

APPENDIX A: DECLARATION OF THE PONTOON AS A PUBLIC ROAD

PROCLAMATION**PROVINCE OF WESTERN CAPE****ROADS ORDINANCE, 1976 (ORDINANCE 19 OF 1976)**

NO. 22/2005

**OVERBERG AND EDEN DISTRICT MUNICIPALITIES:
DECLARATION OF A PORTION OF PUBLIC ROAD, "DIE PONT" (MALAGAS)**

Under sections 3 and 4 of the Roads Ordinance, 1976 (Ordinance 19 of 1976), and section 7 of the Advertising on Roads and Ribbon Development Act, 1940 (Act 21 of 1940), I hereby —

1. declare that the relevant portion of road (known as "Die Pont") as described in the Schedule and situated within the Overberg and Eden District Municipality areas, shall be a public road and that the location and route thereof shall be as indicated by means of a broken green line marked A-B on Plan RL 40/44, which is filed in the offices of the Executive Manager: Roads Infrastructure, 9 Dorp Street, Cape Town and the Municipal Managers, Overberg District Municipality, 26 Long Street, Bredasdorp and Eden District Municipality, 54 York Street, George, and I classify such portion of public road as a divisional road, and
2. proclaim the road portion described in the Schedule to be a building restriction road for the purposes of said Act 21 of 1940.

Dated at Cape Town this 22nd day of November 2005.

M L FRANSMAN, MINISTER OF TRANSPORT AND PUBLIC WORKS

Schedule

From Divisional Road 1263 at the eastern boundary of the property 422 Malagas within the Overberg District Municipality area to the said Divisional Road 1263 at the south-western boundary of the property 458/2 within the Eden District Municipality area: a distance of about 135 m.

PROKLAMASIE**PROVINSIE WES-KAAP****ORDONNANSIE OP PAAIE, 1976 (ORDONNANSIE 19 VAN 1976)**

NO. 22/2005

**OVERBERG- EN EDEN DISTRIKSMUNISIPALITEITE:
VERKLARING VAN 'N GEDEELTE VAN OPENBARE PAD, "DIE PONT" (MALAGAS)**

Kragtens artikels 3 en 4 van die Ordonnansie op Paaie, 1976 (Ordonnansie 19 van 1976), en artikel 7 van die Wet op Advertensies, Langs en Toebou van Paaie, 1940 (Wet 21 van 1940) —

1. verklaar ek hierby dat die betrokke gedeelte pad (bekend as "Die Pont") soos in die Bylae beskrywe en binne die gebiede van die Overberg en Eden Distriksmunisipaliteite geleë, 'n openbare pad is en dat die ligging en roete daarvan is soos aangedui deur middel van 'n gebroke groen lyn gemerk A-B op plan RL 40/44, wat gefiasseer is in die kantore van die Uitvoerende Bestuurder: Padinfrastruktuur, Dorpsstraat 9, Kaapstad en die Munisipale Bestuurders, Overberg Distriksmunisipaliteit, Langstraat 26, Bredasdorp en Eden Distriksmunisipaliteit, Yorkstraat 54, George, en deel ek hierby sodanige gedeelte pad in as 'n afdelingspad, en
2. proklameer ek hierby die betrokke pad gedeelte in die Bylae beskrywe tot 'n boubeperkingspad vir die doeleindes van genoemde Wet 21 van 1940.

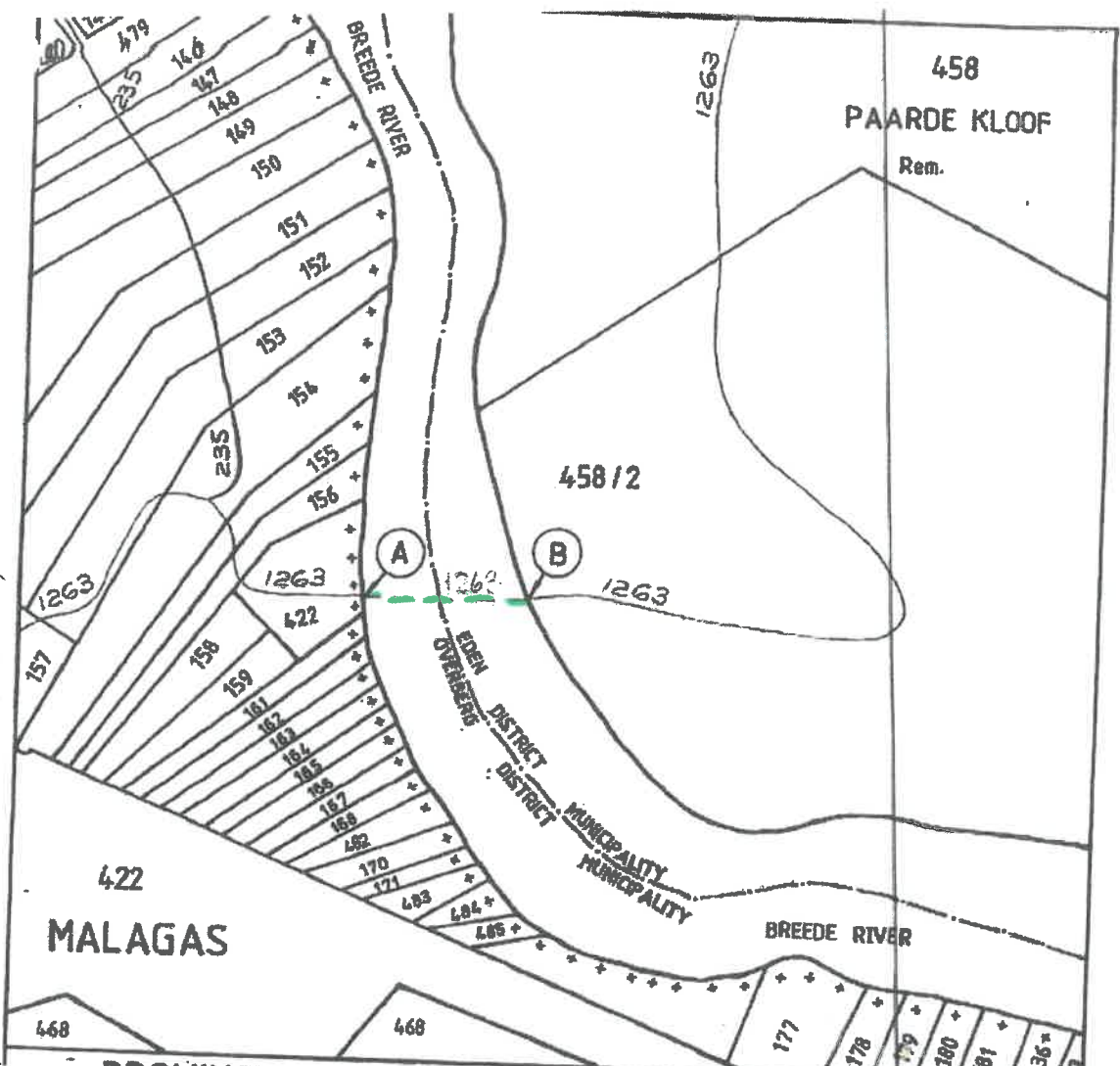
Gedateer te Kaapstad op hede die 22ste dag van November 2005.

M L FRANSMAN, MINISTER VAN VERVOER EN OPENBARE WERKE

Bylae

Vanaf Afdelingspad 1263, by die oostelike grens van die eiendom 422 Malagas binne die gebied van die Overberg Distriksmunisipaliteit tot by die genoemde Afdelingspad 1263 by die suidwestelike grens van die eiendom 458/2 binne die gebied van die Eden Distriksmunisipaliteit: 'n afstand van ongeveer 135 m.

APPENDIX B: LOCATION OF PONTOON ON PLAN RL. 40/44

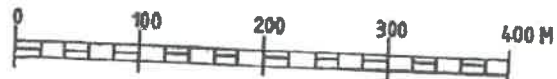


PROVINCIAL ADMINISTRATION : WESTERN CAPE
 DEPARTMENT OF ECONOMIC AFFAIRS, AGRICULTURE AND TOURISM
 PROVINSIALE ADMINISTRASIE : WES-KAAP
 DEPARTEMENT VAN EKONOMIESE SAKE, LANDBOU EN TOERISME

DISTRICT MUNICIPALITY :
 DISTRIKSMUNISIPALITEIT : OVERBERG/EDEN



DRAWN :
 GETEKEN : E.L. YOUNG
 CHECKED :
 NAGESIEN : *[Signature]*
 DATE :
 DATUM : 18/08/2004



SCALE : 1:5 000 : SKAAL

FILE NO. : R/P/R10/3/9
 LEER NO. :
 AJ - 4AAD
 RL 40/44

APPENDIX C: SAMSA CORRESPONDENCE

Adri La Meyer

From: Richard Hutton
Sent: Monday, July 6, 2020 8:07
To: Adri La Meyer
Subject: FW: Flooding of the Malgas Pontoon
Attachments: CAS-701-01-05 Small Vessel Marine Incident Report Form.pdf

Hi Adri,
Please see attached letter from SAMSA to me from Mr Peni.
I hope to get around to the SAHRA report you sent to me to-day.
Sorry for the delay.

Regards

Richard Hutton B.Sc (Civil Engineering), MBA, Pr. Eng
Acting Chief Director: Roads Departmental Operations
Specialist Engineer
Department of Transport and Public Works
Roads Branch
WESTERN CAPE GOVERNMENT

2nd Floor, Room 211, 9 Dorp Street, Cape Town 8001

Tel : +27 21 4835237
Cell: +27 836415091
Home: +27 21 7942591
Fax: +27 21 483236
Email: Richard.Hutton@westerncape.gov.za
Website: www.westerncape.gov.za

From: Vuyani Peni [mailto:vpeni@samsa.org.za]
Sent: Friday, May 15, 2020 3:12 PM
To: Richard Hutton
Cc: mvaneeden@odm.org.za; rolivier@odm.org.za; Handre Strydom; Paul Vieira; Babalwa Sibozo; Thembisile Gela
Subject: Flooding of the Malgas Pontoon

Good afternoon Sir

I trust that you are well.

Sir there is a situation that I need your assistance with. A couple of days ago a member of the public called this office and advised us of the flooding of the Malgas Pontoon. Yesterday I went there to carry out an investigation and confirmed that indeed this is the case. In terms of the legislation it is a legal or mandatory that such incident be reported. I am not 100% sure who is the ideal person to address this with and hence I sent this mail to yourself.

Though the requirement is that the incident be reported in 48 hours, this case I will assume that whoever was supposed to have done this may not be aware. Attached is the casualty incident report and I hope you can help and direct me to

the responsible person. Kindly note that the Pontoon in its present condition is no longer seaworthy and operating it is deemed illegal. The main deck is badly corroded and should be repaired accordingly. Seeing the main deck as it is I am interested in knowing whether thickness measurements of the pontoon have been carried out recently or when they were last carried out. Legally this should be done on a 6 year interval.

Thanking you in advance of your assistance.

Kind Regards,

Mr Vuyani Peni

Principal Officer (Mossel Bay)

South African Maritime Safety Authority [SAMSA]

Office: +27 44 690 4201 | Fax: +27 33 690 1206

www.samsa.org.za | E-Mail- vpenni@samsa.org.za | Plaza Aquada Building | Marsh Street | Mossel Bay 6500



REPUBLIC OF SOUTH AFRICA
Member of the International Maritime Organisation
SOUTH AFRICAN MARITIME SAFETY AUTHORITY



Section 259 of the Merchant Shipping Act, 1951 (Act No. 57 of 1951)

This report is required in terms of Section 259 of the Merchant Shipping Act 57 of 1951 as amended, and is a statutory requirement for all vessels.

This Form is applicable only to vessels which falls under the Merchant Shipping (National Small Vessel Safety) Regulations 2007 and is used for the reporting of Marine Incidents.

Note that this applies equally to commercial and pleasure vessels and includes all vessels operating on declared inland waters.

SAMSA requests any vessel:-

- a) which has been lost, abandoned or stranded: or
- b) which has been seriously damaged or has caused serious damage to any vessel; or
- c) on which any casualty resulting in loss of life or serious injury to any person or an accident has occurred; or
- d) which has been in a position of great peril either from the action of some other ship or for any other reason

to use this form for reporting the circumstances **within 24 hours** to the nearest SAMSA office." (Contact details on last page)

Definitions:

"*accident*" includes fire, explosion, losing a person overboard, failure of fire-fighting or life-saving equipment to operate

"*serious injury*" includes a fracture of the skull, spine or pelvis, or any other bone except in the wrist, hand, ankle or foot or a single rib; the loss of sight of an eye; an amputation; hospitalization arising from an incident for more than **24 consecutive hours**.
(Additional form for each vessel involved).

1.0 DETAILS OF VESSEL (COMPLETE AN ADDITIONAL FORM FOR EACH VESSEL INVOLVED)		
1.1	Name of vessel	
1.2	Port of Registry	
1.3	Category	
1.4	Approved marking/ official number	
1.5	Number of persons permitted	
1.6	Length of vessel	
1.7	Colour of hull	
1.8	Colour of deck	
1.9	Make/ model of vessel	
1.10	Make & power of engine(s)	
1.11	Year of manufacture	
1.12	LGSC/ CoF Number	
1.13	Date of issue of LGSC/ CoF	

Rev No - Effective Date	Title	Reference
Ver 2.0 - 2018	Small Vessel Marine Incident Report Form	CAS-701-01-05

2.0 DETAILS OF OWNER / SKIPPER / PASSENGERS AND CREW		
2.1	Name of owner	
2.2	Address of owner	
2.3	ID number of owner	
2.4	Telephone number of owner	
2.5	Name of skipper	
2.6	Address of skipper	
2.7	ID number of skipper	
2.8	Telephone number of skipper	
2.9	Skipper's Certificate of Competence Number & date of issue	
2.10	Names of all people aboard:	

3.0 DETAILS OF INCIDENT		
3.1	Date and Time of the Incident	Date Time
3.2	Location of event	
3.3	Type of event	
3.4	Departed from	
3.5	Destination	
3.6	Purpose of trip	
3.7	Name of injured person(s):	Detail all injuries incurred:
3.8	Detailed statement of facts including times	

4.0 ADDITIONAL DOCUMENTATION

Attach any documentation issued with respect to the incident: (including relevant items not on this list)

- Medical Reports
 Police Statements
 Photographs
 Audio Recordings
 Sworn Statements
 Copies of any Reports to SAPS
 Other

This report is dated this day _____ of _____ and signed

Skipper _____

Owner _____

SAMSA Office:

CAPE TOWN

SALDANAH BAY

MOSSEL BAY

PORT ELIZABETH

EAST LONDON

DURBAN

RICHARDS BAY

PRETORIA

TEL.

(021) 4216170

(022) 7141612

(044) 6904201

(041) 5850051

(043) 7224120

(031) 3071501

(035) 7880082

(012) 3662600

FAX

(021) 4190730

(022) 7143635

(044) 6911206

(041) 5821213

(043) 7222264

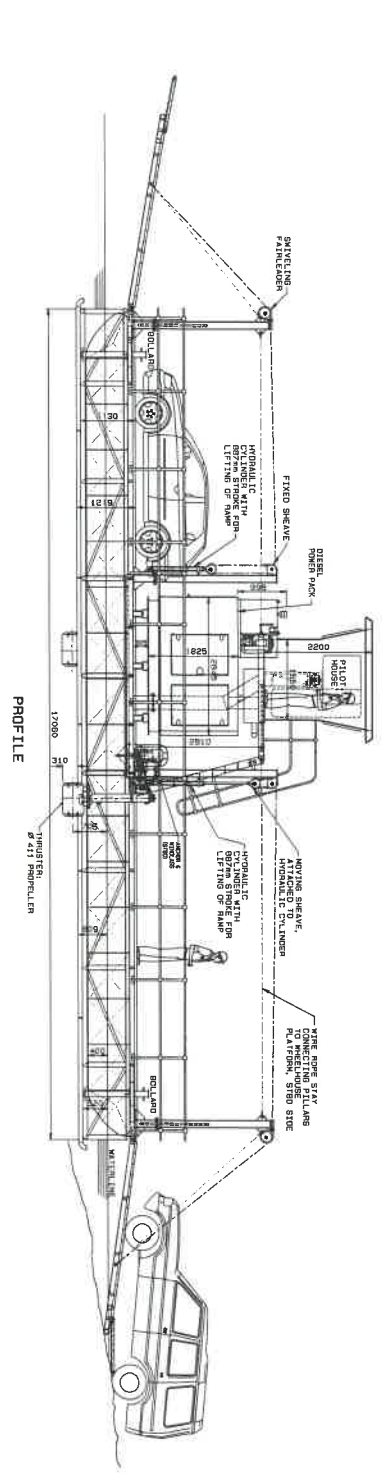
(031) 3064983

(035) 7880067

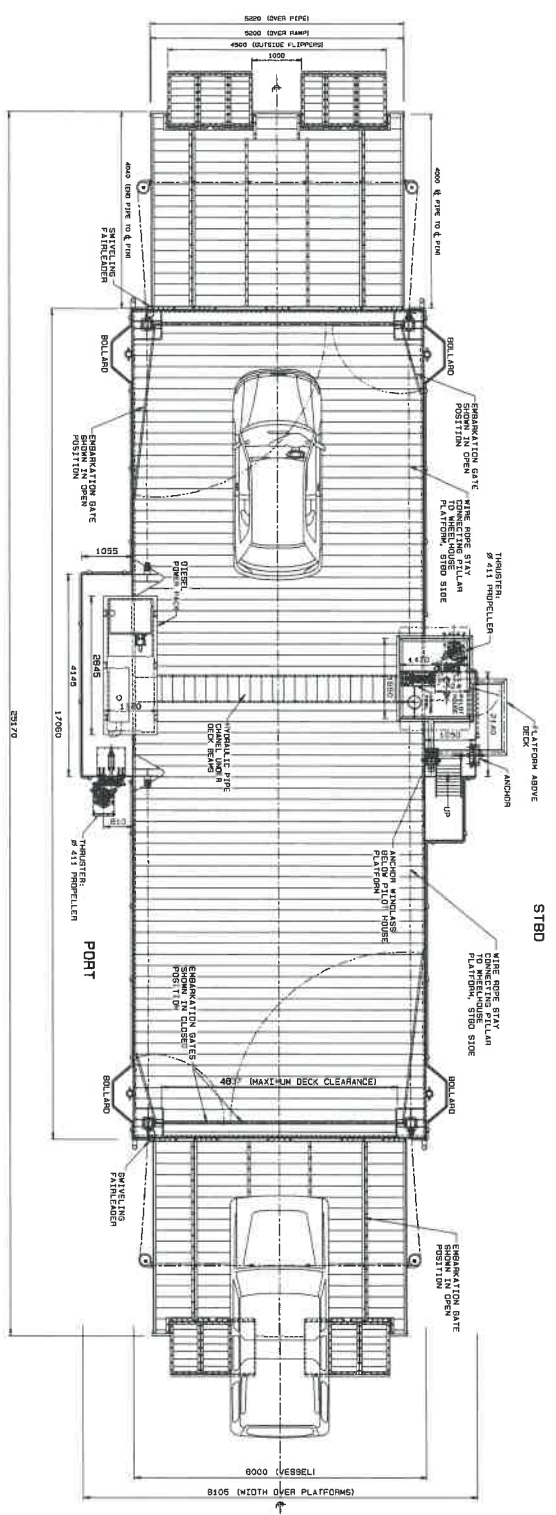
(012) 3662601

Rev No - Effective Date	Title	Reference
Ver 2.0 - 2018	Small Vessel Marine Incident Report Form	CAS-701-01-05

APPENDIX D: DRAWING OF THE NEW PONTOON



PROFILE



PLAN VIEW

Triton
General Architecture
23 Jan 2020
ISSUED

D	20/01/2020	DATE WORKING AND DELIVERED, INCLUDES RELEVANT WORK	MDH
C	09/06/2018	FINAL DIMENSIONS COMPLETED FOR VESSEL AS NOTED IN THIS DRAWING FROM SHOWN TO SHIP AND SHIP	MDH
B	11/07/2018	FORCES, HYDRAULIC CYLINDERS, ANCHOR & ANCHOR WINDLASS CRYSTAL	MDH
A	06/11/2018	PIPE RAILS ADDED AT BOTTOM	MDH
O	09/10/2018	BASE LINE DRAWING ISSUED.	MDH
		DESCRIPTION	INT
REV	DATE		

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TRITON NAVAL ARCHITECTS
115, WALKER DRIVE, CAPE TOWN, 8001, SOUTH AFRICA

Triton
Naval Architects

NEW MAIGAS FERRY –
GENERAL ARRANGEMENT

SCALE: 1:50 ON A1

DRAWN: MDH

CHECKED: MDH

APPROVED:

Triton Naval Architects
CAPE TOWN

DATE: DEC 2018

DWG NO: TNA 3257

NO: /02

APPENDIX E: EXPRESSIONS OF INTEREST

Good day Me Calitz and Mr Porter,

I hereby acknowledge receipt of your request.

I will forward it to the appropriate decisionmakers and keep you informed.

Best regards

Reivilo Olivier
Roads Division
Overberg District Municipality
Bredasdorp
Tel: 028 0500 911
Email: rolivier@odm.org.za
Fax: 028 245 3960
Cell: 082 552 1522

From: erikabitzker <erikabitzker@gmail.com>
Sent: Tuesday, 04 June 2019 10:57
To: Reivilo Olivier <rolivier@odm.org.za>
Subject: Decommissioning of The Old Pont, Malgas

Dear Mr Olivier

Thank you for giving us the opportunity to communicate with you regarding the decommission of the old pont at Malgas.

As you may know, we own the property on the Heidelberg side of the pont. We believe that a new pont will be positioned here in the near future and are excited about this development for both residents and visitors to our area.

Mr Brian Porter and his family have been property owners at and around the pont since 1959. We are keen advocates of heritage and conservation and would like to open exploratory discussions with the necessary authorities to establish whether the opportunity exists to keep the old pont at the site of the new pont.

Our proposal would have the old pont preserved and positioned on Mr Porter's land, making it possible for future visitors and heritage enthusiasts to still appreciate it for the valuable work it has done over the decades.

We would greatly appreciate the opportunity to meet with the decision makers involved in the decommissioning of the old pont and hope that you would be able to point us in the right direction.

Many thanks
Sincerely
Brian Porter and
Erika Calitz

Sent from my Samsung Galaxy smartphone.

From: Mannie van Eeden
Sent: Tuesday, 04 June 2019 13:42
To: 'erikabitzker@gmail.com' <erikabitzker@gmail.com>
Cc: Reivilo Olivier <rolivier@odm.org.za>
Subject: RE: Decommissioning of The Old Pont, Malgas

Good day Mr. Porter

A decision with wrt the old pont has not been made by the official owner which is the Provincial Department of Transport and Public Works.

Your proposal is however noted and will be forwarded to them.

We will keep you updated.

Regards

Mannie van Eeden
Head: Roads Division
Overberg District Municipality
Bredasdorp
Tel: 028 425 1157 (Ext. 257)
Email: mvaneeden@odm.org.za
Fax2Email: 086 573 2880
Cell: 083 273 8244

From: Reivilo Olivier
Sent: Tuesday, 04 June 2019 11:23
To: Mannie van Eeden <mvaneeden@odm.org.za>
Subject: FW: Decommissioning of The Old Pont, Malgas

Mannie,

Via Burgemeester Franken was daar ook vorige telefoniese navrae oor wat van die "ou pont" gaan word en hoe dit vir die nageslag bewaar kan word.

Die skriftelike versoek hier onder is 'n moontlike oplossing?

So 'n proses sal deur PAWK goedgekeur moet word, moet ons dit via Mnr Strydom kanaliseer?

Reivilo Olivier
Roads Division
Overberg District Municipality
Bredasdorp
Tel: 028 0500 911
Email: rolivier@odm.org.za
Fax: 028 245 3960
Cell: 082 552 1522

From: Reivilo Olivier
Sent: Tuesday, 04 June 2019 11:17
To: 'erikabitzker' <erikabitzker@gmail.com>
Subject: RE: Decommissioning of The Old Pont, Malgas

From: Mannie van Eeden [<mailto:mvaneeden@odm.org.za>]
Sent: Tuesday, July 09, 2019 12:18 PM
To: stonehillrl
Cc: Richard Hutton
Subject: RE: Malagas Pont

Natasha
We will keep you updated wrt the decommissioning of the old Pont.
Regards
Mannie.

Mannie van Eeden
Head: Roads Division
Overberg District Municipality
Bredasdorp
Tel: 028 425 1157 (Ext. 257)
Email: mvaneeden@odm.org.za
Fax2Email: 086 573 2880
Cell: 083 273 8244

From: stonehillrl <stonehillrl@dreamresorts.co.za>
Sent: Tuesday, 09 July 2019 12:11
To: Mannie van Eeden <mvaneeden@odm.org.za>
Subject: Malagas Pont

Good morning Mr. Manie Van Eeden

Please will you be so kind to let us know if there are any updates on the Pont, our office cell is 079 511 0390 if there is anything we need to advise.

We would love to have the Pont as it is such a special piece of history for the area and many of us at Stonehill also grew up in this area and have beautiful memories of the Malagas Pont. We have accommodation at Stonehill for up to 76 people at a time and also allow day visitors from the Swellendam area, so it would definitely be seen and appreciated by a lot of feet. We do feel the right place for the Pont would be at the museum in Swellendam or maybe somehow still in Malagas close to the river, because "that is where it is supposed to be", but if that is not an option and they do not want it, we would truly love to have it. Logistically we would have difficulty to put the Pont in the river in our property, but if we cannot we would prepare a special area for the Pont to stand on, on our property and have a "information" board made with the details of the history of the Pont for the visitors to read and could possibly include it in our education nature walks on the farm.

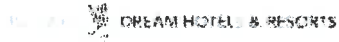
Our main concern is that we need to know (if we are still an option to receive the pont) when we will have to be ready to receive it so that we can plan and prepare the area we would like to deliver it to (We are considering having a wood deck built for it to stand on which could take some time if that is the way we are wanting to go) and the other thing is, would it be delivered to Stonehill with a Lowbed and how is it taken off the lowbed with a crane? We have no idea and are concerned of getting it through our gate, so maybe we could drop the fence next to the gate for it to be able to pass; however nothing confirmed yet though.

So please will you be so kind, once the owner has decided and if we are the lucky ones, to give us a call with some details so that we can logistically plan to get ourselves ready or if the owner decides to do something else with the pont, please also let us know 😊

Thank you greatly in taking the time to read our email !!

Kind Regards

Natasha Beyers
Reception & Duty Manager



T: +27 (0) 28 007 0076

F: +27 (0) 866 258 794

C: +27 (0) 79 511 0390

dutymanager.sh@dreamresorts.co.za

stonehillrl@dreamresorts.co.za

Portion 12 of Bakkelysdrift, Farm No. 267

Swellendam, Western Cape

www.dreamresorts.co.za



This communication is subject to the following [disclaimer](#)