

Individual Submission 120

From:
To: Nadine Seifert
Date: 16/07/2008
Subject: CMC Review of Motorbike Noise Laws

Dear Nadine

In relation to Off-road Motorbike issues, I would like to make comment that there has been no improvement to our lifestyle since the introduction of these new laws. This has been a problem in our area for many years as we have lived here for 14 years and have been told by others in the area that it has gone on for longer than that. It has really gotten worse since pocket bikes have been on the market. We back on to a council park in XXXX. The park has a pedestrian and push bike path through it. The park goes for many miles along a creek way which then ends at the interstate railway line in Algester. The off road motorbike riders seem to think that it is open slather for them. I have witnessed on numerous occasions pedestrians having to run off the path as a motorbike comes screaming through. We are amassed that there has not been a serious accident because of this.

We have contacted Police, Council call center, our local state member Karen Struthers office, our old councilor Kevin Bianci and our Neighbourhood Watch on numerous occasions to be told that this is a problem that is very hard to police as the offenders can easily get away and they need to be caught in the act before anything can be done. We have even supplied the police with the address of some offenders but still no action.

In frustration we have approached the riders only to be abused and then find our property vandalized. One neighbour who was vandalized was told by police that he has brought it all on himself by approaching these motorbike riders and there is nothing that can be done. What are we supposed to do? Your help would be appreciated.

Thanking you

XXXX

08/04/05

Individual Submission 124

To whom it may concern,

I read your article in the Brisbane Valley Sun local paper, Thursday, July 3rd, 2008, and actually re-read it to ensure that I understood your objective.

I live just a few kilometres out of the township of _____ and I am one of MANY residents in this immediate area (totalling about 20 homes on acreages) who have had our peace and quiet continuously disrupted by inconsiderate trail bike riders.

The police have been called out on numerous occasions regarding the enviromental noise complaints and have now incorporated our area into their patrols more frequently.

What really bugs me is that no sooner have the police left our street then these nuisances start the trail bikes up again and to add to the mix also rev their V8 car continuously as well.

This is very disrespectful towards the police requests as well as the residents in this area who live here for the quiet country life. Also, half these offenders - young and old, don't even live here!!

They bring their kids out here with trail bikes in toe from town and for hours upon hours ride their trail bikes all day and even in the early evening and don't think that the recent rain at night stops them because it doesn't. Then they go home to their nice quiet street in their nice quiet town to rest up for the next day's onslaught.

Some of them have even incorporated council land in our area and have turned these areas into trail bike race tracks. I have also personally witnessed a couple of children using horses on their parent's land as target practise with their bikes.

Out of the last 16 straight days alone, only one day was trail bike free. Most weekends and after school hours are trail bike times as well and two of the local children actually take days off from school and ride their trail bikes all day, so much for parental guidance and education.

Over the years that I have lived here you used to occassionally here these bikes WITH MUFFLERS ATTACHED however it was once in a blue moon for short time periods and no-one ever bothered calling the police.

Now it is so bad that as soon as I hear these trail bikes start up I tense up and become quite agitated after a couple of hours with these noises and even with all the doors and windows closed and the television on high, which I rarely used to turn on before news time, still can't drown out the noise.

SOMETHING HAS GOT TO GIVE!!

I will NOT move as we love our house, immediate neighbours, the views and close location to town and anyway why should I be the one to move?

Also, I am one of the residents here who is a shift worker and my job covers 24/7 shifts and wonder how these people would feel if I parked outside their homes and blasted their peace and quiet with extremely loud classical music all through the night?

I don't care what you do with this letter. You can reply to it, publish it, file it, bin it, I don't care.

We, the residents living here, are looking at avenues to rid our residential area of these selfish people and will continue to do everything in our power to stop these inconsiderate children and adults from wrecking our lifestyle.

**p.s. I was told that one of the children fell off their trail bike and broke a collar bone. My reaction?, a very loud YES!!!!!!!!!!!!!!!!!!!!!!
I would not have believed that I would get excited about a child hurting themselves however I have become a product of their behaviour.**

14 July 2008

CMC Review of Motorbike Noise Laws
GPO Box 3123
Brisbane Qld 4001

Attention: Nadine Seifert

We live on about thirty hectares adjacent to a State Forest. Our house is situated about fifty metres from the boundary of the forest. A dirt track within the State Forest runs about twenty metres from the boundary. This track is part of what is called the Noosa Trails and is limited to push bikes, horses and walkers. Motorbikes and motor vehicles are prohibited, but only a few small signs along the track advise this. Also it is impossible to read these signs without stopping and getting close to them.

During the last few years motorbike noise coming from the forest on the weekends has escalated alarmingly. Usually, bikes come through in groups and this amplifies the noise to a thunderous roar. Over the weekends prior to a highly publicised local crackdown around May 2008, intermittent motorbike noise in the forest began around eight in the morning and slowly increased in regularity and intensity throughout the day, to be almost continuous during the afternoon and stopping only at dark.

We have lived on our property for twenty four years. For most of this time, living alongside a State Forest meant peace and silence. However, over the last few years, the weekend motorbike noise has robbed us of our highly prized peace and tranquillity. Also, we are concerned that the noise may have reduced the value of the property which is a key component of our retirement fund.

The mentioned May crackdown had the police advising there would be police patrols of State Forest tracks. The effect of the crackdown was dramatic; only the odd motorbike was heard in the forest on the first weekend. We were thrilled and rang the police and congratulated them on the wonderful result. Unfortunately, the noise has been rising steadily since then.

From where we live, the rapidly escalating motor bike noise indicates current policing and current penalties are grossly inadequate.

We think there should be an ongoing public campaign giving out the message that the community and the police will not tolerate excessive motorbike noise and unauthorised motorbikes (and motor vehicles) in State Forests. It is stating the obvious that such a campaign must refer to penalties that strongly discourage infringement.

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We also think motorbike traffic in State Forests would be curbed with prominent signs alongside tracks stating motorbikes are prohibited and the penalties for infringement. Also, similar signs should be placed alongside public roads which are popular with off-road motorbike riders. Every effort should be made to make the signs "vandal proof". They should be kept in an easily readable condition.

Clearly, off-road motorbike activities are growing in popularity and it is the responsibility of the State Government, local Councils and motorbike riders to ensure these activities meet modern day standards in terms of safety, noise, dust, localities, environmental and so on. At the moment, we believe far too many off-road motorbike riders are allowed to run out of control and display an arrogant disregard for the law and the reasonable rights of citizens to live a peaceful and quiet life in their homes.

08/04730

Individual Submission 142.

Nadine Seifert
GPO Box 3123 Brisbane. 4001

Re: CMC Review of Motorbike Noise Laws

To Whom It May Concern:

For eight years we have lived at the above address, a semi-rural property bordering the Toowoomba Regional Council and the extreme western end of the Lockyer Regional Council.

Across the valley from us - - is located Echo Valley Raceway, where the prolonged noise from off-road motorbikes is a regular nuisance. At times we are also expected to accommodate the noise from off road bikes on weekdays.

When the weather is dry, and the weekend race program is in progress, large clouds of dust can be seen drifting across the landscape from the bike tracks. Traffic congestion in the immediate area causes further annoyance, especially when driveways are used as a parking facility.

With suburban residential development having now occurred on three sides of Echo Valley, it is time to relocate this facility well beyond these residential boundaries.

On a frequent but irregular basis, young motorbike riders are heard roaring along Preston Boundary Road and sometimes the footpath, making as much noise as possible, endangering other residents and members of the public.

We appreciate this opportunity to comment on these Off-Road Motorbike Noise Laws, but feel the whole exercise is rather pointless unless they can be effectively policed.

Yours Faithfully

21.7.2008

Dear Nadine,

This is my story regarding the "hell" we go through with off road bikes, (hoons and loud stereos.)

The bikes are bad every school holiday and weekends, with Sundays worse.

There is no respect shown to neighbours who have to suffer this disgusting noise which can go on for hours. Some bikes are noisier than others, but, one in particular is so loud, it is distressing. One young rider has been seen riding on the road passed our home, standing on the bike seat. Every weekend is a dread, knowing that all the stress is going to begin again.

I have to shut myself in-side, shut the windows and turn on the TV or music.

The ignorance and noise reduces me to tears because there has been no way to stop this "hell".

We once lived at _____, we sold our house because of the locals racing around on noisy trail bikes. One neighbour had about 55 acres and put in a track, so, of course, he had a lot of friends, who also made our life miserable. We then bought this home at Regency Downs and didn't hear any bikes. But, this area is growing at an alarming rate with a huge housing estate, and

now we are back to square one.

We will have to move again if this problem can't be solved.

One day I rang the police for help, and instead of getting someone at the Gatton Police Station, my call was transferred to Toowoomba. I had been told that civilians man the phones on the weekends. I stated my problem, only to be told that the kids were only having fun.

I told the person on the phone, that we neighbours were not having fun, which we were entitled to. To this I was told that the police had better things to do with their time!!!! I didn't know what, or who, to turn to, so, had no choice but to put up listening to over-indulged brats causing more havoc. I can fully understand now why people take the law into their own hands.

People get desperate and do things they would not usually think of doing.

Please do not reveal my name, I do not trust the people I am referring to.

Thank you for sparing the time to read this letter.

July 24, 2008

CMC Review of Motorbike Noise laws
GPO Box 3123
Brisbane 4001

Dear Sirs,

Re: Illegal trail bike activities in .

I wish to make a submission to the Commission about the illegal use of trail bikes in the above suburban street, footpaths and general environs.

I am the owner of the above property and have resided at the address for three years. During this time, almost on a daily basis, groups of youths, too young to hold a valid licence use the street on unregistered bikes to access Council vacant land and designated parkland at the rear of my property. In all circumstances the source of the illegal motor bike usage is from the property at No

The motor bikes do not have mufflers and the riders use the handlebar accelerators to 'rev' the motors of the bikes as they pass each property creating an atmosphere of aggressive, excessive noise levels. The bikes travel at excessive speeds in a street that is narrow and steep. The unlicensed riders are often observed riding the machines without holding the handlebars or traveling with only the rear tyre on the ground and on the wrong side of the road. On several occasions there have been near collisions between neighbourhood vehicles and the trail bikes because of this illegal and anti-social behaviour.

In November 2006 I complained to the Gold Coast City Council (our property is now covered by the Logan City Council) about this problem. The Council had a very efficient Ranger who pursued the problem by visiting the home of the offenders, cautioning their behaviour and citing the imposition of a fine if they did not desist. Following this action by the Council the offenders inflicted property damage on all houses in the street, ripping up lawns and destroying gardens and neighbourhood vegetation.

The problem of the offending motor bikes has continued unabated to the present. Contact with our current Council has been ignored. The police treat the problem with almost contempt, citing lack of staff and vehicles and more serious matters as a priority. The irony of the situation is the fact that if I drove unlicensed in an unregistered vehicle without a muffler above the speed limit on the wrong side of the road I am sure that I would attract immediate police attention and punishment under the Law.

Why do delinquent, unlicensed, unregistered trail bike riders habitually offend, create noise pollution and harass the community with immunity?

I will watch the outcome of the Commissions deliberations on this subject with interest. If there is a Law to protect the general public from any illegal and anti-social behaviour that I may inflict on society there must correspondingly be a Law to protect the general public from the social pest that trail bike riders, such as I have described, have become.

Yours sincerely

Individual Submission 171

To: Nadine Seifert
Date: 27/07/2008
Subject: CMC Motorbike Review

27 July 2008

XXXX

CMC Review of Motorbike Noise Laws
Attn: Nadine Seifert
GPO Box 3123
Brisbane
Qld 4001

Dear Nadine,

I wish to submit my views and complaints regarding Motorbike/Trail Bike noise.

I have lived at the above address for 17 years. My property is adjacent to XXXX XXXX which is supposed to be a no-go area for 4x4 vehicles and Trail Bikes.

Over the past 6-8 years there has been a real problem with both 4x4's but more particularly Trail bikes in the reserve and I have been in contact with the Rangers on a reasonably regular basis by phone and email as well as a few face to face visits by them at my home.

The access points to this area have been fenced and gated now for a couple of years.

These Trail bike riders have absolutely no respect for signs, gates, fences and the law.

Chains and wires are cut on a reasonably regular basis as well as gates rammed by 4x4's and damaged.

I have emailed the Rangers on many occasions with vehicle rego numbers which bring the trail bikes into the reserve. There is rarely anything positive come of my efforts to assist and when asked what action was taken if they do happen to turn up and catch an offender, I get no response. I have even taken photos of vehicles in illegal areas and emailed them to the Rangers concerned. I have even been threatened by these Moron's when I have approached them. I imagine that no action that would really deter these offenders has been taken as the problem never ends.

I and many of my nearby neighbours purchased property here for the peaceful lifestyle and over a period of years we have been subjected to exceptionally noisy trail bikes for hours on end, especially at week-ends.

These trail bike riders also ride in along the surrounding roads, bikes unregistered and most likely unlicensed riders judging by the ages of some. If there were an accident on the roads with one or more of these riders we would be the worst in the world and the fact that they are unregistered and unlicensed would probably not even be considered. Written complaints to the Nambour Police do not even get a response and I know of no definite action that has been taken to curtail this problem.

Is it any wonder members of the public have no faith in the authorities that are supposed to be there to look into these problems and help with solutions?

The Parents of many of these young trail bike riders should be held accountable for what their children are doing in this regard. You cannot tell me that they do not hear the bikes leave the residence and head out, knowing their children are on the roads and other places illegally.

Perhaps a more strict procedure at point of sale and or registration for trail bikes would help the situation.

More highly visible write-ups in local papers regarding the problem and the fines etc. would also not go astray.

I am sure that if the relevant authorities are serious about this growing problem and not just giving lip service, then inroads could be made to addressing a solution.

Yours faithfully

XXXX.

P.S. No public publication of my address or telephone number is authorised due to possible retaliation.

**Discussion Police Powers and Responsibilities Act 2000 (QLD)
New laws introduced from 1 July 2006 and have they made a
difference?**

Introduction

Noise offences started in this area in 2007.

As far as we know no one has been charged under the new laws.

Why? Because police do not respond to complaints.

What point is there in making stricter laws if the laws are not policed?

Do the new laws provide police with sufficient power to deal with noisy off road motor bikes?

No, from our perspective the new laws are grossly ineffective. If the bikes are on public property such as parks, state forest, crown land and are inflicting noise punishment and environmental damage then they should be immediately impounded and only released once fines are paid.

It is difficult for the police to apprehend offenders therefore the punishment should be issued first time and be strong enough to act as a deterrent. The police need more resources to address this specifically; I have never seen a mobile bike patrol in this area, I have made several noise complaints to the local police but they are not sufficiently resourced or motivated to take action.

Also if the offenders are on unattended private property then the police need to have the power to enforce the owners of the property to take preventative action.

Could improvements be made to the way in which complaints are responded to?

Yes. If the location of the noise is attended by police but the offenders have moved on or evaded police, clear signage should be installed onsite notifying the offenders or others, of a clear warning and outlining penalties.

How are off road motorbike issues managed in local communities ?

In our community, noise complaints are made to Palm Beach Police. No action is taken. The police station is an urban station and is not equipped to deal with rural issues.

Are there other issues that impact on dealing effectively with noisy off road motor bikes ?

Points for discussion

- Registration of all trail bikes used outside of private property (like boats). In this area the bikes use the public roads to get to the problem areas, they are typically not registered and cannot be identified or traced back to owners.
- Licensing of trail bike riders used outside of private property (like boats)
- Justification at point of purchase (club membership or evidence of non urban property owner). We often have urban dwellers arrive at our local parks with children and new motor bikes in a station wagon or trialer; when we ask them not to ride the bikes in this area they often state that the children have nowhere at home suitable to ride them (??)
- Council policing, signage and resources to patrol public parks on weekends
- Import restrictions on cheap mini bikes designed for children that are not registrable
- Review of damages to parks and crown land access roads and fire trails
- Council provision of suitable motor bike riding facilities

Individual Submission 179

To: Nadine Seifert
Date: 4/08/2008
Subject: CMC Review of motorbike noise laws

Ms Nadine Seifert
CMC Review of Motorbike Noise Laws

Attached is my submission on the CMC review of Motorbike Noise Laws.
The original signed copy is being posted by mail.

XXXX

XXXX
NUDGEE Qld 4014
4 August 2008

CMC Review of Motorbike Noise Laws
Attention: Nadine Seifert
GPO Box 3123
BRISBANE Qld 4001

Dear Ms Seifert

I refer to the invitation for public comment (CMC issues paper) on off-road motorbike noise laws. My local member of Parliament Neil Roberts (Nudgee) forwarded me a copy as this issue has been a bone of contention and un-actioned complaints in my area at Nudgee for over 10 years.

I would first like to comment that 'noise' is only one issue with off-road bikes in this area. Safety of pedestrians, motorists, residents and children are also major issues. In addition to this, there are environmental and loss of amenity when inconsiderate riders operate illegally on council parklands and public roads and footpaths. Some bikes may not be noisy but they are still a risk to the public and can still cause damage. There is also the risk of litigation should a rider be injured or killed. Tax and rate payers are then billed for legal costs and damages when in most cases, the authority settles out-of-court despite the claimant operating outside the law or council bylaws.

Power of local laws officers (Brisbane City Council)

Many trail bike and off-road bike users are juveniles. The Brisbane City Council Local Laws officers have no power to stop, detain or question juvenile offenders operating in Council areas illegally. They must call the police and interview them in the presence of police. In the meantime, the riders just ride off and in some cases demonstrate contempt for the Local Laws officers who they know are powerless on their own. Of course, the police take hours to attend if they come at all. Complaints to the police usually end up with a recording that no one was committing an offence as they attend hours (in some instances after dark 4-6 hours after the complaint was made) and the offenders

have well gone knowing there is little chance of getting caught. In many other cases the police do not even bother to attend as there are too few of them and other priorities take their place (this can be proven).

Confiscation of bikes

I support the powers of confiscation with repeated offences resulting in sale/disposal of the property. However, the signage and media coverage needs to indicate this as a deterrent. Unfortunately the no trail bikes sign (with no off leash dogs etc) at the entry to the Council parks that are the cause of resident's complaints were graffitied in the first week or two of installation. With these signs being unreadable, trail bike riders can claim ignorance. Of course replacing the signs will just result in them being graffitied again within a short time. I appreciate that despite the graffitied signage or no signage at all, ignorance is no excuse for the law as Council tell me that the law applies regardless of whether signage is installed or visible at all.

Point of sale of bikes

Apart from media coverage and press releases mentioning that before you buy a bike, make sure you have somewhere legally to ride it (club, private property etc), sellers (private sales as well as commercial sellers) should be forced by law to mention the basics that buyers need to have a lawful place to ride and basic lawful requirements of where they can ride. This I agree would be difficult to enforce with private sellers but commercial dealers and sellers would be easier as they would risk the loss of the right to deal in selling and buying bikes.

Other nuisances

We also have noisy model cars, model aeroplanes and in one instance recently a motorised go cart operating in these council and public areas. Your review does not seem to apply to these. The model aeroplanes and the go cart at least are operating illegally as there is also environmental, noise and risk of injury associated with these activities for which the Council may become liable as the owner of the land.

I look forward to the changes being made for the benefit of residents, pedestrians, Council and motorists who are all affected by the existing ineffective powers.

Yours sincerely

XXXX

Individual Submission 180

To: Nadine Seifert
Date: 30/07/2008
Subject: CMC Review of Motorbike Noise Laws

XXXX

July 30, 2008
CMC Review of Motorbike Noise Laws
Attention: Nadine Seifert
GPO Box 3123,
Brisbane Qld. 4001

Dear Nadine:

I am writing to make you about the motorbikes in our area of Forest Lake. It has been an on-going problem for a long time. I wrote to my local member Karen Struthers MP for the first time 1/11/2005 complaining about the motorbikes in my street. They were being ridden on our roads, footpaths and in our local parks with no concern for anyone else. They were unregistered and ridden by under-aged kids and youths.

The police didn't have the resources or it seems the rights to do much about it. They had to catch them in the act and if they did manage to catch them, they couldn't do anything because of their age.

We can hear the motorbikes being ridden in the park some streets behind us and it happens regulary most weekends or school holidays.

I'm tired of ringing the police, I think I would own shares in Telstra by now. The response is always the same, "we will send someone out as soon as we can." By the time they arrive (that's if anyone comes at all) the kids are long gone.

The kids know when the Forest Lake Police Beat is closed. It seems to be that they are at their worst when it's after business hours or when the Beat is not open. These kids have become very bold and rude and don't care that what they are doing is illegal and that they are disturbing the residents in this area. I have been spat at and have been sworn at. I find their behaviour disturbing and sometimes frightening. They show no respect for anyone.

Something has to be done.

Thank you,

XXXX