Tasmania’s *Explosives Regulations 2012* (the Regulations) are currently under review. The *Subordinate Legislation Act 1992* requires all regulations to be reviewed every ten years. The review provides an opportunity for the community and stakeholders to have their say on the future regulation of explosives in Tasmania.

INFOSHEET

**Review of Tasmania’s Explosives Regulations**

# Background

The *Explosives Act 2012* (the Act) provides for the safe handling of explosives, for the safe management of places where explosives are handled, and for the safe management of incidents and emergencies involving explosives.

The Regulations support the Act by providing clarity and further detail for duty holders on how to fulfil their obligations.

The Regulations include regulations for the use and management of explosives, including fireworks, and also include detail for shot-firing and blasting activities including associated permits and plans.

## Use of Fireworks in Tasmania

Fireworks, in particular, have long been the subject of public interest, with divided views regarding the use of fireworks in Tasmania. Changes to the legislative framework for the administration of Type 2 fireworks were announced by the Government in 2016 and implemented in 2018.

This revised framework provided additional restrictions on Type 2 fireworks to ensure a more balanced approach in protecting people, animals and the environment, whilst still enabling Tasmanian to enjoy Commonwealth Day, better known to Tasmanians as “Cracker Night”.

To hold a fireworks display for Cracker Night, you must obtain a permit from WorkSafe Tasmania. Anyone 18 years or older can apply for a Cracker Night fireworks permit. If a permit is issued, it allows Type 2 fireworks to be used for up to 30 minutes on the night.

Not all locations are suited for a fireworks display. Most urban properties will not meet the safe firing distances required to obtain the permit. All applications that do not meet the distance requirements are refused.

## Sensitive areas where fireworks displays are not permitted

Some locations are unsuitable for a fireworks display because of the potential to cause significant risks to the surrounding environment. This may be due to the native animals or livestock.

Permits are not issued in suburbs with a concentration of private horse ownership and previous community complaints (this includes Acton Park, Allen’s Rivulet, Carlton, Devon Hills, Dodges Ferry, Orielton, Roches Beach and Sandford).

## A distance of 1 kilometre may be required from commercial boarding kennels and commercial horse businesses due to the significant risk to animals.

## A distance of 3 kilometres may be required from a sanctuary or conservation area, such as Bonorong Wildlife Sanctuary, Tasmania Zoo and Trowunna Wildlife due to the risk to native animals.

## Shot-firing permits and training courses

The Regulations also specify requirements for shot-firing permits issued by WorkSafe Tasmania (or an interstate shot-firing authority recognised by WorkSafe Tasmania) to prime or fire explosives in Tasmania.

In almost all cases, a Security-sensitive Dangerous Substances permit from WorkSafe Tasmania is also required. A permit is valid for 3 years unless cancelled, revoked, or issued for a shorter period. Permits to undertake shot-firing are only be issued to people that are 18 years of age or older; have a legitimate need for the permit; and are a ‘fit and proper person’ as determined by a National Police Record Check.

## Consultation

The Tasmanian Government is seeking the community and stakeholder views on the *Explosives Regulations 2012,* including the framework for the use of fireworks in Tasmania.

### Stakeholders, including the general public, will be consulted throughout May 2022 as an initial opportunity to provide input into any amendments to the existing Regulations.

### Further opportunity for input will be offered to stakeholders once any draft amendments to the Regulations are made.

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