

POL-C-131 Fireworks Events

1. Objective

To establish standards that guide the City's internal approval process for Fireworks Events.

2. Policy statement

To provide criteria for the consistent assessment of fireworks events when responding to a Fireworks Event Notice to the Department of Mines and Petroleum (DMP).

Criteria are designed to provide a balance between the amusement interests of the wider community whilst also considering safeguards to minimising nuisances to individuals and protection of public safety.

Nothing in this policy extinguishes any other legislative requirement particularly those of the ***Dangerous Goods Safety Act 2004***, ***Environmental Protection Act 1986***, ***Bushfires Act 1954*** and their subsidiary legislation.

3. Scope

This Policy applies when responding to a Fireworks Event Notice for a fireworks event within the district of the City of Swan.

4. Background

The Department of Mines and Petroleum is responsible for the statutory approval of fireworks events under the ***Dangerous Goods Safety Act 2004***. This approval process requires the local authority of the district to provide written consent when responding to a Fireworks Event Notice. Approval from the local authority is required before the Department will issue a Fireworks Event Permit and is designed to ensure other factors have been considered.

Noise is governed by the ***Environmental Protection (Noise) Regulations 1997*** with enforcement provisions available to the local authority. Depending on the situation noise from fireworks may be automatically exempt from the regulations or an exemption may need to be sought from the local authority.

5. Terms and definitions

In this policy unless the context requires otherwise all definitions are to have the same meaning as that given in the ***Dangerous Goods Safety Act 2004***.

Fireworks Event Notice - refers to the notice provided to a Local Authority for indicating consent back to the Department of Mines and Petroleum. The Notice is to be in the form as provided by the Department.

6. City practice

6.1 Event type

6.1.1 Community events

Noise from fireworks events proposed as part of a community event, (such as shows, fairs, fetes, exhibitions, etc) with the event being to the overall benefit of the broader community, is considered to be an exempt noise under Regulation 16 of the Environmental Protection (Noise) Regulations 1997.

POL-C-131 Fireworks Events

6.2.2 Public events

Noise from fireworks events proposed as part of a commercial public event (such as concerts at wineries, public open spaces etc) with the event being open to members of the general public is controlled in accordance with the approval process stipulated in Regulation 18 of the Environmental Protection (Noise) Regulations 1997.

6.3.3 Private Events

Fireworks events proposed as part of a private function (such as private parties, weddings etc held at function centres or the like or on a suitable private property) are permitted provided there is no evidence that the majority of affected community members object to 'private fireworks displays'. These events are not open to the general public and are for members or invitees only.

6.2 Response to fireworks event notice

- a) The City will only support a Fireworks Event Notice where it is satisfied that any previous issues, arising from any similar fireworks displays at the venue or by the applicant, event coordinator or fireworks operator, have been sufficiently addressed to prevent the issue arising in the future.
- b) The City will only support approval for fireworks events that are:
 - i. Limited to a 30 minute duration for community and public events, or 10 minutes for private events, and
 - ii. Timed to occur within the following day and time limitations:
 - From Sunday to Thursday displays will conclude no later than 9.30pm AWST.
 - On Fridays, Saturdays or a Public Holiday, displays will conclude no later than 10.00pm AWST.
 - On 31 December, New Year's Eve, displays will conclude no later than 12.30am AWST on 1 January.
- c) The City will limit its support for applications for fireworks events to not more than:
 - i. For community events three (3) at any one premises within any 12-month period, and
 - ii. For public events two (2) at any one premises within any 12 month period, and
 - iii. For private events two (2) at any one premises within any 12 month period, and
 - iv. In any case no more than 3 at any one premises within any 12 month period, and
 - v. One (1) at any one specified property / venue within any fourteen (14) day period, and
 - vi. Regardless of the above, the City reserves the right to vary its support of fireworks applications having regard to previous displays at different premises that have impacted upon similar geographical areas.

6.3 Public notice requirements

For Community or Public Events the City of Swan's support to a Fireworks Event Notice is conditional upon the applicant or event organiser providing residents and occupiers of surrounding property with notification occurring at least seven (7) days prior to the scheduled display.

- a) The notice will include the following minimum details:
 - i. Location / venue,

POL-C-131 Fireworks Events

- ii. Date and time, and
 - iii. Contact information for the event organiser.
- b) The form of notification shall be: A direct letter drop to all residential properties within a 500m radius and all rural zoned properties within a 1km radius of the display location / venue.
- c) A 50% radius reduction to the distances in point 2 above will be applied where a public notice advising of the fireworks event is placed in the local community newspapers normally distributed in the affected area. The public notice may be replaced by the use of a prominent advertisement in the local community newspaper that is distributed in the affected area of the event provided it clearly indicates fireworks are to be used.
- d) Whilst not mandatory, for community and public events it is recommended that consideration also be given to displaying a prominent sign at the subject property advising of the forthcoming event.
- It should be noted that any signs erected must comply with the City's signage policies.
- e) Regardless of the above, the City reserves the right to vary these notice requirements on a case by case basis.

6.4 Non-conforming applications

Applications that are outside the requirements of this policy may be made in writing, seeking exemption and outlining reasons for consideration. Approval will be at the discretion of the Chief Executive Officer.

Document control

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Organisational:	MP-097 Prioritising of Statutory and Non-Statutory Environmental Health Work		
Strategic Community Plan:	S1 – A safe community		