



Western Cape
Government

BODY CORPORATE OF WOODBRIDGE ISLAND

Woodbridge Island, Milnerton, Cape Town

FORMAL APPEAL

Proposed Dredging of the Milnerton Lagoon in the Diep River Estuary, Cape Town

EIA Reference: 16/3/3/1/A1/18/3048/25

Decision being appealed:

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

1. _____

2. Type of Decision being appealed:

Environmental Authorisation	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	

Brief description of the Decision: The proposal entails the dredging of a channel in the lower section of the Milnerton Lagoon on Erf No. 20315, Diep River Estuary and the development of structures on coastal public property. The Lagoon will be reshaped by placing dredged material on the sides of the new channel within the intertidal zone.

3. Date of the Decision: 15 May 2026 _____

4. 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: Woodbridge Body Corporate _____

Address: PO Box 510 _____

Woodbridge Island _____



Milnerton 7435_____

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Grounds of Appeal (to be completed on this document)

BODY CORPORATE OF WOODBRIDGE ISLAND

Woodbridge Island, Milnerton, Cape Town

FORMAL APPEAL

Proposed Dredging of the Milnerton Lagoon in the Diep River Estuary, Cape Town

EIA Reference: 16/3/3/1/A1/18/3048/25

Submitted by:	The Body Corporate of Woodbridge Island, acting through its Board of Trustees
Physical address:	Woodbridge Island, Milnerton, Cape Town
Date:	june 2026



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1. Locus Standi and Authority to Submit

This objection is submitted by the Board of Trustees of the Body Corporate of Woodbridge Island (“the Body Corporate”), a juristic person constituted in terms of the Sectional Titles Schemes Management Act, 2011 (Act No. 8 of 2011). The Body Corporate represents the collective interests of all owners and residents of the Woodbridge Island sectional title scheme, a residential community situated immediately adjacent to the Milnerton Lagoon and directly within the zone of potential impact of the proposed dredging activity.

The trustees are duly authorised by resolution of the Board to submit this objection on behalf of all members of the Body Corporate. The Body Corporate is a registered Interested and Affected Party (I&AP) in terms of the EIA Regulations of 2014, as amended, and has participated in the public participation process conducted by the Environmental Assessment Practitioner, Infinity Environmental (Pty) Ltd.

As the juristic body responsible for the management, maintenance, and governance of a residential scheme sharing a boundary with the Milnerton Lagoon, the Body Corporate has a direct, material, and legally cognisable interest in the outcome of this application. The health, safety, amenity, and property interests of its members are directly engaged by the proposed activity.

2. Position Statement

The Body Corporate wishes to place on record that it is not opposed in principle to the restoration of the Milnerton Lagoon. The lagoon’s severe degradation — including persistent sulphurous odour, visibly discoloured and polluted water, and the total collapse of safe recreational use — has materially diminished the quality of life of Woodbridge Island residents and adversely affected the value of properties within the scheme for a number of years. The Body Corporate supports interventions that will genuinely and durably improve the ecological health of the lagoon.

However, the Body Corporate has a number of serious concerns regarding whether the proposed dredging, as currently designed and conditioned, will achieve meaningful remediation — and whether the risks and nuisances it will impose on residents of Woodbridge Island during its implementation have been adequately identified, assessed, and mitigated. This objection sets out those concerns and requests that specific binding conditions be attached to any environmental authorisation granted.

3. The BAR’s Own Findings Undermine the Justification for Immediate Dredging

The Final Basic Assessment Report (“BAR”) states plainly and repeatedly that dredging “is not in itself expected to contribute significantly to improving water quality or



amenity value” of the lagoon. The BAR acknowledges that two major flood events in 2023 and 2024 naturally scoured significant volumes of sediment from the lagoon, yet oxygen levels in the system “remained at and near zero.” This finding demonstrates that the removal of sediment, whether by natural flooding or mechanical dredging, does not address the root cause of the lagoon’s degradation.

The root cause is well-identified in the BAR: catastrophically polluted inflows from the Potsdam Wastewater Treatment Works (WWTW) and the episodic and ongoing failure of the Koeberg Road sewage pump station. These sources have not been remediated. The Potsdam WWTW upgrade is scheduled for completion only in December 2027, and several other critical infrastructure projects are similarly deferred to 2027 and 2028.

Critically, the BAR’s own EAP recommends that dredging “only proceed once oxygen levels in the lower lagoon begin to show recovery,” defined in terms of specific dissolved oxygen thresholds over a three-month monitoring period. The Body Corporate is not aware that this precondition has been independently and formally verified as having been met. The Body Corporate requests that the DEA&DP require the Applicant to provide independently monitored and verified water quality data demonstrating that these trigger conditions have been satisfied before any authorisation takes effect.

4. Unassessed Public Health Risk: Aerosolisation of Faecal Pathogens

The Body Corporate regards this as the most serious deficiency in the BAR, and raises it with particular urgency given that Woodbridge Island residents — including children, elderly persons, and those with respiratory conditions — reside, exercise, and spend time outdoors in immediate proximity to the proposed dredging area.

The BAR’s own water quality monitoring, conducted between November 2024 and February 2025, found that all samples collected within the lagoon and its tributaries exceeded bacterial pollution guidelines for intermediate recreational use by at least an order of magnitude. Counts at most sites were well in excess of 100,000 colony-forming units (cfu) per 100 ml for *E. coli*, against a recreational safety guideline threshold of approximately 1,000 cfu/100 ml. Enterococci counts similarly exceeded 5,000 cfu/100 ml across the system. The BAR further records that *E. coli* counts in the Potsdam WWTW final effluent were well above licence thresholds, indicating an ongoing failure of disinfection and the continuous introduction of live pathogenic bacterial loads into the lagoon.

The Body Corporate draws the attention of the DEA&DP to a risk that is entirely absent from the BAR: the aerosolisation of bacteria-laden water droplets and bioaerosols during dredging operations. Mechanical dredging involves the agitation, lifting, and displacement of large volumes of contaminated water and organic sediment. This process is well-documented in the scientific and occupational health literature to generate fine aerosols capable of carrying viable bacteria — including *E. coli* and enterococci — over distances of tens to hundreds of metres downwind of the worksite.

Woodbridge Island is bounded by the lagoon on multiple sides. Its residents, as well as members of the public who use the adjacent pedestrian walkway and Lagoon Beach, would be foreseeably and directly exposed to any dredging-generated bioaerosols. Prevailing south-easterly winds during summer months would direct such aerosols toward the residential buildings of the scheme.

The BAR provides for monitoring of hydrogen sulphide (H₂S) at the Woodbridge Island station, but contains no assessment of bioaerosol generation risk, no modelling of



aerosol dispersal under local wind conditions, no proposed air sampling programme for faecal indicator organisms during dredging, and no human health risk assessment for residents who would foreseeably be exposed. This omission is not consistent with internationally recognised best practice for dredging operations in sewage-contaminated water bodies, as documented by the World Health Organisation and various national environmental health authorities.

The Body Corporate submits that proceeding with dredging without first conducting a specialist pathogen aerosolisation risk assessment and implementing appropriate protective controls would constitute a failure of the duty of care owed to residents of Woodbridge Island and members of the public. The Body Corporate requests that the DEA&DP require the following as conditions of authorisation:

- A specialist public health assessment of bioaerosol and pathogen aerosolisation risk, with specific reference to E. coli and enterococci dispersal under local meteorological conditions;
- Binding mitigation measures arising from that assessment, incorporated into the Environmental Management Programme (EMPr) before dredging commences; and
- Real-time bioaerosol monitoring at the boundary of Woodbridge Island during all dredging operations, with defined action thresholds and immediate work-stoppage protocols.

5. Odour Impacts: Inadequate Assessment and Mitigation

The BAR rates odour impacts on adjacent residents during dredging as “Medium-High negative” before mitigation. It then concludes that operational controls can reduce this to “Low negative.” The Body Corporate does not accept this downgrading as adequately justified. Residents of Woodbridge Island already endure severely degraded ambient air quality from the lagoon at baseline. The mechanical disturbance of 30,000 m³ of anoxic, hydrogen-sulphide-generating sediment in an enclosed, urbanised estuarine channel represents a qualitatively different and more intense odour exposure than the current chronic baseline.

The Body Corporate requests that the DEA&DP impose a binding condition prohibiting dredging operations during the summer months of November through March, when ambient temperatures maximise odour generation, when south-easterly winds are most consistently directed toward Woodbridge Island, and when residents make the greatest use of outdoor spaces. The BAR does not adequately analyse seasonal odour risk or the directional impact of prevailing winds on the Woodbridge Island residential precinct specifically.

A further and distinct odour risk arises from the proposed design itself that the BAR does not adequately address. The preferred alternative involves placing dredged material on either side of the channel to form intertidal sandbanks exposed to cycles of tidal wetting and drying. The BAR presents this as an environmental benefit, anticipating that UV light and oxygen exposure will assist in the decomposition of organic material. However, this benefit is entirely contingent on a sustained improvement in the quality of water flowing into the lagoon. So long as the upstream pollution sources remain unresolved, the newly created sandbanks will be continuously re-inundated with sewage-contaminated, nutrient-rich water at every tidal cycle. Rather than drying and decomposing cleanly, the exposed surface of these sandbanks is liable to accumulate successive



layers of fresh organic sludge derived from the polluted inflow. This creates conditions highly conducive to anaerobic decomposition and the production of hydrogen sulphide — potentially generating odour at a larger surface area and closer to the Woodbridge Island boundary than the current channel configuration.

The BAR itself acknowledges that the Milnerton Lagoon is a depositional zone in which fine-grained organic particulate matter from river flows and surface runoff continuously settles and accumulates. It further acknowledges that stormwater discharges from informal settlements in the upstream catchment are a recognised contributor to contamination loads in the system. The informal settlements of Joe Slovo and Dunoon, situated in the Diep River catchment, continue to generate uncontrolled stormwater and effluent runoff that enters the lagoon system. No timeline for the resolution of this diffuse pollution source is presented in the BAR, and it is not addressed in the City of Cape Town's listed infrastructure upgrade programme. Until the runoff contribution from informal settlements is adequately managed — a challenge that extends well beyond the horizon of any current remediation plan — freshly deposited organic sludge on the newly created sandbanks will remain an ongoing and foreseeable source of odour nuisance for Woodbridge Island residents, potentially exceeding the current baseline rather than improving it.

The Body Corporate therefore requests that the DEA&DP require the Applicant to assess and explicitly address, in the EMPr, the risk of sludge accumulation on the proposed intertidal sandbanks prior to any significant improvement in upstream water quality. This assessment should include monitoring protocols for sandbank surface conditions post-dredging, defined thresholds for odour generation attributable to sludge accumulation, and a contingency plan — including the potential removal or regrading of deposited material — should sandbank odour impacts exceed acceptable levels.

6. The Precondition for Dredging Must Be Made Legally Binding

As noted above, the BAR's EAP recommends that dredging commence only after measurable improvement in dissolved oxygen levels is demonstrated. This is a sound and scientifically justified precondition. However, it is currently framed as a recommendation and is not incorporated as a legally enforceable condition in the draft EMPr. The Body Corporate submits that it must be so incorporated. Without a binding trigger condition, the City of Cape Town as Applicant retains full discretion over the timing of commencement, with no accountability to affected parties.

If dredging proceeds before upstream pollution is demonstrably abating, the intervention risks disturbing toxic sediment into a water column with no capacity for recovery, generating the full suite of construction-phase impacts on Woodbridge Island residents, while delivering no meaningful long-term environmental benefit.

7. The 120,000 m³ Authorisation Scope Is Not Adequately Assessed

The BAR requests environmental authorisation for the movement of up to 120,000 m³ of material, explicitly to allow for future maintenance dredging operations beyond the initial 30,000 m³ phase. The impact assessments contained in the BAR, however, are based substantially on the initial 30,000 m³ dredge. Granting a four-fold authorisation on the basis of a single-phase assessment is, in the Body Corporate's submission, procedurally inappropriate. It effectively forecloses further meaningful public participation and competent authority scrutiny for subsequent maintenance operations, each of which could impose comparable or greater impacts on Woodbridge Island residents.

The Body Corporate requests that the initial authorisation be limited to the 30,000 m³ first phase, and that any subsequent maintenance dredging require a separate

application or review process, assessed against updated water quality data and subject to fresh public participation.

8. Avifaunal and Biodiversity Impacts Require More Rigorous Assessment

The Milnerton Lagoon and adjacent Rietvlei Wetland constitute a nationally and internationally significant habitat for waterbirds, including IUCN Red List species. The Body Corporate notes that the BAR acknowledges temporary avifaunal habitat disruption during dredging but does not adequately assess the cumulative impact of repeated mechanical intervention over the life of the 120,000 m³ authorisation. The ecological integrity of this habitat is closely linked to the amenity and character of Woodbridge Island as a residential environment, and its degradation would constitute a material harm to the interests of the Body Corporate's members.

9. The Dredging Configuration Will Permanently Degrade the Lagoon's Amenity Value and Civic Character

The BAR contains no assessment of the impact the proposed dredging configuration will have on the visual and amenity character of the lagoon. This is a material omission. In its present degraded state, the lagoon nonetheless retains one highly valued quality: a consistently wide, lake-like expanse of open water approximately 70–80 metres across, which serves as a calming scenic backdrop to the promenade and the residential properties on both banks. The preferred dredging alternative would replace this with a narrow 20-metre channel flanked by intertidal mud banks exposed for approximately 12 hours in every tidal cycle — a permanent and material alteration of the lagoon's public character. Urban design practice consistently recognises the restorative value of wide water bodies in urban settings, making it deeply counterproductive to replace this asset with tidal mud banks that would also trap litter and, under continued polluted inflows, generate additional odour. The lagoon is furthermore passed daily by thousands of commuters on the R27 and Milnerton Road and functions as a defining civic landmark. The EIA has treated it solely as a hydrological system, without any assessment of amenity, visual, or property value impacts on Woodbridge Island or the surrounding area. The Body Corporate requests that the DEA&DP require the Applicant to commission a specialist urban amenity and visual impact assessment for the post-dredging configuration, to be made available to interested and affected parties before any authorisation is granted.

10. Summary of Requested Conditions

The Body Corporate of Woodbridge Island does not request that environmental authorisation be refused outright. It requests that authorisation, if granted, be subject to the following binding conditions:

1. Independent verification, by a qualified and independent environmental monitoring authority, that the dissolved oxygen preconditions specified in the BAR (90th percentile dissolved oxygen in bottom waters above 1.0 mg/L and in mid- and surface waters above 2.0 mg/L, sustained over a three-month weekly monitoring period) have been met before any dredging commences.
2. Commissioning of a specialist public health risk assessment addressing the aerosolisation and dispersal of faecal pathogens (including *E. coli* and enterococci) during dredging, with binding mitigation measures incorporated into the EMPr before commencement.



3. Real-time bioaerosol monitoring at the Woodbridge Island boundary during all dredging operations, with defined action thresholds triggering immediate work suspension and notification of the Body Corporate.
4. A binding prohibition on dredging operations during the summer months of November to March inclusive.
5. Limitation of the initial authorisation to the 30,000 m³ first phase, with any subsequent maintenance dredging subject to a separate review process and renewed public participation.
6. Publication of real-time water quality and air quality monitoring data on a publicly accessible platform throughout the dredging period and the post-dredging monitoring phase.
7. Commissioning of a specialist urban amenity and visual impact assessment for the proposed post-dredging configuration, made available to interested and affected parties, including the Body Corporate, before any authorisation is granted.
8. Establishment of a formal Community Liaison Forum, including representation from the Body Corporate of Woodbridge Island, to oversee implementation and provide a mechanism for raising concerns during operations.

The Body Corporate of Woodbridge Island trusts that the DEA&DP will give full and proper consideration to the concerns raised in this submission and will ensure that any authorisation granted is subject to conditions that genuinely protect the health, safety, and amenity of the residents of Woodbridge Island and of the broader Milnerton community.

Signed on behalf of the Board of Trustees

Body Corporate of Woodbridge Island

Woodbridge Island, Milnerton, Cape Town



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



Trustees in concurrence:

- Trustee 1: Shirley Ross Ross Date: 28/4/26
- Trustee 2: S. KLOPPEN Date: 28/4/26
- Trustee 3: B PIENAR Date: 28/4/26
- Trustee 4: S'Clary Deur Date: 28/4/26
- Trustee 5: Pauline Blum Date: 28/4/26
- Trustee 6: CARENNE DE WET Date: 28/4/26
- Trustee 7: ALLEN PENIZ Date: 28/4/26
- Trustee 8: Rosemary Coetzee Date: 28/4/26

28/4/26

Signed on behalf of the Board of Trustees

Body Corporate of Woodbridge Island

Woodbridge Island, Milnerton, Cape Town