

REPORT ON THE DECOMMISSIONING OF THE MALGAS PONTOON



SEPTEMBER 2020

DEPARTMENT OF TRANSPORT AND PUBLIC WORKS



**Western Cape
Government**

BETTER TOGETHER.

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1. Background to the Malgas pontoon

The Malgas pontoon is owned by the Provincial Department of Transport and Public Works ("DT&PW") and operated by Overberg District Municipality. The Malgas pontoon is essentially a large floating barge onto which people, animals, goods, equipment and vehicles are hand-drawn across the Breede River Estuary. The Breede River Estuary covers approximately the lower 52km of the Breede River, i.e. from the tidal influence 10km upstream of Malgas, to the mouth further south at Witsand. The pontoon operates with a standing cable ("pulley system") and can simultaneously transport three vehicles or a maximum weight of 10 ton.

The dimensions of the pontoon are:

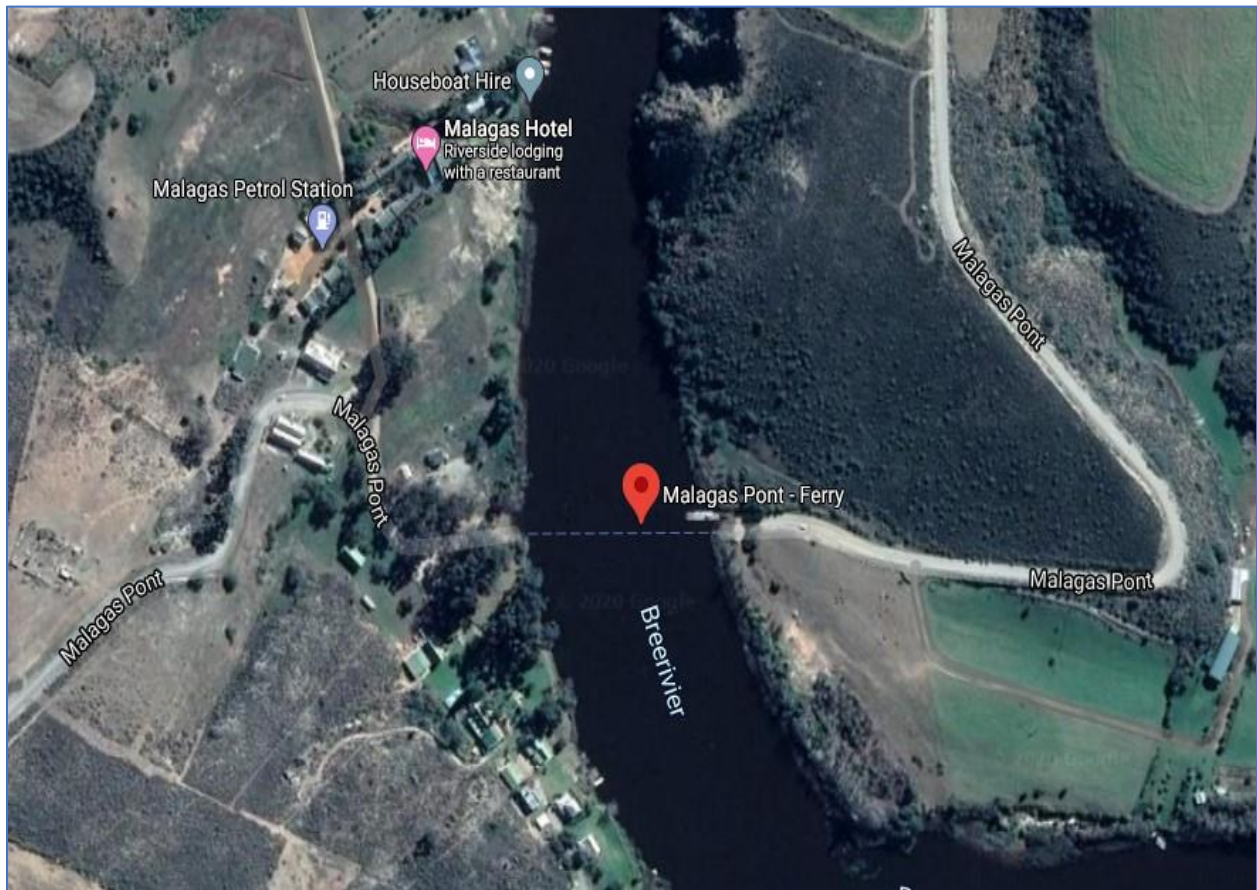
- length = 16.5m;
- width = 4.9m; and
- depth = 1.06m.



Photo 1: Malgas pontoon carting vehicles and people across the Breede River Estuary

The Malgas pontoon was declared as a portion of a public road known as “Die Pont” on 2 December 2005. The proclamation of a portion of Divisional Road (“DR”) 1263 in terms of sections 3 and 4 of the Provincial Roads Ordinance, 1976 (Ordinance 19 of 1976), was gazetted in the Provincial Gazette 22/2005 of (attached hereto as Appendix A).

The location of Die Pont is from DR 1263 at the eastern boundary of Erf 422, Malgas; to DR 1263 on Portion 2 of the Farm 458, Hessequa Municipality. The location of the Malgas pontoon is indicated as a broken green line marked A-B on Plan RL. 40/44 (attached hereto as Appendix B).



Map 1: Google Map indicating approximate location of the Malgas pontoon across Breede River Estuary

2. History of the Malgas Pontoon

The first pontoon (date unknown) was made of wood and sank in the Breede River. Reference to a pontoon is found in José Burman's *Waters of the Western Cape* (1970) – *“Barry (referring to Joseph Barry that built a 156 ton boat called “Kadie” in 1858) set about making a river port of Malagas. Apart from the Barry warehouses and woolstore there was an hotel and a bottle store. A pont carried traffic across the river and on 7 December 1861 a Dutch Reformed church was consecrated in which Dr Robertson preached”* (sic). The second pontoon was made of steel and washed away during a flood in 1906. Several houses washed away during the flood. During the process to reclaim the washed-away pontoon, it was rendered irreparable as the jacks used to salvage the pontoon, forced holes into the pontoon. It was then decided to build a new pontoon. Construction of the current pontoon with steel plates and rivets commenced circa 1908 and the pontoon was launched in 1914. It was initially painted red and colloquially called the “Rooipont”, or translated the “Red Pontoon”.

The launch of the “Red Pontoon” was a big occasion and waggons and horse carts filled the banks of the Breede River. To check whether the pontoon would float and not sink, one of the residents of Malgas, a certain Marthinus Fouché, volunteered to venture on the pontoon with his cattle wagon. No-one else dared to potentially suffer the loss of life or property by crossing the river with a steel pontoon. The bottom of the pontoon had to be replaced several times. In 1984, a new deck and railings were added to the pontoon. The. A less known fact is the fatal accident of 8 January 1980 when Mr Thys de Beer steered into the pontoon cable with his powerboat.

3. Motivation for decommissioning Pontoon #3

Several reasons for the decommissioning of the pontoon exist, as indicated below:

- The existing pontoon (Pontoon #3) is over 105 years old and has been extensively damaged by corrosion below the water surface, effectively rendering the pontoon uneconomically viable to maintain in a safe condition. It is more cost effective to replace the pontoon with a new one that would meet the requirements of the South African Maritime Safety Authority ("SAMSA").
- The carrying capacity of 10 ton is too small to transport departmental graders and agricultural equipment across the Breede River. This means that graders, large road equipment and agricultural equipment/implements cannot be transported via the pontoon and must travel approximately 90km on a gravel road to get from the south-western side to the north-eastern side of Breede River, and *visa versa*.
- The guide cable across the river is too dangerous and has resulted in several powerboat accidents.
- The unsafe nature has been independently confirmed by the SAMSA, whom in an e-mail dated 15 May 2020, confirmed 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."* (Correspondence attached hereto as Appendix C.)

Whilst a nominal fee is currently charged to ferry people and vehicles across the river, no fee will be charged once the motorised pontoon is operational. The operation of a new mechanised pontoon will meet the requirement to safely transport people, animals, goods, vehicles and large equipment, the latter which will greatly assist in road maintenance in the area.

The launching of the new pontoon (Pontoon #4) is dependent on several factors, including obtaining a skipper's licence from SAMSA (which include passing a basic written exam and a basic practical exam), training of pontoon personnel, fitting of pre-manufactured modifications, relocation of the wheelhouse¹ and testing of all hydraulic installations prior to launching.

¹ The control room from where the operator will be controlling the Pontoon, thrusters and engines are stopped or started and for lifting and lowering the ramps.

4. Design of Pontoon #4

Pontoon boats can be used for either commercial operations, or solely for sport or recreation. When more than 12 passengers are carried on the boat, it is a passenger vessel and must be licensed and surveyed as a passenger vessel. Skippers must also be certificated by SAMSA. To meet the relevant safety requirements, the design of the pontoon replacement must be of approved steel plates for hulls to limit rust and corrosion. The carrying capacity must be increased to 20 ton, it must be self-driven and manoeuvrable. A drawing of the new pontoon is attached as Appendix D.

5. Future of decommissioned pontoon

On 27 March 2020, due to the National COVID-19 lockdown, the Pontoon had to be removed from the Breede River as the operators had to leave the site of the pontoon. The Pontoon was removed from the Breede River and placed about 4 to 5m above the normal level of the river to ensure its safety in case of floods or high tides (see Photo 2: location of removed Pontoon).



Photo 2: Pontoon on Breede River bank

The Pontoon could not be left for access by the public and consequential potential accidents and drownings. The team undertaking this removal could not quite get the pontoon to the height required as movement up the bank was causing damage to the bottom of the hull. Due to the new pontoon having to be tested and operators trained on the new pontoon in the river, in more or less the same vicinity, the existing pontoon has been moved slightly more down-stream of the road crossing. However, due care will also be taken to ensure that as little damage will be done to the bottom of the hull as possible when moving the Pontoon as the hull and the steel plates are in a very poor

condition (deep rust which has reduced the thickness of the pontoon plates). Thus, the present location slightly downstream will be a temporary placement until comment is obtained from the South African Heritage Resources Agency ("SAHRA") on the fate of the pontoon. Any further relocation up the bank will be a risk to damaging the hull further.

It must be further added that SAMSA had inspected the pontoon during the Covid-19 Lockdown on 14 May 2020 after a member of the public had notified them, that the pontoon was "flooded". The pontoon was kept afloat by continuous pumping of the water entering the hull due the numerous leaks and minute holes in the hull. When COVID-19 Lockdown was introduced, the pumps were stopped as part of the evacuation/closure of the site. The hull had consequently filled up with water but fortunately did not sink due its height on the river bank. SAMSA has subsequently condemned the pontoon for any operations in its present state.

Discussions were held with SAHRA and the provincial heritage resources authority, Heritage Western Cape ("HWC") regarding the applicability of the National Heritage Resources Act, 1995 (Act No. 25 of 1999) ("NHRA") to the proposed decommissioning of the pontoon. HWC indicated that they only have jurisdiction for heritage matters on land and above the 10m highwater mark. There is still uncertainty whether the pontoon is a "structure²" in terms of the NHRA, 1999 and whether an application in terms of section 34(1)³ of the NHRA must be submitted to SAHRA. Confirmation from SAHRA regarding this matter is still awaited. This motivation support is submitted in terms of section 9 of the NHRA, where after the SAHRA will provide comments on the proposed action.⁴

The DT&PW has received proposals from interested parties (see Appendix E) who have expressed interest in having the pontoon donated for heritage conservation purposes on private property. The DT&PW is aware that the pontoon has heritage significance and that the legacy of the pontoon should be maintained as opposed to the pontoon being disposed of as scrap or waste. The DT&PW is willing to engage with the parties that have expressed interest in having the pontoon donated. Further instruction is however awaited from SAHRA on the future of the decommissioned pontoon.

² "structure" means any building, works, device or other facility made by people and which is fixed to land, and includes any fixtures, fittings and equipment associated therewith;

³ No person may alter or demolish any structure or part of a structure which is older than 60 years without a permit issued by the relevant provincial heritage resources authority.

⁴ An action for the purpose of this section shall be deemed to include the making of a recommendation which, if adopted, would affect a heritage resource, the making of a decision, the approval of a programme, the issue of a licence or the granting of a permission.