



**POLICY**

<b>TITLE:</b>	<b>FIREWORKS EVENTS</b>	<b>CODE:</b>	<b>EH.03</b>
<b>PURPOSE or OBJECTIVE:</b>	To communicate the criteria by which the City will provide its support for the use of fireworks within the City.		
<b>REFERENCE DOCUMENTS:</b>	<i>Local Government Act 1995</i> <i>Dangerous Goods Safety Act 2004</i> <i>Dangerous Goods Safety (Explosives) Regulations 2007</i>		

**POLICY STATEMENT**

**Fireworks events occur each year within the City of Canning and help create an exciting and spectacular event. Fireworks events must be approved by the Department of Mines and Petroleum and the application process requires comment from the local government Chief Executive Officer, or delegate. It is important that the City has a consistent, transparent, and simple assessment process to support the conduct of fireworks events proposed at celebrations, festivals and events that benefit the community.**

**1. Scope**

This Policy applies to the City when responding to a Fireworks Events Notice administered by the Department of Mines and Petroleum under the *Dangerous Goods Safety Act 2004*.

**2. Definitions**

- firework* Has the meaning given to the term in the *Dangerous Goods Safety (Explosives) Regulations 2007*.
- fireworks event* Has the meaning given to that term in regulation 136 of the *Dangerous Goods Safety (Explosives) Regulations 2007*.
- Fireworks Event Notice* Refers to the Department of Mines and Petroleum form or notice provided to the City of Canning for indicating consent for a fireworks event. The Notice is a pre-requisite for a Fireworks Event Permit, issued by the Department of Mines and Petroleum.
- licensed fireworks contractor* The contractor licensed by the Department of Mines and Petroleum, stipulated in the Fireworks Event Notice.

**3. Assessment of Fireworks Event Notice**

When considering a Fireworks Events Notice the City's principal considerations will include:

- (1) The safety of people, property and the environment in the vicinity of the fireworks event;
- (2) Ensuring the community is reasonably informed of the fireworks event; and
- (3) Reducing unreasonable disturbance to the community.

**4. No Objection to Fireworks Events Notice**

Having regard for the principal considerations outlined in clause 3 above, the City will offer no objection to a Fireworks Event Notice where the following circumstances are met:

- (1) The event at which the fireworks display is proposed, is in the public or community interest, having regard for the reason for the event and expected size of the event; and
- (2) The fireworks display is no greater than 30 minutes in duration; and
- (3) The subject venue has not had more than five (5) fireworks events in any twelve (12) month period; and
- (4) Scheduled to occur within the following day and time limitations:
  - (a) From Sunday to Thursday displays will conclude no later than 10.00pm Australian Western Standard Time (AWST); or
  - (b) On Fridays, Saturdays and/or the day before a Public Holiday, displays will conclude no later than 11.30pm AWST; or

- (c) On New Years Eve (31 December) displays will conclude no later than 12.30am AWST on 1 January.

## 5. Conditions Deemed Reasonably Necessary

- (1) Where the City offers no objection to the Fireworks Event Notice, it will be subject to the following conditions:
  - (a) Prior notice of the fireworks event will be given, by advertisement in a newspaper circulating generally throughout the City of Canning, not more than 21 days prior to and not less than 7 days prior to the event detailing the date, time and duration of the fireworks display and reason for the event, and
  - (b) The licensed fireworks contractor must hold a current public liability insurance policy to a minimum value of \$10,000,000.
- (2) The City reserves the right to vary conditions set out within section 5(1) of this Policy or apply additional conditions on a case-by-case basis in response to events varying in location and size.
- (3) All conditions will be applied with the intention to:
  - (a) ensure the safety of people, property and the environment in the vicinity of the fireworks event;
  - (b) ensure the community is adequately informed of the fireworks event; and
  - (c) reduce any unreasonable disturbance to the community.

## 6. Objection to Fireworks Event Notice

- (1) Having regard for the principal considerations outlined in clause 3 above, the City may object to a Fireworks Event Notice where it believes the fireworks event is not in the public interest or will present an unacceptable risk to the safety of people, property or the environment.
- (2) If the City intends to object after considering a Fireworks Event Notice, it will provide the applicant with a right of reply to the objection before it completes the Fireworks Event Notice.

## 7. Noise Approval

- (1) The City will not require a separate approval under Regulation 18 of the *Environmental Protection (Noise) Regulations 1997* for fireworks events. Consideration of the noise impact will form part of the City's assessment of the Fireworks Event Notice.

## GOVERNANCE REFERENCES

<b>Statutory Compliance</b>	<i>Local Government Act 1995 – Part 9 Division 1</i> <i>Dangerous Goods Safety Act 2004</i> <i>Dangerous Goods Safety (Explosives) Regulations 2007</i>
<b>Process Links</b>	

## POLICY ADMINISTRATION

<b>Directorate</b>		<b>Officer Title</b>	<b>Authority to Approve</b>
Planning and Regulation		Director Planning & Regulation	Council
<b>Version</b>	<b>Decision Reference</b>	<b>Synopsis</b>	<b>Delegation No. N/A</b>
1	October 2015	New Policy	
1	OCM 13/10/2015 (PR-060-15)	Adopted	