

Policy number	Policy 404
Policy title	Fireworks management
Strategic outcomes supported	EC1 – A desirable place for commerce and tourism that supports equity, diverse local employment and entrepreneurship. EC2 – A clean, safe and accessible place to visit. CL1 – Everyone receives appropriate information in the most efficient and effective way for them.

POLICY OBJECTIVE:

To provide for the process for the assessment of applications for fireworks display.

POLICY SCOPE:

This policy applies in relation to applications for fireworks display.

DEFINITIONS:

Nil.

POLICY STATEMENT:

1. Applications for fireworks displays will be assessed having regard to the provisions of the Town of Victoria Park Fireworks Procedure.
2. Fireworks applications that are dealt with in accordance with Regulation 18 of the Environmental Protection (Noise) Regulations 1997 may be approved without prior approval from those adjoining Local Governments who have given prior approval of this Policy, provided such approval is made in compliance with the policy.
3. Aerial and ground fireworks displays that have the potential to create noise in contravention of the *Environmental Protection (Noise) Regulations 1997* are permitted in the Town and are to be controlled using the following measures:
 - a. Displays that are held as part of a community event, such as shows, fairs, fetes, exhibitions and other similar events, with the main purpose being to the overall benefit of the general community are to be controlled through Regulation 16 of the *Environmental Protection (Noise) Regulations 1997*.
 - b. Displays that are held as part of a non-community event are to be controlled through Regulation 18 of the *Environmental Protection (Noise) Regulations 1997*. Applications for fireworks displays that are to be dealt with under Regulation 18 may be approved by the Town of Victoria Park without prior approval being obtained from those adjoining Local Governments who have given prior approval of the Policy. Other Local Governments will still be required to be consulted.

4. At least one week and not more than two weeks prior to the event/s, the event organiser proposing to hold a fireworks display must notify surrounding residents that a fireworks display will occur. Notification must occur in the form of a prominent display notice in a local community newspaper circulating in the areas that have the potential to be affected by fireworks noise. The information in the public notice must include the dates, times and location of the fireworks as well as a contact name and phone number of the event organiser who will be present to take calls on the night of the display. A press release is also to be provided to the media advertising the event. The notification information must be viewed and approved by Environmental Health Services prior to the notification occurring.
5. Not more than a total of ten aerial fireworks displays shall be permitted at any one venue in the Town of Victoria Park in any one calendar year. Any application for additional displays must be referred to Council for determination.
6. Fireworks displays are not to be permitted in the Town on more than three occasions per week, Monday to Sunday.
7. The duration of a fireworks display shall not exceed 30 minutes on any one occasion.
8. Aerial fireworks displays are limited to the following days and times in the Town of Victoria Park:
 - a. From Sunday to Thursday, and are to finish no later than 10.00pm on those nights; and
 - b. On Fridays, Saturdays and/or the day before a public holiday and are to finish no later than 11.00pm on those nights; and
 - c. On 31 December (New Year's Eve) and are to finish no later than 12.30am on those nights.
9. Titanium salute shells used in aerial or ground-based (low level) fireworks displays are not permitted in the Town of Victoria Park.
10. Fireworks shells used in displays within the Town of Victoria Park are not to be any larger than 75mm in size.
11. The relevant State Government department is responsible for approving all fireworks displays held in the Town of Victoria Park. Town Officers are responsible for making a recommendation to the Chief Executive Officer who can in turn make a recommendation in regard to the fireworks application to the Department of Industry and Resources.
12. Town Officers will assess each application, taking into consideration previous application(s), potential noise problems, public safety issues and any previous complaints.
13. The applicant shall comply with the requirements of the Town during restricted and prohibited burning times.
14. The applicant shall comply with all safety conditions of approval stipulated by the relevant State Government agencies.
15. Should an applicant wish to hold a fireworks display that does not comply with the requirements of this policy, the applicant may apply for an exemption in writing. Such an application must be received no

later than 60 days prior to the event. The application will be referred to the Chief Executive Officer for determination. No more than two (2) exemptions per venue can be approved by the Chief Executive Officer in any twelve month period. Additional applications for exemptions shall be referred to Council for determination.

16. The Chief Executive Officer can refer any exemption application to Council for determination, as they deem necessary.
17. On receipt of such an application, consultation with adjoining Local Authorities under this Policy will not be undertaken unless the proposed timing of the fireworks display is outside of that specified in clause 6.

RELATED DOCUMENTS:

[Environmental Protection \(Noise\) Regulations 1997](#)

Policy manager	Manager – Development Services
Responsible officers	Principal Environmental Health Officer Environmental Health Officer
Approval authority	Council
Next Evaluation Date	

REVISION HISTORY

Version	Approved, Amended, Rescinded or Reviewed	Date	Authority	Resolution Number	Key Changes/Notes
1	Adopted	28/09/2004	Council	-	Item 1.2
1	Reviewed	15/08/2006	Council	-	Item 4.1
1	Reviewed	09/07/2013	Council	-	Item 10.1
1	Reviewed	11/08/2015	Council	-	Item 10.1
2	Reviewed and Amended	20/08/2019	Council	148/2019	Item 10.1