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| Policy number | Policy 404 |
| Policy title | Policy title |
| Strategic outcomes supported | EC2 – Connecting businesses and people to our local activity centres through place planning and activation |

Policy objective:

To provide a clear, consistent process for the assessment of Fireworks Event Notices and to outline the criteria by which the Town will assess proposals for the use of fireworks.

Policy scope:

The Department of Local Government, Industry Regulation and Safety(LGIRS) is responsible for the approval of fireworks displays. Prior to lodging an application with LGIRS, a fireworks contractor must lodge a Fireworks Event Notice with the WA Police, the Department of Fire and Emergency Services (DFES) and the relevant local government. The Town’s role is to indicate support or opposition to the fireworks event to assist LGIRS in its decision making process.

This policy applies to all Fireworks Event Notices for fireworks displays proposed within the Town.

The Town does not assess fireworks events for compliance with the requirements of the relevant legislation for the use and storage of fireworks. This is the sole responsibility of the Licensed Fireworks contractor and LGIRS under the Dangerous Goods Safety Act 2004.

The Town’s function in assessing a Fireworks Event Notice is limited to community impacts associated with noise from fireworks display, proximity to residences and environmental impacts.

Policy definitions:

Fireworks has the meaning given to the term in the Dangerous Goods Safety (Explosives) Regulations 2007 being: “an article or substance containing one or more explosives with or without other substances, that is designed to entertain people by producing light, sound, gas, smoke, or a combination of them, by means of or a combination of them, by means of an exothermic chemical reaction that does not rely on oxygen from external sources to sustain the reaction, but not a model rocket motor”.

Fireworks event has the meaning given to that term in regulation 136 of the Dangerous Goods Safety (Explosives) Regulations 2007 being:

“an event or show that involves the use of a firework outdoors to entertain one or more people, whether at a public or private event or show”.

For the purposes of this policy, fireworks displays that occur over a number of days/times at one venue for the same purpose are regarded as one event.

Fireworks Event Notice refers to the relevant LGIRS form or notice submitted to the Town for a fireworks event. The Notice is a pre-requisite for a Fireworks Event Permit, issued by the Department.

Licensed fireworks contractor is the contractor licensed by LGIRS as stipulated in the Fireworks Event Notice.

Private events means an event that is private (normally by invitation) and not open to the public such as private parties, weddings, etc; held at function centres (or similar venues).

Community/Public Events means an event open to the community or the public, whether ticketed or not (i.e. shows, fairs, fetes, concerts etc).

Policy statement:

Assessment of Fireworks Event Notice:

1. When considering a Fireworks Event Notice, the Town's principal considerations will include:
 - (a) The environmental health impact of the fireworks event upon the community including but not limited to the noise impact;
 - (b) Ensuring the community is reasonably informed of the fireworks event.

Process to assess Fireworks Event Notice:

2. A Fireworks Event Notice application is to be submitted to the Town at least 14 days prior to the event.
3. Applications received less than 14 days prior to the event will be charged a late application fee.

Assessment criteria considered by the Town:

4. In assessing a Fireworks Event Notice, the Town will consider the following matters:
 - (a) Whether the event is in the public interest;
 - (b) The duration of the event;
 - (c) The frequency, including both for the proposed event as well as the number of other events that have occurred at the same venue in the same calendar year.
 - (d) The day(s) and time(s) of the event;
 - (e) Shell sizes;
 - (f) Consideration of previous applications and any previous complaints;
 - (g) The likely noise impacts.

No objection to Fireworks Event Notice:

5. Having regard for the principal considerations outlined in clause 1 above, the Town will offer no objection to a Fireworks Event Notice where the following circumstances are met:
 - (a) The event at which the fireworks display is proposed, is in the officer's opinion in the public or community interest, having regard for the reason for the event and expected size of the event; and
 - (b) The fireworks display is no greater than 30 minutes in duration; and
 - (c) Scheduled to occur within the following day and time limitations:
 - (i) From Sunday to Thursday displays will conclude no later than 10.00pm.
 - (ii) On Fridays and Saturdays, displays will conclude no later than 11.30pm; or
 - (iii) On New Year's Eve (31 December) displays will conclude no later than 12.30am on 1 January.

Consideration of fireworks events in other cases:

6. Where a proposed fireworks event does not satisfy one or more of the items listed in clause 6 above, then the Town will consider the proposal on its merits having regard to the relevant considerations outlined at clauses 1 and 5.

Objection to Fireworks Event Notice:

7. Having regard to clauses 1 and 5, the Town may object to a Fireworks Event Notice where it believes the fireworks event is not in the public interest or will present an unacceptable impact upon the residents of the Town.

Conditions deemed necessary:

8. Where the Town supports the Fireworks Event Notice, it will be subject to the following conditions and any other conditions considered appropriate:
 - (a) That public notification of the event be undertaken by the applicant as follows:
 - (i) In relation to a community or public event, the notification is to comprise:
 - (1) a letter to all noise sensitive premises within 1 km radius of the event location and
 - (ii) In relation to a private event, the notification is to comprise a letter to all noise sensitive premises within a 250m radius of the event location; and
 - (iii) In either instance, the relevant notification is to occur between 7 and 21 days prior to the event and a copy and evidence of the notification is to be provided to the Town prior to the event.
 - (b) The licensed fireworks contractor must hold a current public liability insurance policy to a minimum value of \$10,000,000.
9. The Town reserves the right to vary conditions within clause 10a of this policy or apply additional conditions on a case-by-case basis in response to events varying in location and size.
10. All conditions will be applied with the intention to:
 - (a) ensure Fireworks Events do not cause unnecessary nuisance to the residents of the Town.
 - (b) ensure the community is adequately informed of the fireworks event; and
 - (c) reduce any unreasonable disturbance to the community.

Related documents

- [Environmental Protection \(Noise\) Regulations 1997 Local Government Act 1995](#)
- [Dangerous Goods Safety Act 2004](#)
- [Dangerous Goods Safety \(Explosives\) Regulations 2007](#)

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| Responsible officers | Principal Environmental Health Officer Environmental Health Officer |
| Policy manager | Manager Development Services |
| Approval authority | Council |
| Next evaluation date | May 2028 |

Revision history

| Version | Action | Date | Authority | Resolution number | Report number |
|---------|----------|------------|-----------|-------------------|---------------|
| 1 | Approved | 20/08/2002 | Council | | Item 1.3 |
| 2 | Reviewed | 15/08/2006 | Council | | Item 4.1 |
| 3 | Reviewed | 09/07/2013 | Council | | Item 10.1 |
| 4 | Reviewed | 20/08/2019 | Council | 148/2019 | Item 10.1 |

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|---|--------------------------|------------|------------|---------|-----------|
| 5 | Reviewed and amended | 12/04/2022 | Council | 83/2022 | Item 15.3 |
| 6 | Administratively amended | 24/08/2023 | Delegation | | |
| 7 | Administratively amended | 24/08/2023 | Delegation | | |
| 8 | Reviewed | 20/02/2024 | Council | 7/2024 | Item 11.3 |
| 9 | Reviewed and Amended | 19/05/2026 | Council | 68/2026 | Item 11.3 |

