

1993—No. 460

ZOOLOGICAL PARKS BOARD ACT 1973—REGULATION

(Zoological Parks Regulation 1993)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Zoological Parks Board Act 1973, has been pleased to make the Regulation set forth hereunder.

CHRISTOPHER HARTCHER, M.P.,
Minister for Environment.

PART 1—PRELIMINARY

Citation

1. This Regulation may be cited as the Zoological Parks Regulation 1993.

Commencement

2. This Regulation commences on 1 September 1993.

Definitions

3. In this Regulation:

“**Aerial Safari cable car**” means the cable car, together with its terminals, located at the Taronga Zoological Park;

“**animal**” includes bird, fish, reptile and amphibian;

“**Director**” means the Director of the Board;

“**member of staff**” means the Director or any other member of staff of the Board;

“**the Act**” means the Zoological Parks Board Act 1973;

“**zoological park lands**” means any lands of the Board on which a zoological park is established or maintained.

PART 2—VISITORS TO ZOOLOGICAL PARKS**Entrance fees**

4. (1) The Board may from time to time determine the entrance fees payable by persons, clubs and associations with respect to zoological park lands.

(2) Entrance fees may differ according to such factors as the Board may determine.

Conditions of entry

5. (1) The Board may, by means of notices erected at, or in the vicinity of, any entrance to zoological park lands:

- (a) identify the visitors' entrances to those lands; and
- (b) specify the times during which, and the conditions subject to which, persons may remain in those lands.

(2) A person must not enter zoological park lands:

- (a) otherwise than by means of a visitors' entrance identified by any such notice; or
- (b) without having paid the relevant entrance fee.

Maximum penalty: 1 penalty unit.

(3) A person must not enter or remain in zoological park lands at any time while those lands are closed to the public.

Maximum penalty: 1 penalty unit.

Regulation of visitors

6. (1) The Board may, by means of notices or barriers, exclude the public from any part of zoological park lands.

(2) A person must not enter any part of zoological park lands in wilful contravention of any such notice or in wilful disregard of any such barrier.

Maximum penalty: 1 penalty unit.

Certain things not to be brought into zoological park lands

7. A person must not bring into zoological park lands:

- (a) any animal; or
- (b) any skateboard, roller skates, roller blades or similar apparatus; or
- (c) any balloons.

Maximum penalty: 1 penalty unit.

Aerial Safari cable car

8. A person must not:

- (a) ride on the Aerial Safari cable car without paying the relevant charge; or
- (b) interfere with the operation of the cable car; or
- (c) interfere with the enjoyment or comfort of other persons waiting for or travelling in the cable car.

Maximum penalty: 1 penalty unit.

Protection of zoological park lands

9. A person must not do any of the following in zoological park lands:

- (a) damage or remove, or remove any part from, any tree, shrub, plant, vine, flower or other vegetation;
- (b) remove or disturb any rock, soil, sand, stone or similar substance;
- (c) leave or deposit any rubbish or litter, except in a bin provided and designated for that purpose;
- (d) damage, remove or interfere with any building, structure, notice, sign or other improvement;
- (e) throw or project any stone or other object.

Maximum penalty: 1 penalty unit.

Protection of animals

10. A person must not do any of the following in zoological park lands:

- (a) feed any animal;
- (b) destroy, capture, injure, annoy or interfere with any animal.

Maximum penalty: 1 penalty unit.

Recreational activities

11. A person must not do any of the following in zoological park lands:

- (a) ride on or use my skateboard, roller skates, roller blades or similar apparatus;
- (b) operate any radio, cassette, record, compact disc or other audio player, or play any musical instrument, at a volume likely to cause annoyance or inconvenience to any other person or any animal;
- (c) operate or use a loudspeaker or public address system;

- (d) climb on any building, fence, seat, table, enclosure or other structure;
- (e) bathe, wade or swim in any lake, pond, stream or ornamental water;
- (f) light any fire.

Maximum penalty: 1 penalty unit.

Commercial activities

12. A person must not do any of the following in zoological park lands:

- (a) hold or address a function, public meeting, demonstration or gathering;
- (b) conduct; or cause or assist in the conduct of, an amusement, entertainment, instruction or performance, whether or not for money or other consideration;
- (c) sell, hire, expose for sale or hire or solicit for sale or hire any papers, printed matter, food or other goods or services;
- (d) take photographs or films, or operate a video recorder, for commercial purposes;
- (e) display or distribute any advertisement, sign, bill, poster or other printed matter.

Maximum penalty: 1 penalty unit.

Use of the Taronga “Pump” Wharf

13. A person must not moor a vessel to, or fish from, any part of the wharf (the Taronga “Pump” Wharf) that is situated on the lands of Taronga Zoological Park.

Maximum penalty: 1 penalty unit.

PART 3—VEHICLES

Parking charges

14. (1) The Board may from time to time determine the charges payable for bringing vehicles into, or parking vehicles within, zoological park lands.

(2) Charges may differ according to such factors as the Board may determine.

Conditions of entry

15. (1) The Board may:

- (a) by means of notices erected at, or in the vicinity of, any entrance to zoological park lands; or
- (b) by means of directions given by its members of staff, specify the conditions subject to which persons may bring vehicles into those lands.

(2) A person must not bring any vehicle into zoological park lands without having paid the relevant charge.

Maximum penalty: 1 penalty unit.

Regulation of traffic

16. (1) The Board may:

- (a) by means of notices or barriers; or
- (b) by means of directions given by its members of staff, regulate traffic within zoological park lands.

(2) A person must not drive or park any vehicle within zoological park lands:

- (a) in wilful contravention of any such notice or direction or in wilful disregard of any such barrier; or
- (b) otherwise than on a road set aside for that purpose.

Maximum penalty: 1 penalty unit.

Refusal of entry

17. (1) The Board may refuse to admit a vehicle to zoological park lands.

(2) A person must not cause a vehicle to enter zoological park lands if admission is refused by the Board.

Maximum penalty: 1 penalty unit.

Removal of vehicles

18. (1) The Board may direct a person to remove from zoological park lands any unlawfully parked vehicle that is under that person's control.

(2) A person must not fail to comply with such a direction.

Maximum penalty: 1 penalty unit.

PART 4—GENERAL**Obstruction etc.**

19. A person must not:

- (a) obstruct any other person (whether or not a member of staff) in the performance of that person's work or duties within zoological park lands; or
- (b) fail to comply with a direction by a member of staff to evacuate buildings in response to a fire alarm or in any other emergency situation; or
- (c) fail to comply with any other reasonable direction given by a member of staff.

Maximum penalty: 1 penalty unit.

Exercise of Board's functions

20. A function that is conferred on the Board by this Regulation may be exercised by the Director or by any member of staff authorised by the Board or the Director to exercise that function.

Certain acts not to be offences

21. (1) A person does not commit an offence under this Regulation if the act giving rise to the offence was done:

- (a) by a member of staff in the course of his or her employment as such; or
- (b) under the direction or with the consent of the Board.

(2) The consent of the Board referred to in this clause may be given generally or in a particular case.

Directions to leave

22. (1) The Board may direct a person to leave zoological park lands:

- (a) if the person is contravening any provision of this Regulation; or
- (b) if the person is apparently under the influence of liquor or drugs; or
- (c) if the person is behaving in an offensive manner.

(2) The Board may remove from zoological park lands any person who fails to comply with a direction under this clause.

Repeal

23. (1) The Zoological Parks Regulation 1975 is repealed.

(2) Any act, matter or thing that, immediately before the repeal of the Zoological Parks Regulation 1975, had effect under that Regulation is taken to have effect under this Regulation.

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EXPLANATORY NOTE

The object of this Regulation is to repeal and remake, with modifications, the Zoological Parks Regulation 1975. The new Regulation deals with the following matters:

- (a) the regulation of the entry to and use of zoological park lands and the behaviour of visitors to them (Part 2);
- (b) the regulation of visitors' vehicles within zoological park lands (Part 3);
- (c) other minor, consequential and ancillary matters (Parts 1 and 4).

This Regulation is made under the Zoological Parks Board Act 1973, including section 30 (the general regulation making power).

This Regulation is made in connection with the staged repeal of subordinate legislation under the Subordinate Legislation Act 1989.
