

C20. Circuses

Title: Operation of Circuses in the Manly LGA

Policy No: C20

Keywords: Circus, Operation, Exotic Animals, Applications, Limitation of performances

Responsible Officer: Deputy General Manager – Land Use and Sustainability

1. PURPOSE AND AUTHORITY

The objective of this policy is to ensure that circuses operating on Council owned and/or controlled land operate in the Manly Council area are managed in accordance with best practice the required standards.

This policy has been authorised by the Council and is available to all Council Officials. It has been developed in consultation with staff and will be revised on a regular basis. Ownership of the policy rests with the Deputy General Manager, Land Use and Sustainability.

2. POLICY STATEMENT

This policy applies to all Council owned and/or controlled land in the Manly local government area and provides information on the limitation of performance and the operation of circuses with exotic animals in the Manly local government area.

3. PRINCIPLES

It is Council's policy that circus performances involving animals be permitted on Council owned and controlled land within the Manly Council area on the basis that the applicant provides copies of all current certificates and licences required by the Federal and State Government bodies for the operation of circuses.

*(C.S. 28.8.90 – C20)
(Confirmed 20.10.97- C20)*

It is also Council's policy to refuse any application which includes the use or display of exotic, wild or native animals in its performance.

*(O.M. 30.1.96 – C20)
(Confirmed 20.10.97 – C20)*

Limitation on performances

That as a matter of policy, Council:

- (i) limit the number of circuses in the Manly local government area to two per year;
- (ii) ensure a minimum of 4 months' time span between circuses; and
- (iii) set the maximum duration of stay for any one circus at 3 weeks.

*(C.S. 8.12.93 – C30)
(Confirmed 20.10.97 – C30)*

4. SCOPE

The Policy applies to any circus seeking approval to operate within the Manly local government area.

5. DEFINITIONS

Circus means an entertainment facility of a kind that is typically presented in one or more large tents (or, less frequently, in an outdoor or indoor arena), featuring any one or more of the following, namely, exhibitions of pageantry, feats of skill and daring, performing animals, slapstick antics of clowns, being an entertainment that is generally open to the public, and established on a temporary basis within the Manly local government area, being an entertainment that, for the purposes of the application of this policy, includes the display and use of performing animals.

6. IMPLEMENTATION

This Policy will be implemented without delay once adopted by Council. Upon adoption this Policy will be entered into Council's Policy Register, made available online and provided to all staff.

Council and/or the General Manager may, during a civil emergency only, set aside any policy terms to ensure public safety.

7. MONITORING AND BREACHES

Regular monitoring of compliance with this policy, relevant legislation and Manly Council policies and procedures will be undertaken and documented by the responsible officer for this policy.

Breaches of this policy are considered to be breaches of Manly Council's Code of Conduct and therefore invoke the relevant sanctions outlined in that Code. Persons in breach of any legislation may be subject to relevant criminal action.

8. REPORTING

No specific reporting is required under this Policy.

9. POLICY REVIEW

This policy is subject to regular review at a maximum interval of two (2) years.

For the purposes of carrying out and giving effect to this policy, the General Manager may from time to time prepare, adopt or vary, and otherwise issue to Council staff, guidelines and directions relating to any aspect of this policy.

Any recognised change to relevant legislation; or directives or guidelines issued by agencies including the NSW Ombudsman and the Division of Local Government; or to Manly Council's related guidelines and procedures will activate an immediate review of this policy to ensure it remains current and aligned to best practice policies.

10. RELEVANT REFERENCES AND LEGISLATION

Local Government Act 1993

Prevention of Cruelty to Animals Act 1979

Prevention of Cruelty to Animals Regulation 2012

Standards for Exhibiting Circus Animals in New South Wales, 2009

11. RELEVANT COUNCIL POLICIES

Manly Council Code of Conduct

12. REVISION SCHEDULE

Minute No	Date of Issue	Action	Author	Checked by
PS53/11	2 May 2011	Periodic Review (Old Policies C20 & C30)	Secretariat, Corporate Services	Manager, Administration
	July 2013	Comprehensive Policy Review and Merger of Policies C20 – Circuses – The Operation of Circuses with Exotic Animals in Manly & C30 Circus – Limitation on Performances, in 1 policy	Manager Corporate Services	General Counsel
PS16/14	3 March 2014	Periodic Review	OM CSS	Manager Governance