

**Memorandum of demands
(Without prejudice to rights)**

28 January 2022

To: The Executive Mayor: Leon Van Wyk

The Acting Municipal Manager: Michelle Gratz

The Director: Community Services: Allen Paulse

The Director: Protection Services: Stephen Erasmus

On the 28th of January 2022,

GAG,.....

Good,.....

PBI,.....

PA,.....

EFF,.....

Codeta,.....

the Pacaltsdorp Ministers Fraternal,.....

the RASTA Community,.....

Pacaltsdorp Community Business Association,.....

The Khoi community.....

and the Pacaltsdorp Riding Club.....

And Community activists and members (signed underneath)

deliver this memorandum to the George Local Municipality.

We the affected parties have noticed and experienced with concern the unacceptable behaviour of the governing coalition and the municipal staff during the festive season that happened at Gwaing River Mouth. Your actions were biased and



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racially motivated and resulted in the contempt of an existing court order of 2004/2005.

We hereby give you notice that we will not tolerate this behaviour where the rights of the community were infringed beyond human dignity, and we will endeavour to have the situation rectified at the highest court if need be.

We are perplexed that after we exhausted every possible avenue, you still acted unilaterally by even employing a private security firm with canines for crowd control and to help in the illegal removal of tents, camping equipment and valuables.

It is evident in your actions that you have no regard for the law and the constitution of our beloved country. That is why we as GAG with our partners have decided to rise, protest and march to demand an end to your unlawful and racist behaviour against our communities.

This document contains a list of demands to your organisation. It is an initial set of eight (8) demands that speaks directly against our constitutional democracy. Our aim is to demand that our rights as citizens of George are protected, free from fear, violence and that our rights are upheld as enshrined in the Constitution.

WE DEMAND

1. THAT THE MUNICIPALITY STOPS ITS RACIAL AGENDA AGAINST OUR COMMUNITIES

That the George Municipality stops the practice of promoting racism through the following:

- That the spatial development framework of the George municipality be reviewed to eradicate apartheid spatial development, segregation of communities and separation of public amenities and racial preference.
- That this revision should be in consultation with all affected and interested parties, NGO'S, CBO's and representatives of all the religious communities.
- Allowing the development of racially segregated communities by giving rise to the phenomenon of exclusivity. We have noted that the coast line along the Garden Route is earmarked for this purpose and recent developments during the festive season have strengthened our believe where people of colour were denied access to beaches.

2.CAMPING AT GWAING RIVER MOUTH

Chairperson: Blanche Benjamin	067 338 7366	blnchbenjamin@gmail.com
Secretary: Cynthia Fillies	081 014 9505	cyntfillies@gmail.com
Administrator: Donovan Hantam	061 1102975	donovan.hantam@gmail.com



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- A court order has been imposed on the George Municipality in 2004/2005 by the Cape Division of the High Court, case nr 11140/2004. This application has been brought by the Pacaltsdorp Gemeenskaps Forum.
- That the George Municipality honours the Court Order where the practice of camping at the Gwaing River Mouth is an entrenched right since before 1947.
- The confiscating and breaking down of structures is prohibited under the court order. Further note that clause 1.4 of the court order categorically states: "Dat in die algemeen, lede van die publiek, en in die besonder, die gemeenskap van George, nie geintimideer en/of lastig geval en/of aangerand sal word in enige opsig en/of enige wyse hoegenaamd, hetsy by wyse van agent of andersins, sou hul toegang tot Craighieburn wil hê of terwyl hul daar aanwesig is."
- All parties listed above requests a round table meeting pertaining to by-laws governing access to beaches and amenities.
- That ordinary citizens', including women and children have been harassed, assaulted, traumatised and victimised during the recent raid on campers by George Municipal Law Enforcement officials.
- That the assistance of the Public Order Police was abused to achieve your objective for campers to vacate the camping site.
- After the police acknowledged that they are busy violating a court order, the municipality resorted to procure the services of a private security firm, armed with live ammunition and dogs to further victimise members of the community who were peace fully camping on the site.
- Further note that the use of dogs for crowd control is in contempt of current legislation prohibiting the use of dogs for crowd control.
- This all is a blatant transgression and infringement of peoples' constitutional rights to safety, security, freedom of movement and all other rights contained in the Bill of Rights.
- It is vividly clear that the Gwaing River Mouth was under siege and deliberately targeted to victimise and obstruct non-white beach goers.
- The above collective demands an immediate public apology from your government to the affected communities.

3.LOCAL ECONOMIC DEVELOPMENT

We demand:

- The transformation of the economy where municipal budgets are involved,
- That this municipality gives effect to broad based black economic empowerment and preferential procurement in order to empower previously disadvantaged individuals, women and the disabled.
- To do SMME development in accordance with current national legislation and



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- To do away with discriminatory practices against disenfranchised communities.
- That the George Municipality creates opportunities for our local communities through the LED office and that the red tape in securing opportunities is removed.

4. LAW ENFORCEMENT

- To the disgrace of the affected community and by-standers, campers were subjected to humiliation, trauma, man handling, assault, victimisation, abuse and violation of their basic human rights.
- Further note that trainee law enforcement officials, seasonal employees and officials who are not competent, authorised and trained were used to arrest campers and confiscate and damaged tents,
- This collective demands to know who gave the instruction for this unlawful, illegal, violent, inhumane abuse of power.
 - That the officials in the Law Enforcement Section that man handled women, and other campers be put through a disciplinary process and that the outcome of this processes be communicated to us.
 - That the officials who illegally confiscated property without following the proper procedures be put through a disciplinary process and that the confiscated property be returned to the rightful owners in the original condition before it was confiscated.
 - That the officials who gave permission for the illegal removal and confiscation of property be immediately suspended as their actions was illegal.
 - We demand a full scale investigation into the actions of law enforcement officers.

5. TAXIS-CODETA

The National Land Transportation Act governs the transport of passengers and the use of vehicles that may transport passengers. In accordance with this Act, over and above the use of busses in the George municipal area, a certain percentage of



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alternative transport is allowed to transport passengers. Currently the Go-George bus service monopolises the transport of passengers in the phased-in areas.

- That the taxis be allowed to operate in the areas where the Go-George bus service does not have a footprint. In terms of the MOU and NLTA, this should be accommodated as our people have to walk far and wide to make use of public transport.
- That the illegal impounding of taxis be stopped as this places an unnecessary burden on those who want to alleviate the plight of the marginalised, poor and vulnerable.
- That the harassment of taxi drivers be stopped as this is racially motivated.
- That the use of the ghost squad be stopped immediately.

6. TOURISM

Previous disadvantaged communities like Pacaltsdorp and Thembaletu have powerful history sites and products. These sites and products have not been optimally exposed to the tourist sector. Finances and resources are not being allocated for the proper development of these sites and products. This collective demands inter alia:

- Budget Allocation
- Skills Development and
- Training
 - That these tourism products be integrated into the annual tourism calendar of the region.

7. SERVICE DELIVERY

In terms of the Constitutional mandate, that basic municipal services be equally rendered to all communities across George, regardless of race, colour, creed, religion, sex and orientation. Disadvantaged communities in George, predominantly coloured and black, are under budgeted for and therefor underdeveloped. This is stunting economic growth, opportunities and development. This is the fundamental reason why our communities are plagued with crime, gangsterism, poverty, teenage pregnancy and unemployment. This collective, demands to be included in statutory bodies and structures in order to represent and articulate the direction our community should go.



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- This collective further demands a breakdown on the allocation of Municipal Infrastructure Grant funding, DORA allocations, Indigents Funds and all other grants meant for poor households in George.
- This is because our ward councillors are in breach to inform us on these matters.
- Our communities have not seen any report back meetings for the last ten years.
- In recent weeks many reports have been published about the contamination of our rivers. This is presumably because of failure to timeously empty septic tanks with specific reference to the Touw River. The overflow of sewerage into our rivers has resulted in the fact that people were unable to swim in our rivers.
- We demand a report on when last the septic tanks of the Wilderness area have been emptied as it is alleged that the sewerage is dumped into the Touw River.
- During November 2021, the George Municipality informed the citizens that the level of the Garden Route Dam was more than 100% full on the old levels. The level of the Garden Route Dam was raised that allowed for more raw water to be stored. The recent festive season have seen limited visitor numbers to George. Yet, the George Municipality introduced a throttling system to allocate water to its residents. Now, the George Municipality has also introduced water emergency tariffs due to a significant surge in water usage and the fact that calls for the reduction in water usage were not met. We sincerely hope that this not a well disguised and premeditated plan by the George Municipality to ultimately introduce smart water meters

8. SAFETY AND SECURITY

Due to social ills in our communities, crime is increasing. These social ills include overcrowding, proliferation of informal settlements, gangsterism, teenage pregnancies, drug abuse, loitering and a lack of employment opportunities. All these social ills require proper policing and implementation of by-laws. The relevant authority for implementing by-laws, is hardly present in our communities. This collective demands the appointment of more law enforcement officials in order to secure our communities. Please note that the opposition already in 2020 proposed to the George Council the appointment of between 50 to 100 law enforcement officials. This has been resolved by Council.

Signed on this 28th day of January 2022 at George.

Signed in acknowledgement of receipt

38 M 6529.

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1. George Municipal Representative

Name	Surname	Address	Signature

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Secretary: Cynthia Fillies 081 014 9505 cyntfillies@gmail.com
Administrator: Donovan Hantam 061 1102975 donovan.hantam@gmail.com



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