



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*.

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The object of this Regulation is to remake, with minor amendments, the *Zoological Parks Regulation 2014*, which is repealed on 1 September 2019 by section 10 (2) of the *Subordinate Legislation Act 1989*.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

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 This Regulation replaces the *Zoological Parks Regulation 2014*, which is repealed on 1 September 2019 by section 10 (2) of the *Subordinate Legislation Act 1989*.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