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Environmental Protection Agency

Incorporating the
Queensland Parks and Wildlife Service

15 August 2008

Dr M. Legosz
Director
Research & Prevention
Crime and Misconduct Commission
GPO Box 3123
BRISBANE
QLD 4001

Dear Ms Legosz

REVIEW OF QUEENSLAND'S OFF-ROAD MOTORBIKE NOISE LAWS

I refer to your letter of 27 June 2008 inviting contribution from the Environmental Protection Agency on the review of Queensland's off-road motorbike noise laws. The following comments are provided in respect of the primary considerations subject of the review.

Has there been any appreciable decline in the number of complaints concerning motorbike noise received by your Agency subsequent to the introduction of the *Police Powers and Responsibilities Act 2000*?

Notwithstanding the introduction of the *Police Powers and Responsibilities Act 2000* [PPR Act] this Agency continues to receive complaints concerning noisy off-road motorbikes. In certain areas, notably at Mount Taylor Park, Kingston and in the vicinity of sites being developed for new residential purposes the number of complaints has increased.

Where and when are noisy off-road motorbikes a problem in Queensland?

Noisy off-road motor bikes are a particular problem during weekends and school and public holidays. The majority of complaints are received from rural residential areas or urban locations adjacent to reserves or other large, public open spaces. Areas where the use of noisy off-road motor bikes are especially problematic for this Agency include Cunggulla, Oonoonba, Bohle, Deeragun, Mt. Low, Bushland Beach, and Forrest Beach in the Townsville District; Dingo Beach, Repulse Beach and Ball Bay in the Whitsunday District; and Mount Taylor Park, Kingston in Logan City Council.

How are off-road motorbike noise complaints dealt with in the community?

Complaints made to this Agency concerning noisy motor bike use are generally referred to the local police or local government office for any necessary action.

What enforcement strategies are in place strategies to deal with the problem?

While this Agency does not have specific strategies for dealing with the use of noisy off-road motor bikes, local government by-laws have been applied in some local government areas to prohibit off-road motor bike use in certain locations. Elsewhere local governments have erected signage to dissuade motor bike use on certain lands or have designated beach access areas that are removed from residences.

Although the Agency maintains perimeter bollards to restrict vehicular access into Mount Taylor Park the high frequency of vandalism in this locality offers little protection. Off-road motor bike users frequenting Mount Taylor Park are known to access the park via the rear of private property adjoining the park.

What is the response of the local government, state government and police to the issue of noisy off-road motorbikes?

Police and local government enforcement officers will generally not act unless they are able to catch riders in the act of trespass. Generally, no feedback has been received from either local police or local government in those instances where this Agency has referred complaints, involving noisy motor bikes.

Other issues impacting on dealing effectively with noisy off-road motorbikes.

Other issues impacting on this Agency's activities in dealing with noisy off-road motor bikes include:

- The difficulty in identifying owners of unregistered motor bikes
- The difficulty in identifying unlicensed offenders
- The frequency of under-aged riders
- On-going vandalism to infrastructure designed to prevent vehicular access onto public parkland.

I trust that the above comments are of assistance.

Yours sincerely



Terry Wall
Director-General