

# Fitness Training Activities Permit Application



This permit application should be completed for persons wanting to use Council reserves for fitness training activities. Please refer to the Commercial Fitness Training on Community Land Policy on Council's website before completing this form. This application must be received by the City of Unley a minimum of ten (10) working days prior to the date of the first fitness training session.

## CONTACT DETAILS

<b>Primary contact person:</b>	<b>Date of application:</b>
<b>Organisation name:</b>	<b>ABN number:</b>
<b>Postal address:</b>	<b>Telephone number:</b>
<b>Email:</b>	<b>Mobile:</b>
<b>Details of other (relief) trainers (if applicable):</b>	<b>Phone:</b>

## BOOKING DETAILS

Prior to completing this form please phone Customer Service on 8372 5111 to check availability and make a tentative booking. **Please note:** Goodwood Oval and Unley Oval are not available on Thursday and Friday due to maintenance works.

<b>Name of park</b> (one park per form):	<b>Number of people expected per session</b> (max 20 people):
<b>Permit period</b> (max 12 months): <b>From</b> (date):	
<b>To</b> (date):	

## WEEKLY SESSION TIMES

<b>Day:</b>	<b>Start:</b>	am pm	<b>End:</b>	am pm
<b>Day:</b>	<b>Start:</b>	am pm	<b>End:</b>	am pm
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## OTHER COMMENTS

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# Permit Conditions

## Definitions

### Commercial Fitness Training on Community Land Policy:

A City of Unley policy to provide a framework for managing and allocating the use of community land by commercial fitness groups.

**Community Land:** Community land is defined in *The Local Government Act 1999* as, 'All local government land (except roads) that is owned by a council or is under the council's care, control and management'.

**Permit:** A written order issued by the City of Unley granting special permission to conduct regular sports/fitness training activities in accordance with the following terms and conditions and Commercial Fitness Training on Community Land Policy for related activities.

**Permit Holder:** The designated individual or representative of the organisation conducting the event as nominated on the Permit Application Form. This may include the sports coach, coordinator, primary fitness trainer etc.

**Permit Application:** The Permit Application is attached to these Terms & Conditions and must be completed in full to apply to conduct regular sports/fitness training activities on community land within the City of Unley.

**Council's Sport & Recreation Planner:** The designated officer from the City of Unley who will assist you in the safe and successful planning and conduct of your activity.

**Regular Sports Activities:** Ongoing organised sports activities outside of other lease/licence agreements with Council.

**Remediation:** The action of fixing something, in particular the reversal of environmental damage.

**Tested & tagged:** Is a generic name given to the process of visually inspecting and electrically testing in-service electrical equipment for personal safety which must be undertaken by an accredited person or licensed electrician.

## Using these Terms & Conditions

These terms & conditions apply only to regular (ongoing) sports activities and commercial fitness training activities. For all other activities or one-off events, please refer to the Event Permit Terms & Conditions.

### General

Pursuant to the provisions of *By-Law No. 3* and Section 202 of the *Local Government Act*, the City of Unley (the Council) approves the issue of a Permit subject to the conditions below:

The Permit is not transferable;

The Permit Holder, where appropriate, shall ensure that they are licensed or registered to carry out the activity authorised by the issuing of this Permit;

Whilst the Permit allows the Permit Holder to use a designated space or facility for a specific purpose, the Permit Holder will not prevent other people from using other areas surrounding the approved sports/fitness training activity site;

The Permit Holder shall comply with and give all notices required by any Legislation, Regulation or By-Law relating to the activity. In particular, participants agree to comply with the *Work Health and Safety Act 2012*;

The submission of this application does not imply the booking is confirmed; it is a registration of interest only.

### Non Approval of Permit Application

Council has the right to refuse the hire of any park or reserve at its discretion. Such circumstances may include:

- submission of an incomplete or misleading and incorrect Permit Application;
- insufficient prior notice provided for Council to assess an application and review required qualifications, insurances etc;
- inability of applicant to provide required qualifications, insurances etc;
- impacts on the general public, local residents and businesses; and
- conflicts with other activities already approved for the area.

### Hire & Bond Fees

A range of fees and charges apply to regular sports/fitness training on parks and reserves within the City of Unley. Please refer to the Schedule of Fees & Charges on the Council's website; this document is updated annually as part of Council's budget process.

Subject to successful completion of the Permit Application Form and the applicant meeting all necessary requirements, Council will issue your Permit upon payment of the Hire Fee. An invoice for a refundable bond will be issued and must be paid at least 48 hours prior to the commencement of your event. This will be reimbursed within seven (7) business days at the conclusion of the booking if there is no misuse, damage or excessive rubbish left on site. A failure to return keys will also result in a deduction from your bond.

The Permit Holder will be responsible for any damage caused to Council property which resulted during the hire period. A notice will be issued advising of the cost to repair the incurred damage. The designated amount will be taken from your bond, or if a greater amount is necessary, you will be issued an invoice.

### Indemnities & Insurances

#### Public Liability Insurance:

The Permit Holder must take out and keep current during the period of this Permit a general Public Liability Insurance policy in a form approved by the Council, insuring for a minimum sum of ten (10) million dollars (\$10,000,000) for the specific event location. A copy of a current Public Liability Insurance Certificate of Currency must accompany the Event Permit Application and final approval will not be given until it is received.

#### Limits on the Council's Liability:

The Permit Holder will occupy and use the activity site at the risk of the Permit Holder.

The Permit Holder agrees to indemnify the Council from any costs or loss arising from any damages, accident or injury occurring on the activity site except where such accident, damage or injury results from any wilful or negligent act or omission of the Council.

The Council is not responsible for any loss of or damage to any fixtures, fittings or personal property of the Permit Holder.

#### Insurance Claims:

The Permit Holder must notify the Council in writing, giving full details, whenever the Permit Holder becomes aware of a possible claim under any insurance required in this Permit.

#### Location of Fitness Training Activity

Where applicable, the Permit Application will be approved based on the site map that accompanies the application. Should you wish to alter the approved activity site layout you must first seek approval from the Council's Sport & Recreation Planner.

If you are planning on installing any type of infrastructure at your activity (tent, marquee or any other type of equipment) you must apply for an **Event Permit**.

Dependent on the size and nature of infrastructure relating to the activity, developmental approval may be required prior to erection of any infrastructure or advertising display as per the *Development Regulations 2008*. A certificate from a qualified installer or engineer confirming that the temporary structures have been erected in accordance with appropriate specifications may also be required prior to the start of the event.

## Protection of Council Grounds & Facilities

The Permit Holder must ensure that the site or sites are left in the original state at the end of the activity as they were at handover on the agreed activity set up date. Failure to do so may result in cleaning fees and remediation costs being charged.

The Permit Holder must ensure there is no damage to any area of the activity site including all grassed and/or paved areas, footpaths and kerbs.

There is to be **no pegging in to the ground under any circumstances** and all structures must be weighted according to SafeWork SA standards.

Under no circumstances should anything of significant weight be attached or hung from any shelter, building or structure, this includes the use of such facilities for fitness activities such as pull-up's and chin-up's etc.

Vehicle movement or parking within the root zone of trees is not permitted.

Under no circumstances are nails, screws or other fixtures to be used on any part of a tree. No signage or activity infrastructure can be affixed to trees at any time.

No tree pruning is permitted by the Permit Holder.

The Permit Holder accepts that the western area of the Village Green has a Public Art area that is prohibited from fitness activity access.

Permit Holders are asked to respect significant sites and memorial structures within the Council's parks and open spaces by ensuring that any event infrastructure is kept well clear and event patrons are not allowed to interfere with or climb on structures.

Permission is granted for vehicles to access the activity site strictly in accordance with the designated entry/exit point advised by Council, as required, for the specific purpose of conveying goods and equipment – unloading and loading only. Once a vehicle is unloaded/loaded it must be driven off site and into allocated public parking areas. It is the responsibility of the Permit Holder to ensure that all persons attending the activity are made aware of the above conditions regarding parking.

Vehicles must stay on formal paths or hard surfaces wherever possible. During times of vulnerable ground conditions, such as after heavy rain. Council will discuss with you any extra restrictions that may need to apply.

## Remediation of Council Grounds & Facilities

Where remediation of Council grounds and/or facilities is required as a result of activity regular sports or fitness training activity, this remediation can occur in one of two ways:

- Permit Holder remediates according to Council's instructions and to the satisfaction of Council within agreed time frames; or
- Permit Holder pays Council to remediate the site.

Remediation will be charged to Permit Holders on the basis of the direct cost to the Council, including all labour, materials and out-of-pocket expenses. You are responsible for all costs associated with remediating the site to its pre-event condition and this responsibility extends to all activity coordinators, leaders, participants and attendees.

## Safety & Licencing

All non-fixed items (umbrellas, displays, signage etc) must be suitably anchored to prevent 'wind lift off' and will be in a safe condition.

Use of sporting equipment (such as javelins, discuss, hammers, golf balls etc) that may injure other open space users is prohibited.

Certification must be provided to show that electrical equipment used at your event has been tagged and tested for the safety of spectators and participants. If the equipment is not tagged, not in approved cable covers, or is found to be faulty by a Council representative, Council reserves the right to request that the item be disconnected or removed until the hazard has been rectified or the activity will be shut down.

Power cords must not be run along the ground. They must either be placed in cable trays or raised 2.75m above walking areas (includes grassed areas) and 5m above roads (or places where vehicles are likely to traverse). It is the responsibility of the Permit Holder to ensure that all contractors are made aware of their legal obligations and that all safety precautions regarding power supply and power cords are taken (as per AS/NZS 3002:2008 Electrical Installations – Shows and Carnivals and AS 3533 – Amusement Rides and Devices or the current replacement standards).

## Cleaning & Waste Management

Council toilets are cleaned each morning. Hirers must leave the toilets in a clean and tidy state. If Council is required to undertake additional cleaning of the toilets following an activity attended by a large group, the Permit Holder may be charged with a cleaning fee or the bond may not be refunded.

The activity site must be left in the original state at the end of the activity as it was at handover on the agreed activity start date and all debris (such as cable ties, bottle caps, ice cream sticks and food scraps etc) must be removed immediately after the activity. Failure to do so will entitle Council to employ the necessary labour to clean up the site, the cost of which will be recovered from the Permit Holder.

## Environmental Health

### Noise:

The Permit Holder must exercise all reasonable care to ensure that disturbance by way of noise or other activities to the residents or other occupiers of the area are minimal. The Council shall in its discretion determine whether such disturbance has exceeded minimal standards in line with the City of Unley's Bylaws.

As outlined in Council's Commercial Fitness Training Activities on Community Land Policy, the use of amplified music or amplified audio (voice) equipment (e.g. loud hailers) is not permitted for these activities.

## Signage & Advertising

Advertising is not permitted on Council property without written permission from the Council. Approved advertising is displayed at the risk of the Permit Holder. Council's logo is a registered trade mark and all applications for usage must be made in writing to the Communications team at [communications@unley.sa.gov.au](mailto:communications@unley.sa.gov.au).

## Changes to Booking

If you need to change an approved booking date and/or time, please notify Council's Sport & Recreation Planner no later than 5 business days prior to the scheduled start date, where the circumstance is foreseen. Where the circumstance is unforeseen, please notify the Council's Sport & Recreation Planner no later than 2 business days after the scheduled start date to arrange a revised date and time for your activity.

The Council reserves the right to change a Permit or change an activity if Council staff determine that the continuation of the activity in adverse weather conditions is likely to cause significant damage to the site or has the potential to pose a risk to public safety. You will be consulted prior to a determination being made by the Council to revoke the Permit or cancel or postpone the activity.

## Termination of Booking

If you choose to terminate your Permit with the City of Unley, all fees will be refunded on a monthly pro rata basis.

The Council reserves the right to revoke a Permit if you do not abide by or meet the terms and conditions of this Permit.

## Agreement and booking approval

I acknowledge that I have read and understand the conditions of use, and agree to abide by, and be bound by the said conditions.

<b>Name of permit holder:</b>	
<b>Signed on behalf of the permit holder:</b>	<b>Date:</b>
<b>Signed on behalf of the City of Unley:</b>	<b>Date:</b>

### CHECKLIST

Have you confirmed the availability of the reserve?	Yes	No
Have you attached a copy of all relevant Public Liability Insurance certificate(s)?	Yes	No
Have you attached a copy of your Senior First Aid Certificate and Certificate 4 in Fitness?	Yes	No
Do you agree/provide permission for your fitness training business details to be placed on the City of Unley's website for promotion purposes?	Yes	No

### WHERE TO SEND YOUR APPLICATION

Email: [pobox1@unley.sa.gov.au](mailto:pobox1@unley.sa.gov.au)  
In person: Civic Centre, 181 Unley Road, Unley SA 5061  
Post: PO Box 1, Unley SA 5061

### ENQUIRIES

Phone: 8372 5111  
Email: [pobox1@unley.sa.gov.au](mailto:pobox1@unley.sa.gov.au)  
Website: [unley.sa.gov.au](http://unley.sa.gov.au)

### OFFICE USE ONLY

<b>Copy of Insurance*</b> Sighted _____ Approved/ Copy on file _____	<b>Copy of Qualification*</b> Sighted _____ Approved/ Copy on file _____	<b>Copy of First Aid certificate*</b> Sighted _____ Approved/ Copy on file _____
<b>Total amount due: \$</b>	<b>Amount received: \$</b>	<b>Date received:</b>
<b>Payment Method:</b> Cash Tax Invoice Credit Card	<b>Date invoice raised (if Tax Invoice):</b>	
<b>Other Comments</b>	<b>Document Control</b> Version No: 04 Date: November 2017 Responsible Department: City Development Responsible Officer: Sport & Recreation Planner Dataworks Document Number: _____ Last Review Date: N/A Review Cycle: Annually DataWorks Source _____	