


POLICY : ACCOMMODATION ESTABLISHMENT

Item B-DP (10-2003) STANDARDISATION OF POLICY : ACCOMMODATION ESTABLISHMENT
MC 30.6.2003 POLICY

RESOLVED:

1. That the report regarding the Development Planning Policy on accommodation establishment attached as **Annexure 'A'** hereto **BE APPROVED**.
2. That all provisions in existing Town-planning Schemes which are in conflict with the Accommodation Establishment Policy **BE AMENDED** in accordance with the aforementioned policy within a period of one year.
3. That the provisions of the policy **BE APPROPRIATELY COMMUNICATED** to Ward Committees and relevant stakeholders by the Development Planning Department.

ANNEXURE 'A'



ACCOMMODATION ESTABLISHMENT - GUEST HOUSE POLICY

JUNE 2003

PREPARED BY:
DEVELOPMENT
PLANNING
DEPARTMENT

*Approved at Mayoral Committee
2003.06.30
ITEM B-DP (10-2003)*



Ekurhuleni
METROPOLITAN MUNICIPALITY

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ACCOMMODATION ESTABLISHMENT POLICY FOR EKURHULENI METROPOLITAN MUNICIPALITY - GUEST HOUSE POLICY

A. BACKGROUND

1. PROBLEM STATEMENT

What criteria should be used by Ekurhuleni Metropolitan Municipality to establish a beneficial policy for accommodation establishments?

The growing number of applications received by Ekurhuleni Metropolitan Municipality created the need for an accommodation establishment policy. The favourable location of Ekurhuleni Metropolitan Municipality makes this area a popular location for the establishment of businesses and industries. Business travellers prefer guesthouses, bed-and-breakfast establishments to hotels because of the lower rates and the personal services rendered by these accommodation establishments.

According to case studies conducted the principle behind the establishment of an accommodation establishment policy is to allow residents to operate an accommodation establishment from the property, to a degree that does not impact adversely on the quality and amenity of the surrounding residential environment.

It should be noted that some of these establishments have ancillary facilities without the needed consent. In order to implement the needed control over these illegal uses, the policy regarding accommodation establishments should include regulations regarding ancillary uses such as conference facilities, restaurants, tea gardens, pubs and brothels.

2. PURPOSE

A policy regarding accommodation establishments empowers Ekurhuleni Metropolitan Municipality to evaluate applications regarding accommodation establishments according to universal set of requirements.

The purpose of this study is to establish a policy for accommodation establishments for the Ekurhuleni Metropolitan Municipality. This is necessary because of the growing number of accommodation establishments of different types and in different locations in Ekurhuleni.

3. DEFINITIONS

3.1 GUEST HOUSE

The Guest House Association of South Africa defines a guest house as follows:

- An accommodation establishment consisting of not less than four and not more than sixteen guestrooms.
- Does not have a public bar.
- Does not accept permanent residents.
- Has as its primary activity, the supply of personally supervised accommodation.
- Serves at least one meal a day to paying guests on a full time basis.
- Should there not be a restaurant of an acceptable standard within a reasonable distance, the guest house would be obliged to provide an evening meal.

3.2 BACK PACKER ESTABLISHMENTS

- Back packer establishments provide low-cost accommodation to travelling people whose primary need is for a sleeping facility.
- It is situated in a residential house, blocks of flats or any other suitable building.
- Back packer establishments provide only a bed and pillow.
- A kitchen is available for self-help, but no meals are provided for guests.
- All facilities are communal.
- Private rooms are available, but normally six to eight bunker beds are provided in a dormitory.
- Lockers for valuable items are provided.
- According to the City Council of Pretoria a back packer establishment is defined as “an establishment providing low-cost accommodation for the travelling public whose primary requirement is for sleeping facilities only”.

3.3 SELF-CATERING ESTABLISHMENTS

- These are referred to as a room or rooms, including a facility for the preparation of meals and an ablution facility, which are rented out on a temporary basis.
- Units can be separate or connected to each other or to a part of the main building.
- All the facilities of the unit are for the private use of the guests.
- Guests have to cater for themselves.
- The self-catering establishment shall according to SATOUR, consist of not less than four units.
- According to the Pretoria City Council a self-catering establishment is defined as “a self-catering accommodation establishment offers a room or rooms, which includes a facility for the preparation of meals and an ablution facility, which is rented out on a temporary basis”.

3.4 ROOMING OR LODGING

- This is a concept where a room or rooms in a building are made available for guests.
- No meals are provided.
- Facilities may be shared.
- According to the City Council of Pretoria rooming or lodging can be defined as “an informal accommodation establishment offering accommodation only in a tenement, which means a living unit without a kitchen and where facilities may be shared.

3.5 GUEST LODGES/HOTELS

- According to the Midrand Metropolitan Local Council these establishments provide separate rooms with one communal dining facility.
- Breakfast is served and lunch and dinner are available by prior arrangement.
- All provided facilities are for the exclusive use of the residing guests.
- No provision is made for self-catering.
- The owner or host resides on the property.
- According to the City Council of Pretoria a hotel/Guest lodge can be defined as “a formal accommodation establishment of more than sixteen rooms offering accommodation in a room, including ablution facilities and where all other facilities are shared with the other guests”.

B) IMPLEMENTATION-ACCOMMODATION ESTABLISHMENT POLICY FOR EKURHULENI

That the following definitions be included in the various Town Planning Schemes used in the Ekurhuleni Metropolitan Municipality Area:

- **Bed and breakfast establishment** is an informal, periodic accommodation facility operating from a private residence providing accommodation for a maximum of six guests and a minimum of three reflecting the lifestyle of the host family.
- **A Guesthouse** is defined as a residential accommodation establishment with distinct individual character, offering resident guests the exclusive use of the facilities including accommodation and a breakfast as well as lunch and dinner by prior arrangement, without a public bar, managed by the owner or host, who resides on the property with his or her family with a maximum of sixteen and a minimum of three bedrooms”.
- **Back-packer** establishments are defined as a residential accommodation which provides low-cost accommodation to travelling people whose primary needs are for sleeping facilities in a residential house, flat or other suitable building providing only bed and pillow and a kitchen for self-help.
- **Self-catering** establishments are defined as a room or rooms including a facility for the preparation of meals and ablution facility rented out on a temporary basis for the private use of guests catering for themselves consisting of not less than four units.
- **Rooming or lodging** is defined as an informal accommodation establishment offering a room or rooms available for accommodation in a building for guests where no meals are prepared and facilities are shared.
- **Adult entertainment** is defined as follows: “Building or land utilized for dealing with sexually explicit material which includes the distribution or exhibition of films or video’s classified “**x 18**” or “**R18**” in terms of section **18(4)(a)(1)** or **(ii)** or an amendment thereto and it includes shows, be it live, films, video’s, magazines and other paraphernalia containing sexually explicit material or scenes, and the distribution of sex aids and / or operation of escort agencies.”

4. MAIN CONSIDERATIONS

The main considerations include the following:

- All the Town Planning Schemes operating in the Ekurhuleni Metropolitan Municipality’s area of jurisdiction do accommodate some form of guest housing.
- No uniform policy exists on guest housing in the Ekurhuleni Metropolitan Municipality area.
- With South Africa becoming a popular tourist destination the need for a uniform policy in the Ekurhuleni Metropolitan Municipality on accommodation establishments are evident.
- The various different types of accommodation establishments including: Guest Houses, Bed and Breakfasts, Back Packers, Self-Catering facilities, Room and Lodging facilities as well as Guest Lodges/Hotels.
- The regulations of accommodation establishments in such ways that impact on existing residential amenities are kept to a minimum. For example the exclusion of restaurant facilities open to the general public, regulation of signage acceptable to residential areas and the exclusion of adult entertainment from accommodation facilities.
- This policy shall not be construed as permitting any accommodation establishment if the applicable Town Planning Scheme is more restrictive.

5. RELATED LEGISLATION

- 5.1 Various SDC Town Planning Schemes
- 5.2 Various SDC Health Bylaws
- 5.3 Related Liquor Licence legislation

6. TOWN PLANNING PROCEDURES/ IMPLEMENTATION AND CONDITIONS

- 6.1 That the following application procedures and conditions be applicable to all types of accommodation as defined by this policy:-
 - 6.1.1 That it be accepted as a primary right for the accommodation of four or less unrelated persons on any residential zoned erven.
 - 6.1.2 That it be accepted as a primary right without any further applications on erven zoned "Residential 4" and "Residential 5".
 - 6.1.3 That the development of all the different types of accommodation establishments on "Residential 2" and "Residential 3" be allowed with the submission of a Special Consent Use application.
 - 6.1.4 That the development of a bed and breakfast and any other accommodation facility except a guest house be allowed on a "Residential 1" zoned property to a maximum of six bedrooms with the submission of a Special Consent Use application.
 - 6.1.5 That the relevant town planning schemes "Residential 2" and Residential 3" be amended to include as a secondary right a Bed and breakfast, Guest House, Back packer establishment, Self catering establishment and Rooming and Lodging facilities.
 - 6.1.6 That the relevant town planning schemes "Residential 1" be amended to include as a secondary right a Bed and breakfast, Guest House, Back packer establishment, Self catering establishment and Rooming and Lodging facilities to a maximum of six bedrooms.
 - 6.1.7 That a rezoning application on erven zoned "Residential 1" from "Residential 1" to "Residential 1" with an annexure for the development of a guest house and any other accommodation establishment with more than six bedrooms be submitted. This will then ensure that the development remains with a residential character.

The following development controls be made applicable to all the rezoning and consent use applications:-

- The height of buildings shall not exceed two storey's.
- The Guest House may have a minimum of four and a maximum of sixteen bedrooms.
- The Bed and Breakfast facility may have a minimum of three and a maximum of six bedrooms.
- The Self-catering facility may have a maximum of four units.

- The Back Packer establishment, provide only a bed and pillow and a kitchen for self help.
- Rooming and Lodging facility only provide a room and no meals. The facility may have a minimum of three and a maximum of six bedrooms.
- Building lines applicable must be in accordance with the relevant town planning schemes.
- Outbuildings may be used as a caretaker's dwelling unit and / or office, on condition that the office use must be ancillary and subordinate to the main use.
- All meals and refreshments should be served exclusively to lodging guest and no public bar and adult entertainment will be allowed on the facility.
- That there be complied with all Health Regulations.
- That an advertising board may be erected, and may only reflect the nature and the name of the accommodation facility. The adverting board may not be larger than 1m x 1m in size.
- That a Site Development Plan be submitted to the relevant SDC prior to the commencement of the use / consideration of building plans.
- That paved and demarcated parking be provided to the satisfaction of the Executive Director: Development Planning, at a ratio of:

Guest House, Bed and Breakfast, Self-Catering Units and Rooming and Lodging.

One parking bay per bedroom as well as three parking spaces per 100m² public room area.

Back Packer establishment

One parking bay per five beds provided.

Plus two parking spaces for the owner or host of all types of accommodation establishments.

- 6.2 With Special Consent on erven zoned "Institutional" and "Educational".
- 6.3 That the following development control also be applicable to all consent use applications:-
- 6.3.1 That the Special Consent shall be exercised within a period of 12 months from the date on which the applicant is advised of the Council's decision with regard thereto.
- 6.3.2 If at any time the right is not exercised for a continuous period of six months, it shall lapse automatically.
- 6.3.3 The property shall at all times be kept and maintained in a slightly condition and no dirt of any kind shall be allowed to accumulate thereon, to the extent that the Executive Director: Development Planning shall at all times be satisfied that the state of the property is not detrimental to the amenity of the area.
- 6.4 That the necessary steps be taken by the Various Area Managers in conjunction with their Corporate and Legal Services Department to amend the applicable town planning scheme, to be in line with the policy.