

Responsible Directorate	Community Development
Responsible Business Unit/s	Community Safety
Responsible Officer	Manager Community Safety
Affected Business Unit/s	Recreation and Leisure Services Development Services Parks and Sustainability Customer and Communications Engineering Design Community Services

Objective

The objective of this policy is to outline criteria in regards to the use of fireworks in the City of Stirling in order to ensure that these displays are provided in a positive and pleasurable way.

Scope

This policy applies to all fireworks displays conducted in the district of the City of Stirling.

The City of Stirling has no expertise or authority to act in the determining of the safety requirements including the handling, storage and safety clearance distances required for fireworks. Additionally, the City does not assess fireworks applications for compliance to the requirements of the relevant legislation for the use and storage of fireworks. The assessment of safety and risk management for fireworks is the sole responsibility of the Licensed Fireworks Contractor and the Department of Mines and Petroleum.

The City's function in assessing fireworks applications is limited to community impacts associated with noise from fireworks displays, proximity to residences and hospitals, litter, traffic and environmental impacts upon City Property.

Policy

Background

The use of Fireworks in Western Australia is restricted to licensed operators and as such firework use by the general public is banned. The Department of Mines and Petroleum regulate licensing requirements of contractors and fireworks use. The regulation is designed to ensure that the public is safe to enjoy the spectacle of fireworks.

As part of the approval process for a firework display, licensed fireworks contractors are required to obtain approval and sign-off from the relevant Local Government to conduct an event. Local Governments may object to the event.

Applications for Fireworks Displays;

- Must be submitted to the City at least 30 days prior to the event to enable processing and assessment of the request.
- Are required to be presented in the formats stipulated by the City and the Department of Mines and Petroleum.
- Will be assessed by the Manager Community Safety, having regard for the Community impact and local amenity and may be approved with conditions or may be declined with the reasons provided.

Applications for Fireworks displays will not be approved;

- Where the Fireworks Contractor does not hold and provide a copy of a Public Liability (PL) Insurance Policy with a minimum limit of indemnity as follows;
 - General Fireworks - \$10 million coverage; (Where the Fireworks Contractor does not have a minimum limit of \$10 million PL insurance, a \$5 million minimum limit will be deemed acceptable if the Event Organiser holds a separate insurance policy with \$5 million coverage.
 - Ceremonial Fireworks for which a Fireworks Event Permit is not required - \$5 million coverage, otherwise \$10 million dollars

Note – All PL insurance policies must stipulate that they provide coverage relevant to fireworks events within a Local Government Area in relation to the event, or contain suitable wording to the satisfaction of the Local Government Insurance Services.

- In areas considered environmentally sensitive where the application of fireworks may have a negative impact on local native flora and fauna, or increased fire risk including:
 - Herdsman Lake Reserve
 - Trigg Bushland Reserve
 - Star Swamp Bushland reserve
 - Lake Gwelup Reserve
 - Carine Regional Open space
 - Jackadder Reserve
 - Dianella Open Space
- In areas considered to adversely affect the social well being of the community including areas within 500 metres of:
 - Aged care facilities;
 - Hospitals;
 - Animal care facilities.
- Outside the following times:
 - Sunday to Thursday before 8:00 am or after 9:00 pm
 - Friday to Saturday before 8:00 am or after 10:00 pm

Note: Fireworks approvals may be provided for special events outside these times, where the event is a public event and where it has been well advertised.

Conditions of approval will include the following;

- The City agrees to the fireworks event, subject to the approval of the WA Police, Fire and Emergency Services Authority, the Department Mines and Petroleum and all conditions stipulated are met and adhered to;
- The Applicant and the Fireworks Contractor agrees to indemnify the City and any persons acting for or on behalf of the City against any claim for damage or injury to persons or property and the costs associated with such a claim that may arise from the event. (This is done by completion of the City's Application for a Fireworks Display).

- At times when FESA has declared a total fire ban, in order to proceed with a fireworks display, the fireworks contractor must hold a current Total Fire Ban Exemption and must follow all conditions associated with the exemption.
- Following approval, the Fireworks Contractor is required to ensure that all property owners / residents are notified of the fireworks display in the format and over an area determined and approved by the City.
- Compliance with the requirements of the City's Event Management criteria and where appropriate and deemed necessary the preparation and approval of a separate Traffic Management Plan and / or Risk Management Plan.
- No "Salutes" to be fired during the display.
- Litter and fallout from the display is cleaned and removed.
- Shell size is no larger than 125mm.

Definitions

Fireworks includes all fireworks for indoor and outdoor use but excludes Christmas crackers, bon-bons, party poppers and throwdowns.

Ceremonial Fireworks means "Cracker Chains" (or "Chinese Cracker Chains").

Fireworks Contractor means a person who is the holder of a fireworks contractors licence as issued by Department of Mines and Petroleum.

Relevant management practices/documents

Nil

Legislation/local law requirements

City of Stirling Local Government Property Local Law 2009

City of Stirling Thoroughfares and Public Places Local Law 2009

Office use only			
Relevant delegations	Not applicable		
Initial Council adoption	Date 29 May 2012	Resolution #	0512/089
Last reviewed	Date 26 May 2020	Resolution #	0520/027
Next review due	Date 2021		