



New South Wales

# Zoological Parks Regulation 2019

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*.

MATTHEW KEAN, MP  
Minister for Energy and Environment

## Explanatory note

The object of this Regulation is to remake, with minor amendments, the *Zoological Parks Regulation 2014*, which is repealed on 1 September 2019 by section 10 (2) of the *Subordinate Legislation Act 1989*.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).

## Contents

	Page
<b>Part 1 Preliminary</b>	
1 Name of Regulation	3
2 Commencement	3
3 Definitions	3
<b>Part 2 Visitors to zoological parks</b>	
4 Entrance fees	4
5 Places, times and other conditions of entry	4
6 Exclusion of public from areas	4
7 Certain things not to be brought onto zoological park land	4
8 Sky Safari cable car	5
9 Protection of zoological park land	5
10 Protection of animals	5
11 Prohibited activities on zoological park land	5
12 Use of the Taronga "Pump" Wharf	6
<b>Part 3 Vehicles</b>	
13 Parking charges	7
14 Regulation of vehicular traffic	7
15 Refusal of entry of vehicles	7
16 Removal of vehicles	7
<b>Part 4 Miscellaneous</b>	
17 Obstruction and failure to comply with directions	8
18 Removal of persons	8
19 Exercise of Board's functions	8
20 Certain acts not to be offences	8
21 Saving	8

## Zoological Parks Regulation 2019

under the

Zoological Parks Board Act 1973

### Part 1 Preliminary

#### 1 Name of Regulation

This Regulation is the *Zoological Parks Regulation 2019*.

#### 2 Commencement

This Regulation commences on 1 September 2019 and is required to be published on the NSW legislation website.

**Note.** This Regulation replaces the *Zoological Parks Regulation 2014*, which is repealed on 1 September 2019 by section 10 (2) of the *Subordinate Legislation Act 1989*.

#### 3 Definitions

(1) In this Regulation:

**Director** means the Director of the Board.

**member of staff** means the Director or a person employed in the Public Service agency to which the administration of the Act is assigned.

**plant** means an aquatic or terrestrial plant and includes a shrub or tree.

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

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

**Note.** The Act and the *Interpretation Act 1987* contain definitions and other provisions that affect the interpretation and application of this Regulation.

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

## **Part 2 Visitors to zoological parks**

### **4 Entrance fees**

- (1) The Board may from time to time determine the entrance fees payable by a person in relation to zoological park land.
- (2) The Board may determine different entrance fees having regard to any matters the Board considers appropriate.
- (3) A person must not enter zoological park land unless the person has paid the relevant entrance fee.  
Maximum penalty: 1 penalty unit.

### **5 Places, times and other conditions of entry**

- (1) The Board may, by notice erected at, or in the vicinity of, any entrance to zoological park land:
  - (a) identify the visitors' entrances to the land, and
  - (b) specify the times during which, and the conditions subject to which, a person may remain on the land.
- (2) A person must not enter zoological park land other than by means of a visitors' entrance to the land.  
Maximum penalty: 1 penalty unit.
- (3) A person must not enter or remain on zoological park land at any time while the land is closed to the public.  
Maximum penalty: 1 penalty unit.

### **6 Exclusion of public from areas**

- (1) The Board may, by notice or barrier, exclude the public from any part of zoological park land.
- (2) A person must not enter a part of zoological park land in wilful contravention of a notice or in wilful disregard of a barrier excluding the public from the part of the zoological park land.  
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) an animal, or
- (b) a part of an animal, plant or other living thing that poses a threat to the preservation or protection of animals, whether natural or introduced, or trees or other vegetation on zoological park land, or
- (c) an unmanned airborne craft, including a drone or other remotely piloted, or otherwise controlled, airborne craft, part of a remotely piloted aircraft or the remote control for a remotely piloted aircraft, or
- (d) a skateboard, roller skates, inline skates or similar apparatus, or
- (e) balloons, or
- (f) liquor.

Maximum penalty: 1 penalty unit.

## **8 Sky Safari cable car**

A person must not:

- (a) ride on the Sky Safari cable car without paying the relevant charge, or
- (b) interfere with the operation of the Sky Safari cable car, or
- (c) interfere with the enjoyment or comfort of other persons waiting for or travelling in the Sky 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 a 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 a building, structure, notice, sign or other improvement,
- (e) throw or project a 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 an animal,
- (b) destroy, capture, injure or interfere with an 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 a skateboard, roller skates, inline skates or similar apparatus,
- (b) operate a radio or other electronic device, or play a musical instrument, at a volume likely to cause inconvenience to any other person or an animal,
- (c) operate or use a loudspeaker or public address system,
- (d) climb on a building, fence, seat, table, enclosure or other structure,
- (e) bathe, wade or swim in a lake, pond, stream or ornamental water,
- (f) light a 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 an advertisement, sign, bill, poster or other printed matter,
- (l) open, enter or damage an animal enclosure, holding area or any other structure of a kind constructed for the purpose of, or used for, containing or keeping animals,

- (m) operate or use an unmanned airborne craft, including a drone or other remotely piloted, or otherwise controlled, airborne craft.

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) The Board may determine different charges having regard to any matters the Board considers appropriate.
- (3) A person must not bring a vehicle onto, or park a vehicle on, zoological park land unless the person has paid the relevant charge.  
Maximum penalty: 1 penalty unit.

### **14 Regulation of vehicular traffic**

- (1) The Board may:
  - (a) by means of a notice or barrier, 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 a notice or direction, or in wilful disregard of a barrier, regulating the entry of vehicles onto zoological park land, 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 the Board refuses to admit the vehicle.  
Maximum penalty: 1 penalty unit.

### **16 Removal of vehicles**

- (1) The Board may direct a person to remove from zoological park land a vehicle that is unlawfully on the land and under the person's control.
- (2) A person must comply with the direction.  
Maximum penalty: 1 penalty unit.

## 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 the other 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 in relation 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 if the person:
  - (a) contravenes a provision of this Regulation, or
  - (b) is apparently under the influence of liquor or drugs, or
  - (c) behaves in an indecent or offensive manner.
- (2) The Board may remove a person from zoological park land if the person fails to comply with a direction given under subclause (1).

### 19 Exercise of Board's functions

A function conferred on the Board by this Regulation may be exercised by:

- (a) the Director, or
- (b) any other member of staff authorised by the Board or the Director to exercise the 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 the person's employment as a member of staff, or
  - (b) under the direction or with the consent of the Board.
- (2) The Board may give consent generally or for a particular purpose.

### 21 Saving

Any act, matter or thing that, immediately before the repeal of the *Zoological Parks Regulation 2014*, had effect under that Regulation continues to have effect under this Regulation.