



STATUTORY POLICY
MOUNT ISA CITY COUNCIL
Fireworks Policy

RESOLUTION NO. OM04/01/25 VERSION **V3**

APPLIES TO STATUTORY POLICIES ONLY

This is an official copy of the **Fireworks Policy**, made in accordance with the provisions of *Local Government Act 2009*, *Local Government Regulation 2012* and current Council Policies.

Statutory Policies comply with a legislative requirement; the **Fireworks Policy** is approved by the Mount Isa City Council for the operations and procedures of Council.

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Tim Rose
Chief Executive Officer

DOCUMENT VERSION CONTROL			
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VERSION	DATE	RESOLUTION NO.	DETAILS
V1	04.06.2018	unknown	Document Creation – New Document
V2	23.08.2023	OM09/08/23	Responsible Officer - Regulatory Services Coordinator
V3	29.01.2025	OM04/01/25	Responsible Officer – Chief Executive Officer
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DISTRIBUTION AND DISSEMINATION			
Internal email to all employees	X	Section meetings / Toolbox talks	
Internal email to all councillors	X	Included in employee inductions	
Employee noticeboards		Uploaded to Council website	X
Internal training to be provided		External training to be provided	
Registered in magiQ	X		

1. PURPOSE

Mount Isa City Council ("Council") receives and assesses applications for authorised use of fireworks in the course of performing its activities and duties. As an event organiser or display host, Council is committed to ensuring that all events with approved fireworks displays are well planned, safe, and minimise the risk of adverse consequences to the community and environment. The way Council manages fireworks displays is governed by the *Queensland Explosives Act 1999* ("the Act") and the *Queensland Explosives Regulation 2017* ("the Regs").

2. COMMENCEMENT

This policy will commence on and from 29 January 2025. It replaces all other policies or arrangements governing fireworks display approvals (whether written or not).

3. APPLICATION

This policy applies to how employees, agents, and contractors (including temporary contractors) of Council (collectively referred to as 'employees'), will consider approval for fireworks displays. Where an employee becomes aware that they have or may have breached their obligations contained in Council's Fireworks Policy or the *Act*, in their handling of an application and approval for fireworks display, they must immediately notify their supervisor to determine the appropriate course of action to take.

4. DEFINITIONS

Close proximity fireworks – means fireworks used inside buildings or close to people.

Event organiser or display host – means the Council, person, organisation, or other party that engages a fireworks contractor to hold a fireworks display.

Fireworks contractor ("contractor") - means the licensed person contracted to plan and organise the display, purchase fireworks and ensure the display is conducted safely by competent fireworks operators, assistants, and other personnel.

Fireworks operator ("operator") - means the licensed person responsible for, or in charge of, setting up and firing fireworks in accordance with the Queensland control of outdoor fireworks displays code of practice.

Protected place means a sensitive establishment. Examples of protected places include a wildlife sanctuary, health care facility, nursing home, church, animal impound facility, boarding kennels.

Public notice means evidence of notification of a Fireworks event to all surrounding residents within 200m of the Fireworks site and a public notice displayed in prominent physical and virtual areas a minimum of 5 days prior to the event.

Restricted times means:

- Monday to Thursday, 4 pm–9 pm
- Friday and Saturday, 4pm–10 pm
- Sunday and public holidays, 4pm–9 pm
- New Year's Eve, 4pm–12.30 am (New Year's Day)

5. RESPONSIBILITIES

5.1 The use of all fireworks (other than unrestricted items such as sparklers, bon bons, streamer cones and caps for toy pistols) in Queensland must be done under permit and can only be carried out by licensed pyrotechnicians. The Department of Resources is responsible for regulating fireworks under the *Act* and the *Regs*.

5.1.1 Any fireworks displays ("displays") which are to be conducted on land under the control of Council, require Council approval prior to the permit being issued.

5.1.2 The person requesting the display must apply to Council for approval and pay any prescribed fee. A minimum of 28 days notice is required before a permit can be issued.

5.1.3 Applications will not be approved for displays within 500m of a Protected Place or for hours outside Restricted Times.

When considering an application for approval of fireworks display Council must:

5.2 Check that the display will be conducted by an appropriately licenced fireworks contractor. A list of fireworks contractors is available at <https://www.qld.gov.au/emergency/safety/explosives-fireworks/fireworks/fireworks-contractors>.

5.2.1 The contractor's licence should be checked for currency and category (see special considerations for close proximity fireworks).

5.2.2 Information about the length of time the contractor has been licenced should be requested from the contractor.

5.3 Ensure evidence is provided of current appropriate insurance coverage, including public liability certificate of currency to the minimum value of \$10 million for pyrotechnicians and \$5 million for other contractors, organisers, or operators.

5.3.1 The contractor's insurance should cover both the contractor and the activity.

5.4 Check that the contractor has notified the Queensland Explosives Inspectorate, fire and rescue services of the application and that any approval conditions have been provided to Council;

5.5 Consider feedback from other Council stakeholders, including confirming that Council is the landholder for the area where the display is to occur;

5.6 Consider the location of the proposed display and whether there are any special considerations or conditions which may be needed to reduce the risk to the community or environment, for example, the presence of people camping; difficulty of locating material which may still be 'live' due to natural features; Indigenous or other heritage or cultural significance.

5.7 Consider the requirement of public notice, and how the community will be informed about the fireworks display and whether there is sufficient notice for the community, including neighbours, to ensure any disruptions are minimised.

5.8 Consider the safety plan provided and the availability of emergency access and first aid at the site;

5.9 Check that the applicant has appropriate crowd control measures in place and that responsibilities for controlling site access, including any road closures, and crowd control, are clear and adequate.

6. SPECIAL CONSIDERATIONS FOR CLOSE PROXIMITY FIREWORKS

When considering an application for approval of fireworks display Council must:

6.1 Ensure that the fireworks contractor and operator have appropriately endorsed licences to conduct close proximity displays. They should have 'CP' endorsed on their licence categories.

6.2 Ensure the contractor has arranged:

6.2.1 Fireworks testing in the venue prior to the display;

6.2.2 Fire Services inspection of the building prior to the display;

6.2.3 Management of air conditioning, ventilation and fire alarm systems by competent people during the display;

6.2.4 Appropriate risk and safety management for performers and audience members.

7. REDUCING THE IMPACTS OF FIREWORKS NOISE

7.1 Council will refuse an application where the proposed display is outside the restricted hours.

8. DECIDING AN APPLICATION

- 8.1 Council may request further information, refuse, approve, and impose conditions on approvals as it considers appropriate and in accordance with this policy.
- 8.2 Council will provide a written notice of decision to the applicant.
- 8.3 Council reserves the right to cancel or change conditions for approved displays at short notice for safety reasons, including extreme climatic conditions. Council will not be held responsible for any loss of monies in the event approval is withdrawn or conditions applied or changed in these circumstances.

9. REQUEST FOR REVIEW

- 9.1 A person aggrieved by a decision to refuse an application for a fireworks display, or impose conditions on the approval for the fireworks display, may request a review of that decision by the Chief Executive Officer. Notice of a request for a review shall be in writing.
- 9.2 Applicants for review will be advised, in writing, of the outcome of the review within 14 days.

10. VARIATIONS

- 10.1 Council reserves the right to vary, replace or terminate this policy from time to time.

11. BREACH OF POLICY

- 11.1 Where Council reasonably believes an employee has breached this policy, the matter will be dealt with under the Performance and Misconduct Policy.

12. COMMUNICATION AND DISTRIBUTION

- 12.1 Council will make available to the public the Fireworks Policy, on our website at www.mountisa.qld.gov.au

ASSOCIATED LEGISLATION AND POLICIES

Local Government Act 2009

Local Government Regulation 2012

Explosives Act 1999

Explosives Regulation 2017

The Queensland code of practice: Control of outdoor fireworks displays

Performance and Misconduct Policy