

TRAILBIKE PROJECT OPTIONS PAPER



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TRAIL BIKE PROJECT OPTIONS PAPER OUTLINE

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1. Executive Summary

As outlined in this paper, the current levels of trail bike use are causing environmental damage and significant community conflict with residents and other forest recreationalists. Whilst it is noted that many of the issues are caused by the illegal and inappropriate behaviour of a minority of riders, it is anticipated that the problems will increase in scale with the increasing levels of use driven by increasing motorbike sales and outward growth of the metropolitan fringe.

It should come as no surprise that there is no simple solution to the problem. The advice from numerous stakeholders and government agencies is that any reduction in the severity of the problems requires high levels of cooperation and support by all affected parties, but particularly across government agencies, the motorcycle industry and recreational riders.

Key recommendations to move trail bike use to a more sustainable footing include improving noise compliance of trail bikes, using buffer zones to protect sensitive areas, investment in education to effect long-term behavioural change, an improved regulatory and enforcement regime and better coordination across Government agencies through recognition of VMAC as the peak inter-agency coordinating body to guide State and local government responses to trail bike use of public land.

Effective management of trail bike issues will require greater cooperation and support across a range of Government agencies, the motorcycle industry, riders and regional communities. It will additionally require sustained effort across the short, medium and longer-term to change current patterns of use, to move trail bike riding onto a long-term sustainable footing.

2. Introduction

2.1 Policy and legislative context

2.1.1 The Trail Bike Project

The Trail Bike Project has Statewide implication, but focussed in detail on the Central Highlands of Victoria, as this area was seen to encapsulate the key issues being faced by regions Statewide. The Central Highlands of Victoria extend from the Hume Highway in the west, to the Goulburn River in the north, the Goulburn and Thompson Rivers in the east and the Princes Highway in the south. The State forests of the Central Highlands play an important part in the everyday lives of the local communities who have chosen to make the surrounding bush land their home. These areas are also an important resource for greater Melbourne, attracting visitors from across the metropolitan area for both passive and active recreation.

At the time the Forest Management Plan for the Central Highlands was written in 1998, it was estimated that the State forests of the Central Highlands attracted around 850,000 visitors each year. It was predicted that usage would grow by 3% to 5% per year. Bush walking, touring, horse riding, four-wheel driving, bird watching, wildflower appreciation, car rallying, orienteering, and trail bike riding are all popular recreational pursuits in State forests of the Central Highlands.

The recreational use of trail bikes in Victoria's State forests and other public land has been a popular pastime for the last 30 years or so. In the last five years, there has been a marked increase in the number of riders in the bush, particularly with the increasing settlement in Melbourne's outer eastern corridor. Rural tranquillity and the quality of life have changed for many landholders with properties adjoining public land, due to increased trail bike activity. This is especially true for those that have settled in so called trail bike 'hot spots' within the Central Highlands area such as Paul's Range, Mt Disappointment, Rokeby / Crossover and Rawson. Trail bikes have also caused environmental damage in some areas of heavy use.

Over the last decade, Victorian land managers have become increasingly aware of conflicts between recreational user groups in State forests, and the impacts of some recreational activities on adjoining landholders. Landholders are experiencing the effects of increased numbers of riders, and riders parking, unloading and warming up close by or adjacent to their properties. The combined noise of bikes riding together and continually during the weekend is affecting landholders quality of life in some areas, and is reportedly impacting on the viability of some businesses such as bed and breakfasts, horse riding tour operators and even vineyards.

The Trail Bike Project is aimed at directly documenting and addressing the concerns of residents, trail bike riders, other forest users and the government land management agencies, including the Department of Sustainability and Environment (DSE), Parks Victoria and local councils, across Victoria. The project aimed at exploring issues associated with the use of trail bikes in State forest and identifying educational as well as regulatory options for managing trail bike use and access. Although the project has a specific focus on State forest and focussed on the Central Highlands in particular, it considers trail bike issues Statewide, with the issues and recommendations having broader applicability across the whole of the public land estate.

2.1.2 Draft Recreational Framework for Bunyip Public Land

The project team is aware that work is currently being undertaken by Parks Victoria on the preparation of a Recreational Framework for Bunyip Public Land. The draft framework is also looking at the issue of trail bike riding within parts of the State forests of the Central Highlands that fall within the Bunyip area. The draft framework prepared by Parks Victoria notes that trail bike use is the single biggest recreational issue in the area. The framework is seeking to strike a balance between the needs of different users of public land areas, as well as the protection of natural and cultural values across the framework area. The work undertaken by Parks Victoria has been considered and incorporated into the Trail Bike Project as appropriate.

2.1.3 Policy Context

The policy framework within which the Trail Bike Project has been conducted is set out in the following policy statements:

- Growing Victoria Together
- Our Environment Our Future: Victoria's Environmental Sustainability Framework
- Our Forests Our Future
- Policy for Sustainable Recreation & Tourism
- Forest Management Plan for the Central Highlands

Growing Victoria Together

In 2001, the Government outlined its ten-year vision for Victoria, Growing Victoria Together (GVT). GVT follows careful discussion and consultation with many groups in the community, and identifies ten goals for the growth and development of Victoria. These goals balance social, economic and environmental considerations and will underlie budgetary and policy decisions. An updated version of GVT was released in March 2005.

One of the goals outlined in GVT is the protection of the environment for future generations. This goal seeks the active conservation and management of our natural environment in order to achieve our social and economic goals. One of the key measurements of progress towards this goal is improvements in the condition of our land and native vegetation.

Our Environment Our Future: Victoria's Environmental Sustainability Framework

On 20 April 2005 the Minister for Environment, the Hon John Thwaites MP, launched Victoria's Environmental Sustainability Framework. The Framework outlines the key environmental challenges Victoria faces, the strategic directions we must pursue to become environmentally sustainable, objectives to be achieved and interim targets for measuring progress towards these objectives.

There are three strategic directions established by the Framework:

- Maintaining and restoring our natural assets.
- Using our resources more efficiently.
- Reducing our everyday environmental impacts.

The Framework recognises in particular the importance of our native forests, and includes as an objective the sustainability of our forests and the ecosystem services that they provide.

Our Forests Our Future

In February 2002 the Victorian Government announced the *Our Forests Our Future* policy initiative to ensure the sustainable future of Victoria's native forests and regional communities. As part of the *Our Forests Our Future* policy initiative, the Government committed to ensuring DSE improved its management of the entire forest estate for a variety of uses.

The policy highlighted DSE's priorities as including:

- strengthening consultation as a routine element of DSE's normal means of operating;
- providing communities, including indigenous groups, with the information they require to make informed inputs on forest management issues;

- ensuring access and tourism infrastructure in State forests is well-maintained;
- strengthening enforcement controls over illegal and inappropriate activities; and
- developing options for community participation in forest management.

In response to the need for greater public engagement in issues around the management of State forests, the Tall Forests of the Central Highlands Forest Stewardship Community Engagement Plan 2003-2006 was developed. The Plan outlines a series of projects relevant to management of the State forests in the Central Highlands area, with a focus on community engagement. The Plan notes that trail bike riding is of particular concern to many communities in the Central Highlands area and, accordingly, included the proposal for the Trail Bike Project.

Policy for Sustainable Recreation & Tourism

In 2002 the Government also released its policy for Sustainable Recreation & Tourism on Victoria's Public Land. The policy was developed to provide strategic and coordinated direction to all Government agencies who have responsibility for managing and providing for recreation and tourism on public land and waters, within an Ecologically Sustainable Development (ESD) framework. The Policy provides guidance to the tourism industry, recreation organisations and the community generally as to how the Government intends to facilitate access to public land for appropriate recreation and tourism activities in such a way that protects the values of public land for the future.

Sustainable recreation and tourism on Victoria's public land, based on the principles of ESD, will be achieved through:

- improvement in individual and community wellbeing and welfare through the provision of adequate opportunities, experiences and quality recreation and tourism settings and facilities;
- protecting the recreation and tourism values of natural and cultural resources of public land for the enjoyment of all Victorians now and in the future; and
- protecting biological diversity and maintaining ecological processes and life support systems through sound planning and procedures that guide recreation and tourism use on public land.

Forest Management Plan for the Central Highlands

The recreational aims of the 1998 Forest Management Plan for the Central Highlands are also relevant to the Trail Bike Project. The Plan includes the following recreational aims for the Central Highlands area:

- to provide for a wide range of recreational activities in State forest which complement those available in parks and reserves;
- to facilitate the participation of the private sector in the provision of tourism and visitor services;
- to participate in and integrate tourism planning and promotion with peak tourism bodies and local government;
- to minimise the environmental damage caused by recreational activities; and
- to educate and inform visitors about native forests and their management.

The Plan recognises four recreational management zones where different recreational activities and development are appropriate. Trail bike riding is identified in all zones other than Zone 1, which encompasses Marysville and Warburton.

2.1.4 Legislative Context

DSE officers' powers relating to the regulation of recreational activities in State forests, including trail bike riding, are contained in the *Forests Act 1958*, and supplemented by the *Land Conservation (Vehicle Control) Regulations 2003*. The recent introduction of the *Safety on Public Land Act 2004 (SoPLA)* and the *Road Management Act 2004 (RMA)* provide additional legislative tools.

The powers available to DSE officers under the above Acts include:

- the power to close roads to access (either permanently or temporarily), and to prosecute anyone found driving on a closed road;
- the power to issue a penalty infringement notice for off-road driving (that is, driving on roads not formed for four-wheeled motor vehicles and not open to the public);
- enforcement of public safety zones under the new *Safety on Public Land Act 2004*; and
- special traffic management powers.

In addition to the above powers, the *Forests Act 1958* states that where a person commits an offence under any Victorian Act within a reserved forest, a DSE authorised officer may proceed against that person. This allows DSE officers to prosecute offences provisions under the *Road Safety Act 1986* and the *Environment Protection Act 1970*, for example, where offences under those Acts have been committed on reserved forest.

Reliance on the above powers in regulating the use of trail bikes is dependent on effective enforcement, which in turn is dependent on the availability of resources for enforcement activities. The effectiveness of the power to close roads, for example, is limited to the resources available to undertake and enforce road closures over often large areas of land.

Effective enforcement may also be dependent on whether or not relevant powers are accompanied by appropriate powers of enforcement. Powers of enforcement include, for example, the power to demand the name and address of a person found committing an offence, and the power to seize an item being used in the commission of an offence. Various powers of enforcement are available to DSE officers under legislation within the environment portfolio, including the *Forests Act 1958*, the *Fisheries Act 1995*, the *Wildlife Act 1975* and the *Marine Act 1988*. However, such powers are not available under other pieces of legislation within the portfolio, including the *Land Conservation (Vehicle Control) Act 1972*. Where these powers are not available, this can limit the effectiveness of the other powers available under these Acts..

Several regions within the study area of the Central Highlands have established an Operations Order with local police, enabling them to organise joint patrols with police officers, to oversight the use of trail bike riding within State forests. The Victoria Police Special Solo Unit (Motorcycles) also conduct enforcement blitzes within State forests where resources are available, usually in conjunction with DSE or Parks Victoria officers. Joint patrols have the added advantage of allowing the enforcement of road safety provisions by Victoria Police, including the requirement to be licensed and registered when trail bike riding on public land. However, limited resources dedicated to activities in State forests by Victoria Police means the frequency of joint patrols is limited.

3. Background

The bulk of Victoria's public land is managed by the Department of Sustainability and Environment (3.4 million hectares of State forest) and Parks Victoria (4.1 million hectares of parks and reserves). This public land is managed to balance a variety of uses, including the conservation of flora and fauna, protection of water catchments and water quality, the provision of timber (in State forest only), the protection of landscape, archaeological and historic values, and the provision of recreational and educational opportunities. Recreational use must be balanced not only against these other values, but also against other competing and at times conflicting recreational uses. Public land is an important recreational setting for a broad range of recreational activities, from bushwalking and picnicking, to four-wheel driving and competitive car rallies. This is the context for the management of trail bike use of public land.

3.1 Outline of Issues

3.1.1 Lack of data

Whilst land managers Australia wide have been grappling with trail bike issues for a number of years, there is still a lack of good research underpinning management responses. Much of the evidence related to the impacts of trail bike use is anecdotal and whilst apparent and undeniable, is not well understood through good quality longitudinal research. Nonetheless, as a recreational activity, it generates a disproportionate number of complaints to its participation rate.

Lack of good research is impeding the ability of public land managers to make informed decisions.

3.1.2 Level of use of public land by trail bikes

“Trail bike” is a term generally used for a wide range of purpose-built motorcycles and related vehicles of variable design and riding use. They are generally categorised as follows¹:

1. **Motocross (MX) bikes** – Motorcycles designed for high-speed racing (ie. motocross) on rough terrain, racing circuits which are generally between 1.4 and 2.5 kilometres in length (ie. motocross tracks). Motocross bikes are high performance racing machines. They are not designed to be registered for road use. However, second hand MX bikes are commonly used for recreational trail riding and if suitably modified, can be given recreational registration.
2. **Enduro bikes** - Motorcycles designed for racing on relatively long, but defined, natural terrain or cross-country circuits or courses involving a mix of slow and fast sections. Enduros are similar to rally car driving in that riders compete to complete staged sections in the shortest time. Enduro bikes are usually equipped with headlights, brake lights, tail lights and exhaust systems that comply with the Australian Design Rules (ADRs) and are able to be registered to ride on public roads. These are the main types of motorcycles currently used in trail riding on public land.
3. **Observed trials bikes** – Motorcycles designed to negotiate complex and very rough natural and/or artificial terrain, usually at slow speeds. The objective of observed trials is to negotiate obstacles without stopping or the riders touching the ground with their feet for additional support. These bikes are almost never used for trail riding.
4. **Mini-bikes** – Small motorcycles with relatively low-power engines that are designed to be ridden by children from 3 to 12 years old. Mini-bike riding requires small areas of flat land that are free from significant obstacles. Within such areas, defined circuits up to 500 metres in length may be used. Riding is usually supervised by adults. Mini-bikes are not designed to be registered for road use. These bikes are often associated with riding illegally on the fringe of urban areas but are not equipped for riding more than a few kilometres.
5. **Road registrable trail bikes** - Motorcycles designed for recreational trail riding in a wide range of situations including formally organised enduros (see above); informal riding on relatively long (between 50 and 500km per day) natural-terrain, cross-country routes and both unsealed and sealed roads involving a mix of slow and fast sections; touring and commuting. These machines are designed and sold as new with headlights, indicators, brake lights, tail lights and exhaust systems that comply with the ADRs. They are able to be fully registered for use on public roads. However, some owners choose not to register their bikes. These bikes are declining in numbers; Enduro motorcycles are now the main motorcycles purchased/used for trail riding.
6. **ATVs (All Terrain Vehicles)** – Four-wheeled vehicles equipped with the same engines that power motorcycles. Some ATVs are designed as racing machines equivalent to motocross bikes (see above) while the majority are equipped as farm vehicles with headlights, brake lights, tail lights and carry racks.

Recreational use of trail bikes in Victoria’s State forests and other public land has been a popular pastime during the last 30 years. An extensive public road network of 36,000 km across State forests and parks provides great access for motorised vehicles through bush areas, providing a riding experience remote from crowds and traffic that many users seek. Trail bike users also share this roading network with many other recreationalists; from bushwalkers and picnickers, to four-wheel drivers, horse-riders, mountain bike riders and a multitude of other recreationalists. As with many recreational pursuits, the impacts of trail bike activities can become more pronounced as the numbers of users increase.

¹ Descriptions adapted from Solutions to unlawful trail bike riding in South East Queensland – South East Queensland Trail Bike Management Forum (March 2003).

Whilst there is no reliable data on the levels of use by trail bikes of public land², retail sales (see Tables 1 & 2) and registration data and consistent anecdotal data from regional staff in both DSE and Parks Victoria and from other recreationalists and residents is indicating that the levels of use have grown considerably over the last decade. Sales figures (see Table 2) provided by the Federal Chamber of Automotive Industries (FCAI) indicate an increase in retail sales of trail bikes³ in Victoria of 20% from 2003 to 2004 (from 3083 to 3692 respectively). The total number of motorbikes registered in Victoria was 106,763 in 2004⁴, of which as much as 50% (or 53,000) are estimated to ride on public land. It is difficult to estimate the number of unregistered trail bikes riding illegally on Victorian public land, but extrapolation from retail sales vs registrations put this figure as high as an additional 70% (or 37,000) of the number of registered motorbikes using public land. This puts the total estimated population of motorbikes riding on Victoria's public land at 90,000. Off-road motorbike sales have over the last few years, outstripped sales of road bikes and now constitute the largest market for sales. Sales in this sector continue to increase and this trend is expected to continue.

Table 1: FCAI Motorcycle Sales – Victoria 2000 – 2004

	Road	Off-Road	ATV	Total
2000	4629	9332	2520	16481
2001	5926	8509	2832	17267
2002	4371	10218	3656	18245
2003	4286	8236	3200	15722
2004	6046	10839	3082	19967

Table 2: FCAI Motorcycle Sales – Off-Road Categories

	Australia		Victoria	
	2003	2004	2003	2004
Mini-bike	10879	13381	3115	3830
Enduro	9440	12107	2798	3316
Moto Cross (MX)	8054	10494	1635	2206
Trail	1637	1922	285	376
Farm	2223	4768	403	1111
Total	32233	42672	8236	10839

The demographics of trail bike use of public land in Victoria has shifted in the last decade, from a greater proportion of regionally based riders, to a more urban based riding population seeking riding experiences in regional Victoria. This trend has been increased as the outer eastern Melbourne metropolitan fringe continues to push out further into traditional rural areas, by the introduction of recreational registration (8% or 8,437 registrations) and the increasing unavailability of legal motocross and dirt track motorbike venues on private or council managed land. Additionally, sales of minibikes (generally 50cc to 80cc) and two-wheel farm bikes in Victoria are increasing, and from 2003 to 2004 increased a further of 40% (from 3518 to 4941 respectively), although sales of ATV's (All-Terrain Vehicles), which are sold primarily into agriculture, decreased from 3082 to 3200 from 2003 to 2004. These bikes now constitute more than 30% of all new bike sales and whilst they cannot be legally ridden on public roads in Victoria, they are increasingly using the public land road network.

Taken in overview, over the last nine years, motorcycle retail sales in Victoria have risen from approximately 9,000 in 1995 to almost 20,000⁵ in 2004. Registration figures in Victoria over the same period have risen from 81,022 in 1995 to over 106,763 in 2004. Almost half of these motorbikes are estimated to utilise the public land road network (either legally or illegally). The end result of this increasing use of the public land road network is outlined in the following sections.

Educating a growing population of motorbike riders on where they may ride their bikes is a key challenge for Victorian government agencies.

² Where the term public land appears in this report, it refers to State forests (managed by DSE) and National Parks, State Parks and other reserves (managed by Parks Victoria)

³ Includes trail bikes and enduro bike sales

⁴ Source –VicRoads registration data

⁵ Source - FCAI

3.1.3 Noise

Noise impacts

Noise rates as one of the most troublesome issues with trail bike use of public land. The decibel level at which noise becomes annoying varies markedly between individuals but also with the setting. People are likely to be more sensitive to auditory disturbance when in quiet forested settings, as opposed to urban streetscapes (where numerous noises recede into the ‘white noise’ we become used to within an urban setting). As a consequence, the noise of trail bikes within quiet forested landscapes is more pronounced, with residents and recreationalists likely to have a heightened sensitivity to mechanical noise that impacts on their quiet setting.

Adverse health effects of noise have been noted in various studies⁶. In some cases the annoyance can lead to residents moving house to quieter areas (often the motivation for them moving into rural residences in the first instance). Trail bike noise is a key concern of some rural residents, particularly for landholders whose properties adjoin public land where trail bike riding occurs. The noise impacts on these residents are considerable and with the expanding rider base, can occur for prolonged periods (often the entire weekend).

Trail bike noise also directly impacts on the enjoyment level of other forest users. As previously mentioned, public land is an important recreational setting for a broad range of recreational activities, and the needs of trail bike riders must be balanced against the needs of others to enjoy recreational activities in appropriate settings (eg. quiet settings). Land managers across State forests and parks are observing changing use patterns as the intensity of trail bike use in some areas is displacing more passive recreational use. In these instances walking, horse-riding, picnicking and camping activities have moved to quieter areas, which better match their experiential setting. This has been observed across a number of forest areas and day-use and camping sites.

In relation to motorcycle types, four-stroke bikes are often subjectively quieter than two-stroke bikes, because they typically produce a lower frequency noise which is subjectively less annoying⁷. Additionally, the more aggressive the riding style, the greater the level and modulation of the noise emitted⁶. Whilst the noise from trail bikes warming up and undertaking activities associated with unloading does not vary significantly to that when they are being ridden on trails⁷, the noise level from trail bikes decreases rapidly with distance – particularly when the direct line of sight is interrupted by the terrain. Topography thus provides a significant attenuation of the noise⁶, however, vegetation was found to provide only small attenuation effects.

The other less well documented impact of noise is its effects on native animals and birds. Noise may result in native animals and birds vacating noisy areas. Noise is also known to disrupt the breeding of some animals and birds. American research has documented the adverse effects of off-road vehicle noise on wildlife, noting off-road vehicles can result in wildlife hearing impairment, stress, displacement and other disturbance effects⁸. The long-term impacts of varying levels of noise on Australian native bird and animal populations are however poorly researched and understood.

Daytime background noise levels in forested settings were typically 30 to 35 dB(A)⁶. Whilst vegetation and topography can to some extent absorb noise, noise from passing trail bikes can exceed the typical background noise levels by up to 40 dB(A)⁹.

Understanding noise

As previously mentioned, loud noise can become annoying, particularly against a quiet forested setting. Most trail bike activity will be audible to a greater or lesser extent. To understand noise, a brief explanation¹⁰ is warranted. Noise is measured in decibels, but this scale does not have a direct relationship to the way humans perceive sound. The decibel scale uses logarithmic function to describe the very large range of pressure levels that constitute audible sound that human beings experience. In subjective terms a sound that increases in sound level by 10 decibels would be perceived to have doubled in “loudness”. Table 3 illustrates the effect of changes in sound level to the subjective loudness.

⁶ From National Road Transport Commission, External Noise of Motor Vehicles: Regulatory Impact Statement (Oct 2002).

⁷ Noise Modelling for the Bunyip Recreation Framework-Stage 1 Environmental Noise Modelling Report, Bassett Acoustics (2005)

⁸ The Impacts of Off-Road Vehicle Noise on Wildlife. Schubert and Smith. The Road-RIPorter. Jan/Feb 2000, Volume 5 #1

⁹ Noise Modelling for the Bunyip Recreation Framework-Stage 2 Environmental Noise Modelling Report, Bassett Acoustics (2005)

¹⁰ Explanation sourced from EPA

Table 3: Subjective effects of changes in sound pressure level¹¹

Change in sound Level (dB)	Change in power		Change in apparent loudness
	Decrease	Increase	
3	1/2	2	Just perceptible
5	1/3	3	Clearly noticeable
10	1/10	10	Half or twice as loud
20	1/100	100	Much quieter or louder

The factors that can affect how noise is perceived are its level, its character, its duration, the frequency or regularity with which it occurs, the time of day when noise exposure occurs and the background noise in the area. So, a noise for a short period may be acceptable to a resident going about normal activities but may be unacceptable if it occurs for an extended period or too frequently. Noise that is acceptable during daytime may be unacceptable during the evening or night when there are higher expectations of residential amenity. Noise that is steady in nature is not as disturbing or annoying as noise that has rapid variations over short periods.

Allowable noise emission levels

Australian Design Rule¹² 39/00 (ADR 39/00) enacted by the Federal Government, sets maximum allowable 'drive-by' and stationary noise emission levels for new motorbikes designed for use on public roads, as specified in Table 4.

Table 4: ADR 39/00 allowable noise levels

Motorcycle manufacture date	Maximum 'Drive-By' ¹³ noise level dB(A) Engine cylinder capacity (cc)	Maximum stationary noise emission level dB(A)
Before 1 March 1985	cc < 125cm ³	82
	125cm ³ < cc < 500m ³	84
	>500cm ³	86
On or after March 1985	cc ≤ 80cm ³	77
	80cm ³ < cc < 175cm ³	80
	cc > 175cm ³	82
Recreational motor cycle ¹⁴	Not Applicable	94

The maximum stationary noise levels are enforced in Victoria by the Environment Protection Authority (EPA) as an in-service requirement.

In 2005 a new ADR 83/00¹⁵ was introduced which brings Australia into line with prevailing international standards¹⁶ (set by the United Nations Economic Commission for Europe – UNECE), and will require all future motorbikes imported into Australia to meet "drive by" noise emission levels as detailed in Table 5.

Table 5: ADR 83/00 allowable noise levels

Motorcycle engine cylinder capacity (cc)	Maximum 'Drive By' noise level dB(A)	Maximum stationary noise level dB(A)
cc ≤ 80cm ³	75	None
80cm ³ < cc < 175cm ³	77	None
cc > 175cm ³	80	None

ADR 83/00 does not have a maximum stationary noise level. Because of the different measurement methods used to establish vehicle in motion (drive by) noise emission levels compared to stationary noise emission levels, it isn't possible to directly compare the two values. However, manufacturers will provide a stationary "signature" or reference noise level to indicate its "as new" stationary noise level.

¹¹ Engineering Noise control: Theory and Practice - Bies D and Hansen C (1996). 2nd edition.

¹² An Australian Design Rule (ADR) is a national standard under the Motor Vehicle Standards Act 1989 of the Commonwealth

¹³ Noise emissions as measured from a motorcycle in motion.

¹⁴ recreational motor cycle" means any motor cycle that is not able to be lawfully used on a highway; and is not an off road racing motor cycle

¹⁵ ADR 83/00 will apply to motorcycles and mopeds from 1st January 2005 for new models and 1st January 2006 for all models.

¹⁶ Australia represents only 1% of the world vehicle market, so generally adopts international standards rather than developing its own.

It is these “as new” stationary noise levels that Victoria’s EPA will use when testing noise emissions on motorcycles to ensure compliance (ie. on-road compliance testing is done on this defacto stationary noise emission level, as it is more practicable for enforcement agencies to test).

It should be noted that, to allow for in-service deterioration from the original signature level (ie. mechanical degradation of the exhaust system over the life of the motorbike), the federal Department of Transport and Regional Services have suggested that the legally enforceable stationary noise emission levels should be 5dB(A) above the signature level. A consequence of this (and it has been experienced by the EPA in road motorcycles) is that although a motorcycle may meet the ADR 83/00 drive by noise level, the signature level plus 5dB(A) significantly exceeds the current 94dB(A) maximum stationary noise level.

This means that the new ADR 83/00 may, in some instances, legally allow the latest generation of motorbikes to be noisier than that currently allowed for older motorbikes under the old ADR 39/00 which continues to apply to pre-2005 motorbikes.

New ADR’s are not retrospective – they only apply to new motorbikes and not the many trail bikes built and registered prior to introduction of any new ADR. If future ADR’s lower enforceable stationary noise emission levels, it should be noted that any tangible lowering of noise levels to residents and other recreationalists will not be felt until these new vehicles further penetrate the market, replacing older, noisier bikes. As such, improving noise from new vehicles is a long-term strategy



It is also worth noting that some of the ATV’s and mini-bikes imported from China into Australia (estimated by the FCAI to be 60,000/annum of which 20% are believed to end up in Victoria) are not required to meet ADR noise emission standards for road-registered bikes or closed circuit bikes (103dB(A)). As a consequence, these bikes, when ridden on private property or illegally on public roads, can significantly add to the noise conflict associated with trail bikes.

Noise is at the root of several problems of concern to residents, other recreationalists and land managers alike. Whilst much of the noise emitted by trail bikes is from motorcycles that comply with the legal allowable noise emission levels, it is likely that motorcycles whose owners have deliberately alter the exhaust systems on their bikes to make them louder and improve performance do contribute to the noise issue. These modifications significantly undermine the effort that manufacturers expend to get bikes to comply with ADR’s and include removing compliant mufflers and replacing them with non-compliant, noisier mufflers, and tampering with or removing baffles from within the muffler which significantly reduce or eliminate the muffler’s ability to damper noise emissions. These modifications do increase the performance of some bikes by as much as 20% but significantly increase noise pollution and associated conflict with other forest residents and recreationalists. They also make these bikes non-compliant to ADR’s (and therefore illegal). Such modifications should be strongly discouraged and prosecuted where found to be non-compliant with existing legislative requirements. Ascertaining the extent to which such modifications occur on road registered and recreational registered motorbikes should be a research priority, to determine the extent to which such modified motorbikes contribute to noise impacts.

In general, the contribution that non-compliant trail bikes make to noise pollution is not well understood as levels of testing of trail bikes in-situ in the bush have been very low. Results from noise testing (undertaken by the EPA in the Bunyip State Park back in 2001) of 15 trail bikes for their

compliance to the then applicable 94dB(A) noise emission level, found that 9 (or 60%) passed, 3 (or 20%) were marginal fails (one or two dB(A) over) and 3 (or 20%) failed (ie. significantly failed by more than 6dBA). If these figures are indicative of the current levels of compliance, illegal noise emissions by non-compliance trail bikes may be a significant contributor to trail bike noise pollution in rural forested areas.

Ensuring compliance with noise emission levels and protecting residents, other recreationalists and sensitive fauna are critical issues to be addressed in relation to motorbike use of public land.

3.1.4 Environmental impacts

The mechanics of trail bikes allow their rider to go many places and at many times of the year where conventional four-wheeled vehicles cannot go. Whilst the overgrown nature of some fire and management tracks limit the passage of four-wheel drive vehicles in some instances, trail bikes are less bound by such physical restrictions. Additionally, whilst the passibility of some tracks in certain weather conditions naturally limits their use by four-wheel drive vehicles, trail bikes are less restricted. The increased accessibility of trail bikes and the speed with which some may travel can increase road use impacts, but generally trail bike use (as with general motorised vehicle use) of the public road network can be managed sustainably.

The key environmental impact associated with trail bikes relates to their ability to push off-road into undisturbed areas and illegally create networks of singletrack. Whilst the thickness of the understorey can restrict the ease of creation of such trails in some forest types, persistence and time has repeatedly demonstrated the trail bike riders ability to establish extensive networks of illegal track throughout public land. In some forest areas, the length of the network of illegally created track exceeds the legal public road network. These tracks, initially created by rogue trail bike riders or four-wheel drivers, have been created for the challenge these groups seek and are frequently steep trails that go against the natural contours, through wet or boggy areas and across creeks and streams. Illegally constructed for challenge rather than sustainability, these trails soon begin eroding and their environmental impacts grow.

Illegal tracks increase fragmentation of the forest, strip sensitive areas of vegetation, provide corridors for predator and weed infiltration and increase sedimentation of streams, polluting water supplies and negatively impacting on aquatic health. As trail bikes are often transported to different riding locations around the State on trailers, the mud in their treads can be easily transferred to different locations, providing an effective vector for not only weeds, but also for pathogens such as *Phytophthora cinnamomi* (or dieback) which can have a major impact on forest health.

In times of drought, trail bikes may also access dry creek and lake beds. Landcare groups have been reporting that their good work in land protection is being undermined by illegal riding, which is eroding riverbeds and banks and causing large volumes of silt to erode into the catchments.

This illegal network of trails, once created, can be hard for recreationalists to distinguish from the legal track network. As a consequence, the illegal track network, once established, gets more and more use, the behaviour more and more established and the environmental problems grow in scale. Trail bikes illegally accessing seasonally closed tracks or Management Vehicle Only tracks are also a problem.

The growth in the illegal trail network is challenging public land managers' ability to close and rehabilitate them. Barriers such as gates or fencing put in place by public land managers to prevent four wheel drive and trail bike off-road use are frequently destroyed or new tracks illegally created around the barriers.



Off-road trail bike use is also a growing problem for adjoining private landowners, whose forested lands can be indistinguishable to trail bike riders riding on tracks illegally created by others. Such tracks have been established either as a way for riders to more directly access the adjoining State forest or to access the intrinsic landforms and experiences on that private land. Either way, such illegal use of private land can particularly be a problem for private landowners, and absentee landowners in particular.

Off-road riding of trail bikes can present a wildfire risk, as hot exhausts can ignite flammable forest fuels. This is particularly a concern when trail bikes illegally venture off-road into the dry understorey during the drier months. The frequency of such events is not well documented, but is known to have caused some past wildfire events. The need to keep trail bikes on formed roads, given the fire-prone nature of our native vegetation, is an ongoing challenge.

Keeping motorised vehicles to open public roads and protecting sensitive areas from off-road use are continuing challenges for public land managers.

3.1.5 Registration and licensing

On public land, motorbikes can only be ridden on public roads if the riders are fully licensed and the motorbikes appropriately registered. In Victoria, a person can be licensed to ride and operate a motorcycle from the age of 18 years. Once fully licensed, a motorbike rider can ride a bike that is fully road registered and able to be ridden on all open public roads or a bike that has recreation registration¹⁷. Reduced registration fees (\$7.10 annual registration + \$52.80 TAC insurance as opposed to \$32.90 + \$166.65¹⁸ TAC insurance for full registration) and different construction standards apply to motorbikes with recreation motorcycle¹⁹ registration (compared to fully registered road motorbikes). However, the recreation registration only permits these motorbikes to use roads located outside built up areas²⁰ (as defined by speed zones of less than 100km/h) that are not declared freeways or arterial roads under the Road Management Act 2004. They may not use freeways, state highways, main roads or tourist roads that are declared such in the Transport Act 1983.

The majority of motorbikes (including trail bikes) in Victoria have full road registration (106,763 in 2004), with only a smaller percentage (8% or 8,437 motorbikes) having recreational registration.

¹⁷ In 1999, changes to the Road Safety (Vehicles) Regulations introduced a class of registration called Recreation motorcycle

¹⁸ Motorcycle between 126cc to 500cc

¹⁹ Recreation motor cycle is defined in the Road Safety (Vehicles) Regulations (1999) as 'a motorcycle with 2 wheels, the general construction of which is such that it will not cause, or be likely to cause, a danger to its driver or to any person on a highway, and –

- (a) is so constructed that its driver has a sufficient view of traffic to its front and rear and to both sides to enable the driver to drive it safely; and
- (b) has a braking system comprising brakes fitted to both wheels of the vehicle; and
- (c) has fixed to it one headlamp, one rear red lamp and one rear red brake lamp; and
- (d) if fitted with an internal combustion engine, has securely fixed to its engine a silencing device constructed so that
 - (i) all the exhaust gases from the engine pass through the silencer in a manner which prevents undue noise
 - (ii) there is no attached cut-out or device capable of producing an open exhaust; and
- (e) is not used to carry goods or passengers.

²⁰ Source - Road Safety (Vehicles) Regulations (1999)

In December 2004 the Victorian Government, in response to community concern about use of miniature bikes and concerns from Victoria Police regarding enforcement, banned miniature motorbikes (sometimes referred to as monkey bikes) from Victorian roads and footpaths. These bikes cannot be registered because they do not meet Australian design standards and can now only be used on private property.

There is much anecdotal evidence from public land managers, residents, local councils and VicPolice that under-aged riding and the use of unregistered motorbikes continues to occur across Victoria's public land road network. However, there is little quantifiable data to clarify the extent of this problem. Both under-aged and unregistered riding exposes the rider to significant risk of injury (through riding by unskilled and inexperienced riders and use of unroadworthy and inappropriate motorbikes) and financial risk (resulting from riders with neither personal accident or third party insurance). The extent of this problem is exacerbated by ignorance, confusion or misinformation, which in turn feeds inappropriate and illegal riding and inappropriate sales of motorbikes to persons with wrong expectations on where the vehicle can be legally ridden. In Victoria, ATV's may not be road registered, cannot be ridden on public roads, and like miniature bikes, can only be used on private property. Despite recent lobbying of VicRoads and DSE by the quad bike community, concern over ATV safety is unlikely to see this situation change.

Current regulations regarding the riding of unlicensed and unregistered motorbikes (including trail bikes) also present a problem for enforcement officers in State forests. Where a road has been closed for the purpose of rehabilitation or to protect it from damage, these regulations are unable to be enforced. In order for these provisions to operate, the Road Safety Act 1986 requires that the particular road or track be an area that is open to or used by the public and is developed for, or has as one of its main uses, the driving or riding of motor vehicles. Closed forest roads fall outside this definition, but are often utilised by trail bike riders, notwithstanding their closure by forest officers. These provisions need to be extended, or alternatively, all closed forest roads must be declared to be roads for the purpose of the Road Safety Act 1986.

Educating motorbike riders on where they can legally ride, enforcing the law with respect to this and working across government to ensure appropriate recreational opportunities are provided for recreational riders are critical issues to be addressed by the Victorian Government.

3.1.6 Conflict with other forest users

As detailed previously, trail bike noise can directly impact on the enjoyment level of other forest users. As well as seeking quiet natural settings in which to undertake their recreational pursuits, many passive recreational users are also seeking physical separation from motorised vehicles. There is increasing evidence observed by land managers and reported by other recreational users of trail bikes venturing off the public road network, and utilising walking tracks and picnic and camping areas. The impact of this illegal off-road riding is increasing conflict with passive recreational users. Long-established passive recreational users are disappearing from some public land areas as these recreationalists perceive that they can no longer undertake their passive recreational pursuits in safety or in their preferred setting. Reports of near-miss collisions with trail bikes by passive recreationalists are not uncommon.

Beyond the walking trail networks, conflict with trail bikes and shifting of use patterns has been observed in picnic and camping areas. In popular trail bike areas on public land, picnic and camping areas can frequently become assembly and unloading/loading areas for trail bike riders. This use significantly changes the setting for many passive recreationalists and the changes to visitor use patterns as passive recreationalists vacate these areas in search of areas providing a setting more matched to their expectations is being frequently observed by land managers.

Additionally, areas of heavy trail bike use have also impacted upon two-wheel drive touring and horse-riding use of the public road network in forests. Visitors seeking a relaxing forest drive or horse trail ride using the public road network in forests, a network that typically experiences low volumes of generally slow moving traffic, are clashing with trail bike riders that may frequently use the public road network travelling at speed. The noise and perceived danger of collision with trail bikes is shifting other traditional recreationalists out of those areas heavily used by trail bikes, to areas where they are not as prevalent.

Implementing effective management strategies to reduce conflict between recreational user groups and engendering long-term behavioural change in the attitudes of rogue riders are critical issues to be addressed by the Victorian Government.

3.1.7 Availability of legal riding areas

A key issue for recreational trail riders is the nature of the experience they want and the extent to which public and private land is able to provide the experience they are seeking. State forests and parks offer an extensive public road network that provides great opportunities for trail bike touring. Trail bike riders utilising the diverse public road network can plan extensive tours of Victoria's natural areas and when observing the Tread Lightly principles, leave little impact. Recreational trail bike riders seeking speed and thrills may however find their needs at odds with the conservation objectives of public land managers. Public land is managed to provide for a diverse range of often competing recreational uses of the forest (both passive and active), balanced with the need for maintaining the environment in good health for the long-term benefit of all.

Competitive and speed trial motorised use of public land (outside of officially permitted and appropriately controlled events) is not a compatible activity on public land, which is utilised by a broad range of community and recreational users. Ideally such competitive and speed trial motorbike use should be catered for on private land or on council-managed venues. However, the availability of such venues is diminishing at a time when demand is increasing, as private operators of competitive venues have been forced to close due to closure of State sponsored venues (such as Westgate Motorcycle Park - formerly owned by Melbourne Ports) and increasing costs of public liability insurance.

Some of the biggest growth in motorbike ownership is in the categories of ATV's, mini-bikes and motocross bikes. The continuing growth in sales of these motorbikes, *which cannot be legally ridden on public roads*, is creating increasing demand for legal venues to ride. Additional pressure is coming from under-aged riders who are seeking legal and safe areas to ride. However, the cost of public liability insurance and difficulties in gaining planning permit approval to establish legal venues through the local councils are significant barriers to the establishment of new venues.

Advice from local council recreation officers indicated that within the Central Highlands study area, there were no council managed venues and only one privately managed venue on council land. Table 6 shows the key venues available to motorbikes and riders unable to ride on public roads.



Table 6: Central Highlands motorcycle venues

Venue name	Venue manager	Land tenure	Hours of operation	Allowable activities			
				Motocross	ATV/Quad bikes	Mini-bikes	Under-aged
<i>Baw Baw Shire</i>							
None	Baw Baw Shire		N/a				
<i>Casey Shire</i>							
None	Casey Shire		N/a				
<i>Cardinia Shire</i>							
None	Cardinia Shire		N/a				
Various private land venues	Koo-wee-rup Motorcycle Club	Private Land	Once a month Sunday 9am to 4pm	✓	X	✓	✓
<i>Mitchell Shire</i>							
Various private land venues	Alexandra Motorcycle Club	Private Land	Once a month Sunday 9am to 4pm	✓	X	✓	✓
Reg Hunt Park	Broadford Motorcycle Club	Private Land	9am to 4pm 3 rd Sunday of every month	✓	X	X	✓
Seymour Motorcycle Complex	Seymour Motorcycle Club	Council land	Once a month Sunday 9am to 4pm	✓	✓	✓	✓
<i>Murrindindi Shire</i>							
None	Murrindindi Shire		N/a				
<i>Nullimbik Shire</i>							
None	Nullimbik Shire		N/a				
<i>Yarra Ranges Shire</i>							
None	Yarra Ranges Shire		N/a				
Maroonah Motor Cycle Club	MMCC	VicRoads	Each weekend 12 to 5pm	X	X	✓	✓
Various private land venues	Motorcycle Racing Club of Victoria	Private land	9am to 3pm Sundays	✓	X	✓	✓

From the above table, it can be seen that the number of available venues and their hours of operation are too limited to meet the needs of the growing population of motorbikes that cannot be registered for legal public road use. Local planning provisions and green wedge legislation are making it increasingly difficult to obtain planning permit approval for such venues. In some instances, motorsport enthusiasts have been trying for over a decade to get motor sports facilities established in the outer eastern metropolitan area. The ability of motocross and dirt bike riders to have their recreational needs met are becoming more constrained. As a consequence of this, riders seeking purpose built venues to meet their needs for speed, jumps, berms and fast riding are venturing into State forest and park areas. This trend is becoming more pronounced as levels of motorbike ownership increase. The poor availability of legal council managed or private/club owned and operated venues, and the restricted hours of operation on those still operating, is resulting in these groups increasingly venturing onto public land and riding illegally on public roads.

It should also be noted that some shire councils have introduced local laws restricting the use of trail bikes on private land. In the Central Highlands area, the Murrindindi Shire Council, the Nillumbik Shire Council, the Baw Baw Shire Council and the Yarra Ranges Shire Council have all introduced local laws that either require a permit for the use of recreational vehicles on private land, or prohibit the use of trail bikes on private land where this would cause a nuisance to neighbouring land owners. Permits issued under these local laws restrict the use of trail bikes to times and durations that will not unduly impact on neighbouring land owners. These restrictions place further pressure on public land as an available space for trail bike riding, and further increase the need for specific purpose venues for trail bike riders.

Poor coordination across State and local government agencies and the lack of available riding venues are critical issue for the Victorian Government to address.

3.1.8 Safety

Trail bike riders are at risk of a range of injuries including chest, leg and head injuries, cuts, abrasions and death. The VISAR report²¹ of 2002 on all Victorian motorbike injuries reported that males were much more frequently involved than females in both hospital admissions and presentations. Younger and older adults (15-24 years old and 25+ year olds) each accounted for 40% of both admissions and presentations. Most injuries resulting in admissions involved the lower extremity (36% of admissions - mainly lower leg fractures, ankle fractures and thigh fractures). Injuries to the upper extremity made up 22% of admissions (mainly wrist fractures and dislocations and forearm fractures). There are difficulties in obtaining accurate data on the level of injuries and fatalities of trail bike riders on public land. Typically, the accident reports tend to tie the accident to the nearest major intersection or the injured are able to get themselves directly to hospital. The data recorded therefore does not accurately record the precise location of the accident. However, a summary of road crash information by road surface can be seen in Table 7.

Table 7: Crashes involving Motorcycles by Road Surface Type (2000 to 2004)²²

	Fatal	Serious Injury	Other Injury	Total
Unpaved or gravel roads	14 (6%)	765 (16%)	864 (17%)	1,643 (17%)
Paved Roads	223	3,261	4,200	7,684
All Roads	240	4,114	5,210	9,564

The safety risk is exacerbated by riding in bush locations remote from emergency services and by often inexperienced riders on performance trail bikes riding on rough bush tracks. Whilst some of the underaged riding is by 10 - 14 yr olds riding minibikes riding illegally in close proximity to their homes, there is also a significant component riding trail bikes through more remote forest areas. A VISS report²³ from 1997, on trail bike²⁴ injuries in 10 to 14 year olds found that most trail bike riding by this age group occurred 'off-road' on unregistered bikes, with riders generally being relatively inexperienced recreational riders. Over the period 1990 to 1994, eight trail bike fatalities were recorded, 2 from a collision with a car, 3 riding three or four-wheeled motorcycles on farms, 2 from colliding with each other while at a suburban race track and one whilst losing control at an unknown location. Analysis of data over the period 1987/88 to 1995/96 revealed that between 17 to 30 children per year were admitted to hospital as a result of 'off-road' motor cycle crashes. 22% of these occurred on farms, 22% at race tracks, 19% at 'unspecified places', 16% at home and 9% and 5% respectively at 'Other specified place' and 'Place for recreation' respectively. Recommendations to reduce these levels of injuries and deaths included:

- An appropriate government authority (or authorities) need to take responsibility for motorcycling safety off-road
- Parents need to be made aware through retailers and off-road motorcycle clubs that slowing down motorcycles for children will not eliminate injuries warranting hospital admission
- Parents need to be made aware through retailers and off-road motorcycle clubs of the risks to young people associated with riding three or four-wheeled motorcycles

As noted by Tread Lightly Australia²⁵, safety issues relating to riders and non-riders using the same places include excessive speeds given the terrain, other riders travelling in the opposite direction, other users including walkers, cyclists, horse riders and four-wheel drivers and dangers posed by booby traps designed to harm riders who cause a nuisance.

Current Government research and meaningful statistics on trail bike safety issues and crash data is lacking, with trail bike safety initiatives and the establishment of suitable riding venues in need of increased Government attention.

²¹ Preventing injury in sport and active recreation, Victorian Injury Surveillance and Applied Research (VISAR). Hazard (Edition No. 51). Winter 2002.

²² Source – VicRoads (2005). Note – Sums to not total due to double counting of crashes on region boundaries.

²³ Recreational injury to older children (10-14 year olds), Victorian Injury Surveillance System(VISS). Hazard (Edition No. 31). June 1997.

²⁴ For the purposes of the VISS report, the term trail bike was used to refer to motorcycles designed primarily for off-road use, including trail bikes, dirt bikes, mini-bikes and three or four-wheeled agricultural vehicles.

²⁵ New South Wales Off Highway Vehicle Trends – Report to the Federal Chamber of Automotive Industries Motorcycle Division. Tread Lightly! Australia Ltd

3.2 Management issues

3.2.1 Balancing multiple uses

As outlined previously, public land managers have an obligation to manage public land sustainably for a broad range of uses. Victoria's State forests are managed to balance a variety of uses including the conservation of flora and fauna, protection of water catchments and water quality, the provision of timber and other forest products on a sustainable basis, the protection of landscape, archaeological and historic values, and the provision of recreational and educational opportunities. The emphasis in parks is similar (minus the timber harvesting) with an even stronger emphasis on management for conservation.

Trail bikes are highly mobile, highly audible and have the ability to impact on many other uses and users of the forest. Unlike many recreational activities, trail bike noise ensures the impact of their use extend well beyond their immediate area of use. Trail bike use has the potential to be in conflict with many passive recreational uses such as walking, picnicking, scenic driving and horse-riding and the needs of trail bike riders need to be balanced against the needs of other values and other recreational uses. The nature and extent of trail bike use is currently in conflict with a range of other values and uses of the forests. Whilst some of this conflict is unavoidably the result of legal and appropriate trail bike use, some of the conflict is also the result of unreasonable expectations of the type of riding that is appropriate on public land and of illegal riding activity.

The allowable nature of many recreational activities on public land has changed, typically in response to types and levels of use becoming unsustainable. Negative impacts by walkers, campers and four-wheel drivers have resulted in the development of codes of conduct for bushwalking, camping, horse riding and four-wheel driving. Regulatory change and enforcement have underpinned these codes. As explained in previous sections, trail bike riding has now reached a level where the levels and types of use have become unsustainable. Current patterns of trail bike use are resulting in unsustainable environmental impacts, impacts on other users and on adjoining private landowners. The need for long term change in the way trail bikes use public land is required to bring its use onto a sustainable footing.

Bringing recreational use of motorbikes on public land back to a level that is sustainable and equitable is a key issue to be resolved by public land managers.

3.2.2 Adequacy of regulatory framework

DSE officers powers to regulate recreational activities in State forests, such as trail bike riding are contained in the *Forests Act 1958*, the *Land Conservation (Vehicle Control) Act 1972*, the *Safety on Public Land Act 2004* and the *Road Management Act 2004*, detailed below.

Forests Act 1958

Under the *Forests Act 1958* the Secretary of DSE has the power to close roads maintained or controlled by the Secretary pursuant to that Act, either temporarily or permanently, by the erection of barriers. This is most commonly done by the installation of gates at the entrance of roads. This provision is commonly relied on for the temporary seasonal closure of roads, to allow roads to be closed in the wetter months when excessive use can lead to erosion and other environmental damage.

The *Forests Act 1958* also provides the Secretary with the power to authorise a DSE officer to close roads to traffic where the officer considers the road to be dangerous for use by the public.

There are a number of offence provisions that support the power to close roads. Offences include failing to provide your name and address when requested to do so, causing damage to a barrier or gate, obstructing an authorised officer in the carrying out of their duties, and driving on a closed road. Penalties for these offences range from 5 penalty units (equating to \$524) for the new offence of failing to provide your name and address, to 50 penalty units (equating to \$5,240) for the remaining, more established offences. Currently, people committing these offences cannot be issued with a penalty infringement notice (PIN), but instead must be prosecuted through the court system. An offence prohibiting damage to a gate within a reserved forest is also contained in the *Forests (Miscellaneous) Regulations 2000*. This offence is subject to a penalty of 20 penalty units (equating to \$2,096) or a PIN for \$105.

Recent amendments to the *Forests Act 1958* provide for an authorised officer to request a person's name and address, request that they provide proof of name and address, as well as the power to seize items being used in the commission of an offence where an offence has been committed under the *Forests Act 1958*.

In addition to the above powers, the *Forests Act 1958* states that where a person commits an offence under any Victorian Act within a reserved forest, a DSE authorised officer may proceed against that person, providing the officer can identify and bring the offender to court. This allows DSE officers to prosecute offences under the *Road Safety Act 1986* and the *Environment Protection Act 1970*, for example, where offences under those Acts have been committed on reserved forest.

Notwithstanding this power to prosecute offences under any Victorian Act, DSE officers do not have access to enforcement powers under other Acts, nor the ability to issue a PIN under another Act or regulation, limiting the effectiveness of this power. This means that, for example, where a trail bike rider is unlicensed or unregistered or in breach of EPA noise regulations on reserved forest, a DSE officer can bring a formal prosecution against that rider through the court system but is not able to issue a PIN. A more effective way of ensuring DSE officers can enforce regulations relating to registration, licensing and noise emissions on public land would be for DSE officers to be appointed as authorised officers for this specific purpose under the *Road Safety Act 1986* and the *Environment Protection Act 1970*.

Further options for the regulation of the use of trail bike riding within State forests might be explored under current regulation-making powers contained under the *Forests Act 1958*, including sections 99(15) and 99(16). These provisions allow for the regulation of traffic through reserved forest for the protection of roads and tracks, as well as the establishment and conduct of recreation grounds (for example, unloading areas).

Land Conservation (Vehicle Control) Regulations 2003

The Land Conservation (Vehicle Control) Regulations 2003 prohibit off-road driving on all public land. The penalty for committing this offence is 5 penalty units (equating to \$524) or alternatively a PIN may be issued for \$105.

The *Land Conservation (Vehicle Control) Act 1972*, under which the Land Conservation (Vehicle Control) Regulations 2003 are made, contains limited powers of enforcement, potentially limiting the effectiveness of these provisions.

Safety on Public Land Act 2004

The *Safety on Public Land Act 2004* was introduced in 2004. The Act provides for the Secretary to declare areas of State forest to be Public Safety Zones (PSZs) for the purposes established in the Act, including:

- the conservation of flora and fauna;
- the protection of soil or water; and
- the protection of natural, cultural or historical values; and
- public recreational activities.

The purpose of declaring PSZs is to protect public safety, or other forest values, which are threatened by public access. The Act may be relied on, for example, to exclude the public from areas where rehabilitation works or revegetation works are taking place on closed roads. A PSZ may be declared for a limited period or for a continuous period of more than 12 months. The declaration must be published in the Government Gazette, and the fact of its making must be published in a newspaper circulating in the area affected by the declaration as well as a newspaper with statewide circulation. Where a PSZ is to be in operation for more than 12 months, the Act requires a public consultation process before a declaration can be made.

Offences committed under the Act, including entering a PSZ when public access has been prohibited, are subject to a penalty of 20 penalty units (equating to \$2,096) or up to 50 penalty units (equating to \$5,240) for removing or destroying a notice declaring an area to be a PSZ or a barrier or fence erected to close off a PSZ from access. Currently, PINs cannot be issued for offences in a PSZ.

PSZs could be relied upon to set aside areas of State forest which are not appropriate for trail bike riding, in a way that is comparable to the use of set aside provisions relied upon by Parks Victoria and Committees of Management. Set aside provisions are relied upon to set aside areas from vehicular access where environmental damage is being caused or conflict between recreational users has raised safety issues. The set aside provisions currently relied upon by Parks Victoria are also a useful model that may be extended to the forest estate.

Road Management Act 2004

Schedule 4 of the *Road Management Act 2004* sets out specific traffic management powers of State road authorities. Under that Act, a State road authority has the power to manage traffic on any road that is on land managed by that authority. In the case of forest roads, DSE is the State road authority, and

can access the powers contained in Schedule 4 of the Act. These powers include powers relating to parking, the power to remove unregistered vehicles, the power to close roads and the power to determine speed limits, among other things.

The *Road Management Act 2004* also includes regulation-making powers that may be used to provide further detail to the powers contained in Schedule 4, in relation to their application, for example, to trail bike riding in State forests.

The current regulatory framework limits the ability of DSE officers to enforce trail bike activity. The requirement to pursue prosecution for some illegal activities through the courts in the first instance (as opposed to issuing of penalty infringement notices) is resource intensive and results in a reluctance of DSE officers to pursue prosecutions through the courts. Some of the fines are also seen to be an inadequate deterrent. The ability for DSE and Parks Victoria officers to access existing relevant powers under the *Environment Protection Act (1970)* and the *Road Safety Act (1986)* is required. Additionally, parity of powers across public land tenures to provide consistency of regulatory powers is also required.

Development of a regulatory framework for the 21st century that is consistent across public land tenures must be addressed.

3.2.3 Achieving compliance

The highly mobile nature of trail bikes and their potential to do damage, make regulating their activities particularly challenging. As outlined in section 3.1, the key impacts of trail bike use relate to noise pollution, environmental degradation, conflict with other forest users and unlicensed and unregistered riding. Some of these impacts result from selfish behaviour but some is also the result of uninformed riding or lack of alternatives.

There is ignorance and confusion amongst the recreating public over where motorbikes can legally ride. Road, as defined in the *Road Safety Act (1986)* is an area that is open to or used by the public and is developed for, or has as one of its main uses, the driving or riding of motor vehicles. In the *Land Conservation (Vehicle Control) Regulations (1999)* a road is further defined as 'a road open to the public formed for the passage of motor vehicles having 4 or more wheels'. In Victoria, the only roads available to the public for use by motorised vehicles are public roads formed for the passage of motor vehicles having 4 or more wheels (and which can of course be used by licensed riders on registered trail bikes). This does not include designated Management Vehicle Only (MVO) roads or temporary roads established to access timber harvesting areas in State forest.

A key challenge for public land managers is to provide clarity in the application of relevant laws, through education and communication, and clear signage in the forest, so that trail bike riders can reasonably be expected to know when they are committing an offence. For riders in the bush, whilst there are some tracks in use that clearly are not roads, differentiating the legal public road network from illegal tracks (formed by illegal off-road use by four-wheel drives and trail bikes) can at times be difficult. With a public road network of some 36,000km across State forests and parks, and an illegal network of tracks that in some locations rivals the legal network, a significant issue for land managers is the ability to quickly respond to illegal track establishment. There is a need, through either signage, fencing or rehabilitation works, to make clear to motorised vehicles that these tracks are illegal and vehicles found on them will be prosecuted. Given the open nature of the forest in some parts of the State and the ease with which motorised vehicles can push through sparse undergrowth, this can be a particularly challenging and expensive exercise for public land managers.

Other challenges to achieving compliance are the difficulties in effectively communicating with the motorbike riding fraternity. As with many recreational user groups, club membership represents only a small percentage of recreational riders, with most riding being enjoyed as individual or informal group riding. The highly mobile nature of their recreational pursuits and their diversity of entry points and unloading areas create challenges to effectively communicating key messages through signage within the forest. The wide ranging nature of their riding and the noise emanating from trail bikes also brings them into contact with multiple other user groups and residents across a large geographic area. Encouraging compliance to riding behaviours to minimise these impacts through both voluntary codes of practice and enforcement are major challenges for public land managers. The ability to conduct effective enforcement is currently hindered by the limitations of current legislation (as previously outlined), poor coordination across government agencies and low levels of resourcing to undertake enforcement.

Achieving compliant behaviour from recreational motorbike riders on public land must be addressed by the Victorian Government, to bring this recreational use back onto a sustainable footing.

3.2.4 Promotion and marketing

As previously stated, many thousands of motorbikes such as ATV's, mini-bikes and motocross bikes that cannot be legally ridden on public roads are sold annually in Victoria, often with little supporting information on where they can be legally ridden. In some instances, consumers may be incorrectly advised that these bikes may be legally ridden in 'the forest'. Whilst false and misleading representation of a product can attract a penalty of more than \$60,000 for an individual and more than \$120,000 for a corporation, misinformation and the creation of false expectations is an issue. The imagery used to promote the sale of motorbikes also creates unrealistic expectations as to how bikes may be ridden and promotes unsustainable and irresponsible riding behaviours. This is exacerbated by motorbike magazines and books that often promote riding in inappropriate or illegal areas and profile riding behaviours that are not appropriate to a public land estate that is managed for multiple recreational user groups and for multiple values, of which conservation is a key principle.

Changing the riding expectations of motorbike riders and informing them of the legalities of where they may legally ride is critical to maintaining long-term equitable access for motorbike riders.

3.2.5 Events

A number of motorcycle enduros are permitted on State forest every year. As can be seen in Table 8, the number of permitted events has fluctuated, primarily due to the difficulties and cost of obtaining public liability insurance. However, the number of applications is now rebounding and is expected to return to previous levels.

Table 8: Number of State forest enduro events

Year	No. of enduro events	No. of participating riders
2002	5	2050
2003	6	1450
2004	2	800
2005 (to July)	4	850

In recent years, increased public resistance to the holding of these events has emerged, principally in relation to noise and environmental damage. These events do however present opportunities to public land managers to work with clubs to promote appropriate behaviours and undertake testing of bikes to ensure compliance with noise emission levels.

The opportunity to use these events to promote appropriate behaviours presents challenges to both DSE and club and event organisers.

3.2.6 Unloading areas

As the majority of riders bring their trail bikes into the forest on trailers, unloading areas have become a significant cause of conflict with other recreationalists and users. Typically, trail bike riders seek to unload their trail bikes as close to the forest fringe as possible. This is to minimise their time spent towing their trailers and the distances they need to tow on unsealed roads. This often brings them into close proximity with rural residents, who are then impacted by the noise associated with trail bikes unloading and warming up. In popular areas, this noise can be quite protracted over weekends and may commence early in the morning.

Additionally, other popular trail bike unloading areas are campgrounds or picnic areas within the forest. As these areas are typically frequented by passive recreationalists seeking the peace and solitude of the bush, the arrival of trail bikes unloading and warming up can significantly impact on the quality of their recreational experience.

Identifying desirable unloading/assembly areas for trail bikes that facilitate recreational trail bike riding, whilst minimising the impacts on residents and other recreational users is required.

3.3 Experience of other States²⁶

Many of the issues associated with trail bike use of Victorian public land are also being experienced in other States. An overview of the levels of motorbike access to the public land road network in some other States is provided in Table 9. Aside from the dedicated off-road areas noted in the final column,

²⁶ The data presented here is the result of numerous conversations with land managers from a variety of agencies, and published and unpublished data provided by these agencies. The data has been generalised to provide the necessary overview. As such, any errors in interpretation are the fault of the DSE author and not the agencies contacts who freely contributed to this section.

the majority of the access may not meet rider experiential needs, being designed primarily for motorised vehicle (ie. 2WD, 4WD) access obeying all relevant road rules, and not for activity specific needs (ie. speed, jumps etc).

Table 9: National overview of levels of motorcycle access to the public land road network

State	% of road network available ²⁷ for public motorised vehicle use	% of road network available subject to permit ²⁸	Hectares available for off-road vehicle use
New South Wales			
State forest	100%	0	0
National Parks/protected areas	50%	0	0
Queensland			
State forest (plantation forests & non-plantation native forest)	10%	75%	45km ²⁹
National Parks/protected areas	21%	10%	0
South Australia			
State forest			
10% - metro and north	2%	0%	0
90% - south east	100%	0%	0
National Parks/protected areas	50%	0%	0
Tasmania			
State forest	80%	20%	0 ³⁰
National Parks/protected areas	90%	10%	0
Victoria			
State forest	95%	N/a	0
National Parks/protected areas	70%	N/a	1800 ³¹
Western Australia			
State forest	100%	0	1000 ³²
National Parks/protected areas	90%	0	0

3.3.1 New South Wales

Levels of access

Trail bikes are allowed access to an extensive public road network of State forest and park areas, with riders required to be licensed and bikes required to be fully road registered and compliant with Australian Design Rules. The vast majority of the road network through the 2.8 million hectares of State forests³³ (which includes 496,000 hectares of plantation – mostly softwood) are public roads. However, across the parks estate, many roads are for management purposes only, with public access allowed to only approximately 50% of the total road network.

Unregistered bikes are not allowed on any of these public roads. ATV's are manufactured as "off-road" vehicles and are not designed to comply with ADR's, or according to manufacturers, be operated on roads. The Roads and Traffic Authority does not support the use of ATV's on roads³⁴. Permits are required for competitive events, with all participating riders required to be licensed, and bikes to be fully registered.

Whilst Forests NSW policy allows for quad bikes to use areas specially designated for this activity, no areas have been dedicated and hence, there are no areas for quad bikes to legally ride on State forests. There is only one area where the use of ATV's is allowed on public land and that is on Stockton Beach

²⁷ Please note - % are approximates only. Where 100% is indicated, the vast majority of the road network is open to the public. However, it is still likely that some roads may be closed to the public for management purposes.

²⁸ Refers to recreational vehicles with conditional registration. Does not refer to event permits.

²⁹ There is one dedicated trail bike riding area (for fully road registered trail bikes and licensed riders) on non-plantation native State forest (Gueerulla State Forest). This area provides a 45km one-way circuit specifically for trail bikes. Fully road registered trail bikes may also ride on the beach in the Great Sandy National Park.

³⁰ Area available is negligible – See section 3.3.4 – Levels of access

³¹ Historic lease of 1800ha to the Portland Dune Buggy Club, within the Discovery Bay Coastal Park. Access available to members only.

³² Approximate figure only

³³ Forest Facts & Figures 2003-2004 – Forests NSW website.

³⁴ New South Wales Off Highway Vehicle Trends – Report to the Federal Chamber of Automotive Industries Motorcycle Division. Tread Lightly! Australia Ltd

area east of Newcastle³⁵. On private land the use of ATV's is at the owners discretion. Providing places for trail bike riding by people who are too young to obtain a motorcycle licence and/or who do not have a road registrable trail bike and/or where riding behaviour is typically inconsistent with the road rules is a considerable challenge.

Key issues

Places to ride trail bikes have diminished in many locations across NSW, especially in traditional use areas such as national parks, forestry and crown lands. Regional Forest Agreements and changes to land tenure under these agreements have impacted on available riding areas. This reduction and lack of places to ride due to land tenure changes, trail bike incompatibility with other recreational and non-recreational land uses, failure to maintain adequate buffer zones and consequent displacement of trail bike riders from places where they could ride legally and without annoyance to other people has caused an increase in the illegal use of land.

Public land managers are under resourced to control trail bike impacts, undertake effective enforcement or effective education campaigns and do not feel the activity is currently being managed sustainably. Enforcement does help but is under-resourced and tends to be concentrated in areas close to the Sydney outer metropolitan fringe. Key impacts relate to conflict over noise with residents and other forest users and off-road riding on illegally created tracks causing environmental degradation.

Trail bike use of public land continues to slowly increase and unlicensed riders and unregistered trail bikes use continues to be an issue. While there is no solid data to quantify the level of this illegal use anecdotal evidence suggests that the level of unregistered bike and unlicensed riders using State forest would be at least 75%.

A number of initiatives have been undertaken by Forests NSW to date, for example, sponsoring of police motorbikes in the Macquarie Region and the cooperative project for control efforts in the Watagan Forests. However, these initiatives have met with limited success.

Whilst conditional registration is available for ATV/Quad bikes from the RTA, there are no areas within either the State forests or parks network designated for these conditionally registered bikes to ride and hence, any such use of their public road network is illegal. The only area of public land where the use of ATV's is allowed is on Stockton Beach east of Newcastle³⁶.

There are no areas on public land available for unlicensed under-aged riders to ride, with all such venues being either on council or private land. A few councils on the central coast have investigated establishing areas for dirt bike circuits. The Wyong Council has established an Extreme Sport park at San Remo which contains a range of jump runs designed to suit BMX riders, mountain bikes, mountainboarders and off-road in-line skaters. The council is considering expanding this to cater for dirt bikes.

Future considerations

The use of trail bikes continues to grow considerably and the use of ATV's as recreational vehicles will increase.

To deal with conflict hotspots, Forests NSW is considering use of forest zoning to separate out or contain trail bike activity, to regulate traffic use of the road network. A permit system for the Hunter Valley is currently under consideration, which may require motorised vehicles to obtain a permit to enter and use certain areas of State forest. Such a permit would require the permit holder to abide by the terms and conditions of the permit and any restrictions it may place on type and levels of motorised vehicle use.

Under the Forests NSW recreation strategy, projects and partnerships to improve information, education and behaviour amongst forest users, particularly those not affiliated with clubs and associations, will occur.

The NSW National Parks & Wildlife Service is intending to review both its Vehicle Access Policy and its Recreational Planning Policy within the next few years which will review levels of types of

³⁵ New South Wales Off Highway Vehicle Trends – Report to the Federal Chamber of Automotive Industries Motorcycle Division. Tread Lightly! Australia Ltd

³⁶ New South Wales Off Highway Vehicle Trends – Report to the Federal Chamber of Automotive Industries Motorcycle Division. Tread Lightly! Australia Ltd. Note - There have been trail rides organised by the Federation of Off-Highway Vehicles (Qld) and conducted in forest land of northern NSW where owners of ATV's with Qld Conditional Registration (CR) have been permitted to participate. CR is a national registration and NSW has allowed this under reciprocal recognition.

allowable activities across the parks estate. The outcomes of this review are likely to have impacts on the levels of trail bike use of parks in the future, but will not be known until the completion of this review.

3.3.2 Queensland

Levels of access

Queensland has 180,000 hectares of softwood and hardwood plantations managed by the Environmental Protection Agency (with DPI Forestry as tenant), a non-plantation native State forest of 4.2 million hectares and a protected area system (national parks etc) totalling over 7.1 million hectares managed by the Queensland Parks & Wildlife Service (a division of the Queensland Environment Protection Agency). Much of the combined protected area and state forest estate in Queensland is located in areas in the far north (eg. Cape York Peninsular) and far west of Queensland (eg. Simpson Desert) - too far from the major urban population centres to be of use in meeting the demand for places for off-road vehicles.

Providing for recreational opportunities is not a core service of DPI Forestry, as the softwood and hardwood plantations are not available for public use. Public access to the roads and vehicle tracks in the non-plantation native State forests varies throughout Queensland. Extensive networks of roads and vehicle tracks through both National Parks and non-plantation native State forests provide access to key features and attractions and are open to public motorised vehicles without any requirement for permits. Whilst there is also an extensive network of management trails in some protected areas and State forests, most management trails are closed to the public due to risk issues associated with road standards. In State forests and forest reserves, trail bike riders, four-wheel drivers, mountain bike and horse riders are required to obtain a 'permit to traverse'. This permit is available from the EPA, and enables the permit holder to use designated roads and vehicle tracks. The permit is available at no cost and is open-ended. Group activity permits are also issued for club and group based recreational activities.

Under the *Transport Operations (Road Use Management) Act 1995* (the law governing the use of motor vehicles in Queensland), all roads and vehicle tracks in national parks and state forests must be fully road registered and drivers/riders must have the appropriate licence issued by Queensland Transport for the class of motor vehicle they are driving/riding.

Government agencies are encouraging private landowners to meet the demand for trail bike riding and it is generally accepted that most trail bike and all off-road riding opportunities should be catered for on either private land or council permitted venues.

Throughout Queensland, there are a number of Clubs and Associations that have facilities available to members, catering for a diversity of riding disciplines³⁷. There are also a number of private providers that cater for trail bike riding and charge an entry fee for admission. Queensland is notably home to the Ipswich Motorsport Precinct, a motor sport area of 183 ha (137 ha council owned land and 46 ha privately owned) surrounded by a 6km wide noise buffer to protect the site. This facility is of a national standard and caters for drag racing, sports racing, go-karts, dirt bikes and speedway track. As well as providing recreational and entertainment value, the precinct also generates significant local economic benefit. Opportunities on private land are diminishing as some venues have closed due to public liability concerns and costs of insurance.

Key issues

Whilst trail bike riding is restricted in on-plantation native State forests and largely banned from national Parks and conservation reserves, illegal trail bike use of such areas which are close to urban populations continues none-the-less. Current methods of prohibition (eg. signage, gates, fencing and education) and the limited enforcement activities undertaken have not been sufficient to deter this use. Public complaints to public land managers are increasing, particularly as the traditional buffer zones reduce with the expansion of the metropolitan fringe. The requirement for a permit to traverse is not well understood by recreationalists and many users do not obtain the permit prior to accessing State forest. Trespass by trail bikes on private land is also a significant issue.

Unlicensed, unregistered and under-aged trail bike riding are seen to be a key issue, however good data to quantify the extent of this use are not available. Other trail bike impacts relate to conflict over noise, dust and speed with residents and other forest users and off-road riding on illegally created tracks causing environmental degradation (especially soil erosion) in sensitive areas. The School of Leisure

³⁷ Police and Corrective Services Portfolio Subcommittee on trail bikes – Final report (2003)

Studies at Griffith University noted in 2002³⁸ that sales of off-road motorcycles, motorcycle club membership and participation in managed events point to a major expansion of interest and participation in the recreational activity of non-competitive and competitive motorcycling on off-road trails and in managed facilities respectively. Given this, trail bike conflicts and impacts are likely to increase in the future.

Many, but not all, trail bike riders seek to test their own skills and to explore the performance capabilities of their motorcycles at least some of the time. Many off-road motorcycles are high performance machines capable of much greater speeds over rough terrain than all other commonly available motor vehicles. Speed and high speed manoeuvres including jumps, powerslides and wheelstands are a significant part of the attraction and enjoyment of off-road motorcycling for some riders. The safety issues arising from high-speed off-road motorcycle riding in areas or on tracks open to concurrent use by walkers, horse riders, four-wheel drivers, etc are significant.

The anti-hooning legislation originally directed at unsafe/anti-social behaviour in cars on formed roads has recently been extended to give police the power to confiscate trail bikes and other off-road vehicles. Local government has, in selected areas, employed compliance officers to assist with trail bike enforcement. However, the current enforcement activity across government is under-resourced and largely results in temporary shifting of the problem to other localities.

Recreational trail riding and off-road vehicle activities, as previously mentioned, are principally catered for on council managed or privately owned venues. These venues, as with elsewhere in Australia, “have tended to be displaced to the fringes of urban development where competition for land is less intense. This process of displacement is repeated over time as new development surrounds existing facilities and complaints regarding noise and dust increase to such a point that the process is repeated yet again.”³⁹.

The report by Strategic Leisure¹⁹ recommended that protection from encroaching developments through local planning schemes was essential to protect the economic and recreational benefit these facilities return to the local economy. Off-road motorcycle use was seen to be better managed as a legitimate sport proactively by local government, rather than trying to close it down and hoping the problem will go someplace else. Failure to do so was seen to lead to further attrition of these facilities, which eventually manifest themselves in greater levels of illegal riding in bushland.

The need to support private landholders and councils seeking to provide trail bike riding opportunities on their properties through appropriate provisions of planning schemes and a reformed regulatory environment has also been noted by the South East Queensland Trail bike Management Forum and in the Griffith University report¹⁸. The difficulty in achieving this was however acknowledged by the 2003 Queensland Police and Corrective Services Portfolio Subcommittee on Trail Bikes. In their report to Government, they noted *‘in reality, the task of creating trail bike opportunities is difficult because sites that provide riders with a worthwhile recreation experience but are far away from homes so as not to disturb the residents with noise, are almost impossible to find’*. The need for the development and implementation of a State trail bike management strategy to achieve responsible trail bike riding on public and private lands has also been noted. Nonetheless, in the last eighteen months, local government, with financial support from Sport and Recreation Queensland, have been reviewing locations for the establishment of new trail bike venues, with one private land location close to the Brisbane metropolitan fringe under active consideration.

Future considerations

A coordinated regional approach to trail bike riding (and other outdoor recreation activities) as part of the whole of government approach to integrated regional planning is being developed through the South East Queensland Regional Plan. With limited access to the road network of State forests and parks, the requirement to cater for recreational motorbike riding currently falls to private and council land. However, the inability to provide sufficient venues to meet this growing need is a key challenge. Greater resourcing of education and training are required to be addressed, with adequate enforcement capacity to manage illegal use. Greater coordination and cooperation across the various State agencies and local government to develop effective strategies will also be essential. Industry must also become more actively involved in developing solutions, as trail bike and off-road vehicle retailers have been difficult to engage to date.

³⁸ The needs of Underaged, unlicensed and unregistered trail bike riders in south east Queensland – School of Leisure Studies, Griffith University, Queensland (2002).

³⁹ Gold Coast City Council – Planning Principles for Off-Road Motorcycles. Strategic Leisure Pty Ltd (2002 in prep.)

3.3.3 South Australia

Levels of access

The State's Forest Reserves total 125,000ha. Motorbikes may use public roads in these reserves but the SA Road Traffic Act requires riders to be licensed and motorcycles fully road registered. As indicated in Table 9, much of the Forest Reserve road network near Adelaide and in the north is for management purposes only, with only a small portion designated for public use. This policy is managed by the placement of fences, gates and signs around restricted areas, with education and use of law enforcement as required. The majority of the road network in Forest Reserves in the south east is, however available to the public for motorised vehicle use, provided rider is licensed and the vehicle fully registered. There are no areas of Forest Reserves where off-road vehicle use is permitted (see 'Key issues' below).

ForestrySA does permit approved and regulated motor sport events (including motorcycle events) provided there is no adverse impact in the sustainable management of the Forest Reserves⁴⁰.

The SA Department for Environment and Heritage's conservation reserve system includes around 400 parks and reserves totalling over 21 million hectares (nearly 22% of the State). Motorbikes may use public roads across the park network provided riders are licensed and fully road registered. Approximately 50% of the total road network through parks are declared public roads, available for public motorised vehicle use. As with Forest Reserves, off-road vehicle use is not permitted within the park estate and there are no dedicated areas set aside for these pursuits on public land. Conservation objectives for much of the park estate severely limit or exclude motorised vehicle use.

Given the limited access of trail bikes to parks and forests, the opportunities for off-road trail bike riding reside mostly on private land and pastoral land leased from the Crown. Whilst these opportunities are not well advertised to the general public, the trail bike fraternity in South Australia appear to be well networked and use of these areas is active.

Key issues

In the 1970's and 1980's, two 50 hectare off-road vehicle areas were established in Forest Reserves as an attempt to control motorcycle activities in these areas. Permits were issued only for fully registered/licensed riders only. However, erosion and vegetation impacts and expansion of use beyond the designated areas became growing problems. The areas began attracting unregistered bikes and noise pollution became a significant issue, with the noise travelling several kilometres, affecting other recreationalists and residents. Two wildfires were started by trail bike exhausts, adding to the concerns. These two off-road vehicle areas were closed after the 1983 Ash Wednesday fires, when the areas became unattractive for riders and the recovering landscape was deemed too fragile for continued use. There are now no available off-road riding areas on public land in South Australia.

Trail bike use of public land continues to slowly increase, though there is no solid data to quantify the level of legal vs illegal use.

Whilst conditional registration is available for ATV/Quad bikes from Transport SA, there are no areas within either the Forest Reserve or parks network designated for these conditionally registered bikes to ride and hence, any such use of their public road network is illegal.

Across the Forest Reserve and park estate, problems with illegal usage are an ongoing concern and likely to increase in line with strong growth in retail motorbike sales. Unlicensed riders and use of unregistered motorbikes that are not fit or are unable to be legally road-registered continues to be a problem. Other key issues relate to noise and environmental degradation from illegal off-road riding, with habitat fragmentation of South Australia's remaining natural areas also of concern. In addition unregistered and therefore uninsured riders pose a significant public risk in some areas of the public land estate in South Australia.

The narrow nature of some of the public land road network also presents some risk to motorbike road users, as evidenced by a number of injuries and fatalities in recent years.

Future considerations

The sensitive and fragile nature of much of South Australia's parks estate requires it to be protected from excessive motorised vehicle use, with current levels of motorised vehicle access unlikely to change in the future. The principal opportunities are likely to continue to be on private land and on pastoral land leased from the Crown.

⁴⁰ Corporate Policy for Motor Sport - ForestrySA

The key future challenges for the South Australian Government, local councils, the motorcycle industry and the motorcycle fraternity would seem to be ensuring that adequate venues are available to service recreational motorbike needs⁴¹, that these opportunities are appropriately promoted, and that Government play its role in removing impediments to establishment of venues on both private and leased land, particularly in relation to planning provisions, public insurance and liability.

3.3.4 Tasmania

Levels of access

Tasmania has 1.5 million hectares of State forests and a conservation reserve system totalling over 2.47 million hectares. Approximately 80% of the State forest road network and about 90% of the conservation reserve road network is available for use by fully licensed and fully road registered motorcycles. The remainder of the public land road network is generally for management vehicles only.

All vehicles on State-owned lands must comply with the Vehicle and Traffic Act 1999. Amongst other things, this means that all vehicles must be either fully registered or have Restricted Registration. In the case of Restricted Registration, a Certificate of Approved Operations is issued allowing use of a vehicle in nominated areas with permission from the land manager. The Certificate of Approved Operations must be carried at all times in the vehicle when being used on State-owned lands. Any person operating a vehicle on State-owned lands must hold a current driver licence for the type of vehicle they are operating. In terms of landholders liability, the *Civil Liability Amendment Act 2003* provides an exemption for public authorities from liability arising from accidents associated with a recreational activity for which a reasonable risk warning has been given. An authority is not liable for harm arising from its failure to carry out road work unless it was aware of the actual risk that gave rise to the harm.⁴²

This restricted registration allows for off-road motorcycles and ATV's to use approved recreation areas as specified in the booklet 'Ride around Tasmania'. Vehicles with this restricted registration can only drive on roads specifically mentioned in the 'Ride around Tasmania' booklet and must not exceed the lesser of 40km/h or the manufacturers maximum recommended speed rating. Affordable third party insurance is also provided with registration, with the system underwritten by the State Government. There are 19 designated tracks for use by restricted registration vehicles plus two small areas of sand dunes with no designated tracks.

An additional approximately 10% of conservation reserve roads not open to the general public, may be accessed by permit for riders of fully road-registered vehicles (but not restricted registration vehicles).

Key issues

Under-aged riding is seen to be a key issue by Tasmanian land managers. The large growth in ATV sales, use and their associated impacts is also of concern. ATV's are accessing areas of public land previously seen as inaccessible to recreational vehicles. Recreational vehicle use is particularly prevalent up and down the west coast and this increased use is seen to be causing a lot of damage both on and off the public land road network. The Arthur Pieman Conservation Area on the north west coast has recorded a significant increase in illegal off-road use in sensitive areas. Increasing visitation by mainlander four-wheel drivers and trail bike riders is also exacerbating the problem, which is seen to be spreading out into other areas. Such impacts can require management intervention as proposed in the current Southport Lagoon Conservation Area Draft Management Plan⁴³. The draft plan proposes new recreational vehicle management arrangements to protect the area's conservation values from soil and peat erosion, vegetation loss and dune damage. It recommends the closure of all tracks in the conservation area, with the exception of one track, as degradation issues were seen to be accelerating despite a series of management interventions. Without a long-term change to user behaviour, land managers around Australia may have to revert to such protection measures elsewhere.

Whilst noise is a significant issue, it is mainly a problem on council managed land around the urban fringe. This problem may be exacerbated by the fact that there has been no council land included in the 'Ride around Tasmania' booklet, where restricted registration vehicles can legally ride.

Public land managers are noticing more under-aged riders on ATV's as well as unregistered vehicles and an increase in safety issues, with several fatalities associated with ATV use in natural areas in the last couple of years. Current Government consideration of increasing the legal age for obtaining a licence from 16 to 17 years of age is also likely to increase the numbers of under-aged/unlicensed riders.

⁴¹ Sales of motorcycles generally in SA are low compared with NSW, Qld and Vic

⁴² Policy for the Use of Recreational Vehicles on State-owned Lands in Tasmania – Recreational Vehicle Working Group (2005)

⁴³ Tasmania Parks & Wildlife Service website – Southport Lagoon Draft Management Plan. 29 July 2005.

Whilst there is increasing inter-agency cooperation through the Recreation Vehicle Working Group and an increasing focus by local councils to establish designated riding areas, particularly for under-aged riders, noise issues with local residents and public liability issues are proving to be significant impediments to the establishment of new areas. The current system of restricted registration is helping to provide opportunities for trail bike and off-road vehicle, however there is a pressing need to expand the availability of designated areas into new areas to fill existing gaps in the network.

Enforcement is undertaken by the police, who undertake very infrequent patrols on the public land estate. The problems associated with trail bikes and off-road vehicles are seen to be increasing, however the lack of good research is an impediment to management.

Future considerations

Whilst restricted registration has been successful in providing opportunities for off-road motorcycles and ATV's, it is also likely that the success of the system and the promotion of the 'Ride around Tasmania' booklet has raised awareness of the opportunities to use the public land track network and feed subsequent growth in ATV sales, converting latent demand into use, with its attendant impacts. The need for the development of a recreational vehicle strategy to guide future management of these recreational uses has been acknowledged and is planned to commence within the next year.

As with other States, there is a lack of good research to inform management decisions on recreational vehicles, and the undertaking of this research is planned to support future policy development.

The desire to provide for under-aged riders has also been identified, though significant legislative changes may be required to accommodate this use in designated areas. Other key considerations likely to be addressed in the future are the need for greater engagement of users, further development of information and extension material to help educate riders and better manage impacts, clearer identification and signage of available and non-available areas and a greater attention to enforcement to support compliant behaviour.

3.3.5 Western Australia

Levels of access

In Western Australia, there over 16 million hectares of National Park and reserves, and 1.8 million hectares of State forest and timber reserves, managed by the Department of Conservation and Land Management (CALM). Within State forest and timber reserves, the entirety of the road network is generally available⁴⁴ for public use by fully licensed riders on fully road-registered motorbikes. The situation is similar across the park estate, with the road network generally being a public road network – with the exception of a number of Management Access Only roads.

In 1979, in response to numerous public complaints, the *Control of Vehicles (Off Road Areas) Act (1978)* was introduced to prevent the indiscriminate use of vehicles off road and to regulate the use of off-road vehicles. The Act provided for designated areas to be established for off-road vehicles, as off-road vehicles are not permitted on the public road network. All off road vehicles must be registered (at any Department of Planning and Infrastructure Licensing Centre), with nominal fees applying for the registration and purchase of registration plates. Whilst the minimum age for registration of off-road vehicles is 18 years, children above the age of eight years may ride these vehicles. The *Control of Vehicles (Off Road Areas) Act (1978)* contains enforcement provisions, including confiscation of unsafe vehicles or for unregistered vehicles.

In Western Australia, there are six areas designated under the *Control of Vehicles (Off Road Areas) Act (1978)*, totalling around 1000ha, as detailed in Table 10⁴⁵.

Table 10: WA designated Off Road Areas

Manager	Area⁴⁶
Private (Shire of Mundaring)	Chidlow Motorcycles of all classes and kinds
CALM (City of Swan)	Gnangara: two areas: <ul style="list-style-type: none"> • Motorcycles of 125cc or less • Motorcycles greater than 125cc

⁴⁴ Vehicle access is not allowed in dieback affected areas, where public access is by permit only

⁴⁵ Issues Paper – Review of the Control of Vehicles (Off-Road Areas) Act 1978. Dept. Local Government and Regional Development. Govt Western Australia (May 2004)

⁴⁶ Restrictions may be placed on the type of off-road vehicle that can use a specific permitted area (e.g. it may be restricted to motorcycles of a certain size or output).

CALM (City of Wanneroo)	Pinjar: two areas: <ul style="list-style-type: none"> • Motorcycles of 125cc or less • Motorcycles greater than 125cc
Local Government (Town of Kwinana)	Kwinana Motorcycles of 125cc or less
Local Government (Shire of Gingin)	Ledge Point Motorcycles of all classes and kinds
Local Government (Shire of Gingin)	Lancelin All classes and kinds of ORVs

The CALM managed areas are Gnangara and Pinjar, totalling just over 800ha in size. These areas are established specifically for the operation of trail bikes, dune buggies and other recreational vehicles and all such vehicles must be licensed under this Act⁴⁷. The level of management and policing presence at these sites tends to be low (Note – CALM officers do not have powers under the ORV Act and any policing would be carried out by Shire officers). The designated areas tend to be self-regulating, with access open for all.

Key issues

Safety and environmental issues from the uncontrolled use of both licensed and unlicensed off-road vehicles continue to be a concern. The problem of off-road vehicle use in inappropriate areas is increasing, with Regional Parks close to the metropolitan fringe experiencing significant environmental impacts from illegal trail bike use. Noise pollution and safety concerns, stemming from illegal trail bike use of walking and mountain bike tracks are continuing problems. As with other States, unlicensed and unregistered vehicles constitute part of the problem, but again, data to quantify the extent of this use is unavailable.

The mobile nature of trail bikes and off-road vehicles make enforcement quite problematic. Resources to undertake effective enforcement are limited, with enforcement activities patchy and concentrated around the metropolitan fringe.

The areas for extreme and or free-range riding are very limited and management authorities are increasingly closing off-road vehicle areas due to impacts both inside and adjoining these areas and the potential for injury and liability. When the *Control of Vehicles (Off Road Areas) Act (1978)* was proclaimed in 1979, there were eight permitted areas set-aside for various classes of off-road vehicles, with an additional two set aside shortly after. The factors contributing to the success of the ORV sites at Gnangara and Pinjar are their geomorphology (sandy sites which generally do not suffer from erosion problems), the lack of neighbours and the type of landform (sandy soils result in riders largely sticking to existing tracks). Problems in the 1990's with unregulated riding into sensitive areas have been changed by the progressive implementation of fencing over 5 years, which slowly changed user expectations and patterns of behaviour. However with the passage of time and the expansion of development on the margins of the metropolitan area, the areas available for off-road vehicle use have decreased down to the current six⁴⁸. The Kwinana council is at present considering the retention of one of the remaining six and Gingin Shire is also believed to be considering the future of the Lancelin site.

Public liability insurance is seen as a major obstacle to the establishment of new areas and identification of suitable areas near the urban fringe are becoming increasingly difficult due to adjacent land use conflict. At the time of the introduction of the Bill into Parliament the then Minister reported that a detailed study had indicated that to provide a compulsory Third Party Insurance Scheme would require either extraordinary high premiums from off-road vehicle owners, or a substantial commitment in the form of a subsidy from the Government⁴⁹. Subsequently, off-road vehicles carry no third party insurance. There have been a number of serious injuries and fatalities associated with off-road recreational vehicle areas. Use of the off-road recreational vehicle area in Lancelin led to injuries of over 85 people in a 33 month period between October 1994 and June 1997⁵⁰, a problem likely to be exacerbated by the site topography, with large mobile dunes limiting visibility over rises. Whilst WA's *Civil Liability Act* limits liability for damages for harm suffered due to the fault of another as a result of engaging in recreational activities, with no liability for harm from obvious risk of dangerous recreational activities, land manager liability concerns in relation to the operation of permitted off-road vehicle areas persist.

⁴⁷ Policy on Public Access - Department of Conservation & Land Management website (2005)

⁴⁸ Issues Paper – Review of the Control of Vehicles (Off-Road Areas) Act 1978. Dept. Local Government and Regional Development. Govt Western Australia (May 2004)

⁴⁹ Issues Paper – Review of the Control of Vehicles (Off-Road Areas) Act 1978. Dept. Local Government and Regional Development. Govt Western Australia (May 2004)

⁵⁰ The management of off-road vehicle activity on CALM managed land – CALM (2004)

With the sale of off-road vehicles on the increase, public land managers appear unable to cater for current and projected demand. Attempts by land managers to manage the impacts have involved installation of boundary fencing, improved signage, and installation of car park and picnic facilities. Such measures have had some success in making the venues more family friendly. However, the activity remains difficult to manage and the impacts are extreme in some areas. The ability of off-road vehicles to avoid or go around gates and the spread of impacts beyond the designated areas are key concerns. Some land managers perceive the provision of designated areas for ORV's stimulates the sales of ORV's and growth of this recreational use. Nonetheless, local governments have suggested that the closure of ORV areas in the metropolitan region has resulted in pressure on the remaining permitted areas and an increase in unlawful use outside these areas. This is having an impact on the resources of local governments, state government agencies, the police and medical facilities. The *Control of Vehicles (Off-road areas) Act* Advisory Committee has written to local government and State Government agencies with control of land on the fringe of the Perth metropolitan area to request that they identify land to be used as a permitted area. To date no land has been identified.

Future considerations

The increasing sales of motorbikes and ATV's and increasing demand for and use of available riding areas is creating pressure on the few available off-road vehicle areas at a time when safety and liability concerns are reducing the number of available venues. Coupled with growing issues associated with trail bike use of public land, it is likely that identification of additional designated off-road vehicle areas close to areas of demand is required. Any such review will need to consider the extent to which public, private or leased land provide for these opportunities, the role Government, industry and recreational users need to play in removing impediments to their appropriate establishment (such as local planning provisions, the cost of public liability insurance, third party insurance and land-owner liability).

As with other States, interdepartmental cooperation and strategy development, good research data to inform management decisions, a more effective enforcement regime, better engagement of users and better education to engender long-term behavioural change would appear to be key future challenges.

4. Project consultation and engagement

4.1 Background paper

To assist with scoping and documenting the issues of concern to residents, trail bike riders, other forest users and the government agencies, a background paper (see appendix 1) was produced to facilitate discussion on trail bike use of public land. This background paper outlined the scope of the Victorian Government's inquiries, documented known key issues and broadly flagged some of the potential options for managing trail bike issues. The background paper was circulated to workshop participants and key stakeholders prior to the holding of the public workshops (see 4.2).

4.2 Community Workshops

Over the month of February 2005, six public workshops were held at different regional locations across the Central Highlands – Broadford, Healesville, Yarra Junction, Pakenham, Warragul and Traralgon. The workshops were publicly advertised, and people were encouraged to register their interest to attend, with the number of places available capped. The workshops were well attended, with equal numbers allocated to trail bike riders, residents and other forest users. Local shire members, the EPA, Parks Victoria and VicPolice representatives were also in attendance. All workshop participants were mailed out the background paper prior to attending the workshop.

The workshops provided the opportunity for DSE to brief the community and stakeholders on the current issues and trends relating to trail bike use of public land, outlining current legislation constraints, environmental impacts and problem areas and management techniques currently being applied. More importantly, the workshop then provided the opportunity for the community and stakeholders to raise their issues of concern and suggest potential solutions to the issues raised. A summary of the outputs from these workshops is attached in Appendix 2.

4.3 Consultation

Internal

Within the Department of Sustainability and Environment, consultation has been focussed across work centres within the Central Highlands, with both regional planning and operational staff. Targeted consultation with regional staff across the State and Head Office policy and planning units was also undertaken to ensure that any additional issues not canvassed within the Central Highlands were

identified and considered in the preparation of this paper. DSE's Compliance Support Unit and Offence Management Unit were also consulted and provided valuable input into this paper.

External

Detailed external consultation to DSE was undertaken with VicRoads, VicPolice, Parks Victoria and the Environment Protection Authority. Additional consultation was also undertaken with the Department of Justice, the Federal Chamber of Automotive Industries (FCAI), Honda Australia, the Victorian National Parks Advisory Council, the Municipal Association of Victoria, local councils and the Victorian Motorcycle Advisory Council (VMAC). In addition to these agencies, contact was made with numerous local clubs, individual riders, local residents and concerned individuals.

5. Options and recommendations

5.1 Noise

Noise can be reduced⁵¹ in level by reducing it at the noise source (better muffling for example), by increasing the distance from the source to the receiver or by barriers that block the line-of-sight from the source to the receiver.

A motorcycle is essentially a point noise source. Increasing its separation from a sensitive location reduces noise according to the inverse square law. In decibel terms, that means that doubling the source-receiver distance reduces the noise level by 6 decibels.

Blocking the line-of-sight to a noise source will also reduce noise. Although the noise source may not be visible (because it is over a hill for example) the noise may still be audible. A noise barrier will not block all noise as sound can bend over and around a barrier or obstacle, however the more the noise source is obscured by the barrier (hill, wall or bund) the greater the noise reduction. If a hill or acoustic wall just blocks the line of sight from the noise source to the receiver then the noise reduction due to that barrier will be approximately 5 decibels compared to an unobstructed transmission path. That corresponds to nearly a 30 per cent decrease in loudness. The greater the degree to which the barrier hides the noise source the larger the sound level reduction.

It should be noted that a line of trees that obscures the visibility of the noise source would not provide any noise reduction, although some extra noise reduction can occur through thick forest.

Option 5.1.1

Establish quiet zones in hotspot areas. Reducing noise at the source is problematic as allowable emission levels are set nationally and Australia is bound by international standards. However, it may be possible to establish quiet zones open only to motorbikes that meet lower emission standards. This option would be targeted to specific hotspot areas where noise conflicts are seen to significantly affect rural amenity and would be contingent on the practicality of establishment (ie. ability to effectively sign and effectively enforce, funding for education, availability of noise compliant muffler at reasonable cost). The ability to significantly reduce trail bike emission levels through fitting of after market mufflers will impact on the performance of trail bikes and is likely to present some difficulties for both manufacturers and riders. Industry efforts to establish a level of noise that would be acceptable to use in forests and which would not restrict the performance of the bike are the subject of investigations and field trials to be conducted in conjunction with DSE and other agencies. This work however will take some time to complete and therefore at this point in time, the industry is unable to make any estimates on the lowering of decibel ratings that may be achievable. However, the option, if feasible (see section 5.4.2) and taken up by riders, could be an effective future solution in hotspot areas, but would require significant follow-up in terms of education and engagement (see section 5.3) of the riding community, installation of clear signage and concentrated enforcement (see sections 5.6) to ensure compliance.

Option 5.1.2

Establish no-go buffer zones near residential area and create dedicated trail bike unloading areas away from sensitive areas. Increasing the distance from the source to the receiver is possible by a number of means. No-go buffer zones can be created for motorised vehicles or classes of motorised vehicles. Designated unloading areas could also be created outside of identified sensitive areas, legally requiring trail bikes to be unloading at designated sites, away from residential areas. These measures would enable a distance buffer to be placed between the noise source (trail bikes) and residents, to protect them from undue noise. The legislative powers to do this exist within the National Parks Regulations, for National Parks and conservation reserves. For State forests, legislative amendment may be required to give DSE this 'set-aside' power (see section 5.4). In the short-term, the *Safety on*

⁵¹ Explanation sourced from EPA

Public Land Act 2004 could be used within State forests to establish short-term temporary buffers to protect public safety and other forest values.

Option 5.1.3

Develop 'standard' and mandatory conditions for motorcycle events on public land, to ensure all motorbikes and riders are fully compliant with legal requirements and are noise tested prior to entry to demonstrate compliance. Mandatory testing of competing motorbikes will reinforce the law and provide an opportunity to educate riders as to their legal requirements.

5.2 Environmental impacts

Environmental impacts can be principally reduced by keeping trail bikes on the open public road network. As illegal track creation will be an ongoing problem, to minimise environmental impacts land managers must either close illegal tracks as soon as possible or prevent motorised vehicle access to sensitive areas.

Option 5.2.1

Closing illegal tracks as soon as possible will reduce the incentive for trail bike riders to create them in the first place. Properly closing illegal tracks in a timely manner can be expensive and to do it properly requires placing immovable barriers across the track that prevent trail bike egress, fencing the legal road frontage for tens of metres either side of the illegal track entry point (to prevent riders creating tracks around the barriers) and installing signage to clearly communicate 'Revegetation area – Keep Out'. A central held funding source to close illegal tracks quickly would enable this objective to be achieved (refer also section 5.6.6).

Option 5.2.2

Preventing motorised vehicle access to sensitive areas, where option 5.2.1 is not practicable, may require closure of sections of the public road network. This may be achieved through converting sections of the public road network to management vehicle only status. Where this does not work and the road is not essential for management or fire protection purposes, ripping and revegetating the road to permanently close it and make it unpassable to motorised vehicles may be required.

5.3 Education and engagement

Education can be a powerful tool for raising awareness of the responsibilities of recreationalists and their legal and behavioural requirements for minimising environmental and social impacts. Current levels of ignorance and misinformation feed inappropriate expectations of where and how bikes can be ridden and the laws that apply to their use. Increased awareness of the impacts of inappropriate behaviour and engagement of riders to minimise their impacts can assist with moving trail bike riding onto a long-term sustainable footing.

Option 5.3.1

Invest in education to effect long-term behavioural change in riding behaviour and expectations. Coordinated and sustained education is required. Education of motorbike riders needs to be coordinated across government and industry. A dedicated education campaign, coordinated through the Victorian Motorcycle Advisory Committee (VMAC)⁵² and including industry and retailer participation would ensure that all motorbike owners are made aware of the law in relation to legal riding ages and the locations where under-aged riding and/or unregistered motorbikes can be ridden. Elements that an education campaign should target are informing riders and their parents of the available areas for motorcycling and the laws that govern their use (see also sections 5.5.1 and 5.6.3), the environmental impacts of irresponsible riding and minimising spread of weeds/pathogens, and informing the public of what action can be taken if they are annoyed by trail bike noise. Face to face contact through increased ranger patrols to educate riders and work with them to responsibly manage their sport is also required.

Option 5.3.2

Undertake community engagement with riders and local communities to improve the dialogue between public land managers, residents and trail bike riders and involve them in decision making to move recreational riding onto a sustainable footing. Measures to achieve this include involving trail bike riders and residents in decision making forums, working with clubs and through friends groups to involve trail bike riders in the types of infrastructure and information provided to them and in its maintenance and promotion, and also in building education and engagement into authorised events on

⁵² The Victorian Motorcycle Advisory Committee (VMAC) was established in early 1998, to provide the State Government with strategic advice on issues relating to the management and development of motorcycling in Victoria. VMAC includes representatives of motorcycle rider groups, manufacturers, retailers and rider training organisations, as well as Victoria Police, Transport Accident Commission, Monash University Accident Research Centre and VicRoads. VicRoads provides administrative support to the Victorian Motorcycle Advisory Council.

public land. The promotion and resourcing of the 'Bush Telegraph' program may also be useful to facilitate the reporting of illegal and inappropriate activity and behaviour on public land.

5.4 Expansion of enforcement capacity

Effective enforcement is a necessary regulatory tool to support education, promotion and marketing of compliant use of the available public road network. The highly mobile nature of trail bikes and the high level of difficulty and risk associated with enforcement of this activity require considered and appropriate powers.

Option 5.4.1

Improved testing regimes to ensure noise emission compliance will assist with reducing the number of excessively noisy trail bikes from public roads. This can be done through the introduction of mandatory noise testing of motorbikes as part of the roadworthy certificate (RWC) requirements when bikes change ownership – testing for noise emission compliance is not currently part of the required RWC. With motorbikes changing hands on average every five years⁵³, this testing regime would increase the compliance and awareness of the noise emission requirements for motorbikes.

Additionally, increasing access of DSE and Parks Victoria officers to existing relevant powers under the *Environment Protection Act (1970)* would enable public land managers to direct suspected non-compliant trail bikes to be tested by certified noise emission testers to demonstrate their compliance.

Option 5.4.2

Extend provisions under the Road Safety Act 1986 to include forest roads that have been closed to public access. This will clarify the current ambiguity in relation to the prosecution of trail bikes riding on closed roads.

Option 5.4.3

Increase the range of offences for which penalty infringement notices (PINS) can be issued. These measures would reduce the requirement to pursue many prosecutions through the court system, would free up public land officer resources to conduct more effective enforcement and would provide a greater deterrent effect to illegal activity.

Option 5.4.4

Increased trail bike regulatory power would support the establishment of quiet zones in hotspot areas, which would require trail bikes using these areas to meet more stringent (lower) noise emission requirements (see previous section 5.1.1)

Option 5.4.5

Establishment of buffer zones in hotspot areas, where trail bike use will not be permitted. The ability to establish buffer zones to protect residents from undue noise and to require trail bike riders to use designated unloading areas would assist with appropriate regulation of trail bike use of the public land estate. This may be pursued initially under the provisions of the *Safety on Public Land Act 2004*, or alternatively, by using set aside provisions such as those relied upon by Parks Victoria. Effective enforcement may also be dependent on whether or not relevant powers are accompanied by appropriate powers of enforcement.

5.8 Underage riders and unregistered motorbikes

Available options to reduce the level of illegal under-aged riding and the use of unregistered motorbikes (including minibikes and ATV's – which now constitute 30% of all new motorbike sales in Victoria) include greater levels of education, enforcement and the provision of dedicated areas for this use.

Option 5.5.1

Improve public and industry education of the law in relation to under-aged riding and unregistered motorbikes. Improved education is critical to reducing the level of under-aged riding and use of unregistered motorbikes that result from ignorance, confusion or misinformation. An education campaign with industry and retailer participation would ensure that all motorbike owners are made aware of the law in relation to legal riding ages and the locations where under-aged riding and/or unregistered motorbikes can be ridden. It is particularly important to provide better information to potential owners pre-purchase that certain bikes (particularly minibikes and ATV's) cannot be registered for use on public roads so that they do not have unrealistic expectations for their use.

⁵³ Source - VicRoads

Option 5.5.2

Undertake enforcement sweeps in hotspot areas to educate under-aged and unregistered riders, direct them to appropriate venues and where necessary, prosecute for unlawful activity.

Option 5.5.3

Identify gaps in the provision of legal venues for under-aged riders and for unregistered bikes and investigate and support opportunities for the establishment of suitable venues. This work will require coordination across State and local government, private landholders and user groups. It should consider the need for the strategic acquisition of land near to centres of strong demand, funding options for acquisition and the need to protect landholders from undue litigation where they provide opportunities for trail bike and off-road riding. VMAC may be the suitable forum to progress these issues. See also option 5.7.3.

Option 5.5.4

Improve the legibility of licence plates for recreational registration vehicles. The need for improved display standards for licence plates is required to assist enforcement officer identification of registered vehicles undertaking illegal activities as well as to enable easier identification of unregistered vehicles. Plates should ideally be square with letters / numbers on two lines to enable fitment without bending the ends as is the case with current plates. They should also be made of flexible material to prevent injury to the rider in case of a fall. Issues associated with rider safety will require further discussion on the practicality of this.

5.6 Resourcing

Effective resourcing is fundamental to the success of many of the options outlined in this paper, however adequate and ongoing resourcing present the biggest challenge to government. It is critical that the level of resources made available for implementing supported options is effectively targeted and coordinated across government. Options to improve both the efficacy and amount of resourcing include integrated inter-agency strategy development/implementation and funding, joint enforcement activities and cooperative research and education activities.

Option 5.6.1

Development of a public land compliance strategy targeting improved coordination of compliance activities by the VicPolice Special Solo Squad, DSE, EPA and Parks Victoria. This should include development of consistent Standard Operating Procedures to support regulatory activities - particularly with regard to joint inter-agency patrols.

Option 5.6.2

Undertake coordinated and cooperative research activities. Good research will help government most appropriately address its management priorities. Priorities for research include quantifying the extent of under-aged and unregistered riding, the extent of illegal muffler modifications and better understanding the dynamics of trail bike noise and how to effectively design buffers.

Option 5.6.3

Undertake coordinated and cooperative education activities. As detailed in section 5.3.1, a VMAC coordinated education campaign could combine the collective resources of VicRoads, VMAC, VicPolice, local councils and land managers to deliver a coordinated and sustained education campaign. Mail-outs with registration renewals, promotional videos and literature on where and how to ride and consistent messages throughout government and across the retail industry are required.

Option 5.6.4

Increased resourcing for VicPolice and public land manager enforcement patrols is required to enable effective enforcement to encourage compliance. Additional VicPolice Special Solo Squad resources are required to provide effective enforcement of public land. This enforcement would be supported by building the enforcement capacity within DSE, EPA and Parks Victoria, and be driven by a compliance strategy (see section 5.6.1) to ensure good coordination and cooperation across government. The proposed education campaign (see section 5.3.1) should be supported by an amnesty period, followed by a dedicated 12-month enforcement blitz.

It should also be noted that any significant increase in prosecutions would have resourcing implications for the justice system, with the downstream effects on increased court prosecution imposing additional costs and strains on the judicial system and the Department of Justice.

Option 5.6.5

Investment in clear and consistent signage and establishment of designated unloading areas.

Good signage to provide clarity of expected behaviour and where and how trail bike riding may be enjoyed across public land is required. Such signage can be provided at designated unloading areas to provide essential information to riders upon their arrival in the forest, and to support popular riding circuits, whilst directing riders away from sensitive areas.

Option 5.6.6

Central funds to resource illegal track closure and rehabilitation of environmental damage. A dedicated fund source to quickly close illegal tracks will prevent their rapid proliferation and minimise their environmental impact. It will also clearly demonstrate that creation of such tracks is illegal and is not tolerated.

5.7 Role of stakeholders

Trail bike issues impact upon many communities, recreational user groups and multiple State and local government agencies. Effective solutions to these issues require good community and inter-agency engagement. The increasing awareness and scale of the problem and its escalating nature have now brought key stakeholders together to address the issues.

Option 5.7.1

Support the Victorian Motorcycle Advisory Committee (VMAC) objectives to:

- Encourage a coordinated approach to motorcycling policies and programs across Government agencies
- Contribute to the development of education measures and/or programs relevant to motorcycling
- Monitor the extent of and trends in, motorcycling in Victoria
- Monitor and evaluate the operation of existing regulations, facilities and services relevant to motorcyclists

Option 5.7.2

Work with the motorcycle manufacturer and retail industry to encourage responsible promotion of the sport through appropriate marketing and after sales information and development of rider safety and tread lightly training programs for trail bike riders.

Option 5.7.3

Improve local government provision and/or support for the establishment of venues to service demand for the various disciplines of off road motorcycling (see also 5.5.3). This should include support by local government (via appropriate planning provisions and a reformed regulatory environment) of private entrepreneurs or clubs seeking to provide trail bike riding opportunities on their properties, commercially or otherwise. The focus for this should be near major population centres and should be appropriately buffered to protect its future operations from urban encroachment. Mechanisms for government and industry assistance for such ventures should be investigated and supported.

5.8 Future coordination

As outlined in section 5.7 improved coordination of agency activities to ensure implementation of workable long-term solutions to trail bike use of both private and public land is required. Better research to inform policymaking is also a key challenge for the Victorian government.

Option 5.8.1

Recognise VMAC as the peak inter-agency coordinating body to guide State and local government responses to trail bike use of public land. A review of the South East Queensland Trail Bike Forum⁵⁴ may provide useful insights into effective consultation models.

Option 5.8.2

Develop an integrated inter-agency Statewide trail bike strategy to improve coordination of agency activities and funding of identified priorities. The development of this strategy should be led by VMAC and should address recommended regulatory settings, research, under-aged riders, rider education, training & safety and improved coordination of agency activities and funding of identified priorities. This strategy would need to review local government planning processes to develop guidelines to assist town planners and public and private landholders to plan and manage recreational riding on public and private lands

⁵⁴ The South East Queensland Trail Bike Forum comprises broad representation, including the Queensland Police, Dept. of Transport, local shires, public land management agencies, bike manufacturers and retailers, Tread Lightly and others.

Option 5.8.3

Fund targeted longitudinal research to assist with future strategic decision making. Good research to inform management decisions is required, particularly in quantifying the extent of under-aged and unregistered riding and the adequacy of existing riding venues to cater for their legitimate needs. Additionally research is required into trail bike rider experiential requirements and the effectiveness of vegetative and topography buffers to aid future design of required buffer areas. This research should be coordinated through VMAC and will require inter-agency cooperation.

6. Conclusion

The conflict and environmental issues associated with trail bike use are not easy to resolve. However, it is possible to reduce the severity of the problems and move this recreational activity onto a more sustainable footing. To achieve this will require a much greater level of inter-agency coordination and support to implement the key recommendations proposed and greater ownership by industry and recreational riders of the problems and their support in implementing effective solutions to mitigate the problems. The key recommendations from the paper are outlined below.

6.1 Summary of key recommendations

As noise is a key contributor to conflict issues associated with trail bikes on public land, it is recommended that the land management agencies (DSE/Parks Victoria) establish buffer zones around hotspot areas to reduce impacts on residents. Establishment of dedicated trail bike unloading zones away from sensitive areas and improved noise-testing regimes, both in the field and with roadworthy inspections, should be introduced to reduce noise impacts and improve noise emission compliance.

Inappropriate riding and ill-informed behaviour should be addressed through investment in education to effect long-term behavioural change in riding behaviour and expectations. The engagement of industry (manufacturers and retailers), the riding fraternity and the local community will be critical in achieving this change. Improved public and industry education of the law in relation to under-aged riding and unregistered motorbikes must be a key component of this.

Identification of gaps in the provision of legal venues for under-aged riders and for unregistered bikes should be undertaken. This will require a partnership approach by local government, the riding fraternity, industry, private landholders and relevant State Government agencies to investigate and support opportunities for the establishment of suitable venues to service demand for the various disciplines of off road motorcycling. Riding opportunities for road-registered trail bikes on public land should be supported through investment in clear and consistent signage.

Central funds to resource illegal track closure and rehabilitation of environmental damage is required to protect the natural values of public land and remove the current ambiguity over what is the legal track network.

The need for a consistent regulatory regime across public land tenures is required to provide clarity for recreational riders and should be achieved through targeted regulatory change to State forests legislation to provide parity of regulatory power across State forests and National and State Parks. A gradual introduction of regulatory change coupled with education should be adopted, with a review period after introduction, to ensure that regulatory change is targeted, appropriate and effective.

Increased enforcement capacity is required to support all of the above and should be addressed through the development of a public land compliance strategy targeting improved coordination of compliance activities by the VicPolice Special Solo Squad, DSE, the EPA and Parks Victoria. This compliance strategy must be appropriately resourced to enable effective enforcement to be undertaken and should particularly address the current inadequate resourcing allocated to the VicPolice Special Solo Squad and public land managers for trail bike enforcement.

The development of a comprehensive Statewide trail bike/off-road motorcycling strategy to better improve coordination of agency activities and funding of identified priorities should also be undertaken. This would address coordination of cooperative research activities to assist with future strategic decision making and coordination of cooperative education activities.

To ensure a better coordinated approach to the development and implementation of public land motorcycling policies and programs across Government agencies, recognition of VMAC as the peak inter-agency coordinating body to guide State and local government responses to trail bike use of public land is required.

6.2 Next steps

This Options Paper contains a mixture of short, medium and longer term recommendations that require cooperation and resourcing from a number of Government agencies, the motorcycle industry and retailers, the trail bike fraternity, regional communities and private landholders.

This paper of itself does not commit these entities to funding of the recommendations, but rather, presents a case based on extensive consultation and research. It is hoped that the paper will further understanding of the complexities surrounding conflict issues associated with motorcycle use of public land and stimulate debate on and support for appropriate management of motorcycle riding on public land as a recreational pursuit. These recommendations will be submitted to Government for consideration and it is hoped that improved cooperation, coordination and resourcing to further these recommendations will follow.

Central Highlands Trailbike Project

background paper

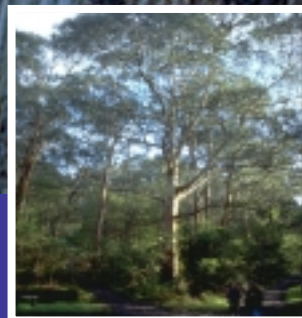
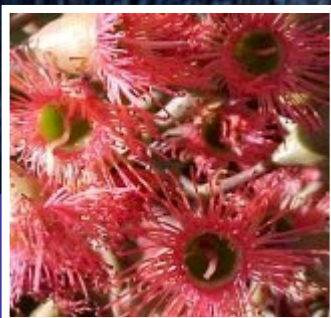


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Central Highlands Trailbike Project

Background

The Central Highlands region is a lifeline for Melbourne in many ways, providing resources, lifestyle opportunities and recreational opportunities. The true value of these areas is being realised by the broader community. This is reflected by an intense urban interest in forest related issues, an increase in property value adjoining State forest and other public land, and an increasing recreational use of State forest for activities such as camping, fishing, trailbike and horse riding, bush walking, and shooting.



Map of study area

Recreational use of trail bikes in Victoria's State forests and other public land has been a popular pastime during the last 30 years. Enthusiasts, either alone or in groups, have enjoyed the accessibility of bush areas, and the remote experience it can provide. In recent years, with the advent of recreational registration, there has been a marked increase in the number of riders in the bush, particularly with increasing settlement in Melbourne's outer eastern corridor.

Over the last several years Victorian land managers have become increasingly aware of conflicts between recreational user groups in the bush and the impacts of some recreational activities, particularly trailbikes, on adjoining landholders. Central Highland's State forests are very popular with trailbike riders because of their close proximity to Melbourne and the quality of the experience, but their impacts on adjoining landholders must be addressed. Rural tranquillity and quality of life has changed for many landholders with properties adjoining public land, due to increased trailbike activity. This is especially true for those that have settled in trailbike hotspots, such as Paul's Range, Mt. Disappointment, Rokeby/Crossover and Rawson. There are also concerns over the potential environmental damage that trailbikes may cause.

This project will directly document and address the concerns of residents, trailbike riders, other forest users and the government land management agencies (DSE, Parks Victoria and local councils) across the Central Highlands. It will outline recommended changes and control measures to protect the environment and the interests of residents, trailbike riders and other forest users. These findings will be presented to the Minister for Environment in the form of a discussion paper with recommendations for the Minister's consideration and response.

Scope

The project will explore issues associated with the use of trailbikes in State forest (and other public land) and identify educative as well as regulatory options for managing trailbike use and access. Although the project has a specific focus on State forest, it will be informed by trailbike issues on other public land, with most of the issues and recommendations expected to have broader applicability across the whole of the public land estate. It will establish key stakeholder groups and networks whose involvement with the issues can extend beyond the completion of the discussion paper.

Inclusions

- The project area includes the Central Highlands, and in particular the State forest areas on the fringe of the Melbourne population. The area extends as an arc from Mt Disappointment, Toolangi, Marysville, Powelltown, Gembrook, Noojee and Erica.
- Liaison with relevant recreation groups, community groups, affected landholders and relevant government agencies (including Baw Baw, Cardinia, Mitchell, Murrindindi and Yarra Ranges Councils, EPA, VicRoads and Victoria Police).
- Options for future management (education, regulation and environmental protection) and requirements for legislative change
- Identification of trial options and areas for education, signage, enforcement, and regulation of track usage and general rehabilitative works
- To Discuss options for recreational registration of Quad bikes which are increasingly prevalent in State forests.

Exclusions

- The project will involve identification of priority areas for education, signage, enforcement and regulation of track usage and general rehabilitative works. It will not undertake to implement these works, which will be subject to the Minister's consideration, and DSE's adoption and funding of the discussion paper's recommendations.
- Land tenure changes will not be considered as part of this project
- Legislative/regulatory amendments will not directly be undertaken in this project. Any recommendations for legislative change will be subject to the Minister and DSE's

consideration of the discussion paper's recommendations.

Interfaces/Related Issues

The project although focusing specifically on trailbike issues in State forest, will give consideration to other recreational use in the broader context to identify any conflict with other user groups and across other public land tenures.

Constraints

Due to the allocated timeframes, the project will not be able to provide assistance for on-ground works which are necessary to countermeasure many of the issues, but it will identify options for the future.

Expectations for changes in regulation, enforcement and track access need to be mindful of the diversity of community views and needs, and of Government's ability to resource any proposed changes.

Key Issues

Trailbike use of State forest has been a challenging issue for regulation for the last 30 years. Trailbikes were put on the map in the 1970's when technology allowed the transition from the farm utility vehicle to a robust bush and rugged terrain bike.

Bush and off-road riding was a less popular sport than perhaps horseriding during this time, and more often pursued by local residents who had a vast knowledge of their neighbouring forest areas. They would enter the bush from their own property boundaries and disappear into the bush, largely undetected, and presenting few problems for fellow bush users and land managers.

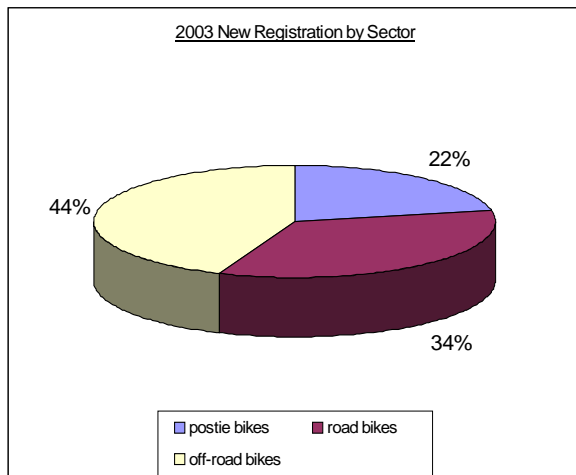
Forest officers and rangers conducted patrols in areas where bike activity appeared to be concentrated, and where off-road riding was damaging the environment. Localised enforcement operations shifted groups of riders around, but essentially, this shifted and compounded the problem in the neighbouring areas.

In the last 10 years, popularity for bush riding and dirt bikes has increased dramatically, particularly as the growth corridors from Melbourne expand and bring the bush into the backyards of Shires like Cardinia and Casey.

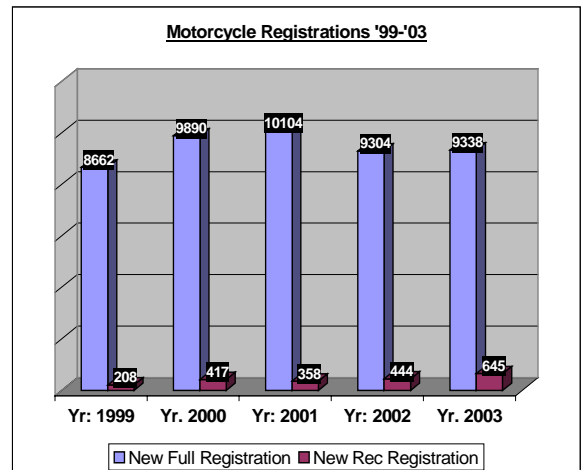
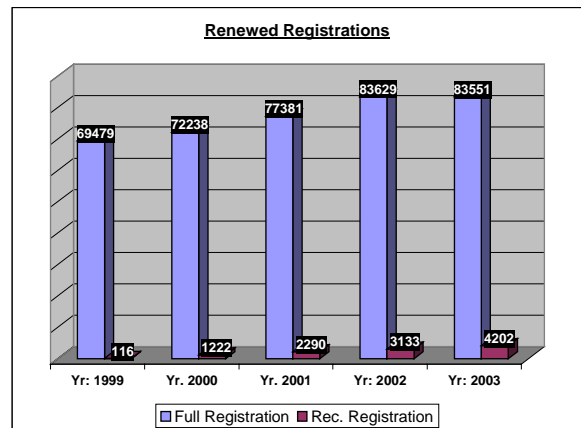
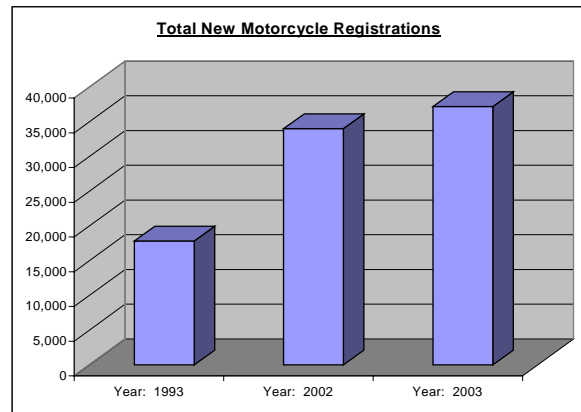
The popularity of trail bike riding has coincided with retirees and “alternative lifestyles” seeking the tranquillity of living adjacent or close by to State forest. Also, long term residents in these locations have noticed significant increases in the number of trailbike riders and the way they use State forest. Currently, there is a definable conflict between recreational vehicle users and these landholders adjoining State forest. Landholders are experiencing the effects of increased numbers of riders, and riders parking, unloading and warming up close-by or adjacent to their properties. The combined noise of bikes riding together and continually during the weekend is affecting landholders quality of life in some areas, and is reportedly impacting on the viability of some businesses such as bed & breakfasts, horse riding tour operators and even vineyards. Noise, safety and dust respectively, also affect these types of nature-based businesses. The problem of noise seems to have coincided with the swing from two stroke to four stroke bikes.

Registration & Licensing

The Federation of Off-Highway Vehicles Australia (FOHVA) in conjunction with the Federal Chamber of Automotive Industries have released statistics reflecting the significant growth of recreational riding across Australia.



Since 1993, these figures have markedly increased and reflect the groundswell currently being experienced.



In Victoria, there appears to be an increase in the number of new recreational registered trailbikes, but more so, the number of recreational registrations that have been renewed has increased markedly since 1999. This could be attributed to recreational registration being viewed as the cheaper alternative to full registration.

Many riders do not realise that they are covered in the event of injury if their vehicle is registered. There is a great deal of confusion amongst riders with the benefits of having registration, and the difference between full

and recreational registration, so education is something that VicRoads could address with input from police, VicRoads and Road Safety.

Noise & Technology

Recreational and road bikes must be permanently fitted with a silencing baffle capable of restricting the engine noise level to not exceed 94dBA (EPA standard). There are two schools of thought on the amount of noise that either type of bike generates. Two stroke bikes may seem noisier and more aggressive because of the pitch, but it disappears quicker as distance increases. Four stroke bikes have a much deeper note, which seems to reverberate across the landscape. More discussion is required from the community and manufacturers to explore this issue, and determine if either type creates more noise problems than the other.

In recent years, there has been a marked shift in preference from two stroke to four stroke dirt bikes. Four stroke technology is more advanced, in that combustion and emissions are cleaner (two stroke motor bikes have oil in the fuel to increase aggression in the power output, which makes emission dirtier.) World Moto GP was a showcase for 500cc two strokes and is now 1000cc four stroke bikes because manufacturers have had to ensure environmental compliance.

Lightweight frames from motocross combined with latest four stroke motor technology, has lead to the current popularity of comfortable, high performance trail bike riding. It is estimated that 75% of riders prefer four strokes, however there is a tendency to modify them with high performance, after-market motocross exhausts. As a result, noise travels further, increasing the irritation factor for local residents.

Electric start, state-of-the-art machines worth in excess of \$10,000 (factor gear and licensing as a further cost) can indicate to land managers the seriousness of riders wanting to pursue their ultimate recreation. Their investments should not be taken lightly, and DSE needs to pro actively manage a sustainable riding environment for recreation vehicles, and to protect the interests of passive forest users and adjoining landholders.

Environmental Impacts - Off-Road Riding

Riding on and creating new single lane tracks is largely the biggest environmental issue with riding trail bikes in State forest.

It is illegal for riders to do so.

In some of the riding “hotspots” across the study area, trail bikes open new tracks and short cuts quicker than DSE can close them or restrict access.

These tracks are vulnerable to erosion, which can increase sedimentary run-off into waterways, affecting water quality.

Crossing of streams and drainage lines at non-designated spots has also been raised as a serious concern.

Off road impacts is equally an issue with four wheel driving activities, with greater damage to tracks occurring where these vehicles cross rivers and stream, often making passage impossible for trailbikes. Riders will then create new tracks around these bog holes, which over time are accessed by 4WD vehicles, exacerbating the problem.

Some motorcycle clubs and consultative committees are interested in working with DSE to develop mapping that indicates soil types and erodability, which may then lead to reduced impacts through education and further seasonal closures.

Current levels of usage and number of riders using certain areas deem the sport unsustainable, as admitted by many trailbike riders themselves. In time, land degradation issues will only magnify, if the opportunity to pro-actively manage the riding environment is not addressed immediately, with the assistance of the riding community.

Legislation

Issues relating to trailbike use in State forest have largely remained the same for DSE land managers since the groundswell in popularity for the sport.

Noise and speed are aspects that have social and safety implications that DSE authorised officers are powerless to regulate, unless patrolling in conjunction with police.

Riding off-road, although illegal is commonplace in some of the riding hotspots and difficult to regulate. Authorised officers cannot effectively prosecute offenders riding off-road as defined in the Land Conservation (Vehicles Control) Act, as this act does not enable officers to request name and address in order to administer an infringement notice or PIN. As such, off-road related offences can

only be administered under the Land Act under trespassing regulations, which would be pursuable in court.

Policing & Regulation

Currently there are several regions within the study area where DSE officers have established an Operations Order with local police, enabling them to organise joint patrol with police officers, mostly on weekends. All illegal behaviour is prosecuted, including unlicensed/unregistered riders, vehicle compliance and off-road riding.

Victoria Police Solo Squad has two units based in Melbourne that conduct enforcement blitzes across the state, particularly in recognised “riding hotspots”. Where there may be a series of complaints from residents, these areas are then usually focussed on when scheduling the squads; otherwise random blitzes on weekends and public holidays occur.

The majority of offences, as recorded by police relate to unlicensed and/or unregistered riders. Unfortunately, these prosecutions do little to curb the annoyance factor of noise. There is also a trend with re-offenders, who will visit areas based on word of mouth recommendations from other illegal riders (ie. “No worries mate, you never see cops around here”).

The introduction of recreational registration has meant that motocross bikes have lawfully entered the landscape, complete with TAC third party cover and means of identification.

Police believe that recreational registration generally is a useful tool. However, opportunities for education programs combining the inputs from police and DSE requirements for lawful and responsible riding are not present at point of registration.

Police have the opportunity to administer the law according to the Road Safety Act, where registered vehicles only have access to roads and road related areas as outlined in the Act.

Unfortunately, the ability to prosecute for off-road riding is blurred by the public perception of what is and isn't a road. Roads illegally created by four-wheel drives and/or trail bikes may appear to be legal roads by riders that may later use these illegally formed tracks.

Patterns of Use

Areas of State forest within a two-hour drive of Melbourne are becoming increasingly

popular with suburban-based riders. Generally, keen riders will travel for more than two hours if they want a remote or challenging experience. However, as the sport grows in popularity, it is the areas that have easy access for cars and trailers, which are more often close to housing and private property, that become attractive parking spots. Also, inexperienced riders, or those who are unfamiliar with an area, are more likely to ride in the areas surrounding their vehicle, causing frustration levels to rise for residents.

Generally, riders do not observe signs or seasonal closures imposed by the land managers. Barriers installed to close tracks or control access are ridden around or pulled down.

Past Management

Pre-1990's there was not the same pressure on our State forest areas from recreational vehicles, as there simply wasn't the popularity for exploring forest areas. The sheer number of visitors is the most obvious difference. Impacts from riding off-road were addressed from time to time, but speaking to DSE forest officers, it was a reactionary response. Most common issues stemming from past use was by large groups of local endurance riders who held unofficial events.

Seasonal closures of roads have probably been the most long-term and traditional method of control.

Current Management

At present, there are strategies being used by local forest managers to combat the problem. Increasing patrols of authorised DSE officers are scheduled in riding hotspots although securing ongoing funding for patrols is an issue. Combined patrols with police and DSE officers are more commonplace. Special Solo Squad blitzes are good for regulating activities and behaviour in areas where DSE patrols during the week have little effect.

The introduction of trial signage in hotspots appeals to rider's sense of social responsibility and consideration for local residents.

Barriers in the form of large rocks, bollards and star pickets combined with ring-lock have been installed to either stop access to illegal single lane tracks or define unloading areas.

The issue has a very high profile within communities affected by trailbikes and other recreational activities. However, education

material and awareness programs from government agencies or trailbike groups require a collaborative approach for them to work.

Land Tenure

The impacts that off-road riding has in State forests and Parks is largely the same. Parks that are available to forms of vehicle recreation, such as Bunyip State Park and Crossover Regional Park, experience similar problems and pressure with unloading areas, off-road riding, erosion and vandalism.

Parks have better success with regulation than in State forest areas, as roster systems for district Park Rangers included for some time, weekend patrols to contend with increased visitation and activity. In addition, Rangers usually have a much smaller district to cover.

Hotspots

Riding hotspots currently identified across the Central Highlands study area include Paul Range (Healesville), Mt. Disappointment (Broadford), Rawson (Erica), and Rokeby/Crossover.

All these areas have considerable issues to resolve with adjoining landholders and residents.

Unloading areas for trail bikes are a problem in all of these locations. Often, the two wheel drives with trailers will occupy picnic area car parks, which can make other forest visitors feel unwelcome. If there are no picnic area car parks, then parking areas may be created on the roadsides where the bitumen ends and the dirt roads start, or in front of resident's houses. These hotspots all within two hours of Melbourne are featured in the "Weekend Warriors" publication. Local riders will argue that it wasn't until the release of this rider's guide that riding in these spots became a significant problem with local residents.

This may well be the case, as the publication has been popular, and with information also being spread through word-of-mouth and rider networks, rider visitation of these sites is only going to increase.

Hotspot riding areas are being managed for the short term with a range of on-ground measures being taken, including increased enforcement of road safety by Special Solos, DSE authorised officers, installation of new signage endorsed by local residents, access control with increased seasonal closures, barriers,

bollards and fencing. These structures are an attractive target for vandalism, so it is important that they are repaired and replaced as soon as possible to reinforce the message they are designed to deliver.

Victorian Case Studies

Rawson

Rawson near Erica attracts a huge number of riders each weekend, and this was a cause for concern for local residents and business owners.

Commercial horse trail rides have been scaled back as operators feel safety is compromised with the sheer numbers of bikes contesting for the use of the same tracks as horses.

A caravan park at the entry to the forest has problems with groups of bikes unloading, riding past at high speed and disturbing patrons, even though patrons staying are often trail bike riders themselves.

A community discussion process developed an idea to trial a voluntary bike free zone, whilst leaving the main arterial access into the forest open to bikes but with speed restrictions (also voluntary). A six-month evaluation process by the community was completed.

Consensus was that the strategy had managed to make some riders more aware and socially accountable, however the benefits of the program have been lost with the sheer volume of riders visiting each weekend.

Mt. Disappointment

Mt. Disappointment State forest from the South (Upper Plenty) and to the North (Flowerdale) is a popular destination for riders, and increasingly so in the last 5-7 years. As a general observation, trail bikes, four-wheel drives and deer hunting has had an impact on visitor's perception of the kinds of recreation encouraged here.

There has been much discussion and frustration from residents, who experience noise from bikes most weekends and a sense that they are no longer welcome if they enjoy passive recreational activities.

Conflicts have occurred with horse and trailbike use of tracks and roads, with safety being a key concern ie. on blind corners, if bikes are travelling at speed and horse and rider cannot move off the road due to steep batters and embankments, there is every

chance of collision or an accident. In addition, it is difficult for horse riders to know exactly what their horse is going to do when confronted with bikes and noise. DSE have installed a series of signs alerting riders to the presence of horse riders within certain ranges.

DSE has worked with the Mt. Disappointment Recreation Impact Group, Wandong Residents Group and many other local residents to decide on wording and location of signs, which outline messages for responsible riding. Combined with this are seasonal closures of roads leading to the Sunday Creek Catchment.

The use of Forest Diaries by residents can evaluate the effectiveness of new signage by recording patterns of behaviour by forest users. This is a technique adopted by some residents adjacent to Mt Disappointment, but predominantly in the Paul Range area.

Paul Range

Paul Range between Healesville and Yarra Glen is a patch of State forest not much more than 340Ha. It is a long strip of forest flanked by private property on three sides. It is popular for trailbike riders from Melbourne and also locally, due to its proximity to metropolitan areas, and because the open forest type lends itself well to (illegal but irresistible) off-road riding. Residents are a combination of retirees, local business owners (horse riding complex and vineyard proprietor) bed & breakfast, plant nurseries etc.

Issues with trailbike use in Paul Range relate to safety with combined use of horses and bikes, aggressive riders, unloading areas and a lack of respect and vandalism of signage, track barriers and gates to seasonal closure tracks. Damage to vegetation, notably native orchids, from off-road riding, has been a strong focus for local environment groups.

Current management has seen the re-introduction of seasonal closures using gates, signage and fences, increased weekend patrols by DSE officers and Kinglake West police, entry signage, and the use of "forest diaries" by residents.

In addition, relocation of unloading areas from residential areas, to further into the bush will alleviate some of the frustration felt by residents when cars and trailers with bikes park and unload on the side of the road or opposite their driveways. In the longer term, the promotion of longer rides into Toolangi/Murrindindi State forest would be

preferred, as the area is expansive and could better absorb the current and increasing numbers of riders who ride in the district.

Rokeby/Crossover

Rokeby/Crossover Regional Park is managed by Parks Victoria, and is actively used by 4WD's, trailbikes and horse riders. These forest users are well represented in the local community. Issues have arisen with the influx of trailbike riders from the eastern suburbs that park their cars and trailers in the community car park near the town hall. Congestion from parked cars and trailers has bothered residents who have resorted to placing flyers under windscreen wipers requesting the driver/riders to choose a more remote unloading location.

Residents who enjoy four wheel driving and trailbike riding, are keen to keep the Regional Park open for their own use, and the managed enjoyment of others. They are pro active in organising clean-up days for rubbish and dumped cars. The local 4WD Club assists the Friends of Rokeby Crossover Group with these clean ups by coordinating their members to attend with trailers and machinery. As a community, they are discussing a suitable location for an unloading area that has little or no impact on locals, and also addressing ways for controlling off-road riding through signage.

A common theme with these Victorian case studies within the Central Highlands study area, is the conflict that popular, informal unloading areas for trailbikes pose for residents and other forest users. The use of informal unloading areas results in the following problems:

- Noise for residents as groups of bikes arrive, and warm-up
- Congestion for residents living on the fringe of State forest, usually where the bitumen ends and where the dirt roads start.
- Other visitors can feel they are unwelcome and intimidated if they intend to have a picnic in an area identified for passive use, that is currently used for unloading bikes and associated activities.
- By not having identified unloading areas for bikes, DSE misses an opportunity to educate a captive audience with signage outlining forest etiquette and sustainable forest use.

Management in Other Australian States

Queensland

Management and enforcement programs have been successfully implemented across park and State forest areas in Queensland for nearly 20 years.

With an increase in trail bike use, provision was made for passive riding in designated areas only (set-asides for vehicle use), and restricted access in all other areas. Riding in designated areas comes with the following controls:

- vehicle registration and licence
- permit to use vehicle designated area (issued by traffic corporation, with vehicle and licence compliance)
- speed restrictions (50kms)
- two wheels on the ground
- no off-road riding in restricted areas, riding permitted on gazetted forest roads and fire lines
- infringement notices for not riding in designated area, or not observing speed limits etc. are up to \$225

Queensland Parks and Wildlife have worked with the state Transport Corporation, to develop the permitting system allowing nature-based riding.

The permit is issued every 12 months with the vehicle registration. There is no cost, to encourage riders to carry one. The permit is profiled against the riders licence number and registration details. This allows forest officers conducting patrols to check profiles of riders in the bush.

Officers can also seize a motorbike if the rider is found in riding in a restricted area or if they are seen to be interfering with forest produce. Whilst interviewing a rider on the spot and checking their driver's licence, vehicle compliance etc., a locking device demobilises the vehicle, securing the back sprocket and chain.

Patrols are conducted every second weekend, and are the most successful way of "keeping tabs on things".

Investment into maintaining designated riding areas is costly on two fronts, patrolling and road maintenance. However, the regular patrolling goes a long way to ensure the real

damage is nipped in the bud before repair to roading gets too costly.

Feedback from forest officers on patrol suggests that the real problems are speed and risk management.

Noise and "hooning" regulations were written into the Forestry Act as amendments eg. operating the motorcycle with both wheels on the ground in a designated area, and noise control relates to a factor of "creating a nuisance".

Tasmania

Programs to better manage Tasmania's designated vehicle use areas have focused strongly on developing better education tools and material.

Generally, the problem of off-road riding was concentrated in areas along the westcoast where there is a large holiday property contingent. Families and groups bring their trail bikes and cause significant damage to sand dunes and coastal areas over the summer holiday period.

There was seen to be an imbalance where hundreds of thousands of dollars were spent each year on the development and maintenance of walking tracks and no money for the provision of recreational vehicles.

A working group of government agency representatives (Parks & Wildlife, Forestry Tasmania, Dept of Infrastructure, Energy & Resources Transport Division, Motor Accident Insurance Board, local user group reps, FCAI motorcycle manufacturing organisation) was formed and an assessment of recreational issues was conducted across parks (Parks & Wildlife Services) and forest (Forestry Tasmania) tenures.

Full or recreational registration of vehicles is required for road safety compliance, and a permitting system allows riders to use certain tracks across land tenures. Permits may be valid for a single ride at a time, or for a 12-month period. Permits and seasonal closures determine access to designated riding areas and tracks.

Promoting riding areas for ATV's and trail bikes and more organised rides through brochures and promotional material produced "Ride Around Tasmania", an information booklet with tracks, maps, contact details for land managers and the permission/registration

type required for access. It follows a similar format to Victoria's "Tread Lightly" but provides more detailed maps and directions for riders, so they can get to know where designated riding trails and areas are, and their responsibilities to the land managers. In addition, "Cruisin' without Bruisin'", an information sheet for four wheel driving was produced, outlining similar codes of ethics and jointly endorsed by TRVA (Tasmanian Recreational Vehicles Assoc.) and vehicle clubs.

Consultation and development of these brochures took 18 months.

Amendments to current legislation and further risk assessments were not part of the initiative.

New South Wales

In NSW, in the mid-east and northeast part of the state along the coast, there is a major problem for state forest managers dealing with trailbikes. The majority of trailbike and other recreational problems are found to be in a 2hr drive from Sydney and Coffs Harbour, taking up much of the East Coast, including the Hunter, Manning, Hastings and Mid North Coast Regions. Further down the coast and further inwards into the middle and west of the state there is not as much of a problem with trailbike riders as the population is not as built up. Condition for riders to obey while riding within state forests include:

- riding on formed roads and fire trails
- riders must be licensed and bikes must be registered
- must not use walking tracks or timber harvesting tracks with drainage structures
- do not use roads or trails when they are saturated with water
- environmentally sensitive areas, such as wetlands and river/creek beds are not for riding on

Problems caused by trailbike riders within the state forests include:

- formation of new tracks, causing erosion
- destruction of vegetation areas for rehabilitation purposes
- riders ignoring signs near campsites and picnic areas, creating small jumps and degrading barriers and bollards
- riders giving no respect for noise towards adjoining residential land during warming up

- riders taking no notice that the roads and tracks are for other users as well

Techniques used by NSW Forest Service and also by National Parks NSW, include mostly patrolling the hot spot areas and roads, joint with the Police Force to increase their authority. Recently the Parks service and Forest NSW have provided funding for the purchase of two trailbikes for the police to use to increase the effectiveness of those patrolling to catch offenders.

Education programs have also been set up but have not been that successful, as many bike clubs are not very well organised to attend. Education for young riders has also been attempted with publishing many advertisements in popular magazines and leaflets passed on to many bike clubs.

Potential Options for Management

Legislation

- More PINS/infringement notices – review off road riding regulations and EPA noise emission regulations.
- Explore the introduction of a levy similar to the \$50 environment levy imposed on four wheel drive owners. These funds can be allocated to land management agencies for the long-term regulation and management of trailbike riding.
- Appropriate changes to legislation allowing DSE officers to be legally able to request names and addresses under the Land Conservation (Vehicle Control) Act, be able to issue a PIN for having an unregistered bike and being unlicensed, and create set-aside areas specifically for off-loading and riding of trailbikes (and issue infringement notices for not loading/unloading or riding in designated areas). Ability for the police/DSE officers to seize a motorbike if the rider is found to be riding in a restricted area.

Education

- Signage and brochures
- Community – forest users versus residents

The amount of "responsible riding" information in trail bike magazines and guides is very encouraging. There is only room for improvement in the current riding environment, with clubs, associations and

advocacy groups taking the lead and supporting land managers where they can to find solutions to long-term sustainability of riding in State forest.

AMTRA believes that environmental and social impacts occur because of the indiscriminate ten per cent who disregard regulations and education programs. Education, it would seem, will never be able to counteract the more lasting effect of law enforcement.

DSE and Parks Victoria have voluntary riding codes of conduct for trailbike riding and for four wheel driving. These codes have been moderately successful as only those riders who are club or affiliate members understand the long-term implications of their behaviour on future access to these areas. Codes are not as effective in influencing the broader community, or the ten per cent, who have social disregard for their actions.

Codes work best when developed with representatives of affected parties. Unloading areas within the Bunyip State Park have signage reiterating the Riders Code of Conduct, as endorsed by AMTRA and the Koo Wee Rup Motorcycle Club.

Similar collaborative efforts of land managers and affiliate organisations and clubs could benefit from structured, longer term education campaigns in an attempt to reach the disparate ten per cent within the broader community. Such campaigns may go towards encouraging increased memberships.

Education of user groups in the broader community could be launched through clubs, periodical columns in popular magazines and websites, bike shops and points of purchase near riding districts and in metropolitan areas. One-off spreads of “Responsible Riding in State forest” in publications like Australasian Dirt Bike Magazine would ensure a very comprehensive filtration of the topic into the broader fraternity.

DSE presence at club meetings in relation to this project have been very well received and the benefits of attending can forge strong relationships and establish a sense of ownership for the problems that DSE are faced with.

Brochures at points of purchase (service stations, general stores, motorbike shops) outlining “what to expect when you’re out

there”, together with code of conduct, environmental impacts and information, and maps or trails for use.

A long-term education tool would be to introduce a chapter dedicated to bush riding in the Victorian Riders Handbook, where riders going for their licence can be educated to some degree in bush craft and responsibility to other forest users. This could be an opportunity to discuss social and environmental impacts, interpretation and familiarisation with signage and the rider’s codes of conduct.

Codes of conduct incorporated into signage at approved unloading locations – as trialed by Parks Victoria could be used as opportunities for endorsement by AMTRA, by local clubs and motorcycle shops.

In addition, using the media such as local newspapers to filter generalised messages out to the broader community, or local radio to expose cases of vandalism would be beneficial.

Recent vandalism in Noojee by mountain bike riders was discussed on local radio, with the local four-wheel drive club responding the following day to say that they had taken registration plate numbers from suspicious vehicles at the site as the club was passing through. Two people were charged with offences relating to the vandalism.

Policing & Regulation

Policing and enforcement has not increased in correlation with the popularity of the sport in State forest.

DSE currently rely on Vic police to accompany officers on patrols or for police to do the undertaking via their special solo squad.

Ideally, it could be beneficial for DSE to be equipped with a solo squad for education and enforcement, similar to Parks Victoria officers who conducted blitzes on trailbikes especially in Box Ironbark forests surrounding Bendigo.

Off-road riding is impossible to contain when relying on four-wheel drives to pursue offenders, unless riders stop when instructed to do so.

The Victorian Motorcycle Advisory Committee are the statewide body responsible for bike riding programs in Victoria. VMAC has implemented a \$50 levy on all licensed bike riders to facilitate, for example, the “Riding Black Spot” campaign, among others.

Opportunities could exist for DSE to access money from an education program levy, for use in education or policing of bush riding.

Money collected from full registrations could be channelled through to support further regulation and education.

Currently, the two special solo squad teams are in high demand across the state to enforce road safety and compliance, and it is clearly evident that DSE could benefit enormously from greater resourcing of the squads by increasing numbers of active officers on bikes.

Land Management

Ramping up of the seasonal closures program in many districts would assist in rehabilitation of overworked, degraded tracks. Until now, Paul Range had not had seasonal closure for over 9 years. AMTRA have suggested that “rotational closures” of some tracks could be more beneficial than seasonal closures, keeping tracks locked up for longer than just one winter season. This technique is used in Tasmania with reasonable success, although, generally track closures are not readily observed.

Justification for rotational closures could be linked more closely to soil type and erodability of certain areas.

It is common knowledge that breach and barring techniques used on fire trails to close tracks to the public do not keep riders out—in fact they are a incentive for a lot of riders. Often these fire trails are constructed adjacent to private property boundaries, and if they are not completely rehabilitated, then property owners must contend with the nuisance of trail bikes and four wheel drives using them. Tracks with breach and barring are listed in magazines such as “Weekend Warriors” as “must-rides” primarily for the thrill factor.

Complete closures of fire trails and revegetation must, as a matter of priority, be employed to keep vehicles out. The recent rehabilitation of areas affected by the Alpine Fires of 2003 has seen complete rehabilitation by contractors of the thousands of kilometres of fire trails constructed. This has involved breach and barring to manage water run-off, but also concealment of the track by dragging trees and debris across the tracks making them impassable.

Fire operations and forest management in many districts have contributed considerably to

the problem of expanding road networks, and their increased visitor use by:

- a) not properly rehabilitating fire access trails after fires,
- b) not maintaining to an acceptable standard tracks or roads that must remain open for fire access, therefore giving an impression to forest users that use and misuse of tracks is acceptable
- c) not rationalising the number of tracks and roads that feasibly must remain open.

Free Access

There are two schools of thought relating to the popular idea of designated or “free access” areas. In principle, the idea could work if DSE could find areas they could classify as “wasteland” and assign for use by trail bikes or four-wheel drive challenges. If these designated areas were established in conjunction with “restricted access areas” as undertaken in Queensland, patrolling operations and regulation of other areas would be straightforward. This would require significant and costly change to legislation and land tenure.

Within the current areas of State forest that are managed for commercial, flora and fauna, biodiversity and conservation, there are no areas that can be classified as “wasteland” where unregulated use of trail bikes and four wheel drives can occur. As such, all public land is managed to the same standard, with prevention of damage to the landscape from vehicles.

As outlined in *Regulatory Impact Statement – Land Conservation (Vehicle Control) Regulations 2003*:

“Free access areas may be declared by relevant management agencies with the consent of the Minister for Environment by publishing a notice in the Government Gazette. Although there is provision to declare free access areas, these powers have been used infrequently. Environmental issues render the declaration of free access areas unlikely and there is currently little pressure from the community to create these areas. (Authors note: DSE currently receives suggestion of such areas by adjoining landholders across all districts – this is reflection in growth of the sport since 2002 when this RIG was written.) Public liability for motor vehicle users in free access areas is also an increasing concern. Motor vehicles in free access areas are not required to be road registered and therefore there are issues

associated with third party insurance and coverage by the Transport Accident Commission. The net result of this situation is that public land managers also become exposed to potential claims of public liability in the case of an accident. However, despite these concerns, the provision to declare free access areas is retained in the proposed regulations in order to provide land managers with a guiding principle and some flexibility in meeting any potential future demand from the community for increased off-road motor vehicle use on public land.”

Establishment of designated areas would make patrolling and land management more straightforward to police and regulate, would make access clearer for riders and would give residents a chance to decide whether recreational riding in the forest adjacent to them is a disincentive for them living there – “buyer beware”.

In recent years, there have been applications from communities to their Shire councils to provide designated areas, namely Cardinia and Colac

Introduction of voluntary exclusion areas and signage directing riders to approved unloading areas, as is supported in principle by AMTRA and several motorcycle clubs, can go towards re-educating riders and in turn, localising and managing environmental impacts.

At unloading areas, information on approved riding loops would help riders without local knowledge, who may feel tentative about riding too far from their unloading areas, therefore creating disturbance to adjoining residents. These approved riding loops may be referred to in more detail through brochures and maps, and publications such as “Weekend Warriors”.

Forest Managers should be empowered to employ whatever methods of access control they think best suits the environment and residents.

Conclusion

The purpose of this background paper was to highlight some of the key issues related to trailbike use within State forest and other areas. Such issues discussed include areas of conflict between riders and residents/local businesses. In order to resolve the issues, or at least reduce the level of impact with trailbike use in our State forests, a collaborative

approach is required between involved or interested parties, such as riders themselves, affected communities, industry and land managers as well as Vic Roads and the EPA.

Management options include public education tools; legislative and regulative changes, increased patrols or policing and land management changes, such as increased seasonal closures may be required to reduce the conflict on the issues.

This background paper is the starting point for discussions with residents, trailbike riders, other forest users and the government land management agencies on how to reduce the impacts associated with trail bike use of public land. It will be followed with a round of community workshops in 2005 to further explore the issues and seek public input into the development of long-term workable solutions.

For further information on this project contact Kate Hill, Forest Stewardship & Biodiversity Manager, DSE Erica (ph.03.5165 2200).

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Appendix 2

Summary of workshops held in Broadford, Healesville, Yarra Junction, Pakenham, Warragul and Traralgon during February 2005.

Workshops attracted 265 people. Invitations issued sought to balance number equitably between trailbike riders, residents and other forest users, however the majority of attendees were trailbike riders.

Initially residents seemed hesitant fearing confrontation by trailbike riders, however it was pleasing to see this didn't eventuate with all parties involved in the workshops exchanging positive dialogue and being made aware of each others needs.

Small working groups discussed problems and solutions and it became apparent quite early that similar issues were being raised across the Central Highlands.

Key Issues identified were:

- Noise
- Environmental Impacts
- Registration and Licensing
- Conflict with other forest users
- Availability of legal riding areas
- Safety

Possible Solutions brainstormed by participants were both innovative and creative, such as:

- Creation of designated riding areas
- Buffer zones for residential areas
- Provision of private ride parks
- Increased signage of areas to ride, regulations and motorcycle code of conduct
- Increased penalties for non-compliant riders
- Increased Police presence to patrol areas
- Ban Loud mufflers
- Speed restrictions around residential areas
- Unloading areas away from residents
- Sit a test for licensing as in hunting or boating
- Education material to be available at Vic Roads and motorcycle shops

Keynote speakers at the workshops included representatives of the Victoria Police, EPA, Federal Chamber of Automotive Industries (FCAI) and local Forest Managers, who detailed issues relating to their expertise.

FCAI representative Ray Newland spoke of the volume of motor bikes coming into Australia each year and alerted us to the fact that it is a fast growing industry. A major concern has been the noise issue relating to mufflers. Assurances were given that they all meet the dbA on arrival in Australia but recognise that some trail bike riders may adjust them to make them noisier. Motorcycle manufacturers are keen to get involved and help with any education programs we may develop.

Victoria Police were represented at each community meeting. They expressed concern on the upward trend of serious accidents occurring in bush areas and were keen to be involved in patrols and any education programs to alert bike riders to the dangers of riding off-road.

Forest Managers spoke at each community meeting and each area had the same overall problems but also specific 'hotspots' they were able to enlighten us about. It was identified there was a strong need for Forest Managers to work closely with community groups to ensure everyone could benefit from the facilities offered in State Forests.

Workshops concluded with the promise to keep everyone informed outcomes from this project and for an ongoing relationship between DSE and interested parties to be developed.