

Policy on authorising new animal display establishments at premises where animal exhibition will not be the primary activity

Reason for policy

This policy has been created due to concerns about animal exhibits used to support businesses that do not have animal exhibition as their primary activity. Concerns include suboptimal animal welfare, environmental conditions, resourcing (physical and staffing), educational value and standards compliance.

General Standards

Clause 2 of the General Standards contains a list of standards relevant to assessing whether the above matters will be appropriately addressed by a prospective exhibitor. See Appendix 1.

Need for Director-General to be satisfied

Under Section 18 of the Exhibited Animals Protection Act the Director-General of NSW Department of Primary Industries may not issue an approval for the erection of, or conversion of premises into, an animal display establishment unless the Director-General is satisfied that the animal display establishment will, when completed, conform to and be conducted in accordance with applicable prescribed standards.

Policy

In determining applications where the proposed animal exhibition will not be the primary activity of the applicant at the subject premises, the Director-General of NSW Department of Primary Industries or his delegate will have regard to the following criteria.

The principles for establishing whether animal exhibition is likely to be the primary activity are listed in Appendix 2.

Relevant Criteria

- The welfare of the exhibited animals is highly likely to be maintained at the prescribed standards; and
- A sufficient number of appropriately qualified staff devoted to care and exhibition of the animals will be in daily attendance and present during all public-viewing times; and
- The animal exhibit will not be used primarily to attract spectators to promote the sale of a product/service unrelated to the appreciation of, and/or conservation of, the exhibited animals or other wildlife; and
- The animals will be exhibited in an environment where the applicant can demonstrate significant conservation, education or research benefits will be achieved; and

- The animal exhibit will not be housed within restricted age premises licensed under the Liquor Act; and
- There is minimal risk of the animals' welfare being adversely affected by unnatural noise, vibrations, electromagnetic radiation, light cycles, heat, cold, humidity, pH, salinity, visual stimuli or by the risk of harassment, or disturbance by patrons; and
- The requirements of the Exhibited Animals Protection Act, Exhibited Animals Protection Regulation and relevant standards are fulfilled.

The Director General of NSW Department of Primary Industries and his delegates will make reference to this policy in assessing all applications for Animal Display Establishment Licences received after the date on which the Director General assents to this policy.

The Director General assents to this policy on 25 September 2001.

APPENDIX 1

Clause 2

Manner of display

Each animal must be exhibited in a manner that:

- (a) as far as possible provides a naturalistic setting which resembles the animal's habitat and provides for its behavioural and physical well-being; and
- (b) provides the means for enrichment of the animal's behavioural activities in order to further its welfare, produce a more interesting educational exhibit and aid in the reduction of stereotypic behaviour; and
- (c) provides recreational and educational opportunities which encourage an increase in public understanding of, and responsibility for, animals and their environment; and
- (d) by the use of attendants and physical barriers, or both, protects the animal from abuse and harassment by the viewing public; and
- (e) as far as possible, uses modern display techniques.

APPENDIX 2

Primary activity of an Exhibitor

The following should be used in determining whether animal exhibition is the primary activity carried out, or proposed, for particular premises.

Allocation of Space to:

Animal Exhibits.

Other Related Enclosures.

Animal Management.

Food Preparation/Production for Exhibit Animals.

Education about Animals and Wildlife.

Wildlife Appreciation.

Space devoted to the above will ordinarily be greater than the combined space devoted to other activities at the premises.

At least one appropriately qualified animal keeper will attend daily and be in attendance when members of the public have access to the animal display establishment.

In the event that an applicant disputes NSW Department of Primary Industries assessment the applicant can submit to NSW Department of Primary Industries an evaluation by a satisfactorily accredited educationalist of the likely effectiveness of the proposal in getting across appropriate educational messages in the proposed setting.