



29 March 2018

Official Information Request No. 8140002601  
(Please quote this in any correspondence)

James Lohead

By email - [fyi-request-7334-7b124fac@requests.fyi.org.nz](mailto:fyi-request-7334-7b124fac@requests.fyi.org.nz)

Dear James

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## Local Government Official Information and Meetings Act 1987

### Re: Consultation over fireworks ban

I refer to your email, which we received on 26 February 2018, requesting information about a ban on the use of fireworks in the Auckland region using a bylaw.

I note that responses to several of your questions have been provided to you by Auckland Council via email on 27 February 2018. Responses to your remaining questions are provided below.

- ***Funding provided by Auckland Council for events with fireworks for the last 10 years***

We have identified in our event grants software, SmartyGrants, grants which have included reference to fireworks. Please see attached a document which provides details of these events.

For a number of events in the attached document, the fireworks component is only a small part of the overall activity being supported by the council. Council grants contributed to the full range of event costs, along with funding from other sources. Accordingly, the total amount listed here of money provided by the council in these grants is not the total amount spent on fireworks. We are not able to identify the specific amount spent on fireworks for each event.

In addition, these events have been identified as relevant based on disclosure by the organiser that fireworks would be a component of the event and notifying the council if they had been added or withdrawn subsequent to their grant application.

Please note that the SmartyGrants software was brought in on 1 July 2013. Prior to this, all grants were submitted on paper form and captured on software systems which have now been decommissioned. To provide you with information from prior to 2013 would require substantial collation and research. In addition, we are not readily able to identify any further events which included fireworks and received funding from Auckland Council. Accordingly, these aspects are refused under section 17(f) of the Local Government Official Information and Meetings Act 1987.

- **Governing Body decision on 22 February 2018 about fireworks**

The decision of the Governing Body on 22 February 2018 was the result of a Notice of Motion proposed by Councillor Cathy Casey. The Governing Body resolved to seek public feedback from Aucklanders on whether the New Zealand Government should introduce legislation to ban the sale of fireworks to the general public and end their private use. You can read the [Notice of Motion](#) and [Minutes](#) on the council's website.

The council cannot make a bylaw to ban the sale of fireworks, however it can advocate for the Government to do so.

Public feedback on this will be undertaken at the same time as the public is consulted on any proposed changes to the Public Safety and Nuisance Bylaw 2013 (see below).

It will allow those who use fireworks in cultural celebrations, the pyrotechnics industry, compliance certifiers under Worksafe NZ and the importers and retailers of fireworks to share their views on the council's advocacy to Government to ban the sale of fireworks.

- **Review of Auckland Council Public Safety and Nuisance Bylaw 2013**

You have asked about fireworks in relation to the council's bylaws. The council is in the process of reviewing its approach to issues associated with the letting off of fireworks through its statutory review of the Public Safety and Nuisance Bylaw 2013.

The Bylaw includes clause 6(3) that prohibits the letting off of fireworks in public places except with prior written approval from the council. The Bylaw also prohibits nuisance or endangerment of any person, property, dog or other animal in a public place from fireworks let off in any other place.

On 8 March 2018, the Regulatory Committee considered whether any changes should be proposed to clause 6(3) in relation to fireworks. The Regulatory Committee agreed (REG/2018/15) that a bylaw:

- is not the most appropriate way to address fireworks in other places under clause 6(3)(b)
- is the most appropriate way to address fireworks in public places clause 6(3)(a)

These recommendations will be included in a proposal to be notified for public consultation after August 2018.

This decision does not relate to banning the sale of fireworks.

It is a legal requirement for any proposed changes to a bylaw to consider any implications under the New Zealand Bill of Rights Act 1990.

- **Public input at Auckland Council meetings**

Agendas for Governing Body meetings are made available to the public in advance. The public (including organisations) can request to provide input at meetings of the Governing Body. The SPCA made a request to provide input on the Notice of Motion on fireworks at the Governing Body Meeting on the 22 February 2018. This request was approved.

You can find out more about the public consultation process on the council's website after August 2018.

[www.aucklandcouncil.govt.nz](http://www.aucklandcouncil.govt.nz)

Should you believe Auckland Council has not responded appropriately to your request, you have the right by way of complaint, under section 27(3) of the LGOIMA, to apply to the Ombudsman to seek an investigation and review of the decision.

If you have any further queries please contact me on 09 301 0101 quoting Official Information Request No. 8140002601.

Yours sincerely



Sarah Parry-Crooke  
Privacy & LGOIMA Business Partner  
Democracy Services