



# Outdoor Training

Outdoor personal or group training permits



Information Pack



The City of Subiaco has a large variety of beautiful parks and reserves that residents and visitors to the City can all enjoy.



Mueller Park

Several of these green open spaces have become increasingly popular for the outdoor exercise and group training opportunities they offer.

To provide a fair and equitable system which ensures that these fitness activities do not impact on other users and residents living in close proximity to the City's parks and reserves, the City has a permit system to regulate personal trainers and group fitness classes operating in these spaces.

Following the revision of the City of Subiaco Local Government Property Local Law 2014, a valid permit is required for any personal training, teaching, coaching and commercial or non-commercial group fitness classes in the City's parks and reserves.

This pack contains information about which parks and reserves are approved training areas, an overview of the personal training permit application process, and the City's permit terms and conditions.

## Approved training areas

The following parks and reserves have been identified as suitable for personal and group training. The table includes information about the maximum number allowed to train in each park and reserve at one time, as well as the hours within which personal and group training can occur.



Rosalie Park sporting fields

Within these approved parks and reserves the following exclusion zones apply:

- Areas of cultural or natural significance.
- Within 20 metres of the War Memorial clock tower or any other approved memorial.
- Within 20 metres of any play-space or play equipment.
- Within 20 metres of any picnic shelter, park bench or any other park infrastructure with a public use.
- Within 30 metres of the boundary of residential properties adjoining parks, reserves or other public open space.

Park or reserve	Address	Max group size	Operating hours
Lake Jualbup	Between Herbert Road, Evans and Excelsior Streets and Lake Avenue, Shenton Park	36	Weekdays: 7am to 6pm Weekends: 8am to 4pm
Mabel Talbot (northern side)	Between Peel, Roseberry and Lansdowne Streets, Jolimont	36	Weekdays: 6.30am to 6pm Weekends: 8am to 4pm
Mueller Park	Between Roberts, Coghlan and Subiaco Roads and Hamilton Street, Subiaco	54	Weekdays: 6.30am to 6pm Weekends: 8am to 4pm
Nicholson Road Reserve*	Between Nicholson and Rokeby Roads and Thomas Street, Shenton Park	36	Weekdays: 6.30am to 6pm Weekends: 8am to 4pm
Rosalie Park* sports fields	Between Onslow, Derby and Aberdare Roads, Shenton Park	54	Weekdays: 6.30am to 4pm Weekends: Not available

\*Areas where dogs are permitted to be exercised off lead.



# Permit types, sizes and allocations

Permit type	Group size	Reserves per permit	Permit options
Small group	1 to 4 participants	3	<ul style="list-style-type: none"><li>• Winter permit (April to September)</li><li>• Summer permit (October to March)</li><li>• 12 month permit</li></ul>
Medium group	5 to 10 participants	3	<ul style="list-style-type: none"><li>• Winter permit (April to September)</li><li>• Summer permit (October to March)</li><li>• 12 month permit</li></ul>
Large group	11 to 18 participants	3	<ul style="list-style-type: none"><li>• Winter permit (April to September)</li><li>• Summer permit (October to March)</li><li>• 12 month permit</li></ul>

Fees and charges are in accordance with the current operating budget adopted by Council on an annual basis. To find out more about the City's fees and charges, contact the Sport and Recreation Officer on 6229 6600 or email [lords@subiaco.wa.gov.au](mailto:lords@subiaco.wa.gov.au).

In the month prior to the end of the winter and summer season current permit holders will be given the first opportunity to renew their existing permit. Applications will be taken on a first received and paid basis, subject to relevant carrying capacity being available.

# Submitting a permit application

Before making a permit application, please ensure you:

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

In addition to the above, if working with children, please ensure you:

- complete a Working with Children Check or provide a copy of your WWC card.
- provide a copy of certification in having completed accredited courses specific to children's fitness training.

Once you are ready to submit a booking application, please visit [www.subiaco.wa.gov.au](http://www.subiaco.wa.gov.au) and fill out the application form available on the personal training page. The City's Sport and Recreation Officer will then be in contact to discuss your application.

# Terms and conditions

## 1. Personal and group training permits

- 1.1. Personal and group training permits will be issued and remain valid for the following periods: Six months or 12 months.
- 1.2. Permits will authorise each trainer to use the designated public open space for commercial fitness training activities in accordance with this policy on a non-exclusive basis.
- 1.3. 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.
- 1.4. City officers will determine the number of permits to be issued per location upon application.
- 1.5. Personal trainers must have the approved 'permit' on hand during personal training sessions and make it available to authorised officers upon request and must ensure that signage, if issued, is visible during all training sessions.

## 2. Permissible and prohibited activities

The following are permissible fitness activities under these guidelines:

- 2.1. One on one fitness training sessions.
- 2.2. Group training sessions of up to 18 people including aerobic activity, yoga, tai chi, Pilates or similar classes, circuit training or gym sessions with light weights/ fit balls/ skipping ropes etc.

The following activities are prohibited under these guidelines:

- 2.3. Groups containing over 18 participants.
- 2.4. Dragging of logs, tyres, heavy ropes and other equipment that may damage the natural environment.
- 2.5. Erection of fixed structures, advertising signs, banners, stakes, rope or tape temporary or otherwise without Council's written consent.
- 2.6. Outdoor recreational activities conducted with amplified music or megaphones which cause excessive noise.
- 2.7. Soliciting of funds directly from park visitors or the public.
- 2.8. Any activity that is deemed to be aggressive or intimidating in nature including shouting, loud voice calls or instructions, whether real or perceived by participants or the general public.
- 2.9. Suspending boxing or kick 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.

- 2.10. Obstructing the general public in any way.

## 3. Permit holder responsibilities

Personal and group training permit holders must:

- 3.1. provide only activities for which they are suitably qualified and have been approved by the City of Subiaco
- 3.2. comply with all reasonable directions of City Authorised Officers
- 3.3. 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
- 3.4. 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
- 3.5. ensure the training area is restored to the same condition it was at the commencement of the training
- 3.6. not sell clothing/ equipment/ refreshments or any other good, service or product at the reserve, unless you have obtained a trading license/ permit from the City of Subiaco
- 3.7. 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. The trainer acknowledges that such a booking has priority over the trainer's use
- 3.8. Take responsibility for satisfying all occupational health and safety legislation and regulations
- 3.9. Ensure all fees and levies required by Work Cover or any other public body or statutory authorities are paid
- 3.10. 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
- 3.11. 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
- 3.12. 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 City failing to do something on or to the public space being used

- 3.13. observe the closing of open space areas due to wet weather and maintenance. During periods of wet weather the trainer is responsible for calling off training if necessary. No activity is permitted if grounds are closed
- 3.14. not drive or park any vehicle on parks, open space or footpaths
- 3.15. not create any excessive noise from training activities that unreasonably disturbs other users of the area and any adjacent residents
- 3.16. ensure that exercise equipment used does not create any hazards or obstruction to the community
- 3.17. give way to pedestrians and cyclists when moving through narrow areas with groups (eg. footpaths, stairways, and cycle ways) and do not conduct static classes within these areas
- 3.18. understand that the City reserves the right to review permit approvals in the event of substantiated noise complaints
- 3.19. prior to commencing fitness training activities, inspect the immediate area to ensure no hazards are evident, take appropriate action to remove identified hazards or alternatively move the training site and, without undue delay, report the hazard or any other hazardous matters observed during the training that may require the City's attention.
- 3.20. Acknowledge that 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, including weather or any other interruption to business howsoever caused
- 3.21. Acknowledge that the City does not, and will not accept liability for any debts incurred by the trainer.

**4. Penalties and enforcement action**

The following penalties and enforcement actions may be put into effect for any personal and group training operators (registered or un-registered) who are operating outside of the City of Subiaco Commercial Fitness Training Guidelines:

- 4.1. Should a commercial fitness training operator be using public open space on a regular basis

for activities without a City approval and permit, City Authorised Officers will be able to undertake enforcement action in accordance with the Local Government Act 1995.

- 4.2. A person who fails to comply with the terms and conditions of the Local Government Property Local Law 2014 3.13 (1)(d)
- 4.3. City Authorised Officers may enforce penalties on any person who fails to comply with a notice.

**5. Termination**

- 5.1. The Chief Executive Officer has the right to cancel a permit without notice if in their sole opinion they have 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.

**6. Grounds for appeal**

- 6.1. An applicant may object against, and apply for a review, of the decision in accordance with 7.1 of the Local Government Property Local Law 2014.
- 6.2. If the person has not applied for a review of the decision, an objection may be lodged by preparing it in the prescribed form and lodging it with the local government in the prescribed manner within 28 days after the right of objection arose or within such further time as the local government may allow.
- 6.3. The objection is to be dealt with by the City or by a committee authorised by the City to deal with it.
- 6.4. An applicant may also apply to the State Administrative Tribunal for a review of a decision, in accordance with the conditions specified in S9.7 of the Act.



**City of Subiaco**  
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This information is available in alternative  
formats upon request.