

14.3**Question on Notice No 3/2012
State of Building Adjacent to St David's Avenue Park, Dee Why**

Submitted by: Councillor Vincent De Luca OAM

Question

Can Council do anything to have the state of the building next to St David's Ave Park, Dee Why which is boarded up due to vandalism, cleaned up?

Response

Council's powers to direct persons to undertake works does not extend to beautification of privately owned sites.

However Council's powers to issue demolition orders is subject to satisfying the requirements of the Environmental Planning and Assessment Act which included (but not limited to):

- (b) building is or likely to become a danger to the public;
- (c) building is so dilapidated as to be prejudicial to its occupants or to person or property in the neighbourhood.

With regard to the safety of the awning which extends over the public footpath, the owner has provided numerous structural engineers reports stating the awning *"is still in a reasonable structural condition"*.

Further a Development Consent (DA2011/0887) was granted on 27 January 2012 which may lead to the redevelopment of this site within five (5) years of the determination date.