



**REPORT TO SUBCOUNCIL  
ALL SUBCOUNCILS**

6623059

1. **ITEM NUMBER:** 01SUB 06/08/2019

2. **SUBJECT**

**REVIEW PROPOSED 11 SITES RECOMMENDED FOR THE DISCHARGE  
OF FIREWORKS**

**ONDERWERP**

**HERSIENING VAN VOORGESTELDE 11 TERREINE AANBEVEEL VIR DIE  
AFSKIET VAN VUURWERKE**

**ISIHLOKO**

**UKUPHENGULULWA KWESIPHAKAMISO SEESAYITHI EZILI-11  
EKUNDULULWE UKUBA KUDUTYULELWE KUZO IZITAKISI-NTLANTSI**

3. **PURPOSE**

To review proposed 11 sites for the discharge of fireworks proposed by inter alia the various sub-councils.

4. **FOR DECISION BY**

All sub-councils as per System of Delegations (v3) adopted by Council on 28 March 2019 Resolution C18/03/19:

- Part 24 – Sub-councils, delegation 7(2) – To grant permission for the use of public open spaces, public squares and similar places within the Sub-council's area of jurisdiction, for any local events.

5. **EXECUTIVE SUMMARY**

In order for the City of Cape Town to control the illegal discharge of fireworks during Guy Fawkes, Diwali & New Year's Eve festivities, dedicated public open sites were previously allocated across the City. Due to some of the prior to 2014 designated sites not complying to set health and safety criteria, it was decided to review these sites, as proposed by inter alia the various sub-councils.

The proposals were discussed during a workshop attended by Councilors and officials of the Events Office, Fire & Rescue, Health, Law Enforcement and Disaster Risk Management, and 11 sites were initially identified for the discharge of fireworks.

It was also decided at the workshop, that in view of the financial implications for the City, a sub-committee be established in order to further review the 11 sites. The sub-committee then made recommendations for a maximum of 11 sites in the City, for the public discharge of fireworks and these have remained in place over the past years. Therefore, the submission for review as attached was discussed at sub-councils, sub-council workshops and various recommendations were submitted and investigated by Fire and Rescue Service (reports attached). The Fire and Rescue Service thank the sub-councils for its recommendations. The proposed review report is for scrutiny and comment and once accepted a follow up report will be submitted to all sub councils for authorization.

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## **6. RECOMMENDATIONS**

It is recommended that:

- a) The proposed 11 sites for the discharge of fireworks be reviewed by sub council

## **AANBEVELINGS**

Daar word aanbeveel dat:

- a) Die voorgestelde 11 terreine vir die afskiet van vuurwerke deur die subraad hersien word.

## **IZINDULULO**

Kundululwe ukuba:

- a) Esi siphakamiso seesayithi zili-11 zokudubulela izitakisi-ntlantsi masiphengululwe libhungana

## **7. DISCUSSION/CONTENTS**

In order for the City of Cape Town to control the illegal discharge of fireworks during Guy Fawkes, Diwali & New Year's Eve festivities, dedicated public open sites were previously allocated across the city. These sites were:

1. Westfleur Sportsfield, Reygerdal Drive, Atlantis	Sub-council 1
2. Tourism Centre, Athens Road Table View – Beach front	Sub-council 3
3. Bishop Lavis Sportsfield, Lavis Drive, Bishop Lavis	Sub-council 5
4. Metropolitan Sportsground, Melkhout Street, Bonteheuwel	
5. Delft Central, Sportsground, Main Road, Delft	
6. Swartklip Sports Complex, cnr Spine and Swartklip Roads, Mitchells Plain	Sub-council 10
7. Athlone Stadium parking area (Eastern side), Klipfontein Road, Athlone	Sub-council 11
8. Strandfontein Pavillion Beach front, Strandfontein	Sub-council 23
9. Sarepta Sport Complex	Sub-council 21
10. Blue Downs Sports field	
11. Macassar Beach parking area, Macassar Road, Macassar	Sub-council 22

However, due to the fact that there have been a number of requests from the public via the sub-councils for additional sites, it was decided to review the existing sites and to give the sub-councils the opportunity to approve alternative sites.

#### 7.1. Constitutional and Policy Implications

- By-law relating to Community Fire Safety
- Explosives Act, Act 26 of 1956
- Noise Regulations
- By-Law relating to Streets, Public Places and the Prevention of Noise Nuisances
- Aviation Regulations
- Municipal Systems Act
- Events Policy
- Environmental Management Regulations
- Marine Protection Act

There are various prohibitive provisions with regards to fireworks displays contained in the different by-laws, regulations and acts of the various line departments. The provisions can only be administered or enforced by the members/staff of the related line departments through delegation of authority or legislative powers

#### Affected Line Departments:

- Fire & Rescue Service
- Disaster Risk Management
- Health Department
- Parks & Recreation
- Law Enforcement
- Traffic Department
- Events Office

## 7.2. Sustainability implications

Does the activity in this report have any sustainability implications for the City?

No ☒

Yes ☐

## 7.3 Financial Implications

### Advertisement Cost:

The cost to place an advertisement in the 3 local newspapers (Cape Times, Cape Argus and Die Burger) as well as the 40 community newspapers, amounts to approximately R150 000,00.

The other disciplines (Disaster Risk Management, Health Department, Parks & Recreation, Law Enforcement, Events Office) have been consulted and will make provision for their own cost incurred when providing staff on overtime during these events.

Disaster Risk Management normally bears the costs for advertising the events, as it falls within their ambit of responsibility, in terms of notifying the public, however, all communication budgets have been transferred to Corporate Communication Services and they have indicated that the Fire and Rescue Service should fund the necessary publication.

The cost for monitoring these 11 sites, in terms of a Fire Life Safety officer as well as a motorized fire pump and personnel being present, would amount to:

Event	Commodity	Costing	4 Hours per Event	11 Sites per Event	Sub Total	Total Cost of Events
Guy Fawkes	FLS Officer	R928.00	R3 712.00	R40 832.00	R265 056.00	
	Motorised Pump	R5 096.00	R20 384.00	R224 224.00		
Diwali	FLS Officer	R928.00	R3 712.00	R40 832.00	R265 056.00	
	Motorised Pump	R5 096.00	R20 384.00	R224 224.00		
New Year's Eve	FLS Officer	R928.00	R3 712.00	R40 832.00	R265 056.00	
	Motorised Pump	R5 096.00	R20 384.00	R224 224.00		
Costing to the Fire and Rescue Service:						R795168.00

*[Handwritten signature]*  
24/7/2019  
Page 4 of 44

### Operating Budget Provisions:

It should be noted that the above funding of this event, for the Personnel and Vehicles would be coming out of our normal salary operating expenditure as no funding has been assigned to this event. It should be further noted that the Fire and Rescue Service has the funding to support the advertising cost for this report but the advertising cost would normally be carried by Disaster Risk Management as the funding allotted to the Fire Service is for the advertisement of vacancies.

### Operating Budget Provisions for the Purpose of Publication of the Recommendations

Cost Centre	18060021
General Ledger Number	414920
Cost Centre Description	Fire Management HQ
Budget Provision (2019/20)	R176 961.89
Spent to Date / Committed	R0
Balance Available	R176 961.89
Funds required for this report	R150 000.00

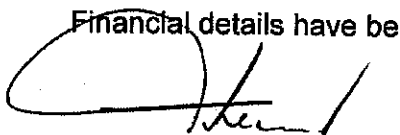
### Operating Budget Provisions for Remuneration of Staff at Proposed Sites

Cost Centre	18060021
General Ledger Number	401500
Cost Centre Description	Fire Management HQ
Budget Provision (2019/20)	R44 804 380.78
Spent to Date / Committed	R0
Balance Available	R44 804 380.78
Funds required for this report	R122 496.00

### Operating Budget Provisions for Remuneration of Motorized Pumps

Cost Centre	18060002
General Ledger Number	600070
Cost Centre Description	Fire Workshop
Budget Provision (2019/20)	R53 549 163.98
Spent to Date / Committed	R0
Balance Available	R53 549 163.98
Funds required for this report	R672 672.00

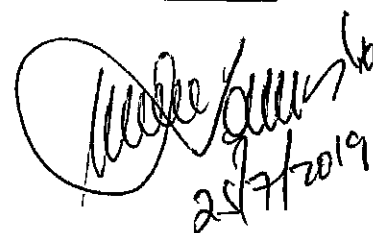
Financial details have been verified by Finance Support:



Name: T. Ackerman  
Head: Finance  
Fire & Rescue Service

Date

24/01/2019



25/7/2019

**7.4 Legal Implications**

Nil

**7.5 Staff Implications**

Does your report impact on staff resources or result in any additional staffing resources being required?

No ☒

Yes ☐

**7.6 Other Services Consulted**

Disaster Risk Management  
Health Department  
Parks & Recreation  
Law Enforcement  
Events Office

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**ANNEXURES**

Annexure A: Criteria which sites have to comply with

Annexure B: Map of approved sites

Annexure C: Sub-council comments

**FOR FURTHER DETAILS, CONTACT:**

NAME	Ignatius Smart
CONTACT NUMBERS	021 590 1975
E-MAIL ADDRESS	Ignatius.smart@capetown.gov.za
DIRECTORATE	Safety & Security
File Ref No	[Insert file ref no which should be provided by your Registry Office]



ACTING CHIEF FIRE OFFICER – FIRE AND  
RESCUE

Comment:

NAME CYPRIAN CAIRNCROSS

DATE 25/07/2019

*Submitted*


Comment:

*Acting*

CHIEF FINANCIAL OFFICER or his nominee

NAME KEVIN JACOBY D. Valentine

DATE 31.07.2019

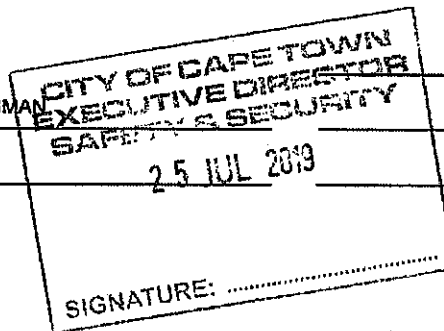


Comment:

EXECUTIVE DIRECTOR – SAFETY AND  
SECURITY

NAME RICHARD BOSMAN

DATE



☒ REPORT COMPLIANT WITH THE PROVISIONS OF  
COUNCIL'S DELEGATIONS, POLICIES, BY-LAWS  
AND ALL LEGISLATION RELATING TO THE MATTER  
UNDER CONSIDERATION.

☐ NON-COMPLIANT



LEGAL COMPLIANCE

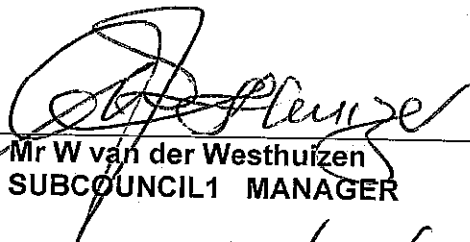
[Compulsory to Insert name]

NAME JOAN - MARI HOLT

TEL 021 400 2753

DATE 05/08/2019


Comment:  
*JMH*  
Certified as legally compliant:  
Based on the contents of the report.

  
Mr W van der Westhuizen  
SUBCOUNCIL1 MANAGER

DATE

7/8/2019

Comment: \_\_\_\_\_

  
Cllr C Clayton  
SUBCOUNCIL 1CHAIRPERSON

Date

7/8/2019



## Chezlan Noland

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**From:** Zukiswa Nqanqali  
**Sent:** Tuesday, 30 July 2019 14:38  
**To:** Carol Eva Johnson; Chezlan Noland  
**Cc:** Juan Uys  
**Subject:** FW: Ref 0044 - Fireworks Sites  
**Attachments:** Ref. 0044 - Fireworks Sites.pdf

Hi Carol/Chez,

I'm confirming that the attached report has been checked and the financial details are in order. Please go ahead and forward the report to the CFO's office.

Regards  
Zuki

**From:** Juan Uys <Juan.Uys@capetown.gov.za>  
**Sent:** Tuesday, 30 July 2019 2:28 PM  
**To:** Zukiswa Nqanqali <Zukiswa.Nqanqali@capetown.gov.za>  
**Subject:** FW: Ref 0044 - Fireworks Sites

Hi Zuki

As discussed . Please send approval to Carol and Chezlan.

Thanks

Juan

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**From:** Carol Eva Johnson  
**Sent:** 30 July 2019 07:42 AM  
**To:** Juan Uys  
**Cc:** Chezlan Noland  
**Subject:** Ref 0044 - Fireworks Sites

Hi Juan

Report to be actioned.

Thanks

**Carol Eva Johnson**  
PA/Senior Secretary to Johan Steyl, Director: Budgets  
Directorate: Finance – Budget Department

Durbanville Municipal Offices, Cnr Queen & Oxford Street, Durbanville  
**Tel:** 021 400 2121 | **Cell:** 062 451 8456 | **Email:** [caroleva.johnson@capetown.gov.za](mailto:caroleva.johnson@capetown.gov.za) | **Web:**  
[www.capetown.gov.za](http://www.capetown.gov.za)

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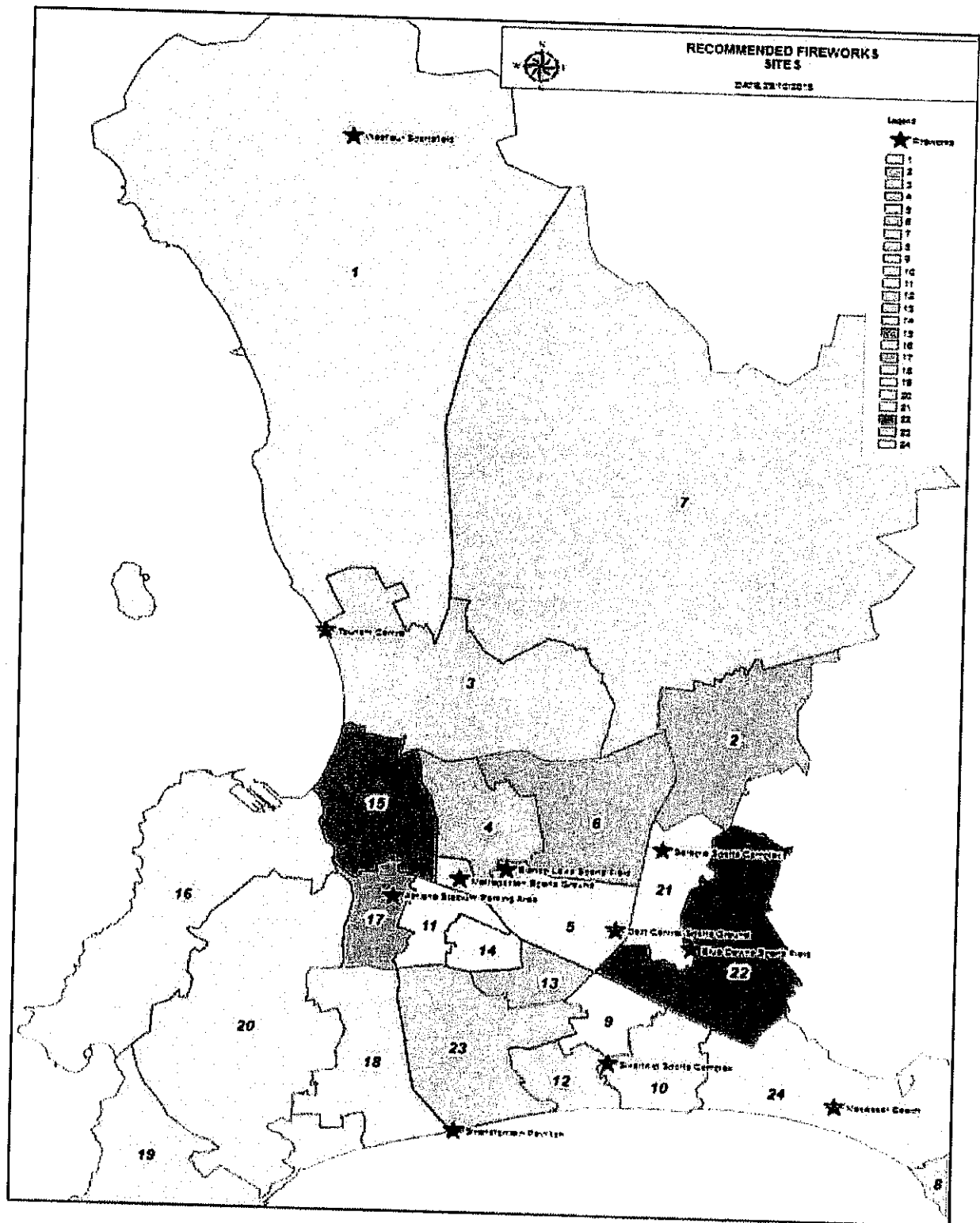
## **Annexure A**

**The criteria that sites have to comply with are: -**

- The area where the fireworks are to be discharged must be:
  - At least 100 m from buildings, roads and railway lines.
  - At least 20 m from telephone lines, telegraph lines, power lines, trees and overhead obstructions.
  - Must be at least 500 m from any petroleum depot, explosives magazine and gas cylinders.
  - An area is to be kept clear of persons (spectators), which shall extend at least 50 m from the front and to the sides of the firing point.
  - The area to be kept clear on which falling residue from aerial fireworks is expected to drop which shall extend at least 100 m to the rear of the firing point.
  - No person shall smoke within the firing point.
  - No person under the age of 16 may discharge fireworks.
  - 4 x 9 kg Dry Chemical Powder fire extinguishers must be provided within the firing point.
  - All entrances and emergency exits must be identified and maintained.
  - Vehicles must be parked at least 100m away from the firing point.
  - Area to be patrolled by Law Enforcement/Metro Police/Fire Inspector.
  - No discharge of fireworks after 23:00 at night except on New Year's Eve.

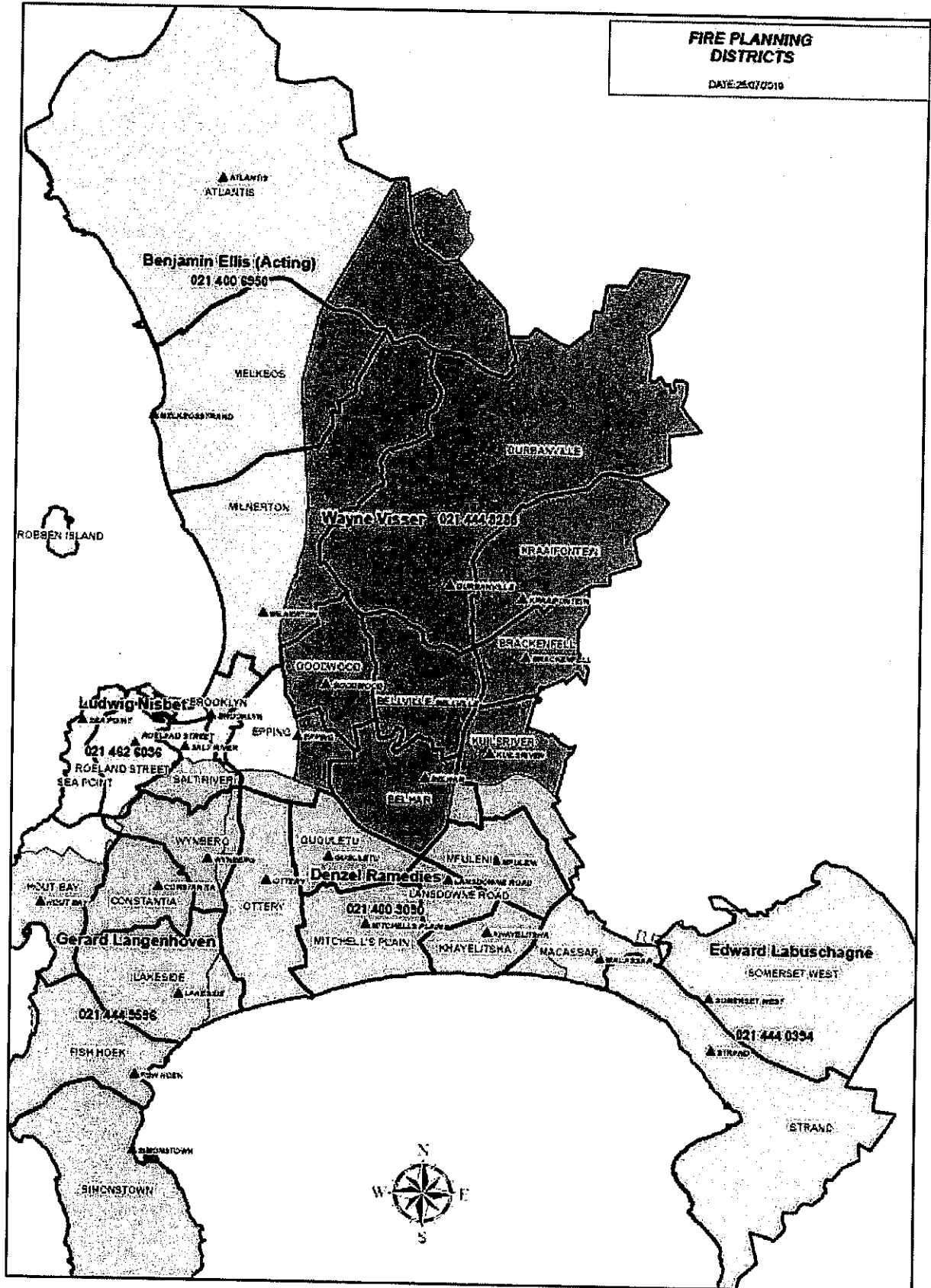
The current 11 sites were implemented after the sub-councils considered the cost to the City and each line department, and the suitability of the sites in relation to the geographical layout of the City. There have been objections from sub-councils to the current sites, which therefore now require a review.

## Annexure B



# FIRE PLANNING DISTRICTS

DATE: 25/07/2019



## Sub-Council Comments

## Annexure C

Sub-Council	Comments
<b>2</b>	<b>RESOLVED</b> unanimously by Subcouncil 2 that the proposed 12 sites for the discharge of fireworks be reviewed.
<b>4</b>	That the review proposed 12 sites recommended for discharge of fireworks <b>BE REVIEWED</b> by Subcouncil 4.
<b>6</b>	<b>RESOLVED</b> That the proposed 12 sites for the discharge of fireworks <b>BE NOTED</b> by Subcouncil 6
<b>7</b>	<b>UNANIMOUSLY RESOLVED</b> That the report on the proposed 12 sites for the discharge of fireworks <b>BE NOTED</b> That the concern of the Subcouncil <b>BE CONVEYED</b> re the discharge of fireworks along our coastline and the question be posed whether this is not in contradiction with the Coastal Bylaw.  <b>The Coastal By-Law has not yet been promulgated. The Streets and Public Places By-Law prohibits the discharge of fireworks without permission or if it is not in accordance with the City's conditions. However, the relevant Section 11 allows the City to designate certain areas, which include coastal areas, as discharge sites. There is therefore no contravention of any by law.</b>
<b>8</b>	Noted
<b>10</b>	<b>RESOLVED</b> That Subcouncil 10 <b>SUPPORTS</b> the proposed reviewed Swartklip Sports Complex, cnr Spine and Swartklip Roads to be used as one of the sites for the discharge of fireworks
<b>11</b>	<b>RESOLVED</b> The Subcouncil members <b>NOTED</b> the report agreed to forward identified sites to the Line department
<b>13</b>	Base on the comments that have been made by Subcouncil 13 members, they would like to find out if the following can be done: Check other available areas within the Subcouncil for the discharge of fire works
<b>14</b>	<b>RESOLVED</b> That it <b>BE NOTED</b> that the Subcouncil <b>REVIEWED</b> and <b>SUPPORTED</b> the proposed 12 sites for the discharged of fireworks.
<b>15</b>	It was <b>RESOLVED</b> review proposed 12 sites recommended for the discharge of fireworks report <b>BE NOTED</b> .
<b>18</b>	That Subcouncil 18 <b>SUPPORTS</b> the proposed twelve sites for the discharge of fireworks
<b>19</b>	<b>RESOLVED</b> to <b>RECOMMEND</b> The Sunrise Beach parking area <b>BE REFUSED</b> as a proposed site for the discharge of fireworks, that, the City of Cape Town considers banning the sale and usage of fireworks across the entire Metro except at events where the discharge of fireworks is in a controlled environment by a certified licensed company for the following reasons: The City of Cape Town does not have the capacity to manage the sale of fireworks nor the man power to enforce the bylaw. The unsupervised use of fireworks by children / youth caused harm to the environment, people and animals.
<b>21</b>	Be noted
<b>24</b>	<b>RESOLVED</b> Subcouncil 24 supports the recommendation that: The proposed 12 sites for discharge of fireworks be reviewed by Subcouncil.

Report Edit Goto View Extras Settings System Help

Act/Plan/Commit

Act/Plan/Commit Page: 2 / 2

Cost Center/Group 19060021 Fire Management HQ Column: 1 / 2

Person responsible Ian Schnetler

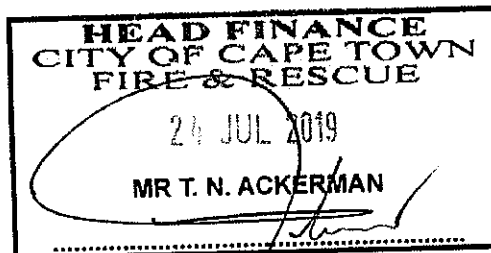
Reporting period 1 to 12 2020

Cost Elements	Actual	Commitment	Allotted	Plan	Available
414920 Advertising CorpAct				176,961.89	176,961.89
401500 Non Structured Overtime				44,804,380.78	44,804,380.78
* Over/Underabsorption				44,981,342.67	44,981,342.67

Prints window contents

SAP

RP1 (2) 100 r3pap05 INS



Act/Plan/Commit

Act/Plan/Commit			Page: 2 / 2
Cost Center/Group	18060002	Fire Wkshp Milnerton	Column: 1 / 2
Person responsible	Patrick Dano		
Reporting period	1 to 12	2020	

Cost Elements	Actual	Commitment	Allocated	Plan	Available
600070 Rent: Veh. Plan: Equip				53,549,163.98	53,549,163.98
* Over/Underabsorption				53,549,163.98	53,549,163.98

Prints window contents

SAP

RP1 (2) 100 r3pap05 INS

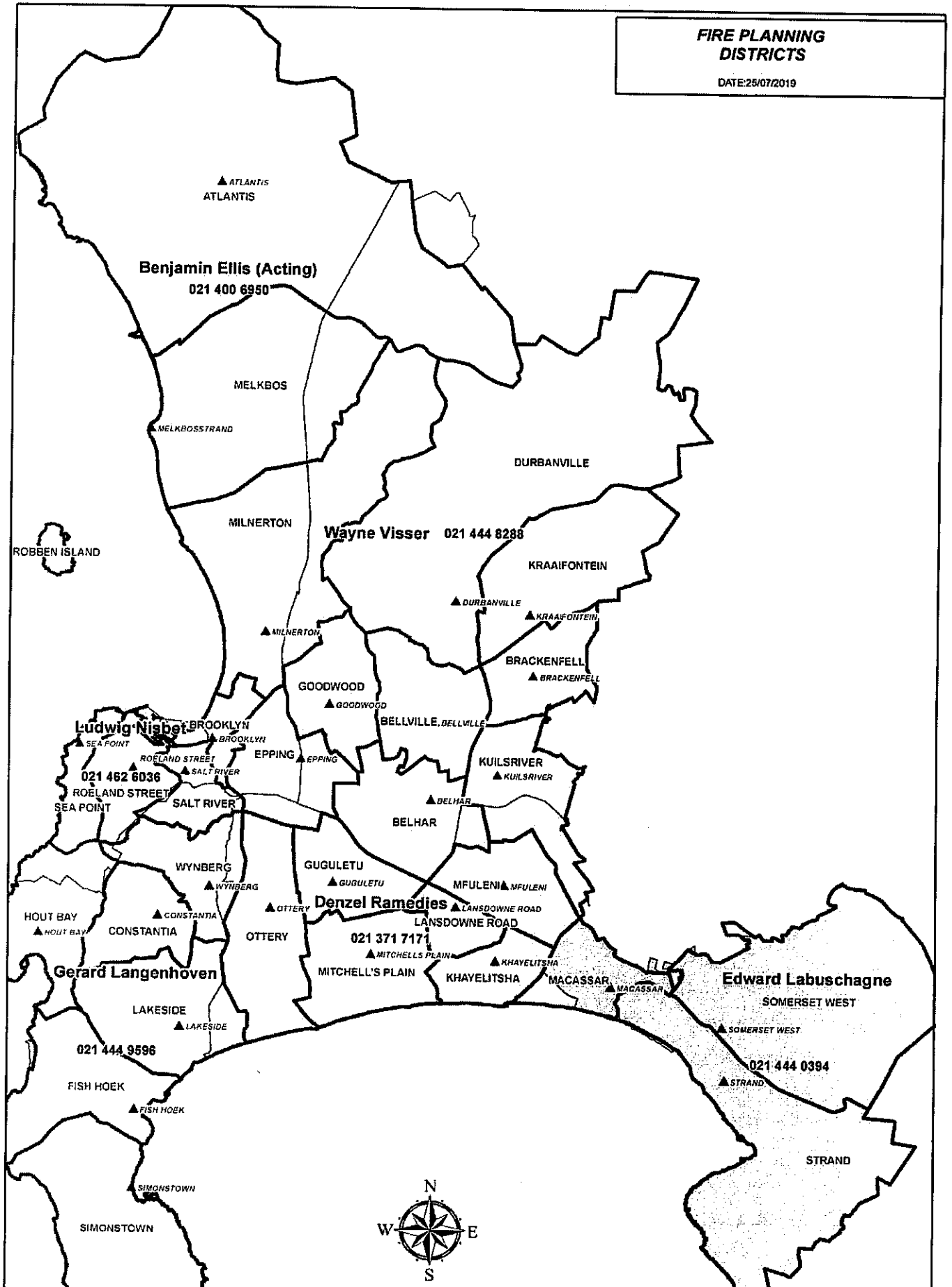
HEAD FINANCE  
CITY OF CAPE TOWN  
FIRE & RESCUE

27 JUL 2019

MR T. N. ACKERMAN

**FIRE PLANNING  
DISTRICTS**

DATE:25/07/2019





Cost Center/Group	18060021	Firm Management HQ	Column: 1 / 2
Person responsible	Ian Schmetler		
Reporting period	1 to 12	2020	

Cost Elements	Actual	Commitment	Allocated	Plan	Available
41920 Advertising, Copies				176,561.89	176,561.89
401500 Non-Structured Overtime				44,804,380.78	44,804,380.78
* Over/Underabsorption				44,981,342.67	44,981,342.67

Cost Center/Group	18060002	Fire Wharf Milington	Column: 1 / 2
Person responsible	Patrick Dano		
Reporting period	1 to 12 2020		

Cost Element	Actual	Commitment	Allocated	Plan	Available
600070 Rent/Veh. Plant/Equip				53,549,163.98	53,549,163.98
* Over/Underabsorption				53,549,163.98	53,549,163.98