



# INFORMATION SHEET

## Guidelines for 'Use of Public Open Space by Commercial Fitness Groups and Personal Trainers'

**6 month Trial Period – 1 October 2008 to March 31 2009**

City of Port Phillip is trialling the implementation of guidelines for 'the use of Council Reserves by Commercial Fitness Groups and Personal Trainers'.

### 1. Why have guidelines?

Personal fitness training is one of the strongest growth segments in the Fitness Industry. Increasing numbers of commercial fitness trainers using public reserves has raised a number of issues including:

- a) Competition and equitable access to limited public open space
- b) Managing impacts generated by organised fitness training groups on the public open space, park assets, and other park users
- c) Effective Management and regulation of personal fitness trainers conducting activities on public open space, including public liability and occupational health and safety concerns for Council, participants and personal trainers.

The need to regulate use of public reserves by organised or commercial fitness groups and personal fitness trainers has been identified. The guidelines respond to this need.

### 2. Are all public reserves covered in these guidelines?

Yes. Any public reserve areas within the City of Port Phillip area including but not limited to Elwood, St Kilda, Port Melbourne and Sandridge beaches and promenades and all parks and reserves. There are however, exclusion zones within these areas which are stated in the guidelines available on City of Port Phillip Council's website, [www.portphillip.vic.gov.au](http://www.portphillip.vic.gov.au)

**Note:** Albert Park Reserve is managed by Parks Victoria. Contact 9695 9004 should you wish to use this area for your activities.

### 3. What activities are permissible under these guidelines?

- Gym sessions (with or without weights, fit balls, skipping ropes etc)
- Boxing and pad training
- Organised aerobic activity and running groups
- Circuit training
- A combination of any of the above.

### 4. What activities are not permissible?

- Groups larger than 15 participants including boot-camp training
- Amplified music or use of amplified audio (voice) equipment
- Organised ball sports are restricted to designated ovals
- The offering for sale of clothing, merchandise, equipment, refreshments, goods, services or products



## 5. Who should apply under these guidelines?

If you are providing fitness services activities and/or instruction to people on public land for two or more people and receiving a commercial benefit then you must apply for a permit.

## 6. Who should not apply under these guidelines?

The guidelines do not apply to the following groups:

- Tai-Chi
- Meditative yoga
- Walking groups
- Surf Life Saving Clubs
- Activities performed by local schools under the supervision of a teacher
- Activities performed by local sporting clubs, associations under the conditions of a booking permit.

Any significant, organised activities these groups may wish to conduct on a public reserve, however, would be subject to an approval process under the general beach and park usage procedures.

## 7. What are the conditions that I must abide by under these guidelines?

Commercial Fitness Groups and Personal Trainers conditions are set out in the Guidelines available on City of Port Phillip Council's Website: [www.portphillip.vic.gov.au](http://www.portphillip.vic.gov.au)

## 8. Do I need to pay a fee for the permit?

**NO.** This is a trial guideline and whilst a permit is required a fee does not apply.

Category 1	3-5 participants (not including instructor)	NO FEE
Category 2	6-15 participants (not including instructor)	NO FEE

## 9. How do I apply for the permit? Follow the 4 steps: -

- i. Read the guidelines for '*Use of Council Reserves by Commercial Fitness Groups and Personal Trainers*'.
- ii. Complete this application form attaching a copy of current Senior First Aid Certificate, evidence of Public Liability Insurance cover with a minimum value \$10 million indemnifying City of Port Phillip and evidence of a registered professional with Kinect Australia, Fitness Australia or other peak body association membership.
- iii. Attach to your application any other supporting documentation. Examples include;
  - Any peak body association memberships
  - A copy of a roster of your program/activities
  - A site map highlighting the locations of intended use;
  - Promotional and/or marketing material that you use or intend to use
  - List of trainers / support person that apply to the license permit (refer to guidelines for more detail)
- iv. Submit your application and supporting documentation to Council.



#### **10. How is my application assessed?**

Your application will be reviewed by Council Officers in accordance with the 'Commercial Fitness Groups and Personal Trainers Guidelines' to determine if you are eligible for a permit. You will be notified of the outcome by phone and mail within 14 Days from submitting your application.

#### **13. What is the process of appeal if I'm not happy with the outcome of the assessment and/or permit conditions?**

You must put your issues and concerns in writing and forward to Chief Executive Officer, City of Port Phillip, Private Bag 3, St Kilda, 3182 for review. You will then be contacted regarding the outcome of your appeal.

#### **14. What if I don't apply for a permit? What if I don't comply with any of the conditions?**

On the first occasion you will be asked to cease activities and be advised to apply for a permit. On subsequent occasions you will be asked to cease activities immediately and may be issued with an on the spot fine of \$250 under Community Amenity Local Law No 3.

#### **15. Can someone fill in for me under my permit if I'm sick or on holidays?**

One trainer only may be authorised by Council to operate at any one time under the permit issued. However, the authorised trainer can nominate a replacement person in case of illness or leave. The trainer must notify Council within 24hrs of the scheduled session, quote the permit number and specify the replacement trainer. All trainers must be insured and eligible to operate under the permit as specified in the guidelines.

#### **16. What If I'm a company that employs more than one trainer? Can a permit still be issued?**

One trainer only may be authorised by Council to operate at any one time under the permit issued. A Company can nominate a trainer/s that will be operating under the permit. The company must provide a roster listing the qualified trainers who will operate under the permit. Note again that only one authorised trainer can use the permit at any one time.

All trainers must be insured and eligible to operate under the permit as specified in the guidelines.