

LOCAL GOVERNMENT ASSOCIATION OF NSW, SHIRES
ASSOCIATION OF NSW

And

THE AUSTRALIAN RETAILERS ASSOCIATION NSW
("the ARA NSW")

Introduction

Hundreds of thousands of customers every day in shops and shopping centres throughout NSW make use of shopping trolleys. Retailers who provide shopping trolleys for their customers have many millions of dollars invested in the provision of trolley services, in maintenance, replacement and upgrading of trolleys.

Unfortunately, some irresponsible people leave shopping trolleys unattended in streets and public places, at which point they may be at risk of injuring passers-by or damaging motor vehicles or other property. Shopping trolleys may also have an environmental impact when they enter drains and waterways or otherwise interfere with the provision of public services.

Many companies around the world have attempted to find a solution to the problem of unattended shopping trolleys. Appendix A contains examples of trolley management systems which have been trialled, and in some cases adopted.

As a general principle, it is preferable that trolleys remain on the premises which own them. This should be the primary motivation for trolley management policies and programs. It is acknowledged however that whatever system is in place, trolley removal and abandonment will occur to varying degrees.

This Code of Practice is intended as a practical guide for use by councils and retailers to advise on the development of systems and agreements between councils and retailers for trolley collection and return to stores.

Expectations on Retailers

In any negotiations with individual, or groups of, retailers, Councils should expect the following:

Retailers should encourage their customers to minimise public inconvenience caused by trolleys left unattended in public places.

Retailers should minimise the unreasonable impacts of unattended trolleys in public places, through public education and the provision of appropriate collection services.

Retailers should ensure that adequate collection services are provided in each locality to ensure that unattended trolleys are collected in a timely fashion, as agreed with local government authorities.

Retailers should agree to a process of continuous liaison with representatives of local government authorities to ensure that the reasonable expectations of the community, customers and council regarding trolley collection are met.

Specifically, **retailers** should:

- Provide to their local council a list of contacts for their store/ stores in the local government area (including phone and facsimile numbers), with additional company contacts at senior management level.
- Authorise the store manager or their delegate to be responsible for liaison with local government representatives about trolley management.
- Ensure that all trolleys are easily identifiable by council officers.
- Ensure that trolley collection services are sufficiently resourced to enable collection within agreed timeframes.
- Ensure that trolleys reported as posing risk or nuisance are collected immediately on notification.
- Ensure that all other trolleys reported are collected within the time limit agreed with the council. This may require an “after hours” collection service.
- Retain a brief record of all trolleys reported and collected or the time at which a trolley collector attended to collect a reported trolley if no trolley was found at that location.
- Inform customers that trolleys should not be removed from premises or abandoned, and that penalties apply for the dumping of trolleys outside the retail outlet/ complex.
- Provide suitable, well signed trolley bays at exit points to retail outlets or complexes.
- Provide to council, on request, an up to date map showing usual trolley collection routes and schedules.

Expectations on local councils

In order to assist retailers in responsibly managing their trolley services, **councils** should:

- Nominate an officer/ officers to be responsible for liaison with stores regarding trolley management.
- Make available to all stores providing trolley services in the local government area (and adjoining local government areas if appropriate) a contact list of council officers responsible for trolley management.
- Develop, in consultation with retailers, a policy on time limits for retailer collection of trolleys abandoned in situations of high risk and situations of low risk.
- Consider assisting retailers who wish to provide trolley bays near public transport points where these are adjacent to stores/ shopping complexes.
- Encourage all Council personnel who become aware of unattended trolleys in risky or unusual locations to inform a designated council officer(s) of the ownership, time, date and location of the trolley as soon as possible; the designated council officer(s) will record the ownership, time, date and location of the trolley reported and take or authorise action as necessary.
- Enforce penalties on individuals who abandon trolleys in public places.
- Provide assistance to retailers in the design and implementation of any public education campaigns

Working together to find a solution

As a general comment, it is preferable to reach an agreement with retailers regarding the collection of abandoned trolleys. Most councils find that retailers are willing to put in place systems to ensure

that their trolleys are either kept on the premises, returned to the premises by the user, or collected regularly and promptly when abandoned.

A good way to ensure that council / retailer co-operation is maximised is to develop, in consultation with retailers, a council policy on shopping trolleys. Additionally it is advisable to draft contracts with individual retailers to remove uncertainty about council / retailer responsibilities and expectations, and to justify the regulatory measures as a last resort, if and when recurring breaches of the contract occur.

Some councils find, however, that attitudes by retailers vary, and some retailers 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

As a basic principle however, councils and retailers are encouraged to work together to address the problem of wayward shopping trolleys.

- Where a council employee becomes aware of a wayward shopping trolley he/ she may, at his/ her discretion,
 - Contact the store manager or their delegate (either directly or through the relevant council contact);
 - Return the trolley to the store;
 - Contact Trolley Tracker.
- If the trolley is considered to be a risk to the public or to property it should be moved to a safe place or immobilise (by laying the trolley on its side). In performing this function, a council employee should at no time take any action which will expose him/ herself to any occupational health and safety risk, nor should he/ she take any action which will expose him/ herself to any legal liability.
- Council employees should notify the store manager or their delegate (either directly or through the relevant council contact) as soon as possible of the location of any unattended trolley away from usual collection routes
- If an unattended trolley has not been collected within the time limit, as agreed between the council and retailer, of its being reported to the store manager or their delegate, and further approaches to the retailer concerned have not been successful, the council may proceed to collect the trolley and return it to the store or impound it.
- Impounding is to be used as an action of last resort, where records demonstrate that an individual store has failed to comply with the spirit and procedures of the Code.
- An impoundment fee should consist of fair and reasonable costs of recovery and return, plus a penalty provision consistent with the provisions of the Impounding Act 1993, and Regulations. Any fee for impounding or returning a trolley to the store must be in accordance with the Council's exhibited and endorsed management plan.

Where either party believes that there is an on-going problem or that a trolley management system is not adequate, the parties should meet to discuss the problem and how it can be addressed. This meeting should be attended by all relevant persons (such as representatives from the Council, the retailer, Council rangers, trolley contractors and Trolley Services Australia) and should clearly identify where problems exist, as well as setting out specific actions to address them. Experience has shown this approach to be successful, as it allows for the development of a solution, specific to the area, which addresses the concerns of all parties. Trolley Services Australia (see Appendix C) is available to make any necessary arrangements to facilitate a meeting.

A possible flowchart for action is included as appendix B

The Community

The community is asked to recognise that shopping trolleys are provided by retailers as a courtesy and a service. These trolley services are provided at considerable cost of around \$50 million each year in NSW. A large component of this cost arises from loss and damage of shopping trolleys caused by irresponsible people and from the cost of trolley collection.

Public education program

Positive results can be achieved through public education campaigns. Councils are encouraged to assist retailers in the development and / or implementation of such campaigns.

Such public education may include:

- Signage within stores and car parks
- Signage at entry and exit points of stores and car parks
- Signage on trolleys
- Pamphlets in stores explaining the Code of Practice and the need for customer co-operation
- Local newspaper publicity
- Direct mail information with council rates notices and other council mailouts
- Publicity through metropolitan media
- Publicity for *Trolley Tracker* 1800 641 497 telephone service
- Council exhortations for community-spirited, responsible use of trolleys
- Council information re penalties for people leaving trolleys unattended in public places
- In-store radio announcements
- Community service advertising.

The message to customers should be based on the following principles:

- Returning trolleys to the bays provided by stores or shopping centres
- Using trolleys only in the immediate vicinity of the store which has provided the trolley as a service. Trolleys should not be taken outside the store/ shopping centre carpark - so that trolley collectors are able recover them quickly and return them to the store for use by other customers
- Carrying groceries to a car, public transport, home, or other destination without using a trolley, where that is possible
- Leaving trolleys in a position where they are not at risk of being damaged or causing damage to motor vehicles or other property
- Ultimately the cost of managing and replacing abandoned trolleys is borne by the customer, and as such savings will be passed onto customers if costs relating to lost and damaged trolleys and trolley collection services are lowered. Where Councils find it necessary to deal with abandoned trolleys, this cost is ultimately passed on to the ratepayer.
- It is an offence to abandon a trolley in a public place and may lead to a fine (see appendix D).

Promotion of Code

Local Government Association of NSW, Shires Association of NSW and the Australian Retailers Association NSW endorse this Code of Practice, and shall encourage the participation of all member organizations in the successful operation of the Code.

Signed for and on behalf of
Local Government Association of NSW, Shires
Association of NSW
By an authorized officer in the
Presence of

.....
Signature of authorized officer

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Signature of witness

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Name of authorized officer

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Name of witness (print)

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Office held

Signed for and on behalf of the
Australian Retailers Association NSW
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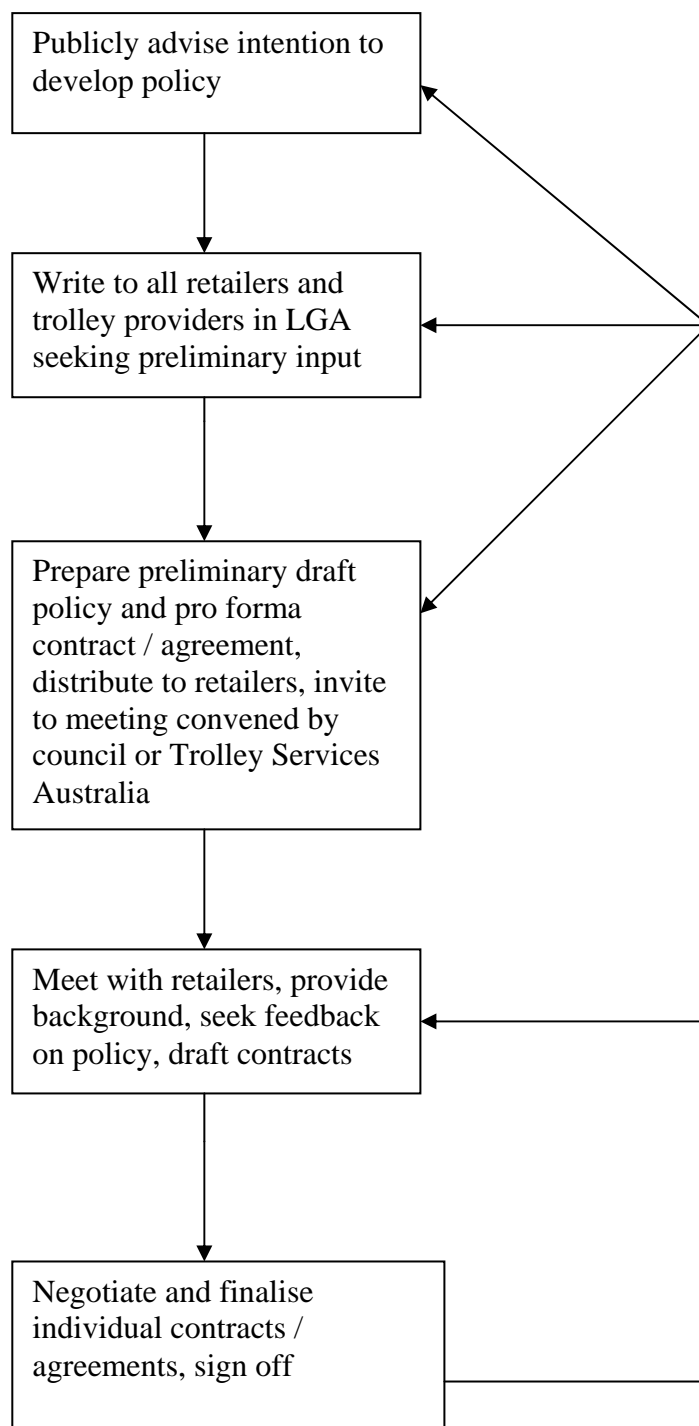
Appendix A

Examples of Trolley Management Systems include:

- **Trolley collection by individual retailers** - Collection encompasses car parks, shopping centres and streets surrounding store. Usually conducted by contracted, licensed, trolley collectors answerable to store managers.
 - **Cooperative industry-wide trolley collection services** - eg Trolley Tracker - see appendix C
 - **Trolley labelling and signage** retailers branding is usually stamped in metal and displayed on handle
 - **Stationing of personnel** at shopping complex exit points to prevent trolley removal
 - **Coin/ token-operated trolleys** where a refund is provided for the return of the trolley.
 - **Trolleys with wheel-locks** activated by a radio signal or magnetic strip.
 - **Cattle-grids** at carpark entrances and exits
 - **Radio signal transmitters** on trolleys
 - **Education** of the public - On trolleys, at retail outlets and leaflets distributed in council printed matter. Leaflets are available from Trolley Services Australia
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Appendix B
Possible Flow Chart for Development and Application of Council Policy on Shopping Trolleys

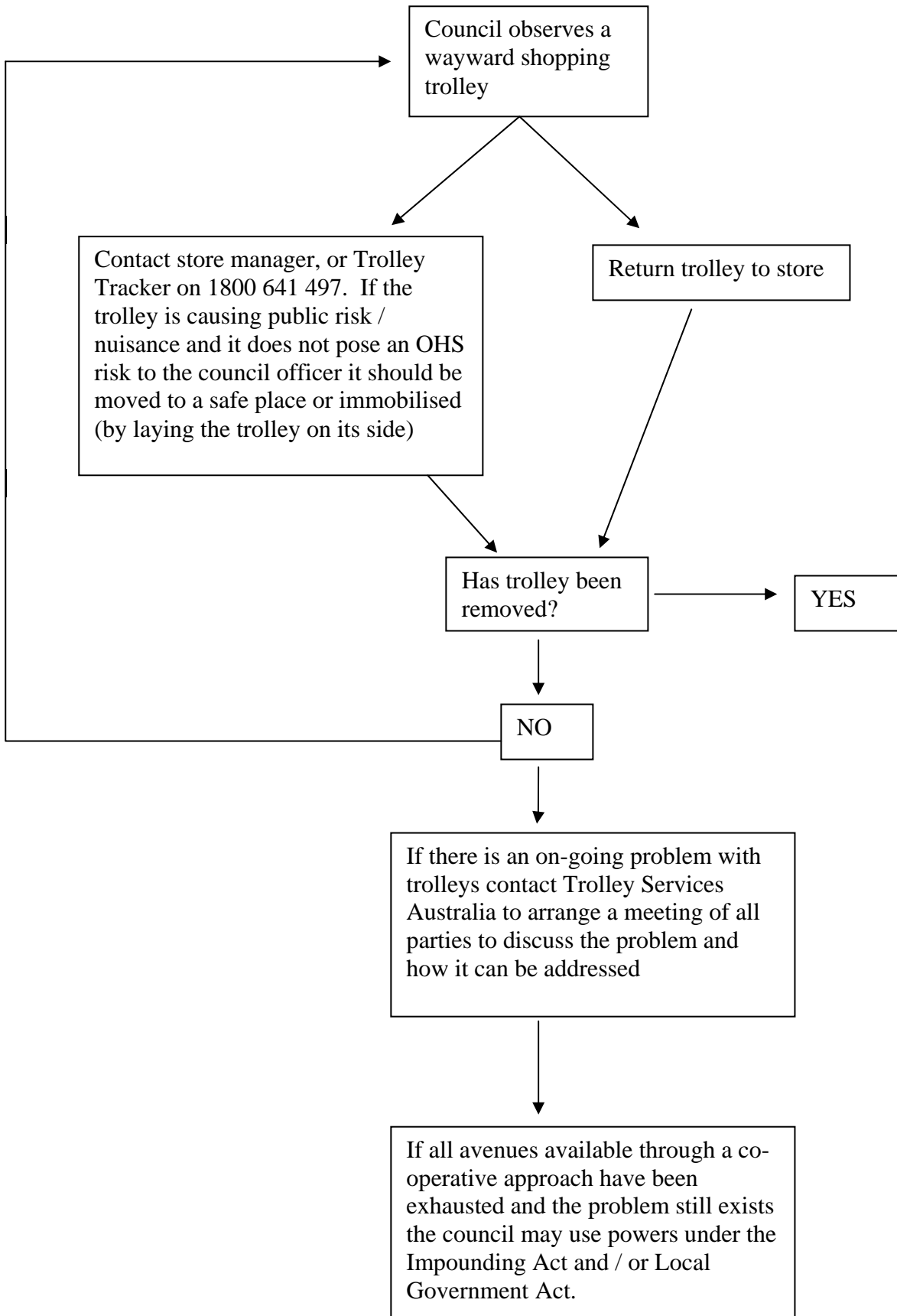
1. Development



Review as required

Appendix B (cont)

2. Application



Appendix C

Trolley Tracker

Trolley Tracker provides a freecall 1800 number that can be used by anyone wishing to report a wayward shopping trolley. The number, 1800 641 497, is common to Woolworths, Coles, Franklins, Big W, Target and Kmart. The information reported to the number is transmitted to the appropriate trolley collector via sms text to their mobile phone or by fax/email to the store. The collector then retrieves trolleys as quickly as possible. Trolley Tracker is operated by Trolley Services Australia Pty Ltd, Ph: (02) 49262755, email: info@trolleytracker.com.au.