

Mr Stephen Barry  
Planning Director  
NSW Independent Planning Commission  
Suite 15.02, Level 15, 135 King Street  
SYDNEY NSW 2000

10 February 2025

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**Subject: Response to Request for Information – Mundamia Residential Subdivision MOD 4**

Dear Stephen

I refer to your recent correspondence dated 15 January 2025 seeking additional information from the Department concerning the modification application (SSD-7169-Mod-4) of the Mundamia Residential Subdivision currently before the Independent Planning Commission for determination. My apologies for the delay in responding.

The Department is of the view that on balance the modification application is consistent with the judgment of *Ku-ring-gai Council v Buyozo Pty Ltd* [2021] NSWCA 177, and the Commission has jurisdiction to determine the modification application.

The Department's legal team has reached out to your Legal Director, James Innes, and discussed the matter, and the specific questions you raised, with him.

Should you have any further questions or require additional information, please feel free to contact me at [REDACTED] or call [REDACTED]

Yours sincerely,



**Louise Densmore**  
**Acting Director**  
**Regional Assessments**

Development Assessment and Sustainability