

PROVINCE OF WESTERN CAPE



PROVINSIE WES-KAAP

# Provincial Gazette Extraordinary

# Buitengewone Provinsiale Koerant

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OFFICE OF THE PREMIER  
OF THE PROVINCE OF  
WESTERN CAPE

KANTOOR VAN DIE PREMIER  
VAN DIE PROVINSIE  
WES-KAAP

P.N. 176/2007

5 July 2007

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5 Julie 2007

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. 4 of 2007: Land Use Planning Ordinance, 1985, Amendment Act, 2007.

Nr. 4 van 2007: Ordonnansie op Grondgebruikbeplanning, 1985, Wysigingswet, 2007.

**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.

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*(English text signed by the Premier)*  
*(Assented to 2 July 2007)*

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# ACT

**To amend the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), so as to extend to 21 years and 6 months the period during which owners of land may exercise land use rights; and to provide for matters incidental thereto.**

**B**E 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 21 years and 6 months 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 21 years and 6 months 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 said 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, 2007.