

**Individual Submission 172**

**To:** Nadine Seifert  
**Date:** 28/07/2008 3:45pm  
**Subject:** FW: CMC Review of Motorcycle Noise Laws

Dear Nadine,

I received the following submission to the CMC Review of Motorcycle Noise Laws and promised I would forward it to you also with my own thoughts attached.  
*[CMC comment: attached submission has been omitted as it has already been submitted by its author]*

Over the years as a Member of Parliament, I have had quite a few complaints from residents in rural areas about noisy bikes revving around home-made tracks at all hours of the days and the accompanying dust pollution in rainwater tanks. Whether the noise of these machines is accentuated by the otherwise peaceful open spaces or they are specifically made to be as noisy as possible is debatable but the sound is nerve-wracking! Even if it doesn't drown out the sound of one's TV or radio, the constant high-pitched buzzing sound is terribly annoying and inclined to make one extremely irritable over prolonged periods.

I have always believed that there must be a "right of pre-existence" i.e. if people buy homes close to an existing motor bike track, airport or meatworks, they don't have the right to complain about noise and smell. If, however, homes are already in existence and people start building their motorbike tracks or meatworks, the residents' rights take precedence. I believe this is the only fair way to cope with these matters.

In cases where motorbikes are causing a nuisance to residents, if agreement can't be reached through arbitration then pre-existence should be taken into account and given 'right of way'. If the bikes were secondary to the residences, then they need to be governed by the law and bikes confiscated if the laws are breached. Each period of confiscation would be longer and perhaps on the third breach, the bikes would be confiscated and put up for auction. The money received would go towards off-setting any legal costs or fines that may have accumulated over the time.

In the event a bike track existed before residents moved into the area, efforts obviously should be made to limit the amount of noise but residents need to be reminded that the bike track preceded them and they need to make allowances and take measures of their own to ensure their water isn't contaminated. I believe diversion pipes can be installed which let the first water from the gutters be diverted away from the tanks, thus allowing dust pollution to be washed away.

I understand this may be difficult and I think Councils should take some responsibility by sending circulars to residents outlining motor bike laws. Real Estate Agents should also be compelled to ensure prospective buyers are aware if a bike track is close to a residence they may wish to purchase.

Yours sincerely  
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