

Edithvale-Seafood Wetland Education Centre Tour

Venue and Safety Terms and Conditions

Any reference to 'you or your' is to the attendee of the Edithvale-Seafood Wetland Education Centre Tour (**Tour**).

The Edithvale-Seafood Wetland Education Centre (**ESWEC**) is owned and operated by Melbourne Water Corporation ABN 81 945 386 953.

By attending any Tour, you agree to these Terms and Conditions. If at any point you do not agree to these Terms and Conditions, you must not attend the Tour and leave ESWEC immediately.

Disclaimer

1. The Tour is provided for educational purposes only. Melbourne Water provides no warranties or representations as to the suitability or reliability of the Tour or its content.

Registration, Access and Compliance

2. Upon arrival at ESWEC, you must report to the Melbourne Water team and sign in using the QR code.
3. When attending any Tour, you must act respectfully and comply with all Melbourne Water's safety requirements in accordance with these Terms and Conditions. You may seek immediate assistance from Melbourne Water staff, as required.

Conduct

4. You remain wholly responsible for your conduct and the conduct of any minor children who are accompanying you, while attending any Tour and while on-site at ESWEC.
5. You must not do anything which contravenes third party rights. You must not threaten, abuse, discriminate against, defame, mislead or deceive any person, or contravene any law, or cause Melbourne Water to contravene

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any law, or otherwise do anything that Melbourne Water deems to be inappropriate.

6. Melbourne Water reserves the right to require any persons whose conduct is not of an acceptable standard, in the opinion of Melbourne Water, to leave the Tour or ESWEC.

Safety requirements

7. You must wear the following clothing while on any Tour:

- a. Flat, enclosed sturdy footwear; and
- b. long pants; and
- c. long sleeves shirts.

8. You must not wear any of the following items of clothing while on any Tour:

- a. sandals or thongs; or
- b. any other item of clothing that Melbourne Water considers inappropriate for the purpose of attending and participating in the Tour.

9. You may also bring on any Tour:

- a. appropriate clothing to protect against weather, include a hat, raincoat, rain jacket and sunscreen.

10. If a public address system (microphone and speakers) is required, your tour group organiser must provide this for the Tour.

11. Accredited assistance dogs are welcome on any Tour, subject to the following:

- a. Handlers must carry valid identification issued by an accredited assistance dog training provider.
- b. While outside the Tour bus, dog(s) must always be on a leash and under the handler's control.

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- c. Handlers are responsible for the removal of any dog waste.
- d. If a dog poses a risk to wildlife or participants of the Tour or Melbourne Water, its employees, officers and agents, the dog(s) must be removed from the Tour and ESWEC.

Accessibility Information

- 12. This clause is for information purposes only.
- 13. Attendees of the Tour specific accessibility requirements are encouraged to contact Melbourne Water in advance of the Tour to discuss those requirements.
- 14. ESWEC includes wheelchair-and mobility-aid-accessible ramps and toilet facilities.
- 15. If you use a mobility aid such as a wheelchair or scooter, please check with your Tour group organiser to determine whether suitable transport arrangements can be made for movement to and around the Tour.
- 16. Ramps and toilets are accessible to wheelchair and/or other mobility aids.

Medical Assistance

- 17. If an injury occurs on the Tour, Melbourne Water staff will assist where possible and provide information to support recovery. Any assistance provided by Melbourne Water staff in the event of illness or injury is provided without assumption of responsibility and subject to the liability, indemnity and release provisions of these Terms and Conditions.

Emergencies

- 18. In the event of an emergency, you must follow directions from Melbourne Water wardens and proceed to the designated evacuation point. Melbourne Water Wardens are identifiable by yellow, red, or white hats and high-visibility vests.
- 19. Melbourne Water will contact emergency services (000), if required.

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20. Any assistance provided by Melbourne Water staff in the event of an emergency is provided without assumption of responsibility and subject to the other provisions of these Terms and Conditions.

Bus hire

21. Where you are responsible for arranging bus transport for any Tour, you must ensure that the bus operator holds valid public liability insurance with a minimum cover of \$10 million.

22. All participants of the Tour must arrive and leave together in the same vehicle, unless prior written approval is provided by Melbourne Water.

Images and Media

23. No photography or videography is allowed at any time during the Tour, unless prior written approval from Melbourne Water is provided to you.

24. Any content shared or to be shared on social media or in a public forum must be reviewed and approved by Melbourne Water's Communication Team before it is used or published.

Liability, indemnity and release

25. Melbourne Water will not accept any liability for any personal injury or property damage sustained by you.

26. You agree to indemnify and keep Melbourne Water, its employees, officers and agents indemnified from and against all claims, demands, liabilities, losses, damages, costs or expenses as a result of any damage to real or personal property, any personal injury or any claim in negligence, to the extent caused by you in connection with the Tour or accessing ESWEC.

27. You release Melbourne Water from all claims of any kind (including claims for personal injury or damage to real or personal property) and from liability which may arise in connection with accessing ESWEC, or attending or participating in any Tour.

Privacy

28. Melbourne Water are committed to collecting and handling your personal information respectfully, responsibly and in accordance with the *Privacy and Data Protection Act 2014 (Vic)*.

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29. Please refer to the Privacy Statement on our website [Privacy Policy | Melbourne Water](#).

General

Validity

30. If any clause of these Terms and Conditions is invalid or unenforceable at Law it does not affect the validity or enforceability of the remainder of the clauses.

Governing Law and Jurisdiction

31. These Terms and Conditions are governed by, and is to be interpreted in accordance with the laws in force in the state of Victoria, Australia.

Variations

32. Any variation to these Terms and Conditions can only be made by Melbourne Water with notice to you.

Severability

33. If any clause or provision of these Terms and Conditions (or part of any clause or provision) is found by any court or other authority of competent jurisdiction to be invalid, illegal or unenforceable, that provision or part provision shall, to the extent required, be deemed not to form part of these Terms and Conditions, and the validity and enforceability of the other clauses or provisions of these Terms and Conditions shall not be affected.

34. If a clause or provision of these Terms and Conditions (or part of any clause or provision) is found illegal, invalid or unenforceable, the clause or provision shall apply with the minimum modification necessary to make it legal, valid and enforceable.

Waiver

35. A waiver of any right under these Terms and Conditions is only effective if it is in writing and it applies only to the circumstances for which it is given. No failure or delay by a party in exercising any right or remedy under these Terms and Conditions or by law shall constitute a waiver of

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that (or any other) right or remedy, nor preclude or restrict its further exercise. No single or partial exercise of such right or remedy shall preclude or restrict the further exercise of that (or any other) right or remedy.

36. Unless specifically provided otherwise, rights arising under these Terms and Conditions are cumulative and do not exclude rights provided by law.

Responsibility Matrix

Without limiting your obligations under any other provision of these Terms and Conditions, as a condition of participating in any Tour, you agree to accept the following Responsibility Matrix Table, which details potential risks and hazards associated with any Tour, and the responsibilities and control measures allocated to each party.

For the purpose of the Responsibility Matrix only, the following definitions apply:

All Visitors means all persons attending the Tour, including Students, Teachers and Adult Visitors, and any other attendees, but excluding Melbourne Water staff, employees, officers and agents acting in that capacity.

Melbourne Water means Melbourne Water Corporation and includes its employees, officers and agents.

Party/Parties means Melbourne Water or a Teacher and Adult Visitors, as the context requires and includes a Teacher and Adult Visitor acting on behalf of any Student under their supervision.

Student means a person who is under the age of 18 and attends the Tour as part of a school or educational group.

Teacher and Adult Visitors mean a teacher, school staff member, parent, guardian, carer or other adult accompanying or supervising Students on the Tour, excluding Melbourne Water staff, employees, officers and agents acting in that capacity.

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Responsibility Matix Table

Potential Risks and Hazards	Which Party is responsible for the Potential Risk and Hazard	Control Strategies and Requirements
Student Behaviour	Teachers and Adults Visitors	<p>Melbourne Water will conduct activities with Teachers and Adult Visitors present.</p> <p>Teachers and Adult Visitors must actively supervise Students at all times.</p> <ul style="list-style-type: none"> All Adult Visitors must have appropriate authority and experience to supervise Students under their care. Melbourne Water will cease activities if Student behaviour or supervision of Teachers or Adult Visitors are not appropriate.
Avian influenza	All Visitors and Melbourne Water	<ul style="list-style-type: none"> Avoid contact with wildlife. Maintain good hand hygiene.
Extreme environmental conditions	Melbourne Water	<ul style="list-style-type: none"> Melbourne Water will cancel any Tours on days declared Total Fire Ban, and Extreme or Catastrophic Fire Danger Ratings. Melbourne Water will cancel any Tour on days when air quality is poor, very poor or extremely poor, as determined by the EPA. Emergency evacuation procedures will be implemented by Melbourne Water, if required.
Illness	All Visitors	<ul style="list-style-type: none"> All Visitors must comply with current Victorian health directions. Do not attend the Tour or ESWEC if unwell. Maintain good hygiene at all times. All Visitors that are non-compliant with these requirements may be asked by Melbourne Water to leave any Tour or ESWEC.
Road-related injuries	Teachers and Adults Visitors	<ul style="list-style-type: none"> Drivers must hold a relevant driver's license and be able to drive the vehicle. Seatbelts must be worn where available by All Visitors. Bags must be stored securely. Buses must park in designated areas. Use pathways at a walking pace only. Teachers and Adult Visitors must always supervise Students.
Trips, slips and falls, bites and stings	Teachers and Adults Visitors	<ul style="list-style-type: none"> All Visitors must only wear flat, enclosed shoes, long pants and long sleeves. All Visitors must remain on designated paths. All Visitors must not run on designated paths.

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Potential Risks and Hazards	Which Party is responsible for the Potential Risk and Hazard	Control Strategies and Requirements
		<ul style="list-style-type: none"> Teachers and Adult Visitors must bring a suitable, fully stocked first aid kit for use during the Tour and at least one Teacher or Adult Visitor must be trained in First Aid.
Site evacuation	Melbourne Water	<ul style="list-style-type: none"> Emergency procedures will be clearly explained to All Visitors by Melbourne Water. Melbourne Water will consult with bus drivers on arrival outlining the safety evacuations plan.
Environmental and health risks	Melbourne Water	<ul style="list-style-type: none"> Melbourne Water will provide safety briefings to All Visitors prior to Tour activities. Severe weather conditions will be monitored and appropriate alternative arrangements will be implemented by Melbourne Water.
	Teachers and Adults Visitors	<ul style="list-style-type: none"> All Visitors must wash their hands with soap and water, when required. All Visitors must follow all Melbourne Water instructions.
Exposure to sun, wind and rain	Melbourne Water	<ul style="list-style-type: none"> Tours will be cancelled by Melbourne Water in extreme weather.
	Teachers and Adults Visitors	<ul style="list-style-type: none"> Sunscreen, hats, and rain protection are recommended to All Visitors.
Injuries from heavy objects	Melbourne Water	<ul style="list-style-type: none"> Melbourne Water will provide safety briefings to All Visitors prior to activities on the Tour.
	Teachers and Adults Visitors	<ul style="list-style-type: none"> Teachers and Adult Visitors must always supervise Students.
Proximity to water	Melbourne Water	<ul style="list-style-type: none"> Melbourne Water will provide safety briefings to All Visitors prior to activities on the Tour. Melbourne Water will conduct a risk assessment, identify potential hazards and establish safe zones near water for All Visitors.
	Teachers and Adults Visitors	<ul style="list-style-type: none"> Teachers and Adult Visitors must always supervise Students.
Lunch and breaks times	Teachers and Adults Visitors	<ul style="list-style-type: none"> Teachers and Adult Visitors must always supervise Students. All Visitors must follow Melbourne Water verbal and written instructions at all times and must wear flat, enclosed shoes, long pants and long sleeves.

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Potential Risks and Hazards	Which Party is responsible for the Potential Risk and Hazard	Control Strategies and Requirements
Bus breakdown	The Tour bus company	<ul style="list-style-type: none"> • The Tour bus company is responsible for managing bus breakdowns and associated risks. • All Visitors must adhere to instructions from Melbourne Water. • If All Visitors need to exit the Tour bus, make sure it is safe before proceeding.

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