

Submission 133



Queensland
Government

Department of
Infrastructure and Planning

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21 JUL 2008

Dr Margot Legosz
Director, Research and Prevention
Crime and Misconduct Commission
GPO Box 3123
Brisbane QLD 4001

Dear Dr Legosz

Thank you for your letter of 27 June 2008 about the review of 'Queensland's off-road motorbike noise laws' currently being undertaken by the Crime and Misconduct Commission.

The Department of Infrastructure and Planning controls a large portfolio of industrial land with properties located in all regions of the State. The portfolio is comprised of industrial estates, declared State Development Areas, infrastructure corridors and strategic land. Part of the portfolio is vacant land pending subdivision and/or industrial development.

The Department has experienced problems over many years from the unauthorised use of trail bikes on departmental land. More recently, including the period since the *Police Powers and Responsibilities (Motorbike Noise) Amendment Act 2005* was proclaimed, the Department has continued to receive complaints from property owners located near departmental land where the unauthorised use of trail bikes has occurred (such as Narangba, Lytton, Caloundra, Arundel, Ipswich and Ripley).

Problems associated with the unauthorised use of trail bikes include noise, dust, soil erosion, trespassing and property damage such as fence cutting. Of concern is the safety of riders and non-riders using the same places, the potential for litigation against the Department and the risk of vandalism. The Department has expended a considerable amount in fencing and security-patrol costs in an endeavour to manage this issue at various locations.

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Invariably, excessive noise is a common theme of the complaints made directly to the Department and to the Queensland Police Service in relation to the unauthorised use of trail bikes. The main offenders appear to be riders of high-performance motocross bikes with exhaust systems that do not comply with Australian Design Rules for registration for road use. Departmental officers liaise with the relevant Queensland Police Service region when complaints are received and for the purposes of managing the issue generally; however, as most of this trail bike activity occurs at weekends the Queensland Police Service is generally the first to receive complaints from the community.

Very little planning has gone into providing opportunities for trail bike riding in the past. Trying to fit trail bikes into the landscape has become increasingly difficult for local government recreation planners as the more suitably located en-globo land is being taken up for public infrastructure and subdivision developments. It is increasingly difficult for trail bike riders to find legal places to ride that will provide a worthwhile recreation experience but far enough away from residential areas and businesses so as not to disturb the community.

I trust this information is of assistance to you. If you require any further information, please contact Mr Daryl Zuccola, Senior Project Officer - Strategic Policy on 322 45464 who will be pleased to assist.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Colin Jensen', with a long horizontal flourish extending to the right.

Colin Jensen
Coordinator-General
Director-General