

Application for Commercial Fitness Group

The City of South Perth (the City) will only confirm your booking when all the relevant documents and payments have been received by the City within the two weeks of the proposed booking date. Failing this will incur a late fee as per the fees and charges schedule. Information regarding the availability or costs of facility hire given prior to the assessment of an application is given as an indication only. It does not constitute approval of the application. The City, upon receipt of a completed application, reserves the right not to accept and confirm usage for any reason. **All applicants must be over 18 years of age.**

Applicant contact details

Mr/Mrs/Miss/Ms Surname: _____ Given names: _____

Organisation (if applicable): _____

Postal address: _____

_____ Postcode: _____

Phone: Home: _____ Work: _____ Mobile: _____

Fax: _____ Email: _____

Alternative contact (if different to applicant): _____

Phone (mobile): _____ Email: _____

An invoice for any associated fees or bonds will be sent one month prior to the event date (**please note that invoice details cannot be changed or amended once processed**). Please enter the correct details for invoicing here:

Same as applicant details as above

Name: (organisation or person) _____

Address: _____

_____ Postcode: _____

Please indicate the resource you would like to hire

<input type="checkbox"/> Other passive park or reserve Specify reserve / park name: _____
<input type="checkbox"/> Active parks and playing fields Specify park / reserve / field name: _____
<input type="checkbox"/> Sir James Mitchell Park Zone/s: _____

Additional information

A. What type of training are you doing in each session?

B. How many sessions are you running per week?

C. How many clients are in each session?

D. Will you be charging clients a fee (Commercial activity)?

YES NO

If YES, please provide details _____

Please Note: 'Commercial activities' means activities for financial gain or reward of the event organiser. If you have a Commercial activity of an ongoing nature (more than 1 week) operating in Sir James Mitchell Park, you may need a permit from the Department of Biodiversity, Conservation and Attractions. Visit www.dpaw.wa.gov.au for more information.

Minister for Lands consent is required for commercial enterprises operating in Sir James Mitchell Park (i.e. land parcels owned by the state government being zones 3, 4, 9 and 10B). Generally if an event organiser intends to derive a private profit from its use of a Crown reserve, the use will require the prior approval of the Minister for Lands.

E. What equipment is used in each session?

F. Does your group have valid Public Liability Insurance?

YES NO

If YES, you must attach a current copy of your Certificate of Currency to this application.

- G. Do you wish to erect signage for your event? YES NO

If YES, you are required to complete a City of South Perth Signage Application and return with this application.

- H. Will you require vehicle access on to the Reserve? YES NO

If YES, please specify the make of vehicle, model of vehicle and number of vehicles

- I. Does the trainer running the classes have a current Seniors First Aid Certificate? YES NO

If YES, you must attach a current copy of the First Aid Certificate to this application.

- J. Does the trainer running the classes have suitable qualifications? YES NO

If YES, you must attach a current copy of proof of qualifications to this application.

- K. Please list all dates, days and times required in the below table:

	Begin set up time	Session start time	Session finish time	End pack up time
MONDAY	am	am	am	am
	pm	pm	pm	pm
TUESDAY	am	am	am	am
	pm	pm	pm	pm
WEDNESDAY	am	am	am	am
	pm	pm	pm	pm
THURSDAY	am	am	am	am
	pm	pm	pm	pm
FRIDAY	am	am	am	am
	pm	pm	pm	pm
SATURDAY	am	am	am	am
	pm	pm	pm	pm
SUNDAY	am	am	am	am
	pm	pm	pm	pm
TIME PERIOD FOR WHICH PERMIT IS SOUGHT	Date from		Date to	

Permit conditions

Last Modified July 2019

1. Introduction

The City of South Perth (the City) 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 support can 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 guidelines are applicable to the use or hire of the City's reserves and facilities and the conditions under which they may be used or hired. The use of the City's reserves and facilities is largely governed by the *City's Public Places and Local Government Property Local Law 2011*. The conditions of use and the need for obtaining a permit are set out in the local law, in addition to these guidelines.

Approval is required for the use of City of South Perth managed reserves and facilities. These conditions apply to any individual or group charging a fee for their commercial training/fitness services that is conducted on any parks, reserves, and beach within the City. The guidelines and policy will be reviewed annually to ensure they are current and relevant.

This guide is intended to assist in completing the City of South Perth Commercial Fitness Group Application Form. Applications must be lodged at least four weeks prior to the commencement of the season or classes.

2. Aim

The aim of these guidelines is to provide an effective management tool for commercial 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
- Adherence to fitness industry standards of service, care and safety
- Ongoing promotion of health, wellbeing and physical activity within public open spaces.

3. Definitions

- **Personal trainers/commercial fitness groups:** Are fitness professional trainers involved in exercise prescription with a commercial interest
- **Operating fees:** An annual or seasonal charge which is applied to all fitness groups using the City's parks and reserves over an extended period of time
- **Bootcamp:** Any short term form of personal training
- **Session:** Up to two hours in duration. Numerous classes may be held within a session
- **Class:** One segment of a commercial fitness session. Numerous classes may be held within one session. E.g. 2x30 minute classes can be held within one session.

4. Approved training areas

The following areas within the City have been identified as suitable for personal training and commercial fitness training. There may be areas outside those listed that may be approved in consultation with the City's Club Development Officer. 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
- Impact on the community (positive or negative).

Passive Reserves	Active Reserves (limited use)	Active and Passive Reserve
Clydesdale Park	Bill Grayden Reserve	Comer Reserve
George Burnett Passive (Circuit)	Challenger Reserve	Ryrie Reserve
Neil McDougal Park	Collier Reserve	Sandgate Reserve
Olives Reserve	Ernest Johnson Reserve	Hensman Reserve
Sandon Park	George Burnett Park	
Windsor Park	James Miller Reserve	
Sir James Mitchell Park (Zones 5 -15)	Morris Mundy Reserve	
	Richardson Reserve	

5. Exclusion zones

Personal trainers and commercial fitness groups are not permitted to use the following areas:

- Memorials
- Picnic shelters
- Playgrounds
- Change room facilities
- Roadways
- Houses and private properties
- Beach access ways.

6. Permissible fitness activities

Commercial fitness training activities should be limited to the scope of practice of a registered fitness 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.);

- Personal Training
- Non-contact boxing and pad training
- Organised aerobic activity (fitness and sports drills)
- Yoga, Tai Chi and Pilates activities
- Walking and running.

7. Prohibited activities

The following activities are 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:

- Aggressive and intimidating activities that involve excessive shouting, loud voice calls or instructions
- Activities in children's playgrounds
- Dragging of logs, tyres, heavy ropes and other equipment that may damage the natural environment
- Erection of advertising signs, and banners, temporary or otherwise without written consent from the City
- Outdoor recreational activities conducted with amplified music or megaphones which cause excessive noise
- Soliciting of funds directly from park visitors or the public
- Any activity that is deemed to be aggressive or intimidating in nature whether real or perceived by participants or the general public
- Erection of signs, stakes, rope or tape (temporary or otherwise) without Council's written consent

- 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
- Obstructing the general public in any way.

8. Permit types, sizes and allocations

These guidelines apply to all fitness groups with a commercial interest. Additional permits may be available upon request. There are three sizes of commercial fitness groups:

Permit types	Group size	Maximum hours per week
Small groups	Up to 10 participants	30 hours
Medium groups	11 - 20 participants	30 hours
Large groups	21 - 30 participants	30 hours

9. Hours of operation

Each commercial fitness group can train for up to 30 hours per week on individual permit. Permit holders are ONLY allowed to operate during the following periods (unless otherwise approved by the City):

Monday to Saturday: between 7am and 7pm – without lighting until dusk

Sunday: between 9am and 7pm – without lighting until dusk

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. 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.

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

- Approved qualifications endorsed by Fitness Australia and/or VETAB providers such as TAFE, Universities and Nationally Recognised Training institutions/colleges
- Current Senior First Aid Certificate
- Are a registered professional with Fitness Australia as an Exercise Professional (Personal Trainer specialisation) or Business Member (only relevant for personal trainers)
- Current Public Liability Insurance to a minimum of \$10 million and \$5 million Professional Indemnity Insurance for the life of the permit.

11. Permit allocation

The permit allocation process is as follows:

- Personal training/ commercial fitness group permit will be issued and remain valid for six months or twelve months
- permit will authorise each trainer to use public open space for commercial fitness training activities in accordance with this policy on a non-exclusive basis
- City Officers will determine the number of permits to be issued per location upon application
- 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
- Ensure that signage issued is visible during all training sessions.

12. Permit fees

The fees and charges applicable for commercial fitness training are determined each financial year and are available on the City's website as follows:

- Personal trainer fees
- Traders Licence

13. Relevant polices, legislation and standards

It is important that prior to applying for a commercial fitness training 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:

- City of South Perth Policy 106 Use of City Reserves and Facilities – www.southperth.wa.gov.au
- City of South Perth Public Places and Local Government Property Local Law 2011 – www.southperth.wa.gov.au
- Fitness Australia (for personal trainers)
- Code of Ethics – www.fitness.org.au

14. Noise and disturbance management

Commercial fitness training activity operators must:

- Be considerate to other reserve users and adjacent residents
- Not create any noise from training activities that unreasonably disturbs other users of the area and any adjacent residents
- Ensure that all noise associated with the commercial fitness training is not excessive
- Ensure that exercise equipment used does not create any hazards or obstruction to the community
- 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. Risk management

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

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

For further information please refer to Fitness Australia's Work Health and Safety Guide at www.fitness.org.au

16. Conditions

Commercial fitness trainers operating under a permit approved by the City must:

- Provide only activities for which they are suitably qualified and have been approved by the City
- 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
- Comply with all reasonable directions of City Rangers or other authorised City Officers
- Ensure all hazards are made safe and reported to City Officers immediately
- 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
- 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
- Ensure the training area is restored to the same condition it was at the commencement of the training
- Not sell clothing/equipment/refreshments or any other goods, service or product at the reserve, unless you have obtained a Health Permit from the City of South Perth
- Not display any advertising signage including banners or unauthorised 'A' frame signs on Council's public reserves without permission from the City
- 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
- Take responsibility for satisfying all occupational health and safety legislation and regulations
- Ensure all fees and levies required by Work Cover or any other public body or statutory authorities are paid
- Indemnify and hold the City 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 City by any person for any loss of life or injury or damage any person may sustain during the conduct of a training session
- 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
- Agree that, notwithstanding an implication or rule of law to the contrary, the City 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
- The erection of fixed structures for the storage of fitness equipment is not permitted
- Must observe the closing of open space areas due to wet weather and maintenance. No activity is permitted if grounds are closed
- Not drive or park any vehicle on parks, open space or footpaths
- The City will accept no responsibility or liability for any interruption to business caused by the need for the City or any other Authority to carry out any special event or type of maintenance works on the approved public open space site
- The City does not, and will not accept liability for any debts incurred by the trainer.

Note: The City maintains casual hirer's liability insurance for its facilities that provides some coverage for any person or group of persons (excluding sporting bodies, clubs, associations/incorporated bodies and corporations/commercial hirers) who hire a City facility for non-commercial or non-profit making purposes, up to eleven (11) occasions per calendar year.

17. Penalties and enforcement action

The following penalties and enforcement actions can be put into effect for any commercial trainers and fitness group operators (registered or un-registered) who are operating outside of the City of South Perth Policy 106 use of Reserves and Facilities and these Guidelines:

1. Should a commercial fitness training operator be using public open space on a regular basis for activities without City approval and permit, City 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 the City 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 Public Places and Local Government Property Local Law and The Environmental Protection (Noise) Regulations 1997
4. City Authorised Officers will enforce penalties on any person who fails to comply with a notice.

18. Termination

The City reserves the right to cancel a permit without notice if in its sole opinion has determined that the commercial 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. Grounds for appeal

- A trainer whose permit has been cancelled by the City is able to appeal in writing *within 7 working days* to the Manager Community, Culture and Recreation stating the reason for appeal
- The Appeal will be considered by the Manager Community, Culture and Recreation and a written reply outlining the decision will be sent via mail to the appellant within *14 working days*
- Permit fees will not be refunded if the agreement was terminated by the City arising out of a breach.

Please direct all facility booking enquiries to the City's central booking office located at the George Burnett Leisure Centre on 9474 0777 or email enquiries@southperth.wa.gov.au

Declaration of responsibility and acceptance of conditions

I am the applicant and hereby declare that I have read and fully understand this application and the Permit Conditions as provided by the City pertaining to this application for use of a City facility. By signing this application I agree to abide by these conditions and accept all associated requirements of these conditions. I declare that I have disclosed all relevant information pertaining to this application and acknowledge any consequences of failing to do so, including loss of bonds and potential prosecution. I acknowledge that I have completed and returned all attached application forms relevant to my proposed event, and agree to abide by all conditions applied.

Print name: _____ Date: _____

Signature: _____

Please direct all facility booking enquiries to the City's central booking office located at the George Burnett Leisure Centre on 9474 0777 or email enquiries@southperth.wa.gov.au
All additional forms or documents requested throughout the application form must be provided with the Application.

APPLICATION CHECKLIST:

please take a minute to check if you have provided all supporting documents that may be required with your application.

- Have you answered ALL questions
- Provided a copy of Certificate of Incorporation
- Provided a current copy of Public Liability for your organization
- Provided a current copy of the trainers Senior First Aid Certificate
- Provided a current copy of the trainers approved qualifications to run the classes
- Provided a current copy of the trainers Fitness Australia Registration (for personal trainers)
- Completed a Trading Licence Application

Application for a Personal Trainer Trading Licence

In accordance with: *Public Places and Local Government Property Local Law 2011 - Part 3 (3.1) activities requiring a licence and Part 6 (6.2) a Activities allowed with a licence.*

1. Business name:
2. Email:
3. Postal address:
4. Name of applicant:
5. Contact phone number:
6. Start date for which the licence is required:
7. Finish date for licence: (only complete if trading licence is needed for longer than 1 day)
8. Start time: Finish Time:
9. Location where trading will occur: (zone number/specific car park/building or other)

Temporary Signage Application

Applicant	Name:
	Business Name:
	Address:
	Postal Address (If different from above)
	Phone Number:
	Fax Number:
	Mobile Number:
	Email:

Signage Details	Type of Sign:
	Description on Sign:
	Dimensions of the Sign/s:
	Location:
	State period of time for which advertisement is required:

Event (If Applicable)	Location:
	Date(s) of Event:
	Nature of Event:
	State period of time for which advertisement is required:

Please include a location plan indicating the positioning of the signs within the locality. If necessary, a detailed plan of the location may be required if the sign is to be placed on a major road junction.

I understand that by signing this agreement that the City of South Perth does not accept any liability for any injury, damage or loss as a result of the sign being displayed. I have also supplied a copy of my public liability insurance.

I have read and clearly understand the above.

Signature of applicant: _____ Date: _____

Name of Applicant: _____

OFFICE USE ONLY:

RECEIVED BY: _____ DATE: _____

APPLICATION: APPROVED / NOT APPROVED

AUTHORISING OFFICER _____ DATE: _____



Temporary signs and banners

A temporary sign is one that is used to promote an event, concert or similar or to promote an organisation (such as a sporting organisation). A banner is a sign made from a flexible material that may be displayed temporarily from a supporting pole.

Specifications

Approval may be granted at the discretion of the City of South Perth in respect to the placement or erection of a temporary sign or street banner subject to:

- An application being made to the City of South Perth on a [Temporary Signage Application](#)
- The organisation indemnifies the City from and against all claims and judgements arising from the erection of the signs
- No more than six signs will be permitted to be erected for any one event at any one time
- Only one sign per event being advertised may be erected in any one place or intersection
- The sign or banner is promptly removed after the event
- Signs shall not depict any information relating whatsoever to an election campaign for any position in Local Government, Federal or State Parliament. However signs providing direction to a polling place on the voting day will be considered
- The maximum duration of time for a sign to remain in a public place shall not be more than a six month period depending on the circumstances and at the discretion of the City of South Perth
- For signs advertising an event that occurs on a regular basis, (e.g. monthly), may only be displayed for a maximum of 10 days prior to the event
- Depending on the circumstances and location, the City may approve a sign or banner to be displayed only during the hours of operation for the business or event
- The display of any temporary signs or street banners is prohibited within 10 meters of any intersection
- The sign writing shall be of a professional standard and quality, to the satisfaction of the City
- The sign can only advertise legitimate, legal and/or registered businesses and events
- The sign is not to be fixed or attached to a building, wall, fence, pole, tree or other structure that is property of the City of South Perth
- The sign must be non-offensive in nature, to the satisfaction of the City
- The signs are positioned in such a manner so as not to present a danger to pedestrian movement or cause interference with the clear visual lines of sight required by motorists for the safe movement of vehicular traffic; i.e. not to be positioned on footpaths, median strips, traffic islands, roundabouts or at intersections where the sign(s) may hinder clear sight lines for motorists except where specifically permitted by the City. The sign colours must also not cause confusion where signs are being considered at intersections controlled by traffic lights
- All illuminated advertising signs (including VMS Trailers) must not be within 20 metres of a street intersection with traffic lights and is not lit in a way that it may be confused with the traffic lights. A [Temporary Signage Application](#) must be made to the City for all illuminated advertising signs displayed on land other than private property
- The signs are maintained in a good and orderly manner for the duration of their display
- The size of the sign is not to exceed two metres long by two metres high, although variations to these dimensions may be approved if considered appropriate
- A banner sign shall generally be a maximum of four square metres in sign face area
- Have a maximum height of two metres above the ground

- Where installed on the verge the signs must be at least two metres from the kerb line or, for an unkerbed road, they must be at least two metres from the edge line or the edge of the seal where there is no edge line
- Approval of a sign for an event will not constitute permission to hold an event on land vested in the City or any other authority. The applicant is to ensure that all approvals have been obtained from the City or other relevant authorities prior to the event taking place
- The City reserves the right to withdraw such approval upon breach of these requirements or any conditions of approval
- Signs are not permitted to be tied or secured to power poles or street lights unless permitted by Western Power
- Signs will also not be permitted at sites that have a significant crash history
- The City cannot approve signs on Canning Highway and Kwinana Freeway as they are controlled by Main Roads Western Australia. Any sign or banner displayed on a Main Road under the control of Main Roads WA shall require the prior consent of Main Roads WA
- The installation of any sign is to be undertaken by the applicant
- Banners must conform to the size requirements/guidelines of the banner support design
- The material used must be of sufficient durability to conform to the location and environmental conditions
- The sign must be removed or relocated at the request of a person authorised under Section 9.10 of the Local Government Act, for the purpose of a special event, parade, road or footpath works, or other event, which in the opinion of the officer requires relocation or removal.