

Amber Jeeves
Tough Love Personal Training & Boot Camp
35 Chiltern Road
Ocean Beach WA 6333

20th August 2015

To the Shire of Denmark Council,

Re: Draft "Personal Training Sessions & Services in Council Reserves" Policy

After attending a meeting today with Gregg Harwood and John Sampson, I have put into writing what I feel needs to be considered and addressed by Council before the above stated policy can be finalised and put into action. I hope that Council finds my input useful.

Annual Fee/Pro Rata Trial Fee dismissal: Before Tough Love Personal Training & Boot Camp, there was no policy in place (or policy fees and charges) that affected Personal Trainers training clients in outdoor public places in Denmark, WA.

Upon my first meeting with Gregg Harwood in mid-February 2015, Gregg implied that there was already a policy in place and I simply needed to write a letter of request to obtain a Trading in Public Places Permit and make the annual payment of \$360.00 before I could start training clients in Council Parks and Reserves. I applied in writing for the above mentioned permit in early April 2015.

In May 2015, I received a call from Gregg Harwood in which he informed me that he was referring to Council for the reduced annual fee of \$100.00 for the Personal Training in Public Places Permit per financial year. He also requested my insurance details which I disclosed that week.

In July 2015, I received an invoice for a \$50.00/4 month Trial Fee (\$200.00 per annum pro-rata) for Trading in Thoroughfares and Public Places (Outdoor Fitness) due on the 18/8/15.

In early August 2015, I then received a Statement of Outstanding Payment for the \$50.00/4 month Trial Fee when clearly the account was not overdue and the policy was still in "draft" status.

After such a disordered and lengthy process for a policy that is yet to be complete, I believe that any charges and/or annual fees should be excluded from the policy. A written agreement between the Denmark Shire Council and each permit holder should be sufficient. Alternatively, I suggest drastically reducing the permit fee from \$200.00 per annum to \$10.00 or \$20.00 per annum. \$360.00, \$200.00 and even \$100.00 per year are far too extreme and the \$50.00 pro-rata/4 month trial fee is completely unnecessary.

Policy Name: It is unfair to target ONLY Personal Trainers with this policy. It would be a good idea to change the name of the policy to cover ALL professional/qualified exercise instructors that wish to trade in outdoor public places/on Council Parks and Reserves (E.g. Tai Chi Instructors, Yoga Instructors, Pilates Instructors, and Sports Coaches, SUP Board Instructors etc.). Or alternatively, have several different policies that have specific guidelines conditional to the type of exercise activity being instructed.

Public liability insurance and professional indemnity: The draft policy states that Personal Trainers /Licensees must obtain their own public liability insurance to the minimum value of \$10,000,000.00 and indemnify Council. If the public liability insurance and professional indemnity factor of the policy is of major concern to the Shire Council and the Shire Council is to go ahead and ensure that ALL outdoor exercise instructors obtain the proposed permit to train at Council Parks & Reserves then a "one size fits

all" policy would not be suitable for each and every applicant as not all instructors currently operating in Denmark would hold such insurance.

It was stated in today's meeting that Yoga & Pilates is not as a high risk of an activity as outdoor Personal Training and therefore Yoga and Pilates Instructors would probably not require their own public liability insurance to hold such classes, and consequently would not need to acquire the proposed permit.

This cannot be a valid reason for other outdoor fitness trainers to be excused from requiring a permit and/or being charged an annual fee if they too intend on holding outdoor exercise training sessions for paying customers in Council Parks and Reserves.

Certificate 4 in Personal Training or the equivalent: The draft policy states that the licensee must hold at least a Certificate 4 in Personal Training or an equivalent level qualification and fitness industry experience so that they are far less likely to have injuries in their fitness classes.

All outdoor fitness trainers that intend on obtaining the proposed permit to train paying customers in Council Parks and Reserves should need to hold the highest level of certification in their chosen field of expertise. It would be beneficial to Council to research each individual applicant's qualifications, experience and continued education requirements necessary in order to instruct paying customers.

First Aid/CPR Certification: If injuries to the public are of major concern to the Shire Council then all permit holders should obtain Basic First Aid and CPR certification.

Penalties: What would the penalty be if people were to start operating business in Council Parks and Reserves without first obtaining a permit? Please include such details in the permit description notes.

Shire Parks & Reserves: The Shire Council needs to be more specific and provide permit holders with a list of all Denmark Shire Council Parks and Reserves that this policy covers. I was previously unaware that various beaches in Denmark fall into the Shire of Denmark Parks and Reserves category and others are managed by DPaW.

Where does the Shire draw the line in regards to who requires such a permit? It should apply to anyone that intends to instruct an exercise/fitness training session to paying customers on Council Parks and Reserves.

How will the policy be policed? Shire Rangers should be personally introduced (or make themselves known) to each individual Permit holder to create a respectable work relationship and Permit holders should receive both written certification AND a car sticker or plastic business card type permit (similar to a drivers licence) that is easily accessible when required.

I hope that my input is found to be beneficial to the implementation of the new proposed policy and that when completed the policy is advantageous to everybody that it affects in the Denmark Community.

Please keep me in the loop in regards to this policy.

Kind regards,

Amber Jeeves.

From: [REDACTED]
To: [Denmark Shire Enquiries](#)
Subject: ISUB158834 - Personal training sessions and services in council reserves
Date: Tuesday, 11 August 2015 10:33:22 PM
Attachments: [AVG certification.txt](#)

Gregg Harwood

I'm am writing this in response the the draft policy, personal training sessions and services in council reserves

I am against this policy update bootcamp is about undertaking challenges in your natural environment which though a Bootcamp I have undertaken I have gained and achieved many personal fitness goals as a reasonable cost. This policy I feel will add additional costs to these bootcamps making them out of reach for many members in our community. Many people use these public facilities for personal fitness goals are they going to have to pay to carry out their daily physical activities? Why should these personal training sessions and service's be punished for helping our Community live healthy lifestyles.

I seek these additional bootcamp facilities due to not achieving enough of my gym membership due been highly over priced memberships and limited opening hours especially school holidays and weekends. I worked Monday to Friday in the local community and like to live a healthy lifestyle which is made difficult due to lack of suitable opening hours for working members in our community.

Please take this into consideration as I believe this policy is ridiculous your limiting fitness opportunities to members in the community and punishing people which wish to help community members achieve their fitness goals and live Heathy lifestyles at a reasonable price.

Thank-you Alex