



## DIRECTOR SHIRE SERVICES REPORT

14th March 2006

**DSS3                      SALE OF CLOSED LANEWAY – LEITH STREET**  
**FILE: LA189838    APV    {Folio No. \* }**

### SUMMARY:

Report on the closure of a public laneway Leith Street Kempsey and the possible sale of the land.



There has been a history of problems with anti-social behaviour, drug use and vandalism within this laneway. Some years ago, as part of the crime prevention program, Council, Vincent Court and the Department of Housing agreed the most appropriate action would be the closure of the laneway.

After much investigation, it was determined by the Department of Lands that the laneway was public land and the Department has agreed to its closure.

Vincent Court as the adjoining owners have sought to purchase the closed laneway and have agreed, in writing, to pay the cost involved and purchase price, if required.

Council needs to determine a value for the land. This is normally done by valuation through the state valuation office. However, as the cost to obtain a valuation could be up to \$1,000 if Council was of a mind to sell the land for a nominal value it would be uneconomical to pay for such a valuation.

The area involved is 311 square metres and is shown on the attached plan at [Appendix B](#) and being a narrow, long shape it would only be of benefit to an adjoining owner. At this stage the value of the laneway has not yet been determined.

This matter has gone on for sometime due to the time taken to determine the status of the laneway and Vincent Court are keen to obtain the land as soon as possible to enable extensions to their development.

**REPORT IMPLICATIONS:**

- *Environmental*

*Nil*

- *Social*

*The previous use of the lane resulted in a number of undesirable social issues and which the closure of the laneway will overcome.*

- *Economic (Financial)*

*The costs involved with the closure are to be paid by The Trustees of the Roman Catholic Church for the Diocese of Lismore (Vincent Court) and Council will receive any proceeds from the sale of the laneway.*

- *Policy or Statutory*

*There are no policy or statutory implications.*

- *Acting Director's Review*

*Council is asked to support the closure of the laneway and its subsequent sale at market value.*

**RECOMMENDATION:**

- 1 That Council obtain a valuation from the State Valuation Office for the laneway and the General Manager be authorised to negotiate the sale of the closed laneway to The Trustees of the Roman Catholic Church for the Diocese of Lismore (Vincent Court) based on the valuation.
- 2 That Council authorise the fixing of its seal to the necessary documents.

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**G R Whelan**  
**Acting DIRECTOR SHIRE SERVICES**