

ITEM 11

TRANSFER OF OWNERSHIP OF UNFORMED AND UNNAMED ROAD LOT 1 DP 56059 OTFORD TO NATIONAL PARKS AND WILDLIFE SERVICES TO FORM PART OF ROYAL NATIONAL PARK

The National Parks and Wildlife Services (NPWS) has identified an unnamed and unformed road that traverses Lot 1 DP 56059 (the Subject Road) that is suitable to consolidate within the Royal National Park. The NPWS propose to publish a gazette notice to reserve the Subject Road as part of the Royal National Park. The gazette notice has the effect of closing the Subject Road and transferring ownership to the NPWS.

RECOMMENDATION

- 1 Council supports the proposal by the National Parks and Wildlife Service to formally reserve the unnamed road reserve that traverses Lot 1 DP 56059 as shown crosshatched on Attachments 1 and 2, as National Park, effectively closing the road reserve and transferring ownership to the National Park and Wildlife Services.
- 2 The National Parks and Wildlife Services be responsible for preparation, and if necessary, registration of all necessary documentation to effect the reservation.
- 3 The National Parks and Wildlife Services be responsible for any and all costs in relation to this matter.
- 4 Approval be granted to affix the Common Seal of Council to any documentation required to give effect to this resolution.

REPORT AUTHORISATIONS

Report of: Lucielle Power, Manager Property + Recreation

Authorised by: Kerry Hunt, Director Community Services - Creative and Innovative City

ATTACHMENTS

- 1 Map of Unformed Road Reserve Proposed to be Incorporated within Royal National Park
- 2 Aerial Map of Unformed Road Reserve Proposed to be Incorporated within Royal National Park
- 3 Deposited Plan 56059
- 4 Plan 2495-1603 - Plan of a Road Proposed to be Opened as a Public Parish Road under Act of Council 4 William IV No. 11" Dated 25 January 1883
- 5 NSW Government Gazette of 28 January 1885 at Folio 799
- 6 NSW Government Gazette of 22 December 1885 at Folio 8303
- 7 NSW Government Gazette 14 June 1887 at Folio 3939
- 8 Extract from Parish of Bulgo map

BACKGROUND

Background regarding the road

The road reserve shown crosshatched in Attachments 1 and 2 is a public road under the ownership and control of Wollongong City Council as the relevant road's authority. The road traverses through Lot 1 DP 56059 being land owned by the NPWS and is part of the Royal National Park (refer Attachment 3).

The Subject Road was opened using plan 2495-1603 (refer Attachment 4), being a "Plan of a road proposed to be opened as a public Parish Road under act of Council 4 William IV No. 11" dated 25 January 1883.

The three required stages of opening a public Parish Road were completed as follows:

1. Preliminary notification was posted in the NSW Government Gazette of 28 January 1885 at Folio 799 (refer Attachment 5)
2. Confirmation of the road opening was posted in the NSW Government Gazette of 22 December 1885 at Folio 8303 (refer Attachment 6)

3. Notification of the opening of the road was posted in the NSW Government Gazette of 14 June 1887 at Folio 3939 (refer Attachment 7)

On opening, the Subject Road became a public road vested in Council as the appropriate road's authority at that time. Further confirmation of the status of the Subject Road is shown in an extract of the regional charting map of the Parish of Bulgo (refer Attachment 8) which denotes the Subject Road as a public road.

Details of the road

The approximate area of the Subject Road is 6,670 square metres. The area in which the Subject Road sits is zoned C1 National Parks and Nature Reserve and is managed by the NPWS as National Park. The Subject Road is unformed.

Proposal from National Parks and Wildlife Service

On 24 November 2022 Council received a letter from NPWS, summarised as follows:

- NPWS has identified a Council public road that appears suitable for incorporating within the Royal National Park. The road reserve is unformed, and an assessment of the proposed road closure has identified that incorporating the road within the Royal National Park will not leave any surrounding properties landlocked.
- NPWS seeks Council's support to have the Subject Road formally reserved as part of the Royal National Park. Such reservation would be carried out under the *National Parks and Wildlife Act 1974* and would have the effect of closing the road reserve, and ownership of the land comprising the Subject Road would then be transferred to NPWS by means of reservation as National Park. This process negates the need for any formal road closure action.
- NPWS requires a formal resolution of Council supporting the gazette notice being published that reserves the road as part of the Royal National Park and having the effect of closing the Subject Road.

PROPOSAL

The Subject Road is unformed and traverses through land owned and managed by the NPWS. Given that there were no objections from the relevant divisions of Council, it is proposed that Council resolves to support the proposal by the NPWS to formally reserve the Subject Road as part of the Royal National Park, effectively closing the Subject Road and transferring ownership to the NPWS.

CONSULTATION AND COMMUNICATION

A referral was sent to the following relevant sections of Council with no objections raised:

- Land Use Planning
- Infrastructure Strategy and Planning
- Open Spaces and Environmental Services
- Heritage
- City Works.

PLANNING AND POLICY IMPACT

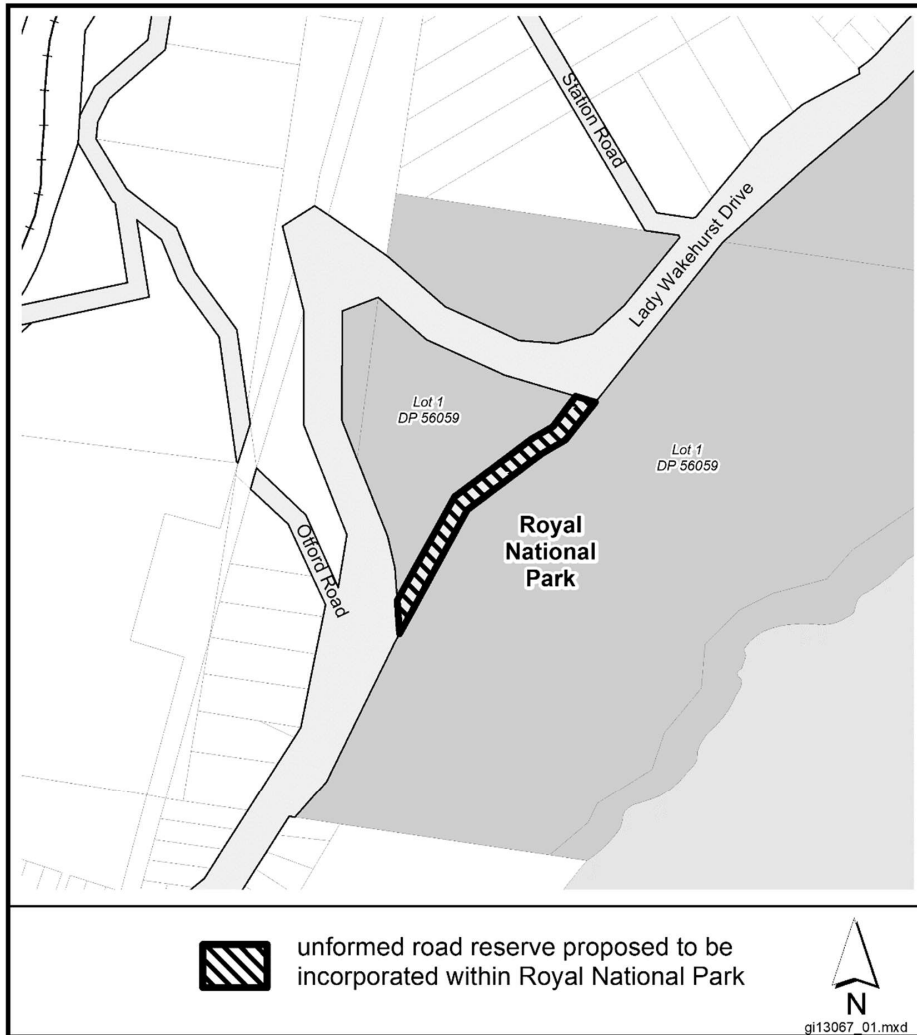
This report contributes to the delivery of Our Wollongong 2032 Goal Number 1 'We value and protect our environment'. It specifically delivers on core business activities as detailed in the Property Services Service Plan 2022-23.

FINANCIAL IMPLICATIONS

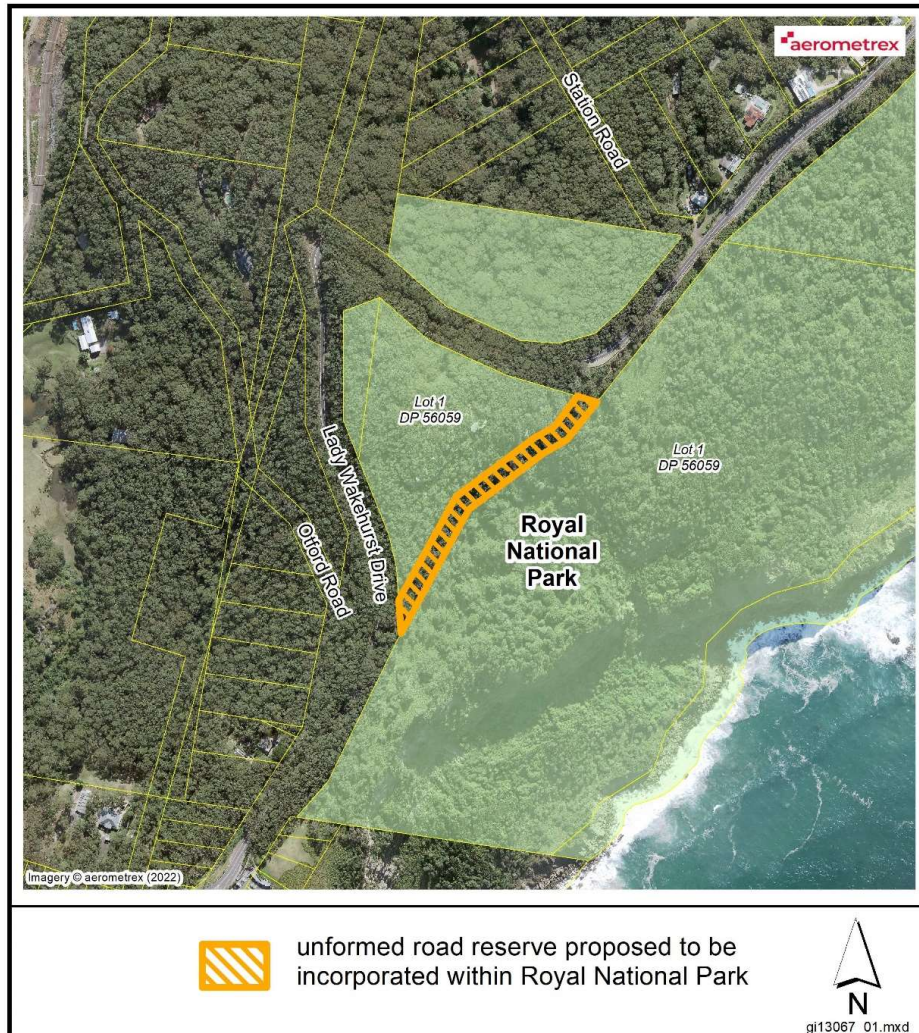
Council would be absolved from any future liability or maintenance responsibilities for the land by supporting the proposal by the NPWS.

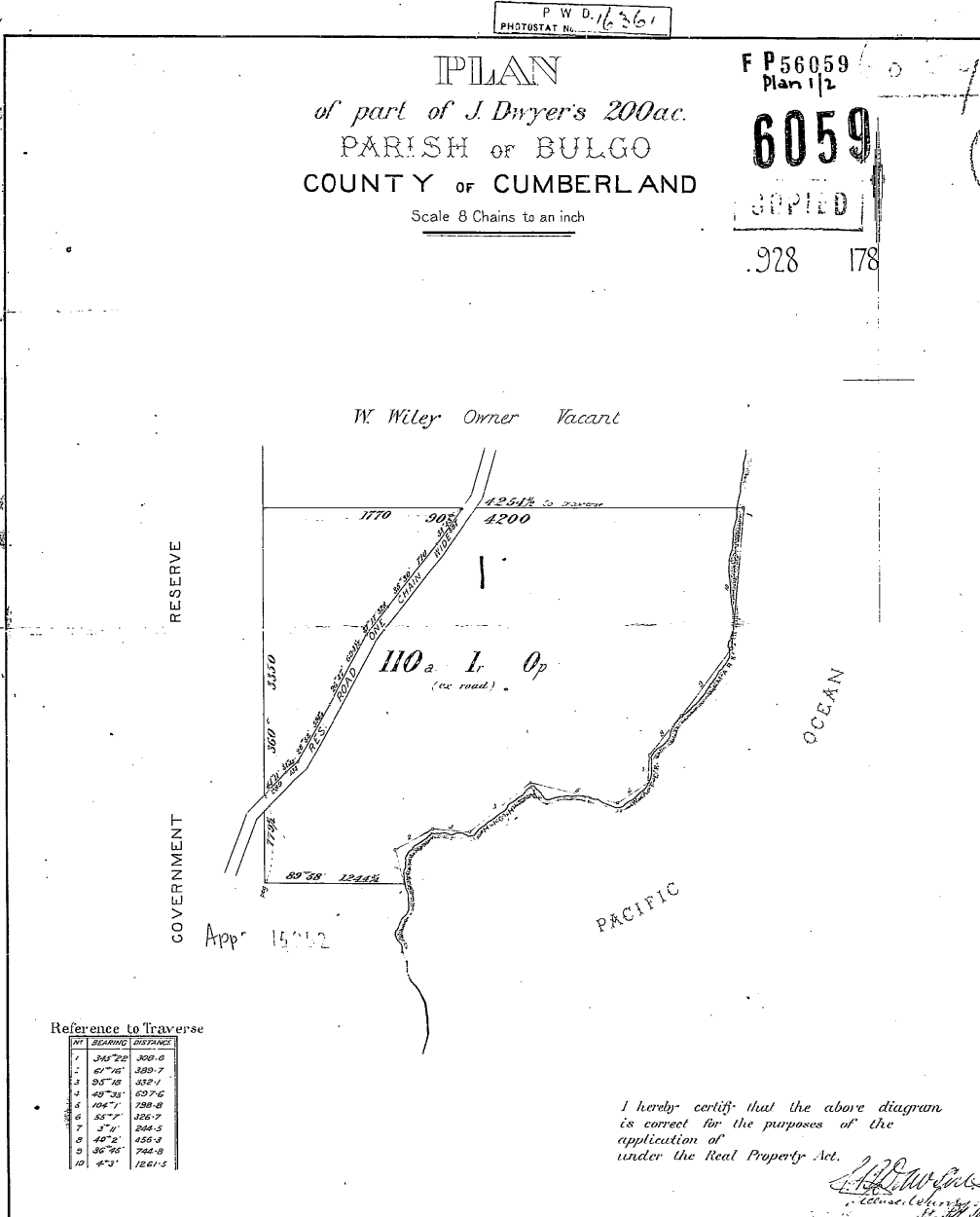
CONCLUSION

The Subject Road is unformed and supporting the proposal by the NPWS would have the effect of closing the road and transferring ownership to the NPWS for the land to be consolidated within the Royal National Park.



While every effort has been made to ensure the highest possible quality of data, no liability will be accepted for any inaccuracy of the information shown.
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I, Bruce Richard Davies, Under Secretary for Lands and Registrar General for New South Wales, certify that this negative is a photograph made as a permanent record of a document in my custody this day.

19th February, 1981.

AMENDMENTS AND/OR ADDITIONS NOTED ON
PLAN IN REGISTRAR GENERAL'S OFFICE

CONVERSION TABLE ADDED IN
REGISTRAR GENERAL'S DEPARTMENT

DP 56059	SH	1/2	LINKS	METRES
			34.43	6.926
			44.92	9.036
			47	9.435
			51	10.260
			100	20.117
			133	26.785
			244.5	49.136
			289	58.138
			306.5	62.160
			308.6	62.080
			326.7	65.722
			328	65.983
			332.1	66.808
			339.7	67.591
			389.7	78.595
			396	79.260
			397	79.664
			456.3	91.793
			591.25	116.941
			594.5	119.711
			597.6	120.335
			710	142.829
			744.8	149.830
			779.25	156.760
			798.8	160.693
			1244.75	250.404
			1261.5	253.773
			1770	356.067
			3350	673.913
			4200	844.906
			4254.5	855.869
			AC RD P	HA
			110 1	44.62

Reg:R588717 /Doc:CP 02495-1603 P /Rev:22-Nov-2013 /Sts:OK.OK /Prt:17-Oct-2016 10:26 /Seq:1 of 1
Ref:NPWS-ESTATE-SH /Src:H



799

[410]

Department of Mines,
Sydney, 28th January, 1885.

CONFIRMATION OF PARISH ROADS.

NOTICE is hereby given, in conformity with the provisions of the Act 4th William IV No. 11, that His Excellency the Governor, with the advice of the Executive Council, has been pleased to confirm the Roads mentioned in the annexed Schedule (notwithstanding any objections that might have been urged); and it is hereby declared expedient to open and make the Roads referred to, according to the plans and books of reference, to be seen at the Police Offices mentioned.

Any persons intending to claim compensation in respect of the said lines are reminded that notice must be served on the Secretary for Mines, within forty days from the date hereof, as provided by the sixth section of the Act above referred to, or they will be for ever foreclosed from such claim.

By His Excellency's Command,

JOSEPH P. ABBOTT.

SCHEDULE REFERRED TO.

Roads No.	Description of Roads.	Date of Gazette of previous Notice of intended opening of Roads.	Plans, &c., lodged at the Police Offices at,—
85-261 84-26-6 S.G. R. 1594a	Deviation in road through John Hore's two portions of 320 acres each, Nos. 109 and 110, parish of Bowma, county of Goulburn, being part of the road from Bowma to the Upper Murray,—in lieu of part of road confirmed by Government Gazette Notice of 2nd December, 1879, folio 5318.	20 May, 1884, folio 3267	Albury.
85-278 83-577-5 S.G. R. 2043	Road along the Lachlan River, through Jones and Richards' 318 acres, Wanyungong, portion No. 153, with a branch to Penn's Crossing of the river, within that land, parish of Wongong, county of Forbes,—in lieu of part of road confirmed by Gazette Notice of 20th April, 1865, folio 869.	9 May, 1884, folio 2039	Forbes.
85-264 84-110-3 S.G. R. 2708	Road from the road from Wollongong to Bull, at the north-west corner of R. S. Reid's 37 acres or roads 23 perches, to the private village of Bellambi, parish of Wonona, county of Camden.	9 September, 1884, folio 675	Wollongong.
85-279 82-544-8 S.G. R. 2486	Part of the road from Milton to Bateman's Bay, viz.:—From the north boundary of R. Lord's 1,010 acres, to the Clyde River, parish of East Nelligen, county of St. Vincent.	11 March, 1884, folio 1663	Bate 's Bay.

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Department of Mines,
Sydney, 28th January, 1885.

PRELIMINARY NOTIFICATION OF PARISH ROADS.

HIS Excellency the Governor, with the advice of the Executive Council, having deemed it expedient to open and make the several Parish Roads mentioned in the Schedule appended hereto, to be maintained at the expense of the parishes through which they pass: Notice is hereby given that, in accordance with the provisions of the Act 4th William IV No. 11, plans and books of reference, showing the intended lines of the Roads in question, are now deposited at the office of the Surveyor-General in Sydney, and at the Police Offices mentioned.

It is requested that any well-grounded objections that may exist to the formation of the Roads in question may be transmitted in writing to the Clerk of the Executive Council, within one month from this date.

By His Excellency's Command,

JOSEPH P. ABBOTT.

SCHEDULE REFERRED TO.

Roads No.	Description of Roads.	Names of reputed owners or occupiers through whose properties the Roads pass.	Police Offices at which the plans and books of reference have been lodged.
85-265 82-475-6 S.G. R. 2495	Part of the road from Coal Cliff to the National Park, viz.:—From within R. Hargrave's 1,000 acres to road on the south boundary of A. Stuart's 320 acres, M.L. portion No. 12, parish of Bulgo, county of Cumberland.	R. Hargrave, John Dwyer, G. W. Newcombe.	Wollongong.
85-263 81-960-4 S.G. R. 2050	Part of the road from Bugong to Bomaderry, within D. Robertson's 48 acres, portion No. 195, parish of Illaroo, county of Camden.	D. Robertson	Nowra.

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Department of Mines,
Sydney, 28th January, 1885.

CONFIRMATION OF STREETS.—MUNICIPALITY OF ASHFIELD.

NOTICE is hereby given, in conformity with the provisions of the Act 4th William IV No. 11, that His Excellency the Governor, with the advice of the Executive Council, has been pleased to confirm the Streets mentioned in the annexed Schedule (notwithstanding any objections that might have been urged); and it is hereby declared expedient to open and make the Streets referred to, according to the plans and books of reference, to be seen at the Police Offices mentioned.

Any persons intending to claim compensation in respect of the said lines are reminded that notice must be served on the Secretary for Mines, within forty days from the date hereof, as provided by the sixth section of the Act above referred to, or they will be for ever foreclosed from such claim.

By His Excellency's Command,

JOSEPH P. ABBOTT.

SCHEDULE REFERRED TO.

Roads No.	Description of Streets.	Date of Gazette of previous Notice of intended opening of Streets.	Plans, &c., lodged at the Police Offices at
85-277 82-335-10 S.G. A. 72-2151	1. Central Road, from Norton-street to Liverpool Road 2. Farleigh-street, from Glisacld-street to Sea View-street 3. Little King-street, from Norton-street to Liverpool Road 4. Fyrmont-street, from Queen-street to a fence 504 links westerly	18 April, 1884, folio 2538	Newtown.

8303

[7960]

Department of Mines,
Sydney, 22nd December, 1885.

CONFIRMATION OF PARISH ROADS.

NOTICE is hereby given, in conformity with the provisions of the Act 4th William IV No. 11, that His Excellency the Governor, with the advice of the Executive Council, has been pleased to confirm the Roads mentioned in the annexed Schedule (notwithstanding any objections that might have been urged); and it is hereby declared expedient to open and make the Roads referred to, according to the plans and books of reference, to be seen at the Police Offices mentioned.

Any persons intending to claim compensation in respect of the said lines are reminded that notice must be served on the Secretary for Mines, within forty days from the date hereof, as provided by the sixth section of the Act above referred to, or they will be for ever foreclosed from such claim.

By His Excellency's Command,
GEO. THORNTON.

SCHEDULE REFERRED TO.

Roads No.	Description of Roads.	Date of Gazette of previous Notice of intended opening of Roads.	Plans, &c., lodged at the Police Offices at,—
85-3732 85-226-6 S.G. R. 2937	Part of road from Wanganderry to Berrima, through G. L. Franklin's 76½ acres, C.F., parish of Berrima, county of Camden.	8 September, 1835, folio 5328	Berrima.
85-3731 85-501-12 S.G. R. 2801	*Road from the village of Sutton, towards Yass, viz., to the Yass and Gundaroo Road, at the eastern boundary of J. Jobbins (now R. F. Johnston's) 640 acres, parishes of Gundaroo and Talagandra, county of Murray.	8 April, 1885, folio 2157	Gundaroo.
85-3730 85-958-17 S.G. R. 2816	Road from the road from Wyndham to Candelo, at Kirby's slip-rails, to Lane's Corner, parishes of Yurrambie and Candelo, county of Auckland, being part of the road from Candelo to Wolmulla, via Litigow Flat.	10 April, 1885, folio 2437	Candelo.
85-3729 85-125-10 S.G. R. 2743	Road from reserved road at the south boundary of John Egan's 45½ acres, C.F. portion No. 57, to the Cathcart and Panbula Road, within W. Hibbards' 160 acres, portion No. 1, parish of Kanoonah, county of Auckland.	30 Jan., 1885, folio 849	Bombala.
85-3728 85-1259-17 S.G. R. 2741	Road through F. Stennett's 54 acres, C.F., on Ketchencarry Creek, portion No. 13, parish of Cadjagarry, county of Dampier.	30 January, 1835, folio 849	Chargo.
85-3725 84-220-9 S.G. R. 2817	Road from a dedicated road at the south-west corner of John Pirotti's 53 acres 1 road 12 perches (part of a private subdivision) to a reserved road at the south-west corner of W. Bottom (now James Larkin's) 41 acres 3 roads 16 perches, parish of Mittagong, county of Camden, being part of the road from Bowral to Cutaway Hill.	24 February, 1885, folio 1315	Mittagong and Berrima
85-3726 82-575-10 S.G. R. 2712	Widening of part of road from Vanderville ("The Oaks") towards Camden, viz., between Stoney Creek and Mount Hunter Creek, parish of Werombia, county of Camden.	27 February, 1885, folio 1359	Camden.
85-3727 82-558-7 S.G.	Road from the road from Indi to Greg Greg, near Bringenbrong Station, to the Murray River, at the ford within T. Mitchell's 67 acres, portion No. 3, parish of Bringenbrong, county of Selwyn.	24 February, 1885, folio 1316	Tumbarumba
85-3724 82-475-10 S.G. R. 2495	*Part of the road from Coal Cliff to the National Park, viz., from within Ralph Hargrave's 1000 acres to road on the south boundary of Alexander Stuart's 320 acres, M.L. portion No. 12, parish of Bulgo, county of Cumberland.	28 January, 1885, folio 799	Wollongong.

* Through alienated land only.

[7970]

Department of Mines,
Sydney, 22nd December, 1885.

LAND RESUMED FOR ROAD UNDER 110TH SECTION OF ACT 48 VICTORIA No. 18.—LAND DISTRICT OF BERRIMA.

NOTICE is hereby given that the land embraced in the Conditional Purchases (described in the appended Schedule) has been resumed, the same being required for the following road, viz.:—Part of road from Wanganderry to Berrima, through G. L. Franklin's 76½ acres, C.F., parish of Berrima, county of Camden.

[Rds. 85-3,732]

GEO. THORNTON.

SCHEDULE REFERRED TO.

Catalogue No.	No. of C.F.	Parish.	Parish No.	Name of Conditional Purchaser.	Area of Portion.	Area Resumed.
C. 74-1,521	73-11,468	Berrima	G. L. Franklin	a. r. p. 40 0 0	a. r. p. 0 0 3

[7966]

Department of Mines,
Sydney, 22nd December, 1885.

LAND RESUMED FOR ROAD UNDER 110TH SECTION OF ACT 48 VICTORIA No. 18.—LAND DISTRICT OF MACLEAY RIVER.

NOTICE is hereby given that the land embraced in the Conditional Purchases (described in the appended Schedule) has been resumed, the same being required for the following road, viz.:—Parts of road from Congarinni to Boat Harbour, viz.:—From a point on reserved road within P. Byrne's 300 acres, C.F. portion No. 20, to another point on that road and from a point on reserved road within John Brouggy's 40 acres, C.F. portion No. 42, to the west boundary of a measured portion of 46 acres 8 roads 35 perches, No. 41, parish of Congarinni, county of Raleigh.

[Rds. 85-2,666]

GEO. THORNTON.

SCHEDULE REFERRED TO.

Catalogue No.	No. of C.F.	Parish.	Parish No.	Name of Conditional Purchaser.	Area of Portion.	Area Resumed.	Remarks.
R. 165-1714	66-850	Congarinni	42	John Brouggy	a. r. p. 40 0 0	a. r. p. 0 0 10	In lieu of part of reserved road.
" 174 "	83-143	Do	35	do	48 0 0	1 1 20	
" 174 "	77-130	Do	38	A. Paynter (now Catherine Sutton)	52 0 0	1 2 30	
" 174 "	29	Do	39	Andrew Paynter	40 0 0	2 1 10	
" 174 "	70-2297	Do	40	Charles Frank	45 0 0	1 2 0	

No. 635, 22ND DECEMBER, 1885.—2.

3939

[3900]

Department of Lands,
Sydney, 14th June, 1887.

LEASE FOR SPECIAL PURPOSE.—OBJECTIONS CALLED FOR.

IT is hereby notified, for general information, under the Crown Lands Regulations, that it is proposed to grant Leases, as hereunder specified, in accordance with the 89th clause of the Crown Lands Act of 1884, of sites for the purpose hereunder stated, without right of purchase.

Any objections lodged within four weeks from the date of this notice will receive due consideration, and all persons interested are hereby called upon to lodge such objections at this Office, on or before 10th proximo.

THOS. GARRETT.

No.	Name of Applicant.	Description of Land applied for.	Area.	Purpose.	Annual Rent.
Dec. 87-409	Thomas M'Credie.....	County of St. Vincent, parish of Tomaga: Commencing on the high-water mark of Moruya River, at a point bearing easterly and distant about 100 links from the south-west corner of applicant's property; and bounded on the west by a line bearing south 125 links; on the south-east, east, and south-west, by lines bearing north-easterly, northerly, and south-easterly 23 links, 37 links, 5 links, and 23 links respectively; again on the east by a line parallel to the first-mentioned boundary bearing north 110 links to the afore-said high-water mark; and thence on the north by that high-water mark westerly to the point of commencement.	About 16 perches.	Wharf on piles	£ s. d. 15 0 0

[3880]

Department of Lands,
Sydney, 14th June, 1887.

PRELIMINARY NOTIFICATION OF PARISH ROADS.

HIS Excellency the Governor, with the advice of the Executive Council, having deemed it expedient to open and make the several Parish Roads mentioned in the Schedule appended hereto, to be maintained at the expense of the parishes through which they pass: Notice is hereby given that, in accordance with the provisions of the Act 4th William IV No. 11, plans and books of reference, showing the intended lines of the Roads in question, are now deposited at the office of the Surveyor General in Sydney, and at the Police Offices mentioned.

It is requested that any well-grounded objections that may exist to the formation of the Roads in question may be transmitted in writing to the Clerk of the Executive Council, within one month from this date.

By His Excellency's Command,

THOS. GARRETT.

SCHEDULE REFERRED TO.

Roads No.	Description of Roads.	Names of reputed owners or occupiers through whose properties the Roads pass.	Police Offices at which the plans and books of reference have been lodged.
85-54-11 S.O. R. 3167.	Part of road from Cargo to Cudal, viz.:—From the south boundary of Isaac Wren's (now the Commercial Bank's) 100 acres, C.P. portion No. 100, to the north boundary of Isaac Wren's (now the Commercial Bank's) 165 acres, C.P. portion No. 84, parish of Toogong, county of Ashburnham.	The Commercial Bank, C.P.	Cudal.
84-309-5 S.O. R. 2648.	Road from the south-east corner of P. J. Flynn's 40 acres, C.P. portion No. 137, to the Canowindra and Sheet of Bark Road, within G. Ranken's 640 acres, portion No. 11, parish of Walli, county of Bathurst.	George Ranken	Cowra.
84-445-10 S.O. R. 3114.	Road of access to a reserved road within Jonah Osborne's 40 acres, portion No. 197, parish of Benerea, county of Bathurst.—In lieu of part of road confirmed in Government Gazette of 31st August, 1877, folio 3335.	Jonah Osborne	Carroor.
85-37-7 S.O. W. 28-2003.	Parts of road from Lane Cove Road to bridge over Lane Cove River, viz.:—From a point on the Burns' Bay Road, where it intersects a south-eastern boundary of I. Nichols' 380 acres grant, to a boundary road at the northernmost corner of E. Salamon's 21 acres 0 rods 34 perches, and again from a point on a south-eastern boundary of I. Nichols' 380 acres grant aforesaid to a south-western boundary of that grant, Municipality of North Willoughby, parish of Willoughby, county of Cumberland.	Crown Land, Stuart and Harnett ...	St. Leonards.
86-65-3 R. 101d.	Deviation in part of road from Bathurst, via Foster's Valley, to Rockley, viz.:—From a point on that road, within R. Smith's (now Chas. M'Phillamy's) 1,270 acres, portion No. 2, to a bridge on the left bank of Pepper's Creek within that portion, parish of Arkell, county of Bathurst.—In lieu of part of road confirmed in Government Gazette of 23rd May, 1865, folio 1100.	Chas. M'Phillamy, Thos. Cullea	Rockley.
85-372-4 S.O. R. 1049a.	Deviation in road from Merriwa to Cassilis, at the crossing of Munmurra Brook, parishes of Borembil and Turill, county of Bligh.—In lieu of part of road confirmed in Government Gazette, 16th January, 1872, folio 103.	Alexander Busby, confirmed roads, Munmurra Brook, Donald M'Isirey (grantor).	Cassilis.

[3881]

Department of Lands,
Sydney, 14th June, 1887.

FORMAL OPENING OF A PARISH ROAD.

NOTICE is hereby given that the line of Parish Road mentioned in the annexed Schedule has been formally marked and opened by the proper officer, and that the same is now open for public use.

THOS. GARRETT.

SCHEDULE.

Roads No.	Description of Road.	Date of Gazette of last Notice.	Plan, &c., lodged at the Police Office at—
82-475-14 S.O. R. 2495	*Part of the road from Coal Cliff to the National Park, viz.:—From within Ralph Hargrave's 1,000 acres to road on the south boundary of Alexander Stuart's 320 acres, M.L. portion No. 12, parish of Balgo, county of Cumberland.	22 December, 1885, folio 8303.	Wollongong.

* Confirmed through alienated land only.

