

AUTHORITY

Alpine Resorts (Management) Regulations 2020

FIREWORKS AUTHORITY

FALLS CREEK ALPINE RESORT

This Authority is intended to authorise the use of areas of land for a specified purpose in Falls Creek Alpine Resort. Complete all details on this form and return to the address listed in item 8 of the Schedule with a copy of insurance as per clause 1.

This authority is granted by the Falls Creek Resort Management Board ("the Board) to the permitted user and commences on the date set out in the schedule.

APPLICATION DETAILS

This Authority is issued pursuant to Regulation 50 of the *Alpine Resorts (Management) Regulations 2020*.

1. Licensor Falls Creek Alpine Resort Management Board ('FCARMB')

2. Name of Applicant / Company

(Authority Holder) _____

Address _____

3. Contact

Contact Phone Numbers _____

4. Description and purpose of fireworks display

(attach supporting information if applicable)

5. Details of licensed Pyrotechnician

6. Proposed date and time of fireworks display

7. Permission of Lessee's attached YES / NO / NOT APPLICABLE
(required if operating within leased area/s)

8. Public Liability attached (see clause 1.) To be provided by applicant

SCHEDULE

SCHEDULE

- | | | |
|---|---------------------------------------|---|
| 1 | Board: | FALLS CREEK ALPINE RESORT MANAGEMENT BOARD
(ABN 21 789 770 569) |
| 2 | Operator: | |
| 3 | Operator's Address: | |
| 4 | Reservation description: | Falls Creek Alpine Resort |
| 5 | Powers under which Authority granted: | a. Section 39 Alpine Resorts (Management) Act 1997
b. Alpine Resorts (Management) Regulations 2020, Part 6, Regulation 50 |
| 6 | Permitted Purpose: | To safely use, store and display fireworks within the Falls Creek Alpine Resort. |
| 7 | Amount of Public Liability Insurance: | not less than \$20,000,000. |
| 8 | Board Address: | PO Box 50, Falls Creek, Vic, 3699 |
| 9 | Special Conditions: | <ul style="list-style-type: none">i. The Authority Holder must inform the Board of the date and time in which they intend to launch and use any fireworks.ii. The Authority Holder must use a licensed Pyrotechnician to use all fireworks. The licensed Pyrotechnician will be responsible for the transport, storage, management, and execution of all fireworks.iii. Licensed Pyrotechnicians must apply to WorkSafe Victoria and a 'Notification of Intention to Discharge Fireworks form' must be completed at least 7 days prior to the intended use date. The Authority Holder must provide proof to the Board of their registration with WorkSafe Victoria. |

- iv. The Authority Holder must comply with the Dangerous Goods (Explosives) Regulations 2011 which lists the various provisions around the storage, use, licensing, and management of any fireworks.
- v. The registered Pyrotechnicians licence and details must be provided with the Authority application.
- vi. The Authority Holder must notify the Falls Creek Fire Brigade via email on fbfcrk@cfa.vic.gov.au of their intention to set off fireworks. The email must include the Authority Holders; name, phone number, location and details about the fire works display including the date, time, and duration.
- vii. Authority Holders must notify the Emergency Service Telecommunication Authority (ESTA) of their intention to set off fireworks by using the burn-off registration hotline on 1800 668 511.
- viii. During the fire danger period, the Authority Holder must obtain a fire permit from the Country Fire Authority (CFA). It is the responsibility of the Authority Holder to ensure that they are complying with any conditions required by the CFA.
- ix. The Authority Holder must not proceed with any fireworks displays where any applicable agency or authority has rejected the use of fireworks in the Falls Creek Resort Village.
- x. The Authority Holder must ensure that Pyrotechnicians are abiding by the separation distances required under Regulation 155 of the Dangerous Goods (Explosives) Regulations 2011.
- xi. The Board has the ability to restrict and cancel a fireworks display at our discretion at any time if required.
- xii. The Board has the ability to impose additional restrictions at our discretion if required.
- xiii. The Authority Holder will ensure that any licensed Pyrotechnicians and other involved employees are appropriately qualified, rated, endorsed, skilled,

experienced and licenced to carry out the function detailed in Item 6.

- xiv. The Authority holder will ensure that any fireworks used operating under this agreement are maintained in good condition in accordance with the manufacturer's requirements, Australian State and Federal legislation.
- xv. The Authority Holder will comply with all requirements of the Board throughout the term of this permit regarding the safe use and operation of the fireworks within the Falls Creek Alpine Resort.
- xvi. All maintenance, operation and other costs associated with the discharge of this permit will be at the cost of the Authority Holder.
- xvii. All Authority holders must ensure all fireworks events are conducted in a safe manner.
- xviii. The Board will inform the availability of the service at times indicated in Item 15.i.

ACCEPTANCE OF TERMS, INDEMNITY AND GRANTING OF AUTHORITY

The Authority Holder hereby agrees to comply with the terms and conditions of this Authority.

Indemnity - The Authority Holder hereby indemnifies Falls Creek Alpine Resort Management Board, in respect of any claim or liability for property damage and/or injury or death of any person which arises directly or indirectly out of negligence, tort, contact, or breach of a statutory duty by the Authority Holder or any associated party consequential to the use or occupation of the Land, including, but without restricting the generality of the foregoing, the pollution or contamination of land or water, and any costs, charges and expenses incurred in connection therewith.

Signature of Authority Holder

Name of Authority Holder

Date

THIS AUTHORITY IS GRANTED BY **FALLS CREEK ALPINE RESORT MANAGEMENT BOARD** to the **Authority Holder** and is valid for the dates set out in Item 5 of the Authority Application details.

In consideration of the payment of the Authority fee (if applicable) and Bond (if applicable) the conditions contained in this Authority, the Board or a person authorised by the Board, at the request of the Authority Holder HEREBY AUTHORISES the Authority Holder to use the Land described in this Authority for the specified purposes set out in this Authority.

This Authority is subject to the provisions of the *Crown Land (Reserves) Act 1978* and the *Alpine Resorts (Management) Act 1997* and Regulations thereunder, the Conditions and Special Conditions set out in the Authority and any Statutory conditions or requirements.

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Stuart Smythe, Chief Executive Officer
Falls Creek Alpine Resort Management Board

NOTE:

1	<i>This Authority is not valid until it has been signed by all parties, all required documentation has been supplied to the satisfaction of THE BOARD and payment (if any) has been made.</i>
2	<i>This Authority is an important document and should be stored in a secure and safe place. In the event of loss, a replacement fee may be charged.</i>