

RELEVANT INFORMATION FOR COUNCIL

FILE: S051483 **DATE:** 7 April 2016
TO: Lord Mayor and Councillors
FROM: George Angelis, Acting Director City Operations
THROUGH: Monica Barone, Chief Executive Officer
SUBJECT: Information Relevant To Item 7.2 – Outdoor Fitness Training Voluntary Code of Conduct - Adoption – At Council - 11 April 2016

Alternative Recommendation

It is resolved that Council adopt the Outdoor Fitness Training Voluntary Code of Conduct (as amended) and shown at Attachment A to the memo dated 7 April 2016 from the Acting Director City Operations, and circulated prior to the meeting of Council.

Purpose

To adopt the Outdoor Fitness Training Voluntary Code of Conduct, including changes requested by Councillors at the meeting of the Environment Committee on 4 April 2016.

Background

At the meeting of the Environment Committee on 4 April 2016, Councillors requested that the Outdoor Fitness Training Voluntary Code of Conduct be amended to include provisions:

- relating to the use of rotundas and shelters by training groups; and
- requiring trainers consider the use of protective measures, such as matting, to protect park surfaces from the potential impact of training equipment.

These additions are shown in blue text in Attachment A. The changes suggested during the public exhibition period are shown in red text in Attachment A (with deletions in ~~strike through~~).

George Angelis, Acting Director City Operations

Prepared by: Mark Driver, Parks and Recreation Planner
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TRIM Document Number: 2016/186042

Attachments

Attachment A: Outdoor Fitness Training Voluntary Code of Conduct (as amended).

approved


Monica Barone, Chief Executive Officer

ATTACHMENT A

**OUTDOOR FITNESS TRAINING
VOLUNTARY CODE OF CONDUCT
(AS AMENDED)**

Draft Outdoor Fitness Training Voluntary Code of Conduct

City of Sydney
Town Hall House
456 Kent Street
Sydney NSW 2000



Introduction

The City's parks celebrate our culture and heritage, foster social connectedness, and provide diverse opportunity for passive and active recreation.

The City encourages all members of our community to use parks and open space responsibly in meeting their health, well-being and fitness needs.

The City chooses not to charge for the use of its parks and open spaces for outdoor fitness training as it does not wish to create a barrier to participating in physical exercise.

Purpose

This Code of Conduct (the Code) has been developed in response to the growing popularity of outdoor training. The Code promotes fair access to public land for fitness trainers in harmony with other recreational activities and the rights of residents and the public.

Scope

Within the City of Sydney area, some public land is owned and managed by other agencies. These include the Sydney Harbour Foreshore Authority; the Botanic Gardens, Domain and Centennial Parklands Trust; Department of Housing; and University of Sydney.

The City of Sydney has no jurisdiction over those facilities. Personal fitness trainers should contact the respective agencies to determine their requirements for the use of their sites for outdoor training.

Compliance

Fitness training groups and activities that are exempt from this Code are:

- Walking groups

- Activities of schools under the supervision of a teacher
- Hirers that have a current booking with the City of Sydney to use a sports field, oval or court and comply with the Terms and Conditions of Use.

Personal fitness trainers including commercial, not-for-profit and community groups, wishing to train outdoors in the City's local government area are expected to comply with the Code by completing and signing a declaration.

Signing the declaration signifies a personal trainer's intent to comply with all the provisions of the Code.

Personal trainers and commercial operators will be issued with City of Sydney branded identification to identify themselves as signatories to the Code. Personal trainers must have this identification with them during any training activity conducted on public land managed by the City of Sydney.



Code of Conduct Criteria

Group training conduct



Personal trainers and training groups must:

- inspect areas prior to training to ensure they are hazard free and take appropriate action to remove any identified hazards or relocate to suitable areas. Any identified hazards must be promptly reported to Council. The training area must be left in a clean and tidy condition.
- be courteous and respect the safety and convenience of other park users and refrain from blocking access to paths, structures and utilities
- refrain from training before 6am or after 10pm (or before 7.30am or after 7.30pm within 50m of residential properties).
- not use trees, garden beds, water features, water courses and wetlands, or structures including **rotundas, shelters**, picnic or BBQ facilities for training. **Shelters and rotundas may be used for training in inclement weather, providing that no other booked events or activities are occurring.**
- not enter areas temporarily closed for maintenance;
- vary their usage of areas to avoid erosion and compaction.

- not interfere with council, community or commercial events which may occur from time to time within parks and public places.
- abide by instructions given by authorised council officers including City Rangers.

Training Group Size

For the convenience of participants and other park users, the City recommends that training groups do not exceed ~~12~~ 18 persons ~~(one personal trainer with eleven trainees)~~. However, personal trainers should use a risk assessment based approach to tailor group size in accordance with the characteristics of the site, the activities of the training and ability and experience of the trainees.

Personal trainers and training groups are expected to cooperate with each other to ensure equitable use of parks in a manner which avoids conflict or inconvenience to the public.

Restricted Areas

For the safety and convenience of other park users and neighbouring residents, personal trainers and training groups must not conduct training in the following areas:

- Areas of high pedestrian activity including public footpaths, staircases, civic squares and shopping strips;
- Playgrounds, sports fields, and sports courts (except with an approved booking);
- Near war memorials, cenotaphs, statues and public art, public toilets, libraries, and aquatic recreation facilities.
- Pocket parks and open spaces of less than 900 m² (eg 30m x 30m). These small parks are generally unsuitable for group training activities.

- Within 50m of residential properties before 7:30am or after 7:30pm.

Training Equipment



The City has installed fitness training equipment for the benefit of all park visitors. Personal trainers and training groups are welcome to use such equipment providing that their usage does not exclude or appear to exclude its use by others at any time.

Personal trainers and training groups must not bring ~~load-bearing training equipment such as weights, bars, benches or other equipment, including~~ signage and unattended tables on to public land.

~~Hand-held weights and training equipment are permitted but must not be left unattended or block access.~~ Personal trainers should be mindful of the potential impacts of such equipment and use protective matting or other measures to protect hard and soft surfaces from damage. ~~Drag sleds and tyres are not permitted.~~

Straps, ropes or harnesses must not be attached to trees or structures, but can be attached to outdoor fitness training equipment installed by council specifically for this purpose.

Parkland, footpaths, public roads and associated structures and furniture should not be used to store unattended belongings.

Sound amplification or megaphones are not permitted. Excessive shouting, blowing of whistles or other noisy activities should be avoided.

Advertising of Services

Personal trainers and commercial training groups are not permitted to advertise in the City's parks or open spaces, including the installation of signage and the distribution of flyers.

Risk and Insurance

Personal trainers and training service providers must satisfy all workplace health and safety legislation and regulations and ensure at all times that the requirements of the Work Health & Safety Act 2011 and the regulations made under that Act are fully observed.

Council shall not be liable for any damage or loss that any trainer and their clients may suffer by the act, default, omission or neglect of any other person or by reason of the Council, its members agents and contractors failing to do something on or to the public space used.

At all times when training on Council land commercial (i.e paid) personal trainers and training service providers are required to be covered by a minimum of \$10 Million public liability and \$5 Million professional indemnity insurance. Certificates of currency are to be provided at the time of registration.

The City strongly encourages personal trainers to maintain current accreditation and registration with Fitness Australia or other approved industry associations and maintain accreditation and registration throughout the duration of the permit.