**Dockless shared micromobility**

**for the ACT policy**

July 2020

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# Introduction

This policy outlines the ACT Government’s general expectations for the operation of high quality micromobility schemes that deliver a genuine transport choice on ACT public unleased land.

Canberra is Australia’s cycling capital. The ACT Government is supportive of activities which enhance Canberra’s active travel options, provided such activities compliment Canberra’s unique urban environment and comply with applicable laws.

Dockless shared micromobility (shared micromobility) operations generally offer casual hire of devices such as pedal bikes, e-scooters and e-bikes (or other personal mobility devices legal for use in the ACT). The devices are distributed in convenient locations in the public realm. Users locate and pay for the hire through a mobile phone app. Shared micromobility provides on-demand transport options that can be used alone or in combination with public transport as an alternative to private motor vehicle use.

Shared micromobility can provide benefits to Canberra including a convenient and fast option for short trips on their own or combined with public transport. It also provides a healthy and affordable choice, and reduces the problems associated with car travel. Lastly it can offer economic development opportunities including local employment and visitor services.

There are risks that can be managed including potential injury to riders and bystanders, and clutter in the public realm. It will be a missed opportunity if user needs are not at the centre of the service offering including well maintained devices where there are needed and integration with the transport system or if movement data that can inform transport planning is not shared.

The ACT Government wishes to realise these benefits by working cooperatively with commercial operators and the community to manage any risks. Everyone can contribute to its success:

* **the ACT Government—**provides the environment for schemes to operate (rules, expectations, infrastructure)
* **commercial operators—**provide a service that delivers value to users and non-users alike in accordance with applicable laws and community expectations (safe, convenient, value for money, good customer service, minimises waste)
* **the community—**uses the devices with consideration for others (riding and parking responsibly so as not to obstruct the public realm or encourage vandalism).

This policy is informed by the ACT’s trial of dockless bike share and the experience of other cities in Australia and in other countries.

# Application of this policy

## Dockless shared micromobility operators

This policy applies to commercial operators who offer casual hire of pedal bikes, e-scooters (or other personal mobility devices legal for use in the ACT) and e-bikes where the devices are distributed on ACT public land without a purpose-built docking station. Interaction between the customer and the operator is generally through a mobile app.

This policy does not apply to services where the bike (or other device) is collected and returned to private sites agreed by the parties including docking stations, shopfronts or delivery and collection of the devices at agreed locations.

# Requirements for the operation of shared dockless micromobility on public land

## Protection of the public realm

The ACT Government is committed to ensuring a safe, vibrant and attractive city environment for visitors and locals including for those with visual and/or mobility impairments. The ACT Government requires safe and equitable access for all.

Operators will be expected to manage their fleets to ensure that the devices do not clutter our streetscapes and urban areas, and that these devices do not block people walking or moving through the public realm, including those with prams or mobility aids.

Service operators will need to obtain a permit to operate on public land in the ACT under the *Public Unleased Land Act 2013* (PULA). The conditions of the permit will outline how devices should be managed to protect the public realm. To meet these requirements operators will need to educate their customers to use them responsibly.

### Parking

Identifying preferred device parking sites helps operators to manage fleets and users to park the devices when they have finished their trip. Identified device parking sites also help to demonstrate how the ACT Government is supporting operators to minimise disruption.

Sites have been marked in Central Canberra for dockless bike share based on anticipated demand and to comply with standards on accessibility. These sites will be reviewed to accommodate scooters and other devices as needed. Additional sites may be identified in Canberra’s other town centres.

When rebalancing fleets, operators should use these identified device parking locations where these are available in the area. Operators must promote and encourage users to use these sites where possible.

Operators will be encouraged to work with the ACT Government to map appropriate locations for future sites in new operating areas. This will enable the ACT Government to determine and mark appropriate locations where dockless devices may be parked.

Operators will be encouraged to educate and provide incentives to users to park in these locations, or when parking in other locations to do so with sensitivity to the needs of others, to ensure public safety and compliance with permit conditions.

Permits will specify how fleets must be deployed in public places, including where devices can and cannot be parked. Operators must observe these specifications when rebalancing fleets and they are encouraged to educate and provide incentives to users to meet these specifications. The general principles are to not park devices:

* on roads or road related areas
* across tactile marks on pavements (for visually impaired people)
* within 10m of the hold-line at any road intersection, roundabout, traffic island or median strip, and pedestrian crossings
* within 5m of a bus stop shelter (except where designated), marker post, steps, ramps, public toilets, building access points etc
* Within bus interchanges (except where designated) or where light rail operations take place
* within 1.5m any building line / wall that is within a public place
* closer than 1.5m from the road kerb unless it within a designated parking bay
* in a public thoroughfare unless there is 2m clearance so people can move through the space
* in contravention of street signs and line markings.

Devices parked inappropriately, abandoned or left in unsafe or inappropriate locations must be relocated by the operators as per the permit conditions. Failure to do so may result in regulatory action.

### Rebalancing

Prompt and appropriate rebalancing/redistribution of devices will be critical to ensure public confidence, the maintenance of public amenity and to avoid devices cluttering Canberra’s public areas.

Each dockless device must be equipped with GPS functionality so that operators can easily ensure the equitable distribution of devices across the ACT. Service operators should have an appropriate number of staff, available to redistribute repair and charge devices.

### Geofencing

The use of location data to enforce appropriate use of micromobility is important to ensure the protection of the public realm. Operators will be required under their permit to ensure that they have a system of geofencing through which appropriate restrictions can be enforced on the device within specified geographic areas. This may include the prevention of device parking, restriction of speeds or prevention of motorized travel. Such geographic areas may be determined by the ACT Government where specific restrictions are required to ensure public safety and/or the amenity of public land such as within light rail operating areas and major pedestrian precincts.

### Data sharing

Operators will be required as part of the land use permit to provide raw, de-identified data to the ACT Government at no cost and in a timely manner to assist with monitoring and future transport and land use planning in the ACT.

### End of operations

Should a dockless operator cease to operate, all devices are to be removed by the service operator from the public space within seven calendar days. Any devices removed or impounded by the ACT Government may result in costs being incurred by the service operator.

# Other expectations for the operation of shared dockless micromobility

To ensure a quality service, there are several other matters in addition to protection of the public realm to which operators should attend. These matters are not covered by the land use permit. Micromobility schemes are commercial operations subject to contract and other laws. Matters of product/ service quality and liability are between the operator and the consumer.

## Safety and customer experience

### Device quality and applicable laws

The ACT Government expects that devices supplied comply with applicable laws and are of a sound quality to ensure user safety and comfort and to withstand the rigours of use in the public realm. Operators should ensure that users have everything they need to comply with the law when riding. Users need to be satisfied that they can use the device in compliance with the law. For example, the user should not ride a device if there is no helmet available to them.

In late 2019 changes were made to the definition of a personal mobility device to also include devices such as e-scooters and e-skateboards. The definition includes devices that are:

* propelled by an electric motor; and
* designed for use by only one person; and
* weighing not more than 60kg unladen; and
* with one or more wheels; and
* with a brake system; and
* that cannot travel faster than 25km/h on level ground; and
* with dimensions not more than:
	+ 1250mm in length; and
	+ 700mm in width; and
	+ 1350mm in height.

### Repair maintenance and charging

To ensure user safety and confidence, devices in need of repair or maintenance should be removed from the fleet promptly and only reintroduced when safe for riding.

Users should always be able to easily report a device in need of repair/maintenance, and the service operator should immediately respond by locking the device to prevent other users from using it until it is safe to do so.

Operators should have systems to ensure that electric powered devices are always sufficiently charged so that users can select a device that can meet their needs and so they do not become stranded.

### Helmets and other safety equipment

In the ACT, every person riding a bike or a PMD must wear a helmet. Helmets must meet AS/NZ 2063:2008. In addition, where required they must have:

* a red rear reflector
* a working bell
* working brakes, and
* (at night) front (white) and rear (red) lights (preferably integrated into the device).

Operators should discourage users from riding devices if the necessary equipment is missing or not working. Users should not use a device if they are not able to do so in compliance with the law.

### Safe user behaviour

Operators should encourage users to practice safe and courteous behaviours on paths. Operators can alert users through their user app, particularly visitors, to busy areas where there may be conflict between people riding PMDs, bikes and/ or people on foot.

In legalising the use of PMDs the ACT Government has reiterated rules for the safe use of PMDs, which are largely consistent with those for riding a bike. Users must obey the road rules as they apply to the use of bikes and PMDs on roads and paths. Operators should help users to understand these rules, particularly visitors.

ACT Government guidance on safe use of PMDs and bikes:

* [Personal mobility device use in the ACT](https://www.accesscanberra.act.gov.au/app/answers/detail/a_id/1881/~/personal-mobility-device-use-in-the-act)
* [Guide to sharing roads and paths](https://www.transport.act.gov.au/about-us/active-travel/active-travel-in-the-community/cycling-in-canberra/guide-to-sharing-roads-and-paths)

### Liability insurance

Under the land use permit, operators will be required to have appropriate liability insurance in place, which includes costs incurred in the case of insolvency. The ACT Government does not accept any liability associated with the operation of private shared micromobility operations. Consumer liability will be a matter between the customer and the operator.

### Personal information

Service operators are expected to adhere to the *Information Privacy Act 1988* (ACT), including with regards to the collection, storage, management and sharing of personal information. Any data used by the ACT Government will be deidentified and will only be used for transport planning purposes.

### Third party advertising

Devices must not display any third-party advertising.

## Innovation and technology

### Software maintenance

Bike share operators must ensure the timely upkeep and maintenance of all software associated with the scheme, including online content and smartphone applications.

### Product stewardship

Devices will be subject to heavy wear and tear in the public realm. In addition to safety, operators are expected to repair and maintain devices to ensure as long a life as possible.

Operators are expected to have an end-of-life plan that ensures defunct devices are removed from public land and to reduce to the fullest extent possible any waste associated with their disposal.

# Establishing a market in the ACT

## The shape of the market

In determining the shape of the market, the ACT Government has observed the experience of other jurisdictions in considering the unique needs of Canberra.

### Optimal number of operators

The ACT Government will issue a maximum of two permits to operate share schemes for PMDs and will continue with one permit for dockless bike share. This will allow the ACT government to continue to work closely and cooperatively with operators. It will also allow for the benefits of competition as well as resilience in the market so that if one operator withdraws, users will not be left without a service.

### Limited number of devices per operator

Initially, permits will be limited to a maximum of 750 PMDs each. The ACT Government intends to work closely with operators to monitor the usage of schemes and limits may be reviewed. Any such review will consider user demand, public safety and the amenity of public land.

### Areas of operation

 There is an expectation that in addition to the city, Inner North and Inner South the service area includes at least one other region of Canberra. The ACT Government will work with successful operators to map the areas of operation.

### Working with other land managers

The ACT Government is responsible for all public unleased lands within the ACT with the exception of precincts managed by Commonwealth entities including the National Capital Authority (NCA) and the Australian National University (ANU).

The ACT Government has engaged the NCA and ANU in the development of this policy and will continue to liaise with them to ensure that the scheme delivers value to users and respects the unique attributes of public land in the ACT. Operators should note that other land managers are not bound by this policy and may have their own requirements for operating micromobility schemes. Any permit issued by the ACT Government under the Public Unleased Land Act applies solely to public unleased lands administered by the ACT Government.

Operators may also choose to make arrangements to operate on privately managed premises (i.e. shopping centres) that are open to the public.

## Applying to operate

The ACT Government will invite operators to apply for permits to operate micromobility schemes. Operators will be asked to provide a plan that addresses the issues in this policy. Information on how to apply for a permit including details of the mandatory industry briefing are available on Transport.act.gov.au. transport.act.gov.au

### Assessment of applications

The Director-General will assess permit applications based on their approach to meeting the requirements of the PULA. Information on the evidence expected to support an application is detailed in Annexure A of this policy.

Additional information may be sought from the applicants.

## Decision to issue a land use permit

If the Director-General is satisfied that the requirements above have been met, they will decide the application and tell the applicant about the decision (s. 57 (5)).

## The permit will be subject to conditions. Examples of the conditions likely to be included in the permit are listed in Annexure B.

## Costs

The ACT Government is of the view that micromobility schemes provide a low cost and accessible service to the Canberra community. The Government will charge operators $1 per device per day which is considered appropriate and acknowledges the community benefit for providing this service and is consistent with the approaches of other jurisdictions.

Operators will also be required to contribute to an education fund. This fund will be used by the ACT Government to develop and roll out joint education initiatives aimed both at users and the broader community.

## Important notes

Dockless micromobility share operators who establish operations in the ACT do so at their own risk unless otherwise agreed in a written contract with the ACT Government. The ACT Government may introduce, amend or repeal any legislation or regulation at any time which may impact the operations of dockless bike share operators. Under the Roads and Public Places Ordinance 1937 (section 15A) a dockless bike share operator requires a permit from the National Capital Authority (NCA) to park a bike (as a commercial enterprise) on land managed by the NCA. Examples of National Land areas include the Parliamentary Zone, Commonwealth Park, Kings Park and Anzac Parade.

# Annexure A – evidence to be demonstrated for permit applications

Applications will be assessed against the requirements of PULA. The following is the minimum level of evidence that is expected to be submitted in order to aid the assessment process.

**1) Evidence**

| **Number** | **Evidence** |
| --- | --- |
| 1 | Operator will protect the public realm and ensure safe and equitable access for all by ensuring devices* do not clutter urban areas or become a hazard for people moving through the public realm; and
* are promptly and appropriately rebalanced/redistributed.
 |
| 2 | Operator will ensure that devices comply with applicable laws, including ACT Road Rules. |
| 3 | Operator will equip devices with a system of geofencing through which appropriate restrictions can be enforced within specified geographic areas. |
| 4 | Operator will ensure user safety and confidence by* promptly repairing and maintaining devices and associated software;
* having systems to ensure devices are sufficiently charged; and
* alerting users to busy areas.
 |
| 5 | Operator will contribute up to $20,000 per annum to Transport Canberra and City Services to run an education and awareness campaign for users and non-users with a focus on user behaviour, community expectations and safety.  |
| 6 | Operator will have an end of operations plan to ensure devices are removed from public unleased land and to reduce waste associated with their disposal. |
| 7 | Operator will have the capacity to collect and share de-identified usage data and provide to the ACT Government in a timely manner. This could include volume of usage and geographic distribution.  |
| 8 | Operator will have a commitment to safety including having a detailed safety plan and demonstrated record of responding to safety incidents promptly, proportionately and appropriately. |
| 9 | Operator will demonstrate the financial stability of the organisation for sustained operation of the scheme in the ACT. |
| 10 | Operator will have appropriate liability insurance in place, including costs incurred in the case of solvency. |

**2) Suitability Information**

| **Number** | **Information** |
| --- | --- |
| 1 | Details of any conviction or finding of guilt against the applicant for an office against either the *Public Unleased Land Act 2013* or a similar law of another jurisdiction. |
| 2 | Details of any proven noncompliance with a legal obligation in relation to carrying on an activity on public unleased land. |
| 3 | Details of any refusal of an application for a licence, permit or other authority to carry on an activity on public unleased land. |
| 4 | Details of any other matter relevant to the person’s ability to safely and responsibly carry on an activity on public unleased land. |
| 5 | Details of any objects that will be placed on public unleased land, including:* The nature of the object;
* The size of the object;
* The intended use of the object;
* If the object is not to remain on the public unleased land at all times during the public unleased land permit – when the object will be on the public unleased land;
* Any risks that the placement of the object may cause to the public and how the risks are to be minimised;
* If the placement of the object requires construction work on the public unleased land – the nature of the work and any risks that the construction work may cause to the public and how the risks are to be minimised; and
* Any other matter relevant to the appropriateness of the object on the public unleased land.
 |
| 6 | Details of any events, such as a launch, that will be held on public unleased land, including:* The nature of the event;
* The number of people expected to attend the event;
* When the event will be held on public unleased land;
* Any risks that the holding of the event may cause to the public and how the risks are to be minimised; and
* Any other matter relevant to the appropriateness of holding the event on the public unleased land.
 |

**3) Referee Contact Details**

The applicant will provide at least two referee contact details from regulatory bodies, such as local councils, who can comment on the applicant’s past performance including safety, rebalancing of devices and complying with permit conditions.

# Annexure B – example conditions of a permit

The following are examples of terms and conditions likely to be included on a permit. This list is not exhaustive and any condition may be imposed at the Director-General’s discretion.

**Definitions**

The ‘**Applicant**’ is defined as the person who completes and signs this ‘Application to Use a Public Place’. Where the applicant represents an organisation or company, the applicant is assumed to have authority from the organisation or company to act on its behalf and enter into this agreement.

The ‘**Territory**’ refers to the Australian Capital Territory Government and its agencies.

‘**Transport Canberra and City Services**’ (**TCCS**) is a Directorate within the Australian Capital Territory Government responsible for the management and use of unleased Territory land.

**Applicant responsibilities**

This permit authorises the permit holder for the use of unleased Territory land only. It is the responsibility of the Applicant to seek all necessary advice on further licensing requirements by other agencies (eg. Justice and Community Services for liquor licences, Roads ACT for Road opening and closing, Environment Protection Authority for noise related permits and the National Capital Authority for the use of national land) in relation to the event.

**Legal compliance**

The Applicant must ensure that all persons involved in the activity are aware of and abide by laws and regulations governing the area, as shown by local regulatory signage and any additional conditions that may be attached to the approved application.

**Damage to Territory property**

The Applicant will be responsible for any damage to Territory property caused by the activity. This includes damage to roads, footpaths, kerbs and gutters, fences, gates, furniture, signs, BBQs, trees, lawn, turf, irrigation systems or any other property.

The Applicant agrees to report any such damage to Land Use Team on (02) 6205 8794 as soon as practicable, and to repair or make good the damage or reimburse the Territory for costs incurred in repairing the damage.

**Public safety and insurance**

The Applicant will take all reasonable steps to ensure the safety of participants and members of the general public in the activity. Commercial applicants must provide evidence of a current Public Liability Insurance Policy to a value of at least $20 million, or as determined by the ACT Insurance Authority in conjunction with TCCS.

**Cancellation or modification of approval**

It may be necessary to include additional conditions or for an activity to be cancelled at any time if required for safety reasons including the likelihood of damage to Territory property.In such cases, the Territory will not be liable for any losses incurred by the Applicant(s). Should the need arise the area is to be vacated within a period specified by the Territory.

**Exclusive use**

It should be noted that, although approval has been given to use unleased Territory land for the activity, it does not guarantee exclusive use of that land as it always remains a public place.

**Land Usage Requirements**

**Public amenity**

Devices must not obstruct safe, accessible and equitable access for people walking or travelling along the street. Devices must not be placed or left unattended:

1. within a public road or driveway
2. within 1.5 metres of the road kerb
3. in a public thoroughfare where there is less than 2 metres clearance between any infrastructure or objects, such as building, street furniture, landscaping etc
4. within 10 metres of the hold line at any road intersection, roundabout, traffic islands and median strips
5. within 10 metres of any pedestrian crossings
6. on a public or shared path
7. in designated vehicle parking bays, including loading zones, Disabled zones etc.
8. within 1.5 metres of any building line / wall that is within a public place
9. over visually impaired pedestrian tactile marks
10. on, against or over Territory assets, such as landscaping, trees, buildings, poles, street furniture unless allowed within a designated area.
11. in a way that contravenes any approved Traffic Control measures, such as signage or line marking
12. within 5 metres of a bus stop shelter / marker post
13. within a bus interchange except in designated areas
14. within 5 metres of steps, ramps, public toilets, building access or egress points etc.
15. On traffic islands or median strips

**Deployment**

TCCS (and the ANU and NCA under their permits) may designate certain areas where devices cannot be used or parked, in these locations the applicant must indicate the in their user app.

Devices must not be deployed at densities greater than six devices, except in designated parking locations where as many devices can be deployed as practical. Changes to locations can be agreed at any time in writing for the duration of the permit.

**Compliance**

If a member of the public, or the ACT Government notifies the applicant about tipped-over, unused, abandoned, inappropriately placed, faulty or damaged devices the timeframes in Schedule 1 will apply.

If any of the timeframes listed in Schedule 1 are exceeded, the devices may be impounded by the ACT Government.

Impounding devices creates an administrative and cost burden to both parties and will only be used as a last resort to reduce immediate threat to the community where the provider shows a pattern of non-compliance with the timeframes agreed.

The applicant is to abide with time frames set within Schedule 1. Failure to comply, may result in the following regulatory action:

*Section 44 Public Unleased Land Act 2013:*

* It is an offence not to comply with a condition of a public unleased land permit.

*Section 99 Public Unleased Land Act 2013*

* It is any offence not to comply with a removal direction.

If the applicant fails to comply with the requirements set out in Schedule 1 in accordance with the stated timeframe, the devices(s) may be retrieved and impounded by the TCCS.

TCCS will notify the applicant that it has impounded a device, including details of the numbers of devices and the dates they were impounded. A fee currently set at $229.00 plus $3.50 per day storage is payable for the release of each device.

The device is subject to disposal by the ACT Government 14 days after impoundment. The fee to release the device may remain outstanding and a fee equal to the cost of recycling may be levied against the applicant.

If the mobility share operation ceases at any time before the permit expires, or on expiry, the applicant will remove all device from ACT land.

**OTHER**

**Safety plan**

Applicant will provide a safety plan that sets out

* How the devices will comply with applicable laws
* Repair and maintenance schedule of devices and associated software
* Plan for devices to be sufficiently charged.
* Cleaning schedule for devices and associated equipment which takes account of the current COVID environment.

**Geofencing**

Applicant will equip devices with geofencing system to ensure enforcement of restrictions as specified by the ACT government.

**Education and awareness program**

Applicant will contribute up to $20,000 per annum to Transport Canberra and City Services to run an education and awareness campaign for users and non-users with a focus on user behaviour, community expectations and safety.

**End of operations plan**

Applicant will have an end of operations plan to ensure devices are removed from public unleased land and to reduce waste associated with their disposal.

**Quarterly reports**

Applicant will provide quarterly reports to the ACT government covering de-identified usage data, including volume of usage and geographic distribution.

**Schedule 1 – Collection and relocation of tipped-over, unused, abandoned, inappropriately parked, faulty or damaged devices**

| **Incident** | **Timeframe** | **Action** |
| --- | --- | --- |
| Dangerously placed | 2 hours | Where a device is causing an unreasonable hazard (i.e. parked across a road, carriageway, etc.) the applicant will respond and seek to remove the device within 2 hours.If, after responding, the applicant is unable to remove the device within the timeframe, it will advise the ACT Government of the reasons for the delay.The ACT Government or relevant authority may remove and impound the device at any time (at a cost to the applicant) if it reasonably needs to do so to reduce an immediate hazard. |
| Sensitive Area | 2 hours | Where a device is placed in a high profile or sensitive area the applicant will respond and seek to remove the device within 2 hours.If, after responding, the applicant is unable to remove the device within the timeframe, it will advise the ACT Government of the reasons for the delay. |
| Device reported as faulty / damaged / unsafe | 0 - 24-hours | The applicant will immediately deactivate the device.The applicant will check the device for safety / damage / faults and will remove the device from the public realm until it is suitably repaired.  |
| Inappropriate device density | 0 - 24-hours | Where excessive numbers of devices are present the applicant will reduce the number of devices at a single location by relocating the excessive devices. |
| Device tipped-over | 0 - 24-hours | The applicant will upright the device, within 24-hours of being notified. |
| Inappropriately placed | 0 - 48-hours | Where a device is parked in an inappropriate location, but where it is not causing an unreasonable hazard, the applicant will relocate the device within 48-hours. |
| Device in the Lake | 0 - 48-hours | Where a device has been placed into Lake Burley Griffin the applicant will contact the NCA lake contractor to arrange for retrieval. |
| Device in Sullivans Creek | 0-48 hours | Where a device has been placed into Sullivans Creek the applicant will organise retrieval. |

**Unused Devices**

The applicant, the ACT Government, the NCA and the ANU have an active interest in ensuring devices do not remain in one location for extended periods of time. Devices which are not being used, do not provide revenue to the applicant; whilst also occupying finite street-space and contributing to clutter. The following time-frames outline appropriate measures to ensure devices are being used and are not left in one-location for an unacceptable length of time.

| **Timeframe** | **Action** |
| --- | --- |
| 0-3 days | Within the operational area 2 being mainly the Parliamentary zone the applicant must take active steps to ensure the bike is moved. |
| 0-7 days | No action. It is expected that occasionally devices may not be used for a period of 7 days. |
| 7-10 days | The applicant must take active steps to ensure the device is moved. This can include retrieving the device and relocating it; or offering customer incentives to relocate the device; however, the device must be relocated. It is unacceptable for the applicant to check the device for faults and leave it in the same location.  |
| 11-14 days | If the device has not been moved at the end of 11 days, the ACT Government may instruct the applicant to relocate the device. This is only expected to occur in circumstances where the applicant is unable to locate the device via normal processes (i.e. if the GPS coordinates are inaccurate or the device is not in plain sight). |
| 15+ days | The device is retrieved and impounded by the ACT Government – a fee of $229.00 plus $3.50 per day storage is payable for the release of each device. |
| 14 days after impoundment | The device is recycled by the ACT Government. The fee to release the device remains outstanding and a fee equal to the cost of recycling is levied against the device.  |

**Timelines and process for the removal of devices by the ACT Government and associated fees.**

If the applicant fails to comply with the requirements set out in Schedule 1 in accordance with the stated timeframe, the device(s) may be retrieved and impounded by the TCCS. The ACT Government will notify the applicant that it has impounded a device including details of the numbers of devices and the dates they were impounded. A fee of $229.00 plus $3.50 per day storage is payable for the release of each device.

The device is subject to disposal by the ACT Government 14 days after impoundment. The fee to release the device may remain outstanding and a fee equal to the cost of recycling may be levied against the applicant.

The NCA will have its own fees associated with the retrieval of devices left on National Land and in Lake Burley Griffin in its licence agreement.