

Office of the Director-General


**Queensland
Government**

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 Department of
Primary Industries and Fisheries

16 JUL 2008

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

Dear Dr Legosz

Review of Queensland's Off-road Motorbike Noise Laws

Thank you for your letter of 27 June 2008 inviting my department to contribute to the Crime and Misconduct Commission's review of Queensland's off-road motorbike noise laws.

I have consulted with Regional Directors from across the State as to their understanding of the legislation and its impact on agricultural production. In general, there is agreement that the issue of noisy off-road motorbikes needs to be addressed by government. Where rural properties are very isolated, noise levels would not cause any concern, but there may be an effect in communities living in much closer proximity to one another (that is, peri urban).

Therefore, there needs to be a balance to assure that the reasonable activities of primary producers experiencing urban encroachment are able to continue and not to be dealt with in a punitive manner. Penalties articulated in the *Police Powers and Responsibilities Act 2000* could potentially affect producers using motorbikes for legitimate operations in peri urban encroachment areas. For some producers, the confiscation of a motorbike, which is part of a landholder's plant and is relied upon to undertake agricultural activities such as mustering, may be a penalty that is not acceptable and may have subsequent animal welfare issues.

From a planning perspective, this encroachment may have to be considered by restricting where a neighbouring residence or business can be established, as well as limits on the amount of noise generated. The Department of Primary Industries and Fisheries is concerned about the urban encroachment onto rural areas by placing restrictions on existing agricultural practices.

The department ensures that as a workplace health and safety requirement, motorbikes on departmental research stations are maintained to ensure noise levels do not exceed recommended manufacturer levels.

If you require any further information regarding this matter, please do not hesitate to contact Mr Paul Grealy on telephone 07 4631 5387 or email paul.grealy@dpi.qld.gov.au.

Yours sincerely



Robert Setter
Director-General (Acting)