

**THE EFFECTIVENESS OF LEGAL PROVISION OF LOW-COST
HOUSING AND ENVIRONMENTAL LAWS IN
SOUTH AFRICA WITH SPECIAL
REFERENCE TO LIMPOPO PROVINCE**

By

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**A RESEARCH PROJECT SUBMITTED IN PART
FULFILMENT OF THE REQUIREMENTS
FOR A MASTER'S DEGREE IN
PHILOSOPHY OF ENVIRONMENTAL LAW IN THE SCHOOL OF LAW
UNIVERSITY OF LIMPOPO
TURFLOOP CAMPUS**

YEAR : 2 007

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DECLARATION

I declare that this research project for a Master's degree in Philosophy of Environmental Law at the University of Limpopo hereby submitted, has not been previously submitted by me for a degree at this or any other University, that it is my own work in design and execution and that all material contained herein has been acknowledged.

Signed :

Date :

DEDICATION

I sincerely dedicate this project to my wife Mokgadi, a devoted and supportive wife who supported me throughout the entire project.

To my sons Mahlatse, Neo and Refentse who were the source of my inspiration.

To my mother-in-law Ntlala who is my source of joy.

In loving memory of my late parents Sekoati and Masekela, my late brother, Monene and my late father-in-law, Kgauegelo.

ACKNOWLEDGEMENTS

I am indebted to Professor W. du Plessis, research specialist and good supporter from the School of Law in the University of Northwest. She is an academic one would wish to work with. Her competence and integrity stand as a model that I will always emulate. I thank her for the time and expertise that she availed for the completion of this study.

My appreciation goes to Advocate Letseku whom I regard as a competent director, leader and organizer. I thank him especially for efforts in sourcing for me Professor W. du Plessis as my supervisor.

I appreciate the contributions of Mr Modiba and Advocate T.K. Mojela who provided me with administrative and academic information respectively. Their contribution in this study is highly valued.

I want to thank Mr Solly Bopape, the Law Librarian at the University of Limpopo, Turfloop Campus and Mr M. Dikotla. Their contribution to this study is highly appreciated. Their efforts in searching for information that led to the success of this study will always be remembered. Most of the cases referred to in this study were accessed through their efforts.

I would like to thank my family, my supportive and caring wife, Mokgadi, our sons, Mahlatse, Neo and Refentse. I am grateful to them for their patience for my absence from family gatherings during the time of this study. A word of gratitude also goes to my brother, Edward and my sister Takatso, for their support and prayers. I wish my late parents, Sekoati and Masekela, my late younger brother, Monene as well as my late father-in-law, Kgaugelo witnessed the completion of this study. I would have liked to be with them at this moment. My gratitude also to my mother-in-law, Ntlala, and my siblings-in-law, Moloko, Maletse, Mahlodi, Mokololo and Maphuti for supporting and praying for me. I appreciate the patience of my friends, especially Makgale who missed me during the time of this study.

I would like to express my gratitude to government officials in the Department of Local Government and Housing as well as in the Department of Environmental Affairs. Without their assistance, collection of data for this study would have been impossible.

I would like to express my gratitude to Ms M. Sithole (administrator in the School of Law) for her administrative contribution and searching for information through internet for this study.

I would like to express my gratitude to Mr G. Matsika, a lecturer in the Department of English at the University of Limpopo. His knowledge of English language made this study to be linguistically perfect.

Finally, I would like to thank the Trinity of God for giving me strength and perseverance throughout my study. Now I can gladly say, "Praise the Lord, O my soul, and forget not all His benefits, Who satisfies your desires with good things. The Lord is compassionate and gracious." (Psalm 103:2,5 and 8)

ABSTRACT

This study intends to assess the effectiveness of legal provision of low-cost housing and environmental laws in South Africa. Limpopo Province was chosen and used as area of study. The study was designed to determine whether environmental laws in South Africa hamper the provision of low-cost housing or not. Thirty participants were randomly selected from employees of the Department of Local Government and Housing as well as those of the Department of Environmental Affairs. The participants consisted of seventeen from the former department while the remaining thirteen were from the latter.

The study focuses on the concept of adequate housing. Adequate housing in this study means the provision of quality housing units that are well supplied with running water and electricity. The study also discusses the issue of renovation of existing housing units. It will thereafter determine the level of commitment of government to provide adequate low-cost housing units. Housing will be looked at in terms of environmental laws which are being criticized for the lack of adequate provision of housing.

Housing is regulated by law. *The White Paper on Housing* forms the basis of the post 1994 housing laws. This is the policy that is contained in the 1994 *White Paper on Housing*. In this paper, the government commits itself to providing adequate low-cost-housing units and to facilitate the process of housing provision in South Africa.

The laws regulating housing include the Housing Act 107 of 1997, the Rental Housing Act 50 of 1999, the Extension of Security of Tenure Act 62 of 1997 and the Prevention of Illegal Eviction from and Unlawful Occupation of Land Act 19 of 1998.

Section 26 of the Constitution of South Africa, 1996 provides the right of all citizens to housing and reference is made for court arbitration in this regard.

The findings of the study indicate that several factors hamper the provision of housing in the Limpopo Province. These factors consist of bureaucracy, nepotism, corruption, incompetent contractors and inability to complete projects of low-cost housing units.

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LIST OF ABBREVIATIONS

ANC	=	African National Congress
DFA	=	Development Facilitation Act 67 of 1995
DLGH	=	Department of Local Government and Housing
DoH	=	Department of Housing
EIA	=	Environmental Impact Assessment
MEC	=	Member of Executive Council
NEMA	=	National Environmental Management Act 107 of 1998
NHBRC	=	National Home Builders Registration Council
RDP	=	Reconstruction and Development Programme
EAP	=	Environmental Assessment Practitioner

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