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## 1. PREAMBLE

The Personal Training Permit System has been prepared to outline the procedures that all personal training groups and businesses must follow in order to obtain a permit for permission of use for approved locations in parks and reserves with the City of Holdfast Bay.

### 1.1 Background

The City of Holdfast Bay plays a key role in providing recreational opportunities and supporting infrastructure on public land that encourages physical activity among the community.

Personal training is a form of physical activity that is growing in popularity. This activity can involve one client or large groups at one time. This activity also involves using a range of fitness equipment.

This activity is often undertaken on Council reserves, parks and other open spaces and personal trainers often charge a commercial fee to participants.

The City of Holdfast Bay has both duty of care and an obligation to ensure that its public spaces are safe and provide on-going amenity to as many people as practicable.

### 1.2 Purpose

This document defines the City of Holdfast Bay's (Council) position on the management of Personal Trainers as well as supporting the Administration of requests from Personal Trainers to undertake their activities on community land and is intended to ensure:

- That the impact of commercial fitness activities on asset condition and maintenance is minimised.
- That public liability concerns are addressed; and
- That planning for amenities, infrastructure and facilities to support recreational activities is enhanced.

### 1.3 Scope

This policy applies to all areas within the municipality and relates to all Commercial Personal Training businesses undertaking training activities within the City of Holdfast Bay.

# PERSONAL TRAINERS POLICY AND PERMIT SYSTEM

## 1.4 Definitions

*Personal Trainer* – A personal trainer is an exercise professional with the knowledge and experience to offer advice and guidance in the areas of exercise and fitness.

*Personal Training Activities* – shall be used to describe organised fitness activities conducted by a commercial business or personal trainer at a Council venue (i.e. Council sports ground, park, or open space).

## 1.5 Strategic Reference

Community: Building a healthy, active and resilient community

## 2. PRINCIPLES

- 2.1 Council encourages people to participate in outdoor exercise and seeks to ensure that commercial fitness activities do not prevent others from enjoying the City of Holdfast Bay's parks and reserves or negatively impact on any community member's quality of life.
- 2.2 Council will utilise a permit system that outlines personal training permit conditions along with an application process and details of the suitability of each open space to support this activity (see Personal Training Permit Conditions).
- 2.3 Permits for Personal Training activity will only be provided for those parks and reserves which have been identified as suitable for such activity, taking into account the park or reserve size, amenity and proximity to households.
- 2.4 An annual permit will be issued to Personal Trainers identifying the park or reserve, days used and the number of participants.
- 2.5 Personal Training activity will only be permitted on the identified parks and reserves identified on the permit.
- 2.6 Personal Training permits will only be issued to trainers who are able to demonstrate membership of the appropriate professional organisation and who have the appropriate levels of public liability and indemnity insurance and other essential items as identified in the Personal Training Permit Conditions - under eligibility.
- 2.7 The City of Holdfast Bay has the right to decline to issue a permit, or withdraw a permit.

# PERSONAL TRAINERS POLICY AND PERMIT SYSTEM

## 3. REFERENCES

### 3.1 Legislation

- It is a requirement of Council By-Law 3 that all organised sporting events conducted under Council land for the purpose of profit (personal training and/or group fitness sessions) be approved by express written consent from Council through issue of a permit. Failure to obtain such a permit from the City of Holdfast Bay is deemed to be an offence under Council By-Law 1 [4.1]; punishable by expiration of \$187.50, and/or subject to the additional maximum penalty prescribed by the Local Government Act 1999.
  - Under Section 200 (1) of the *Local Government Act 1999*, a person must not use community land for a business purpose unless the use is approved by the Council (and to do so carries with it a maximum penalty of \$5,000).

### 3.2 Other References

- Personal Training Permit Terms and Conditions
- “Our Place” 2030 Strategic Plan