

Our Ref: Q4373
Date: 7 October 2025

Garden Walk Consortium
Att.: Mr. Niël Terblanche
PO Box 72689
LYNWOOD RIDGE 0040

Dear Mr. Stassen,

MEMORANDUM ON THE PLANNING PROCESS FOR THE GARDEN WALK SHOPPING CENTRE: REM. FARM NO. 217/58 AND REM. FARM NO. 219, MOSSEL BAY

Your request for a memorandum on the planning process involving the Rem. Portion 58 of the Farm Hartenbosch No. 217, Mossel Bay and the Rem. Farm Vaalevalley No. 219, Mossel Bay refers.

1 INTRODUCTION

The Garden Walk Shopping Centre is currently being constructed on the Remainder of Portion 58 of the Farm Hartenbosch No. 217, Mossel Bay. The development follows a range of approvals obtained for the development of the shopping centre since 2010.

The Garden Walk Consortium, comprising Luvon Investments (Pty) Ltd., Litapro (Pty) Ltd. & Organic Coral Investments 4 (Pty) Ltd., are the combined owners of the Remainder of Portion 58 of the Farm Hartenbosch No. 217, Mossel Bay (hereinafter referred to as the Garden Walk property). The Consortium has since come to an agreement with Vaale Vallei Eiendom (Pty) Ltd., owners of the neighbouring Rem. Farm Vaalevalley No. 219, Mossel Bay (hereinafter referred to as the Vaalevalley property), to acquire a portion of the latter property. This portion is to be subdivided and consolidated with the Garden Walk property to ease movements of delivery vehicles along the eastern portion of the shopping centre.

To this end, this office has been appointed by the relevant property owners to apply to the Department of Agriculture, Land Reform and Rural Development, and the Mossel Bay Municipality, for the required approvals which would enable said acquisition.



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2 PROPERTY DETAILS

The property details, as per the applicable title deeds and municipal records, are summarised in the table below:

Table 1: Property Details.

PROPERTY DESCRIPTION	SIZE	TITLE DEED	ZONING	OWNER
Rem. Portion 58 of the Farm Hartenbosch No. 217, Mossel Bay	6.6912ha	T54537/2024	Business Zone I	Luvon Investments (Pty) Ltd. Litapro (Pty) Ltd. & Organic Coral Investments 4 (Pty) Ltd.
Rem. Farm Vaalevalley No. 219, Mossel Bay	365.1684ha	T15744/2023	Agricultural Zone I	Vaale Vallei Eiendomme (Pty) Ltd.

According to the applicable title deeds there are no restrictive conditions that would prevent the proposed subdivision or eventual rezoning and consolidation of the Vallevally property with the Garden Walk property.



Figure 1: Detailed site context of the properties in relation to its surroundings.

2 APPLICATION DETAILS

Having regard to the project description, it is evident that two distinct applications would have to be submitted – to the Department of Agriculture, Land Reform and Rural Development (DALRRD), in terms of the Subdivision of Agricultural Land Act, No. 70 of 1970; and to the Mossel Bay Municipality in terms of the Mossel Bay Municipality By-Law on Municipal Land Use Planning, 2021.

2.1 SUBDIVISION OF AGRICULTURAL LAND

Whilst the Rem. Farm No. 217/58, Mossel Bay is not subject to the provisions of the Subdivision of Agricultural Land Act, No. 70 of 1970 (SALA) owing to its designation as *urban development* in the Mossel Bay/Riversdale Subregion Guide Plan, the Rem. Farm No. 219, Mossel Bay is situated outside the former municipal area of Mossel Bay. As such, the property is subject to the provisions of the SALA.

An application will therefore have to be submitted to the DALRRD, in terms of the Subdivision of Agricultural Land Act 70 of 1970, for the subdivision of Rem. Farm No. 219, Mossel Bay. The proposed subdivision is illustrated on the plans attached herewith.

The application to the DALRRD must also be preceded with an application to the Western Cape Department of Agriculture (WC:DoA). Whilst the Department is a commenting authority in terms of SALA, the comment of the Provincial agricultural department is critical for the DALRRD in the assessment of the SALA application.

The application to the WC: DoA was submitted on 3 October 2025 via email. The decision by the Provincial Department is currently awaited.

2.2 LAND USE PLANNING APPLICATION

Section 15 of the Mossel Bay Municipality By-Law on Municipal Land Use Planning, 2021 lists the types of applications which a person may apply for in terms of the By-Law.

Having regard for the project description, the land use planning application will comprise the following:

- a) In terms of Section 15(2)(d) of the Mossel Bay By-Law on Municipal Land Use Planning, 2021 (hereinafter referred to as the By-Law), for the **subdivision** of Rem. Farm No. 219, Mossel Bay into two portions, namely:
 - Portion A (2833m²); and
 - Remainder (364.8851ha).
- b) In terms of Section 15(2)(e) of the By-Law, the **consolidation** of Portion A with the Rem. Farm No. 217/58, Mossel Bay to create a consolidated property of approximately 6.9745ha.

In accordance with the provisions of the Mossel Bay Municipality By-Law on Municipal Land Use Planning, 2021 the application must be preceded with a pre-application consultation. The purpose of such a consultation is to identify any critical aspect to be addressed in the application.

Owing to the nature of the application processes, the SALA application must be dealt with first. As mentioned above, this application will be preceded with an application to the WC:DoA. Once a comment has been received from the Provincial Department, the SALA application to the DALRRD will be submitted.

An application to the Mossel Bay Municipality in terms of the By-Law on Municipal Land Use Planning, 2021 can only be submitted once the SALA approval has been received.

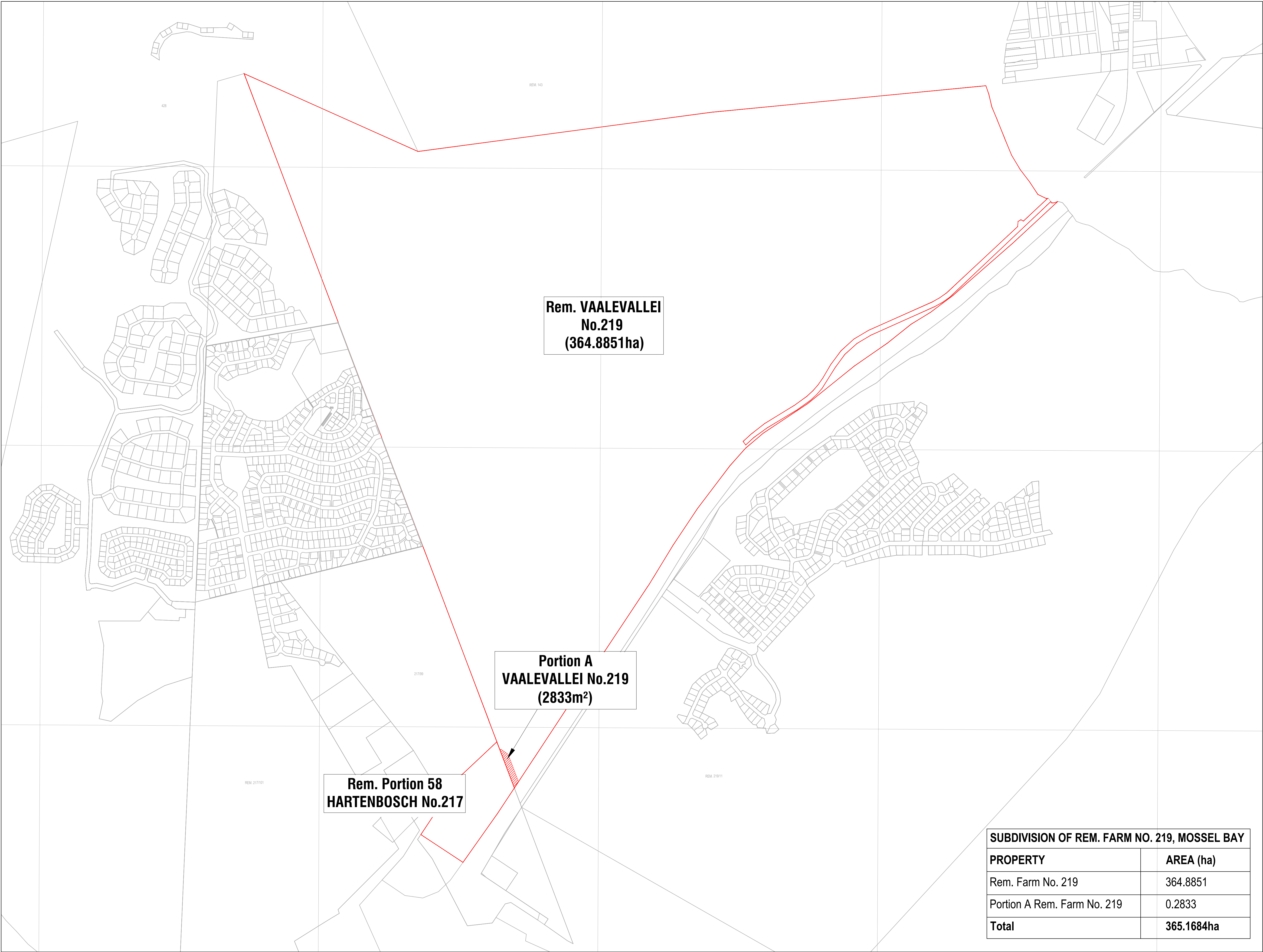
3 CONCLUSION

We trust that you find the above in order.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'JL Volschenk', is positioned above the printed name.

JL VOLSCHENK
DENNIS MOSS PARTNERSHIP



SUBDIVISION OF REM. FARM NO. 219, MOSSEL BAY	
PROPERTY	AREA (ha)
Rem. Farm No. 219	364.8851
Portion A Rem. Farm No. 219	0.2833
Total	365.1684ha

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1983 35 2018

CLIENT: GARDEN WALK CONSORTIUM

PROJECT TITLE: GARDEN WALK SHOPPING CENTRE

DRAWING TITLE: SUBDIVISION PLAN

PROJECT No:	Q4373	SCALE:	1:750
DRAWING No:	PL001	DATE:	01/10/2025
REV.	DRAWN: JLV	CHECKED:	GDK

FOR APPROVAL

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