



Information sheet
Updated March 2011

**“POLICY ON THE USE OF RANDWICK COUNCIL RESERVES BY
COMMERCIAL FITNESS GROUPS AND PERSONAL TRAINERS”**

Randwick City Council has introduced a policy for the use of Council Reserves by Commercial Fitness Groups and Personal Trainers.

1. Why have a policy?

Personal fitness training is one of the strongest growth segments in the fitness industry. An increase in the number of commercial fitness trainers using public reserves has raised various issues including:

a) Equity of access:

- potential conflict between general park users and commercial fitness groups
- level of demand of a particular location e.g. beaches
- monopolisation of areas and exploitation of public land by commercial operators.

b) Impacts on the parks, reserves and facilities: trainers and fitness groups (especially large groups) are causing wear-and-tear to parks and recreational facilities.

c) Public liability concerns: some trainers have insufficient or no insurance to cover client injuries.

Regulating the use of public reserves (parks and beaches) by organised or commercial fitness groups and personal fitness trainers will assist in managing the above issues. This policy is also consistent with other policy and procedures applied for the use of public open space.

2. Are all public reserves covered in this policy?

Yes. All lands including beaches, parks, public reserves within the Randwick City are maintained and managed by Council. There are however exclusion zones within these areas which are stated in our policy document. Exclusion zones are areas which cannot be used by commercial fitness groups.

Note: Centennial Park is managed by the Centennial Park and Moore Park Trust. Contact 9339 6699 for further information concerning restrictions and/or use conditions that may apply.

3. What activities are permissible under this policy?

The following activities are permissible and require a temporary licence:

- gym sessions (with or without weights, fitballs, skipping ropes and/or individual personal gym equipment)
- boxing and pad training
- organised aerobic activity
- yoga, tai chi and pilates classes and like activities
- circuit training
- a combination of any of the above

4. What activities are not permissible?

The following activities are not allowed:

- aggressive and intimidating activities including excessively loud voice calls or instructions
- activities involving amplified music or amplified audio (voice) equipment
- the erection of temporary structures

5. Who should apply under this policy?

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

6. Who should not apply under this policy?

The activities mentioned below are subject to an approval process under Council's 'Notice of Intent for the Use of Public Open Space' and are not covered by this policy : -

- local sporting clubs
- local schools
- Surf Life Saving Clubs
- corporate groups
- defence forces

7. What are the conditions that I must abide by under this policy?

The conditions that you must abide by are set out in the "Policy on the Use of Council Reserves by Commercial Fitness Groups and Personal Trainers".

8. Do I need to pay a fee for the temporary licence?

Yes. An administration fee for each application and an annual temporary licence fee apply to this policy. An **application/administration fee** applies to each application submitted for consideration. If your application is approved, an annual temporary licence fee will also apply. The temporary licence fees are subject to annual review as part of Council's Management Plan process. The fees can be found in the Randwick City Council's annual **"Pricing Policy and Statement of Fees and Charges."**

9. How do I apply for the temporary licence?

10. Follow these four steps: -

1. Read the policy for 'Use of Council Reserves by Commercial Fitness Groups and Personal Trainers'.
2. Contact Council to receive advice on which locations are currently available.
3. Complete an application form – attach a copy of a current Senior First Aid Certificate and provide a Public Liability Insurance Certificate of Currency to the value of \$10 million and noting "Randwick City Council as an Interested Party" ; submit it to Council for assessment.
4. Attach any other supporting documentation as required in the temporary licence agreement
5. Submit the application and pay the administration/application fee.

Cash payment in person Randwick City Council
30 Frances Street
Randwick (during normal business hours)

***Cheque payment by mail** Randwick City Council
Application for Fitness Temporary Licence
30 Frances Street
Randwick NSW 2031
*Cheque to be made payable to **Randwick City Council**

Please allow a minimum of 21 working days assessment and processing time.

11. How is my application assessed?

Your application will be reviewed by Council Officers in accordance with the "Policy on the Use of Council Reserves by Commercial Fitness Groups and Personal Trainers"; further the availability of locations and times will be assessed to determine if a temporary licence can be provided. You will be notified of the outcome by phone and mail within 21 days from submitting your application.

12. When do I make my annual fee payment?

If you are successful, a tax invoice (specifying the appropriate temporary licence fee) will be mailed to you. Once payment has been made and confirmed, you will be issued by mail a temporary licence and a coloured identification tag. Payment can be made by cheque or cash as detailed earlier.

Note: Once received, your identification card must be carried with you and be visible at all times when conducting your activities.

13. What does the identification card look like?

The identification card will be colour coded. It will specify the name of the person who was issued the temporary licence, the nature of the activity, the location where they can conduct the classes and the number of participants approved in accordance with the temporary licence. Your identification card must be carried with you and be visible at all times when conducting your activities. The Randwick City Council Rangers, Beach Inspectors and Park staff may check your identification during their patrols.

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

You must put your issues and concerns in writing and forward to General Manager, Randwick City Council 30 Frances Street, Randwick, NSW, 2031 for review stating your reasons for the appeal. You will then be contacted regarding the outcome of your appeal.

14. What if I don't apply for a temporary licence? 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 temporary licence. On subsequent occasions, you will be asked to cease activities immediately and may be issued with an on the spot fine of \$220 or other amount as prescribed from time to time.

15. Can someone fill in for me under my temporary licence if I'm sick or on holidays?

One trainer only may be authorised by Council to operate at any one time under the temporary licence issued. However, the authorised trainer can nominate a replacement person in case of illness or leave. The trainer must email Council within 24 hours of the scheduled session, quote the temporary licence number and specify the replacement trainer and provide contact details for that trainer including contact phone numbers.

All trainers must be insured and eligible to operate under the temporary licence as specified in the policy.

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

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

All trainers must be insured and eligible to operate under the temporary licence as specified in the policy.