

Individual Submission no. 17

To: Nadine Seifert
Date: 17/06/2008
Subject: FW: noisy motorcycles

Sent: Saturday, 14 June 2008
To: 'Nadine.Seifert@cmc.gov.au'
Subject: noisy motorcycles

Dear Nadine,

I am a 57 year old dual sport motorcyclist. I have a Suzuki DR 650 and BMW R 1200 GS. Both bikes have very quiet standard exhaust systems. What annoys me is clowns who change their exhausts or remove the baffles thinking their machines will go better, which indeed is not the case most of the time.

But why pick on off-road bikes?

What is more annoying to me, and I am sure many other people, is Harley Davison riders in suburban streets with straight out exhausts and no baffles in them at all. These clowns seem to be above the law. Why do the police never stop these riders and do Db metering? If they did most of them would be put off the road. This would surely make the streets quieter.

A concerned and quiet(!) motor cyclist for nearly forty years,

You can post my comment as a responsible motor bike rider, but with out my name as I fear retaliation

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

19th June 2008

RE: Comments in regard to Reviewing Motorbike Noise Laws

My background:

I used to ride trail bikes on public/private land off Nudgee Road Nundah/Northgate (probably illegally) many years ago, I am aware that current youth's desire to ride (licensed or unlicensed) trail bikes with BCC boundaries have not change from my desire when I was much younger, I am still very much aware of there trail bikes are currently & regularly ridden around the north-side of Brisbane, and I currently have a number of friends who are annoyed/affected by trail bike noise regularly each weekend.

My Comments:

From a legal perspective I think the laws are adequate / reasonable, and are as great a deterrent as they possibly can be. The difficult is and always will be for the police to be extremely (timely) responsive to investigate such complaints and then being able to successfully 'apprehend' such individuals in the 'act'.

From a social/community perspective a purely legal response is very much inadequate as it does not give trail bike riders a legitimate and convenient outlet for this type of social / recreation activity. A holistic approach is needs to permanently / adequately address all stakeholders involved in this issue. Such initiatives will take time, money, a negotiated outcome, and require a detailed and workable methodology.

Local Authorities need to provide a number of convenient and safe locations where trail bike riders can undertake this social /sporting activity. Such would be proactively managed by a strict set of safety / operational rules:- size of machine, number of machines on the tracks at any one time, the height of jumps, safety barriers, smoking areas, size/ location of petrol containers, etc. They need to set strict legitimate noise levels (and regularly monitor such relative to the nearest residential dwelling) for any bike. They should also set strict time timeframes during which times such activities can be undertaken (eg. Monday – Friday 10am – 2pm ONLY during school holidays, any Saturday/Public Holiday 10am – 2pm, any Sunday 12pm – 2pm). They need to employ an on-site manager to be in attendance during these periods, and they must have a current First Aid certificate. Local authorities should provide and manage a number of public spaces (I would discourage Private / commercial operators from being involved in such operators – but I would encourage non-profit organisations but only where the Local Authority providing the required public liability cover) where this recreation activity can be undertaken.

Trail Bike Manufactures should be mandated to design and build trail bikes in such a way that proactively limits the noise level at various 'revs' so that t at maximum rpm level within each gear range such never exceeds a certain decibel level.

Trail Bike Riders need to ride with a high level of safety/ visible clothing and helmets, be competent (have undertake a regulated written test) in basic off-road riding rules and practices. They also need to ensure that the bike has not been modified in any way that would negatively affect their personal safety, the bike is 'road worthy' (eg. the amount of tread on the tyres, etc), and no modification has been made that would increase the noise emitted by the bike.

Trail Bike Riders Parents (when the individual us 16 years and younger) need to be fully educated (and regularly reminded) in the responsibilities they have as parents when they purchase / allow their children to ride trail bikes within their local community.

Commercial sellers of trail bikes/transfer of ownership – a database be maintained of all current trail bikes owners (and the responsible parent) so that information can be communicated to them about evolving rules, regulations, and responsibilities around trail bikes, and recreation areas where they can safely enjoy their recreation sport.

Near by Residents need to be proactively advised of the location of any legitimate trail bike riding areas and be provided yearly with an information kit about complaint procedures and how best to co-exist with this legitimate adjacent social recreation activity.

Trail bike riding is a community issue...let's have a community response. It will not go away...as a number of individuals within each new generation will always have a strong desire (for a period of time) during their teenager/younger years to indulge in such an activity. So let us (senior citizens) try to take a responsible stand and provide the physical /social/legal/educational framework so as to educate them - the energetic trail bike rider (and their parents) to respect their community and be responsible young citizen.

Yours in service,

Individual Submission no. 23

19/06/2008

XXXX

Attention: Nadine Seifert

RE: OFF-ROAD MOTORBIKES XXXX XXXX XXXX

As residents of the XXXX area we oppose the continuous weekend motorbike "pestering" in what use to be a beautiful quiet neighbourhood.

Every weekend, public holiday and most Friday afternoons there will be up to 40 cars parked along XXXX Rd with as many motorbike riders as young as 5 loitering in the area. This is on private land owned by some corporation who do not seem to care. However residents in the area do. These riders/hoons do wheelies up the main road (XXXX Rd), dart in and out of traffic while illegally driving and crossing the road to the local petrol station. Besides that, the whole area is an eyesore with rubbish littered all over the area they are using.

Three houses have sold with two more up for sale due to this weekly nuisance.

You only need to come and witness the shambles and noise we have to put up with each weekend. We have no sympathy for these people who "have no place to go" to ride their bikes. Why should we have to put up with this when we all moved here a number of years ago for the peace and tranquillity which is now destroyed? Local wildlife has also been frightened away which is sadly missed. Do we go and impose on these riders home lifestyle like they choose to do to us?

A lot of money is invested in this neighbourhood and we feel that this is devaluing our area.

We are upset with these type of people who feel it is their "right" to subject their "hobby" on unsuspecting people who happen to have a vacant block of land near by. We are also upset with those people who own the land and allow this to happen (what happens when an accident occurs and the owners are sued?). We are also upset about the lack of policing occurring.

Please do something about this problem and thank you for giving us the opportunity to voice our well deserved concerns.

XXXX

Thank you Nadine for your prompt response. Yes I am happy for my comments to be posted, but please omit all personal information.

Individual Submission no. 24

To: Nadine Seifert
Date: 18/06/2008
Subject: Re: Off-road motorbike noise laws

Hi Nadine,

Our family are into racing dirt bikes and fittingly we bought a parcel of land out of town to accommodate our childrens riding passion. We made a small track on an acre of our land so that our kids could ride in the safety of our own property. Yes we are very aware that we have neighbours who do not share our passion of motorcycles so as a compromise we allowed our children an hour only of riding straight after school. Usually between the hours of 3.30 and 4.30 most residents are still at work but recently retirees moved across the road and no sooner do the kids start the bikes these neighbours are on the phone to police.

The closest motorcycle club to us is either the Mareeba Motorcycle Club 100km to the west or Cairns Motorcycle Club 100kms to the south. Motorcycle clubs are fast closing down throughout Australia and when one is unable to ride one's motorbike on their own parcel of land zoned rural/residential is a very sad state of affairs.

I personally have been rallying for a place for our kids of the far north region to ride in but as you can imagine have hit many a brick wall since no-one is willing to give up valuable real estate in Port Douglas/Mossman for a motocross track. Not every kid likes to play footy or cricket although personally I would be stress free if my kids chose one of these sports but their passion is motocross and now with nowhere to ride not even on our own land - what a joke.

Wouldn't it be nice to be able to sell up and move on to 100 acres somewhere out in the middle of Woop Woop and still be able to fund this investment of land because there just happens to be a job out that way for my husband and I.

So Nadine what do you suggest we do? Get rid of the bikes? Why should we when it's our bikes that provide a great source of entertainment and enjoyment for us as a whole family. We go racing nearly every weekend hence are not riding our bikes at home of a weekend. We have made friends from a far - my son's best friend is - he has formed this friendship through motocross and they meet up at all the local race meets here in the far north and stay in touch by msn since they live 3 hours drive apart. My husband and I have formed great friends within the racing fraternity. We have done courses with Motorcycling Queensland to assist Motorcycle Clubs run events for the kids with bikes.

I am really at a loss - everynight I google realestate websites in search of that 100 acres but turn off the computer in disappointment because there is no where we can afford to move our family to. We invested all our money and ongoing weekly income on 3 and half acres of rural/residential land at

There needs to be a compromise in the motorbike noise law - to me it's just all one sided, surely they should factor in some time allocation for bike riding on rural/residential land. Isn't Australia meant to be a free country so to speak - looks to me like it's turning into a bit of a communist country - No smoking in pubs, now no smoking while driving (I am a non smoker by the way), no prams to be wheeled on the footpath (yes that's right look that one up). What's next - no swimming in your pool after 6pm.

I will be watching this debate with much interest, please keep me informed as to how things are going. I am not sure who you are batting for but if you are on my side and I can be of any help let me know.

Kind regards,

XXXXX

You have my consent to use my submission regarding motorbike noise.

Individual Submission no. 25

To: Nadine Seifert
Date: 18/06/2008
Subject: CMC Review of motorbike noise laws

Hello Nadine,

I have been involved in off road motorcycles for the past 30 odd years, I have ridden both in the bush and at Organized track events.

The majority of noise and other related complaints and accidents are from riders using their bikes in the bush or on public roads.

This problem is only getting worse as more competition tracks close.

The following tracks have been closed:

:: Redland Bay Moto x club located on German Church rd. This club was closed approx 20 years ago and a local resident is fighting council to open a facility in the Redlands once again.

:: Trailblazers Moto x club. Located Salisbury. Closed approx 20 years ago.

:: Wheelstanders Moto x Club located at Oxley. Closed last Christmas 2007

:: Reedy Creek Moto x Club located on the southern end of the Gold Coast. Lease is up this year and they have still not found a new club ground and may be forced to close.

:: Stanmore Moto x Club located at Beenleigh. Lease is up next year and have not secured another site.

:: Fort Lytton Moto x Club located at Lytton. The Port of Brisbane leases this land to the club on a six month lease only and the Lease will be cancelled at any time to make way for port redevelopment.

:: The manager of Fort Lytton club _____ have sought an alternate venue at Chandler velodrome (due to the uncertainty of Fort Lytton's lease.)

They established a stadium Moto x venue that could be used under lights and on weekends and also provide spectators an excellent venue. The venue has now been shut down after 1 month due to a noise complaint from a resident that was over 2 kilometres away. _____ has taken noise level readings from outside the Velodrome at various distances and the level does not exceed road noise from the busy Old Cleveland Road.

To date the track remains closed.

As you can see the sport is in desperate need of tracks, to keep unregistered and unlicensed riders out of public areas.

I can see this problem only getting worse as the numbers of off road bike sales has increased significantly.

If you would like to respond to my comments, please feel free to call me on mobile or email.

Kind Regards
XXXX

Hi Nadine.

Yes I am happy to have my thoughts posted.

CRIME AND MISCONDUCT COMMISSION
16 JUN 2008
COMMISSION

Individual Submission 27

() Unclassified
Initials:.....
Date:...../...../.....
Reg No:..... 08/03856

CRIME & MISCONDUCT COMMISSION.

ATTENTION NADINE SEIFERT.

G.P.O. BOX 3123

BRISBANE QLD 4001

16-6-08.

OFF ROAD MOTORBIKE NOISE IS PAID FOR THE COURSE WHEN THE NEW CMAZE IS MOTOCROSS.

SOME COUNCILS,

... HAVE LET MOTOCROSS TRACKS BE DEVELOPED WITHOUT REGULATION. THE E.P.A. RECOMMENDS 1500 METRES DISTANCE FROM RESIDENTIAL AREAS. "THIS IS NOT HAPPENING!"

HOW MANY POLITICIANS OR PUBLIC SERVANTS HAVE RECEIVED DONATIONS FOR ELECTION CAMPAIGNS FROM MOTOR CYCLING AUSTRALIA OR THEIR ASSOCIATES?

FIND THE RIGHT VENUES FOR MOTOCROSS.

PRIVATE PEOPLE WHO HAVE TRACKS SHOULD HAVE INSURANCE & MEET THE DISTANCE REQUIREMENT OF THE EPA.

Individual Submission no. 28

To: Nadine Seifert
Date: 19/06/2008
Subject: cmc review off road bikes

HI Nadine,

I am writing from Townsville in regard to this issue. I live in Belgian Gardens which is an old established suburb close to the beach and areas of undeveloped land (adjoining cemetery) and also the Town Common.

I have made numerous complaints to the local police about hooners on trailbikes that fly through the childrens park to ride along Mundy Creek to access some of these undeveloped areas. The noise is completely incompatible with residential areas, additionally the Town Common and these undeveloped areas are also used by migratory birds and other wildlife. The path beside the creek that these inconsiderate riders use is also used by pedestrians, dog walkers and children and it is amazing that injury to walkers etc has not occurred. These trailbike riders are unbelievably selfish and the enjoyment of a very tiny number of those individuals impacts on hundreds of residents because of the noise of the (often) sports type exhaust systems. Additionally what happens if they are involved (or cause) an accident on a public road on the way to these tracks etc when they are unregistered?

I would like to see a far more draconian approach to prevent this occurring...including heavy fines and lengthy confiscations. Many of these bikes are unregistered so difficult to track. I believe there should be a public education campaign with heavy advertising indicating that it is 100% illegal to ride in residential areas with appropriate signage and warnings of the penalties. The police should establish a mobile patrol with officers on trailbikes so they can apprehend these individuals and charge them. I dont accept the argument that they have the right to enjoy their pastime....their pastime is 100% incompatible with residential areas....you dont see sporting shooters having a few pot shots in their local park or patch of undeveloped land....they accept the fact that their sport/pastime has to occur in a suitable area. Trailbikes should only be used in urban or rural areas, well away from any residences. I believe that every effort should be made to increase awareness and encourage 100% zero tolerance of this behaviour as a small minority is impacting on a large majority.

Regards, XXXX

Thanks Nadine, I am happy for my comments to be posted but would prefer my personal details to remain confidential

Individual Submission no. 29

To: Nadine Seifert
Date: 19/06/2008
Subject: Off-Road Motorbike Noise

To: Nadine Seifert

RE: OFF-ROAD MOTORBIKES XXXX, Forestdale

As residents of Forestdale, we have suffered from excessive noise from off-road motorbikes for more than two years. We have contacted every level of council and government, plus the police about the issue over this time, and nothing has been done.

Each weekend, every Friday and every public holiday, 40 or more cars and trailers park along the side of busy [redacted] where riders (including toddlers) [redacted] ride. Unregistered bikes also do burnouts on [redacted] and [redacted] as they cross back and forth to the local petrol station. There have been many close calls with bike riders and cars in this area, and many cars get sprayed with rocks from the bikes.

Riders also use the local council parklands most weekends and hoon up and down local streets, so residents now do not use the local park's tracks for fear of being run down by a motorbike.

Local council has been fairly helpful in trying to stop bikes in the local parklands, but riders still use these areas most days of the week (more on weekends). We believe fixing the problem in our council parklands is simply a matter of putting up more bollards and fencing, plus having a police presence in the area.

However, council and police say they have no authority over the [redacted] land on [redacted] where the main problem is. The riders - who police tell us have come from as far as Wynnum and Warwick, leave rubbish and tyres in the area and have turned our once peaceful suburb into a horrible place to live on weekends. The roads are a mess and the issue has devalued our area.

A number of residents have sold their homes because of this problem, with two more - the closest to the main problem area - also up for sale.

To fix the problem, we would like to see police and council have the power to move on and fine motorbike riders no matter if they are on public or private land. We would also like the owner [redacted] to be made responsible for fixing the noise issue, just as we on our own properties are responsible for any noise coming from our properties. Our Neighbourhood Watch committee has tried many avenues to get the problem solved with no results yet and there is talk of legal action.

We understand there are many people who enjoy trailbiking, however we do not feel that their interests should be allowed to impact on the lives of an

entire suburb. A proper designated trailbike area away from housing would be a solution for those responsible riders, while more fencing, policing and council intervention is needed for the troublemakers who continue to disrupt our local area. The owner of [redacted] should also be fined and made to fix the situation because ultimately, it is his land the noise and rubbish problem is coming from.

Thanks for your time. I hope this helps.

Please don't publish my details.

XXXX

Individual Submission no. 30

To: Nadine Seifert
Date: 19/06/2008
Subject: Off Road Motorbike Noise

Hello Nadine,

I have found there is an investigation into the effectiveness of the laws on noisy motor bikes. I have had many frustrations in the area I live over the last 12 months with, not noisy registered trail bikes but, unregistered trail bikes, being ridden by unlicensed riders with no helmets etc.

I have contacted the police in regard to several situations and they tell me that they are basically powerless to act.

These people have no regard for the law and openly break it day or night. You can hear them back and forth around the neighbourhood, I have seen the old couple across the street terrorised at 2am in the morning, have had to get off the foot path as one was travelling on it faster than the road traffic and was not giving way to me and have had another come out of a park at night with no lights straight in front of my car. It is not one or two people here as it is a variety of bikes and several different people.

The first main incident took place about 3 months ago. I had seen and heard 2 of these trail bike riders at the end of the street off and on for many weeks. They have a very distinctive exhaust note. At 2am one morning I heard them come up the street and then they proceeded to tear up the old couple's front lawn across the street from me. A week before the lady had had to be taken to hospital by ambulance. I did contact the police at XXXX, the suburb I am discussing. The police told me that it is a big problem but they can do nothing about it. I questioned this and I was told that if they drive up beside them they just take off through a park etc. XXXX

Of an afternoon I sometimes walk. One afternoon around the same time as the first incident I happened to hear a loud trail bike, turned and was almost knocked over by a trail bike coming along the foot path faster than the cars were driving on the road. He had no helmet etc and the bike was not registered.

I had been heading home one evening I was driving past a park that connected 2 streets and another trail bike rider came straight out in front, barely missing the front corner of the car. He then continued on his way in the middle of the road again, no helmet and no registration.

I have contacted Beenleigh police station and XXXX. XXXX is sometimes closed and you can tell as the trail bike riders just go crazy. Beenleigh police station just tell me that they have already had several complaints and they will eventually get a car out there.

I am sure if the incidents were few and far between it would not be an issue. Right now, they are not. It is far too common occurrence and it is so blatant that I have seen one ride his trail bike into the service station to fill it

up, quite openly with no helmet etc.

This is a bigger concern than a noise issue on registered motor bikes. This is an issue that is going to cause the death of a person or people will take the law into their own hands.

Regards
XXXX

Nadine,

Thank you for the reply. You can certainly post my comments to your web site. People should not have to adapt to the ways of law breakers in society who have little regard for anyone but themselves.

As a member of a community I like everyone else relies on the police to uphold the law and protect our society. I am tired of seeing society breaking down and people not feeling safe to walk down the street or old people who are terrorised by trail bike riders who blatantly disregard the law. It is dangerous to all concerned.

When the police say they are powerless to stop them, the laws need to change. Society should not keep giving the law breakers more respect than the people they are affecting.

I hope things do change Nadine.

Regards
XXXX

Individual Submission no. 31

To: Nadine Seifert
Date: 19/06/2008
Subject: Off Road Motor Bike Noise

To whom it may concern, I am a parent of a 15 year old who rides a Motocross / Trail Bike , I also ride at recreational venues with my son . We enjoy the chance to ride our bikes outdoors but unfortunately new laws are restricting our rights to enjoy our chosen sport We have never ridden in an unauthorized place we have always ridden at registered Motocross Clubs or MA sanctioned trail rides or at a registered Moto Cross -Trail Parks .

Because of noise restrictions many of South East Qlds registered Motocross Clubs are being forced to close down . So far Wheelstanders MX club at Oxley in Brisbane has closed , in the Gold Coast Shire two clubs are facing closure with no assurances from council on a relocation sites . In both of these instances the clubs have been at there respected locations for 20-30years plus . Now as more land has been opened up to housing development close to these venues "**we are the ones who are suffering**" land owners move into the area and have the nerve to complain about something that has been there for 20-30 years .The council then say we have to "**go**" sighting noise issues as the reason , are these people who bought land adjacent to these venues selectively hearing impaired ? the clubs operate year round so land owners nearby can,t use the excuse that they didn,t know about it . I would never condone people who ride in parks forest areas etc as they should realize it is private or Government land .

I believe it is time for the Councils and the Government to realize this is a serious sport , we have just as much right to enjoy ourselves as the next person . We all to often see how many millions of dollars are spent on building Football ovals Cricket ovals Basketball stadiums the list goes on and on but mention motor bikes and everyone screams blue bloody murder and buries their head in the sand!! . There must be some areas around Southeast Qld that can be made available to recreation riding this sport supports a huge number of associated business who rely on our support for their continued operation providing employment in the South East . The new laws in effect so far will only go so far in preventing illegal riding , some people will continue to flout the laws . The way the complaints are handled at the moment is not going to fix the problem of noise until the Government steps up and does something constructive , they can quickly put into place a law which which will probably satisfy the complaining public but they just ignore us when we ask for something to be done to help our sport . After all the government has put up huge billboards encouraging us to get outside and participate in outdoor activities and sport etc . So more money is spent giving everyone else somewhere to enjoy themselves **BUT NOT US!!!** If this issue is not given priority then we may as well go and sit inside our homes and vegetate and dream about what used to be . The issue of noise levels has already been raised by Motorcycling Australia our bikes have to conform to a minimum sound level to compete at sanctioned club races .

Yours sincerely XXXX

Thank you for the reply yes my email can be posted on the website , but please keep personal details confidential . Regards XXXX