

# Council Reserve Key Application and Indemnity Form

**About this form:** This form is to be completed when a non-staff member requires access to/through a Council Reserve. The form is to be forwarded to [council@kiama.nsw.gov.au](mailto:council@kiama.nsw.gov.au) at least 5 days prior to key collection.

## Part 1: Applicant Details and Access Requirements

[Be specific in identifying the areas you require access to]

Property Owner Name:		Contact Number:	
Address		Council Reserve name	
Date keys required		Scheduled return date	
Reason for Requiring Access:			
Name of Contractor			
Contractor Vehicle type			
Anticipated number of access trips across reserve			
What material will be transferred in/out of reserve			

## Part 2: Terms and Conditions

Kiama Council hereby permits access to Council reserves solely for the purposes allowed thereon and indicated to the Council by the Applicant.

Such Permission does not allow the user to interfere with or cause damage to the reserve or any other property or restrict or disrupt other users of the reserve.

This permit is granted in exchange for an indemnity\* from the Applicant and Applicant's Contractor (if any) to council in respect of any such interference or damage which may be caused by the Applicant or the Applicant's Contractor. This indemnity will extend to the cost of any repair or injury caused to other parties.

The signatory for the Applicant's Contractor hereby warrants that he/she has the authority to sign this indemnity and bind the Applicant's Contractor thereto.

***\*Indemnity means "legal exemption from penalties incurred through one's acts or defaults"***

The applicant accepts the terms and conditions as set out below.

## Terms and Conditions

### 1. General

- 1.1 Completion of the “Council Reserve Key Application and Indemnity Form” must be returned to council at least 5 days prior for approval prior to key pick up if no construction is to be carried out.
- 1.2 Credit card details are to be provided at the time of key pick up in accordance with Council’s Fees and Charges.
- 1.3 The key shall not be provided to a third party
- 1.4 The key shall be returned to the Council upon request
- 1.5 The key shall be returned to the Council Customer Service on the scheduled due date. Failure to return the key will result in \$50.00 charge to the nominated credit card
- 1.6 Access is for the nominated area(s) ONLY and for the personal use of the hirer/contractor or the use of the organisation the hirer represents
- 1.7 The key is not to be duplicated under any circumstances
- 1.8 **Where construction vehicles will be entering the reserve see part 2.**

### 2. Construction work

**Access for purpose of construction on private land requires further documentation. Council will advise on review of your application.**

- 2.1 Photos of the relevant area of the reserve and access to your property must be provided prior to key issue. This may alleviate any disputes or later claims for damages of council property from the works.
- 2.2 Payment of a damage deposit bond of minimum \$600 (or greater as assessed case by case) will be required. The bond shall be refunded upon the satisfactory inspection of the reserve by Council, or should remediation of disturbed areas be required, costs incurred by the Council will be drawn from this bond or you may be invoiced. Should these costs exceed the value of the bond held the property owner will be liable for the reimbursement to council.
- 2.3 Details shall be provided of the contractor(s) undertaking the works including copies of their Public Liability Insurance with a minimum of \$20M coverage and a risk assessment is prepared for activities within the public reserve associated with the works
- 2.4 Works shall only occur between the hours of 7am – 6pm Monday to Friday and 8am – 1pm on Saturdays. No works will be permitted on Sundays or public holidays.
- 2.5 The contractor shall ensure that all sediment laden runoff from the works is controlled at all times subsequent to the commencement of construction. Sediment control must be maintained at all times and checked for adequacy at the conclusion of each work day.
- 2.6 No materials, **at any time**, shall be stockpiled within the public reserve.
- 2.7 Council officers have the right to provide a “no access direction” at any time due to adverse weather.

**OFFICE USE ONLY – IS THIS DEEMED CONSTRUCTION WORK****YES NO**

Are photos of reserve required to be supplied supplied prior to key pickup?: Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	Is Dilapidation bond required? (risk to confirm) Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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**Part 3: Agreement****I agree to the all terms and conditions:**

Signature: (Owner)	Date:
Signature: (contractor)	Date:

**Part 4: Privacy and Personal Information Protection Notice**

The personal details requested on this form are required under the Local Government Act and will only be used in connection with the requirements of this legislation. Access to this information is restricted to Kiama Council officers and other people authorised under the Act. Council is to be regarded as the agency that holds the information. You may make application for access or amendment to information held by Council. You may also request Council to suppress your personal information from a public register.

**Part 5: Acknowledgement of Receipt****I have received the following keys:**

Key Number/s:	Date Collected:
Name:	Signed:

**OFFICE USE ONLY****(\*note: credit card details not required when a hire fee has been paid for the use of a reserve)**

Pink Credit Card Details Sheet Complete:	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
Signature: (Council officer issuing key)	

Date Key Returned:	Council Officer Signature
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## Am I prepared?

### General

Council Reserve Key Application and Indemnity Form	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
Credit Card Details to take to Council Office (\$50)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A

### If Dilapidation Information required for Construction Access

Council Reserve Key Application and Indemnity Form	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
Credit Card Details to take to Council Office (\$650 total)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
Copy of Contractor/s Public Liability insurance (\$20M min)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
Dilapidation Report (photographic)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
Approved Traffic Management Plan	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A

If you have any queries please contact the  
Risk Management Officer (Insurance) on (02) 4232 0444