

SECTION 24(G) NEMA FOR RECTIFICATION APPLICATION FOR THE UNLAWFUL CLEARANCE OF VEGETATION AND PROPOSED GROUP HOUSING RESIDENTIAL DEVELOPMENT ON ERF 21086 AND THE REMAINDER OF ERF 21082, RUGBY, MILNERTON, WESTERN CAPE.

DEA&DP REFERENCE: 14/2/4/2/1/A1/18/0017/23

GNEC REFERENCE: 20886

Activity: Guillaume Nel Environmental Consultants (GNEC) were appointed by VDMV 52 (Pty.) Ltd. to conduct the Environmental Impact Assessment for the rectification process in terms of Section 24G of the National Environmental Management Act (NEMA), 1998 for the unlawful clearance of vegetation along with allegedly infilling within a wetland without obtaining environmental authorisation on Erf 21086, Rugby, Milnerton in January 2022. In addition, the proponent proposed the development of Erf 21086, comprising a new-build multi-unit residential development of 120 dwelling units across three storeys, to be constructed in two phases. Phase 1 comprises 93 units, consisting of 90 two-bedroom units (30 per floor) and 3 one-bedroom units (1 per floor). Phase 2 comprises 27 one-bedroom units, further divided into Phase 2A (12 units, 4 per floor) and Phase 2B (15 units, 5 per floor). The units comprise two types: 90 Type A units, being 2-bedroom units of 53.47 m² (including a 3.26 m² balcony/patio), classified H3 occupancy and limited to a maximum of 4 persons per unit; and 30 Type B units, being 1-bedroom units of 35.04–35.05 m² (including a 2.86 m² balcony/patio), also classified H3 occupancy and limited to a maximum of 2 persons per unit. The proposal also includes a new stormwater pond to be developed on the Remainder of Erf 21082. The proponent is now applying for *ex post facto* approval.

A Water Use License Application (WULA) will be made and submitted in terms of Section 21 (c) and (i), of the National Water Act, 1998 (Act No. 36 of 1998) for the water uses affected. Interested and Affected Parties are awarded 60 calendar days to provide their comments on the Water Use Authorisation (WULA) process. The commenting period will commence 30 September 2026 – 30 November 2026.

A Notification of Intent to Develop (NID) in terms of Section 38(1) of the National Heritage Resources Act (Act 25 of 1999) was submitted to Heritage Western Cape (HWC) and a positive ROD obtained.

Location: The site is located within the suburb of Milnerton in the City of Cape Town Municipal jurisdiction. The major roads in the area are the R27 to the west, the Main Road (M5) to the east and N1 to the south. The site is approximately 2 km North of N1 nestled between the residential areas of Rugby approximately 300m west of Ysterplaat Airbase. The site lies within an urban landscape with suburbs to the north, east and south.

Legislative Provision Contravened:

In terms of Section 24F of the NEMA, no activity listed in the Environmental Impact Assessment (“EIA”) Regulations Listing Notice 1 and 3 of 2014 as amended may commence without Environmental Authorisation from the competent authority. The activities described above required an Environmental Authorisation from the competent authority for the following listed activities in terms of the National Environmental Management Act, 1998 (“NEMA”) (Act No. 107 of 1998):

Government Notice No. R. 983 of 2014, as amended: Listing Notice 1 – Activities No. 19

Government Notice No. R. 985 of 2014, as amended: Listing Notice 3 – Activity No. 12

Opportunity to participate: Individuals interested and/or affected by the proposed activity are invited to register and comment between the **30th of September 2026 and the 3rd of November 2026** with **Guillaume Nel Environmental Consultants (GNEC)** as an **Interested and Affected Party (I&AP)**. I&AP’s should refer to the relevant GNEC reference number listed above in all correspondence, and must provide their details including Name, contact details, preferred method of correspondence and an indication of any direct business, financial, personal or other interest which they have in the application to the contact person indicated below by the latest **Tuesday 3 November 2026**. A copy of the document will also be available on GNEC’s website at: www.gnec.co.za. Additionally, a hard copy or We Transfer link of the document can be made available on request. For more information contact: **Mrs. Willene Cordier**, Guillaume Nel Environmental Consultants, PO Box 2632, Paarl, 7620, (Tel): **021 870 1874** E-mail: willene@gnec.co.za