

**Submission  
No 23**

## **NON-REGISTERED MOTORISED VEHICLES**

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# SHOPPING CENTRE

COUNCIL OF AUSTRALIA

19 April 2013

Mr Greg Aplin MP  
Chair  
Joint Standing Committee on Road Safety  
Parliament of NSW  
Macquarie Street  
SYDNEY NSW 2000

Dear Mr Aplin,

## **Inquiry into non-registered motorised vehicles**

The Shopping Centre Council of Australia is responding to your advice concerning the current inquiry into non-registered motorised vehicles.

At the outset we would point out that Safe Work Australia is presently preparing a number of Codes of Practice to operate under section 274 of the *Work Health and Safety Act* and associated Regulations. These Codes are intended to be comprehensive and practical guides to achieving appropriate standards of safety and health required under the Act and Regulations. When finalised, the Codes will be admissible in court proceedings under the Act and Regulations. As part of this process Safe Work Australia has released for consultation a *Draft Code of Practice on Traffic Management in Workplaces* and an accompanying *Draft Guide Traffic Management: Shopping Centres*. This Code will apply "to all businesses or undertakings where there is a risk of injury due to the movement of people, vehicles and mobile plant in the workplace, such as shopping centres . . .".

Since the Code and Guide are intended to 'cover the field' in terms of health and safety issues relating to traffic management in shopping centres, we do not believe there is reason for the Staysafe Committee to seek to duplicate this work.

Nevertheless it might be useful for the members of the committee to know that there are generally three types of non-registered motorised vehicles in use in shopping centres.

### 1. Mobility scooters.

These are battery-operated vehicles to assist injured or elderly customers or customers with a disability. Those supplied by the shopping centre do not leave the building and this is a condition of their use. Most mobility scooters can be programed to a particular speed. We do not collect injury or accident figures involving such vehicles but we are unaware of any major safety concerns arising out of the appropriate use of these vehicles.

Some customers arrive at the shopping centre in their own mobility scooters and obviously those customers do travel on public footpaths or public lands. Often these customers notify the centre in advance of their visit so that they can use the centre's facilities to charge their vehicles. The shopping centre has no influence over the use of mobility scooters outside the shopping centre.

Leaders in Shopping Centre Advocacy

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## 2. Car park vehicles.

These are heavy duty versions of the mobility scooters, more the size of golf carts, and can be battery or petrol powered. These are used within the car park for maintenance and delivery purposes or for assisting customers to their cars. Occasionally such vehicles may travel on a road, while moving from one car park to another, but their use is mainly confined within a car park. We do not collect injury or accident figures involving such vehicles but we are unaware of any major safety concerns arising out of the appropriate use of these vehicles.

The operation of such vehicles within shopping centre car parks will be subject to the provisions of the *Code of Practice on Traffic Management in Workplaces* and the *Guide Traffic Management: Shopping Centres*, referred to above, once these are finalised.

## 3. Trolley collection.

Supermarkets and discount department stores in shopping centres provide shopping trolleys for the assistance of customers to carry goods to their cars. A contractor engaged by the stores is responsible for trolley collection and this is usually done by attaching the trolleys to a tractor or similar vehicle. Although the trolley collector is engaged by the contractor, these employees usually receive an induction by the shopping centre on shopping centre procedures before they commence. It is our understanding that the vehicles used in trolley collection are required to be registered.

The use of these vehicles will also be subject to the *Code of Practice on Traffic Management in Workplaces* and the *Guide Traffic Management: Shopping Centres*, referred to above. We would point out that the Draft Guide has a specific section relating to shopping trolley collection.

### Shopping Centre Council of Australia

The Shopping Centre Council of Australia represents the major owners, managers and developers of shopping centres. Our members own or have an ownership interest in around 140 shopping centres across NSW metropolitan, regional and rural areas. Our 'reach' across the industry extends even further through our independent manager members, who also manage shopping centres not owned by SCCA members.

Our members are AMP Capital Investors, Brookfield Office Properties, Charter Hall Retail REIT, Colonial First State Global Asset Management, DEXUS Property Group, Eureka Funds Management, Federation Centres, GPT Group, ISPT, Ipoh Management Services, Jen Retail Properties, Jones Lang LaSalle, Lend Lease Retail, McConaghy Group, McConaghy Properties, Mirvac, Perron Group, Precision Group, QIC, Savills, Stockland, Westfield Group and Westfield Retail Trust.

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Milton Cockburn  
**Executive Director**