

FOR PROFIT ACTIVITIES ON CITY RESERVES AND PARKS

Document Control Statement – This Policy is maintained by Recreation Facilities. Any printed copy may not be up to date and you are advised to check the electronic copy at City Website to ensure that you have the current version. Alternatively, you may contact Customer Service on (08) 9186 8555.

1. OBJECTIVE

- To provide both residents and visitors to the City of Karratha with a variety Fitness and Personal Training options which promote personal wellbeing, are safe
- Ensure that the operation of for profit activities in general, do not detract from the amenity of the City's parks and reserves, and manages liability issues arising from the use of the reserves.

2. PRINCIPLES

2.1 Policy Provisions

The City of Karratha recognises that physical activity is a valuable component of maintaining a healthy 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 (including mental and social well-being).

This Policy has been developed to provide clarity and guidance on the use of City managed parks and recreational areas which are utilised by Personal Trainers, Yoga Instructors, dog trainers and other for profit sporting and lifestyle activities which are not part of organised sporting clubs who pay fees for the use of parks and other recreational areas.

This policy will capture for profit activities which are conducted either for monetary gain (ie payment of fees) or request for donation (ie gold coin donation or similar). Residents who utilise the parks and recreational areas without payment of a personal trainer or similar, will continue to be able to use the area for free.

The Policy must take into account the provisions of the City of Karratha Activities on Thoroughfares and Public Places and Trading in Thoroughfares Local Law where goods are hired, or the City of Karratha Local Government Property Local Law where a person is offering their services. Due to the nature of the activities taking place, this needs to be considered separate to the City's Stallholder and Street Trader policy which relates to the sale of goods rather than the provision of a service.

Given the many unique forms of personal training and for profit activities and the many parks and reserves within the City of Karratha that could be proposed, all applications for a Trading Licence are to be lodged and will be assessed in conjunction with the City of Karratha Activities on Thoroughfares and Public Places and Trading in Thoroughfares Local Law., and the City of Karratha Local Government Property Local Law. In addition to this, the application will be assessed on their individual merits and the information supplied in the application, in line with but not limited to the following:

1. Licences will be limited to a period of no more than one (1) year which, subject to performance may be renewed.
2. The City will assess applications for licences for personal training in City parks and reserves with reference to the Local Law and the criteria set out in this Policy.
3. The City will assess the suitability of proposed personal training activities utilising local government owned or management land. This assessment will consider the consistency of the proposed activity with the land use and vesting of the parcel of land or any management order that is attached to the parcel of land.
4. The Karratha Leisureplex Oval is not permitted to be used by personal trainers or other service providers unless employed for that activity by the City of Karratha.

5. A personal trainer must not attempt to conduct a session within a distance of 50m of another personal trainer's class.
6. Personal training and for profit fitness sessions are not to have precedence over other park uses.
7. All personal training or for profit activities are to be conducted in such a manner that they do not create an annoyance or conflict with other park users or personal training classes.
8. Where a time restriction will be specified, the Trainer and equipment (including trailers for hire/transport of equipment) must be removed from the prescribed locations within 15 minutes of closure.
9. At the conclusion of a session the surrounding area must be left in a clean and litter free condition.
10. Trainers must comply with any lawful direction given by a City of Karratha Authorised Officer.
11. All signage and banners are to be portable in nature and limited to maximum size of two 1800 x 600mm signs or banners that are displayed no more than 30 minutes before a session and removed within 15 minutes afterwards.
12. All personal training and for profit session Licence applications and renewals will be considered by the City of Karratha in accordance with, but not limited to, the following -
 - The use of City of Karratha road reserves will not be permitted for trading unless it can be shown not to adversely impact on traffic movement.
 - The licensee will be responsible for any damage to City property from the training activity or customers of the training activity.
 - Personal training must not impede traffic flow or cause a traffic hazard or pose a danger to the safety of the general public.
 - Personal trainers and for profit session operators must obtain their own public liability insurance to the minimum value of \$10,000,000 and indemnifying the City.
 - The licensee must hold at least a Certificate 4 in Personal Training or an equivalent level qualification and/ or relevant fitness industry experience so that they are far less likely to have injuries occur in their fitness classes.
 - The licensee must hold a current Senior First Aid Certificate.
 - Personal training and for profit activities must not connect to or utilise any City of Karratha utilities without prior approval and an additional charge.

Should the application be considered unsuitable by the officers of the City of Karratha in accordance with legislation and the above conditions, or any other condition applicable to the application, the application will be referred to Council for their consideration as to the suitability of the activity in the community.

All applicants for Licences are to be advised of their right to object to a decision of Local Government in accordance with section 9.4 of the Local Government Act 1995, such a person may object to a decision of local government and lodge an appeal to the decision by lodging an objection within 28 days of the decision."

3. CONSEQUENCES

This policy represents the formal policy and expected standards of the City of Karratha. Appropriate approvals need to be obtained prior to any deviation from the policy. Elected Members and Employees are reminded of their obligations under the City's Code of Conduct to give full effect to the lawful policies, decisions and practices of the City of Karratha.

4. ROLES AND RESPONSIBILITIES

Licensing and renewal of licenses for personal training and for profit activities will be undertaken by Recreation Facilities, who already manage use of the parks and reserves used by the majority of personal trainers and similar.

Enforcement of licenses and this policy will be undertaken by Regulatory Services.

5. REFERENCES TO RELATED DOCUMENTS

- City of Karratha Activities on Thoroughfares and Public Places and Trading in Thoroughfares Local Law
- City of Karratha Local Government Property Local Law

Policy Number:	CS-03
Previous Policy Number:	N/A
Resolution Numbers:	N/A
Last Review:	New
Next Review:	December 2017
Responsible Officer:	Manager Recreation Facilities

This Policy takes effect from the date of adoption by Council and shall remain valid until it is amended or deleted.