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**Appeal: Dredging of the Milnerton Lagoon Erf 20315, DEA&DP REF NO. 16/3/3/1/A1/18/3048/25**


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**From** Annette Götz <nettegoetz@gmail.com>

**Date** Tue 6/2/2026 12:01 PM

**To** DEADP Appeals <DEADP.Appeals@westerncape.gov.za>; milnertondredging@infinityenv.co.za  
<milnertondredging@infinityenv.co.za>

**Cc** Julia.Wood@capetown.gov.za <Julia.Wood@capetown.gov.za>

 1 attachment (4 MB)

ERF20315\_AGOTZ\_APPEAL.docx;

You don't often get email from nettegoetz@gmail.com. [Learn why this is important](#)

Good day,

Please find my appeal regarding the dredging of the Milnerton Lagoon attached.

Kind regards.

Annette Goetz

072 2550253



## IMPORTANT INFORMATION TO BE READ PRIOR TO COMPLETING THIS APPEAL FORM:

1. This appeal form must be submitted –
  - a. within **20 calendar days** from the date that the decision is sent by the decision-maker, or, where applicable, by the applicant to registered interested and affected parties; or
  - b. within **30 calendar days** from the date that the decision is received, where an appeal is submitted against a Directive in terms of section 43(8) of the *National Environmental Management Act, 1998*.
2. The appellant must submit the appeal –
  - a. to the appeal administrator;
  - b. to the applicant, where the appellant is not the applicant; and
  - c. where applicable, to any registered interested and affected party where the appellant is the applicant.
3. An appeal submitted must –
  - a. be in writing;
  - b. be on this form;
  - c. include supporting documentation, which is referred to in the appeal; and
  - d. include proof of payment of a non-refundable appeal fee, if prescribed.
4. An applicant must –
  - a. notify, and make a copy of the appeal available to, registered interested and affected parties where applicable, and to affected organs of state, within 5 calendar days of the expiry of the 20-day appeal period; and
  - b. submit proof of the notification to the appeal administrator within 5 calendar days of sending the last notification.
5. The applicant, where applicable, the decision maker and the registered interested and affected party or affected organs of state may within 20 calendar days from the date of receipt of the appeal, submit, in the form obtainable from the Department's website a statement responding to an appeal, to the appeal administrator and to the appellant/s.
6. This form is current as of **APRIL 2026**.
7. The required information must be inserted within the spaces provided in the form. The sizes of the spaces provided are not necessarily indicative of the amount of information to be provided. The spaces may be expanded where necessary.
8. Unless protected by law, all information contained in, and attached to this form, will become public information on receipt by the Department.
9. A digital copy of this form may be obtained from the Department's website at <https://www.westerncape.gov.za/eadp/environmental-governance>, or <https://www.westerncape.gov.za/eadp/service/processing-environmental-and-planning-appeals>.
10. The Appeal Form must be duly dated and originally signed (electronic signature is also accepted) by the Appellant and must be submitted to the Appeal Administrator at the details provided below.

Decision being appealed:

1. Reference Number of the Decision being appealed: **16/3/3/1/A1/18/3048/25 (NEAS REF: WCP/EIA/0001758/2025)**
2. Type of Decision being appealed:

<b>Environmental Authorisation</b>	24G Administrative Fine	Amendment of Environmental Authorisation	Amendment of Environmental Management Programme	Waste Management Licence	Variation of a Waste Management Licence	Atmospheric Emission Licence
Exemption Notice	Environmental Conservation Act: Outeniqua Sensitive Coastal Areas Permit	Directive	Coastal Protection Notice	Coastal Removal Notice	Other	

3. Brief description of the Decision:

**Granting of an Environmental Authorization to the City of Cape Town for the proposed dredging of a channel in the lower section of the Milnerton Lagoon on Erf No. 20315, Diep River Estuary, and the development of temporary or semi-permanent structures exceeding 50 square meters on coastal public property.**

4. Date of the Decision: **15 MAY 2026**
5. Date of the Notification of the Decision: **18 MAY 2026**

Please note: The appellant in terms of the *National Appeal Regulations, 2025* must submit the appeal to the appeal administrator, to the applicant (where the appellant is not the applicant) and, where applicable, to all registered interested and affected party where the appellant is the applicant.

Appellant's Information:

Name: **ANNETTE GOETZ**

Address: **6 ALGOA ROAD  
MILNERTON 7441**

Cell phone number: **072 2550253**

Email address: **NETTEGOETZ@GMAIL.COM**

## Grounds of Appeal (to be completed on this document)

### **PART A: PROCEDURAL GROUNDS OF APPEAL**

#### **Ground 1: Premature Issuance of Environmental Authorisation Prior to Upstream Source Control**

**Averment of Fact:** The competent authority has noted that the long-term recovery of the Milnerton Lagoon system depends entirely on upstream interventions, such as major upgrades at the Potsdam Wastewater Treatment Works.

**The Dispute:** Proceeding with localized dredging before these primary upstream pollution sources are fully resolved is premature and constitutes an inefficient use of public resources. The continuous inflow of polluted runoff and sewage will rapidly re-contaminate the newly dredged channel. Procedurally, the Environmental Authorisation should have been suspended or made strictly conditional upon the verified completion and successful operation of the Potsdam WWTW upgrades.

### **PART B: SUBSTANTIVE GROUNDS OF APPEAL**

#### **Ground 2: Unresolved Security and Safety Risks from Altered Bed Topography**

**Averment of Fact:** The authorized project design entails placing 30,000 m<sup>3</sup> to 120,000 m<sup>3</sup> of dredged sediment along the sides of the channel to create intertidal sandbanks.

**The Dispute:** Although the revised design restricts material placement on the western bank directly adjacent to the Loxton Road Bridge, the shifting of massive volumes of sand will drastically alter the lagoon's bed topography and currents. The long-term stability of these newly created sandbanks is highly unpredictable under dynamic tidal conditions. Natural sediment transport will eventually create walkable sandbars or shallow areas, substantively compromising the natural water barrier that currently secures properties along Woodbridge Island.

### Ground 3: Unacceptable Degradation of Visual Amenity and Aesthetic Value

- **Averment of Fact:** The authorized activity involves depositing 30,000 m<sup>3</sup> to 120,000 m<sup>3</sup> of dredged sediment directly within the intertidal zone to create artificial sandbanks.
- **The Dispute:** This decision will severely compromise the overall aesthetic and visual amenity of the Milnerton Lagoon. While the Basic Assessment Report (BAR) suggests these sandbanks will remain fully submerged at high tide, the reality of the daily tidal cycle means that during both the incoming and outgoing tides—which take several hours every single day—these massive sandbanks will be completely exposed to view. Instead of a pristine, open water body, local residents, businesses, and recreational users will be subjected to an artificial, altered landscape dominated by exposed mudflats and sandbanks for significant portions of the day. This long-term visual degradation directly impacts the sense of place, degrades surrounding properties' aesthetic value, and diminishes the public's enjoyment of a prominent recreational coastal node. The competent authority failed to properly weigh this daily aesthetic harm against the limited, localized hydrodynamic benefits of the project.

### PROPOSED REMEDIAL MEASURES

1. Amend Authorization Conditions: Update the Environmental Authorisation to legally prohibit any open-surface mounding of dredged material above the low-tide level, ensuring all deposited sand remains entirely submerged throughout the daily tidal cycle to preserve the open-water aesthetic.
2. Impose Suspensive Conditions: Suspend the commencement of dredging activities until the City of Cape Town provides verified, independent proof that the Potsdam WWTW upgrades are fully operational and successfully limiting upstream sewage inflows.

**Note:**

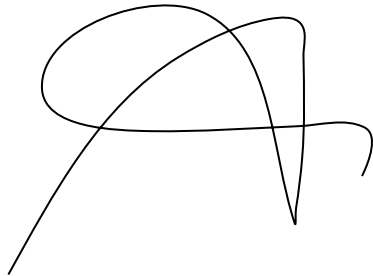
- You are also requested to submit an electronic copy (Microsoft Word format) of the appeal and any supporting documents.
- The grounds of appeal and the facts upon which they rest must be clearly set out. The grounds of appeal must be formulated as averments and not as questions about the project (refrain from material or remarks which do not contribute towards the merits of the appeal).
- Make a particular issue the subject of a separate ground of appeal, avoiding overlaps as far as possible. Issues should be grouped logically and in a chronological order to provide the Provincial Minister with clear timelines of the events or facts in dispute.
- A recommended way of arranging issues is to divide the grounds of appeal into procedural grounds, (for example inadequate public participation) and substantive grounds (why the decision is seen as wrong).
- Before submitting the appeal, it is recommended that appellants familiarise themselves with the mandate of the department to avoid raising matters falling outside the competence of the Provincial Minister on appeal.

Submission address:

This appeal must be submitted to the Appeal Administrator at either of the addresses listed below:

By hand: Attention: Mr Marius Venter (Tel: 021-483 3721)  
Room 809, 8th floor Utilitas Building  
1 Dorp Street, Cape Town, 8000; or

By e-mail: DEADP.Appeals@westerncape.gov.za



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Appellant's signature

**01 JUNE 2026**

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Date