

Dear HSA Member,
The below is our understanding of the new Updated RAD for Regional Victoria.

RAD (Regional Victoria) No 8 - 10th September 2021

DHHS have lifted the bar with the latest RAD requiring Sample Ski Lodge to check whether the normal place of residence for a guest making a booking either through the Booking Officer or online, is in the Restricted Area. The check requires a record to be made of photo identification or declaration of their normal place of residence. Bookings are limited to members of one household and only one booking per room. The density quotient is 1 per 4m² which limits bedrooms to 5 guests max at Sample Ski Lodge. The Restricted Area is the Greater Melbourne area plus Greater Shepparton City Council. Nagambie (Booking 561) is not in Greater Shepparton. Chapter and verse below:-

Residence checking requirement

- (1) A person who owns, controls or operates in Regional Victoria:
 - (a) an **accommodation facility** to the extent it relates to tourism, or a business that manages bookings for that accommodation facility;>>>>>>

or a person who is:

- (b) an **alpine operator**; >>>>>>>>

must use all reasonable endeavours to determine, as soon as practicable after each member of the public makes a booking (where bookings are taken) for, or accessing, entering or using, their services or facility, whether that member of the public's ordinary place of residence is in the Restricted Area, except for the following reasons:

- (c) the person states that they are permitted to travel or stay in Regional Victoria for reasons set out in the **Stay at Home Directions (Restricted Areas)**;
 - (d) emergency purposes; or
 - (e) as required or authorised by law.
- (2) The residence checking requirement in subclause (1) must be satisfied for each member of the public:
 - (a) aged 18 years or older, by that person or someone responsible for their care and support; or
 - (b) who is an unaccompanied person aged 15 years or older but under 18 years, by that person; or
 - (c) who is an accompanied person aged under 18 years, by their carer, parent or guardian.

Note 1: an operator should refuse service, or not accept bookings, if the operator of the facility is not satisfied the person resides in Regional Victoria, or is not reasonably satisfied that the person has an authorised reason for travelling or staying in Regional Victoria, such as travel for authorised work.

Note 2: a person who ordinarily resides in the Restricted Area but is in Regional Victoria for an approved reason may use food and drink facilities for the purposes of take-away as well as accommodation facilities for their approved purpose as per the rules applying in the Restricted Area. However, while in Regional Victoria they cannot dine in at a food and drink facility or use facilities that are currently closed in the Restricted Area, such as restricted retail facilities, entertainment and function facilities, places of worship or physical recreation facilities.

(3) A person will have satisfied the requirement under subclause (1) where they have:

(a) asked the member of the public for the address of their ordinary place of residence; and

(b) required the member of the public, and the group that person is travelling with, to:

(i) produce photo identification that evidences that their ordinary place of residence is not in the Restricted Area; or

(ii) make a declaration that their ordinary place of residence is not in the Restricted Area; or

(iii) make a declaration that they are permitted to travel or stay in Regional Victoria for reasons set out in the **Stay at Home Directions (Restricted Areas)**.

Note 1: it may not be reasonably practicable for a member of the public to make a declaration due to a physical or mental health condition or disability.

Note 2: a template declaration as to a person's ordinary place of residence is available at <https://www.dhhs.vic.gov.au/restricted-area-requirement-declaration-covid-19> as amended from time to time by the Victorian Government.

(4) If a person collects personal information in the process of complying with the residence checking requirement in subclause (1), that person must:

(a) use reasonable endeavours to protect the personal information from use or disclosure; and

(b) destroy the information as soon as reasonably practicable, unless another statutory requirement permits or requires the personal information to be retained.

Note: under this clause, 'reasonable endeavours' does not require a business or undertaking to employ additional staff to meet this requirement.