

**THE APPLICATION OF JUST ADMINISTRATIVE ACTION IN THE SOUTH
AFRICAN ENVIRONMENTAL GOVERNANCE SPHERE: AN ANALYSIS OF
SOME CONTEMPORARY THOUGHTS AND RECENT JURISPRUDENCE**

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Summary

Administrative law, and more specifically administrative justice, is becoming increasingly important in the context of environmental law. The enforcement of environmental law depends to a large extent on administrative decision-making by environmental authorities. A developer who wishes to undertake a development activity that may have a detrimental effect on the environment, will require an environmental authorization that must be granted by the relevant environmental authority. There may be certain instances where the application for such an authorization is unduly delayed, or where there are *mala fides* on the part of the relevant authority. This may inevitably infringe the right of the developer to, *inter alia*, administrative justice. It is argued in this article that the developer has certain constitutional rights which can be invoked when dealing with environmental authorities. Hence, the discussion in this article focuses on the relationship between administrative justice and environmental governance; the constitutional rights of the developer; and recent case law that supports the proposal that the developer has legal recourse when her right to administrative justice has been infringed.