

MASIPHUMELELE LEADERSHIP FORUM

4 September 2017

Dear Madam Mayor de Lille,

Thank you for communicating with the elected leadership of Masiphumelele immediately after your site visit to Masi with the Public Protector, the Human Rights Commissioner and officials from the Office of Environmental Enforcement.

We feel that it will be best at this stage to leave negotiations in the hands of the Public Protector, the Human Rights Commissioner and the Director of Environmental Enforcement and not to attend a meeting with yourselves whilst they are in charge of the situation.

We have obtained legal advice and request that you comply with the following list of demands and that we are kept informed as per the list.

We once again thank you sincerely for your willingness to negotiate with us and hope that you will accept this correspondence in the spirit in which it is intended.

1. The Greater Masi Development Plan has yet to see the light of day.

It should cover the constitutionally compliant short, medium and long term plans of the city for the area. It should be made available without delay. [Without a plan it is difficult to engage sensibly with the city regarding the open, accountable and responsive realisation of the rights of the community]

2. The City habitually ignores the duly elected leaders of Masi whose names and contact details are on the list annexed marked "List Of Community Leaders in Masi"; the leaders demand recognition in writing from the City and proper timeous notice of all matters relating to the greater Masi area which are initiated by the City or which come to its attention.

3. A notice board at the Pokela Road entrance to Masi should be erected and used by the city to give notice to the Community of matters of mutual concern, meetings and any other developments of interest to the community, such as the development of Houmoed Road and the numbering of shacks.

4. With the advent of spring, a fire watch and observation platform should be strategically located, erected, organised, equipped and manned by the city so as to give early warning of fires in Masi so that the spread of destructive and deadly fires can be eliminated or reduced.

5. A copy of the appeal by the City against the most recent directive of the Provincial Health Department is required by the leaders named on the annexed list.
6. More land for "site and service" type development or settlement in general must be made available urgently so that the over-dense settlement of the Wetland can be addressed as the humanitarian crisis it poses.
7. Land for relocation of shacks in the parts of the Wetland below the water table that have been settled informally must be made available for relocation of those existing in that part of the Wetland.
8. A mutually agreed re-blocking plan for the informal settlement must be negotiated with the community for the purpose of reducing over-densification, health and fire hazards; and for creating access for service vehicles, ambulances, fire engines and SAPS.
9. When relocating persons unsuitably located in the informally settled parts of Masi the "First In First Out" principle should guide relocation with preference being given to the elderly and to families with young children because these two groups are the most vulnerable portions of the Masi demographic, given the extreme hazards of living informally in Masi.
10. A suitably wide and negotiated strip on each side of all canals should be cleared of shacks so as to afford access to cleaning staff and to reduce risks to health, life and limb of those living too close to canals at present. Those living in these areas must be relocated within the Greater Masi area, not at some remote location.
11. Sufficient wash houses and toilets should be erected over the canals so as to bring the ratio of flushing toilets to population into line with civilised norms.
12. More effort must be put into cleaning canals (after proper dredging and removal of reeds), streets, public areas and toilets than is at present the case.
13. Greater access to clean water by the installation of more taps must be attended to urgently.
14. All areas around municipal taps must be upgraded and supplied with suitable drainage.
15. Rubbish removal should be effected more efficiently. Rubbish must be removed from Masi on a daily basis and not stored in containers which are proving to be a health hazard as waste liquid runs out and contaminates the area, rats and maggots are the result.


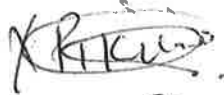
16. Electrification of the entire informal settlement is needed.
17. More clinics, crèches, ECD centres and schools are required to cope with the young and the sickly.
18. The City and the Police Ombudsman for the Western Cape should lobby for the upgrading of the police presence in Masi both in terms of personnel and in terms of replacing the parked vehicle that currently purports to be a satellite police station.
19. The drainage of the Wetland ought to be enhanced to obviate seasonal flooding if the city is not able to relocate the entire population of the Wetland to alternative places that are acceptable to the individuals in need of relocation. Failing this, assistance with putting wet shacks on short stilts is needed before next winter.
20. In recruiting the personnel needed to carry out the changes required in Masi, preference should be given to unemployed local people, with due regard to the requirements of section 195(1)(h) of the Constitution.
21. Once the development plan for Masi and the City's agreement with the OPP are made available and the leadership of Masi has had the opportunity of considering both documents, and not before then, a meeting between the Masi leadership and the City may be indicated.
22. With regard to houses built over the water, the city is required to make a call as to whether it regards the whole or parts of the so called wetland area of Masi that is currently an informal settlement, as being suitable for human habitation or not. If not, those parts unfit for human habitation must be clearly identified. The inhabitants must be relocated in the Greater Masi area urgently, either on Erf 5131, if it is suitable, or in Solole.
23. If the City takes on additional staff for Masi, it should consider offering part time employment so as to maximize job creation. A system in which, for example, one team works Monday to Wednesday, another Thursday to Saturday and a third on Sundays only could help reduce the high rate of unemployment while addressing the ongoing human rights infringements drawn to the attention of the city by Accountability Now in March 2016.
24. The content of the social survey the City intends conducting in Masi should be agreed with

its leaders and should enable the city to give informed answers to the sixty questions, still unanswered, which it was asked by Accountability Now in 2016. The questions and the details of human rights violations in Masi are available at www.accountabilitynow.org.za.

25. The City should liaise with the national department of environmental affairs with a view to creating a model village of lighthouse mark II dwellings (the Newlands Forest Station style) in a suitable part of the greater Masi area, perhaps erf 5131, and also enabling the construction of double or three storey lighthouse mark I dwellings (the Hangberg Hout Bay style) in the habitable reblocked areas of the current informal settlement in Masi (if any) so as to ease over-densification. The informally housed who are relocated to "site and service" only areas should be given ownership of plots and finance for the construction of dwellings within their means.

26. A public private partnership for the optimal development of Masi should be created and should include local businesses, banks and employers that interact with Masipudlians for their services, custom and labour as well as Masi leaders, Masi NGOs, the City and the Province.

Yours faithfully,

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