

7-8-2008

The Review Committee
Motorbike Noise Laws
GPO Box 3123
BRISBANE 4001

We, the undersigned, herewith make a submission for your consideration concerning motorbike noise.

We live in a rural residential area between _____ and _____ and our street is a no through road. Over the last few years, we have had an increase in the number of motor bikes being ridden on properties and our road. Most of these bikes are unregistered and ridden by under aged riders and are excessively noisy.

We have no objection to bikes being ridden on their owner's property provided it is for only short periods. Also that it be restricted to usage by the owners only and the number of bikes being used at one time is limited.

There is one property in particular where they constantly have several bikes, and other vehicles, being used at the same time for long periods. Sometime ago, the owners of that property and other interested persons were invited to a meeting following a whole weekend of bikes being ridden on that property. A representative from the police department and the local council attended. Everybody's concerns were aired and it was agreed to limit the usage of the bikes. Since that meeting, it has been necessary to call the police several times due to the excessive noise from bikes on that property. On some occasions, the bikes have even recommenced not long after the police have left.

We appreciate that as most of these instances occur on weekends, the police could have more pressing matters to deal with and therefore could find it difficult to come when called. However, it seems to us that some more positive action could have been taken by now due to the number of complaints made to the police.

As you can see from the above, either the new laws, in our circumstances, do not seem to be working or the police are not using the authority given to them to control the use of motorbikes.

We trust that when reviewing the laws you will make any amendments necessary in order that more control can be exercised by the police in these situations.

Yours faithfully,

Individual Submission 266.

► **To Nadine Seifert**

GPO Box 3123
Brisbane Qld 4001

Dear Nadine

Re: REVIEW OF OFF-ROAD MOTORBIKE LAWS

Reference: AD-06-0201 /NS

I am writing this letter to you in response to the query that I made to your office about Off-Road Motorbikes.

Please find the bulleted items that affect my family and myself in regards to this issue. I have tried to make the points as objective and concise as possible.

I can only write and tell you how the Off-Road Motorbikes affect my family and myself.

In closing I would just like to say that I appreciate the time that you have taken to read this letter and hope that it will help you adjust the laws in this matter.

If you feel you need to contact me for any further information please do not hesitate.

Thanking you in advance for your help in this matter.

7/8/2008

- 1) Devalues the property when trying to sell.

Just recently we were putting our house up for sale and a real estate person came to value the property everything was fine and a good value was given just as the real estate agent when outside to look around the neighbours start their Off-Road Motorbikes and the real estate person said forget the value I just gave you and devalued the property by \$100,000.

- 2) Affects the health of surrounding property owners.

When the motor bikes are going I start to feel stressed and become agitated and because of this my wife finds I become very depressed and quiet and I start pacing, also it affects my hearing.

- 3) Noise creates stress as to when are they going to go again.

After the bikes are put away I still am unable to relax as I am always wondering when they will start them up again.

- 4) During dry weather creates a large amount of dust pollution and land degradation.

When the weather is fine and the Off-Road Motorbikes are going there is always a dust cloud that comes into our home and contaminates our drinking water supply and we have had to put inline water filters on our water supply into to the house. There is also land degradation on their property and when it rains the clay from this degradation flows down onto our property and into our dam

- 5) Police advise to keep ringing when the bikes are going.

When the motor cross bikes start going we ring the police and as soon as the phone is put down the bikes stop (as if they know that we have rung the police, sometimes we have waited up to 10 minutes before ringing) when the police come they come and see us and ask us to keep ringing them. But the police also go and see the neighbours and have a talk to them.

- 6) Where to when mediation fails??

We have been to mediation over this matter and we were very generous as to when their adult child could ride the Off-Road Motorbikes but we were told by the neighbours "how dare we tell them when they could ride the Off-Road Motorbikes on their property". As a result the neighbours agreed to nothing. The mediators and my wife and I at the time could not believe what we had heard. So where do we go from here it has been an ongoing problem for over 5 years.

- 7) Police need to be better informed of off road bike laws.

We hear on the radio and through the TV that the laws for riding a Off-Road Motorbikes in residential areas have changed but when the police come and we ask them if they have heard of the changes they inform us that they have not.

8) What are the Off-Road Motorbikes tracks that are set up by local government for?

I am a rate payer and some of my rates go to the up keep of _____ which is designed for off Off-Road Motorbikes.

Just as my membership fees go to the upkeep of the local golf club. If people like these people are not going to use this area for this purpose why are we paying this fee in our rates? It would be a bit like being a member of the local golf club (which we are and we live across the road from) and not use it, and only practise hitting golf balls in the back yard at the offending neighbours' house. If we did this I am sure there would be a fine and court proceedings would likely occur where is the equal justice?

9) How long is too long to keep reporting this problem?? Is 5 years too long??

As previously stated in point 6 how long is too long for this problem to continue after 5 years something has to happen. When we bought our property we were very happy we thought we would have peace and quiet which we did have for quite a number of years, then the previous owners sold to these people and it has been an ongoing problem since. Even though we have 7 acres just like our neighbours. The area we are living in is classified as rural residential. I have been told that these people bought this property so that their son on the Gold Coast could bring people from the coast to the parents' property to ride the Off-Road Motorbikes as they were unable to ride them in a residential area on the coast.

10) Intimidation experienced by neighbouring land owners when visited by public officials.

One day the fire brigade paid us a visit to discuss the very real fire danger on our property with us and then they went to the these neighbours to pay them a courtesy visit to discuss the fire danger on their property

Then within 2 days of this visit the motor cross motor bikes started and the feeling that I get is that these neighbours thought that we had called the fire brigade and complained about the fire danger to us as it is only 20 meters from our house which we did not. The fire brigade is always checking out the area in case they do get called out to a fire in our area.

We have had a family get together in the past and these neighbours have started the Off-Road Motorbikes up and have ruined this family get together so now we don't have any parties as we feel these neighbours will ruin them by starting the motor cross bikes up and riding them around near the boundary fence which is part of our back house yard.

We have two adult boys of our own, when we first move to this property there were only young and into riding bikes. When they asked if they could have Off-Road Motorbikes we told them no as we didn't want the noise and dust pollution that went with these bikes and that was the end of that idea on our part.

10th August, 2008

For the attention of Nadine Seifert

I would like to add my submission to your enquiry. I am a former resident of the ^{area,} in the Camboya Shire. When it became apparent a few years ago that a new resident in the area had prepared his property for the riding of trail bikes, for himself and his family and those he chose to invite, some of the nearby neighbours, alarmed by this development, protested to the Local Council to very little satisfaction. For instance, my protest was dismissed as irrelevant because I was not within hearing distance of the noise menace. Nevertheless, every bike that travelled to this property had to pass my home and also, the worrying fact that any one of us could wake up one morning to have something like this next door filled us with foreboding.

I no longer live in the area but I am still concerned because of what I have seen happen because of this situation. Families have had their lives shattered by it. I know one family who left the area, moved on, not because they wanted to, but because they could no longer cope with the noise. Another family I know has suffered harassment and the whole situation is distressing, stressful and ugly.

The people perpetrating this noise pollution make no effort to change anything. I get the impression that they think, because they live in a rural area and on acreage that they can do what they like and make as much noise as they like.

These areas were once lovely, peaceful rural areas, with wildlife around, and it was a pleasure to live there.

I might add that this particular lake track is not the only one in this shire, but it is the one I have personal knowledge of.

I understand that at present, the police have limited powers and can do nothing unless they "hear it", "see it" and identify the rider. These people often have technological means of knowing when police are approaching. The law needs to be changed to, at the very least, make the property owner accept responsibility.

I hope that you will consider this submission in the spirit that it is meant.

Yours faithfully,

C/O NADINE SEIFERT

C.M.C

G.P.O BOX 3123

BRISBANE 4001

DEAR MADAME

THIS CORRESPONDENCE IS IN REGARD TO THE C.M.C REVIEW OF
MOTOR BIKE NOISE.

WE OWN AND LIVE ON A FAIRLY SECLUDED

_____, AND IT BACKS ON TO MOUNTAINOUS STATE-
FOREST COUNTRY. OWING TO THE RUGGED NATURAL BEAUTY OF THE AREA; ITS
SECLUSION AND RELATIVE CLOSENESS TO THE SUNSHINE COAST WE THOUGHT
THAT AT SOMETIME IN THE FUTURE OF CONSTRUCTING SOME LOWKEY SOLAR POWER
CABINS AT VARIOUS SITES AROUND THE PROPERTY (FOR NATURE LOVERS AND THE LIKE)
THAT WAS UNTIL NEW PEOPLE MOVED IN DOWN THE VALLEY. OUR PEACE AND
TRANQUILITY HAS BEEN SHATTERED BY YOUNG (UNDERAGED) TRAIL BIKE RIDERS
AFTER SCHOOL AND AT WEEKENDS SCREAMING UP AN ADJOINING GASETTED,
UNIMPROVED RD' INTO THE STATE FOREST AND BACK DOWN AGAIN!

THE HIGH PITCHED NOISE OF THESE TWO STROKE BIKES IS UNBENIGNABLE, WITH THE
SOUND ECHOING RIGHT AROUND THE VALLEY. AS I HAVE SAID, IT'S PUT PLID TO ANY
IDEA WE EVER HAD OF HOSTING PAYING CUSTOMERS TO OUR PROPERTY.

PEOPLE MIGHT COME ONCE, BUT AFTER AN AFTERNOON OF TRAILBIKE NOISE
THEY WOULD NEVER RETURN. AND IT'S THE NOISE THAT IS THE ISSUE. WE HAVE
NO PROBLEM WITH RIDERS AT ALL. OUR NEIGHBOUR AGIST'S HIS CATTLE HERD
PERIODICALLY, AND HE PUTTERS AROUND ON HIS A.G' BIKE - MOST OF THE TIME
YOU DONT EVEN HEAR HIM. SOME KIND OF MUFFLER DEVICE SHOULD BE STANDARD
EQUIPMENT ON TRAILBIKES AND IT SHOULD BE AN OFFENCE UNDER THE NOISE
ABATEMENT ACT NOT TO HAVE ONE. THERE IS ENOUGH MAN MADE NOISE IN THE
ENVIRONMENT ALREADY!

SINCERELY

9.8.08.

After receiving the pamphlet of, have you ever been disturbed by motorcycle noise? I feel I had to write to say. I live on an acreage, well clear, across the road & at the back of us the young people ride motor-bikes.

When they start up their motor-bikes & take off I think, isn't it wonderful these young people have something to do to have fun, isn't it wonderful they live in a semi-rural area where they can do this & not be hassled, & I hope this is always the case. Instead of smoking around doing graffiti, stealing old ladies handbags or harassing people in the streets, homes etc.

Parents buy these blocks so they can get out of the city & have a place where the young people can have fun & yet still live at home & grow into well adjusted adults.

Current laws are working well.

So I say get a life for yourself & leave the young people alone, they ride all day, are so happy & exhausted by night they would not dream of misbehaving — an area is so safe.

Constance

Resident.

CMC Review of Motorbike Noise Laws

I wish to comment on the problem of motorbike noise near my residence.

My property is a 2ha rural residential block near

There are two types of motorcyclist who are a problem.

1. Occasional use of a nearby property for 'motorcross' type use. This has involved several extremely noisy off-road bikes. While this has occurred infrequently, I am concerned at the possibility of it becoming much more regular if there is no means to prevent this occurring.

2. A group of 4 or 5 off-road bikes/riders, some or all of whom were probably involved in 1. above, using public roads. All are very noisy and travel up and down the hill in front of my house on a regular basis. They travel as a group i.e. one after the other. appears to be part of a 'circuit' on which the boys do 'laps' at high speed. 'Wheelstands' in front of my house are a regular feature of their up-hill performance. Under no circumstances can this riding be classed as merely learning to ride or gaining road experience. Deliberately excessive noise and speed are obviously part of the fun.

This sort of behavior occurred some years ago but ceased as a result [it was rumoured] of police action. The problem has re-established itself in the past, perhaps, two years.

I can quite see some of the problems involved in trying to control this behavior. Perhaps local people would be willing to assist in some way, though this would have to be done secretly to avoid possible retaliation.

12/8/2008

Dear Nardine

I have a motorcycle track near my house for 34 years. We have had to put up with motorcycles and cars with trailers full of bikes using the road in front of our house for a racetrack. They slide around the corner and have taken out our front fence and two of our pine trees and also thrown a rock at our house and broken the panel in the front.

I have reported this to the Helidon and Toowoomba Police and to the Gatton Council to no avail. It's not only the noise that it is very frustrating but also not being able to get any help with this problem.

Yours faithfully

Individual Submission 294

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

Dear Nadine,

I would like to comment on the effectiveness of the new excessive motorbike noise laws and in so doing provide you with my experience in trying to have something done to solve this problem in my neighbourhood.

I have attached copies of correspondence between myself and the Minister for Police, Judy Spence, which will give you an indication of how serious a problem excessive motorbike noise is in my part of River Heads.

I was surprised to read in the Minister's second letter that "the Bligh Government has introduced tough laws targeting nuisance trail bike riding." At a meeting I had in April with two senior police officers from Hervey Bay Police Station to discuss the motorbike problem we have at River Heads, I was told there was little the police could do as the offenders were juveniles and they could not be charged and fined. There was no reference to these new laws which have "given police the power to take enforcement action against drivers of motorbikes which create excessive noise." (Quote from Judy Spence's letter).

In my neighbourhood it is normal to have from 2 to 5 unregistered, off-road motorbikes "hooning" around our streets and on our public reserves throughout the weekend, some afternoons after school hours and on some days during school holidays. The offenders are mostly juveniles aged from 13 to 15. Most have been intercepted on the road by the police a number of times. As an example, one teenage boy has been given over 10 verbal warnings and his parents have been spoken to by police three times that I know of. This boy now does "doughnuts" and "burnouts" outside people's houses and then calls out to them "Go on, call the police!"

Since I found out about the new excessive motorbike noise laws I have lodged a written complaint about two motorbikes. I provided police with a description of the motorbikes and the addresses where they were kept.

I also made several complaints by telephone to Police Communications in our area. The officer I spoke to on 14/7/08 told me that the police would have to find the motorbikes making an excessive noise when they arrived. I was also told that even though I provided the addresses where the motorbikes were kept, the police could not enter those properties and test the bikes for excessive noise emission.

5 294

I also had a conversation in July with an officer from the Maryborough Traffic Branch who rang me one evening to apologise for not being able to respond to the complaint I had lodged that day. I was surprised to find that he had little knowledge of the new excessive motorbike laws. He also told me that they did not carry any device to measure noise emissions in their patrol cars.

Many people in my neighbourhood are angry and frustrated that these juvenile repeat offenders can "hoon" around our neighbourhood, treating the present police response with contempt as they openly break serious road traffic laws and ruin our peace and quiet with their excessive noise.

If I was asked whether the new excessive motorbike laws have been effective in dealing with the problem in my neighbourhood, I would have to say, from my personal experience, definitely not. There is no doubt that over the course of this year to date, the number of off-road motorbikes in my area has increased making the excessive noise problem worse.

Despite numerous complaints to the police from me and other residents, I am not aware of one single Noise Abatement Notice being issued.

I hope this information has been useful to you and that the review of these laws leads to amendments which make them easier for the police to enforce.

If you would like to discuss any of the details of my submission please phone me on
t any time.

Yours faithfully,

The Honourable Judy Spence
PO Box 15195
BRISBANE QLD 4002

Dear Minister,

I am writing in the hope that you can help the residents of our neighbourhood. I live in the small community of River Heads, near Hervey Bay.

We have a problem with under-age boys riding unregistered motorbikes on our roads and public reserves. This may not seem to be much of a problem, but for our neighbourhood it is a significant problem which is having a serious impact on the quality of our lives. For us the issues are:-

- **Public Safety**
Adult pedestrians and children riding bicycles and playing on the roads and public reserves are at risk of serious injury from these inexperienced young riders travelling at excessive speeds.
- **Noise Pollution**
These motorbikes are extremely noisy and, typically, we have them going throughout the day on Saturday and Sunday and some afternoons after school. We have good residents planning to leave the area because they cannot stand the noise any longer.
- **Environmental Damage**
The fragile eco system of our foreshore reserve area is being damaged by motorbikes.

The police have responded to phone calls from local residents three times in the past three weeks and have caught juvenile offenders on the road each time. I believe one teenage boy has received three warnings now. These warnings are ignored. The police have spoken to this boy's mother. This is ignored and the boy continues to ride on the road.

Last Sunday, I spoke to the police officer responding to a call from a resident. Four motorbikes had been riding around our neighbourhood throughout the weekend. The officer told me there was little that they could do to stop the motorbikes. Surely, this is not true. If under-aged, unlicensed youths were hooning around our neighbourhood in unregistered cars wouldn't they be charged by the police? Don't the police have the power to confiscate the vehicle, as well? Why is the approach different for motorbikes?

Also, one youth caught by the police on Sunday was told to stay off the road and go home. His name and other personal details were not taken. No details were recorded and it was apparent that there would be no follow up communication with the parents. No wonder the police warnings are ignored.

I am asking if you can help to have the police treat these motorbike offences much more seriously. A warning – "Don't ride your bike on the road" is missing other important points; don't ride on public reserves, don't ride on vacant allotments without the permission of the owner, don't exceed noise pollution levels, etc.

.../2

The current verbal warnings are treated with contempt. The offender's details should be recorded by the police and a written warning should be sent to the youths' parents or guardian outlining the full extent of the offences involved and the penalties that apply. Some people might say the police have better things to do. The residents in my neighbourhood would strongly disagree. At the moment, police resources are being wasted when they respond to residents' complaints regarding motorbikes because nothing is being achieved by the current approach.

The Government has adopted a "zero tolerance" approach to car hoons. Why are these motorbike riders being given repeated warnings? Surely one warning from the police is enough. The residents of my neighbourhood would like to see the full force of the law applied to a repeat offender.

Having outlined our problem and asked for your help, I would like to put forward a suggestion. I have spoken to an officer in the Hervey Bay City Council (now the Fraser Coast Regional Council) about motorbikes riding on our public reserves and I was told, again, there was little they could do because the Compliance Officers cannot catch and identify the offenders. I was told this is a problem throughout the region and they are powerless to stop it. The problem is, these motorbikes are not registered, so the owner cannot be identified. If all motorbikes had to be registered, whether it was intended to use them on the road or not, the problem would be significantly easier to control. Persons such as rural farm workers could apply for a reduced registration fee in the same way as pensioners now receive a discounted fee. In this way, a motorbike could be easily linked to a registered adult owner, who would be held responsible for the motorbike's use.

Some people might argue that it would be wrong to have people register a motorbike, if it is not intended to be ridden on the road. I would point out that dogs have to be registered, even if they never leave their owner's yard. Why are dogs registered? Because if there is a problem with the dog, the owner can be identified. This is the same principle that I am suggesting be applied to motorbikes, which are a greater problem in our area than dogs.

I hope my suggestion is given serious consideration as I believe it has a lot of merit and would not be difficult to implement. I look forward to your response.

Yours faithfully,

c.c. The Honourable Andrew McNamara



Hon Judy Spence MP
Member for Mt Gravatt



**Queensland
Government**

**Minister for Police, Corrective Services
and Sport**

Dear

Thank you for your letter of 13 March 2008 concerning the driving of unregistered motorbikes in the Hervey Bay area.

This matter is receiving attention and you will be advised further as soon as possible.

Yours sincerely

Judy Spence MP
Minister for Police, Corrective Services and Sport

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Facsimile +61 7 3221 9985
Email police@ministerial.qld.gov.au
ABN 65 959 415 158



Hon Judy Spence MP
Member for Mt Gravatt



Queensland
Government

Minister for Police, Corrective Services
and Sport

Dear

Thank you for your letter of 13 March 2008 concerning the driving of unregistered motorbikes in your area.

I referred your correspondence to the Queensland Police Service and am advised that _____ of the Hervey Bay Police Station recently contacted you about the issues of concern to you.

I understand _____ advised you that officers from Hervey Bay Police Station and Maryborough District Traffic Branch have increased patrols in the localities in question and will take action against any persons detected breaching the traffic or other laws. Police officers are tasked to respond to calls for service when they occur and the police request that you continue to report any offences to them, to enable an appropriate and timely response to be provided.

_____ is available on telephone _____ for any further assistance required.

You will be pleased to know the Bligh Government has introduced tough laws targeting nuisance trail bike riding. These laws are contained in the *Police Powers and Responsibilities (Motorbike Noise) Amendment Act 2005*, which commenced operation on 1 July 2006. This Act fulfilled the Government's election commitment to introduce new 'anti-hooning' trail bike laws in Queensland.

The Act amended the *Police Powers and Responsibilities Act 2000* by extending the successful 'anti-hooning' laws to cover trail bikes and giving police additional powers to deal with irresponsible trail bike riders. Under the new laws, offenders face losing their trail bikes permanently if they repeatedly breach a court order.

The new trail bike laws have also given police the power to take enforcement action against drivers of motorbikes which create excessive noise on a place other than a road, by:

- issuing a 48-hour noise abatement direction for a first complaint;

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**Queensland
Government**

Office of the
**Minister for Transport, Trade,
Employment and Industrial Relations**

Dear

I refer to your letter dated 13 March 2008 to the Honourable Judy Spence MP, Minister for Police, Corrective Services and Sport regarding the driving of unregistered motorcycles in your area. Your letter was forwarded to the Honourable John Mickel MP, Minister for Transport, Trade, Employment and Industrial Relations for direct reply. The Minister has asked that I respond on his behalf and I apologise for the delay in doing so.

Queensland Transport acknowledges that irresponsible driving by any person impacts on the safety, comfort and quality of life of the community. Queensland Transport actively promotes safety and the road rules, but ultimately it is the responsibility of each road user to be aware of and comply with these rules.

With regards to your comments about mandatory registration, Queensland Transport requires any vehicle that is used on a road to be registered. Funding collected from registration fees is allocated to the Roads Infrastructure Program which is administered by the Department of Main Roads. Essentially, this model is premised on the requirement for users of Queensland roads to contribute to the development and maintenance of the roads.

Trail bikes used on roads including in urban areas such as local suburbs and streets are required to be registered and the motorbike rider must hold the appropriate driver licence, either an RE or R class licence.

Should an operator of a trail bike not intend using it on a road then it would be unreasonable for Queensland Transport to expect the rider to pay registration fees for the maintenance of roads that the bike does not access. Queensland Transport does not have a role in vehicle identification beyond its role in registration.

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- impounding the trail bike for 48 hours if the direction is breached (second complaint) and applying (within 48 hours of the issuing of the direction) to a Magistrates Court for a noise abatement order to regulate the use of the motorbike;
- impounding the noisy motorbike for another 48 hours if the court order is breached (third complaint) and applying for a three-month impoundment order;
- impounding the bike again after another breach of the court order (fourth complaint) following the three-month impoundment, and applying for a permanent confiscation and forfeiture order.

Restrictions can be placed on the times, places and manner in which trail bikes may be used on private property, as well as the areas riders have to avoid, for example areas adjacent to boundaries near neighbouring residences.

Nuisance trail bike riders also face substantial fines ranging from \$750 for breaching a police noise abatement direction to \$3000 for breaching a court noise abatement order.

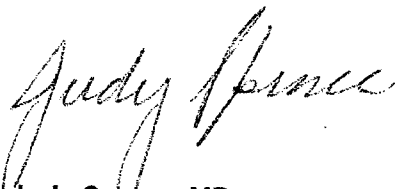
In addition to these changes to the *Police Powers and Responsibilities Act*, the *Summary Offences Act 2005* has been amended to provide a new offence (section 11A) of driving a motorbike on public land in contravention of a regulation or local law which regulates access by motorbikes to the particular land. Trail bike riders caught committing this offence face an on-the-spot fine of \$150.

The new laws target trail bike riders who cause excessive noise which unreasonably disrupts the peaceful lifestyle sought by residents in both urban and rural areas. The laws also assist in addressing the problems of dangerous trail bike riding and environmental damage caused by the irresponsible use of trail bikes. Riders who act responsibly are not affected.

Your suggestion to register all motorbikes, including those designed for off-road use, falls within the responsibility of the Honourable John Mickel MP, Minister for Transport, Trade, Employment and Industrial Relations. I have taken the liberty of forwarding a copy of your letter to Mr Mickel for consideration of his reply direct to you on this issue.

I trust this information is of assistance.

Yours sincerely



Judy Spence MP
Minister for Police, Corrective Services and Sport

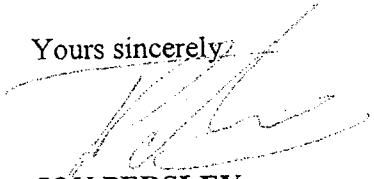
Encl

Cc The Honourable Andrew McNamara MP
Member for Hervey Bay

Recreational trail bike usage is a major issue that councils and police are faced with in many areas of Queensland. You may be interested to know that a paper was recently published titled "The CMC review of Queensland's off-road motorbike noise laws". This publication is an issues paper that invites public comment. The paper can be accessed on the Crime and Misconduct Commission website www.cmc.qld.gov.au

If you require any further information, please call Anne Kirby, Land Transport and Safety on 3253 4113.

Yours sincerely,



JON PERSLEY
Assistant Policy Advisor

Individual Submission 298

To: Nadine Seifert
Date: 12/08/2008
Subject: Off-road motorbike noise laws

G'day Nadine

I own a Quad motorbike and enjoy it every time I use it. I enjoy to be out there in the forest and enjoy the freedom and to be close to nature. The problem that I have is that I have to do it illegal which makes it more fun but can get me into a lot of trouble. Which bring me closer to the point.

Many youngsters in our area often jump on their off-road/ pitbike and do round trips in the neighbourhoods. There is not enough area's for us to ride. Close to where I live used to be a open bush area where we used to go and ride but it has since been closed up and factory's been set up in those areas. If there is more designated area's for us and these fellow bikers to ride it may bring down the noise in the burbs. We are all living closer and closer to each other due to new land sales and block of land gets smaller so that the big land developers can make more money.

Remember that these motorbike business is a multimillion dollar industry and that bringing in more strict rules and regulations will kill the business. Think of the small bloke on the corner shop that import riding gear for bikes, he employs a couple of people and these people stayes off the dole and pay tax. Big motorcycle mobs like Yamaha, Honda and so on provide huge number of jobs to sales personal and provide trade skill to youngsters and tradespeople.

We need more area's to ride and I know that there are ways to get around it to make it legal to ride in the forests but like me with my Quad it can't be registerd, so it makes it illegal to ride in the forest. I'm willing to pay rego or conditional rego to be able to enjoy a nice ride in the forest.

So the bottomline is to provide more area's to ride.

Regards
XXXX

Individual Submission 304

To: Nadine Seifert
Date: 13/08/2008
Subject: Re: CMC review of Motorbike Noise Laws.

From what I have been able to ascertain, the current legislation appears to be well constructed and does not need any adjustment, however, one thing that I feel would be of help to those who are affected by undue noise from offending persons, would be that attending Police Officers, regardless of whether they personally hear the complaint, to stop and inform the alleged offenders that a complaint has been made and not simply drive past for the noise to start up five or ten minutes later.

The reason why I suggest this as a prescribed action is from my own experience with neighbors who live near me, and because of the position of our properties, as soon as they see the police driving along the highway to attend any complaint, they immediately cease any offending action before the Police are within hearing range, in the same way that they do every time, whether the complaint is noisy motorbikes, excessive noise from their motor vehicle repairs or loud thumping bass car stereo systems of which I feel should be either included in this legislation or, whichever legislation covers these offenses should be altered to protect neighbors from the actions of these 'rogue' people.

I also feel that what consists of making a vexatious or frivolous complaint needs to be more clearly defined, because some offenders are under the impression that if they work the system right, that the Police will ignore the complaints and not deal with them, because of the person who is making the complaint is forced to continually contact the Police about the same offense on a regular basis.

Yours.
XXXX.

Hi Nadine,

I have no problem whatsoever with my comments being posted, there was one other nuisance noise that I forgot to add to the list and that is the noise made by a ride-on lawnmower that has a damaged muffler which was another aggravation that the neighbors near me have used recently.

Yours.
XXXX