



Policy Owner: Director Open Space and Environmental Services

Direction: 5. Our Civic Leadership

1. STATEMENT OF INTENT

- 1.1 To eliminate negative behaviour that interferes with the amenity of local residents and other park users.
- 1.2 To ensure access to and use of public open space is preserved for all members of the community.
- 1.3 To protect the public open space and public domain for future community use.
- 1.4 To provide the opportunity for the community to benefit from, enjoy and engage in fitness training in a variety of outdoor environments.

2. ELIGIBILITY

- 2.1 All personal trainers wishing to conduct outdoor fitness training in the North Sydney local government area are required to comply with the Code.
- 2.2 The following groups are not required to comply with this Code:
 - a) Walking groups;
 - b) Activities of local schools under the supervision of a teacher; and
 - c) Hirers that have a booking with Council and comply with the Terms and Conditions of Use.

3. DEFINITIONS

- 3.1 Training times - organised outdoor fitness training is only to occur between the hours of 6.00am and 9.00pm
- 3.2 Total size of group (including trainers) - is limited to no more than 10 people.

- 3.3 Sports fields - the actual marked or designated playing surface used for playing organised sport. While most playing surfaces in North Sydney are turf, other surfaces can include asphalt, acrylic/hard court and synthetic grass.

4. PROVISIONS

4.1 "No Go" Zones

The following areas are not to be utilised for outdoor fitness training:

- a) Areas of high pedestrian activity e.g. shopping strips, footpaths etc.
- b) Facilities and areas booked by Council and other user groups for programs and events e.g. youth programs, corporate events and birthday parties;
- c) Within marked designated sports fields on sportsgrounds (unless conducted with an approved booking);
- d) Areas where training activities have a negative impact on neighbouring properties and other park users e.g. intrusive noise, aggressive language etc;
- e) Within 50m of residential properties before 7am;
- f) Within 20m of War Memorials, monuments and cemeteries;
- g) Within 10m of children's playgrounds;
- h) Within areas zoned as 'Bushland' unless on formed asphalt or concrete footpaths;
- i) Areas closed for renovation or upgrading; and
- j) Park structures and furniture (e.g. buildings, shelters, fountains, walls, seats, picnic tables, signs, bubblers), trees, plants and garden beds etc must not be used for training.

4.2 "No Go" Activities

The following activities are not to be conducted by personal trainers:

- a) Amplified music or amplified audio (voice) equipment, whistles and loud shouting or other intrusive noise-generating activities;
- b) Aggressive, intimidating or noisy training activities including military style squad training;
- c) Activities necessitating the use of large sized specialist resistance and load bearing training equipment such as bars or benches, logs, tyres, heavy ropes or other large pieces of equipment;
- d) The soliciting of funds, sale of merchandise, advertising of goods or services (including use of banners, A-frame signs etc), or distribution of printed materials; and
- e) Use of objects that mark out an area to imply exclusive use.

4.3 Fees and Charges

At present Council is not planning to charge Personal Trainers a fee for the use of public open space. However, all personal trainers wishing to conduct outdoor fitness training in the North Sydney local government area are expected to comply with this Code.

4.4 Compliance

Personal trainers are asked to complete the attached declaration and comply with the Code at all times. Signing the declaration signifies a personal trainer's intent to comply with the Code.

All trainers are required to comply with reasonable directions of Council Ranger(s) or other Council Officers in relation to any actual or potential activities undertaken in line with the Code.

Personal Trainers will be issued with an item to identify themselves as having signed up to the Code. The item is to be on display during any fitness activity conducted on public open space in North Sydney.

It should be noted that committing to the Code and displaying the identifying item does not imply that Council endorses or is liable for, any damage or loss the Trainer may suffer by act, default or neglect of any other person. Nor does it imply that Council has made any assessment of that Trainer's suitability to supply the training service.

4.5 Non-compliance

Non-complying personal trainers not compliant will be moved on by Council's Rangers. Continued non-compliance may result in a request to permanently cease the conduct of fitness activities on public open space in North Sydney.

5. RESPONSIBILITY/ACCOUNTABILITY

5.1 Council's Parks and Reserves Department is responsible for ensuring that personal trainers are aware of their obligations under this Code.

5.2 Council's Rangers and Parking Services Department will respond to complaints or instances of non-compliance with this Code.

6. RELATED POLICIES/DOCUMENTS/LEGISLATION

The Policy should be read in conjunction with the following Council policies and documents:

- Compliance and Enforcement Policy
- Recreation Needs Study 2005
- Sports Facilities Booking Policy

Version	Date Approved	Approved by	Resolution No.	Review Date
1	28 November 2011	Council	851	2012/13
2	18 February 2013	Council	61	2016/17
3	25 June 2018	Council	214	2020/21