



Guidelines for Organised or Commercial Group Fitness and Personal Training

1. Background

Management of the use of public open space is regulated by the Local Government Act 1993 and Crown Lands Act 1989. Conditions may also be specified within Councils Plans of Management, also regulated by Local Government Act 1993.

Council recognises the need to support and regulate the use of public open space for health and recreational pursuits by organised or commercial fitness groups and personal training fitness activities.

Fitness training is one of the strongest growth segments of the fitness industry. Increasing numbers of fitness trainers using public open space has resulted in:

- 1.1. Equity of access issues – potential conflict with displaced users, management of demand, domination and monopolisation of areas and exploitation of public land by commercial operators
- 1.2. Impact on the asset – trainers of larger groups are causing wear-and-tear to recreational facilities
- 1.3. Facility management – scheduling of regular, seasonal and reactive maintenance
- 1.4. Public liability concerns – trainers with insufficient qualifications or insurance

2. Purpose / Objectives

In implementing these guidelines, Council aims to;

- 2.1. Provide effective management of organised fitness groups and personal training activities on public open space
- 2.2. Ensure equity of access to public open space
- 2.3. Manage the impact on the asset
- 2.4. Minimise public liability and public risk concerns
- 2.5. Minimise disturbance to surrounding residents

3. Scope

These guidelines address the operation of any Organised and Commercial Fitness Group and Personal Training relating to;

- 3.1. One on one sessions and/or group activities

3.2. The use of Public open space, cycleways, footpaths and shared pathways within the Parramatta Local Government Area

Council approved trainers must only operate in the areas specified on the issued permit

4. Exclusion / Inclusion zones

4.1. Exclusion

Organised or commercial group fitness and personal training activities are not permitted within the following areas;

4.1.1. Areas of cultural or natural significance (including Town Halls)

4.1.2. Cemeteries

4.1.3. Within a 10m radius of any memorials

4.1.4. Within a 10m radius of any picnic sheds or benches

4.1.5. Within a 10m radius of any playgrounds or play equipment

4.1.6. Within a 10m radius of any public change room, toilet or kiosk areas

4.1.7. Church Street Mall

4.1.8. Within a 50m radius of any surrounding residential property

4.1.9. Roadways (including roadside footpaths and on-road cycleways)

4.2. Inclusions

4.2.1. Use of designated sports fields and netball / basketball / tennis courts is permitted where available however, a specific booking for each location is required. Permits for the use of sports fields and netball / basketball / tennis courts will incur both the Fitness Trainers Permit fee and the applicable charges for the sports field and/or netball / basketball / tennis court as detailed in Council's Schedule of Fees and Charges. Use of sports fields and/or netball / basketball / tennis courts will also take into consideration the Terms and Conditions for the Seasonal Use of Parks and Reserves

4.2.2. Use of areas such as swimming centres, public halls, meeting rooms and youth centres will be considered in accordance with the operating requirements of those facilities. Fees and charges relevant to those facilities will apply. Terms and conditions of this policy may be applied to any applications and subsequent approval for use of these facilities

4.2.3. As part of Council's efforts to encourage healthy lifestyles and activate the Parramatta River foreshore, organised or commercial group fitness and personal training are encouraged to utilise this area. Given this, use of the CBD Foreshore Reserve North and South is exempt from section 4.1.8 of these guidelines between the hours of 9:00am and 6:00pm (9:00am and 7:00pm during daylight savings time). To request the use of this area trainers are required to submit an expression of interest which will be considered on a case by case basis by Council Officers. Additional conditions may be applicable.

4.2.3.1. Before the start of each session at CBD Foreshore Reserve all trainers must conduct a risk assessment as per section 15.2.2 of these guidelines. This assessment must pay specific attention to the river water levels particularly after a significant rainfall event

4.2.3.2. Activities are not to incorporate use of the water/river

4.2.3.3. During programmed activities and major events CBD Foreshore Reserve will not be available for fitness training sessions. These activities and events will supersede approval for use by trainers

Council may nominate other areas during the life of these guidelines, as it sees fit

5. Activities for which the guidelines apply

Fitness sessions are limited to the normal activities of a registered personal trainer/instructor which would include but not limited to;

- 5.1.** Gym sessions (with or without weights, fitballs, skipping ropes etc)
- 5.2.** Boxing and pad training
- 5.3.** Yoga, Tai Chi, Pilates classes and like activities
- 5.4.** Organised aerobic activity
- 5.5.** Circuit training
- 5.6.** Walking and running
- 5.7.** a combination of any of the above

6. Prohibited Activities

The following activities within Council owned public open spaces are prohibited under these guidelines;

- 6.1.** Military style and/or aggressive and intimidating activities including combat training
- 6.2.** Amplified music or amplified audio (voice) equipment
- 6.3.** Organised ball sports and competitions
- 6.4.** Fitness activities that drag equipment across the ground
- 6.5.** Erection of boxing or kickboxing bags or any other item from trees and/or structures
- 6.6.** The selling of clothing, equipment, refreshments or any other goods, services or products
- 6.7.** Erection of "A" Frame signs
- 6.8.** Erection of signs, stakes, ropes or tape (a part from the erection of Council approved fitness trainer banners)

7. Eligibility

Trainers seeking approval for the use of public open space in the Parramatta Local Government area to provide organised commercial group fitness and personal training activities must meet the essential criteria specified to be eligible for a permit.

Evidence of the following must be provided at the time of application;

- 7.1.** Certification in having completed accredited courses specific to the type of activity to be instructed which are endorsed by Fitness Australia and/or VETAB providers such as TAFE and Universities
- 7.2.** Current Senior First Aid Certificate
- 7.3.** Current Australian Prudential Regulation Authority (APRA) approved Public Liability Insurance for a minimum of \$10 million with City of Parramatta Council nominated on the policy as an interested party
- 7.4.** Registration as a professional with Fitness Australia

8. Groups excluded from these guidelines

These guidelines do not apply to the following groups;

- 8.1.** Local sporting clubs
- 8.2.** Local schools
- 8.3.** Surf Life Saving Clubs
- 8.4.** Corporate groups
- 8.5.** Defence Forces

Any significant, organised activities the above groups may wish to conduct on Council owned public open space, would be subject to an approval process under Council's normal park booking system and procedures.

9. Size of groups

Applications will be considered in accordance with the recommendations of Fitness Australia.

- 9.1.** These guidelines can apply to one on one sessions and/or group activities
- 9.2.** Maximum number of persons per group is 18
- 9.3.** The trainer/client ratio is;
 - 9.3.1.** 1 trainer to 18 clients with no more than 3 activities going on at any one time
 - 9.3.2.** 1 trainer to 6 clients who are doing different activities

- 9.4. Council however, holds the right to specify in the permit; group sizes and the number of groups to be operating at any one time

10. Number of sessions and session times

The number of sessions and session times that may be permitted to successful applicants are:

Number of participants	Number of sessions per week	Session duration
0-2	12	2hrs
3-9	12	2hrs
10-18	8	2.5hrs

- 10.1. Each registered company is permitted to conduct a maximum total of three individual classes per day, regardless of the number of locations booked
- 10.2. Variation of number of session and duration of sessions will be subject to further consideration by Council
- 10.2.1. Council may determine that the number of sessions and session duration may be varied
- 10.2.2. Where trainers instruct groups of varying sizes, the number of sessions may be varied
- 10.2.3. Application for an additional permit will be required where sessions clearly exceed the number allowed
- 10.3. Council Officers will determine the number of permits issued in relation to these categories and may specify when these sessions can be undertaken

11. Children's Fitness Training

- 11.1. Trainers wishing to apply for children's fitness training must complete a NSW Working With Children Check
- 11.2. Trainers are required to provide a copy of certification in having completed accredited courses specific to Children's Fitness Training
- 11.3. Children's fitness training must not incorporate equipment such as weights

12. Allocation of permits

- 12.1. Applications will be assessed based on the criteria set out in these guidelines
- 12.2. Trainers must reapply for permits on a six-monthly basis. The application process is managed in parallel with the seasonal application process for the use of sports fields.

Applications received outside of the season allocation will be calculated on a pro-rata basis

12.3. Council Officers will determine the number of permits to be issued as part of the allocation process. The following factors will be taken into consideration when determining the number of permits issued;

12.3.1. Usage demand, intensity of use of the area and times requested

12.3.2. Number of approved trainers already using the area. No more than 2 trainers per designated park at any one time will be permitted

12.3.3. Trainers who reside within the Parramatta LGA will be given priority over applicants who fall outside of the LGA when / where locations are at capacity

12.3.4. Other activities (passive and active) being undertaken in the area e.g. usage by primary hirers (community sports groups / clubs / associations). Primary hirers will receive priority in the allocation process

12.3.5. Type of activities to be undertaken and potential impact upon other users and neighbouring residents during the times requested

12.3.6. Whether the activities will contribute to increasing congestion or user conflict in the area requested

12.4. As part of the approval process with consideration of the above, Council Officers may determine to;

12.4.1. Approve the application and issue a permit

12.4.2. Offer a limited permit with restrictions on type of activities, group sizes and number of groups, session times and/or location of activities

12.4.3. Not approve the application

12.5. Approved trainers will be issued:

12.5.1. A Council approved fitness trainer banner. The banner is to be displayed during all sessions to recognise that Council has approved the activity being conducted and that the trainer has a valid trainer permit.

12.5.2. A permit card that displays;

12.5.2.1. the type of activities permitted

12.5.2.2. the location(s) where these activities can take place

12.5.2.3. the times these activities can take place

12.5.2.4. the maximum size of groups

12.5.2.5. the maximum number of sessions

13. Fees and Charges

13.1. Permit Fees

- 13.1.1.** Trainers may operate from multiple locations with fees being in accordance with Council's Schedule of Fees and Charges
- 13.1.2.** Non-commercial fitness trainers are exempt from fees for use of facilities other than sports fields, pools, netball / basketball and tennis courts
 - 13.1.2.1.** Supporting evidence of not-for profit status is required
- 13.1.3.** Use of sports fields by organised or commercial group fitness and personal trainers will incur both the Fitness Trainers Permit fee and the applicable charges for the sports field including floodlighting where approved as detailed in Council's Schedule of Fees and Charges
- 13.1.4.** A comprehensive list of sports fields and their grading can be requested from Council
- 13.1.5.** Applications for use of open space areas that are not listed will be charged at Grade D
- 13.1.6.** Permit fees are determined based on the ratios of number of participants and number of sessions detailed in section 10.
- 13.1.7.** Fees are set out in the Schedule of Fees and Charges available on Council's website www.parracity.nsw.gov.au

13.2. Payment of Fees

- 13.2.1.** All bonds, including key bonds and the remaining balance of fees must be paid prior to the collection of keys
- 13.2.2.** Trainers will be invoiced for their hire on approval of use each season. Payment terms are 30 days however, payment programs may be negotiated
- 13.2.3.** All outstanding debts with Council must be resolved prior to the confirmation of further bookings and the commencement of each season

13.3. Bonds

- 13.3.1.** Payment of a bond is required by all hirers to cover any damage to Council's open space areas and property
- 13.3.2.** Council may retain the bond for any breach of the "Guidelines". Any extra cleaning costs, and/or damage will be charged for separately
- 13.3.3.** Where bonds are retained, a new bond must be paid prior to the allocation of any future permits. The bond amount may be increased at Council's discretion
- 13.3.4.** Bonds will be returned by cheque within 21 days following the completion of the season and a satisfactory inspection by Council Officers
- 13.3.5.** The cheque will be made payable to the payee of the bond only and cannot be transferred unless the payee provides written authority

13.4. Key Bond

- 13.4.1. Payment of a key bond is required for each key requested by the trainer. The bond amount is detailed in Council's Schedule of Fees and Charges
- 13.4.2. Key bonds will be returned by cheque within 21 days following the return of the respective key/s to the Booking Office
- 13.4.3. The cheque will be made payable to the payee of the key bond only and cannot be transferred unless the payee provides written authority
- 13.4.4. Key bonds will be retained if keys are misplaced or broken. An additional key bond will be charged if replacement keys or additional keys are required

13.5. Other Charges

In addition to the forfeiture of the bond, the following incidents will incur charges as detailed in Council's Schedule of Fees and Charges:

- 13.5.1. Failure to clean hired areas – additional cleaning costs
- 13.5.2. Failure to remove rubbish – additional rubbish removal costs
- 13.5.3. Failure to secure facilities – call out to secure facility

13.6. Cancellations or Changes to Confirmed Bookings by the Trainer

- 13.6.1. Cancellations must be made in writing and received prior to the issue of a permit
- 13.6.2. Fees will not be refunded if a cancellation is received after the permit is issued

13.7. Cancellation or Transfer of Bookings by Council

- 13.7.1. Council reserves the right to transfer any booking if the hired public open space area is required for a community or Council function or for maintenance
- 13.7.2. Where possible, the trainer will be given notice prior to the commencement of the season of any need to transfer a booking. All attempts will be made to relocate a booking. Council will be under no obligation to the trainer to supply a venue if none are available. In these circumstances, Council may refund any portion of fees already paid if a refund is warranted
- 13.7.3. Council will not be liable in any way for any loss incurred as a result of cancellation of hire

14. Responsibilities of the Trainer

The responsibilities of the trainer include, but are not limited to:

- 14.1. Ensuring that all Terms and Conditions within these guidelines are read and understood prior to signing the application form

- 14.2. Compliance with all Terms and Conditions within these guideline and associated documents
- 14.3. Compliance with reasonable directions of Council's Community Safety Officer(s) and other authorised Council Officers in relation to any actual or potential conflicting activities and/or display evidence of licence permit in a prescribed manner
- 14.4. Ensuring that the facility requested is suitable for the purpose of use
- 14.5. Accurate completion of the application form
- 14.6. Payment of all applicable fees, charges, bonds and/or any monies payable to Council prior to the start of season or in accordance with an approved payment program
- 14.7. Collection of keys and approval banner prior to the start of season and safe keeping of the keys and banner allocated
- 14.8. Inspection of the playing surface, surrounds, car park, buildings, irrigation systems, fencing, goal posts, structures and associated amenities prior to each use of open space areas to ensure that they are free from obstacles or hazards
- 14.9. Onsite attendance for the entire period of hire
- 14.10. Reasonably controlling the activities and behaviour of all attendees and participants of the trainers activities for the duration of the hire period
- 14.11. Ensuring that children are in the company of a responsible adult at all times
- 14.12. Ensuring the public open space and it's facilities are left in a clean and tidy condition and reporting any damage or maintenance requirements
- 14.13. Securing the toilets at the conclusion of each training session

15. Terms and Conditions

15.1. General Conditions

15.1.1. The trainer must provide only the activities for which they have received relevant qualifications for and that have been specified by Council in the Confirmation Letter

15.1.2. Hours of use

15.1.2.1. The trainer is permitted only to use the approved area for the **days** and **times** stated in the Confirmation Letter / Licence Agreement

15.1.2.2. No activity may commence prior to 6:00am on any day – this includes any setup or maintenance activities. All activities must cease by 10:00pm on any day (exception of McCoy Park in which activities must cease by 9.00pm)Activities under these guidelines conducted on the Parramatta River Foreshore are

permissible only between the hours of 9:00am and 6:00pm
(9:00am and 7:00pm during daylight savings time)

- 15.1.2.3.** Ensure that any activity causes minimum disruption and interference with the general public rights of access and enjoyment of public open space areas
- 15.1.3.** The trainer must co-operate with other users of the public open space facilities
- 15.1.4.** Where approved shared use of sports fields by sporting clubs and fitness trainers occurs, it must be noted that the sports club / association and its participants are the primary hirer of the facility
- 15.1.5.** The breaching of any Terms and Conditions and associated documents will result in the forfeit of the bond. Penalty charges may apply as per Council's Schedule of Fees and Charges. Where damage occurs or the call-out attendance of a Council Officer is required, this will be charged at cost to the trainer in addition to the forfeiture of the bond and any penalty fees
- 15.1.6.** The breaching of any Terms and Conditions may result in the suspension or termination of hire privileges
- 15.1.7.** The forfeiture of a bond may result in an increased bond amount being applied to future bookings
- 15.1.8.** Council reserves the right to cancel a booking due to non-disclosure or supplying misleading information
- 15.1.9.** Council reserves the right to deny applications for hire based on its discretionary assessment
- 15.1.10.** The trainer must ensure that no games of chance, gambling or any other kind of illegal activities are conducted at the public open space and it's facilities during their period of hire
- 15.1.11.** The trainer must acknowledge that legislation exists at State and Federal level, which makes acts of discrimination, vilification, incitement, offensive conduct and public disorder unlawful. The trainer must commit to ensure there is no discrimination, vilification or incitement of hatred or violence against any person or persons by any speaker during hire of Council facilities. Breaching of this condition will result in the forfeit of the bond and the termination of current and future hire privileges. Further information is available at www.humanrights.gov.au
- 15.1.12.** Activities must be managed to minimise wear and tear on grassed areas. This includes rotating within the designated area and/or alternating activities
- 15.1.13.** The trainer must conduct their activities so not to dominate, monopolise and/or obstruct footpaths and stairs from other users
- 15.1.14.** Set-up and use of exercise equipment must be not create any hazards or obstruction

15.1.15. Ensure that their clients do not step on or walk on or in any other way inappropriately use picnic tables and park furniture

15.1.16. The trainer must not sub-let, transfer or assign their rights under this permit to any other person, it being clearly understood that the permit is issued to a particular individual and is not transferable unless approved by Council

15.2. Risk Management

15.2.1. Insurance

15.2.1.1. Take out and maintain for the duration of the term of the permit in its name, APRA approved Public Liability Insurance for minimum \$10 million and produce documentary evidence of it at time of application

15.2.1.1.1. Trainers must name Council as an interested party on the policy/certificate of currency

15.2.1.1.2. Insurance must remain current during all periods of hire. It is the trainer's responsibility to ensure that Council is in possession of a copy of current insurance details at all times

15.2.2. Risk Assessment

15.2.2.1. Trainers are responsible for determining the suitability of the area for their activities, however Council may determine that the requested public open space is not suitable, even following the trainer's satisfactory assessment

15.2.2.2. The trainer is responsible for inspecting the field/s, surrounds, car park and associated amenities at the commencement of each period of hire of the facility to ensure that they are free from obstacles or hazards. All reasonable steps must be taken to ensure the trainer is satisfied that there is no reasonable risk of injury from the facility to any person participating in the planned activities

15.2.2.3. Any hazards or risks identified must be reported to Council without undue delay

15.2.3. Liability

15.2.3.1. Neither Council nor its employees will be liable for any loss or damage sustained by the trainer or any person, firm or corporation entrusted to or supplying any article or thing to the trainer by reason of any such article or thing being stolen, damaged or lost. The trainer agrees to indemnify City of Parramatta Council and its employees and agents against any loss or damage in any form sustained by the trainer or any person, firm or corporation for liability as a consequence of the use of Council owned public open space

15.3. Exclusive / Non Exclusive Use

15.3.1. Exclusive use is permitted from 6:00am to 8:30am on weekdays only

15.3.2. Non-Exclusive use

15.3.2.1. Weekdays - 8:30am to 10:00pm

15.3.2.2. Weekends - 6:00pm to 10:00pm

15.3.2.3. Non-exclusive use at McCoy Park is from 8:30am to 9:00pm weekdays

Non-exclusive use at CBD Foreshore Reserve is from 9:00am and 6:00pm (9:00am and 7:00pm during daylight savings time). There is no exclusive use at this location

15.4. First Aid / Professional Qualifications

15.4.1. The permit holder shall be an appropriately qualified instructor for the activities conducted, with relevant first aid certification and certificates as required for accreditation by Fitness Australia.

15.4.2. Permit holders must ensure at all times that the requirements of the Occupational Health and Safety Act 2000 (NSW) are observed, as well as other relevant laws (both statutory and common law) to the satisfaction of Council or the relevant applicable authority.

15.4.3. All trainers operating on Council owned public open space must have a fully equipped first aid kit and ice present for training. First aid kits must be publicly displayed during training sessions

15.4.4. Trainers must keep and maintain a logbook of accidents or injuries occurring during training sessions

15.5. Emergency Procedures

In situations where attendance of emergency services (Police, Ambulance or Fire Brigade) occurs, at the trainer's request or otherwise, Council must be notified immediately

15.6. Residential Amenity

15.6.1. Trainers are responsible for ensuring that adjoining property owners are not disturbed by excessive noise, offensive language or behaviour or any other activity likely to cause disturbance. This is particularly relevant to CBD Foreshore Reserve given its proximity to local residents

15.7. Floodlights

15.7.1. Applications for use on Council's public open space after sundown will be considered after the assessment of primary hirer usage requests

- 15.7.2. The allocation of floodlights will be reassessed should the primary hirers allocation requirements be amended
- 15.7.3. Where floodlight requests are approved trainers will incur floodlighting charges in accordance with Council's Schedule of Fees and Charges
- 15.7.4. Trainers are permitted to provide their own lighting on Council open space areas. Personal lighting equipment will be required to be inspected by a Council Officer

15.8. Field Closures

- 15.8.1. The trainer must observe the closing of open space areas due to wet weather and maintenance
- 15.8.2. If a field/s is scheduled for maintenance or major works, the trainer will be given as much notification as possible and where available will be moved to an alternative open space facility
- 15.8.3. Should there be an emergency situation on Council owned public open space, Council will do its best to advise the trainer as soon as possible
- 15.8.4. During periods of wet weather, the trainer is responsible for calling Council's wet weather information line to confirm if Council has closed the park / reserve. Council's wet weather phone number is (02) 9294 8586
- 15.8.5. The licensee is liable for the cost of rectifying any damage to the park / reserve as a result of use during periods of wet weather

15.9. Keys and Locks

- 15.9.1. The trainer must be responsible for the allocation and safekeeping of keys at all times
- 15.9.2. All keys are security coded and must not be reproduced for any reason
- 15.9.3. Provision of additional keys is at the discretion of Council. Additional keys require payment of a refundable bond
- 15.9.4. Keys may be requested by contacting the Recreation Services Officer
- 15.9.5. Keys may be collected from the Booking Office from Monday to Friday between the hours of 8:30am and 4:00pm by prior arrangement only
- 15.9.6. Only the trainer may collect keys. Where the trainer nominates an agent to collect the keys on their behalf, this authorisation must be provided in writing and be signed by both parties
- 15.9.7. All bonds must be paid prior to the collection of keys. Evidence of payment (receipt) must be produced to collect the keys
- 15.9.8. Failure to collect keys which requires an after hours call-out, will incur a charge as per Council's Schedule of Fees and Charges

15.9.9. It is the responsibility of the trainer to ensure that toilets are secured when not being used

15.9.10. Locks on Council facilities are provided by Council. Under no circumstances are they to be removed or replaced by the trainer. Should this occur, Council will replace all unauthorised padlocks and the trainer will be charged for the cost of replacement

15.10. Alcohol

15.10.1. Provision and consumption of alcohol requires the express permission of Council and where required, approval of the NSW Police and the Licensing Court

15.10.2. To issue a permit, the Police require a copy of the Confirmation Letter issued by Council and proof that all Fees and Charges have been paid in full

15.10.3. Application to Police for the permit must be made at least 28 days prior to the date of hire

15.10.4. The trainer must ensure that consumption of alcohol is limited to the area hired

15.10.5. Licences for the sale of alcohol can only be granted to non-profit organisations

15.10.6. The consumption of alcohol will not be considered where minors are training or playing

15.10.7. The sale, supply and/or consumption of alcohol to or by minors, at Council owned public open space and its facilities is prohibited and will result in Police action

15.10.8. Consumption of alcohol from glass bottles is prohibited

15.11. Maintenance

15.11.1. The trainer is responsible for reporting any maintenance and/or repairs required to open space areas and its amenities at their earliest convenience. To report maintenance please call Council's Customer Service Centre on (02) 9806 5050

15.11.2. All emergency maintenance and repairs must be requested through Council's Customer Service Centre on (02) 9806 5050. Trainers are not permitted to engage contractors on Council's behalf

15.12. Cleaning

15.12.1. The trainer is responsible for inspecting the area hired at the commencement of each period of hire to ensure that it is clean and tidy. The trainer should report any damage or unclean areas to Council's Customer Service Centre on (02) 9806 5050

- 15.12.2.** The trainer must ensure that public open space and its amenities and surrounds are kept clean and tidy at all times during the hire period
- 15.12.3.** The trainer is responsible for ensuring that the public open space is left in a clean and tidy condition following the period of hire
- 15.12.4.** The trainer is responsible for ensuring that rubbish is placed in the receptacles provided. Where facilities are found to be in an unsatisfactory condition, the cost of cleaning will be charged to the trainer
- 15.12.5.** Council is responsible for the regular cleaning of toilets, however, trainers are responsible for checking toilets at the conclusion of the hire period to ensure that they are neat and tidy
- 15.12.6.** The Trainer is responsible for the cost of repairs for any damage caused to buildings or fittings caused during the hire period. Reasonable wear and tear alone is accepted

15.13. Promotion, Advertising and Signage

- 15.13.1.** Any advertising signage must be of a temporary nature, erected and removed on the day of hire. Permanent fixtures are not permitted
- 15.13.2.** Advertising material must only promote the approved activities being conducted on Council owned public open space
- 15.13.3.** Advertising may only be displayed within the hired open space area
- 15.13.4.** Signage and/or banners are not to be tied or nailed to trees in or surrounding the open space area
- 15.13.5.** The use of "A" frames is not permitted

15.14. Temporary Structures

- 15.14.1.** Temporary shade structures under 30m² may be erected by the trainer without express permission of Council
- 15.14.2.** Erection of temporary shade structures over 30m² and any other structure including marquees, tents, and stalls requires the express permission from Council
- 15.14.3.** Where the trainer intends to erect a temporary structure, Council must be informed of the structure specification details as well as a map of the hired open space area, detailing the proposed erection site. This will enable Council to ensure that ground irrigation systems and easements are not damaged and the impact on surrounding areas
- 15.14.4.** Where damage is caused to sub-surface services by the erection of structures, repairs will be made by Council and the cost charged to the trainer

15.14.5. Care must be taken to ensure that ropes and pegs do not become a trip hazard

15.14.6. Structures must be erected and removed on the same day of hire

15.15. Parking

15.15.1. Parking must be limited to designated parking areas and on-street with regard to relevant parking conditions. Parking is not permitted on Council open space, footpaths or nature strips and vehicles must not obstruct driveways

15.15.2. It is the individuals' responsibility to ensure that all parking is legal. City of Parramatta Council bears no responsibility for fines and penalties for illegal parking by trainers and attendees of Council facilities

15.15.3. For activities that will attract larger than usual crowds, the trainer is required to submit a parking plan to Council prior to the booking

15.16. PA Systems, Music and Noise

15.16.1. Use of a Public Address system for the purpose of fitness training is not permitted

15.16.2. The trainer is responsible for ensuring that noise emission from any activity does not exceed normal background noise level when measured from the nearest boundary of any residential property

15.16.3. Where the noise emanating from an approved activity, within Council open space, exceeds the acceptable level, on the spot fines under the 1989 Environmental Offences and Penalties Act may result

15.16.4. The trainer is responsible for ensuring all attendees respect the peace and quiet of neighbouring residents. The area surrounding the facility and carpark is to be vacated within 30 minutes of the end of the hire period. The trainer is responsible for the quiet and orderly departure of attendees.

15.17. Covid-19 Responsibilities

15.17.1. It is the responsibility of the hirer to adhere to the public health order and follow the latest advice of the NSW Government regarding Covid-19 restrictions, including but not limited to, Covid-19 Safety Plan, physical distancing measures and the maximum capacities for the activity being conducted within the City of Parramatta Parks and Reserves.

15.17.2. It is the responsibility of the hirer to keep a record, including the contact details, of any and all attendees to their events, including organised sport competitions.

15.17.3. It is the responsibility of the hirer to practice good hygiene and any persons feeling unwell, or showing symptoms of cold and flu, should **not** enter the event being hosted within the City of Parramatta Parks and Reserves. Seek Medical Advice.

15.17.4. Fitness Trainers should provide sanitising equipment to participants to ensure that all attendees practice good hygiene.

15.17.5. All equipment should be cleaned after each class.

16. Related strategies, plans or policies

All applications will be assessed against the Plan of Management for each specific location.

Terms and conditions for the use of sports fields will be considered where applications for these areas are received.

17. Termination

17.1. The Council reserves the right to terminate its agreement with a trainer without notice if in its sole opinion it has determined that the trainer has failed to comply with the reasonable direction of its staff or has breached a condition of approval

17.2. A trainer whose licence has been terminated can appeal in writing to the CEO against the determination

18. Review

This policy is scheduled to be reviewed every 24 months

19. Definitions within these guidelines

Combat training – physical activities which involve opposing individuals and/or competitive training and is of an aggressive or intimidating nature

Commercial fitness training – a commercial fitness training activity is initiated for commercial gain and aimed at attracting visitors for which fees are charged. Similarly commercial activity includes any organisation or individual (“fitness trainer”) using a public park in order to deliver a product from which that organisation or individual will derive income or profit

Fitness trainer/ Trainer – person/s owning, managing or instructing physical fitness training for the purposes of conducting a business for exchange of fee or payment

Non-exclusive use – utilisation of public open space by more than one approved hirer at any same time

Exclusive use – Council permits only one hirer for the utilisation of a public open space area

Non-sports field locations – open space that is not designated or line marked for the use of organised competition sport

Public open space – land that is provided for the use of the community and administered by Council. Specifically, ‘public open space’ includes land designated as public parks and

reserves, sports fields, cycleways, shared pathways and footpaths within public parks/open spaces that are within the ownership of City of Parramatta Council or Crown Land vested in the care and control of City of Parramatta Council

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