

THE ROLE OF GOOD ENVIRONMENTAL GOVERNANCE IN THE SUSTAINABLE DEVELOPMENT OF SOUTH AFRICA*

LA Feris**

SUMMARY

This article seeks to analyse good governance decision-making in the environmental context through an understanding and interpretation of the relationship between good environmental governance (evidenced *inter alia* by decision-making by public authorities) and sustainable development in South Africa. It critically assesses recent case law in an attempt to understand the way in which our courts are evaluating authorities' environmental decisions. In reaching its objectives, this article considers also how environmental decisions are made in the first place and asks the question: what are the value choices underlying government's decisions and what role does sustainable development play in informing decisions for good environmental governance.

Keywords: environmental law, environmental governance, sustainable development, environmental decision-making, good governance

* This contribution is based on a paper delivered at the Konrad-Adenauer Foundation's Colloquium on "Good Governance as a Mechanism to Promote Sustainable Development in Southern Africa" in collaboration with the North-West University (Potchefstroom Campus), held at Maropeng, Cradle of Humankind, Johannesburg, on 21 August 2009.

** Loretta Feris. BA LLB (Stell) LLM (Georgetown) LLD (Stell). Associate Professor, Faculty of Law, University of Cape Town.