

**Appendix 4 – Response to Objections**

<b>Issue</b>	<b>Comment</b>
The proposed use is inappropriate for the residential area.	Relevant VCAT cases highlight that proposals for non-residential uses (Places of Assembly) should generally be located close to or have direct access to arterial roads, convenient access to public transport, and locations that would cause minimal loss of amenity to neighbouring residents.  Council's Traffic Engineer has raised concerns in relation to the proposal.  The subject land is not considered to be an appropriate location for the proposal.
Increased traffic on the court and on local access streets will increase the likelihood of accidents.  The area, being a cul-de-sac, should provide a quiet and safe area for children to congregate and play, there being no through traffic.	Council's Traffic Engineer has not raised any concerns in relation to safety.  The increase of residential traffic does not necessarily create safety issues, given, that the subdivision pattern (curvilinear streets with cul-de-sacs or courts) is generally not conducive to speeding.
There is also no guarantee that at any one time the numbers at the site will not exceed the maximum required by any permit restriction. It is highly unlikely that additional attendees would be turned away.	If a planning permit was to be issued, then a restriction would be placed on the planning permit. Any breaches of the planning permit would be subject to planning enforcement investigations and possible action.
There is no guarantee that music will not be played at the premises.	If a planning permit was to be issued, then a restriction would be placed on the planning permit to ensure that music is not played on site. Any breaches of the planning permit would be subject to planning enforcement investigations and possible action.
Car parking issues along local streets.	The amount of car parking provided on-site satisfies the car parking requirement outlined in Clause 52.06. In relation to the assessment of the application, Council cannot request the applicant to provide car parking that is above and beyond the rate specified in Clause 52.06.