

Individual Submission 93 Councilor Andrew Antonioli

From: Andrew Antonioli
To: Nadine Seifert
Date: 5/07/2008 6:47pm
Subject: Review of Qld Off-Road Motorbike Noise Laws

Dear Nadine

As a Local Councillor for the LGA of Ipswich, I can attest that this is an ongoing issue. It continues to be a hot topic in which many residents are quite fed-up with illegal off-road motorbike (ORMB) riders and the noise, nuisance and dust that they create. All without any care or concern for the neighbouring residents.

I am also a former Queensland Police Officer (10 years - 1990 to 2000) and whilst these current laws look impressive and give the appearance to have some great outcomes, I can say that they are next to useless.

The primary reason for this is that Police first need to catch one of these offenders. Considering the fact that Police would need to:

1. be in the right place at the right time;
2. be on a motorbike; and/or
3. be lucky enough for one of them to stop when directed to.

As you can see the chances of this happening are limited as are the police resources available to attend to such complaints and regular (yet unpredictable) activity.

That aside I now will address the questions as put in the 'Invitation for public comment' paper:

*** Do the new laws provide police with sufficient power to deal with noisy off-road motorbikes?**

I believe the laws are quite sufficient, however, feel that the impoundment laws could be strengthened to take into account the common occurrence that these ORMB riders tend to be riding illegally (trespassing/unlicensed/unauthorised use etc.).

I suggest that should the ORMB riders be acting illegally, then Police should be permitted to impound the MB for a prescribed period on the first complaint.

Further, consideration should be made for the implementation of 'On-the-Spot' fines for noisy ORMB riders.

*** Could improvements be made to the way in which complaints are responded to?**

Yes, however, the only way this could be achieved would be for the State Govt to increase the number of operational police and increase the number of

approved police trail-bike riders.

Local Councils already co-operate with QPS and in many instances pay 'special duty' Police to patrol public land. This should not have to be the case. This is an issue of public safety and as such Police should be utilised as part of their duties to protect public safety.

However, a consideration may be to give LGAs an opportunity to use authorised officers to police and enforce similar laws within council/public property.

* **Do the new laws provide the courts with sufficient power to deal with noisy off-road motorbikes?**

I have never heard of one of these matters going to court, therefore it is hard to comment, however, it would appear that there is sufficient power.

* **How are off-road motorbike issues managed in local communities?**

Ipswich City Council currently works with the QPS within our Conservation Estates, however, other reserves, parklands, easements and riverbank areas are left to police to attend to complaints as received. This has not worked and I refer to my earlier comments.

* **Are there other issues that impact on dealing with noisy ORMBs?**

There are insufficient organised facilities for these riders to go to. A reason for this is the recent coronial inquiry findings into the 'Black Duck Valley' recreation area. Insurance premiums are high as is the risk of injury and the exposure to litigation. It is a high risk sport with high overheads, however, the riders wish to do so free of charge.

Therefore the provision of facilities which will require these riders to pay for use will not reduce the problem in the neighbourhoods.

As stated earlier, riders do not hang around to be spoken to by police, so how do the police deal with them?

SUGGESTIONS:

The State Govt should consider a 'Dob In An Illegal Motorbike Rider' campaign similar to that used for targeting those with smoky mufflers, those throwing litter etc. Perhaps a reward system to assist police in locating riders residence rather than chasing them from the scene etc.

Regards

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