LEGAL FRAMEWORK FOR LOCAL AUTHORITIES IN SOUTH AFRICA’S GOVERNANCE OF WATER POLLUTION WITH REFERENCE TO GREATER LETABA MUNICIPALITY

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This dissertation is submitted in partial compliance with the requirements prescribed for the M Phil in Environmental Law

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I

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DECLARATION

I, Pretty Ntsako Mnisi, declare that the dissertation submitted to the University of Limpopo for the Masters degree of Philosophy in Environmental Law has not been previously submitted by me for a degree at this or any other university; and that it is my own work. All the sources that I have used or quoted have been duly acknowledged by means of complete reference.

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P.N Mnisi                                    Date
This study examines the effectiveness of a particular segment of the legal framework regarding water pollution control in South Africa. A review is conducted of relevant environmental legislation (including the National Environmental Management Act 107 of 1998, the National Water Act 36 of 108) and the Water Services Act and related literature in order to portray the history, scope and content of the water law framework that applies to local authorities in the specific. In order to situate the phenomenon of water pollution in the context of the theoretical review, some observations are included concerning international and domestic developments and phenomena. The theoretical base of this study is furthermore substantiated and supported by the inclusion of a basic case study that portrays the actual challenges facing some local authorities in South Africa in the management and governance of water resources and the combating of water pollution. This study concludes with a set of recommendations towards improved water governance and the combating of water pollution in the local government sphere based on the finding that deficient compliance and enforcement measures remain a real challenge in municipalities’ effective implementation of South Africa’s water law.
LIST OF ABBREVIATIONS

DWEA    Department Water and Environmental Affairs
EIA     Environmental Impact Assessment
GLM     Greater Letaba Municipality
IRWM    Integrated Water Resource Management
NEMA    National Environmental Management Act 107 of 1998
NWA     National Water Act 36 of 1998
NWRS    National Water Resource Strategy
RDP     Reconstruction and Development Programme
UK      United Kingdom
UCT     University of Cape Town
TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>TOPICS</th>
<th>PAGES</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Introduction</td>
<td>1</td>
</tr>
<tr>
<td>2. Legal framework on water pollution regulation in South Africa</td>
<td>4</td>
</tr>
<tr>
<td>2.1. Introduction</td>
<td>4</td>
</tr>
<tr>
<td>2.2 Constitution of the Republic of South Africa, 1996</td>
<td>5</td>
</tr>
<tr>
<td>2.2.1. Section 24: The right to environment</td>
<td>5</td>
</tr>
<tr>
<td>2.2.2 Section 27: The right of access to sufficient food and water</td>
<td>6</td>
</tr>
<tr>
<td>2.2.3 Section 7: The Bill of Rights</td>
<td>7</td>
</tr>
<tr>
<td>2.2.4 Section 10: The right to human dignity</td>
<td>8</td>
</tr>
<tr>
<td>2.2.5 Section 11: The right to life</td>
<td>8</td>
</tr>
<tr>
<td>2.2.6 Section 32: The right of access to information</td>
<td>9</td>
</tr>
<tr>
<td>2.2.7 Section 33: The right to administrative justice</td>
<td>10</td>
</tr>
<tr>
<td>2.3 National Environmental Management Act 107 of 1998</td>
<td>11</td>
</tr>
<tr>
<td>2.3.1 Environmental management principles</td>
<td>11</td>
</tr>
<tr>
<td>2.3.2 Legal standing to enforce environmental laws</td>
<td>12</td>
</tr>
<tr>
<td>2.3.3 Cooperative environmental governance and environmental management cooperation agreements</td>
<td>13</td>
</tr>
<tr>
<td>2.3.4 Pollution control</td>
<td>14</td>
</tr>
<tr>
<td>2.3.5 Environmental compliance and enforcement</td>
<td>15</td>
</tr>
<tr>
<td>2.3.6 Environmental impact assessment</td>
<td>16</td>
</tr>
<tr>
<td>2.4 Water Services Act 108 of 1977</td>
<td>17</td>
</tr>
<tr>
<td>2.4.1 The objectives of Water Services Act 108 of 1997</td>
<td>18</td>
</tr>
<tr>
<td>2.4.2 The setting of national standards and norms, and standards for tariffs in respect of water services</td>
<td>18</td>
</tr>
<tr>
<td>2.4.3 The preparation and adoption of water services development plans by water services authorities</td>
<td>19</td>
</tr>
<tr>
<td>2.4.4 A regulatory framework for water services institutions and water services intermediaries</td>
<td>19</td>
</tr>
</tbody>
</table>
2.4.5 The establishment and disestablishment of water boards and water services committees and their duties and powers 20
2.4.6 The monitoring of water services and intervention by the minister or by the 9 relevant provinces 20
2.4.7 Financial assistance to water services institutions 21
2.4.8 The gathering of information in a national information system and the distribution of that Information 21
2.4.9 National Water Resource Strategy (NWRS) 22
2.4.10 National Water Act 23
2.5 Conclusive observation 24

3. The legal framework on local government and water management in South Africa 28
3.1.1 The objectives of local government 28
3.1.2 Powers and functions of municipalities 28
3.1.3 Bill of Rights 29
3.1.4 Schedule 4b and 5b of the Constitution 29
3.2 Municipal Systems Act 32 of 2000 30
3.2.1 Objectives and aims of the Municipal Systems Act 31
3.2.2 Integrated development plans 31
3.2.3 Relevance of the act for this study 32
3.3 The Municipal Structures Act 32 of 2006 33
3.3.1 Objectives of the Municipal Structures Act 33
3.3.2 Municipal objectives 34
3.3.3 Duties of the Municipal Structures in relation to service delivery 34
3.3.4 Relevance of the Municipal Structures Act to the study 35
3.3.5 Regulations for the protection of water sources 35
3.3.5.1 Restriction on locality 35
3.3.5.2 Protection of water sources 35
4. Some Dilemmas in local authorities’ compliance and enforcement of water law 36
   4.1 Local authority 36
   4.2 Municipal legislation: By-Laws 37
      4.2.1 The legal enforceability of a by-law 38
      4.2.2 The rationale for the by-law enforcement 39
      4.2.3 Sanctions for by-law contravention 39
   4.3 Greater Letaba Municipality case study 40
      4.4 The current state of by-law enforcement in Greater Letaba Municipality 42
   4.5 Water sampling results 44
   4.6 Shortcomings and suggestions 46

5. Conclusion and recommendations 47

6. Bibliography 51