

MIDVAAL ACCOMMODATION POLICY DRAFT REPORT



BID 8/2/6/46
**FORMULATION OF SDF/RSDF, IDP AND LAND USE POLICIES AND
STRATEGIES FOR THE MIDVAAL LOCAL MUNICIPALITY**



FROM
URBAN ENERGY CONSERVATION & TRANSPORTATION
FOR URBAN DYNAMICS

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TABLE OF CONTENTS

1. INTRODUCTION.....	2
2. LEGISLATIVE CONTEXT.....	4
3. METHODOLOGY.....	6
4. ACCOMMODATION TYPOLOGIES.....	7
5. POLICY ASSESSMENT CRITERIA.....	10
6. POLICY STATEMENTS.....	11
6.1 CAMPING AND CARAVANNING.....	11
6.2 BED AND BREAKFAST ESTABLISHMENTS.....	13
6.3 GUESTHOUSES.....	15
6.4 BACKPACKING AND YOUTH HOSTELS.....	18
6.5 SELF CATERING APARTMENTS.....	21
6.6 HOTELS.....	24
6.7 LODGES / RESORT ACCOMMODATION.....	27
6.8 GAME FARMS.....	30
7. PROPOSED LAND USE DEFINITIONS.....	33
8. LAND USE PROCEDURES.....	37
9. ACCOMMODATION TYPOLOGIES TABLES.....	40
10. CONCLUSIONS.....	45
11. RECOMMENDATIONS.....	45

1. INTRODUCTION

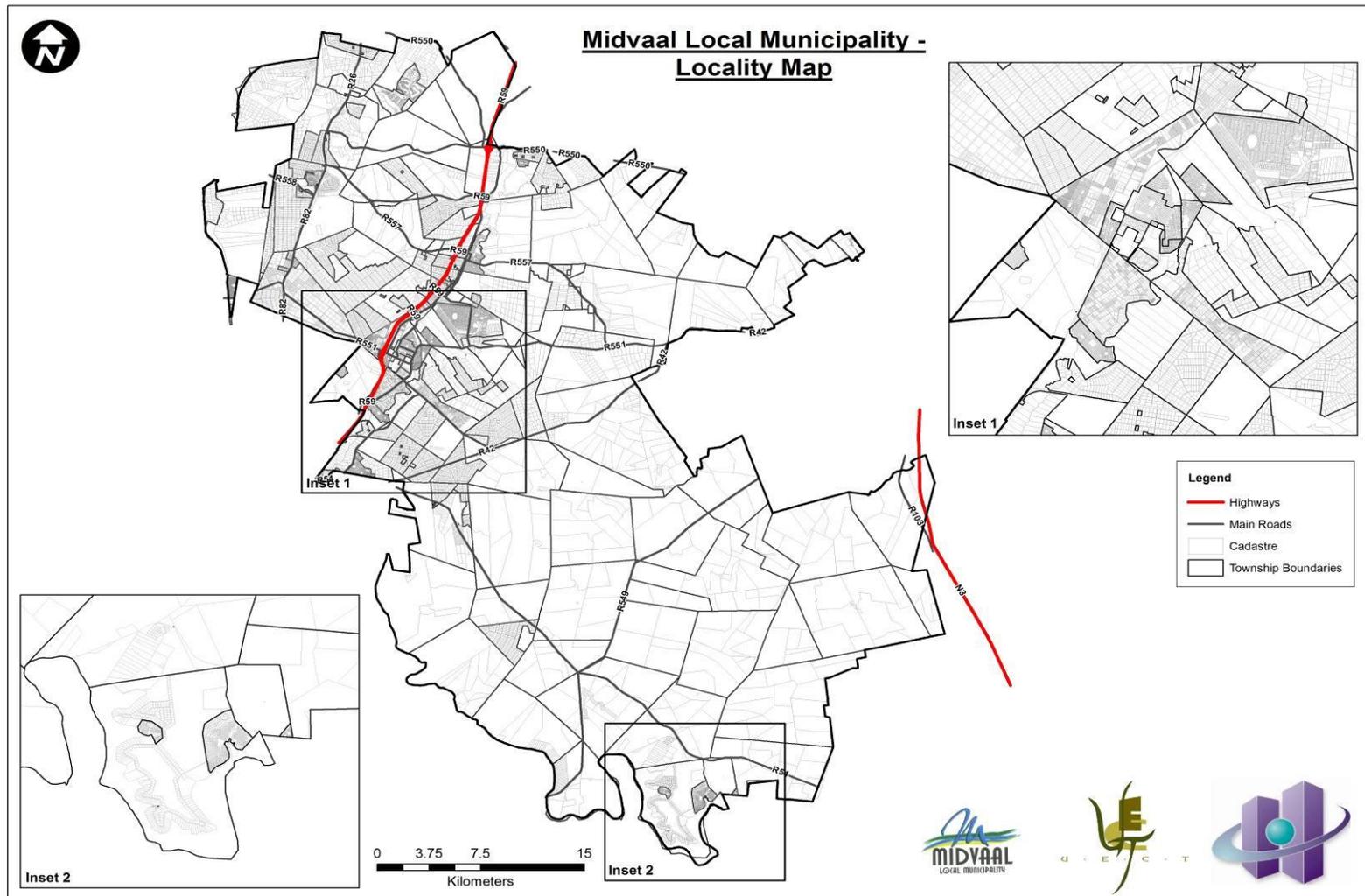
Figure 1 places the Midvaal Local Municipality into context for the accommodation policy for guest establishments. A policy regarding accommodation establishments will enable Midvaal Municipality to proactively evaluate related land use applications according to a unified set of criteria that are applicable to the local environment. It is Council's responsibility to balance the needs of its residents with that of local economic opportunities, through supporting the guest accommodation sector.

A substantial proportion of guest accommodation establishments in the Midvaal region are conducted by occupants from their residences. As with some other home occupations, residential based guest accommodation and commercial based guest accommodation have unique land use characteristics that require guidelines and regulations to manage and control any potential impact of the land use activity on its surrounding environment. According to case studies conducted, the principle behind the formulation of an accommodation establishment policy is to allow residents to operate an accommodation establishment from a 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, and pubs.

Disparities currently exist in the implementation of guest accommodation related land use applications within the Midvaal Local Municipality. This can primarily be attributed to different land use management approaches and policies by previous administrations relating to this land use phenomenon, location specific nuances and a lack of provision for certain land use categories as a result of new land use trends. The overall aim of this policy is therefore to provide a clear direction to the Midvaal planners in their attempt to sustainably manage the local environment.

Figure 1: Midvaal Local Municipality Locality Map



2. LEGISLATIVE CONTEXT

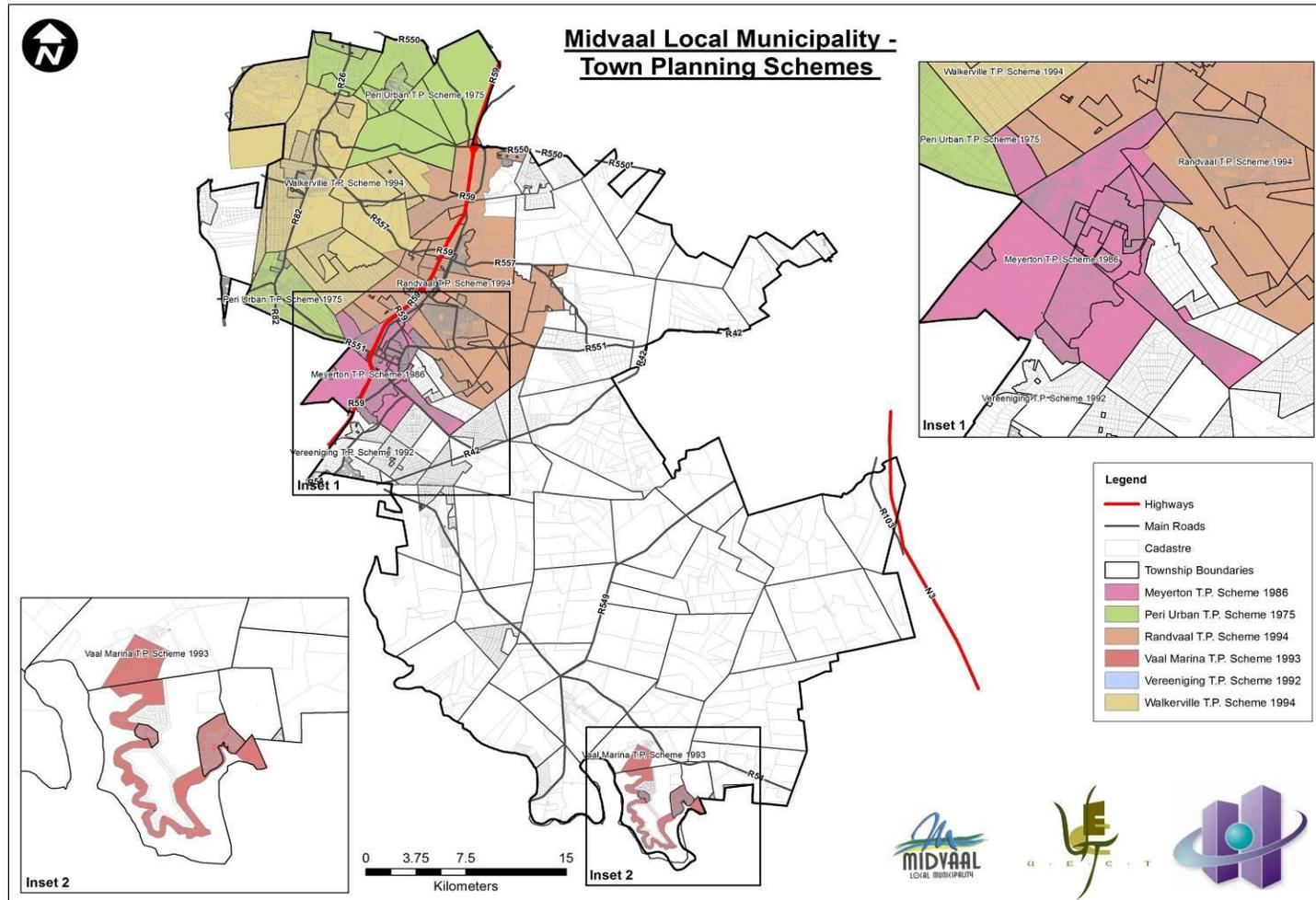
The town planning schemes that are in operation in the Midvaal Local Municipality are detailed below. Further, Figure 2 shows diagrammatically what area is covered by the respective town planning schemes.

- Meyerton Town Planning Scheme, 1986
- Peri Urban Town Planning Scheme, 1975
- Walkerville Town Planning Scheme, 1994
- Vereeniging Town Planning Scheme, 1992
- Randvaal Town Planning Scheme, 1994
- Vaal Marina Town Planning Scheme, 1993

The main considerations include the following:

- All the Town Planning Schemes operating in the Midvaal Local Municipality's area of jurisdiction do accommodate some form of guest housing.
- No uniform policy exist on guest housing in the Midvaal Local Municipality area.
- With South Africa becoming a popular tourist destination the need for a uniform policy in Midvaal on accommodation establishments are evident.
- The various different types of accommodation establishments include: Bed and Breakfast Establishments, Backpackers Accommodation, Self Catering Facilities, Resorts and Lodges, Guesthouses, Hotels, Camping and Caravanning, and Game Farms.
- The regulations of accommodation establishments are such that impact on existing residential 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.

Figure 2: Overview of the Town Planning Schemes in Operation in Midvaal



3. METHODOLOGY

While zoning regulations remain the most effective mechanism to manage land use change, policies in support of these regulations can provide further guidance to regulating authorities in the exercising of discretion when considering applications for such activities, applicants and operators to ensure a uniform approach. This policy is based on the following underlying principles:

- Compliance with and conformance to existing land use management legislation is critical.
- Promotion and safeguarding of the amenity and quality of life enjoyed by residents in local areas through appropriate land use management mechanisms.
- Balancing the need for access to economic opportunities and supporting to the guest accommodation industry with the preservation and promotion of the local character.
- Promoting a responsible and sustainable approach to facilitating guest accommodation opportunities in the Midvaal area, while ensuring that all of the relevant development issues are addressed and the general amenity of the area in question is enhanced.
- Clearly stating Council's land use requirements for establishments in the guest accommodation industry.

In the formulation of this Accommodation Policy for the Midvaal Local Municipality, a number of logical steps have been taken so as to ensure that all land use management aspects have been dealt with and that there are clear guidelines for the land use planners in dealing with the related applications. The steps that have been taken include the following:

- Determining and defining the eight guest accommodation typologies
- Elaborating on the assessment criteria that are relevant for the Policy
- Determining the Policy Statements and land use management guidelines for each of the eight typologies by utilising the assessment criteria
- Determining relevant standardised land use definitions
- Highlighting what processes are to be used per town planning scheme for each of the eight guest accommodation typologies
- Elaborating on the land use management processes to be followed.

4. ACCOMMODATION TYPOLOGIES

For the purpose of this policy, guest accommodation establishment categories identified are set out below. Note, these categories are for the purposes of grouping together sets of assessment criteria and guidelines and are not to be confused with land use types and zones or their ancillary uses specified in the town planning schemes.

- Camping and Caravanning
- Bed and Breakfast Establishments
- Guesthouses
- Backpackers' Accommodation (including boarding house)
- Self-catering Apartments
- Hotel
- Resort / Lodge
- Game Farm

Table 4.1: Description and Definition of Guest Accommodation Typologies

TYPOLOGY	DESCRIPTION	DEFINITION
Camping and Caravanning	Informal temporary accommodation in a unique environment.	A property used for erection of tents or other temporary structures for temporary accommodation for visitors or holiday-makers, which includes ablution, cooking and other facilities that are reasonably and ordinarily related to camping. This includes a caravan park, whether publicly or privately owned, but which excludes the alienation of land on the basis of time sharing, sectional title, share blocks or individual subdivision; and excludes resort accommodation or mobile homes
Bed and Breakfast Establishment	Accommodation in a dwelling-house or second dwelling unit for transient guests	A dwelling house or second dwelling in which the owner of the dwelling supplies lodging and meals for compensation to transient guests who have permanent residence elsewhere; provided that the primary use of the dwelling-house concerned shall remain for the living accommodation of a single family

TYPOLOGY	DESCRIPTION	DEFINITION
Guesthouse	Accommodation in a dwelling-house or second dwelling unit for transient guests.	A dwelling house or second dwelling which is used for the purpose of supplying lodging and meals to transient guests for compensation, in an establishment which exceeds the restrictions of a bed and breakfast establishment, and may include business meetings or training sessions for resident guests
Backpackers Accommodation	Accommodation and communal facilities in a building or free standing buildings for transient guests	A building where lodging is provided, and may incorporate cooking, dining and communal facilities for the use of lodgers, together with such outbuildings as are normally used therewith; and includes a building in which rooms / beds are rented for residential purposes, youth hostel, and backpackers' lodge; but does not include a hotel, dwelling house, second dwelling or guest house
Self-catering Units	Accommodation for non-permanent residents and transient guests	A building consisting of separate accommodation units, each incorporating a kitchen facility, and which may include other communal facilities for the use of transient guests, together with such outbuildings as are normally used therewith; which are rented for residential purposes and may include holiday flats; but does not include a hotel, dwelling house, second dwelling or guesthouse. This use shall only be considered on erven within the urban edge.
Hotel	Large scale accommodation for transient guests incorporating various ancillary facilities	A property used as a temporary residence for transient guests, where lodging and meals are provided, and may include: <ul style="list-style-type: none"> • a restaurant or restaurants • associated conference and entertainment facilities that are subservient and ancillary to the primary use of the property as a hotel; and • premises which are licensed to sell alcoholic beverages for consumption on the property, but does not include an off-sales facility or a dwelling house.
Resort / Lodge	Subsidiary transient accommodation that has been clustered, on a large tract of land normally on a small holding or farm	The transient guest accommodation is subsidiary to the main use and is clustered on the property. Not more than one unit per 500m ² shall be permitted Meals to transient guests for compensation shall be provided

TYPOLOGY	DESCRIPTION	DEFINITION
Game Farm	<p>Game farming can take the form of an enterprises breeding game for meat production, hunting purposes, export or conservation purposes, or it could be geared towards tourism in which case it would include lodges and other facilities required to accommodate tourists.</p>	<p>A switch from livestock to game farming does not require permission for a land use change in terms of planning legislation (except where tourist accommodation is provided) and also does not require consent, except where veterinary permits are needed for the importation and keeping of certain animal species.</p> <p>Game farming is further controlled by environmental and tourism legislation.</p> <p>The guest accommodation is subsidiary to the main use and is clustered on the property</p> <p>Not more than one unit per hectare shall be permitted</p>

5. POLICY ASSESSMENT CRITERIA

The table below provides an explanation of the land use criteria on the basis of which the policy guidelines are set out. Guidelines are set out for each of the eight guest accommodation categories identified.

CRITERIA	EXPLANATION
Purpose	Explanation of what the land use entails and what types of land use activities are associated with the land use
Scale	Description of the typical scale of the development as determined by its physical size (i.e. height, coverage, floor are ratio) and the number of occupants/guests (i.e. beds, staff, rooms)
Location	Description of the desirable characteristics of the location and of the land use
Self-catering	Clarification of the use of self-catering facilities
Liquor use	Clarification regarding the serving of alcoholic beverages
Ancillary facilities	List typical ancillary facilities that can be used by guest
On-site residence of management	Clarification regarding permanent residence of the owner or management
Parking	Parking requirement, off-street and on-street
Loading	Provision for loading and/or deliveries
Staff facilities	Provision of staff facilities and accommodation
Signage	Size and location of outdoor signage
Environmental	Mitigating the impact of the land use on the surrounding environment
Land Use Process	This elaborates on what type of land use process would be required for such a proposed land use

6. POLICY STATEMENTS

6.1 CAMPING AND CARAVANNING

MIDVAAL ACCOMMODATION POLICY		
CRITERIA	GUIDELINES	JUSTIFICATION
PURPOSE	<ul style="list-style-type: none"> Consist of multiple free standing or linked structures of a temporary nature, and may include caravans and tents, but excludes mobile homes Purpose built development, often in a unique environment Day visitors may be permitted and facilities for their use can be provided. Ownership status of the enterprise may be either public or private 	<ul style="list-style-type: none"> To provide a more affordable form and particular style of accommodation for tourists Care must be taken when determining available infrastructure, ablution facilities and general amenities
SCALE	<ul style="list-style-type: none"> Generally camping establishment should be restricted to a low impact scale and intensity in keeping with the context of the area and its surrounding character Form and scale of development determined by development parameters of particular zone and set out on SDP No individual subdivision permitted No permanent residence shall be permitted 	<ul style="list-style-type: none"> To ensure low impact and compatibility with its surrounding environment. Limitation on development of permanent structures to maintain character.
LOCATION	<ul style="list-style-type: none"> Often located in a unique and attractive natural environment or on urban outskirts/outside the urban edge, but not essential 	<ul style="list-style-type: none"> Supporting requirement of the SDF for resource location
SELF CATERING	<ul style="list-style-type: none"> Cooking and braai facilities are provided for residents, including day visitors 	<ul style="list-style-type: none"> Forms inherent part of the attraction of a camping site.
LIQUOR USAGE	<ul style="list-style-type: none"> Depending on zoning scheme requirement, selling of liquor for on-site consumption by residents may be permitted, subject to a separate liquor licence application Liquor trading hours as per Liquor Trading Hour By-law 	<ul style="list-style-type: none"> To ensure compliance with Liquor legislation, but allow for diverse range of facilities/services to guests.

MIDVAAL ACCOMMODATION POLICY		
CRITERIA	GUIDELINES	JUSTIFICATION
ANCILLARY FACILITIES	<ul style="list-style-type: none"> Subject to zoning scheme requirements and an application in this regards, a place of entertainment may be provided, with the size and nature of the facilities to be determined by an SDP May also included offices, restaurant, conference facilities, ablution facilities, tourist shop, sports and other communal facilities related to the camping 	<ul style="list-style-type: none"> Complimentary (but strictly ancillary) land use to enhance camping character of establishment.
ON-SITE RESIDENCE	<ul style="list-style-type: none"> Permanent accommodation may be provided on-site for the manager/owner of the establishment 	<ul style="list-style-type: none"> To accommodate operational requirements and support proper management
PARKING	<ul style="list-style-type: none"> In addition to individual stands, on-site visitor parking requirements shall be determined as per SDP submitted for each application 	<ul style="list-style-type: none"> Local circumstances will dictate
LOADING	<ul style="list-style-type: none"> Where necessary, loading requirement to be determined by SDP 	<ul style="list-style-type: none"> Local circumstances will dictate
STAFF FACILITIES	<ul style="list-style-type: none"> Accommodation to be provided for staff to the satisfaction of the ED: Development and Planning 	<ul style="list-style-type: none"> To prevent staff accommodation being used by visitors
SIGNAGE	<ul style="list-style-type: none"> Must comply with Council's Outdoor Advertising By-laws 	<ul style="list-style-type: none"> To prevent oversized signage that might be detrimental to visual integrity of the area
ENVIRON. ISSUES	<ul style="list-style-type: none"> No activities constituting public nuisance shall be permitted No disturbance from loud music or other sources after 22h00, except with separate approval from Council Specific arrangement for the appropriate on-site storage and disposal of refuse/solid waste to be incorporated and set out on SDP 	<ul style="list-style-type: none"> To protect amenity enjoyed by surround residents Ensure that water saving mechanisms are in place
LAND USE PROCESS	<ul style="list-style-type: none"> The area should be generally rural in nature Special Consent use application along with a Site Development Plan to determine communal areas, number of caravan sites and ablution facilities 	<ul style="list-style-type: none"> There is a need to manage such activities and facilitate this land use

6.2 BED AND BREAKFAST ESTABLISHMENTS

MIDVAAL ACCOMMODATION POLICY		
CRITERIA	GUIDELINES	JUSTIFICATION
PURPOSE	<ul style="list-style-type: none"> Part of a dwelling house or second dwelling converted to accommodate transient guests Breakfast is usually served to residents; other meals may also be provided, but for resident guests only Guests may share communal facilities with host family Bathroom facilities may or may not be en-suite or private Except between a second dwelling and main dwelling, rooms must interlead to ensure buildings can revert back to single dwelling use 	<ul style="list-style-type: none"> To provide small scale guest accommodation in a conventional residential neighbourhood setting. To enable more optimal use of existing single dwelling infrastructure.
SCALE	<ul style="list-style-type: none"> Second business on same premises as the bed and breakfast establishment not permitted Between 2 and 6 guest rooms shall be permitted 	<ul style="list-style-type: none"> Scale restricted to ensure single dwelling character of premises is maintained.
LOCATION	<ul style="list-style-type: none"> Appearance and scale of the dwelling-unit to be maintained in context of neighbourhood Retain single residential character of premises through imposing conditions relating to: <ul style="list-style-type: none"> landscaping street elevation and streetscape parking architecture/aesthetics 	<ul style="list-style-type: none"> To ensure residential character of neighbourhood is not compromised. Limitation on services to non-residents to restrict scale and ensure single dwelling character is maintained.
SELF CATERING	<ul style="list-style-type: none"> Only one kitchen permitted per dwelling. Self-catering not permitted 	<ul style="list-style-type: none"> Not permitted
LIQUOR USAGE	<ul style="list-style-type: none"> No sale of liquor shall be permitted on site 	<ul style="list-style-type: none"> Not permitted
ANCILLARY FACILITIES	<ul style="list-style-type: none"> A place of entertainment, functions, conference facilities or other events not permitted 	<ul style="list-style-type: none"> Prevent noise nuisance and ensure reasonable amenity to neighbours

MIDVAAL ACCOMMODATION POLICY		
CRITERIA	GUIDELINES	JUSTIFICATION
ON-SITE RESIDENCE	<ul style="list-style-type: none"> Proprietor may reside in a second dwelling 	<ul style="list-style-type: none"> Ensure single dwelling character of property is maintained
PARKING	<ul style="list-style-type: none"> Owner's parking space may be in form of garage. Except where on-site parking/drop-off space is provided, guests may not arrive by 30-seater (or larger) bus 1 parking bay per guest room 	<ul style="list-style-type: none"> Prevent on-street parking that may adversely affect traffic flow, the streetscape or neighbourhood character
LOADING	<ul style="list-style-type: none"> If necessary, designated guest parking bays may be shared as temporary loading space 	<ul style="list-style-type: none"> Prevent on-street loading for same reasons as above
STAFF FACILITIES	<ul style="list-style-type: none"> Bona fide staff quarters shall not be regarded as rooms for lodgers/guests and may not be converted to guest accommodation Limitation on staff employed is a maximum of 3 at any given time 	<ul style="list-style-type: none"> Restrict scale of operation and ensure staff quarters aren't used by visitors as additional accommodation
SIGNAGE	<ul style="list-style-type: none"> Signage shall not be free standing Signage must be in keeping with the character of the residential area Further, signage shall be in keeping with the Council Signage Policy 	<ul style="list-style-type: none"> Prevent oversized signage that might be detrimental to visual integrity of the area
ENVIRON. ISSUES	<ul style="list-style-type: none"> No disturbance from loud music or other sources after 23:00, except with separate approval from Council 	<ul style="list-style-type: none"> Protect amenity enjoyed by surrounding residents
LAND USE PROCESS	<ul style="list-style-type: none"> Special Consent use application along with a Site Development Plan. 	<ul style="list-style-type: none"> There is a need to manage such activities and facilitate this land use that is on the increase

6.3 GUESTHOUSES

MIDVAAL ACCOMMODATION POLICY		
CRITERIA	GUIDELINES	JUSTIFICATION
PURPOSE	<ul style="list-style-type: none"> Part of a larger single family dwelling house or second dwelling converted to accommodate transient guests and may include detached or semi detached rooms, exceeds bed and breakfast establishment in terms of size and impact Usually between 6 and 16 bedrooms are provided in a guesthouse Breakfast is usually served to residents; other meals may also be provided, but for resident guests only Guests have communal areas for their exclusive use and the host's facilities are separate Bathroom facilities may or may not be en-suite or private Serves at least one meal a day to paying guests on a full time basis The guest house should only provide an evening meal on a specific request from the transient guest 	<ul style="list-style-type: none"> An accommodation establishment consisting of not less than four and not more than twelve guestrooms Does not accept permanent residents Has as its primary activity, the supply of personally supervised accommodation
SCALE	<ul style="list-style-type: none"> Maximum size of 32 persons or 16 rooms permitted Council may determine/restrict the number of establishments in a locality/guest rooms per establishment and lay down conditions necessary to mitigate the impact of the establishment, in order to protect the area's character Buildings can be free standing or linked structures, but residential character of particularly streetscape to be retained Second business (or home occupation) on same premises as guesthouse establishment not permitted 	<ul style="list-style-type: none"> The establishment should remain compatible with surrounding residential area Form and scale of development determined by development parameters of particular zone (i.e. floor space, building lines, height) and set out on SDP
LOCATION	<p>May not abut onto a public road with a reserve narrower than 10m. With regard to maximum number of establishments in a particular locality, cumulative impact on services infrastructure must form part assessment.</p>	<ul style="list-style-type: none"> Encourage location in higher intensity land use areas in order to reduce impact on quite single dwelling neighbourhood character

MIDVAAL ACCOMMODATION POLICY		
CRITERIA	GUIDELINES	JUSTIFICATION
	<p>Desirable location that are encouraged include:</p> <ul style="list-style-type: none"> • properties larger than 800m² • properties near intersections and collector (class 4 and higher) roads; • properties near open spaces/areas/amenities • near or within neighbourhoods and areas designated for higher density and mixed use development • larger ones closer to nodes or main roads 	
SELF CATERING	<ul style="list-style-type: none"> • Meals supplied to guests/lodgers, employees and bona fide residents only • Self-catering by means of a kitchenette (self-catering unit)s only, may be permitted; no fully self-contained units or self-catering apartments permitted 	<ul style="list-style-type: none"> • Provide more flexibility in responding to current trends, but prevent creation of fully fledged separate dwelling
LIQUOR USAGE	<ul style="list-style-type: none"> • Subject to obtaining liquor licence and separate departure/consent application in terms of the zoning scheme (where required in terms of the scheme), alcoholic beverages only sold for consumption on-site with meals, to resident guests • Permitted liquor trading hours as per Liquor Trading hour By-law 	<ul style="list-style-type: none"> • Does not have a public bar • Ensure compliance with Liquor legislation
ANCILLARY FACILITIES	<ul style="list-style-type: none"> • A place of entertainment shall be permitted, with conditions • Where ancillary activities such as restaurants, lecture room, spa/hydro and wellness centre, small conference facilities or similar types of services are provided and depending on the zoning scheme, these are subject to a separate consent application to Council, if required by such zoning scheme • In addition, such facilities/services may only be provided for the benefit of resident guests and must therefore relate to the extent of the guest-house establishment to ensure they are not used by the general public 	<ul style="list-style-type: none"> • Prevent noise nuisance and parking problems and ensure reasonable amenity to neighbours.
ON-SITE RESIDENCE	<ul style="list-style-type: none"> • Proprietor/manager may reside in a second dwelling 	<ul style="list-style-type: none"> • Ensure residential character of property is maintained

MIDVAAL ACCOMMODATION POLICY		
CRITERIA	GUIDELINES	JUSTIFICATION
PARKING	<ul style="list-style-type: none"> • Owner's parking space may be in form of garage • Except where on-site parking/drop-off space is provided, guests may not arrive by 30-seater (or larger) bus • Where on-site provision not possible, parking may be provided on abutting or nearby property, subject to a notarial tie being registered, or similar agreement, as approved by Council • 1 Parking bay per guest room 	<ul style="list-style-type: none"> • Prevent on-street parking that may adversely affect traffic flow, the streetscape or area character generally
LOADING	<ul style="list-style-type: none"> • Provide on-site space for loading and deliveries. • Depending on scale of establishment, designated guest parking bays may be shared as temporary loading space 	<ul style="list-style-type: none"> • Prevent on-street loading for same reasons as above
STAFF FACILITIES	<ul style="list-style-type: none"> • No more than 5 staff members shall be employed in support of the establishment at any given time • Bona fide staff quarters shall be regarded as rooms for lodgers/guests and may not be converted to guest accommodation 	<ul style="list-style-type: none"> • Restrict scale of operation and ensure staff quarters aren't used by visitors as additional accommodation
SIGNAGE	<ul style="list-style-type: none"> • All outdoor signage to comply with Council's Outdoor Advertising By-law 	<ul style="list-style-type: none"> • Prevent oversized signage that is detrimental to the area
ENVIRO. ISSUES	<ul style="list-style-type: none"> • Alteration or additions shall be compatible with the character of the area • Where located in historic precincts/heritage areas, external appearance/facade to be sensitive to this attribute and taken into account • Where buildings are altered or newly constructed, Council's Green Building Guidelines should be considered and applied • No disturbance from loud music or other sources after 23:00, except with separate approval from Council 	<ul style="list-style-type: none"> • Protect amenity enjoyed by surrounding residents and character of the area • No activities constituting a source of public nuisance shall be carried out
LAND USE PROCESS	<ul style="list-style-type: none"> • Permitted as a primary right for 1-3 bedrooms • Special Consent use application along with a Site Development Plan for 4-16 bedrooms 	<ul style="list-style-type: none"> • There is a need to manage such activities and facilitate this land use that is on the increase

6.4 BACKPACKING AND YOUTH HOSTELS

MIDVAAL ACCOMMODATION POLICY		
CRITERIA	GUIDELINES	JUSTIFICATION
PURPOSE	<ul style="list-style-type: none"> • Must contain communal areas such as kitchen and dining areas and meeting rooms for the exclusive use of lodgers. Includes a boarding-house • Facilitate provision of flexible, affordable accommodation with associated communal facilities for transient guests in appropriate, accessible locations. • Backpacker establishments provide low cost accommodation to travelling people whose primary need is for a sleeping facility • Backpacker 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 • It is situated in a residential building, block of flats or other suitable building 	<ul style="list-style-type: none"> • Private rooms are sometimes available, but normally six to eight bunker beds are provided in a dormitory • Lockers for valuable items are provided • Communal ablution facilities are available in terms of health standards
SCALE	<ul style="list-style-type: none"> • No general restriction on number of rooms/beds, must be locally appropriate in context of the building characteristics and surrounding area • Council may however determine/restrict the number of beds/rooms per establishment in cases and lay down conditions necessary to mitigate the impact of the establishment, in order to protect the area's character • Accommodation can be provided from a converted building and buildings can be free standing or linked structures 	<ul style="list-style-type: none"> • Ensure a scale and form appropriate and sensitive to the local building and surrounding area context • Form and scale of development determined by an SDP
LOCATION	<ul style="list-style-type: none"> • Not supported on a single residential zoned property, subject site must have suitable general residential, mixed use or commercial zoning • Locational criteria that should be considered, include: <ul style="list-style-type: none"> ○ proximity to public transport routes, commercial centres and tourist activities ○ character of the surrounding area ○ localities near intersections and collector/main roads ○ mixed use or commercial locations (including areas designated for high density development) are encouraged 	<ul style="list-style-type: none"> • Ensure contextually appropriate development, with maximum accessibility for transient guests which are normally less dependent on private transport

MIDVAAL ACCOMMODATION POLICY		
CRITERIA	GUIDELINES	JUSTIFICATION
SELF CATERING	<ul style="list-style-type: none"> Meals and beverages supplied to resident guests only In case of rooms, communal kitchen. 	<ul style="list-style-type: none"> Allow flexibility to guests with regards to catering arrangement but prevent creation of separate (self contained) dwelling units
LIQUOR USAGE	<ul style="list-style-type: none"> No on-site liquor selling/licence permitted at establishment located in single residential areas. 	<ul style="list-style-type: none"> Liquor not permitted to be sold on site
ANCILLARY FACILITIES	<ul style="list-style-type: none"> Depending on the zoning scheme, ancillary tourist facilities are permitted, but a place of entertainment is not permitted Such facilities/services may only be provided for the benefit of resident guests and must therefore relate to the extent of the establishment to ensure they are not used by the general public 	<ul style="list-style-type: none"> Prevent escalation of the establishment beyond the intended scale.
ON-SITE RESIDENCE	<ul style="list-style-type: none"> Full time manager is required, may reside on-site 	<ul style="list-style-type: none"> Ensure proper on-site management at all times.
PARKING	<ul style="list-style-type: none"> In addition to car parking, sufficient space to be provided on-site for shuttles, buses and overland trucks 	<ul style="list-style-type: none"> Prevent on-street parking that may adversely affect traffic flow, or area character generally
LOADING	<ul style="list-style-type: none"> Where possible, provide on-site space for loading and deliveries 	<ul style="list-style-type: none"> Prevent on-street loading for same reasons as above
STAFF FACILITIES	<ul style="list-style-type: none"> Staff facilities are permitted, such as sleeping quarters, offices and a lounge 	<ul style="list-style-type: none"> Cater for operational requirements
SIGNAGE	<ul style="list-style-type: none"> All outdoor signage to comply with Council's Outdoor Advertising By-law 	<ul style="list-style-type: none"> Prevent oversized signage that might be detrimental to visual integrity of the area

MIDVAAL ACCOMMODATION POLICY		
CRITERIA	GUIDELINES	JUSTIFICATION
ENVIRON. ISSUES	<ul style="list-style-type: none"> Any alteration or new structure shall be compatible with the character of the surrounding area Where located in historic precincts/heritage areas, external appearance/facade to be sensitive to this attribute and taken into account in design Where buildings are altered or newly constructed, Council's Green Building Guidelines should be considered and applied. No activities constituting a source of public nuisance shall be carried out No disturbance from loud music or other sources after 22h00, except with separate approval from Council 	<ul style="list-style-type: none"> Ensure a reasonable and contextually appropriate level of amenity to surrounding residents and inhabitants of the area Specific arrangements for the appropriate on-site storage and disposal of refuse/solid waste to be incorporated and set out on an SDP
LAND USE PROCESS	<ul style="list-style-type: none"> It is situated in a residential building, blocks of flats or any other suitable building Permitted as a primary right where a Residential Building is permitted All other land use zones require special consent Residential 1 this use is not permitted 	<ul style="list-style-type: none"> There is a need to manage such activities and facilitate this land use in a sustainable manner

6.5 SELF CATERING APARTMENTS

MIDVAAL ACCOMMODATION POLICY		
CRITERIA	GUIDELINES	JUSTIFICATION
PURPOSE	<ul style="list-style-type: none"> • A building or a group of buildings consisting of separate accommodation units rented for residential purposes, each incorporating a kitchenette/full kitchen, may also include an option of meals being provided communally • Include holiday flats, but exclude hotel, group housing, dwelling house or second dwelling • 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. Guests have to cater for themselves • Self Catering Apartments shall only be permitted on erven within the designated urban edge of the Midvaal Local Municipality 	<ul style="list-style-type: none"> • Provide a flexibility accommodation option in line with current trends for transient guests, visitors and tourists • The self-catering establishments shall according to SATOUR, consist of not less than four units
SCALE	<ul style="list-style-type: none"> • Form and scale of development determined by development parameters of particular zone (i.e. floor space, building lines, height) and the building context and set out on SDP • No general restriction on number of rooms/beds, must be locally appropriate in context of the building characteristics and surrounding area • Council may however determine/restrict the number of beds/rooms per establishment in cases and lay down conditions necessary to mitigate the impact of the establishment, in order to protect the area's character 	<ul style="list-style-type: none"> • Ensure a scale and form appropriate and sensitive to the local building and surrounding area context • Units can be separate or connected to each other or to a part of the main building
LOCATION	<ul style="list-style-type: none"> • Not supported on a single residential zoned property, subject site must have suitable general residential, mixed use or commercial zoning. • Locational criteria that should be considered, include: <ul style="list-style-type: none"> ○ proximity to public transport routes, commercial centres and tourist activities. ○ character of the surrounding area ○ mixed use or commercial locations (including areas designated for high density development) are encouraged 	<ul style="list-style-type: none"> • Ensure contextually appropriate development, encouraged in high intensity land use areas/precincts • All facilities of the unit are for the private use of the guests

MIDVAAL ACCOMMODATION POLICY		
CRITERIA	GUIDELINES	JUSTIFICATION
SELF CATERING	<ul style="list-style-type: none"> By definition, self-catering either in the form of a kitchenette or full kitchen per unit is permitted, but an option may also be included to provide meals communally to guests The self-catering establishments shall according to SATOUR, consist of not less than four units 	<ul style="list-style-type: none"> Allow flexibility to guests with regard to catering arrangements
LIQUOR USAGE	<ul style="list-style-type: none"> Unless meals also provided communally to resident guests, no on-site liquor selling/licence permitted 	<ul style="list-style-type: none"> Protect amenity and character of the area
ANCILLARY FACILITIES	<ul style="list-style-type: none"> Tourist and other ancillary facilities normally associated with a hotel, such as restaurants, tourists shops, sport facilities, banquet halls, spa/hydro and wellness centre and conference facilities, not permitted 	<ul style="list-style-type: none"> Restrict establishment/development to an appropriate scale
ON-SITE RESIDENCE	<ul style="list-style-type: none"> Depending on zoning schemes, staff quarters are permitted 	<ul style="list-style-type: none"> Accommodate operational requirements
PARKING	<ul style="list-style-type: none"> Provide on-site parking as follows: <ul style="list-style-type: none"> 1.5 bays per unit Except where on-site parking/drop-off space is provided, guests may not arrive by 30-seater (or larger) bus 	<ul style="list-style-type: none"> Prevent on-street parking that may adversely affect traffic flow, the streetscape or area character generally
LOADING	<ul style="list-style-type: none"> Provide on-site space for loading and deliveries Depending on scale of establishment, designated guest parking bays may be shared as temporary loading space 	<ul style="list-style-type: none"> Prevent on-street loading for same reasons as above
STAFF FACILITIES	<ul style="list-style-type: none"> Staff facilities are permitted such as sleeping quarters, offices and a lounge Bona fide staff quarters shall be regarded as rooms for lodgers/guests and may not be converted to guest accommodation 	<ul style="list-style-type: none"> Cater for operational requirements but prevent escalation of development beyond intended scale

MIDVAAL ACCOMMODATION POLICY		
CRITERIA	GUIDELINES	JUSTIFICATION
SIGNAGE	<ul style="list-style-type: none"> All outdoor signage to comply with Council's Outdoor Advertising By-law 	<ul style="list-style-type: none"> Prevent oversized signage that might be detrimental to visual integrity of the area
ENVIRON. ISSUES	<ul style="list-style-type: none"> Any alteration or new structure shall be compatible with the character of the surrounding area Where located in historic precincts/heritage areas, external appearance/facade to be sensitive to this attribute and taken into account in design Where buildings are altered or newly constructed, Council's Green Building Guidelines should be considered and applied. No activities constituting a source of public nuisance shall be carried out No disturbance from loud music or other sources after 22h00, except with separate approval from Council Specific arrangement for the appropriate on-site storage and disposal of refuse/solid waste to be incorporated and set out on SDP 	<ul style="list-style-type: none"> Protect amenity enjoyed by surrounding residents and character of the area
LAND USE PROCESS	<ul style="list-style-type: none"> A rezoning application for Self Catering Apartments, along with a detailed Site Development Plan, shall be required as they have a similar impact to that of a hotel. 	<ul style="list-style-type: none"> There is a need to manage such activities and facilitate this land use that is on the increase

6.6 HOTELS

MIDVAAL ACCOMMODATION POLICY		
CRITERIA	GUIDELINES	JUSTIFICATION
PURPOSE	<ul style="list-style-type: none"> • Purpose built building, which may consist of multiple free standing structures or a multiple storey single structure • Provide separate rooms with at least 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 	<ul style="list-style-type: none"> • Provide high end accommodation options for transient guests, visitors and tourists.
SCALE	<ul style="list-style-type: none"> • Form and scale of development determined by development parameters of particular zone (i.e. floor space, building lines, height) and the building context and set out on SDP. • No general restriction on number of rooms/beds, must be locally appropriate in context of the building characteristics and surrounding area. • Council may restrict the number of bedrooms per establishment in cases and lay down conditions necessary to mitigate the impact of the establishment, in order to protect the area's character. 	<ul style="list-style-type: none"> • Ensure a scale and form appropriate and sensitive to the local building and surrounding area context
LOCATION	<ul style="list-style-type: none"> • Locational criteria that should be considered, include: <ul style="list-style-type: none"> ○ Scale of operation ○ Proximity to public transport routes, commercial centres and tourist activities. ○ Character of the surrounding area • A range of locations are supported, including business district areas, medium to high density residential areas, mixed use areas and resorts 	<ul style="list-style-type: none"> • Accommodate hotel in most locations, but excluding single residential dwelling based area.
SELF CATERING	<ul style="list-style-type: none"> • Self catering is not permitted in a hotel establishment 	<ul style="list-style-type: none"> • Not permitted

MIDVAAL ACCOMMODATION POLICY		
CRITERIA	GUIDELINES	JUSTIFICATION
LIQUOR USAGE	<ul style="list-style-type: none"> Subject to obtaining liquor licence, alcoholic beverages may be sold for on-site consumption by resident guests including with meals in the dining or bar facilities of the hotel Permitted liquor trading hours as per Liquor Trading Hour By-law 	<ul style="list-style-type: none"> Ensure compliance with Liquor legislation but allow for diverse range of facilities/services to guests
ANCILLARY FACILITIES	<ul style="list-style-type: none"> Depending on the zoning scheme, other ancillary services may include lecture rooms, a tourist/gift shop, sports facilities, banquet hall, spa/hydro, wellness centre, bar facility or any other facility which is reasonable and ordinary related to a hotel Subject to zoning scheme requirements, a place of entertainment may be provided, with the size and nature of the facilities determined by an SDP 	<ul style="list-style-type: none"> Enable provision of a wide variety of complimentary services and facilities available to guests
ON-SITE RESIDENCE	<ul style="list-style-type: none"> Permanent accommodation may be provided on-site for the manager of the establishment, as well as bona fide staff quarters 	<ul style="list-style-type: none"> Accommodate operational requirement and support establishment management
PARKING	<ul style="list-style-type: none"> Sufficient space to be provided on-site for shuttles and buses 1 Parking space per bedroom or suite 6 parking spaces per 100m² of public floor area 	<ul style="list-style-type: none"> Prevent on-street parking that may adversely affect traffic flow, the streetscape or area character generally.
LOADING	<ul style="list-style-type: none"> Sufficient dedicated on-site loading and delivery space to be provided, and set out per SDP 	<ul style="list-style-type: none"> Prevent on-street loading for same reasons as above
STAFF FACILITIES	<ul style="list-style-type: none"> Staff facilities are permitted, such as sleeping quarters, offices and a lounge. Bona fide staff quarters shall be regarded as rooms for lodgers/guests and may not be converted to guest accommodation 	<ul style="list-style-type: none"> Cater for operational requirements but prevent escalation of development beyond intended scale
SIGNAGE	<ul style="list-style-type: none"> All outdoor signage to comply with Council's Outdoor Advertising By-law 	<ul style="list-style-type: none"> Prevent oversized signage that might be detrimental to visual integrity of the area

MIDVAAL ACCOMMODATION POLICY		
CRITERIA	GUIDELINES	JUSTIFICATION
ENVIRON. ISSUES	<ul style="list-style-type: none"> Any alteration or new structure shall be compatible with the character of the surrounding area. Where located in historic precincts/heritage areas, external appearance/facade to be sensitive to this attribute and taken into account in design Where buildings are altered or newly constructed, Council's Green Building Guidelines should be considered and applied No activities constituting a source of public nuisance shall be carried out. No disturbance from loud music or other sources after 22h00, except with separate approval from Council Council may prescribe specific hours for special events that may cause public nuisance, and prescribe specific mitigating measures to be implemented in such cases Specific arrangements for the appropriate on-site storage and disposal of refuse/solid waste to be incorporated and set out on an SDP 	<ul style="list-style-type: none"> Ensure a reasonable and contextually appropriate level of amenity to surrounding residents and inhabitants of the area
LAND USE PROCESS	<ul style="list-style-type: none"> A rezoning application for Hotel, along with a detailed Site Development Plan, shall be required unless the specific land use zone permits a hotel as a primary right. 	<ul style="list-style-type: none"> There is a need to manage such activities and facilitate this land use

6.7 LODGES / RESORT ACCOMMODATION

MIDVAAL ACCOMMODATION POLICY		
CRITERIA	GUIDELINES	JUSTIFICATION
PURPOSE	<ul style="list-style-type: none"> • Harmoniously designed and purpose built guest accommodation units on a short term occupancy or time sharing basis for holiday or recreational purposes, often in a unique environment • Consists of multiple free standing, linked or single structures and is a single (private or public owned) enterprise • Or, where inside the urban edge, consist of normal township establishment and allows for alienation of individual units by means of time sharing, sectional title, share block or subdivision and full separate title • Does not include a hotel, but may include ancillary facilities which are reasonable related to resort housing such as ablution facilities, tourist facilities, recreation facilities, sports facilities, lecture rooms, restaurant, conference facilities, spa/hydro, wellness centre, caravan park and camping 	<ul style="list-style-type: none"> • Provide accommodation for tourists and visitors in a unique recreational/holiday setting and context • The size and nature of the facilities and the resort accommodation to be determined by a special consent use application and the submission of a Site Development Plan
SCALE	<ul style="list-style-type: none"> • Form and scale of development to be determined as a maximum of 1 dwelling unit per 5 Ha, subject to the following conditions: <ul style="list-style-type: none"> ○ On proposal merits if no policy or spatial framework exist ○ By contextual informants such as environmental sensitivity, views, carrying capacity for the environment etc. ○ By the development parameters of particular zone (i.e. floor space, building lines, height) where applicable, set out on a SDP 	<ul style="list-style-type: none"> • Ensure a contextually appropriate scale of development in harmony with its surroundings and with an acceptable environmental impact
LOCATION	<ul style="list-style-type: none"> • Council may determine/restrict the number of beds/rooms per establishment in cases and lay down conditions necessary to mitigate the impact thereof, in order to protect the surrounding environment, area's carrying capacity etc. • Outside urban edge, no individual subdivision/separate title units/township establishment permitted 	<ul style="list-style-type: none"> • Locational criteria that should be considered include if outside urban edge, proximity to a unique natural/recreational resource

MIDVAAL ACCOMMODATION POLICY		
CRITERIA	GUIDELINES	JUSTIFICATION
SELF CATERING	<ul style="list-style-type: none"> In addition to an option to provide meals communally (e.g. in the form of a restaurant) to resident guests, self-catering may be permitted (e.g. separate kitchen per unit or cooking/braai facilities in case of camping) 	<ul style="list-style-type: none"> Self-catering may be permitted
LIQUOR USAGE	<ul style="list-style-type: none"> Subject to obtaining liquor licence and separate departure/consent application in terms of the zoning scheme (where required in terms of the scheme), alcoholic beverages may be sold for on-site consumption by resident guests including with meals in a restaurant or in a bar facility. Permitted liquor trading hours as per Liquor Trading Hour By-law 	<ul style="list-style-type: none"> Ensure compliance with Liquor legislation but allow for diverse range of facilities/services to guests
ANCILLARY FACILITIES	<ul style="list-style-type: none"> Depending on the zoning scheme, other ancillary services may include ablution facilities, lecture rooms, a restaurant, a tourist shop/facilities, recreation facilities, walking or cycling trails, horse riding, sports facilities, banquet hall, spa/hydro, wellness centre, caravan park and camping and any other use which is reasonable related to resort accommodation, subject to the consent of the Council Subject to scheme requirements, a place of entertainment may be provided, with the size and nature of the facilities to be determined by an SDP 	<ul style="list-style-type: none"> Enable provision of a wide variety of complimentary services and facilities available to guests
ON-SITE RESIDENCE	<ul style="list-style-type: none"> Permanent accommodation may be provided on-site for the manager of the establishment, as well as bona fide staff quarters 	<ul style="list-style-type: none"> Accommodate operational requirement and support management
PARKING	<ul style="list-style-type: none"> Parking to be provided to the satisfaction of the Executive Director: Development and Planning 	<ul style="list-style-type: none"> Ensure orderly parking arrangement and prevent any unsafe traffic conditions on abutting public roads
LOADING	<ul style="list-style-type: none"> Dedicated on-site loading and delivery space to be determined on merit, and set out per SDP Ensure orderly loading / delivery arrangement and prevent any unsafe traffic conditions on abutting roads 	<ul style="list-style-type: none"> Ensure orderly loading / delivery arrangement and prevent any unsafe traffic conditions on abutting roads

MIDVAAL ACCOMMODATION POLICY		
CRITERIA	GUIDELINES	JUSTIFICATION
STAFF FACILITIES	<ul style="list-style-type: none"> Staff facilities are permitted, such as sleeping quarters, offices and a lounge Bona fide staff quarters shall not be regarded as rooms for lodgers/guests and may not be converted to guest accommodation 	<ul style="list-style-type: none"> Cater for operational requirements but prevent escalation of development beyond intended scale
SIGNAGE	<ul style="list-style-type: none"> All outdoor signage to comply with Council's Outdoor Advertising By-law 	<ul style="list-style-type: none"> Prevent oversized signage that might be detrimental to visual integrity of the area
ENVIRON. ISSUES	<ul style="list-style-type: none"> Any new structures must be sensitively designed in context of the character of the surrounding environment and Council may impose a condition requiring submission and approval of an Architectural Design Guide Where buildings are altered or newly constructed, Council's Green Building Guidelines should be considered and applied. No activities constituting a source of public nuisance shall be carried out. No disturbance from loud music or other sources after 22h00, except with separate approval from Council Council may prescribe specific hours for special events that may cause public nuisance, and prescribe specific mitigating measures to be implemented in such cases Specific arrangements for the appropriate on-site storage and disposal of refuse/solid waste to be incorporated and set out on an SDP 	<ul style="list-style-type: none"> Protect the character and amenity of the surrounding area
LAND USE PROCESS	<ul style="list-style-type: none"> Does not include a hotel, but may include ancillary facilities which are reasonable related to resort housing such as ablution facilities, tourist facilities, recreation facilities, sports facilities, lecture rooms, restaurant, conference facilities, spa/hydro, wellness centre, caravan park and camping Reference must be made to the zoning to determine whether a special consent or rezoning would be required. 	<ul style="list-style-type: none"> There is a need to manage such activities and facilitate this land use that is on the increase

6.8 GAME FARMS

MIDVAAL ACCOMMODATION POLICY		
CRITERIA	GUIDELINES	JUSTIFICATION
PURPOSE	<ul style="list-style-type: none"> • Harmoniously designed and purpose built guest accommodation units on a short term occupancy or time sharing basis for holiday or recreational purposes, in a unique environment related to wild life preservation, hunting or fishing recreation. • Consists of multiple free standing, linked or single structures and is a single (private or public owned) enterprise. The accommodation must be subsidiary to the main use with a maximum of 1 dwelling unit per hectare • Does not include a hotel, but may include ancillary facilities which are reasonable related to the game farm such as ablution facilities, tourist facilities, recreation facilities, sports facilities, and restaurant • This use is only permitted outside of the urban edge 	<ul style="list-style-type: none"> • Provide accommodation for tourists and visitors in a unique recreational/holiday setting and context • The size and nature of the facilities and the game farm accommodation to be determined by a special consent use application and the submission of a Site Development Plan
SCALE	<ul style="list-style-type: none"> • Form and scale of development shall be a maximum of 1 dwelling unit per 5 hectares, subject to the following conditions: <ul style="list-style-type: none"> ○ Shall not deter from the main function of the game farm ○ by contextual informants such as environmental sensitivity, views, carrying capacity for the environment etc. ○ by the development parameters of particular zone (i.e. floor space, building lines, height) where applicable ○ and set out on a Site Development Plan 	<ul style="list-style-type: none"> • Ensure a contextually appropriate scale of development in harmony with its surroundings and with an acceptable environmental impact
LOCATION	<ul style="list-style-type: none"> • Council may determine/restrict the number of dwelling units per establishment in certain cases and impose conditions necessary to mitigate the impact, in order to protect the surrounding environment 	<ul style="list-style-type: none"> • Locational criteria that should be considered include if outside urban edge, proximity to a unique natural/rec. resource

MIDVAAL ACCOMMODATION POLICY		
CRITERIA	GUIDELINES	JUSTIFICATION
SELF CATERING	<ul style="list-style-type: none"> In addition to an option to provide meals communally (e.g. in the form of a restaurant) to resident guests, self-catering may be permitted (e.g. separate kitchen per unit or cooking/braai facilities in case of camping). 	<ul style="list-style-type: none"> Self-catering may not be permitted
LIQUOR USAGE	<ul style="list-style-type: none"> Subject to obtaining liquor licence and separate departure/consent application in terms of the zoning scheme (where required in terms of the scheme), alcoholic beverages may be sold for on-site consumption by resident guests including with meals in a restaurant or in a bar facility. Permitted liquor trading hours as per Liquor Trading hour By-law 	<ul style="list-style-type: none"> Ensure compliance with Liquor legislation but allow for diverse range of facilities/services to guests
ANCILLARY FACILITIES	<ul style="list-style-type: none"> Depending on the zoning scheme, other ancillary services may include ablution facilities, a restaurant, a tourist shop/facilities, recreation facilities, walking or cycling trails, horse riding, sports facilities, banquet hall, and any other use which is reasonably related to a game farm, subject to the consent of the Council. 	<ul style="list-style-type: none"> Enable provision of a wide variety of complimentary services and facilities available to guests
ON-SITE RESIDENCE	<ul style="list-style-type: none"> Permanent accommodation may be provided on-site for the manager of the establishment, as well as bona fide staff quarters. 	<ul style="list-style-type: none"> Accommodate operational requirements and establishment management / oversight
PARKING	<ul style="list-style-type: none"> Parking to be provided to the satisfaction of the Executive Director: Development and Planning Ensure orderly parking arrangement and prevent any unsafe traffic conditions on abutting public roads 	<ul style="list-style-type: none"> Ensure orderly parking arrangement and prevent any unsafe traffic conditions on abutting public roads
LOADING	<ul style="list-style-type: none"> Dedicated on-site loading and delivery space to be determined on merit, and set out per SDP Ensure orderly loading / delivery arrangement and prevent any unsafe traffic conditions on abutting roads 	<ul style="list-style-type: none"> Ensure orderly loading / delivery arrangement and prevent any unsafe traffic conditions on abutting roads

MIDVAAL ACCOMMODATION POLICY		
CRITERIA	GUIDELINES	JUSTIFICATION
STAFF FACILITIES	<ul style="list-style-type: none"> Staff facilities are permitted, such as sleeping quarters, offices and a lounge Bona fide staff quarters shall not be regarded as rooms for lodgers/guests and may not be converted to guest accommodation 	<ul style="list-style-type: none"> Cater for operational requirements but prevent escalation of development beyond intended scale
SIGNAGE	<ul style="list-style-type: none"> All outdoor signage to comply with Council's Outdoor Advertising By-law 	<ul style="list-style-type: none"> Prevent oversized signage that might be detrimental to visual integrity of the area
ENVIRON. ISSUES	<ul style="list-style-type: none"> Any new structures must be sensitively designed in context of the character of the surrounding environment and Council may impose a condition requiring submission and approval of an Architectural Design Guide Where buildings are altered or newly constructed, Council's Green Building Guidelines should be considered and applied. No activities constituting a source of public nuisance shall be carried out. No disturbance from loud music or other sources after 23:00, except with separate approval from Council Council may prescribe specific hours for special events that may cause public nuisance, and prescribe specific mitigating measures to be implemented in such cases Specific arrangements for the appropriate on-site storage and disposal of refuse/solid waste to be incorporated and set out on an SDP 	<ul style="list-style-type: none"> Protect the character and amenity of the surrounding area Water conservation and energy efficiency practices are to be put in place and shall be included in the special consent application to the Council
LAND USE PROCESS	<ul style="list-style-type: none"> No individual subdivision/separate title units/township establishment permitted, especially on agricultural land Does not include a hotel, but may include ancillary facilities which are reasonable related to the game farm such as ablution facilities, tourist facilities, recreation facilities, sports facilities, and restaurant Special consent use and SDP for any more that 2 dwelling units 	<ul style="list-style-type: none"> There is a need to manage such activities and facilitate this land use

7. PROPOSED LAND USE DEFINITIONS

TERM	ACCOMMODATION POLICY DEFINITIONS
Ancillary	A land use, purpose, building, structure or activity which is directly related to, and subservient to, the lawful dominant use of the property.
Backpackers' Lodge	A building where lodging is provided, and may incorporate cooking, dining and communal facilities for the use of lodgers, together with such outbuildings as are normally used therewith; and includes a building in which beds are rented for residential purposes, residential building, youth hostel, backpackers' lodge, guesthouse and residential club; but does not include a hotel, or second dwelling
Bed and Breakfast	A dwelling-house or second dwelling in which the owner of the dwelling supplies lodging and meals for compensation to transient guests who have permanent residence elsewhere; provided that: <ul style="list-style-type: none"> • The dominant use of the dwelling-house concerned shall remain for the living accommodation of a single family • The property complies with the requirements contained in the zoning scheme for a bed and breakfast establishment.
Boarding House	A building where lodging is provided, and may incorporate cooking, dining and communal facilities for the use of lodgers, together with such outbuildings as are normally used therewith; and includes a building in which rooms are rented for residential purposes, youth hostel, backpackers' lodge, guest-house and residential club; but does not include a hotel, dwelling house, or second dwelling
Camping Site	A property used for the erection of tents, caravans or other temporary structures for temporary accommodation for visitors or holiday makers, and includes ablution, cooking and other facilities that are use of such visitors., which; <ul style="list-style-type: none"> • includes a caravan park, whether publicly or privately owned; but • excludes the alienation of land on the basis of time sharing, sectional title, share blocks or individual subdivision; and excludes resort accommodation or mobile homes.
Caravan	A vehicle which has been equipped or converted for living and sleeping purposes and which can be readily moved.
Communal Facilities	Indoor and outdoor space intended for recreational use, which may include a play area, garden, and/or a swimming pool.

TERM	ACCOMMODATION POLICY DEFINITIONS
Conference Facilities	A place of commercial nature where information is presented and ideas exchanged among groups of people or delegates whose normal workplace is elsewhere, and may include overnight accommodation and the supply of meals to delegates.
Dwelling House	A building containing only one dwelling unit, together with such outbuildings as are ordinarily used with a dwelling-house, including domestic staff quarters.
Dwelling Unit	A self-contained interleading group of rooms, with not more than one kitchen, used for the living accommodation and housing of a family, together with such outbuildings as are ordinarily used therewith, but does not include domestic staff quarters, or tourist accommodation or accommodation used as part of a hotel.
Family	One person maintaining an independent household; or two or more persons related by blood or marriage maintaining a common household; or not more than five unrelated persons maintaining a common household.
Guesthouse	A dwelling house or second dwelling which is used for the purpose of supplying lodging and meals to transient guests for compensation, in an establishment which exceeds the restrictions of a bed and breakfast establishment; and may include business meetings or training sessions by guests on the property.
Hotel	<p>A building which is registered as a hotel in terms of section 1 of the Hotels Act, No 70 of 1965. A property used as a temporary residence for transient guests; where lodging and meals are provided, and may include:</p> <ul style="list-style-type: none"> • a restaurant or restaurants • conference and entertainment facilities that are subservient and ancillary to the dominant use of the property as a hotel; and • premises which are licensed to sell alcoholic beverages for consumption on the property, • but does not include an off-sales facility; • and does not include a dwelling-house or dwelling unit
Kitchen	A room or part of a room equipped for preparing and cooking meals
Kitchenette	Part of a room equipped with maximum a kettle, under counter fridge, microwave and wash-up facilities
Lodge / Lodging	Bedroom (and bed, in the case of a backpackers' lodge) accommodation which is made available for payment, and the services ordinarily related to such accommodation, and lodger has a corresponding meaning.

TERM	ACCOMMODATION POLICY DEFINITIONS
Parking Bay	An area measuring not less than 5.0m x 2,5m for perpendicular or angled parking and 6.0m x 2,5m for parallel parking, which is clearly outlined and demarcated for the parking of one motor vehicle and which is accessible for easy and safe vehicle movement.
Place of Entertainment	A place used predominantly for commercial entertainment which may attract relatively large numbers of people, operate outside normal business hours or generate noise from music or revelry on a regular basis; including a cinema, theatre, amusement park, dance hall, gymnasium and nightclub.
Public Nuisance	<p>Any act, omission or condition in which, in the Council's opinion is offensive, injurious or dangerous to health, materially interferes with the ordinary comfort, convenience, peace or quiet of the public, or which adversely affects the safety to the public, having regard to:</p> <ul style="list-style-type: none"> • The reasonableness of the activities in question in the area concerned, and the impacts which result from these activities; and • The ambient noise level of the area concerned.
Resort Accommodation	<p>Harmoniously designed and built guest accommodation units for holiday or recreational purposes consisting of multiple free standing, linked or single structures, which:</p> <ul style="list-style-type: none"> • Consist of a single (private or public owned) enterprise or, where inside the urban edge, or normal township establishment; • Provides overnight accommodation by means of short term rental or time sharing; • Where inside urban edge, allows for alienation of individual units by means of time sharing, sectional title, share block or subdivision and full separate title; • Does not include a hotel and • May include ancillary facilities which are reasonably and ordinarily related to resort housing such as ablution facilities, tourist facilities, recreation facilities, sports facilities, lecture rooms, restaurant, conference facilities, spa/hydro, wellness centre, caravan park and camping
Restaurant	A commercial establishment where meals and liquid refreshments are prepared and/or served to paying customers primarily for consumption on the property, and may include licensed provision of alcoholic beverages for consumption on the property; but does not exclude the option for some customers to purchase food for consumption off the property.

TERM	ACCOMMODATION POLICY DEFINITIONS
Second Dwelling	<p>An additional dwelling-unit which may in terms of the zoning scheme be erected on a land unit where a dwelling house is also permitted, and such second dwelling may be a separate structure or attached to an outbuilding or may be contained in the same structure as the dwelling-house, provided that:</p> <ul style="list-style-type: none"> • the second dwelling shall remain on the same land unit as the dwelling-house; • the second dwelling shall comply with the requirements in the zoning scheme.
Self Catering Apartments	<p>A building or group of buildings consisting of separate apartments, each incorporating a full kitchen, and which may include other communal facilities for the use of transient guests, together with such outbuildings as are normally used therewith; which are rented for residential purposes and may include holiday flats; but does not include a hotel, dwelling-house, second dwelling, group house or self-catering unit.</p>
Self Catering Unit	<p>Accommodation units, each incorporating a kitchenette facility only, rented for residential purposes to transient guests</p>
Spa / Hydro / Wellness Centre	<p>Purpose built buildings for human relaxation and body regeneration by making use of facilities such as pools, baths and saunas; where treatment may be provided by professional practitioners.</p>
Sports Facilities	<p>Land or structures/buildings which is utilised for the practising of outdoor or indoor sports and includes a pool, tennis, squash and volley ball courts, gymnasiums or other indoor sport centres and ancillary facilities, which does not include a clubhouse.</p>
Tourist Accommodation	<p>Harmoniously designed and build development, used for holiday or recreational purposes, whether in private or public ownership, which:</p> <ul style="list-style-type: none"> • consists of a single enterprise in which overnight accommodation is supplied by means of short term rental or time sharing only; • may include the provision of a camping site, mobile home park and dwelling-units, but does not include a hotel
Tourist Facility/ Ancillary Facility	<p>Amenities for tourists or visitors such as lecture rooms, restaurants, gifts shops, restrooms and recreational facilities, but does not include a hotel or tourist accommodation</p>

8. LAND USE PROCEDURES

The following application procedures and conditions be applicable to all types of guest accommodation as defined by this Accommodation Policy. Reference is made to the Accommodation Typology Tables in Section 12. These cross reference the relevant town planning schemes and whether the use is permitted as a primary right, whether a special consent needs to be applied for or whether the use is not permitted and the erf needs to be rezoned..

- 11.1. That the development of all the different types of guest accommodation establishments on "Residential 3" and all different types of guest accommodation establishments, except Self Catering Apartments on "Residential 2" be allowed with the submission of a Special Consent Use Application. The application shall be submitted with a detailed Site Development Plan. A Residential Building is permitted as a primary right.
- 11.2. That the rezoning application on erven zoned "Residential1" from "Residential1" to "Residential1" with an Annexure for the development of a guesthouse (above 16 rooms) shall be submitted. This will then ensure that the development remains with a residential character.
- 11.3. That the following development controls also be applicable to all land use applications for guest accommodation:
 - 11.3.1. 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.
 - 11.3.2. If at any time the right is not exercised for a continuous period of six months, it shall lapse automatically. It is, however, up to the applicant

to advise Council of this should they wish to revise their valuation in relation to improvements.

11.3.3. 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 and Planning shall at all times be satisfied that the state of the property is not detrimental to the amenity of the area.

11.4. The following development controls be made applicable to all rezoning and special consent use applications:

11.4.1. The height shall not exceed two storeys

11.4.2. The guesthouse may have a minimum of two and maximum of sixteen bedrooms by special consent.

11.4.3. The Bed and Breakfast Facility may have a minimum of two and a maximum of six bedrooms by special consent

11.4.4. The Self-Catering Apartments may have a maximum of six units and shall only be permitted within the urban edge

11.4.5. The Backpacker Establishment provide only a bed and pillow and a kitchen for self-help

11.4.6. Building Lines applicable must be in accordance with the relevant town planning schemes

11.4.7. 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

11.4.8. All meals and refreshments should be served exclusively to lodging guests and no public bar or adult entertainment will be allowed on the facility

11.4.9. All Health Regulations shall be complied with

11.4.10. Advertising board shall be in accordance with the Midvaal Signage Policy: 2009

- 11.4.11. That a Site Development Plan be submitted, along with the special consent use application prior to the commencement of the use/consideration of building plans
- 11.4.12. That paved demarcated parking be provided to the satisfaction of the Executive Director: Development and Planning at a ratio of:
- Bed and Breakfast Establishment, Guesthouse, Self-catering Units, Resort and Game Farm: One parking bay per unit as well as six parking spaces per 100m² of public room area.
 - Backpacker Establishment: One parking bay per five beds provided, plus two parking areas for the owner or host of all types of accommodation establishments.

9. ACCOMMODATION TYPOLOGIES TABLES

VAAL MARINA TOWN PLANNING SCHEME	Camping and Caravanning	Bed and Breakfasts	Guesthouse	Backpacker's Lodges	Self Catering Apartments	Hotel	Resort / Lodge	Game Farm
Special Consent with advertisement and objections is granted in terms of Clause 19 of the Town Planning Scheme. This would be in terms of a Special Use as defined in the Town Planning Scheme								
Special Use - land used or a building designed or used for any use other than one of the uses defined in the scheme or mentioned in any definition. There is therefore a need to ensure that there are criteria applied to the various accommodation uses as the table below show where a primary right is permitted (P) and where special consent (SC) can at the moment be applied for. (NP) is for when the given use is not permitted and a rezoning would be required.								
Residential 1	SC	SC	SC	NP	NP	NP	SC	NP
Residential 2	SC	SC	SC	NP	NP	NP	SC	NP
Residential 3	SC	SC	SC	NP	NP	SC	SC	NP
Residential 4	SC	SC	SC	P	NP	SC	SC	NP
Residential 5	SC	SC	SC	NP	NP	NP	SC	NP
Business 1	SC	SC	SC	P	P	P	SC	NP
Agricultural	NP	NP	NP	NP	NP	NP	NP	NP

MEYERTON TOWN PLANNING SCHEME 1986	Camping and Caravanning	Bed and Breakfasts	Guesthouse	Backpacker's Lodges	Self Catering Apartments	Hotel	Resort / Lodge	Game Farm
<i>Special Consent with advertisement and objections is granted in terms of Clause 18 of the Town Planning Scheme. This would be in terms of a Special Use as defined in the Town Planning Scheme</i>								
<i>Special Use - land used or a building designed or used for any use other than one of the uses defined in the scheme or mentioned in any definition. There is therefore a need to ensure that there are criteria applied to the various accommodation uses as the table below show where a primary right is permitted (P) and where special consent (SC) can at the moment be applied for. (NP) is for when the given use is not permitted and a rezoning would be required.</i>								
Residential 1	SC	SC	SC	NP	NP	NP	SC	NP
Residential 2	SC	SC	SC	NP	NP	NP	SC	NP
Residential 3	SC	SC	SC	NP	NP	SC	SC	NP
Residential 4	SC	SC	SC	P	NP	SC	SC	NP
Business 1	SC	SC	SC	P	P	P	SC	NP
Agricultural	SC	SC	SC	NP	NP	NP	SC	SC
Undetermined	NP	NP	NP	NP	NP	NP	NP	NP

RANDVAAL TOWN PLANNING SCHEME 1994	Camping and Caravanning	Bed and Breakfasts	Guesthouse	Backpacker's Lodges	Self Catering Apartments	Hotel	Resort / Lodge	Game Farm
Special Consent with advertisement and objections is granted in terms of Clause 18 of the Town Planning Scheme. This would be in terms of a Special Use as defined in the Town Planning Scheme								
Special Use - land used or a building designed or used for any use other than one of the uses defined in the scheme or mentioned in any definition. There is therefore a need to ensure that there are criteria applied to the various accommodation uses as the table below show where a primary right is permitted (P) and where special consent (SC) can at the moment be applied for. (NP) is for when the given use is not permitted and a rezoning would be required.								
Residential 1	SC	SC	SC	NP	NP	NP	SC	NP
Residential 2	SC	SC	SC	NP	NP	NP	SC	NP
Residential 3	SC	SC	SC	NP	NP	SC	SC	NP
Residential 4	SC	SC	SC	P	NP	SC	SC	NP
Business 1	SC	SC	SC	P	P	P	SC	NP
Agricultural	SC	SC	SC	NP	NP	NP	SC	SC
Undetermined	NP	NP	NP	NP	NP	NP	NP	NP

VEREENIGING TOWN PLANNING SCHEME 1992	Camping and Caravanning	Bed and Breakfasts	Guesthouse	Backpacker's Lodges	Self Catering Apartments	Hotel	Resort / Lodge	Game Farm
Special Consent with advertisement and objections is granted in terms of Clause 31 of the Town Planning Scheme. This would be in terms of a Special Use as defined in the Town Planning Scheme								
Special Use - land used or a building designed or used for any use other than one of the uses defined in the scheme or mentioned in any definition. There is therefore a need to ensure that there are criteria applied to the various accommodation uses as the table below show where a primary right is permitted (P) and where special consent (SC) can at the moment be applied for. (NP) is for when the given use is not permitted and a rezoning would be required.								
Residential 1	SC	SC	SC	NP	NP	NP	SC	SC
Residential 2	SC	SC	SC	NP	NP	NP	SC	SC
Residential 3	SC	SC	SC	NP	NP	SC	SC	SC
Residential 4	SC	SC	SC	P	NP	SC	SC	SC
Residential 5	SC	SC	SC	NP	NP	NP	SC	SC
Business 1	SC	SC	SC	P	P	P	SC	SC
Agricultural	SC	SC	SC	NP	NP	NP	SC	SC

WAKERVILLE TOWN PLANNING SCHEME 1994	Camping and Caravanning	Bed and Breakfasts	Guesthouse	Backpacker's Lodges	Self Catering Apartments	Hotel	Resort / Lodge	Game Farm
Special Consent with advertisement and objections is granted in terms of Clause 19 of the Town Planning Scheme. This would be in terms of a Special Use as defined in the Town Planning Scheme								
Special Use - land used or a building designed or used for any use other than one of the uses defined in the scheme or mentioned in any definition. There is therefore a need to ensure that there are criteria applied to the various accommodation uses as the table below show where a primary right is permitted (P) and where special consent (SC) can at the moment be applied for. (NP) is for when the given use is not permitted and a rezoning would be required.								
Residential 1	SC	SC	SC	NP	NP	NP	SC	NP
Residential 2	SC	SC	SC	NP	NP	NP	SC	NP
Residential 3	SC	SC	SC	NP	NP	SC	SC	NP
Residential 4	SC	SC	SC	P	NP	SC	SC	NP
Residential 5	SC	SC	SC	NP	NP	NP	SC	NP
Business 1	SC	SC	SC	P	P	P	SC	NP
Agricultural	SC	SC	SC	NP	NP	SC	SC	SC

10. CONCLUSIONS

The Midvaal Local Municipality has identified the need for a uniform approach to the management of guest accommodation across all typologies, within its area for jurisdiction. This Accommodation Policy for the Midvaal local Municipality has been formulated to address this identified need and has in turn identified eight different guest accommodation typologies. The Policy has then gone on to provide assessment criteria for each of the eight accommodation typologies and land use management guidelines. This will enable a standardised approach for the whole of the Midvaal Local Municipality area, no matter what town planning scheme is being utilised.

11. RECOMMENDATIONS

- 11.1 That the Midvaal Local Municipality approve the Accommodation Policy: 2010, as detailed in the body of the report.
- 11.2 That the principles and assessment criteria, as contained in the Accommodation Policy be cross-referenced in the Midvaal IDP and Spatial Development Framework.

FOR FURTHER INFORMATION, PLEASE CONTACT:

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