

1. Purpose

Alpine Resorts Victoria ('ARV') is the manager of all Victorian Alpine Resorts under the *Alpine Resorts (Management) Act 1997* (Vic). Under the Act, the Board is required to sustainably manage the resorts, having regard to environmental and ecological considerations, for alpine recreation and tourism in all seasons by persons from varied cultural and economic groups.

The *Alpine Resort (Management) Regulations 2020* (Vic) provides the regulatory framework for the control of animals within all Victorian Alpine Resorts. Dogs or any other animals cannot be brought into the resort without the authority of the relevant Alpine Resort. This does not extend to assistance animals as defined by the *Disability Discrimination Act 1992* (Cth) and *Equal Opportunity Act 2010* (Vic).

ARV recognise the need for increased accessibility in alpine resorts and is striving towards creating more inclusive spaces. This includes ensuring people with assistance animals can easily enter the resort and participate in public life and activities.

This document outlines the policy for assistance animals within Victorian Alpine Resorts.

2. Scope

This policy outlines and assists ARV to ensure people with disabilities are not subject to additional barriers or discrimination whilst also managing the sensitive flora and fauna within Victorian Alpine Resorts. ARV is responsible for the management of Falls Creek, Mt Buller, Mt Hotham, Mt Baw Baw, Mt Stirling and Lake Mountain.

The policy does not apply to non-assistance animals, please see each resorts specific dog or animal policy for information relating to the ownership of non-assistance animals in Victorian Alpine Resorts. Assistance animals are not pets and are highly trained to assist people with a disability to participate in personal and public life activities.

3. Definitions

Assistance Animal means an accredited animal specially trained to assist a person with a disability and has met the State standards for public access rights, as determined under the *Disability Discrimination Act 1992* (Cth) and *Equal Opportunity Act 2010* (Vic).

ARV means Alpine Resorts Victoria, the Victorian Statutory Agency established on 1 October 2022 for the management of all Victorian alpine resorts.

Board means the Board of Alpine Resorts Victoria; as defined under the *Alpine Resorts (Management) Act 1997* (Vic).

The Regulations means the *Alpine Resort (Management) Regulations 2020* (Vic)

Disability has the same meaning as defined under the *Disability Discrimination Act 1992* (Cth).

Discriminate has the same meaning given under sections 5,6,7 and 8 of the *Disability Discrimination Act 1992* (Cth).

Victorian Alpine Resorts includes Victoria's six alpine resorts: Falls Creek, Mt Buller, Mt Hotham, Mt Baw Baw, Mt Stirling and Lake Mountain.

4. What is an Assistance Animal?

In Australia, the rights of a person with an assistance dog or animal are protected under the *DDA* to ensure people living with a disability are entitled to full public access rights. An assistance animal is defined under Section 9 of the *DDA* as a dog or other animal that is:

- a) accredited under a law of a State or Territory that provides for the accreditation of animals trained to assist a persons with a disability to alleviate the effect of the disability; or

- b) accredited by an animal training organisation prescribed by the regulations for the purposes of this paragraph; or
- c) trained:
 - i. to assist a person with a disability to alleviate the effect of the disability; and
 - ii. to meet standards of hygiene and behaviour that are appropriate for an animal in a public place.

Assistance animals are trained animals that provide assistance to people living with a disability to alleviate the effects of a disability by assisting with the completion of tasks or functions. Assistance animals are trained and specialised in specific functions to provide a service to people living with a disability to have increased independence and confidence in daily life.

Assistance animals must be trained by an accredited assistance provider and are trained to provide you with support that an untrained animal wouldn't normally do. Domestic animals that are trained but do not have the necessary accreditation will not meet the definition of an assistance animal. Examples of genuine assistance animals include:

- Guide Dogs (also called seeing eye dogs)
- Mobility support animals
- Psychiatric service animals.

An accredited assistance animal entering the resort will not require a permit under the resort dog/animal policy.

5. Request for evidence

If you are bringing an assistance animal into a Victorian Alpine Resort, we request that all handlers carry formal documentation that the animal is an accredited assistance animal. ARV welcome assistance animals although advise that at times, it may be necessary to request evidence to prove that an animal is a genuine assistance animal. ARV and its employees, contractors and associated individuals will endeavour to act with sensitivity and integrity when requesting documentation.

Under Section 54A (5) of the *DDA*, it is not discriminatory or unlawful to request the person with the disability to produce evidence that the animal is an accredited assistance animal. It will not be discriminatory behaviour if ARV request the person with the disability to produce the aforementioned evidence and the person with the disability neither produces evidence that the animal is an assistance animal; nor produces evidence that the animal is trained to meet standard of hygiene and behaviour that are appropriate for an animal in a public place under Section 54A (6) of the *DDA*, then the usual terms of the relevant resort dog/animal policy will apply.

Accepted evidence includes:

- Identification card issued by an accredited assistance animal training provider.
- A letter from a medical practitioner stating that it is an accredited assistance animal and what its purpose is.
- State or territory government issued public transport assistance animal pass.

6. What is not an Assistance Animal?

- Domestic animals (including cats) that are trained but without formal accreditation.
- Companion or pet animals.
- Therapy animals or emotional support animals without genuine accreditation.

We recognise and understand that these types of animals may be of assistance to you in your life, however these are not recognised as accredited assistance animals under federal and state laws and are unable to be recognised as accredited assistance animals. If your animal is a dog, you may be eligible for a dog permit under the relevant resorts dog policy, however standard dog permits do not allow full public access rights. Please see the relevant resorts dog policy for more information.

7. Key legislation, regulations and standards

Alpine Resorts (Management) Act 1997 (Vic)

Alpine Resort (Management) Regulations 2020 (Vic).

Disability Discrimination Act 1994 (Cth).

Domestic (Feral and Nuisance) Animals Act 1994 (Vic)

Equal Opportunity Act 2010 (Vic).

8. Other references and related documents

Australian Human Rights Commission - Assistance animals and the *Disability Discrimination Act 1992* (Cth): <https://humanrights.gov.au/our-work/disability-rights/projects/assistance-animals-and-disability-discrimination-act-1992-cth>

Parks Victoria – Assistance Dogs in Parks: <https://www.parks.vic.gov.au/get-into-nature/all-abilities-access/assistance-dogs>

Public Transport Victoria – Assistance Animal Pass: <https://www.ptv.vic.gov.au/tickets/myki/concessions-and-free-travel/assistance-animal-pass/>

9. Contact for further info

Please contact property@alpineresorts.vic.gov.au for further information.

10. Regular review of this policy

As required.

11. Authorisation and documents parameters

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