



Q O R F
Queensland Outdoor
Recreation Federation Inc

Submission 296

Submission from the

**Queensland Outdoor Recreation
Federation Inc**

to the

Crime and Misconduct Commission

in response to the

**Review of Queensland's off-road
motorbike noise laws**

August 2008

The *Queensland Outdoor Recreation Federation* affirms the value and encourages
the opportunity for all people to recreate outdoors

Submitted by:

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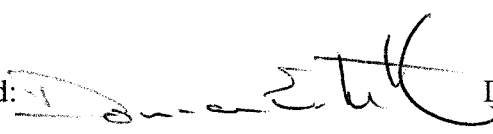
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CONTEXT OF RESPONSE

The Queensland Outdoor Recreation Federation Inc (QORF) appreciates the opportunity to contribute to public comment on the *CMC review of Queensland's off-road motorbike noise laws*. QORF is the peak industry body for outdoor recreation and includes representation of the interests of those participating in off-road motor-cross or motorcycle riding in Queensland. As such, membership of QORF includes representation from:

- state activity associations (eg. Motorcycling Qld)
- commercial operators
- local governments ; and
- individuals with personal interest in independent off-road motorbike riding.

Underscoring our response is an embedded understanding that the Queensland Outdoor Recreation Federation values:

- outdoor recreational experiences
- the intrinsic worth and fragility of all natural environments;
- equity; and
- diversity of:
 - *environments*
 - *groups/individuals*
 - *activities*
 - *experiences*

Further, it is the belief of the Federation and its members that provision of outdoor recreation opportunities should be based on the following principles:

- People have a right to access open space for outdoor recreation in appropriate ways;
- Planning needs to be undertaken to enable the provision of environmentally sustainable outdoor recreation opportunities that meet a range of recreation needs in a diverse range of settings;

- Planning for the provision of outdoor recreation opportunities must be driven by adequate and relevant research;
- Cooperative partnerships for planning and management should be established between resource managers, all levels of government, industry and community user groups; and
- Sound management practices, including the education of users, should be employed to achieve environmentally sustainable outdoor recreation opportunities.

Through QORF's focus on the provision and benefits of outdoor recreation in general, and our involvement with the South East Queensland Trailbike Management Forum and the Trail Bike Industry Reference Group in particular, we are aware of a range of issues involving trail bike use and the need for effectively addressing complaints about motorcycle trail riding in Queensland. As some of QORF's members specifically involved in trail bike riding are providing comment independently through their own submissions, QORF's comments on the *CMC review of Queensland's off-road motorbike noise laws* are of a general nature and associated with highlighting the nature of the problem and offering possible solutions to the concerns of disaffected community members and the recreational demands and expectations of trail bike riders.

NATURE OF THE PROBLEM

As administrators of the South East Queensland Trailbike Management Forum QORF received email complaints concerning the impact of off-road motorcycle noise. Equally however, we were also apprised of the circumstances of trailbike riders, recognising their need for facilities, trails and venues to pursue their recreational choice.

At the conclusion of this forum, a document was produced entitled *Solutions to Unlawful Trail Bike Riding in South East Queensland* which highlighted that the effective management of trail bike riding (including enforcement and regulation of illegal and nuisance riding) requires cooperation and coordination between:

- The various State agencies and Local Government responsible for regulating the activities of trail bike riders;

- The various State agencies and Local Government responsible for managing places where trail bike riding occurs;
- The private landholders who provide places for trail bike riding, either commercially or otherwise;
- The various State agencies and Local Government responsible for land use planning;
- The motorcycle industry (retailers, wholesalers, manufacturers, training providers);
- All components of the trail bike riding community; and
- Non-government organisations representing bike-riding interests.

While some progress has been made on these mechanisms of cooperation and an Interdepartmental Trail Bike Working Group has been established to consider solutions to illegal trail bike riding and a lack of suitable venues, issues such as noise, erosion, property damage and unlawful riding remain concerns and many government agencies remain variously responsible for regulating and/or managing trail bike riding.

Bearing these factors in mind, QORF supports the findings of the SEQ Trail Bike Management Forum 2003, which identified three broad actions to be addressed to reduce issues with trail bike riding. As these apply to Queensland's off-road motorbike noise, these include:

Regulatory Reform: Create clear, simple and reliable statutory provisions for declaring and identifying places where riders under the licensable age (ie. 16½ years) can ride legally.

Places to Ride: Provide sufficient quantity and diversity of places to satisfy the reasonable demand for all lawful types of trail bike riding and the needs of all types of trail bike rider.

Frameworks for cooperation, consultation and collaboration: Education and training are critical components of any successful compliance system. Trail bike riders will need to be educated about a range of matters including –

- The locations of suitable places to ride lawfully;
- Responsible (minimum impact) riding techniques;
- Legal requirements (licensing, registration, road rules, etc)

Such information could be delivered by a range of means including: distribution of printed material; web sites; locational signage; and articles in the motorcycling press. In addition to these measures, it is also suggested that a comprehensive rider training and accreditation system that can be linked to the Queensland Transport licensing system and to availability of compulsory third party insurance and liability insurance for riders and trail bike riding clubs (SEQ Trailbike Management Forum, 2003) also be introduced.

CONCLUSION

The Queensland Outdoor Recreation Federation represents responsible motorbike users and groups who practice their recreational pursuit under established codes of practice and with responsible governorship. While it is acknowledged that there are issues evolving from the noise and dust engendered through off-road motorcycle use and with the irresponsible acts of illegal and/or unregistered riders, these need to be balanced with an understanding of the realities of responsible riders and riding organisations who have guidelines to protect the environment, to enhance safety and to encourage licensing and legal tracks. Further, the context of off-road motorbike riding has been rapidly changing with both an evident increase in off-road vehicle recreation (see Outdoor Recreation Demand Study for SEQ) and a rapid urban spread that brings residential living into closer proximity to riding locations.

The introduction of the new laws into the Police Powers and Responsibilities Act (2000) represent one potential response by government to deal with noisy constituents (both riders and complainants). However, when dealing with recreational choice and the increasing reduction of available open space or dedicated land for off-road vehicular use, enforcement through law should be a last resort. QORF would suggest that an alternate focus for wider trail bike use should be on:

1. Finding facilities and trails with viable noise buffer zones that dissipate impact on community;
2. Enhanced education and information for riders and local residents;

3. Providing support for land managers to enable public and private land managers to support off-road trail bike riding; and
4. Identifying and resourcing funding to support these initiatives in sustainable ways.

The Queensland Outdoor Recreation Federation would like to thank the Crime and Misconduct Commission for the chance to respond to the Review of Queensland's off-road motorbike noise laws.

REFERENCE

SouthEast Queensland Trailbike Management Forum (2003) Solutions to Unlawful Trailbike Riding in South East Queensland.

Rob Hales & Jackie Kiewa (April-September 2007) South East Queensland Outdoor Recreation Demand Study