

Individual Submission 53

From: StanmoreMX
To: Nadine Seifert
Date: 29/06/2008
Subject: Submission on Off Road Motorbikes Noise Laws

Hi Nadine,

I wish to make a submission to the review of Off Road Motorbikes Noise Laws.

I agree in principle with the laws but the laws should only come into effect when the government provides adequate land for the use of off road motorbikes.

Currently all the motocross club tracks in Brisbane/Gold Coast area are under the real threat of closure by the end on 2008. Our club alone (Albert Districts Motorcycle Club) will have approx 800 members with no where legal to ride their motorbikes. This is only going to increase the numbers of riders riding in illegal areas.

I disagree that these laws also applying to private land. The normal noise laws should apply to private land and not these off road motorcycle laws especially if the land is acreage or farm land.

I have written to the Police minister on two occasions about my concerns about the closure of our club. Here are copies of the letters

Dated 20 Oct 07 (this letter was also sent to the editor of Bayside Bulletin)

RE: New anti-hooning laws for trail bikes

Dear Minister,

As a trail bike rider for over 30 years, I am disturbed at the new anti-hooning laws that have been announced and that there has been no corresponding announcement of land that has been put aside for the use by trail bike riders. In principal I agree with the laws, but areas have to be set aside for riders to ride their bikes legally.

I am a committee member for the Albert Districts Motorcycle Club. Our club has over 700 family and single members which relates to approximately 1000 trail bikes and riders. The club has been at its present location for approximately 30 years. The land is leased from the Gold Coast City Council, but this lease is not going to be renewed on expiry in 2008. Once this happens I ask you where are those 1000 riders going to ride. Currently we are getting both noise and dust complaints from local residents. As the club has been there for 30 years, what right do the residents have to complain when there knew the club was there prior to purchasing their homes. It is the same as people buying houses near airports and then complaining about aircraft noise. The airport does not get moved so why should a motorcycle club? I believe that it is the councils and governments responsible to provide buffer

zones around sporting facilities and stop the development of housing estates within these buffer zones.

In your announcement of the new laws you stated that "many people move to the city fringes and bushland areas to escape noise, they shouldn't then have to put up with the roar of trail bikes" in line with this statement why should our club be forced to close because developers build housing estates next to our track and then residents complain about dust and noise. Where are the rights of the trail bike rider?

Our club is not the only club facing this problem. The Gold Coast Junior Motorcycle club at Reedy Creek on the Gold Coast is facing the same problem.

As I believe they have also been told their lease will not be renewed after about 20 years on the same site, due to developers and residents complaining to council. Come 2008 their club members will also have nowhere to ride.

As you are probably aware trail and motocross bikes are currently experiencing record sales. With these sales what is the government doing to provide riders with a safe and legal area to ride their bikes. Our club provides an area for riders to ride in a safe environment. To ride at our track the rider must be licensed by Motorcycling Queensland, must wear the minimum safety equipment, can only ride in your age brackets and your bike has to be in a safe condition and within noise limits. We have members from as far away as Northern NSW and the Sunshine Coast, come 2008 where do they ride. Our riders range in age from 4 to over 50 years of age. Our club also provides an area for professional coaches to conduct coaching clinics to give riders the required skills to ride their bikes safely. If our track is forced to close and no other area is opened up for the riders, where do parents take their kids to learn to ride in a safe environment? I suggest that more riders will be forced to ride illegally.

I recognize that there are motorcycle riding parks in Queensland but these are generally not in close proximity with Brisbane and not everyone can afford to travel especially with the price of petrol at the moment. Also these parks are not as safe as riding at a club track due to lack of supervision and adherence to general safety requirements for both rider and bike.

I believe before the government makes up new legislation that they also provide a solution to the problems that are caused by the new legislation. You cannot penalize riders for riding on state and council land without providing an alternative place to ride. Why can't the government set aside some state land with a buffer zone around it so developers cannot build houses near the site keeping riders and residents a safe distance apart?

I hope that the government has considered the consequences on the family who is trying to involve their children in a sport that at the club level provides a safe and social atmosphere, and where children learn their responsibilities for the safe operation of a trail bike. These skills will have a flow on effect when it comes time for them to get behind the wheel of a motor vehicle.

In the near future I hope to hear that your government is going to set aside land for the use of trail bike riders.

Yours Sincerely
Kaj Coulter

Dated 31 Mar 08

Dear Minister,

I am a member of the Albert District Motorcycle Club (ADMC) located at Stanmore Park, Yatala. Our club is facing closure due to the Gold Coast Council possibly not renewing our lease in October 2008. The reason for non renewal of lease is because of noise and dust complaints from local residents.

A bit of background info our club. The club has been located at this location in excess of 30 years and provides and maintains a motocross track for its approx 800 members and visiting riders from other clubs. The land that the track is on is state owned recreational land but administered by the Gold Coast Council. We conduct practice on weekends for approximately 220 riders and generally once a month we conduct a race meeting with about an average of 190 riders attending. The club has constructed 3 dam's fitted 2 pumps and an array of sprinklers and hoses to control dust. The club has spent considerable amount of money constructing a sound barrier wall and planted trees and scrubs to suppress noise from the track.

The club provides a safe and supervised track for riders to participate in their chosen sport. The club also provides a venue for coaches to teach riders of all riding abilities. It is also a requirement of Motorcycling QLD that all riders under the age of 16 must complete 5 hours of training a year before their licence can be renewed.

At all practice sessions there are First Aid trained members on site and on club days an ambulance is in attendance to provide medical assistance to injured riders. The cost of this is provided by the club. It gives me peace of mind to know if either myself or my child is injured we will receive timely assistance. If we are forced to ride in other locations this medical assistance is not commonly available.

The club provides a family friendly and safe environment to pursue our chosen sport. On club days it is common to see 3 generations of a family their supporting family members.

During a recent club day a noise test was conducted by the Gold Coast Council within the residential area and indicated that noise levels from the track were within the required limit. The club actively conducts noise testing and any bikes that fail are not allowed to ride until under the limit.

The track was established well before residents moved into the area. Also a large proportion of the area around the track is commercial land. It is the clubs belief that residents would have known the track was there prior to purchasing their properties. It is a bit late now to complain about the location of the track.

If the club was to close it would leave a large number of riders with nowhere to ride legally in the local area. The council is well aware of the number of off road motorbike accidents that have happening in illegal and unsupervised riding areas. I as a club member don't want to see members put into the situation where they may have to ride illegally to pursue their sport and recreation interests.

As a sporting facility within the Gold Coast council area, it does not cost the council anything to run or maintain the facility. The club has borne the cost of building the infrastructure to support the running of our club. Compare this to the councils cost to maintain football and other sporting facilities within the council and also council is committed to provide \$3.7 million for youth facilities like a skate village and BMX park within the council area.

I believe that the club provides a vital sporting facility within the Gold Coast Council area. It provides a family friendly environment as well as a safe facility for people of all skills to participate in their chosen sport. I will be doing everything within my power to ensure that the club stays in its current location for the foreseeable future.

Yours Sincerely

Kaj Coulter

To this date I have not received a response, but other members of our club that also sent letters received this response.

20 June 2008

Mark Mackie
Email: XXXX

Dear Mr Mackie

Thank you for your email of 16 April 2008 regarding the possible closure of the Albert District Motorcycle Club (the Club) located at Stanmore Park, Yatala.

I referred this matter to the Department of Sport and Recreation (the Department) and am advised that Gold Coast City Council (Council) is aware of your concern over the uncertainty of future lease arrangements at the Stanmore Park site. Council is looking at the issues faced by a number of motor sport clubs on the Gold Coast, including future lease arrangements for the Club.

The Department is not able to intervene in local planning matters or land tenure agreements between the Club and Council. I recommend you continue to work with Council to identify suitable operating arrangements into the future.

Council is aware of issues concerning the availability and accessibility of venues for motor sport on the Gold Coast. They recently established the Gold Coast Motor Sport Intergovernmental Working Group, comprising Council, the Department and the Gold Coast Motor Sport Association (GCMSA), with the intention of developing future motor sport facilities. The GCMSA was formed to represent the concerns of nine motor sport clubs on the Gold Coast consisting of 3 500 members across motorcycle, motor car and karting clubs.

The Chairperson of the Intergovernmental Working Group is Mr Richard Pascoe, Principal Coordinator, Recreational Planning and Services from Council. Mr Pascoe will be able to provide you with advice on how you can get involved with the planning of a motor sport precinct. You may contact Mr Pascoe on telephone (07) 5581 6784.

The Department understands the Club has been in its current location for 30 years and has developed the site and introduced measures to reduce noise and control dust associated with motocross activities and the affect possible closure of the Club would have on its members.

The Department is aware of the urban encroachment issues and growth pressure being placed on motor sport venues in south east Queensland and is committed to working with local governments and sporting organisations to provide opportunities for participation in motor sport.

The Department is currently undertaking an assessment of unused Government owned land to determine its suitability for locating existing and future off-road motor sport facilities. Factors being considered include proximity to residential areas, environmental sustainability, geographical location to ensure equitable access, compatibility with other recreational activities and an education and communication strategy aimed at users, retailers and other stakeholders.

Mr Martyn Hancock, Principal Adviser, South East Region of the Department of Sport and Recreation, can be contacted on telephone (07) 3239 0770 for any further assistance required.

I trust this information is of assistance.

Yours sincerely

[ORIGINAL SIGNED]

Judy Spence MP

Minister for Police, Corrective Services and Sport

From this response the government is not prepared to intervene in the lease renewal between our club and Gold Coast Council even when the land is owned by the state government. The government has been aware of the lack of legal areas for off road motorcyclists to enjoy their sport for a number of years

but has yet not opened up any further areas.

If you need any further info I can be contacted on PH XXXX

Regards
Kaj Coulter