

## GROUP FITNESS AND PERSONAL TRAINING POLICY

### (1) INTENT

The Group Fitness Classes 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.

### (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 *Town of Cottesloe Local Government Property Local Law 1998* (Local Law), a permit is required to undertake any function on a reserve controlled by the Town. A group fitness class of more than 4 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.

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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 of 4 or more people, where the group participates in a range of exercises, which fulfills the definition of “function” as per the Local Government Properties Local Law 1998.

**Personal training** – is the use of a paid trainer, to provide guidance and instruction of personal fitness activities. It is typified by a payment for coaching, but can include coaching on a voluntary basis.

**Fees** – mean the fee included in the schedule of fees and charges, as set by Council from time to time.

### POLICY STATEMENT

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 Town of Cottesloe Local Government Properties Local Law 1998.

### (5) 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.

### (6) LOCATIONS

**Personal training** is 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;

**1. Cottesloe Oval**

**2. Beach Reserve**

- a) between a line extending from Napier Street and Bryan Way (grassed areas only).
- b) near Beach Street (grassed areas only);

**3. Jasper Green Reserve**

**4. Main Lawn – Cottesloe Civic Centre; and**

**5. Lesser Hall – Cottesloe Civic Centre.**

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

**(7) TIMES**

Applications for Group Fitness Classes will only be considered where the class begins after 6am. Applications for activities after 8pm on any night will not be considered.

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

**(8) SIGNAGE**

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

**(9) 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.

**(10) 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

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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.

**ADOPTION:                    September, 2013**

**REVIEW:                      September, 2018**