



Centennial
Parklands

Centennial Parklands Equestrian Centre Independent Instructor Policy

Independent Instructors conducting lessons for private clients of the Centennial Parklands Equestrian Centre and Equestrian Grounds– Terms and Conditions of Permit and Management of the Independent Instructor Scheme (Version 1.1).

1. Introduction

1.1 Centennial Park and Moore Park Trust

The Centennial Park and Moore Park Trust (the **Trust**) is a statutory corporation established under the *Centennial Park and Moore Park Trust Act 1983* (NSW) (the **Act**). The Trust is the registered proprietor of Centennial Park, Moore Park and Queens Park (together, **Centennial Parklands**). The objects of the Trust, as set out in the Act, are to:

- (a) maintain and improve the Centennial Parklands;
- (b) encourage the use and enjoyment of the Centennial Parklands by the public and by promoting and increasing the recreational, historical, scientific, educational, cultural and environmental value of the Centennial Parklands;
- (c) maintain the right of the public to the use of the Centennial Parklands; and
- (d) ensure the protection of the environment within the Centennial Parklands.

The management of the use of Centennial Parklands is governed by the Act and the *Centennial Park and Moore Park Trust Regulations 2014* (NSW) (the **Regulations**).

1.2 Centennial Parklands Equestrian Centre

The Trust controls the land on which the Centennial Parklands Equestrian Centre (the **Equestrian Centre**) and the Equestrian Grounds are situated. The Equestrian Centre is located at 114-120 Lang Road, Centennial Park, and is part of the Centennial Parklands. Within Centennial Park, the Equestrian Grounds are situated near the Randwick Gates accessed via the Horse Track that follows the Grand Drive loop.

The Equestrian Centre is a unique facility with nine commercial businesses operating within the Centre as well as up to 135 privately leased stables. There are five riding schools, an on site equine veterinarian, two livery providers and a farrier service. The use of the Equestrian Centre, Horse Track and Equestrian Grounds is regulated by the Centennial Parklands

Equestrian Centre and Equestrian Grounds Code of Conduct and Regulations (the **Code of Conduct**)

http://www.cpequestrian.com.au/_data/assets/pdf_file/0009/112212/2018_FINAL_Code_of_Conduct_WEB_VERSION2.pdf

Independent Instructors

The Independent Instructor scheme was introduced to the Equestrian Centre to provide high level coaching services to owners and lessees of horses at the Equestrian Centre beyond those offered by existing Licensees. The use of Independent Instructors makes available instruction on a private client's own horse in several of the specialty disciplines that exist within the equestrian field: hacking, dressage, show-jumping and eventing, which offers additional high level coaching services to owners and lessees of horses at the Equestrian Centre.

This policy is the document that regulates the terms and conditions under which the Independent Instructor scheme is established and the rules that apply to the giving of lessons to clients by an Independent Instructor within Centennial Parklands.

2. Purpose and scope of policy

2.1 Purpose

The purpose of this policy is to provide for the effective management of the Independent Instructor scheme for the Equestrian Centre. The policy aims to ensure that lessons by Independent Instructors are delivered in a way that minimises the impact on existing Licensees and the facilities available at the Equestrian Centre and Equestrian Grounds, addresses public risk concerns as well as providing a quality service to private clients of the Equestrian Centre.

2.2 Scope

The scope of this policy applies to all equestrian lessons of instruction of private clients conducted within the Centennial Parklands. Instruction of a private client is only permitted by an Independent Instructor who has been granted a permit by the Trust in accordance with this policy. An Independent Instructor is only permitted to teach one individual private client at a time on the private client's own horse, where the horse is fully- or part-owned, leased or part-leased by the student or their parent/guardian.

2.3 General

This policy may be altered or added to from time to time at the discretion of the Trust and any such alterations or additions will be advised to Independent Instructors.

3. Approval Process

- 3.1** An Independent Instructor, who wishes to conduct lessons for the Equestrian Centre private clients on Trust land, must submit an Application and be issued an approved permit in accordance with this policy. This is required pursuant to Regulation 7.1 of the Centennial Parklands Equestrian Centre and Equestrian Grounds Code of Conduct and Regulations. Each individual intending to operate as an Independent Instructor will require approval from the Trust.
- 3.2** Each approved Independent Instructor will be allocated a Permit to be issued by the Trust on an annual basis for regular instructors and as a one off for casual/clinic Independent Instructors.
- 3.3** The Trust intends to issue a maximum of ten (10) Independent Instructor Permits per year (1 July to 30 June) and may consider allowing up to a maximum of five (5) permits per discipline at the sole discretion of the Trust. However, the Trust may vary these numbers at its absolute discretion.

4. Term of Approval

A Permit will be valid for one year and expires each year on 30 June. The approval will authorise the Independent Instructor to conduct lessons and/or instruction at the Equestrian Centre in a particular discipline(s) strictly in accordance with this policy on a non-exclusive basis.

5. Issue of Approval

- 5.1** Applications for an Independent Instructor Permit will be assessed by the Trust taking into account the following factors:
- (a) Evidence of the Qualifications (as specified in Clause 11.2 of this Policy) provided with the Application;
 - (b) The equestrian discipline to be instructed;
 - (c) That there is currently a demand for the discipline among private clients stabling at the Equestrian Centre; and
 - (d) The number of hours of independent instruction that will be conducted per month at the Equestrian Centre facilities.
- 5.2** In considering the above, the Trust may decide, at its sole discretion, to:
- (a) Approve an application and issue an approval Permit, on the payment of the Permit Fee (as per Clause 6); or
 - (b) Not approve the application.
- 5.3** The approval to conduct Independent Instruction from the Equestrian Centre is personal and not transferrable to any other person or independent instructor.
- 5.4** If there is any dispute regarding the decision to approve or not to approve an application, the Director and Chief Executive will make the final determination on the approval or disapproval with consideration of the criteria in Clause 5.1 and recommendations made by the Equestrian Centre Manager and the Director Sport & Recreation.

5.5 If the Independent Instructor submits an application for renewal of the permit, which is refused, the Trust will not be liable for any allegations of loss of income due to this refusal. An application in itself does not constitute any right to be granted a permit.

6. Fees

6.1 If the application is approved, the applicable Independent Instructor Permit Fee is payable prior to the Trust issuing the Independent Instructor Permit. If an Independent Instructor elects to pay the Independent Instructor Permit Fee on a monthly basis, the first month's payment must be made prior to the Trust issuing the Independent Instructor Permit. The Independent Instructor will then be issued with a monthly invoice on the first business day of the month and this must be paid with 7 days.

6.2 A fee of \$20 will be charged for a replacement copy of the Permit.

6.3 The fees payable will be subject to review annually.

6.4 If the Independent Instructor is in breach of this policy and their permit is revoked the Independent Instructor Permit Fee will not be refunded either in part or in full and the Trust will not be liable for any allegations of loss of income due to the revocation of the permit.

7. Compliance

7.1 Independent Instructors approved by the Trust must comply with the following:

- (a) The terms and conditions of this Policy;
- (b) The Act and Regulations;
- (c) The Equestrian Centre Code of Conduct;
- (d) The Equestrian Australia Code of Conduct for Coaches (refer: <http://www.equestrian.org.au/>); and
- (e) The Equestrian Australia General Code of Conduct (refer: <http://www.equestrian.org.au/>).

8. Non-Compliance

8.1 Penalties may apply if the following offence(s) are committed:

- (a) A person is found to be giving lessons or instruction without Trust approval, i.e. without a permit; or
- (b) An approved Independent Instructor is not operating in accordance with the policy.

8.2 Any breaches of Clause 7.1 or Clause 8.1 may be subject to any or all of the following:

- (a) The issue of a warning;
- (b) The issue of a penalty notice by the Trust Rangers or Authorised Officers;
- (c) The termination of the Independent Instructors Permit and the Independent Instructor Permit Fee will not be refunded either in full or in part; and
- (d) Removal from the Equestrian Centre and/or Centennial Parklands.

8.3 Breaches may also be referred to Equestrian Australia.

9. Permitted Areas for Independent Instruction

9.1 The stabling arrangements of the student's horse at the Equestrian Centre will determine where the Independent Instructor may conduct a lesson, as follows:

- (a) For existing private clients, stabled at the Equestrian Centre, lessons can be conducted in the Equestrian Centre arenas.
- (b) For existing private clients, stabled at the Equestrian Centre, who also hold an Equestrian Grounds Permit (Platinum, A Pavilion Premium or Clydesdale Memberships), lessons can be conducted in the Equestrian Centre arenas or the Equestrian Grounds located in Centennial Park.
- (c) Jumping lessons may only be conducted in the Equestrian Grounds (students must therefore hold a Platinum, A Pavilion Premium or Clydesdale Membership).

9.2 Upon request, the Equestrian Centre Manager will advise Independent Instructors on the level of facility access to which students are entitled.

9.3 The use of the facilities within the Equestrian Centre or the equestrian facilities within Centennial Parklands is non-exclusive and those areas are available for use by other Equestrian Centre private clients and Licensees.

9.4 The Independent Instructor acknowledges that Centennial Parklands is public land and subject to public access and use.

9.5 The Trust or Equestrian Centre Manager may restrict permitted times of teaching in any part of the Equestrian Centre facilities to account for over-crowding, maintenance works, events, equity of access to all independent instructors, riding schools and other private clients and/or for any other reason they see fit.

10. Permitted and Prohibited Activities

10.1 Permissible Activities

Only the following activities are permitted to be conducted by Independent Instructors who hold a Permit issued by the Trust:

- (a) A lesson may only be given to an individual who is riding their own horse, that is a horse that is owned, part-owned, leased or part-leased by the student or their parent/guardian;
- (b) Lessons may only be given to one individual at a time;
- (c) A lesson may only be given by an Independent Instructor for the equestrian discipline(s) for which they have been granted the Permit; and
- (d) The Independent Instructor issued with the Permit must personally conduct all lessons.

10.2 Prohibited Activities

The Independent Instructors are not permitted to do the following:

- (a) Conduct a lesson where the student rides the Independent Instructor's horse or a horse owned or part-owned by the Independent Instructor or an associate of the Independent Instructor. The student must only ride a horse that they or their parent/guardian own, part-own, lease or part-lease.
- (b) Ride a student's horse, without the student present, for the purpose of training the horse or exercising the horse and must not ride the student's horse outside of lesson times.

PLEASE NOTE: these activities are not covered by the Equestrian Australia National Coaching Accreditation Scheme [NCAS] Insurance and will be considered a breach of this policy.

- (c) Provide agistment services for the horses of students or other private clients;
- (d) Operate an office at the Equestrian Centre;
- (e) Operate booking facilities at the Equestrian Centre;
- (f) Operate a landline phone or fax at the Equestrian Centre;
- (g) Access Trust utilities (including but not limited to, electricity, gas, telephone and internet) at the Equestrian Centre;
- (h) Stable a horse at the Equestrian Centre (except under a separate agreement with the Trust for the Independent Instructor to personally stable the horse at the Equestrian Centre as a private client);
- (i) Utilise wash bays, stables or feed at the Equestrian Centre (except for a horse owned by the Independent Instructor that is stabled at the Equestrian Centre as a private client);
- (j) Teach group lessons; or
- (k) Teach non-Equestrian Centre clients at the Equestrian Centre.

11. General Provisions

11.1 Approved Hours of Operation

Independent Instructors are permitted to conduct lessons:

- (a) Within the Equestrian Centre: during the hours it is open; and
- (b) Within Centennial Park: during daylight hours.

11.2 Qualifications

The following criteria must be met to be eligible for approval for an Independent Instructors Permit to provide lessons on Trust lands and must be provided with the Application Form:

- (a) Current qualification/accreditation of Level 2 or greater with the NCAS in the chosen equestrian discipline;
- (b) In the case of Hacking, Level 1 (non-jumping) NCAS qualifications will suffice and in the case of coaching athletes with a disability appropriate qualifications from the Riding for Disabled Association will suffice;
- (c) Current Senior First Aid Certificate;
- (d) Current Insurance with Equestrian Australia under the NCAS or a current certificate of currency for Public Liability Insurance to the value of \$20 million;
- (e) Submission of a completed Working with Children Check Form (<https://check.kids.nsw.gov.au/background-check-consent.php>); and

11.3 A signed Equestrian Centre Code of Conduct Acknowledgement form http://www.cpequestrian.com.au/data/assets/pdf_file/0009/112212/2018_FINAL_Code_of_Conduct_WEB_VERSION2.pdf

11.4 Storage

No equipment used by Independent Instructors is to be stored on Trust lands (unless this is available under their separate stabling membership of the Equestrian Centre as a private client).

11.5 Car Parking at the Equestrian Centre

Independent Instructors are required to park in designated parking areas within the Equestrian Centre in accordance with parking control signs. Independent Instructors are not permitted to park in the Licensee or parking permit holder spaces and will not be allocated a dedicated parking space.

11.6 Risk Management

- (a) An Independent Instructor must adhere to the Risk Management for Coaches principles advocated by Equestrian Australia (refer: <http://www.equestrian.org.au/>).
- (b) It is the responsibility of the Independent Instructor to ensure all legislative requirements for Work Health and Safety and public safety are met.
- (c) The Independent Instructor's use of the Equestrian Centre or the facilities within Centennial Parklands is at their own risk.

11.7 Accident Indemnity

- (a) The Independent Instructor shall be responsible for any accident, loss, damage or injury sustained by any person being instructed by them or to any other person due to any act or omission of the Independent Instructor notwithstanding that such injury arose from or by reason of any defect with the facilities and the Independent Instructor agrees to indemnify the Trust against all claims and demands made or costs or expense incurred in connection with such actions or incidents.

- (b) The Independent Instructor must report all incidents as per regulation 9 Code of Conduct to the Equestrian Centre Manager within 24 hours. Failure to do so may result in the suspension of the Independent Instructor's Permit.

11.8 Damage by Independent Instructor

- (a) If the Equestrian Centre, Equestrian Grounds or Centennial Parklands, or its facilities or equipment, are damaged (including stained or marked) by any act or omission whether wilful or otherwise by the Independent Instructor or during the lesson conducted by the Independent Instructor, the Independent Instructor must pay to the Trust on demand an amount equal to the costs incurred by the Trust in reinstating the damaged area, facilities or equipment to the standard of repair and condition that the area, facilities or equipment were in immediately prior to the damage.
- (b) If any facilities or equipment are damaged beyond repair by the Independent Instructor or during the lesson conducted by the Independent Instructor, the Independent Instructor must pay to the Trust the replacement cost of such facilities or equipment.

11.9 Business Interruption

The Trust will accept no responsibility or liability for any interruption to business caused by the Trust or any other authority carrying out any special event, filming or maintenance work that limits access to, or closes, any or all of the facilities within the Equestrian Centre or Centennial Parklands.

11.10 Availability of Permitted Areas

The Trust offers no guarantee or warranty that the Permitted Areas (see Clause 9) will be available for use at any time.

11.11 General Conditions

Independent Instructors must:

- (a) Always conduct themselves in a proper and businesslike manner and be considerate of other users of the Equestrian Centre, Centennial Parklands and associated facilities;
- (b) Not create any unreasonable noise from the lesson activity;
- (c) Ensure any equipment used does not create hazards or obstruction and pack these away at the close of a lesson;
- (d) Leave the training area in the same condition it was at the commencement of training. If facilities are found to be in a poor state at the start of a lesson, the Independent Instructor is to report this to the Equestrian Centre Manager or the Ranger Security Officer (RSO).
- (e) Notify the Equestrian Centre Manager of any damage or incident within 24 hours of it occurring;
- (f) Not display any advertising signage, including but not limited to, banners or 'A' frame signs on Trust land at any time;
- (g) Carry a mobile phone with emergency contact numbers for the Trust's Rangers phone 0412 718 611 and the Equestrian Centre Office 9332 28009 and Centre manager 0419 249 393 pre-programmed for speed dialling in an emergency.

- (h) Comply with student access limitations as detailed in Section 9.1 and 9.2.
- (i) Submit an Application Renewal on 1 July each year and, if a new permit is approved by the Trust for issue to the Independent Instructor, pay the Independent Instructor Permit Fees in accordance with Section 6.2.
- (j) Comply with any directions from the Trust's Rangers, Authorised Officers or the Equestrian Centre Manager with regard to operations, safety and security at the Equestrian Centre or in Centennial Parklands.

11.12 General Park Rules

Centennial Parklands Regulations prohibit the following:

- (a) Parking or driving vehicles on fields or other grassy areas, footpaths, cycle tracks or horse tracks.
- (b) Commercial activities including the collection of money, sale of food, drinks, services and merchandise.
- (c) Display or distribution of advertising material.
- (d) Signs or banners without written approval of the Trust.
- (e) Filming or photography for commercial purpose except with the written permission of the Trust.
- (f) Erection of structures such as tents, screens and awnings without prior approval.
- (g) Public address systems and amplified music.
- (h) Leaving rubbish, litter and other waste material in places other than in the Park's rubbish bins / recycling stations.
- (i) Use of insulting, threatening or indecent language.
- (j) Offensive or indecent behaviour.
- (k) Non-compliance with directions given by the Trust, Police or any other authorised person.
- (l) Damage to grass, trees, and other vegetation or wildlife.
- (m) Damage to buildings, structures and equipment.
- (n) Centennial Park is open to vehicles from sunrise to sunset. All vehicles must vacate the park prior to sunset or be subject to a gate opening fee.