



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

Date 12 August 2008

Attention: Nadine Seifert

Dear Nadine

Re: Toowoomba Regional Council comments on the CMC Review of Motorbike Noise Laws

The following are issues of concern and it is recommended that they be addressed to facilitate better noise control measure.

- Regulation under the "In the authorised officer's opinion" results in can be seen as a limiting factor. Many complaints tend to result from private properties and may have a history of some form of neighbourhood dispute. This may make it more difficult to form a realistic opinion of nuisance.
- A Council Officer who provided this comments reported that he had spoken to Local Police about the Powers & Responsibilities Act 2000. The police advised him that they considered the Act as being weak. In most cases by the time the Police arrive the noise has abated. They talk to the alleged offender and after they leave the noise starts up again twice as loud to annoy the complainant.
- With the first complaint the Police may give a written noise abatement direction. If they were able to give a "verbal" such as with anti-hooning it would be easier for the Police to deal with.
- The other point raised is that the second complaint can only be dealt with if it is within the 48 hrs of the first written notice and in the same place. This means that every 50 hours the offender goes out and annoys his neighbour, and he by changing his "track" can avoid a fine.
- A suggestion can be to provide officers with noise meters and powers to place it on the offending bike. If a compliant is received officers have the power to put an approved noise meter on the bike. If it fails, an on the spot fine is issued, whether the bike is ridden or not.

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Yours faithfully

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