



New South Wales

Zoological Parks Regulation 2004

under the

Zoological Parks Board Act 1973

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Zoological Parks Board Act 1973*.

BOB DEBUS, M.P.,

Minister for the Environment

Explanatory note

The object of this Regulation is to remake, with minor modifications, the *Zoological Parks Regulation 1999*, which will be repealed on 1 September 2004 by section 10 (2) of the *Subordinate Legislation Act 1989*. The new Regulation deals with the following matters:

- (a) the regulation of the entry to, and use of, zoological parks and the behaviour of visitors to them,
- (b) the regulation of vehicles within zoological parks,
- (c) the obstruction of Zoological Parks Board staff and other persons, and the removal of persons from zoological parks.

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

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Zoological Parks Regulation 2004

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Part 1 Preliminary

1 Name of Regulation

This Regulation is the *Zoological Parks Regulation 2004*.

2 Commencement

This Regulation commences on 1 September 2004.

Note. This Regulation replaces the *Zoological Parks Regulation 1999* which is repealed on 1 September 2004 by section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Definitions and notes

(1) In this Regulation:

Aerial Safari cable car means the cable car, together with its terminals, located at the Taronga Zoological Park.

Board means the Zoological Parks Board.

Director means the Director of the Board.

member of staff means the Director or any other member of staff of the Board.

Taronga Zoological Park means the zoological park referred to in section 15 (2) (a) of the Act.

the Act means the *Zoological Parks Board Act 1973*.

zoological park land means any land vested in or held by the Board on which a zoological park is established or maintained.

(2) Notes included in this Regulation do not form part of this Regulation.

2004 No 525

Clause 4 Zoological Parks Regulation 2004

Part 2 Visitors to zoological parks

Part 2 Visitors to zoological parks

4 Entrance fees

- (1) The Board may from time to time determine the entrance fees payable by persons, clubs and associations with respect to zoological park land.
- (2) Entrance fees may differ according to such factors as the Board may determine.
- (3) A person must not enter zoological park land without having paid the relevant entrance fee.

Maximum penalty: 1 penalty unit.

5 Places, times and other conditions of entry

- (1) The Board may, by means of notices erected at, or in the vicinity of, any entrance to zoological park land:
 - (a) identify the visitors' entrances to that land, and
 - (b) specify the times during which, and the conditions subject to which, persons may remain on that land.
- (2) A person must not enter zoological park land otherwise than by means of a visitors' entrance identified by any such notice.

Maximum penalty: 1 penalty unit.

- (3) A person must not enter or remain on zoological park land at any time while that land is closed to the public by means of any such notice.

Maximum penalty: 1 penalty unit.

6 Exclusion of public from areas

- (1) The Board may, by means of notices or barriers, exclude the public from any part of zoological park land.
- (2) A person must not enter any part of zoological park land in wilful contravention of any such notice or in wilful disregard of any such barrier.

Maximum penalty: 1 penalty unit.

7 Certain things not to be brought into zoological park land

A person must not bring into zoological park land:

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

Maximum penalty: 1 penalty unit.

8 Aerial Safari cable car

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.

9 Protection of zoological park land

A person must not do any of the following in zoological park land:

- (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.

10 Protection of animals

A person must not do any of the following in zoological park land:

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

Maximum penalty: 1 penalty unit.

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Clause 11 Zoological Parks Regulation 2004

Part 2 Visitors to zoological parks

11 Recreational activities

A person must not do any of the following in zoological park land:

- (a) ride on or use any 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.

12 Commercial activities

A person must not do any of the following in zoological park land:

- (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.

13 Use of the Taronga “Pump” Wharf

A person must not moor a vessel to, or fish from, any part of the wharf known as the Taronga “Pump” Wharf and situated at Taronga Zoological Park.

Maximum penalty: 1 penalty unit.

Part 3 Vehicles

14 Parking charges

- (1) The Board may from time to time determine the charges payable for bringing vehicles into, or parking vehicles within, zoological park land.
- (2) Charges may differ according to such factors as the Board may determine.
- (3) A person must not bring any vehicle into, or park any vehicle in, zoological park land without having paid the relevant charge.

Maximum penalty: 1 penalty unit.

15 Regulation of vehicular traffic

- (1) The Board may:
 - (a) by means of notices or barriers, or
 - (b) by means of directions given by its members of staff,regulate the entry of vehicles into, and vehicular traffic within, zoological park land.
- (2) A person must not drive a vehicle into or within, or park a vehicle within, zoological park land:
 - (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.

16 Refusal of entry of vehicles

- (1) The Board may refuse to admit a vehicle to zoological park land.
- (2) A person must not cause a vehicle to enter zoological park land if admission is refused by the Board.

Maximum penalty: 1 penalty unit.

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Clause 17 Zoological Parks Regulation 2004

Part 3 Vehicles

17 Removal of vehicles

- (1) The Board may direct a person to remove from zoological park land 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 Miscellaneous

18 Obstruction and failure to comply with directions

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 land, or
- (b) fail to comply with a direction by a member of staff to evacuate buildings on zoological park land 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 with respect to zoological park land.

Maximum penalty: 1 penalty unit.

19 Removal of persons

- (1) The Board may direct a person to leave zoological park land:
 - (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 land any person who fails to comply with a direction under this clause.

20 Exercise of Board's functions

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

21 Certain acts not to be offences

- (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 as referred to in this clause may be given generally or in a particular case.

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Clause 22 Zoological Parks Regulation 2004

Part 4 Miscellaneous

22 Saving

Any act, matter or thing that, immediately before the repeal of the *Zoological Parks Regulation 1999* had effect under that Regulation is taken to have effect under this Regulation.

BY AUTHORITY