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**IN THE ENVIRONMENT RESOURCES & DEVELOPMENT COURT
OF SOUTH AUSTRALIA**

No 308 of 2013
BETWEEN

PORT ADELAIDE RESIDENTS ENVIRONMENT PROTECTION GROUP

Appellant

and

CITY OF PORT ADELAIDE ENFIELD

First Respondent

and

OTR 97 PTY LTD

Second Respondent

Statement of Phillip Richard Weaver, Phil Weaver & Associates

Annexed hereto and marked "A" is a copy of a report letter dated 7 September 2012 prepared by me on behalf of the second respondent and lodged with the first respondent in relation to the Development Application, the subject of this appeal:

I understand that the attached report letter was lodged with the first respondent during the course of the consideration of the development application by the second respondent.

At the time I prepared my attached report letter the report letter contained my professional opinions regarding the proposed development.

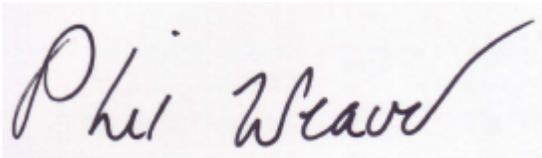
I am aware that the proposed development the subject of the development application was granted development plan consent by the first respondent and I have perused and considered the proposal plans granted such consent.

While I am aware that there have been minor changes to the design subsequent to the preparation of my attached report letter nothing has occurred that has caused me to change any of the opinions I expressed in that document.

I have made all the inquiries which I believe are desirable and appropriate. Further, there are no matters of significance which I regard as relevant that have, to my knowledge, been withheld from the Court.

I also attach, marked "B" a document setting out my qualifications.

DATED the 22nd day of April 2014

A handwritten signature in cursive script that reads "Phil Weaver". The signature is written in dark ink on a light-colored background.

.....

Phil Weaver
Phil Weaver and Associates

Annexure A

File: 109-12

7 September 2012

Mr Sam Nimkar
OTR 97 Pty Ltd
270 The Parade
KENSINGTON GARDENS SA 5068

Consultant Traffic Engineers

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Dear Mr Nimkar,

PROPOSED INTEGRATED SERVICE STATION DEVELOPMENT, VICTORIA ROAD, PETERHEAD - TRAFFIC AND PARKING ASSESSMENT

I refer to our recent discussions relating to the construction of an integrated service station and associated parking on the above site.

As requested I have undertaken the following review of the traffic and parking related aspects of the subject development.

Existing Situation

The subject land is located on the north western corner of the intersection of Victoria Road with Hargrave Street, Peterhead.

The subject site forms part of a vacant block of land bounded on three sides by existing roads, namely: -

- Victoria Road to the east, with a frontage of approximately 80m,
- Hargrave Street to the south with a frontage of approximately 43m, and
- Alfred Street to the west, with a frontage of approximately 80m.

However, I understand that your application is only for a portion of this vacant block of land and that the subject development will be bounded by a 2.5 metre high fence on the western boundary of the site.

The subject site is currently vacant with the exception of a tennis court and basketball practice ring located in the south eastern corner of the subject site.

There are two redundant crossovers associated with the subject site. These crossovers are approximately 5m and 6m wide and are located off Victoria Road, approximately 20m and 65m, respectively, from the southern boundary of the site.

Victoria Road provides two traffic lanes and a bicycle lane in each direction separated by a central median. The verge width adjacent to the subject site is approximately 7m wide.

Bicycle lanes are provided on Victoria Road and operate between 7.00am and 9.00am and between 4.00pm and 6.00pm Monday to Friday on both sides of this road. No Stopping restrictions apply on Victoria Road in front of the subject site at other times.

Hargrave Street has a kerb to kerb width of approximately 12.5m with verge widths of approximately 4m and 3.6m on the northern and southern sides of this road respectively. Parking within the vicinity of the site is unrestricted in this road.

Details of traffic volumes on the adjoining road network have been obtained from the Department of Planning, Transport and Infrastructure, (DPTI) and Council.

From a traffic count undertaken by DPTI on Wednesday, 25th July 2012, at the intersection of Victoria Road and Wills Street, Peterhead (approximately 400 metres to the north of the subject site) it is identified that the two-way Annual Average Daily Traffic (AADT) volume of the subject site is approximately 28,000 vpd on Victoria Road to the immediate north of the site.

Details of traffic volumes on Hargrave Street have been obtained from the City of Port Adelaide – Enfield and it is understood that the weekday traffic volume on this road to the west of the subject site is of the order of approximately 2000 vpd.

In order to identify the direction of traffic entering and exiting Hargrave Street to and from Victoria Road I conducted surveys of traffic entering this roadway during:

- the evening period on Wednesday 5th September 2012 between 3.00 pm and 6.00pm, and
- the morning period on Wednesday 5th September 2012 between 7.00 am and 9.30 am.

Figure 1 summarises the peak hourly traffic recorded at this location between 7.00 am and 8.00 am and between 3.30 pm and 4.30 pm during the above surveys.

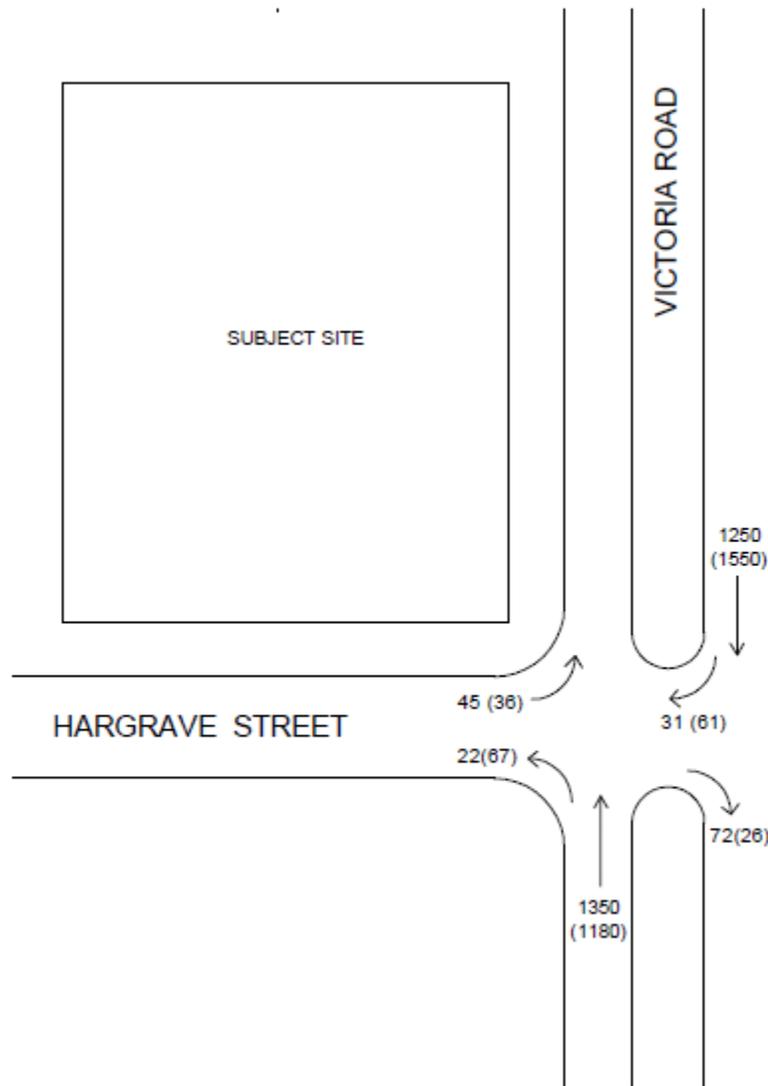


Figure 1: Existing traffic movements – am (pm) peak hour periods – September 2012

The results of these surveys identify, inter alia:

- a am peak hour traffic flow of approximately 170 vph on Hargrave Street, to the immediate west of Victoria Road, and
- a pm peak hour traffic flow of approximately 190 vph on Hargrave Street, to the immediate west of Victoria Road.

Proposed Development

I note that the proposed development is identified on Drawing Number JN958 SK0lf prepared by ADS Architects and that the development will include: -

- a Control Building with a floor area of 379m² incorporating a fast food outlet i.e. an Oporto franchise. This outlet includes a drive through lane with a clockwise circulation pattern wrapping around the western and northern sides of the building. The drive through lane provides a storage capacity of up to 9 cars, without vehicles extending into the adjoining circulation aisles of the remaining areas of the subject development,
- a car refuelling area to the south of the control building, accommodating six double sided fuel dispensers,
- provision of an auto wash bay located in the south eastern corner of the site,
- provision of three manual car wash bays located to the west of the auto wash bay,
- provision of two dog wash bays located to the west of the manual car wash bays,
- provision of two vacuum bays located to the south of the manual car wash bays,
- provision of 23 car parking spaces including one space for use by the disabled with an adjacent shared area, and
- provision of four access points, three of which will be located off Victoria Road and one located off Hargrave Street.

The proposed access points along the Victoria Road frontage will include:-

- an approximately 9 metre wide entry point to be located approximately 25 metre from the southern boundary of the site,
- an exit point associated with the integrated service station component of the subject development which will be located approximately 58 metres from the southern boundary of the site, and
- an additional exit point associated with the drive through lane of the fast food franchise to be located adjacent to the northern boundary of the subject site.

There will be separation of approximately 10 metres between the two exit points onto Victoria Road.

The proposed access point on Hargrave Street will be located approximately 6 metre from the western boundary of the subject development.

The design of the at-grade car parking area will provide: -

- car parking spaces of 2.6m in width,
- car parking spaces of 4.8m in length, where an adjacent 600mm overhang has been provided,
- aisle widths of at least 6.0m.

The proposed development will also include one space to be allocated for disabled use. This space has been designed in accordance with AS/ NZS 2890.6:2009 and will have a width of 2.4 metres and be located adjacent to a shared area also 2.4 metres wide.

As such, I consider that the design of the on-site car parking areas fully conform to the requirement of the relevant off-street car parking standard (AS / NZS 2890.1:2004 and AS / NZS 2890.6:2009).

Surveys

Traffic surveys previously conducted by my firm at an existing Oporto/Dominos Pizza franchise located at 196 Glynburn Road, Tranmere, identified a combined peak hour traffic volume equivalent to 156 vph on Friday, 4th May 2012. Significantly the peak hour traffic generation of this development occurred between 6.15 pm and 7.15 pm, i.e. outside of the pm peak commuter peak hour and the combined volume of traffic entering and exiting the site between 5.15 pm and 6.15 pm was equivalent to only 113 vph.

On the basis that approximately two thirds of the traffic generated by the Tranmere facility related to the Oporto Restaurant and drive through, I consider that the Oporto franchise is likely to generate at most 100 vph of which approximately one third would use the drive through lane, based upon 34 vehicles using the drive through lane in the peak hour period at the Tranmere site.

The RTA standard also indicates that the proportion of passing trade which would use such a facility would typically be about 35% of the total trade, i.e. approximately one third of the traffic generated by such a development would currently be using the road network.

The above survey also identified the peak queues of cars at both the order points and the collection window, and the results identified a peak queue of 5 vehicles during the survey.

Parking Assessment

As previously identified, the proposed development will include a control building with a total area of approximately 379m², including a retail display, sales areas and preparation areas totalling 207m² and a proposed seating area of approximately 66m².

Based on a typical parking rate of 5 spaces/100m² of total area associated with the retail display, sales areas and preparation areas these components of the proposed facility would require a car parking provision of approximately 11 spaces.

The surplus spaces would essentially meet the additional car parking demand associated with seating within the fast food component, as there would be sufficient on-site car parking provided to support a total of 36 seats within the subject development based on such a restaurant use requiring on car parking space / 3 seats i.e. 12 spaces.

However, I consider that the above requirements would be excessive in that:-

- there is an opportunity for a considerable proportion of the parking demand of the convenience store to be accommodated without use of the on-site car parking spaces given that many customers will both purchase fuel and goods from within the convenience store and will therefore not require a dedicated car parking spaces as they will use the petrol filling positions, and

- there is likely to be some complementary use of the subject development and it is expected that the peak car parking demands of the various components is unlikely to coincide.

On the above basis, I consider that with the provision of 23 car parking spaces, in addition to the spaces by the petrol filling positions, there will be more than adequate on-site car parking provided to meet the car parking requirements associated with the proposed development.

Traffic Assessment

In terms of future traffic associated with the proposed integrated service station component of the subject development, I note that the **“Guide to Traffic Generating Developments”** prepared by the Roads and Traffic Authority of NSW (RTA) includes traffic generation rates associated with integrated service station developments. This document provides estimates of the traffic generation associated with an integrated service station development based on the area of convenience store and / or the site area.

The above standard was developed from surveys conducted across metropolitan Sydney and provides an equation using the area of the site and the size of the convenience store. However, this standard does not recognise the number of dispensers which are provided on the site, nor does it address other relevant issues such as accessibility into the site or the volume of traffic passing the site.

I have previously undertaken traffic surveys at a number of the applicant’s existing developments, which I consider are relevant to the proposed development on the subject site. Based on the results of surveys undertaken at these sites I consider that the peak hour generation of the proposed development would be of the order of 120 vph (60 vehicles entering and 60 vehicles exiting) in the pm peak hour period on a weekday.

In terms of traffic generation associated with fast food component of the development I note that the **“Guide to Traffic Generating Developments”** produced by the Roads and Traffic Authority of NSW, has identified a traffic generation rate of 100 vph (50 vehicles entering / 50 vehicles exiting) in the peak hour for a freestanding development similar to that proposed on the site.

Traffic associated with the proposed car wash bays during the commuter peak periods will be low with the use of these facilities peaking during weekend periods.

Given the complementary nature of the land uses on the subject site, it is estimated that the subject development would result in a peak weekday traffic generation equivalent in total to at most 200 vph, comprising approximately 100 entry and 100 exit movements.

The peak traffic generation of the subject development is most likely to occur in early evening periods and therefore after the peak pm commuter hour period identified by the surveys, given that a significant proportion of traffic will be generated by the proposed fast food component of the subject development.

The potential distribution of traffic entering and existing the site during the peak pm period of the operation of the subject development is summarised by Figure 2.

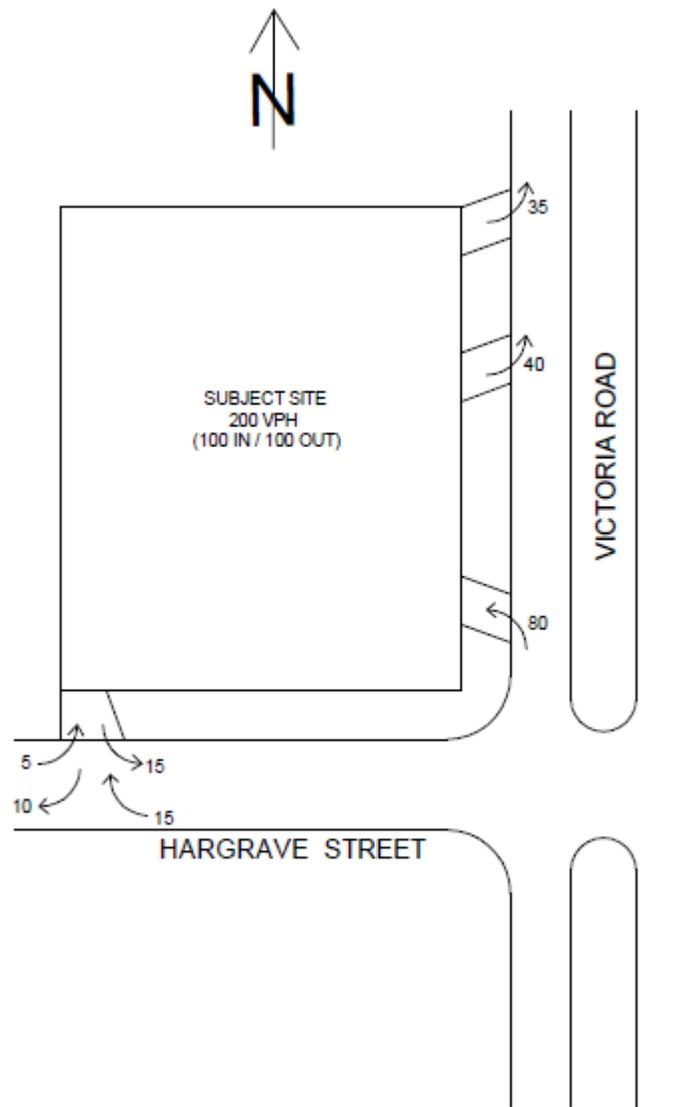


Figure 2: Forecast pm peak hour traffic movements entering / exiting the subject development

From Figure 2 it is estimated that:

- there should be up to 80 total entry movements directly into the site from Victoria Road,
- the total volume of exiting traffic turning left onto Victoria Road is estimated to be approximately 75 vph,
- there would be an increase of approximately 30 vph using Hargrave Street between the proposed access point on this road and the junction with Victoria Road, and
- there should be an increase of at most 15 vph using Hargrave Street to access the site to and from the west.

The forecast increases in peak hour traffic associated with the subject development is considered to be well within the capacity of the adjacent road network particularly as the access arrangement on the major road frontage (Victoria Road) will provide for left turns in and left turns out only.

While there will be some potential increases in the volumes of traffic turning right into and out of Hargrave Street as a result of the subject development, the increases in these movements would be minimal and would appear to be well within the capacity of the subject road network, given the opportunity for drivers to store within the opening within the median when undertaking these turns.

A review of the operation of the above intersection using SIDRA intersection analysis software has indicated, inter alia, that the Degree of Saturation during the pm peak hour period would increase from a current level of approximately 0.46 to approximately 0.47 as a result of the subject development. Such a small change indicates there would be minimal impact on the operation of this intersection as a result of the proposed development.

Delivery tankers will turn left into the site from Victoria Road and turn left out onto this road. It is anticipated that there will be only two to three tanker movements of such vehicles per week.

While no formal delivery areas are proposed to accommodate large rigid body trucks servicing the site, I consider that there is an opportunity for such vehicles to service the control building at the rear of the car park adjacent to the waste bins without unduly impacting the movement of vehicles through the site.

Refuse collection would typically occur outside of peak hour trading periods.

Summary and Conclusions

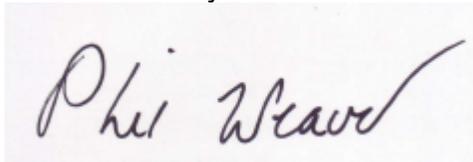
In conclusion, it is considered that the proposed development will readily accommodate the forecast volumes of traffic movements associated with the proposed development on the subject site.

The proposed car parking spaces have been designed in accordance with the requirements of the relevant off-street parking standard (AS / NZS 2890.1:2004) and reflect the design of car parking areas provided at existing facilities currently operated by the applicant.

The proposed development would provide sufficient on-site car parking to meet both the integrated service station and fast food components of the subject development.

It is therefore concluded that the subject development will provide more than adequate on-site parking and will not result in adverse traffic impacts along the adjoining road network.

Yours sincerely

A handwritten signature in blue ink that reads "Phil Weaver". The signature is written in a cursive style with a long, sweeping tail on the letter 'r'.

Phil Weaver
Phil Weaver and Associates Pty Ltd

Consultant Traffic Engineers

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Annexure B

CURRICULUM VITAE

NAME: PHILLIP RICHARD WEAVER

ACADEMIC QUALIFICATIONS: B.C.E. (Melbourne)

AFFILIATIONS: Member, Australian Institute of Traffic
Planning and Management

SUMMARY OF PROFESSIONAL EXPERIENCE:

September 2003 -	Director, Phil Weaver and Associates Pty Ltd
1996 – August 2003	Senior Associate, Murray F Young & Associates
1989 – 1996	Associate, Murray F Young & Associates Pty Ltd
1985 – 1989	Senior Traffic Engineer, Murray F Young & Associates Pty Ltd
1983 – 1985	Adelaide City Council, Traffic Engineer
1981 – 1983	National Roads and Motorists Association - Traffic Engineer
1980 – 1981	Ballarat Sewerage Authority - Hydraulic Engineer

Capability Statement

Phil Weaver, Director, Phil Weaver and Associates Pty Ltd has over 30 years experience in traffic engineering and transport planning and has been employed in both local government and private practice in that period. In September 2003, Phil established his own consulting practice, providing expertise in respect to various traffic, parking and access issues, including projects such as:

- Development Applications,
- Local Area Traffic Management Studies,
- Road Safety Audits,
- Appeals to the Environment Resources and Development Court,
- Liquor Licensing Matters,

- Fuel Licence applications,
- Pedestrian studies,
- Detailed road designs,
- Planning Amendment Reports and other traffic and parking related matters.

Phil has undertaken assessment of traffic and parking related aspects of a variety of projects which would be of relevance to this study. Input provided has included concept road design, reviews of access requirements, review of vehicle turning path requirements, assessment of sight distance requirements, analysis of forecast potential traffic generation, assessment of potential traffic impacts and review of the need for traffic control measures and amelioration of potential traffic impacts.

Phil has provided expert evidence in relation to Appeals to the Environment Resources and Development Court and also Liquor Licensing Matters over an approximately 30 year period,