



New South Wales

Zoological Parks Regulation 2009

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*.

CARMEL TEBBUTT, MP
Minister for Climate Change and the Environment

Explanatory note

The object of this Regulation is to remake, with minor amendments, the provisions of the *Zoological Parks Regulation 2004*, which is repealed on 1 September 2009 by section 10 (2) of the *Subordinate Legislation Act 1989*.

This Regulation makes provision with respect to the following:

- (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,
- (d) savings and formal matters.

This 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 2009

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Zoological Parks Board Act 1973

Part 1 Preliminary

1 Name of Regulation

This Regulation is the *Zoological Parks Regulation 2009*.

2 Commencement

This Regulation commences on 1 September 2009 and is required to be published on the NSW legislation website.

Note. This Regulation replaces the *Zoological Parks Regulation 2004* which is repealed on 1 September 2009 by section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Definitions

(1) In this Regulation:

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

Director means the Director of the Board.

member of staff means the Director or a person employed in the Zoological Parks Board Division of the Government Service.

plant means any aquatic or terrestrial plant and includes a shrub or tree.

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.

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Clause 4 Zoological Parks Regulation 2009

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 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 onto zoological park land

A person must not bring onto 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 Aerial Safari cable car, or
- (c) interfere with the enjoyment or comfort of other persons waiting for or travelling in the Aerial Safari cable car.

Maximum penalty: 1 penalty unit.

9 Protection of zoological park land

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

- (a) damage or remove any plant or part of a plant,
- (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 on zoological park land:

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

Maximum penalty: 1 penalty unit.

11 Prohibited activities on zoological park land

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

- (a) ride on or use any skateboard, roller skates, roller blades or similar apparatus,
- (b) operate any radio or other electronic device, or play any musical instrument, at a volume likely to cause inconvenience to any other person or any animal,
- (c) operate or use a loudspeaker or public address system,

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Part 2 Visitors to zoological parks

- (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,
- (g) hold or address a function, public meeting, demonstration or gathering,
- (h) conduct, cause or assist in the conduct of, an amusement, entertainment, instruction or performance, whether or not for money or other consideration,
- (i) sell, hire, expose for sale or hire or solicit for sale or hire any goods, service, article or thing,
- (j) take photographs or films, or operate a video recorder, for commercial purposes,
- (k) display or distribute any advertisement, sign, bill, poster or other printed matter.

Maximum penalty: 1 penalty unit.

12 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

13 Parking charges

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

14 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 onto, and vehicular traffic on, zoological park land.
- (2) A person must not drive a vehicle onto, or drive or park a vehicle on, 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.

15 Refusal of entry of vehicles

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

16 Removal of vehicles

- (1) The Board may direct a person to remove from zoological park land any vehicle that is unlawfully on the land and under that person's control.
- (2) A person must not fail to comply with such a direction.
Maximum penalty: 1 penalty unit.

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Part 4 Miscellaneous

Part 4 Miscellaneous

17 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 on zoological park land, or
- (b) fail to comply with a direction by a member of staff to evacuate any building on, or part of, 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.

18 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.

19 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.

20 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.

21 Saving

Any act, matter or thing that, immediately before the repeal of the *Zoological Parks Regulation 2004* had effect under that Regulation continues to have effect under this Regulation.