



COMMERCIAL FITNESS TRAINING ON COMMUNITY LAND POLICY

Policy Type	Council
Responsible Department	City Infrastructure
Responsible Officer	Manager City Assets
Related Policies and Procedures	• Sport & Recreation Policy
Community Plan Link	3. Economy 3.5 We drive strong economic, cultural, environmental, and social outcomes through strategic investments in property, technology, facilities, and infrastructure.
Date Originally Adopted	28 November 2011
Last Review Date	8 December 2025
Next Review Date	December 2028
ECM Document No.	9171018

1. PREAMBLE

- 1.1. Due to the low amount of open space available for recreation, community land in the City of Unley is in high demand for community and commercial use and this use and demand is anticipated to increase substantially in the future. Growth within the fitness training industry has led to an increasing trend for fitness trainers to undertake activities outdoors, using community land owned and/or managed by Council.

2. SCOPE

- 2.1. This Policy establishes a framework for the management of commercial fitness training using community land (open spaces and public reserves). This Policy also applies to the Civic Centre Village Green.
- 2.2. Commercial fitness training conducted on community land is managed in accordance with section 200 of the *Local Government Act 1999*, Council by-laws, and Council's Community Land Management Plans.
- 2.3. Community land is primarily for community use, and any commercial use should not overly restrict general community access.
- 2.4. This Policy outlines the framework through which Council grants permits for commercial fitness training on community land, supported by the attached Terms and Conditions.

3. PURPOSE/OBJECTIVES

- 3.1. Ensure that appropriate community use of community land remains the priority use, and to define what locations, activities, and fitness group sizes are appropriate.
- 3.2. Resolve any issue arising from the use of community land for commercial fitness training in an efficient and effective manner.
- 3.3. Ensure a consistent approach to the management of commercial fitness training on community land.
- 3.4. Ensure fitness trainers/leaders undertaking commercial activities on community land have the relevant qualifications and insurances, to reduce any risk to participants, other reserve users, and Council.
- 3.5. The Permit Terms and Conditions aim to:
 - reduce the potential for harm to persons who are engaging in fitness activities, and
 - protect Council equipment, infrastructure, built and natural assets from misuse and damage.
- 3.6. Where Council infrastructure works and maintenance may be required at the same time as a booked training session, Council Administration will aim to give reasonable advance notice to the fitness activity permit holder in order to make alternative arrangements.

4. DEFINITIONS

<u>Term</u>	<u>Definition</u>
Commercial activity	is an activity that results in financial profit to the organiser of the activity.
Community land	is defined in Section 193(1) of the <i>Local Government Act 1999</i> as; "All local government land (except roads) that is owned by a council or is under a council's care, control and management". (i.e. Open spaces & Public reserves)
Civic Centre Village Green	is open space adjacent to the Civic Centre bounded by Oxford Terrace, Rugby Street and Edmund Avenue.
Council	is the Corporation of the City of Unley.
Fitness training	is any activity involving physical exercise with the aim of enhancing or maintaining physical fitness and overall health and wellness. These activities may include strengthening muscles and the cardiovascular system, improving athletic skills, weight loss or maintenance, and for enjoyment.
Fitness trainer/leader	is a person who facilitates and/or assists others to participate in fitness training.

5. ROLES AND RESPONSIBILITIES

<u>Role</u>	<u>Responsibilities</u>
Elected Members	• Responsible for the approval and adoption of this Policy • Must comply with the requirements of this Policy
Manager City Assets	• Responsible for the review and application of this Policy

City Assets team	• Administration and issue of Permits
All Employees	• Must comply with the requirements of this Policy

6. STATEMENT

- 6.1.** This policy provides a framework for managing and allocating the use of community land by commercial fitness operators.
- 6.2.** The City of Unley acknowledges that outdoor fitness training is an appropriate form of recreation and contributes to the health and well-being of Unley residents.
- 6.3.** This policy does not apply to:
- other commercial activities on community land,
 - fitness training that is not of a commercial nature.
- 6.4.** Commercial fitness training participants are prohibited from using public artworks and memorials as part of exercise routines or for attaching equipment.
- 6.5.** Permit System
- 6.5.1. Use of community land for commercial fitness training purposes is managed through the issuing of Permits. The purpose of the Permit System is:
- 6.5.1.1. To establish a fair and equitable process, fitness trainers can apply to obtain a permit for casual hire up to 12 months within a given financial year (from July to June each year).
- 6.5.1.2. Commercial fitness trainers can complete an online Application Form preferably two weeks prior to the start of the permit period
- 6.5.1.3. Council Administration staff will assess the form, and a hire permit will be issued, provided that the fitness trainer pays the relevant fee within 30 days of receiving the hire permit invoice, and meets the requirements outlined in the Fitness Training Permit Terms and Conditions.
- 6.5.1.4. Fitness trainers may be allocated a location and times that meet their request and Council requirements. Where a request cannot be met or is not appropriate, Council will negotiate alternative options in accordance with this policy.
- 6.5.1.5. Existing fitness trainers may be given priority to book their desired location and times, and Council reserves the right to change bookings after review.
- 6.5.1.6. When requested by an Authorised Officer of Council, Fitness trainers/operators are required to produce their Council permit.
- 6.5.1.7. Permit holders may apply for multiple locations on a single permit and fee, provided there are no concurrent location use.
- 6.5.1.8. Groups of more than 20 people may be accommodated in parks subject to Council review and approval.
- 6.6.** Fees and charges
- 6.6.1. A hire fee applies for undertaking commercial fitness training on community land. Fees are endorsed annually in conjunction with Council's Annual Budget.
- 6.6.2. Refer to Council's Annual Fees and Charges Schedule for up-to-date fees, available at the Civic Centre or via www.unley.sa.gov.au.

7. DELEGATIONS

- 7.1. All delegations and sub-delegations are outlined in Council's Delegations document located on the City of Unley's website.
- 7.2. The Chief Executive Officer (or delegate) is authorised to issue permits to commercial fitness trainers in accordance with this policy.

8. LEGISLATION AND STRATEGIES

- *Local Government Act 1999*
- City of Unley By-laws:
 - No. 1; Permits and Penalties
 - No. 3; Local Government Land
- City of Unley; *Community Land Management Plans*
- City of Unley; *Sport and Recreation Plan*

9. AVAILABILITY OF POLICY

- 9.1. The Policy is available for public inspection during normal office hours at:

The Civic Centre,
181 Unley Road, Unley SA 5061.

A copy may be purchased for a fee as determined annually by Council.

It is also available for viewing, download and printing free of charge from the Council's website www.unley.sa.gov.au.

10. DOCUMENT HISTORY

Date	Version No.	Comment
28 November 2011	Version 1	C293/11: New policy adopted by Council
22 October 2012	Version 2	C564/12
14 December 2015	Version 3	C334/15
23 September 2019	Version 4	C0117/19
27 January 2021	Version 5	C0425/21: Everard Park Reserve added to approved list
8 December 2025	Version 6	C1674/25