

ITEM NUMBER: C 05/04/16

*RECOMMENDATION FROM THE EXECUTIVE MAYOR: 05 APRIL 2016*

MC 10/04/16 MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF CAPE TOWN'S FIRE AND RESCUE SERVICE AND THE FIVE (5) DISTRICT MUNICIPALITIES WITHIN THE WESTERN CAPE FOR THE RENDERING OF MUTUAL ASSISTANCE DURING A FIRE SITUATION OR ANY OTHER EMERGENCY

It is **RECOMMENDED** that:

- (a) Council approve the Memorandum of Agreement for rendering of mutual assistance during a fire situation or any other emergency and authorise the Executive Director: Safety and Security to enter into this agreement with the five (5) district municipalities within the Western Cape
- (b) the Executive Director: Safety and Security be authorised to review and renew the agreement every two (2) years.



2016 -04- 0 5

Making progress possible. Together.

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2 MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF CAPE TOWN'S FIRE AND RESCUE SERVICE AND THE FIVE (5) DISTRICT MUNICIPALITIES WITHIN THE WESTERN CAPE FOR THE RENDERING OF MUTUAL ASSISTANCE DURING A FIRE SITUATION OR ANY OTHER EMERGENCY

*MEMORANDUM VAN OOREENKOMS TUSSEN DIE STAD KAAPSTAD SE BRANDWEER- EN REDDINGSDIENS EN DIE VYF (5) DISTRIKSMUNISIPALITEITE IN DIE WES-KAAP VIR DIE LEWERING VAN WEDERSYDSE BYSTAND IN GEVAL VAN BRAND OF ENIGE ANDER NOODGEVAL*

**IMEMORANDAM YESIVUMELWANO PHAKATHI KWECANDELO LOCIMO MLILO NOHLANGULO LESIXEKO SASEKAPA KUNYE NOOMASIPALA ABAHLANU (5) BESITHILI ENTSHONA KOLONI SOKUNIKA UNCEDO NGEXESHAQ LOMLILO OKANYE NANGALIPHI NA IXESHA LIKAXAKEKA**

The Safety and Security Portfolio committee on 3 March 2016 considered and supported the recommendation in respect of the agreement between the City of Cape Town's Fire and Rescue Service and the five (5) district municipalities within the Western Cape for the rendering of mutual assistance during a fire situations or any other emergency for onward submission to the Executive Mayor and Council.

3. **RECOMMENDATION FROM THE SAFETY AND SECURITY PORTFOLIO COMMITTEE: 3 MARCH 2016**

It is recommended that:

- a) Council approve the Memorandum of Agreement and authorise the Executive Director: Safety and Security to enter into this agreement with the five (5) district municipalities within the Western Cape.
- b) The Executive Director: Safety and Security be authorised to review and renew the agreement every two (2) years.

**ISINDULULO ESIVELA KWIKOMITI EJONGENE NEMICIMBI YOKHUSELO  
NOKHUSELEKO: 3 MARCH 2016**

- a) Kundululwe ukuba IBhunga maliphumeze imemorandam yesivumelwano kwaye linike igunya uMlawuli weSigqeba kwezoKhuselo noKhuseleko ukuba angene kwisivumelwano noomasipala abahlanu (5) besithili eNtshona Koloni.
- b) Kundululwe ukuba uMlawuli weSigqeba: kwezoKhuselo noKhuseleko makgunyaziswe ukuba aphengulule kwaye ahlaziye isivumelwano rhoqo kwisithuMuSodolophu weSigqeba makacelwe ukuba athathe umbandela wokusilela okuqhubekayo kweSAPS ukusebenzisa imiboniso yolwaphulo-mthetho ekwisixhobo sekhamera iCCTV ukuze ifezekise ukutshutshiswa kunye noRhulumente wePhondo njengomba wentsebenziswano ophakathi koorhulumente.

**AANBEVELING VAN DIE PORTEFEULJEKOMITEE OOR VEILIGHEID EN SEKURITEIT:  
3 MAART 2016**

Daar word aanbeveel dat:

- a) Die Raad die memorandum van ooreenkoms goedkeur en magtiging aan die uitvoerende direkteur: veiligheid en sekuriteit verleen om hierdie ooreenkoms met die vyf (5) distriksmunisipaliteite in die Wes-Kaap te sluit.
- b) Magtiging aan die uitvoerende direkteur: veiligheid en sekuriteit verleen word om die ooreenkoms elke twee (2) jaar te hersien en te hernu.

*Allee*

025

**EXECUTIVE DIRECTOR: CORPORATE SERVICES AND COMPLIANCE**

SUPPORTED FOR ONWARD SUBMISSION TO MAYOR  / MAYCO  / COUNCIL

NOT SUPPORTED

REFERRED BACK

DATE

2016 -03- 14

COMMENT:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*P. deLille.*

**EXECUTIVE MAYOR**

SUPPORTED FOR ONWARD SUBMISSION TO MAYCO  / COUNCIL

PC RECOMMENDATION

RECOMMENDATION AS CONTAINED IN ORIGINAL REPORT

ALTERNATIVE RECOMMENDATION TO BE REFLECTED BELOW

APPROVED I.T.O. DELEGATED AUTHORITY

NOTED

REFUSED

REFERRED BACK

DATE

*17.03.2016*

COMMENT:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



## 5. FOR NOTING BY / FOR DECISION BY

This report is for consideration/decision by:

- The Portfolio Committee
- Council

## 6. EXECUTIVE SUMMARY

In terms of section 12(1) (a) (b) of the Fire Brigade Services Act, 1987 (Act 99 of 1987), as amended the Chief Fire Officers of the City of Cape Town and District Municipalities have developed a Memorandum of Agreement with the necessary standing operating procedures that can be entered into for the rendering of mutual assistance during a fire situation or any other emergency.

This report request Council to approve the Memorandum of Agreement and to authorise the Executive Director: Safety and Security to enter into this agreement with the five (5) district municipalities within the Western Cape namely:-

- Cape Winelands;
- West Coast;
- Overberg;
- Central Karoo; and
- Eden

## 7. RECOMMENDATIONS

"Not Delegated": For decision by Council:

It is recommended that:

- a) Council approve the Memorandum of Agreement and authorise the Executive Director: Safety and Security to enter into this agreement with the five (5) district municipalities within the Western Cape.
- b) The Executive Director: Safety and Security be authorised to review and renew the agreement every two (2) years.

## AANBEVELINGS

Daar word aanbeveel dat:

- a) Die Raad die memorandum van ooreenkoms goedkeur en magtiging aan die uitvoerende direkteur: veiligheid en sekuriteit verleen om hierdie ooreenkoms met die vyf (5) distriksmunisipaliteite in die Wes-Kaap te sluit.
- b) Magtiging aan die uitvoerende direkteur: veiligheid en sekuriteit verleen word om die ooreenkoms elke twee (2) jaar te hersien en te hernu.



- a) Kundululwe ukuba iBhunga maliphumeze imemorandam yesivumelwano kwaye linike igunya uMlawuli weSigqeba kwezoKhuselo noKhuseleko ukuba angena kwisivumelwano noomasipala abahlanu(5) besithili eNtshona Koloni.
- b) Kundululwe ukuba uMlawuli weSigqeba: kwezoKhuselo noKhuseleko makagunyaziswe ukuba aphengulule kwaye ahlaziye isivumelwano rhoqo kwisithuba seminyaka emibini (2).

## 8. DISCUSSION/CONTENTS

Section 12(1) (a) (b) of the Fire Brigade Services Act, 1987 (Act 99 of 1987) as amended states that a controlling authority may, with the view for the more efficient employment of its Fire Brigade Service conclude a written agreement with any other controlling authority in terms of which the parties undertake to co-operate on the conditions as may be agreed upon.

The Chief Fire Officers of the City of Cape Town and the five District Municipalities have deemed it in the interest of their respective jurisdiction areas to enter into an agreement for the rendering of mutual assistance and drafted the attached Memorandum of Agreement with Standard Operating procedures.

In terms of clause 8 of the agreement a party rendering assistance may levy the fees contemplated in section 10.1 of the Fire Brigade Services Act, (No 99 of 1987) from the party receiving assistance. These fees are based on Council approved tariffs.

This report requests the approval, entering into and the authority for the Executive Director: Safety and Security to review and renew the agreement every two (2) years.

### 8.1 Constitutional and Policy Implications

Proposal in this report complies with the Fire Brigade Services Act, No 99 of 1987 as amended.

### 8.2 Sustainability Implications

Does the activity in this report have any sustainability implications for the City? No  Yes

### 8.3 Legal Implications

Section 20 of the Fire Brigade Services Act makes provision for an indemnity clause in the exercise or performance of a power, function or duty conferred or imposed in terms of the Act.



**8.4 Staff implications**

Does your report impact on staff resources, budget, grading, remuneration, allowances, designation, job description, location or your organisational structure?

No

**8.5 Other Services Consulted**

Legal Services Department: (Me. C Swart – 021 400 4024)

“You may proceed with the process for approval and implementation”.

**ANNEXURES**

Annexure A – Memorandum of Agreement.

**FOR FURTHER DETAILS CONTACT:**

NAME	G Cilliers
CONTACT NUMBERS	084 225 1960
E-MAIL ADDRESS	gert.cilliers@capetown.gov.za
DIRECTORATE	Safety and Security
FILE REF NO	

*[Signature]*  
 EXECUTIVE DIRECTOR  
 [Mr. R Bosman]

Comment:

NAME

DATE

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

NON-COMPLIANT

*[Signature]*  
 [Legal Compliance]

Comment:

NAME

Sarah van Zyl

TEL

021 400 5446

29.01.2016

Confirmed as legally compliant.  
based on the contents of the report. *[Signature]*



EXECUTIVE DIRECTOR: CORPORATE  
SERVICES AND COMPLIANCE (ED: COR)

SUPPORTED FOR ONWARD SUBMISSION  
TO MAYOR  / MAYCO  / COUNCIL

NOT SUPPORTED

REFERRED BACK

COMMENT:

DATE

~  
A



MAYORAL COMMITTEE MEMBER

COMMENT:

NAME

Ald. JP Smith

DATE

29-01-2016