

Provincial Gazette Extraordinary

Buitengewone Provinsiale Koerant

6043

6043

Monday, 30 June 2003

Maandag, 30 Junie 2003

Registered at the Post Office as a Newspaper

As 'n Nuusblad by die Poskantoor Geregistreer

OFFICE OF THE PREMIER
OF THE PROVINCE OF
WESTERN CAPE

KANTOOR VAN DIE PREMIER
VAN DIE PROVINSIE
WES-KAAP

P.N. 237/2003

30 June 2003

P.K. 237/2003

30 Junie 2003

It is hereby notified that the Premier of the Province of Western Cape has assented to the following Act which is hereby published for general information:—

Hierby word bekend gemaak dat die Premier van die Provinsie Wes-Kaap die onderstaande Wet wat hierby ter algemene inligting gepubliseer word, bekragtig het:—

No. 6 of 2003: Western Cape Land Use Planning Ordinance, 1985, Amendment Act, 2003.

Nr. 6 van 2003: Wes-Kaapse Ordonnansie op Grondgebruikbeplanning, 1985, Wysigingswet, 2003.

GENERAL EXPLANATORY NOTE:

[] Words in bold type in square brackets indicate omissions from existing enactments.

_____ Words underlined with a solid line indicate insertions in existing enactments.

(Afrikaans text signed by the Premier)
(Assented to 27 June 2003)

ACT

To amend the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), so as to extend to 18 years the period during which owners of land may exercise land use rights; and to provide for matters incidental thereto.

BE IT ENACTED by the Provincial Parliament of the Province of the Western Cape, as follows:—

Amendment of section 14 of Ordinance 15 of 1985

1. Section 14 of the Land Use Planning Ordinance, 1985 is amended by the substitution for paragraphs (a) and (b) in subsection (2) of the following paragraphs— 5
 “(2)(a) If after the expiry of a period of [17] 18 years after the date of commencement of this Ordinance any use right in respect of land to which the applicable provisions of section 7 apply has not been exercised, the land concerned shall, subject to the provisions of paragraph (b) of this subsection, be deemed to be zoned in accordance with the utilisation thereof, as determined by the council 10 concerned, and any applicable zoning map existing at the said expiry shall lapse.
 (b) Subject to the provisions of paragraph (c) of this subsection an appeal committee shall, before expiry of the period of [17] 18 years mentioned in paragraph (a) of this subsection or any extended period determined by the said appeal committee in terms of this subsection, on the application of the owner 15 concerned and if, in the opinion of the said appeal committee, the said owner has suffered or will suffer loss, extend the said period or extended period in relation to the said land concerned by such period as the appeal committee may determine; provided that such extension shall be for a period of at least 5 years.”.

Short title 20

2. This Act is called the Land Use Planning Ordinance, 1985, Amendment Act, 2003.