

USE OF EXOTIC ANIMALS IN CIRCUSES POLICY [DRAFT]

1.0 PURPOSE

The Use of Exotic Animals in Circuses Policy provides a framework to guide the approval and operation of circuses and carnivals on land under the care and control of Canterbury-Bankstown Council (Council).

2.0 SCOPE

This Policy applies to all circuses and carnivals requesting permission to operate on land under the care and control of Council and the assessment of those applications.

This Policy does not apply to mobile petting farms, mobile baby animal zoos, or mobile animal rides for children such as pony rides. The Policy also does not apply to circuses operating on land not under the care and control of Council.

3.0 POLICY STATEMENT

Council is committed to managing its open space to promote, encourage and provide for the community's cultural and social needs and encourages a variety of entertainment including circuses. Council is committed to ensuring that circuses operating on Council land comply with relevant legislation, regulations and best practice in all aspects of health and safety, and minimise the risk of improper care of animals.

3.1 Council Requirements

A circus or carnival may apply to operate on Council land by completing a Special Events Application Form. All Terms and Conditions of Hire specified by this Application Form must be met, and compliance will be monitored by Council. Granting permission for a circus or carnival licence is at the absolute discretion of Council.

Council's Schedule of Fees and Charges specifies the ground hire bond, licence fee, utility and garbage removal costs pertaining to the hire of Carysfield Reserve and Gough Whitlam Park for circuses and carnivals.

Permission to operate a circus or carnival with animals will only be granted if all required approvals have been given by the NSW Department of Primary Industries (DPI) under all relevant legislation including the *Exhibited Animals Protection Act 1986* and the *Exhibited Animals Protection Regulation 2010*. Copies of all DPI Approvals must be attached to Council's Special Events Application Form.

Council will assess circus and carnival licence applications on a case by case basis considering any relevant impacts on the locality surrounding the site and the city, including impacts of the timing and proposed hours of operation of the circus or carnival.

3.2 Circus Sites

Council supports circus type entertainment at appropriate locations and has determined two locations for circuses and carnivals, namely, Carysfield Reserve, Bass Hill, and Gough Whitlam Park, Earlwood. Other locations for circuses or carnivals must be determined by resolution of Council.

3.3 Animals

Council will not permit circuses or carnivals to use exotic animals for performance or display on Council land. Council reserves the right to revoke its permission to operate a circus or carnival with domestic animals on Council land if it is found to be in breach of any legislation or regulation protecting the welfare of animals.

3.4 Complaints

Complaints about animal care, welfare and treatment will be referred to:

Leader, Exhibited Animals
Animals Welfare Branch
NSW Department of Primary Industries
Locked Bag 21
Orange NSW 2800

4.0 RELATED RESOURCES

4.1 Legislation

- *Crimes Act 1900*
- *Exhibited Animals Protection Act 1986*
- *Exhibited Animals Protection Regulation 2010*
- *General Standards for Exhibiting Animals in NSW 2009*
- *Local Government Act 1993*
- *Prevention of Cruelty to Animals Act NSW 1979*
- *Standards for Exhibiting Circus Animals in NSW*
- *State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007*

4.2 Associated Documents

- Schedule of Fees and Charges
- Special Events Application Form

4.3 Definitions

<i>Carnival</i>	A festival, often in tribute of a particular religious, historical or cultural figure, wherein amusement rides, stalls and entertainment are offered simultaneously and visitors walk around and choose their entertainment.
<i>Circus</i>	A mobile show performed by a group of professional entertainers such as jugglers, acrobats and clowns; often holding and exhibiting animals performing behaviours at the behest of human handlers/trainers for the entertainment and/or education of the public.
<i>Domestic animals</i>	Animals which have been tamed for many generations by man, so as to live, breed, depend on and thrive in human care such as dogs, cats (excluding hybrid cats), pigs, cattle, goats, horses, mules, sheep, rabbits, mice, rats, deer and camels.
<i>Exotic animals</i>	Animals that have not been domesticated by man for many generations. The RSPCA define exotic animals as a non-companion, wild species of animal that is non-native to Australia and has either been taken from its natural habitat or bred in captivity. These include, but are not limited to, big cats, elephants, bears and primates.

5.0 POLICY OWNER

Manager Leisure and Recreation

6.0 AUTHORISATION

Adopted by Canterbury-Bankstown Council on [INSERT DATE].