

## GROUP FITNESS AND PERSONAL TRAINING

### 1. Intent

To provide a mechanism that allows events held at Town of Cottesloe facilities to be classified and appropriate fees be charged.

The Group Fitness and Personal Training Policy is intended to:

- Ensure that Council reserves and public open spaces are used in a way that is appropriate for each space;
- Encourage residents to participate in healthy activities;
- Minimise disruption to residents and other users of facilities; and
- Regulate the use of Council reserves for profit making activities.

Note: it is not the intent to regulate private exercise on Council reserves, however, where an individual wants to ensure the availability of an approved site and wish to make a booking, the provisions of the Policy will apply.

### 2. Background

In recent times there has been a rise in the popularity of personal trainers and group fitness classes in outdoor settings. Cottesloe has many locations that are ideal for such classes, and as such has become a popular location for them.

The Town has a role in regulating the use of reserves, to maximise their use, while minimising disruption to surrounding residents and existing users. Restrictions on times of availability, group size and equipment that can be used, will allow classes to continue, while providing some level of protection for residents.

### 3. Statutory Environment

Under the *Local Government Property Local Law 2001*, a permit is required to undertake any function on a reserve controlled by the Town. A group fitness class of more than four people falls under the definition of 'function' as defined in the Local Law.

When an application for a function is received, the Local Government can;

- a. grant permission
- b. refuse permission; or
- c. grant permission subject to conditions

While personal training does not meet the definition of a function, the Local Law makes it an offence to carry on any business (trade) on local government property without a permit.

The intent of this policy is to provide guidance to the Chief Executive Officer as to what applications would be considered appropriate, and what conditions should be attached to any approval given for group fitness classes and personal training.

#### **4. Definitions**

‘Group Fitness Class’	is an organised gathering with the use of a paid trainer and 4 or more people with a maximum of 20 people, where the group participates in a range of exercises, which fulfils the definition of ‘function’ as per the <i>Local Government Property Local Law 2001</i> .
‘Personal Training Sessions’	is an organised gathering with the use of a trainer for less than 4 people, and the trainer provides guidance and instruction of personal fitness activities. It is typified by a payment for coaching, but can include coaching on a voluntary basis.
‘Fees’	the fee included in the Schedule of Fees and Charges, as set by Council in the Annual Budget. Venue hire is included in the fees listed in the Schedule of Fees and Charges.

#### **5. Policy**

Prior to providing any Group Fitness Class or Personal Training Session from a facility or place controlled by the Town, trainers are required to obtain a permit from the Town to do so, in accordance with the *Local Government Property Local Law 2001*.

Fees must be paid in full prior to commencement. Fees paid assist in the maintenance of facilities and ensure equity with similar businesses operating in commercial premises.

It is an offence to conduct a Group Fitness Class or Personal Training Session without the required permit and penalties will be applied as stipulated in the *Local Government Property Local Law 2001*.

#### **6. Exceptions**

This policy does not include the activities of any not for profit sporting club, undertaking training for their competition or club duties. For sake of clarity, this includes but is not limited to the activities of Cottesloe Surf Life Saving Club, North Cottesloe Surf Life Saving Club, Cottesloe Rugby Club, Cottesloe Junior Football Club, Seaview Golf Club or Cottesloe Tennis Club.

This policy does not apply to activities that are covered specifically by the *Beaches and Beach Reserves Local Law 2012*, or any other event granted permission by the Town of Cottesloe.

#### **7. Eligibility Criteria**

In order to receive permit to conduct Group Fitness Classes or Personal Training Sessions on a Town of Cottesloe Reserve, the application must provide evidence of the following:

- Approved industry qualification
- Current senior first aid
- Public Liability Insurance (valid for the duration of the permit)

## 8. Locations

Personal Training Sessions are permitted to take place on any recreation reserve, where public access is permitted, except children's playgrounds, or any other space where specific permission or authorisation is required.

Group Fitness Classes will only be approved at the following locations:

- a. Cottesloe Oval
- b. Beach Reserve
  - between a line extending from Napier Street and Bryan Way (grassed areas only)
  - near Beach Street (grassed areas only)
- c. Jasper Green Reserve
- d. Main Lawn – Cottesloe Civic Centre

At no time shall permission be given for personal trainers to operate within 15 metres of a residential property, adjacent to a public open space.

The Town of Cottesloe reserves the right to permit other events or grant permission for Group Fitness Classes or Personal Training Sessions to take place at any Council reserve concurrently.

## 9. Times

Applications for Group Fitness Classes will only be considered where the class begins after 6.00am. Applications for activities after 8.00pm on any night will not be considered.

Personal Training Sessions may apply for a permit to operate at any time, however, due consideration will be given to noise and amenity in considering applications.

## 10. Signage

Temporary signage issued by the Town of Cottesloe must be displayed at all times when operating, indicating a permit has been granted for a Group Fitness Class or Personal Training Session.

Temporary business signage will be permitted to be installed 30 minutes before an approved class and must be removed within 15 minutes of the completion time.

## 11. Footpaths / Dual Use Paths

Footpaths and dual use paths are allowed to be used as an incidental part of a Group Fitness Class or Personal Training session, subject to noise in residential areas being kept to an absolute minimum.

## 12. Use of In Situ Equipment

The Town provides In Situ equipment for a variety of uses by residents. Any such equipment should only be used for the purpose for which it was installed. While personal trainers and group fitness classes may use such equipment incidental to their sessions, trainers and instructors are not to attempt to 'reserve' the use of this equipment in any way.

Children’s playgrounds and equipment are not to be used by either personal trainers or group fitness classes.

Adopted	25 July 2017
Expected date of review	



<b>Council Policy</b>	Group Fitness and Personal Training ( <b>DRAFT</b> )		
<b>Reference</b>	<i>Strategic Community Plan 2013-2023</i> Priority Area: 1 Major Strategy: 1.3	<i>Corporate Business Plan 2020 - 2024</i> Priority Area: 1 Major Strategy: 1.3	
<b>Responsible Officer</b>	Executive Manager Corporate Services and Governance		
<b>Policy Area</b>	Corporate Services – Community		
<b>Council Adoption Date</b>		<b>Version Number</b>	V1
<b>Amendment Dates</b>		<b>Next Review Date</b>	2023

This Policy replaces all previous policies related to this topic and should be read in conjunction with the Town’s Group Fitness and Personal Training Guidelines.

## 1. Policy Purpose

- 1.1. This Policy aims to ensure that Town of Cottesloe (the Town) facilities are used in a way that is appropriate for each space.
- 1.2. This Policy aims to minimise disruption to residents and other users of the Town’s facilities.
- 1.3. This Policy aims to regulate the use of the Town’s facilities for profit making activities.

## 2. Policy Scope

This Policy applies to all Group Fitness Sessions and Personal Training Sessions carried out on a Town facility.

## 3. Policy Requirements

- 3.1. Trainers are required to obtain a permit from the Town in order to conduct a Group Fitness Session or Personal Training Session on a facility controlled by the Town and to pay fees and charges in respect of the permit in accordance with the Town’s schedule of fees and charges.



- 3.2. Group Fitness Sessions and Personal Training Sessions will not be permitted in high activity areas and/or areas of cultural, environmental or natural significance.
- 3.3. Permit holders are required to adhere to the Group Fitness and Personal Training Guidelines.
- 3.4. [Permits should not be issued](#) under this Policy for Group Training Sessions of more than 20 participants including trainers or for Personal Training Sessions of more than 4 participants including trainers.
- 3.5. Any other organised fitness training greater than 20 participants may be subject to apply through the Town's event application process, as determined by the Town.
- 3.6. Applications for permits and the number of permits to [be issued](#) will be determined by the Chief Executive Officer (CEO) or their delegate.
- 3.7. The Town reserves the right to terminate a permit issued under this Policy without notice, [pursuant to Town of Cottesloe Local Government Property Law 2001 Clause 3.12](#).

#### 4. Exemptions

- 4.1. Exempt from this policy are Cottesloe based not for profit sporting club/s, undertaking training for their competition or club duties, [at their regular training facility](#).

#### 5. Definitions

##### 5.1. **Personal Training**

For the purposes of this Policy and the Guidelines, a Personal Training Session is an organised gathering of a group of up to 4 people, including a trainer(s), where the trainer(s) (whether for payment or without charge) provides guidance and instruction on personal fitness activities.

##### 5.2. **Group Fitness**

For the purposes of this Policy and the Guidelines, a Group Fitness Session is an organised gathering of a group of more than 4 people, including a trainer(s), where the group participates in a range of exercises under the guidance and instruction of a trainer(s) (whether for payment or without charge).

- 5.3. **Facility/Facilities** – Any building, [reserve or public open space](#) that is owned by the Town or under the Town's care, control or management.



**6. Other Relevant Procedures/Key Documents include:**

- 6.1.** Local Government Property Local Law 2001 (Consolidated)
- 6.2.** Group Fitness and Personal Training Guidelines
- 6.3.** Group Fitness and Personal Training Application Form
- 6.4.** Schedule of Fees and Charges

DRAFT