Personal Training and Commercial Group Fitness “Guidelines”
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1.0 Introduction

Personal Training and Group Fitness within public places has been expanding rapidly over the last few years. This has led to the need for further structure and regulations by Councils, of all sizes, in order to provide guidance to private and commercial business operators.

The City of Stirling recognises that physical activity is a valuable component of a healthy and vibrant community. The City is committed to providing spaces and places for people to participate in a range of activities that enhance physical health and well-being. The City’s Strategic Plan 2013-2023 has six key themes that provide guidance on maintaining a high level services and infrastructure across the City of Stirling – City of Choice. These include: Liveable City and Thriving Neighbourhoods, Sustainable Environment, Engaged Communities, Accessible and Connected City, Prosperous City and Making it Happen.

The City’s support can also be demonstrated through annual investments in public open space and infrastructure enhancements such as the provision of outdoor exercise equipment, new dedicated dog exercise areas, shared use paths, sporting fields and playgrounds.

These personal training & commercial fitness guidelines apply to all parks, reserves, and beaches within the City of Stirling and will be reviewed annually to ensure they are current and relevant.

2.0 Aim

The aim of these guidelines is to provide an effective management tool for commercial personal trainers and fitness groups that use parks, reserves and beaches to minimise impacts on surrounding residents and the broader community.

These guidelines will ensure:

- Equity of access and effective management of public open space;
- Adequate management of the impact on City’s assets;
- Adherance to fitness industry standards of service, care and safety; and
- Ongoing promotion of health, wellbeing and physical activity within public open spaces.
3.0 Definitions

1. **Personal Trainers/Commercial Fitness groups** – Are fitness professional trainers involved in exercise prescription with a commercial interest.

2. **Personal Training fees** – An annual or seasonal charge which is applied to all fitness groups using the City’s parks reserves and beaches over an extended period of time.

3. **Bootcamp:** Any short term form of personal training.

4. **Bootcamp fees:** A charge which is applied to all short term fitness classes.

5. **Session:** Up to two (2) hours in duration. Numerous classes may be held within a session.

6. **Class:** one (1) segment of a personal training session. Numerous classes may be held within one (1) session. E.g. x2 30 minute classes, can be held within one session.

7. **Local Reserves:** A reserve that is small in size and services the regular low-key recreational needs of the immediate residents. The predominant use is for informal recreation for individuals and households, especially low level children’s play, dog walking and relaxation.

8. **Community Reserve:** Reserves that serve as the recreational and social hub of a community, and are utilised mainly for unstructured sporting and other recreational activities.

9. **District Reserves:** Reserves that serve as the sporting and recreational hub of a community, and are utilised mainly for organised, active sporting activities.
4.0 **Approved Training Areas**

The following areas within the City of Stirling have been identified as suitable for personal training and commercial fitness training. Note: There may be areas outside of those listed that may be approved in consultation with the City’s Club Development Officers. Approved training areas remain subject to review annually.

The following factors are considered when determining the suitability of a reserve or beach:

- Reserve purpose;
- Noise;
- Proximity to residents;
- Conflicting bookings;
- Scale and nature of activity; and
- Impact on the community (positive or negative)

<table>
<thead>
<tr>
<th>LOCAL RESERVES *Small Groups only</th>
<th>COMMUNITY RESERVES</th>
<th>DISTRICT/REGIONAL RESERVES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deanmore Square</td>
<td>Alexander Park</td>
<td>Abbett Park</td>
</tr>
<tr>
<td>Disbrey Park</td>
<td>Clarko Reserve</td>
<td>Barry Britton Reserve</td>
</tr>
<tr>
<td>Edmondson Klein Reserve</td>
<td>Jackadder Lake</td>
<td>Breckler Park</td>
</tr>
<tr>
<td>Peet Fyfe Reserve</td>
<td>Hancock - Karabil Reserve</td>
<td>Butler’s Reserve</td>
</tr>
<tr>
<td>Murchison Beverley Reserve</td>
<td>King George Reserve</td>
<td>Carine Regional Open Space</td>
</tr>
<tr>
<td></td>
<td>Macaulay Park</td>
<td>Celebration Park</td>
</tr>
<tr>
<td></td>
<td>Stirling Civic Gardens</td>
<td>Charles Riley Memorial Reserve</td>
</tr>
<tr>
<td></td>
<td>La-Grange Dongara Reserve</td>
<td>Coolbinia # 1</td>
</tr>
<tr>
<td></td>
<td>Stirling Civic Gardens</td>
<td>Des Penman Reserve</td>
</tr>
<tr>
<td>Scarborough Beach Reserve</td>
<td>Dianella Regional Open Space #2</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Brighton Beach Reserve</td>
<td>Hamer Park/Inglewood Oval</td>
</tr>
<tr>
<td></td>
<td>Designated Beaches</td>
<td>Lake Gwelup Reserve</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mirrabooka Regional Open Space</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Princess Wallington Reserve</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Robinson Reserve</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Woodchester Reserve</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Yokine Regional Open Space</td>
</tr>
</tbody>
</table>
5.0 Exclusion Zones

Personal Trainers and Commercial Fitness groups are not permitted to use the following areas:

- Scarborough Amphitheatre;
- Unapproved reserves;
- Memorials;
- Picnic shelters;
- Playgrounds;
- Change room facilities;
- Roadways;
- Organised sporting areas;
- Houses and private properties; and
- Beach access ways.

6.0 Permissible Fitness Activities

Commercial fitness training activities should be limited to the scope of practice of a registered personal trainer, which would include, but not be limited to, the following activities:

- Strength-based and aerobic fitness activities (with or without free-weights, fitballs, skipping ropes, medicine balls etc.);
- Non-contact boxing and pad training;
- Organised aerobic activity (fitness and sports drills);
- Yoga, Tai Chi and Pilates activities; or
- Walking and running.
7.0 Prohibited Activities

The following activities should be prohibited within public open space. This is to prevent damage to the environment, ensure equity for all users and encourage an enjoyable experience for all users of public open space. This list is not exhaustive and shall be at the City’s discretion:

1. Aggressive and intimidating activities that involves shouting, loud voice calls or instructions;
2. Activities in children’s playgrounds;
3. Groups containing over 25 participants;
4. Dragging of logs, tyres, heavy ropes and other equipment that may damage the natural environment;
5. Erection of advertising signs, and banners, temporary or otherwise without Council’s written consent;
6. Outdoor recreational activities conducted with amplified music or megaphones which cause excessive noise;
7. Soliciting of funds directly from park visitors or the public;
8. Any activity that is deemed to be aggressive or intimidating in nature whether real or perceived by participants or the general public;
9. Erection of signs, stakes, rope or tape (temporary or otherwise) without Council’s written consent;
10. Suspending boxing or kicking boxing bags or any other equipment from trees and/or structures in the reserves utilising trees, seating, picnic tables, rotundas and other park infrastructure for exercise training; and
11. Obstructing the general public in any way.
8.0 **Permit Types, Sizes and Allocations**

These guidelines apply to all personal trainers with a commercial interest. The maximum number of persons per group is **25** people. Additional permits may be available upon request. There are 3 sizes of personal training groups. These include:

<table>
<thead>
<tr>
<th>Permit Types</th>
<th>Group Size</th>
<th>Number of Reserves per Permit</th>
<th>Maximum Hours per Week</th>
</tr>
</thead>
<tbody>
<tr>
<td>Small Groups</td>
<td>1 – 4 participants</td>
<td>1</td>
<td>18 hours</td>
</tr>
<tr>
<td>Medium Groups</td>
<td>5 – 10 participants</td>
<td>2</td>
<td>18 hours</td>
</tr>
<tr>
<td>Large Groups</td>
<td>11 – 25 participants</td>
<td>3</td>
<td>18 hours</td>
</tr>
</tbody>
</table>

9.0 **Hours of Operation**

Each personal trainer can train for up to 18 hours per week on individual permits, and permit holders are **ONLY** allowed to operate during the following periods:

**Monday to Saturday:** between 6.00am and 7.30pm – without lighting until dusk

**Sunday:** between 7.00am until 7.30pm – without lighting until dusk

The number of reserves available for use varies based on your permit type. (See table above).

When conducting activities beyond daylight hours (outside of local reserves), commercial fitness groups and personal trainers must monitor and control risks to participants, and ensure public safety is not impacted by their activities.

Failure to operate within these specified times will be dealt with in accordance with the termination clause outlined in a Permit Agreement and within these Guidelines.
10.0 Eligibility Criteria

The following sections outline the eligibility criteria requirements to be considered for a Personal Trainer or Commercial Group Fitness Operator permit with the City of Stirling.

All personal trainers must apply for a personal trainer/bootcamp permit through the City of Stirling using the relevant booking form. The permit will be issued in a business name, endorsed by Fitness Australia and proof of the following is required:

1. Approved qualifications endorsed by Fitness Australia and/or VETAB providers such as TAFE, Universities and Nationally Recognised Training institutions/colleges;
2. Current Senior First Aid Certificate;
3. Are a registered professional with Fitness Australia as an Exercise Professional (Personal Trainer specialisation) or Business Member; and

11.0 Permit Allocation

The City of Stirling Personal Training and Commercial Fitness Training permit allocation is process as follows:

1. Personal Training permits will be issued and remain valid for the following periods: 6 months, 12 months or short term session by session bootcamps;
2. Permits will authorise each trainer to use public open space for commercial fitness training activities in accordance with this policy on a non-exclusive basis;
3. Council Officers will determine the number of permits to be issued per location upon application;
4. The number of permits issued per location is limited to ensure equitable usage of the area and is determined by size and suitability of the group;
5. Have the approved ‘rental number’ on hand during personal training sessions to be quoted to audit Officers whenever required; and
6. Ensure that signage issued is visible during all training sessions.
### 12.0 Permit Fees

#### PERSONAL TRAINING PERMIT FEES

<table>
<thead>
<tr>
<th></th>
<th>WINTER (April to September)</th>
<th>SUMMER (October to March)</th>
<th>12 MONTHS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Small Group (1-4 participants)</td>
<td>$225.00</td>
<td>$425.00</td>
<td>$550.00</td>
</tr>
<tr>
<td>Medium Group (5-10 participants)</td>
<td>$550.00</td>
<td>$750.00</td>
<td>$1,100.00</td>
</tr>
<tr>
<td>Large Group (11-25 participants)</td>
<td>$1,100.00</td>
<td>$1,300.00</td>
<td>$2,200.00</td>
</tr>
</tbody>
</table>

#### BOOTCAMP/SHORT FITNESS SESSION FEES

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Small Group (1-4 participants)</td>
<td>$5.00 per session</td>
</tr>
<tr>
<td>Medium Group (5-10 participants)</td>
<td>$10.00 per session</td>
</tr>
<tr>
<td>Large Group (11-25 participants)</td>
<td>$20.00 per session</td>
</tr>
</tbody>
</table>

### 13.0 Relevant policies, legislation and standards

It is important that prior to applying for a personal trainers permit applicants have read through these guidelines thoroughly and understand them. If you would like further information the following policies and legislation can be found on the following websites:

- Fitness Australia
14.0  *Noise and Disturbance Management*

Commercial fitness training activity operators must:

1. Be considerate to other reserve users and adjacent residents;
2. Not create any noise from training activities that unreasonably disturbs other users of the area and any adjacent residents;
3. Ensure that all noise associated with personal training is not excessive;
4. Ensure that exercise equipment used does not create any hazards or obstruction to the community; and
5. Give way to pedestrians and cyclists when moving through narrow areas with groups (e.g. footpaths, stairways, and cycle ways) and do not conduct static classes within these areas.

15.0  *Risk Management*

Personal Training permit holders must, prior to commencing commercial fitness training activities:

1. Inspect the immediate area to ensure no hazards are evident;
2. Take appropriate action to remove those hazards; and
3. Alternatively move the training site and, without undue delay, report to Council the hazard or any other hazardous matters observed during the training that may require Council’s attention.

For further information please refer to Fitness Australia’s Work Health and Safety Guide at [www.fitness.org.au](http://www.fitness.org.au)
### 16.0 Conditions

Personal or commercial fitness trainer operating under a permit approved by City of Stirling City Council must:

1. Provide only activities for which they are suitably qualified and have been approved by Council;
2. Manage the activities to minimise wear and tear on grassed areas (this includes rotating within the designated area and/or alternating activities) and not conducting fitness activities that drag equipment across the ground;
3. Comply with all reasonable directions of Council Rangers or other authorised Council Officers;
4. Ensure all hazards are made safe and reported to Council immediately;
5. Not sublet or assign their rights under this agreement or attempt in any other manner to transfer their rights under the permit to any other person;
6. Always conduct themselves in a proper and orderly manner and be considerate to other users and adjacent residents when conducting training in public Open Space;
7. Ensure the training area is restored to the same condition it was at the commencement of the training;
8. Not sell clothing / equipment / refreshments or any other good, service or product at the reserve etc, unless you have obtained a Health Permit from the City of Stirling;
9. Not display any advertising signage including banners or unauthorised ‘A’ frame signs on Council’s public reserves;
10. Not interfere with any Council approved or booked activity including, but not limited to a wedding, birthday party, corporate BBQ, sport or sporting activity that is being carried out on any oval or reserve or part thereof and the trainer acknowledges that such a booking has priority over the trainer’s use;
11. Take responsibility for satisfying all occupational health and safety legislation and regulations;
12. Ensure all fees and levies required by Work Cover or any other public body or statutory authorities are paid;
13. Indemnify and hold the Council harmless from and against all damages, sums of money, costs, charges, expenses, actions, claims and demands, which may be sustained or suffered or recovered or made against the Council by any person for any loss of life or injury or damage any person may sustain during the conduct of a training session;
14. Take out and maintain in their name, for the duration of the term of the permit, approved public liability insurance for a minimum of $10 million and produce documentary evidence of this at the time of application;
15. Agree that, notwithstanding an implication or rule of law to the contrary, the Council shall not be liable for any damage or loss that the trainer and their clients may suffer by the act, default or neglect of any other person or by reason of Council failing to do something on or to the public space being used;
16. The erection of fixed structures for the storage of fitness equipment is not permitted;
17. Must observe the closing of open space areas due to wet weather and maintenance. During periods of wet weather the trainer is responsible for calling. No activity is permitted if grounds are closed;
18. Not drive or park any vehicle on parks, open space or footpaths;
19. Council will accept no responsibility or liability for any interruption to business caused by the need for Council or any other Authority to carry out any special event or type of maintenance works on the approved public open space site, including weather or weather or any other interruption to business howsoever caused; and
20. Council does not, and will not accept liability for any debts incurred by the trainer.
17.0 Penalties and Enforcement Action

The following penalties and enforcement actions can be put into effect for any personal trainers and fitness group operators (registered or un-registered) who are operating outside of the City of Stirling Commercial Fitness Training Policy and these Guidelines:

1. Should a commercial fitness training operator be using public open space on a regular basis for activities without Council approval and permit, Council Rangers will be able to undertake enforcement action in accordance with the Local Government Act 1995;

2. A person who fails to comply with terms of any notice by Council is guilty of an offence pursuant to section 632 of the Local Government Act 1995;

3. A person who fails to comply with the terms and conditions of the Local Government Property Local Law 3.13 (1) (d); and

4. City Authorised Officers will enforce penalties on any person who fails to comply with a notice.

18.0 Termination

Council reserves the right to cancel a permit without notice if in its sole opinion has determined that the personal/fitness trainer has failed to comply with the direction of its officers or have breached, contravened or otherwise failed to comply with any term or condition of the permit approval.

19.0 Grounds for Appeal

1. A trainer whose permit has been cancelled by the City is able to appeal in writing within 7 working days to the Manager Recreation & Leisure Services stating the reason for appeal;

2. The Appeal will be considered by the Manager Recreation & Leisure Services and a written reply outlining the decision will be sent via mail to the appellant within 14 working days; and

3. Permit fees will not be refunded if the agreement was terminated by the Council arising out of a breach.