



New South Wales

National Parks and Wildlife (Broken Head Nature Reserve) Act 2010 No 12

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New South Wales

National Parks and Wildlife (Broken Head Nature Reserve) Act 2010 No 12

Act No 12, 2010

An Act to revoke the reservation of certain land currently reserved under the *National Parks and Wildlife Act 1974* as part of Broken Head Nature Reserve; and for other purposes. [Assented to 28 April 2010]

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *National Parks and Wildlife (Broken Head Nature Reserve) Act 2010*.

2 Commencement

This Act commences on the date of assent to this Act.

3 Revocation of reservation of part of Broken Head Nature Reserve

(1) This section applies to an area of about 981 square metres of Broken Head Nature Reserve being Lot 4 in DP 1139721.

(2) The reservation under the *National Parks and Wildlife Act 1974* of that land as part of a nature reserve is revoked.

(3) The revocation effected by this section does not affect anything done or omitted to be done before the commencement of this section.

(4) In this section:

Broken Head Nature Reserve means an area of about 98 hectares, being the land reserved as Broken Head Nature Reserve by notices published in the following:

- (a) Gazette No 119 of 27 September 1974 at page 3843 (as amended by an erratum published in Gazette No 149 of 13 December 1974 at page 4884),
- (b) Gazette No 166 of 7 November 1980 at page 5732,
- (c) Gazette No 38 of 6 March 1981 at page 1301,
- (d) Gazette No 46 of 26 March 1982 at page 1281,
- (e) Gazette No 60 of 27 April 1984 at page 2227,
- (f) Gazette No 145 of 12 October 1984 at page 4989,
- (g) Gazette No 52 of 11 March 1988 at page 1528,
- (h) Gazette No 164 of 23 December 2005 at pages 11512–11516.

4 Land to vest in Minister

On the revocation under section 3 of the reservation as part of a nature reserve of land to which section 3 applies, that land vests in the Minister administering Part 11 of the *National Parks and Wildlife Act 1974* on behalf of the Crown for the purposes of that Part for an estate in fee simple, freed and discharged from:

- (a) all trusts, obligations, estates, interests, rights of way or other easements, and

- (b) any dedication, reservation, Crown grant or vesting to which the land was subject, and any such dedication, reservation, grant or vesting is revoked.

5 Saving of native title rights and interests

- (1) This Act does not operate to extinguish any native title rights and interests existing in relation to the land to which section 3 applies immediately before its vesting by section 4.
- (2) This section does not affect any extinguishment of native title rights and interests by the operation of the *Native Title Act 1993* of the Commonwealth or the *Native Title (New South Wales) Act 1994*.
- (3) Words and expressions used in this section have the same meanings as they have in the *Native Title Act 1993* of the Commonwealth.

[Agreement in principle speech made in Legislative Assembly on 19 June 2009
Second reading speech made in Legislative Council on 21 April 2010]

BY AUTHORITY