

# Creek Neighbours online program - terms and conditions

This page outlines the terms and conditions for Brisbane kindergartens to participate in the Brisbane City Council Creek Neighbours online program.

## Mandatory risk assessment

Your kindergarten early learning centre must satisfy the following risk assessment requirements.

- You acknowledge and agree that your kindergarten early learning centre has conducted a risk assessment for all aspects of the program, including a risk assessment and safety audit of the creek and adjacent environs you are planning to visit as part of your participation in the program and are satisfied with the level of risk identified in the risk assessment.
- The risk assessment of the intended creek site and adjacent environs may include, but not be limited to:
  - recent rainfall which may influence water levels or flash flooding
  - weather forecasts for the day you intend to visit the chosen creek site
  - upstream land and water use
  - water quality
  - pollution and rubbish
  - water depth
  - condition of creek banks
  - safe access to the chosen creek
  - the condition of adjacent natural areas such as parks.
- Your kindergarten early learning centre is solely responsible for completing all risk assessments and undertaking all necessary actions to ensure the safety of centre personnel, students, visitors, parents, and members of the public while participating in the program.
- Your kindergarten early learning centre must retain a copy of the risk assessment documents for its records.

## Voluntary assumption of risk

You acknowledge and agree that the participation of your kindergarten early learning centre in the program is at its own risk.

### No liability of Council

- Council accepts no responsibility whatsoever for any problems or technical malfunction of any communication network, or for any late, misplaced, lost, or ineligible program applications.

- Once a program application is approved by Council, the kindergarten is responsible for the use of all program resources, related materials including the frog puppet, dipnet kit and the Happy Creek Sad Creek kit, including complying with all relevant laws.
- Council makes no representations or warranties as to the quality, suitability, or merchantability of the program, program resources and related materials including the frog puppet, dipnet kit and the Happy Creek Sad Creek kit.
- To the extent permitted by law, Council is not liable for any loss of damage whatsoever which is suffered (including but not limited to direct or consequential loss, which includes but is not limited to loss of actual or anticipated profit, loss of goodwill, loss of reputation, loss of opportunity, loss of savings, and/or loss of contract) or for any personal injury sustained in connection with the kindergarten early learning centre's participation in the program, including accessing and using the online program resources and related materials including the frog puppet, dipnet kit, Happy Creek Sad Creek kit and the kindergarten early learning centre's attendance at its chosen creek site. This paragraph is not intended to exclude any liability which cannot be excluded under Australian consumer protection laws.