

# BREEN PROPERTY PTY LIMITED

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23 November 2011

Mr John Rayner  
The General Manager  
Sutherland Shire Council  
Locked Bag 17  
Sutherland NSW 1499

Attention Mr John Rayner,

Dear John,

**RE: *Shearwater Landing* - JRPP APPLICATION - BREEN PROPERTY - 2010SYE028 (COUNCIL DA REF. 11/0841) RESIDENTIAL SUBDIVISION - 15R BATE BAY ROAD AND 452 CAPTAIN COOK DRIVE, GREENHILLS BEACH**

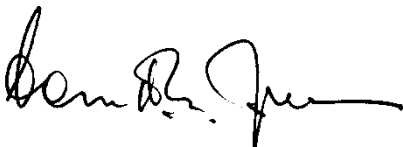
Further to my telephone call to you this afternoon, I regretfully confirm that Breen Property is withdrawing the current DA application for the proposed *Shearwater Landing* subdivision. We propose to lodge a new and revised DA in the first quarter of 2012. This will address all the issues raised as a result of the DA process to date, with amendments where appropriate.

The relevant background to our withdrawal of the DA is contained in Council's letter to Julie Bindon of JBA Planning dated 11 November 2011. We note the advice of that communication was that the JRPP decided at its meeting the previous day with Council planning staff that unless the DA was withdrawn beforehand, it must be reported to and assessed by the Panel on 15 December 2011, and that no extension of time would be granted. This decision by the Panel was made notwithstanding JBA's request on our behalf to be granted additional time for our planning and engineering team to address some specific issues that only recently arose, and other matters raised by Council, by Cronulla High School and by submissions resulting from the public exhibition.

We also note Council's advice in the aforementioned letter that the application in its current form was unlikely to be recommended by Council for approval, and that Council staff would not be able to consider additional information we were proposing to submit within the available timeframe.

Prior to lodging the revised DA in the New Year we propose to confer in depth with Council staff and other stakeholders. To this end we look forward to discussing our revised Application with Council staff in the not too distant future.

Yours sincerely



**Tom Breen**  
Executive Chairman & CEO

