

## **Briefing: Ending the Private Sale and Use of Fireworks in New Zealand**

### **Purpose:**

To brief the incoming Minister on the benefits of ending the private sale and use of fireworks in New Zealand.

### **1. Executive summary:**

Fireworks are the cause of a range of harms to the community and environment. These harms include negative effects on animals, from companion and farmed animals through to wildlife. Noise nuisance from fireworks is harmful to various vulnerable groups in society. In addition, accident and misuse of fireworks is responsible for injuries to people, damage to property and destruction of the natural environment. The current regulations are ineffective in preventing these harms from occurring. Reports of careless or reckless use of fireworks and their tragic effects appear on front pages of local and national newspapers every year. Public firework displays are an appropriate and safer alternative to private use. An end to the private sale and use of fireworks has support from key organisations and the general public.

### **2. Endorsements for this briefing:**

- Cr Cathy Casey and Cr Fa'anana Efeso Collins on behalf of Auckland Council
- SPCA
- SAFE
- New Zealand Veterinary Association
- Tūpuna Maunga Authority (TMA)
- Fleur Fitzsimons, Wellington City Council
- Dr Chris Eichbaum
- Auckland Zoo
- Local Government New Zealand (LGNZ)

### **3. Negative effects on animals, including companion animals, farmed animals and wildlife:**

- 3.1. In feedback provided to Auckland Council, the effect of fireworks on pets was the most common concern raised about fireworks with 68 per cent of submissions making comments about the negative effect they have on pets. New Zealand research has shown that 75-79 per cent of dogs, cats and horses experience fear and distress in response to fireworks.<sup>1</sup>
- 3.2. The psychological harm experienced by domestic and farmed animals can lead to physical harm as animals run in panic or hide seeking safety.
- 3.3. Different animals react differently to the stress of loud, bright, unpredictable noises and explosions like fireworks. For example, birds can become startled and bolt from night roost perches or fly into branches and become so stressed or frightened they injure themselves.
- 3.4. Spring is the time of year when wildlife, including our native birds, are at their most vulnerable and distress caused by fireworks can lead to nest abandonment.
- 3.5. There are negative impacts on zoos and wildlife sanctuaries where threatened endemic species like whio (blue duck), pateke (brown teal) and kakariki karaka (orange-fronted parakeet), are being bred for reintroduction as part of essential national recovery programmes.
- 3.6. On 5 November 2019, a nyala died at Wellington Zoo due to high stress caused by fireworks.
- 3.7. In 2018, as a result of fireworks being let off near Auckland Zoo, a wallaby joey was ejected from the pouch and died that evening.
- 3.8. Individuals and organisations appearing before Select Committees considering a series of petitions to end the private sale and use of fireworks – the most recent in the last Parliament – attested to the injuries and death of animals directly attributable to the use or abuse of fireworks.

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<sup>1</sup> Gates et al., 2019; Gronqvist et al., 2016.

- 3.9. New Zealand research has shown that 6 per cent of cat and dog owners and 26 per cent of horse owners have reported injury to their animals caused by fireworks.<sup>2</sup>
- 3.10. Of animals suffering injuries, an average of 12.5 per cent died – due either to sustained injuries themselves or subsequent euthanasia. Between 4.9 and 13 per cent of physical injuries to animals were due to deliberate misuse of fireworks.<sup>3</sup>

#### **4. Property damage, including fires and destruction of the natural environment:**

- 4.1. Over the course of an average year, 251 fires are started by fireworks. These include structural fires and vegetation fires which have high risk of injury and to life, as well as financial and Gross Domestic Products costs.<sup>4</sup>
- 4.2. During the 2019 fireworks caused fires on two of Auckland's sacred Tūpuna Maunga - Maungawhau (Mt Eden) and Maungarei (Mt Wellington).
- 4.3. Two weeks ago, on 6 October 2020, a further fire was started by fireworks on Maungarei (Mt Wellington).
- 4.4. In the upcoming 2020 fireworks season, the Tūpuna Maunga Authority (TMA) has resolved to close all Maunga to prevent fires caused by fireworks. The Maunga will be closed to the public on 2 - 8 November from 7:30pm until dawn this year.
- 4.5. On 9 November 2019 a bush fire caused by fireworks threatened the tākapu (gannet) colony at Muriwai.
- 4.6. Fireworks were also responsible for a range of property damage in Auckland during the 2019 fireworks season including to private fences and hedges, and a staircase owned by Auckland Council at Castor Bay.
- 4.7. With the climate crisis upon us, and hot, dry and windy conditions becoming more prevalent during spring (Guy Fawkes) and summer (New Year), fireworks pose an

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<sup>2</sup> Dale et al., 2010, Gates et al., 2019

<sup>3</sup> Dale et al., 2010; Gates et al., 2019

<sup>4</sup> Information provided by Fire and Emergency New Zealand 21 October 2020

increasingly high risk of causing fires. There is a trend towards increasing numbers days of extreme fire danger per annum. This extreme fire danger is extending into areas which historically haven't seen a large number of extreme fire danger days. Fire and Emergency New Zealand data shows that vegetation fires are the most common type of fire caused by fireworks.<sup>5</sup>

## **5. Injury from accident or misuse:**

- 5.1. Fireworks result in hundreds of injuries to people costing thousands each year. Nationally there were 4,178 ACC claims for firework-related injuries totalling \$3,798,2061 between 1 January 2009 and 30 June 2019.<sup>6</sup>

## **6. Noise nuisance:**

- 6.1. Fireworks are an avoidable noise nuisance. Lost or disturbed sleep are most impactful on some of our most vulnerable groups of citizens including infants and older people as well as those with particular sensitivities to noise such as people with autism.

## **7. The current regulations are ineffective in preventing harm:**

- 7.1. Current regulation restricts the sale of fireworks to the period 2 November to 5 November. The greatest use of fireworks is at this time of year, followed by New Year. It is common however, for fireworks to be stockpiled and used year-round, meaning the harms identified above are spread throughout the year and can occur without warning. The inability to predict when or where fireworks will be let off prevents people and those responsible for animals from taking measures necessary to protect themselves.
- 7.2. Harm from fireworks can be eliminated by ending their availability to the general public.

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<sup>5</sup> Fire and Emergency New Zealand, 21 October 2020

<sup>6</sup> ACC statistics provided to Auckland Council, published in submission to the Governance and Administration Select Committee, September 2019, page 8. [https://www.parliament.nz/resource/en-NZ/52SCGA\\_EVI\\_81101\\_GA3426/2dcb1778f14069d4b6ae1dc5fd721948616134d4](https://www.parliament.nz/resource/en-NZ/52SCGA_EVI_81101_GA3426/2dcb1778f14069d4b6ae1dc5fd721948616134d4)

- 7.3. MBIE have advised that the overall economic impact of ending the private sale and use of fireworks would be low, as money spent on fireworks would be spent elsewhere in the economy.<sup>7</sup>

## **8. Public Displays**

- 8.1. Public fireworks displays are an appropriate and safer alternative to private use. Fireworks have a role in marking and celebrating major events and are particularly important in major cultural celebrations including Chinese New Year and Diwali. These needs can be met through well planned and professionally executed public displays which avoid or minimise harmful effects. Public events also promote social cohesion and provide opportunities for the community to come together.
- 8.2. Well organised and controlled public fireworks displays take place over a specific and relatively short period, and give individuals, families and places like zoos and wildlife sanctuaries the ability to plan ahead to put measures in place to ensure the safety and welfare of animals.

## **9. Support for ending the use private sale and use of fireworks**

- 9.1. Auckland Council resolved to advocate to end the private sale and use of fireworks in February 2019 following public consultation between 26 October and 5 December 2018. 89 per cent of the 7997 submissions received supported ending the private sale and use of fireworks in New Zealand.
- 9.2. Local Government New Zealand (LGNZ) has also adopted this position following an Auckland Council remit passing at the 2019 AGM with 64 per cent of votes in favour.

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<sup>7</sup> Ministry of Business, Innovation and Employment, submission to the Governance and Administration Select Committee 6 May 2019: [https://www.parliament.nz/resource/en-NZ/52SCGA\\_EVI\\_81101\\_GA2953/13197d9136a3c391394a473184f0670f5ba45dd7](https://www.parliament.nz/resource/en-NZ/52SCGA_EVI_81101_GA2953/13197d9136a3c391394a473184f0670f5ba45dd7)

- 9.3. Parliament has received several petitions in recent years seeking to end the private sale and use of fireworks including a 32,000 signature petition in 2015, 18,000 signatures in 2018 and 28,652 signatures in 2019.
- 9.4. In 2019 the Governance and Administration Select Committee considered petitions from Catherine Bindon, Chris Eichbaum and Melanie Lindstrom and reported to the House in August 2020. Submissions relating to these petitions are available on the NZ Parliament web site.<sup>8</sup>
- 9.5. In addition to LGNZ and Auckland Council, the following organisations have publicly indicated support for increased restrictions on fireworks.
- Tūpuna Maunga Authority
  - SAFE
  - SPCA
  - World Animal Protection
  - NZ Veterinary Association
  - Wellington Zoo

## **10. Key legislation/regulation:**

- 10.1. Fireworks available to the general public are currently regulated under the Hazardous Substances and New Organisms Act 1996, via the Hazardous Substances (Fireworks) Regulations 2001. The Environmental Protection Agency (EPA) is the agency responsible. The EPA advise that the change sought can be made by Order in Council.<sup>9</sup>

## **11. Conclusion**

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<sup>8</sup> Governance and Administration Select Committee report August 2020:

[https://www.parliament.nz/resource/en-NZ/SCR\\_99889/e74b82c0968d47c088121595fb0d4d5fbfe729be](https://www.parliament.nz/resource/en-NZ/SCR_99889/e74b82c0968d47c088121595fb0d4d5fbfe729be)

<sup>9</sup>Environmental Protection Agency, Submission to the Governance and Administration Select Committee 8 August 2019: [https://www.parliament.nz/resource/en-NZ/52SCGA\\_EVI\\_81101\\_GA3366/2a7c9605829d71c88bde1f6654c5f3c884f4478f](https://www.parliament.nz/resource/en-NZ/52SCGA_EVI_81101_GA3366/2a7c9605829d71c88bde1f6654c5f3c884f4478f)

- 11.1. Ending the private sale and use of fireworks will help to safeguard New Zealand's environment, and improve the quality of life for New Zealanders, domestic and farm animals and wildlife. It is an achievable step which has very significant public support and support from the front-line agencies dealing with fire-work related injuries and accidents.

## **12. References:**

Dale, A., Walker, J., Farnworth, M., Morissey, S., & Waran, N. (2010). A survey of owners' perceptions of fear of fireworks in a sample of dogs and cats in New Zealand. *New Zealand Veterinary Journal*, 58, 286-291.

Gates, M., Zito, S., Walker, J., & Dale, A. (2019). owner perceptions and management of the adverse behavioural effects of fireworks on companion animals: an update. *New Zealand Veterinary Journal*, 67, 323-328.

Gronqvist, G., Rogers, C., & Gee, E. (2016). The management of horses during fireworks in New Zealand. *Animals*, 63, 20.