

# Clause 4.6 Variation Request

Mixed-Use Development with In-Fill Affordable Housing

2-6 Pilgrim Avenue and 11-13 Albert Road, Strathfield

Submitted to Department of Planning, Housing and Infrastructure  
on behalf of Convertia Pty Ltd



Prepared by Ethos Urban, a Colliers Company.

6 November 2025 | 2240053



**'Gura Bulga'**

Liz Belanjee Cameron

'Gura Bulga' – translates to Warm Green Country. Representing New South Wales.



**'Dagura Buumarri'**

Liz Belanjee Cameron

'Dagura Buumarri' – translates to Cold Brown Country. Representing Victoria.



**'Gadalung Djarri'**

Liz Belanjee Cameron

'Gadalung Djarri' – translates to Hot Red Country. Representing Queensland.

Ethos Urban acknowledges the Traditional Custodians of Country throughout Australia and recognises their continuing connection to land, waters and culture.

We pay our respects to their Elders past, present and emerging.

In supporting the Uluru Statement from the Heart, we walk with Aboriginal and Torres Strait Islander people in a movement of the Australian people for a better future.

In March 2025, Ethos Urban took a major step toward future growth by partnering with leading professional services firm, Colliers. While our name evolves, our commitment to delivering high-quality solutions remains unchanged—now strengthened by broader access to property and advisory services and expertise.

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# Consultant Declaration

Project Details	
Project Name	11-13 Albert Road and 2-6 Pilgrim Avenue, Strathfield Mixed Use Commercial & Residential Development including Infill Affordable Housing
Application number	SSD-80432461
Address of subject land	11-13 Albert Road & 2-6 Pilgrim Avenue, Strathfield NSW 2135
Lot / DP	2-6 Pilgrim Avenue, 11-13 Albert Road, Strathfield identified as: <ul style="list-style-type: none"><li>• Lot 2 DP 862623</li><li>• SP8785</li><li>• Lot 9 DP15917</li><li>• Lot 8 DP15917</li><li>• Lot A DP100558</li><li>• Lot B DP100558</li></ul>
Applicant Details	
Applicant name	Convertia Pty Ltd
Applicant address	Suite 401, 16 Railway Parade, Burwood NSW 2134
Report Details	
Name of report this declaration relates	Clause 4.6 Variation
Report reference no.	C (Final)
Report date	6/11/25
Company name (inc. ABN / ACN)	13 615 087 931
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Declaration By Consultant	
Name	Christopher Curtis
Registration no.	11063
Organisation registered with	Planning Institute of Australia
Declaration	The undersigned declares that Clause 4.6 Variation: <ul style="list-style-type: none"><li>• has been prepared in accordance with the following policy, guidelines, or legislative requirements.</li><li>• contains all available information relevant to the environmental assessment of the development, activity or infrastructure to which the Clause 4.6 Variation relates;</li><li>• does not contain information that is false or misleading;</li><li>• identifies and addresses the relevant Planning Secretary's environmental assessment requirements (SEARs) for the project; and</li><li>• identifies and addresses the relevant statutory requirements for the project, including any relevant matters for consideration in environmental planning instruments to which the Clause 4.6 Variation relates.</li></ul>
Signature	
Date	6 November 2025

# 1.0 Introduction

## 1.1 Overview

This Clause 4.6 Variation has been prepared by Ethos Urban on behalf of Convertia Pty LTD. It is submitted to the Department of Planning, Housing and Infrastructure (DPHI) in support of a State Significant Development Application (SSDA) for a mixed-use development at 2-6 Pilgrim Avenue and 11-13 Albert Road, Strathfield (the site).

Clause 4.6 of the *Strathfield Local Environmental Plan 2012* (Strathfield LEP 2012) enables the DPHI (the consent authority) to grant consent for development even though the development contravenes the development standard. This Clause 4.6 Variation relates to the development standard for Floor Space Ratio (FSR) under Clause 16(1) of the *State Environmental Planning Policy (Housing) 2021* (Housing SEPP) and should be read in conjunction with the Environmental Impact Statement prepared by Ethos Urban.

This document demonstrates that compliance with Clause 4.4 is unreasonable and unnecessary in the circumstances of this case and that there are sufficient environmental planning grounds to justify contravention from the development standard. As such, this document satisfies the provisions of Clause 35B(2) of the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation).

This Clause 4.6 Variation demonstrates that, notwithstanding the non-compliance with the FSR development standard, the proposed development:

- Is consistent with the objectives of the MUI Mixed Use Zone, FSR development standard and in-fill affordable housing division of the Housing SEPP;
- Prioritises the satisfaction of Sydney Trains' anti-throw measures to maintain safe operation of the adjacent railway corridor;
- Has an identical built form and envelope as a development without wintergardens facing the railway corridor;
- Does not result in any adverse impacts related to visual bulk and scale or environmental amenity;
- Exhibits a high-quality façade composed of adjustable vertical battens to the railway corridor, along which the greatest numbers of viewers of the site will pass;
- Fulfills the strategic intent outlined in the Greater Sydney Regional Plan and Eastern City District Plan providing a high-density mixed-use commercial and residential development close to public transport; and
- Is consistent with the high density-built form scale of Strathfield Town Centre.

Therefore, the SSDA may be approved with the variation as proposed in accordance with the flexibility allowed under Clause 4.6 of the Strathfield LEP 2012.

# 2.0 Development Standard to be Varied

## 2.1 Clause 4.4 - Floor Space Ratio

This Clause 4.6 Variation seeks to justify contravention of the FSR development standard set out in Chapter 2, Part 2, Division 1 In-fill affordable housing of the Housing SEPP. Clause 16(1) of the Housing SEPP provides that the maximum floor space ratio for development is the maximum permissible floor space ratio for the development on the land plus an additional floor space ratio of up to 30%, based on the minimum affordable housing component calculated in accordance with subsection (2). Subsection (2) states the minimum affordable housing component, which must be at least 10%, is calculated as follows:

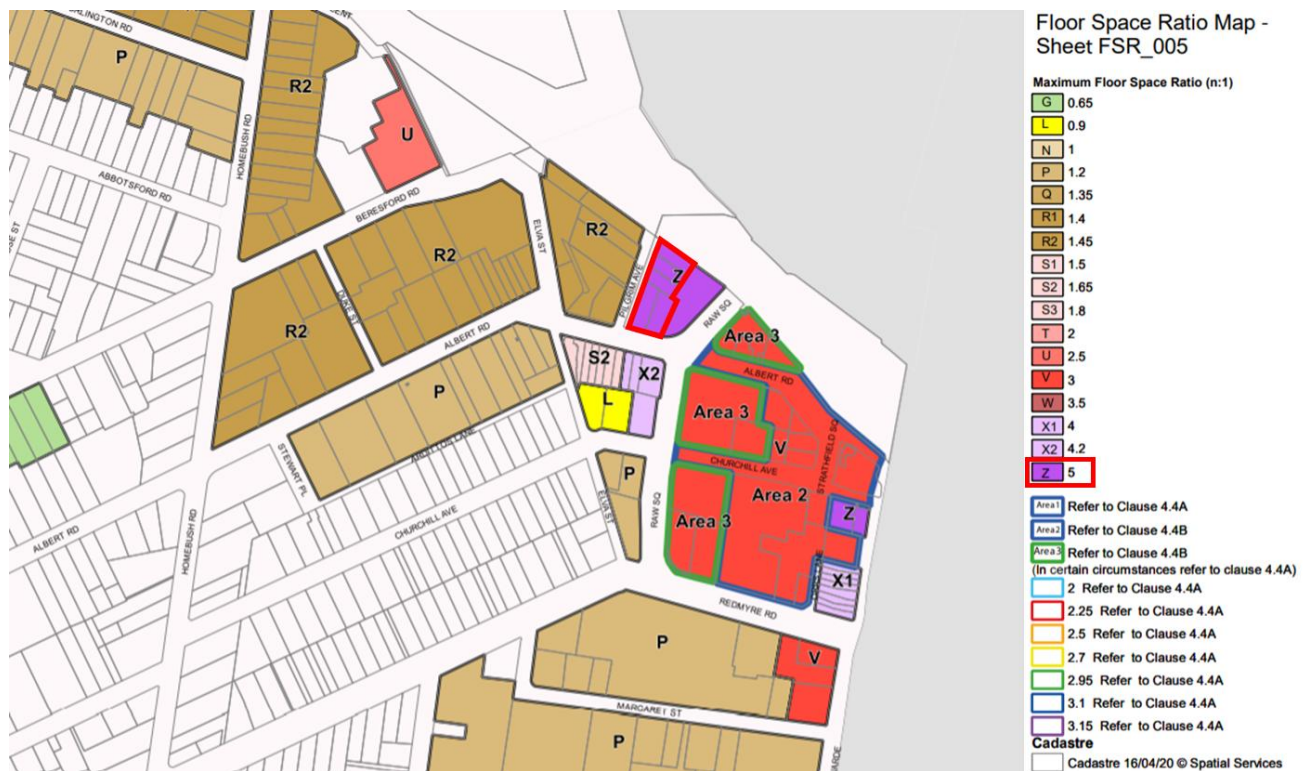
$$\text{affordable housing component} = \frac{\text{additional floor space ratio}}{\text{(as a percentage)}} \div 2$$

The site has an area of 2,868m<sup>2</sup> and as per the above, an additional 30% floor space is permitted above the 5:1 floor space ratio (FSR) development standard in the Strathfield LEP 2012 due to the proposal incorporating infill affordable housing. The Strathfield LEP 2012 Floor Space Ratio Map (sheet FSR\_005) is shown in **Figure 1**. This results in a total permissible FSR of 6.5:1, equating to a maximum gross floor area (GFA) of 18,642m<sup>2</sup>.

The proposed development provides a total GFA of 19,976m<sup>2</sup>, representing an FSR of 6.96:1. The additional 1,334m<sup>2</sup> of GFA is primarily attributed to the wintergardens which have a total GFA of 873m<sup>2</sup>. This results in an exceedance of the maximum FSR development standard by 0.46:1, or approximately 7%. **Table 1** below outlines the proposed variation.

**Table 1** In-fill affordable housing bonus and proposed GFA/FSR

FSR Development Standard	Proposed
5:1 (LEP Control)	6.96:1
6.5:1 (+30% infill AH bonus)	19,976m <sup>2</sup> GFA
18,642m <sup>2</sup> (GFA)	



**Figure 1** Floor Space Ratio that applies to the site

Source: Strathfield LEP

## Context to the Proposed Variation

The principal reason for the variation arises from the site's location immediately adjacent to the main east–west railway corridor within the Sydney metropolitan area, which services the T1, T2 and T9 rail lines. This proximity necessitates the incorporation of specific safety measures mandated by Sydney Trains for any development located within 20 metres of the railway boundary. These measures are required to ensure the safety of Sydney Trains personnel and assets, in accordance with the *Development near Rail Corridors and Busy Roads – Interim Guideline 2008* issued by the Department of Planning. In particular, the measures are intended to prevent objects from being thrown or falling from windows and balconies onto Sydney Trains corridors.

In response to these site-specific conditions, the proposal includes wintergardens comprising glass windows and vertical and horizontal battens on 41 balconies located on all levels above Level 2 which face the railway corridor. These wintergardens have been specifically designed to meet Sydney Trains' anti-throw requirements and are proposed solely for this purpose.

In *Haralambis Management Pty Ltd v Council of the City of Sydney* [2013] NSWLEC 1009, the Court held that gross floor area enclosed by closeable bi-fold windows over solid balustrades, and closeable aluminium-framed glass louvres must be included in the calculation of gross floor area (at [56]).

Conversely, the Court accepted that floor area behind permanently open louvres above a solid balustrade could be excluded from GFA calculations. Importantly, the Court observed that “for a balcony to be open space, there should be a degree of openness and exposure to the elements. An area that can by choice be permanently enclosed and used as a habitable room would not be open space.” As such, the inclusion of closable windows or louvres generally results in additional GFA. Given that the proposed wintergardens are consistent with the interpretation in *Haralambis*, a Clause 4.6 Variation is therefore required. **Figure 2** below illustrates the wintergardens and their orientation towards the railway corridor.



**Figure 2** Proposed wintergardens

Source: Kennedy Associates Architects

## 3.0 Justification for Contravention of the Development Standard

Clause 4.6(3) of the Strathfield LEP provides that:

### 4.6 Exceptions to development standards

- (3) Development consent must not be granted for development that contravenes a development standard unless the consent authority is satisfied the applicant has demonstrated that:
- (a) compliance with the development standard is unreasonable or unnecessary in the circumstances, and
  - (b) there are sufficient environmental planning grounds to justify the contravention of the development standard.

Assistance on the approach to justifying a contravention to a development standard is also to be taken from the applicable decisions of the NSW Land and Environment Court in:

1. *Wehbe v Pittwater Council* [2007] NSW LEC 827 (*Wehbe*);
2. *Four2Five Pty Ltd v Ashfield Council* [2015] NSWLEC 1009 (*Four2Five*);
3. *Initial Action Pty Ltd v Woollahra Municipal Council* [2018] NSWLEC 118 (*Initial Action*);
4. *Baron Corporation Pty Ltd v The Council of the City of Sydney* [2018] NSWLEC 1552 (*Baron Corporation*); and
5. *Al Maha Pty Ltd v Huajun Investments Pty Ltd* [2018] NSWCA 245 (*Al Maha*).

The relevant matters contained in Clause 4.6 of the Strathfield LEP with respect to the Floor Space Ratio development standard in the Housing SEPP, are each addressed below, including with regard to these decisions.

### Role of the consent authority

The role of the consent authority in considering this request for a Clause 4.6 variation has been recently explained by the Land and Environment Court and the NSW Court of Appeal in *Initial Action Pty Ltd v Woollahra Municipal Council* [2018] NSWLEC 118 and in *Al Maha Pty Ltd v Huajun Investments Pty Ltd* [2018] NSWCA 245 respectively to require that the consent authority needs to be satisfied in relation to two matters:

- That the applicant's request has adequately addressed the matters in Clause 4.6(4)(a)(i); and
- That the proposed development will be in the public interest because of its consistency with the objectives of the development standard and the zone.

The consent authority is required to form these two opinions first before it considers the merits of the SSDA and it can only consider the merits of the SSDA if it forms the required satisfaction in relation to the matters. In particular, the consent authority needs to be satisfied that there are proper planning grounds to grant consent and that the contravention of the standard is justified. This report provides the basis for the consent authority to reach this level of satisfaction.

It is recognised that Clause 4.6(4)(a)(i) has since been repealed. The note under Clause 4.6(3) references the EP&A Regulation which requires a development application for development that proposes to contravene a development standard to be accompanied by a document setting out the grounds on which the applicant seeks to demonstrate the matters in Clause 4.6(3)(a) and (b).

### 3.1 Clause 4.6(3)(a): Compliance with the development standard is unreasonable or unnecessary in the circumstances

In *Wehbe*, Preston CJ of the Land and Environment Court provided relevant assistance by identifying five traditional ways in which a variation to a development standard had been shown as unreasonable or unnecessary. However, it was not suggested that the types of ways were exhaustive.

While *Wehbe* related to objections made pursuant to *State Environmental Planning Policy No. 1 – Development Standards* (SEPP 1), the analysis can be of assistance to variations made under Clause 4.6 where subclause 4.6(3)(a) uses similar language to Clause 6 of SEPP 1 (see *Four2Five* at [61] and [62]).

As the language used in subclause 4.6(3)(a) of the Strathfield LEP is essentially the same as the language used in Clause 6 of SEPP 1, the principles contained in *Wehbe* are of assistance to this Clause 4.6 variation.

The five methods outlined in *Wehbe* include:

- The objectives of the standard are achieved notwithstanding non-compliance with the standard (**First Method**).
- The underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary (**Second Method**).
- The underlying object or purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable (**Third Method**).
- The development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable (**Fourth Method**).
- The zoning of the particular land is unreasonable or inappropriate so that a development standard appropriate for that zoning is also unreasonable and unnecessary as it applies to the land and compliance with the standard would be unreasonable or unnecessary. That is, the particular parcel of land should not have been included in the particular zone (**Fifth Method**).

Of particular assistance in this matter, in establishing that compliance with a development standard is unreasonable or unnecessary, is the First Method. We set out below how the proposal meets the First Method.

### 3.1.1 The objectives or purposes of the development standard

The objectives of the development standard contained in Clause 4.4 of the Strathfield LEP are:

- (a) to ensure that dwellings are in keeping with the built form character of the local area,*
- (b) to provide consistency in the bulk and scale of new dwellings in residential areas,*
- (c) to minimise the impact of new development on the amenity of adjoining properties,*
- (d) to minimise the impact of development on heritage conservation areas and heritage items,*
- (e) in relation to Strathfield Town Centre—*
  - (i) to encourage consolidation and a sustainable integrated land use and transport development around key public transport infrastructure, and*
  - (ii) to provide space for the strategic implementation of economic, social and cultural goals that create an active, lively and people-orientated development*

The objective of Chapter 2, Part 2, Division 1 In-fill affordable housing of the Housing SEPP is to:

- *Facilitate the delivery of new in-fill affordable housing to meet the needs of very low, low and moderate income households.*

### 3.1.2 The objectives of the standard are achieved notwithstanding non-compliance with the standard

The objectives of the FSR standard in the Strathfield LEP 2012 predominantly set out to ensure that new residential development has a density, bulk and scale that is compatible with its surrounding built form character. Furthermore, it seeks to minimise the impact of new development on the amenity of adjoining properties and heritage items. This is reflected in the objectives outlined below:

- a) to ensure that dwellings are in keeping with the built form character of the local area,*
- b) to provide consistency in the bulk and scale of new dwellings in residential areas,*
- c) to minimise the impact of new development on the amenity of adjoining properties,*
- d) to minimise the impact of development on heritage conservation areas and heritage items*

The proposal also supports the objective in Housing SEPP by delivering 15.35% affordable housing on the site, directly facilitating housing outcomes for very low, low and moderate income households. These objectives are therefore satisfied by the proposal despite the numerical variation from the FSR standard. The proposed development, including the additional GFA, will continue to achieve the objectives of the standard for the following reasons set out below.

#### Strathfield LEP Objectives

##### Objective (a): to ensure that dwellings are in keeping with the built form character of the local area

The proposed development is consistent with the built form character of the area surrounding Strathfield Town Centre in that it is of a residential/mixed use typology that is increasingly prevalent in the immediate and broader area. It is clear that increased density on the site is desirable and acceptable, as the site was the subject

of a gazetted planning proposal in July 2020 which increased the height and FSR of the site, in keeping with its strategic location near the Strathfield Town Centre and Railway Station. When complete, the proposed development will form the final piece of high-rise residential/mixed use development at the gateway to Strathfield Town Centre on Raw Square and Albert Road.

The proposed development is consistent with the surrounding residential flat buildings that also have balconies (not enclosed) orientated towards the railway corridor such as Regal Court at 5 Albert Road, constructed over two decades ago before anti-throw measures were introduced. It is only because of recently imposed anti-throw measures in 2008, that the north-facing balconies require enclosure. Strict compliance with the permissible FSR would result in a poor, unsafe planning outcome and contextually inappropriate outcome, especially for commuters and rail workers.

Therefore, the proposed mixed-use development is consistent with the surrounding built form of residential flat buildings and the orientation of balconies facing the railway corridor.

#### **Objective (b): to provide consistency in the bulk and scale of new dwellings in residential areas**

The proposed development is of a similar height, bulk and scale than a number of existing developments such as Regal Court at 5 Albert Road and recently constructed developments in the locality such as 23-25 Churchill Avenue.). Moreover, the slender form of the two towers with a maximum height of 19 storeys is of a similar bulk, height and scale as the 17-storey Regal Court on the eastern side of Raw Square which presents as a comparatively bulkier development. It is noted that the wintergardens proposed on of the northern façade do not affect the visual bulk and scale of the building, as non-enclosed balconies, which do not count as GFA, still characterise the rest of the building facades, which are more visible from the surrounding streets and public domain.

The visual catchment of the northern façade is also an important contextual consideration. The north-facing balconies do not affect the perceived bulk and scale by pedestrians on Raw Square, as they can only be seen from the railway corridor. Conversely, the use of louvres and battens on the northern façade assist in articulating an otherwise blank façade which would have an appearance of greater bulk, producing a better planning and design outcome.

#### **Objective (c): to minimise the impact of development on the amenity of adjoining properties**

The proposed development does not have an unacceptable impact on the visual privacy, solar access or residential amenity of any adjoining or nearby properties. With respect to the north-facing balconies, they do not adjoin any properties as they front onto the railway corridor and therefore cannot affect the amenity of any adjoining properties. In fact, the enclosure of these balconies, from which the FSR exceedance stems, is integral to maintaining safety and useability of the railway corridor, to prevent any throwing of objects that may impact passing trains.

#### **Objective (d): to minimise the impact of development on heritage conservation areas and heritage items**

There are no heritage items or heritage conservation areas in the surrounding area. Therefore, the proposed development meets this objective.

#### **Housing SEPP Objective:**

**The objective of this division is to facilitate the delivery of new in-fill affordable housing to meet the needs of very low, low and moderate income households.**

The proposal supports this objective by delivering 35 affordable housing units within the building, equating to approximately 15% of the total GFA. This directly facilitates housing outcomes for very low, low and moderate income households by increasing the supply of in-fill affordable housing in a well-located area.

### **3.1.3 Conclusion on clause 4.6(3)(a)**

Compliance with the FSR development standard is unreasonable in the circumstances of the case as the objectives of the standard are achieved notwithstanding non-compliance with the standard.

The necessity to satisfy anti-throw measures are unavoidable and impacts of leaving the balconies open far outweighs the lack of any adverse impact from non-compliance with the FSR development standard.

## 3.2 Clause 4.6(3)(b): Environmental planning grounds to justify contravening the development standard

Clause 4.6(3)(b) of the Strathfield LEP 2012 requires the contravention of the development standard to be justified by demonstrating that there are sufficient environmental planning grounds to justify the contravention. The focus is on the aspect of the development that contravenes the development standard, not the development as a whole.

Therefore, the environmental planning grounds advanced in the written request must justify the contravention of the development standard and not simply promote the benefits of carrying out the development as a whole (Initial Action at [24]). In *Four2Five*, the Court found that the environmental planning grounds advanced by the applicant in a Clause 4.6 Variation must be particular to the circumstances of the proposed development on that site at [60].

In this instance, the relevant aspect of the development is the proposed exceedance of the FSR by 0.3:1. There are sufficient environmental planning grounds to justify contravention of the FSR development standard in this specific instance, as described below.

### 3.2.1 Ground 1: Rail Corridor Safety

Compliance with the FSR development standard is unreasonable in the circumstances of the case as the use of wintergardens in lieu of balconies on the north façade is a direct and mandatory response to Sydney Train's anti-throw measures. It is paramount that the proposed development responds to its site-specific context that requires the maintenance of safe operation of the railway corridor.

### 3.2.2 Ground 2: Provision of Strategically Located Housing

The site is well-located near Strathfield Railway Station and Strathfield Town Centre. The high degree of accessibility to public transport resulted in the recent uplift in development potential for the site, enabled by a gazetted Planning Proposal in response to the NSW Government's strategic vision for a '30 Minute City'. As such, any setting back of the proposed development to avoid anti-throw measures would not fulfill Sydney's strategic planning objectives, as maximum development yield would not be achieved.

Furthermore, the project continues to align with the objectives of key strategic documents, including A Metropolis of Three Cities and the Eastern City District Plan. The variation delivers a design outcome that supports the creation of a vibrant place and a city within its landscape, without departing from the proposal's original strategic intent.

### 3.2.3 Ground 3: Improved Building Articulation

As explained above, the proposed vertical and horizontal battens improve the façade articulation, detailing and overall presentation to the railway corridor which will be visible to the greatest number of people, being commuters. While architectural merit is not the primary reason for the use of wintergardens, this improved design outcome demonstrates that exceedance of the FSR standard does not result in adverse impacts related to building bulk, form or scale. It is important to note that the use of wintergardens does not change the building envelope when compared to a scheme with open balconies facing the railway corridor.

### 3.2.4 Ground 4: No adverse Environmental impacts

Inclusion of wintergardens does not result in any unacceptable overshadowing impacts on the surrounding area. With the shadowing generated by the proposed scheme being consistent with that of a scheme that instead included balconies. There is no difference in shadowing impacts. The proposed variation therefore does not result in any new or unacceptable amenity impact on existing surrounding residential properties.

### 3.2.5 Ground 5 Consistency with the objectives of the EP&A Act.

The variation directly responds to the objectives of the *Environmental Planning and Assessment Act 1979*, as detailed in **Table 2** below.

**Table 2 Assessment of consistency of the proposed development with the Objects of the EP&A Act**

Object	Comment
(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources	The proposed development provides additional housing, including 35 affordable units that cater towards the social and economic welfare of the community.
(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment	The proposed development complies with the relevant requirements for sustainability including the BASIX provisions of the <i>State Environmental Planning Policy (Sustainable Buildings) 2022</i> .
(c) to promote the orderly and economic use and development of land	The development promotes the orderly and economic use of the land through providing a development for a permissible purpose and does not create unreasonable impact on surrounding land uses.
(d) to promote the delivery and maintenance of affordable housing	The proposed development accommodates 35 new affordable housing units and works contributes towards the NSW State Governments commitment towards the Housing Accord.
(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats	The proposed development will not impact flora and fauna beyond that considered in the SSDA.
(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage)	The proposal does not adversely impact Aboriginal cultural heritage. Designing with Country has informed the proposal to ensure it is built into a celebrated within the proposal. This specific variation does not interfere with the proposals ability to design with country.
(g) to promote good design and amenity of the built environment	The building promotes good design and amenity through its responsive form, integration with the surrounding context, and provision of functional, high-quality spaces.
(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants	The proposed development, inclusive of the variation will remain to promote proper construction and maintenance methods.
(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State	This objective is not relevant to the proposal.
(j) to provide increased opportunity for community participation in environmental planning and assessment	The exhibition of the proposed development will be carried out in accordance with the relevant provisions of the EP&A Regulation.

### 3.2.6 Conclusion on Clause 4.6(3)(b)

Therefore, there are sufficient environmental planning grounds to contravene the FSR development as:

- Maintaining safe operation of the railway corridor is of paramount importance and requires mandatory compliance.
- The footprint of the proposed development remains the same as a compliant building envelope and maximises the site's strategic planning potential.
- There are no additional adverse visual bulk or scale impacts as a result of the wintergardens, which conversely improve the articulation of the development's most-viewed façade.
- The wintergardens do not result in any unacceptable amenity impacts on the surrounding area.

## 4.0 Conclusion

The assessment above demonstrates that compliance with the FSR development standard contained in Clause 16(1) of the Housing SEPP is unreasonable and unnecessary in the circumstances of the case and that the justification is well founded. It is considered that the variation allows for the orderly and economic use of the land in an appropriate manner, whilst also allows for a better outcome in planning terms.

Notwithstanding, this Clause 4.6 Variation demonstrates that, despite the non-compliance with the FSR development standard, the proposed development:

- Is consistent with the objectives of the MUI Mixed Use Zone, FSR development standard and in-fill affordable housing division of the Housing SEPP;
- Prioritises the satisfaction of Sydney Trains' anti-throw measures to maintain safe operation of the adjacent railway corridor;
- Has an identical built form and envelope as a development without wintergardens facing the railway corridor;
- Does not result in any adverse impacts related to visual bulk and scale or environmental amenity;
- Exhibits a high-quality façade composed of adjustable vertical battens to the railway corridor, along which the greatest numbers of viewers of the site will pass;
- Fulfills the strategic intent outlined in the Greater Sydney Regional Plan and Eastern City District Plan providing a high-density mixed-use commercial and residential development close to public transport; and
- Is consistent with the high density-built form scale of Strathfield Town Centre.