

DRAFT

MIDVAAL SHORT TERM ACCOMMODATION ESTABLISHMENT POLICY

2025 REVIEW



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ABBREVIATIONS/ACRONYMS

IDP	INTEGRATED DEVELOPMENT PLAN
LUS	LAND USE SCHEME
LUM	LAND USE MANAGEMENT
LED	LOCAL ECONOMIC DEVELOPMENT
MLM	MIDVAAL LOCAL MUNICIPALITY
MSA	MUNICIPAL SYSTEMS ACT 32 OF 2000
MSDF	MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK
NEMA	NATIONAL ENVIRONMENTAL MANAGEMENT ACT 107 OF 1998
SDF	SPATIAL DEVELOPMENT FRAMEWORK
SDP	SITE DEVELOPMENT PLAN
SPLUMA	SPATIAL PLANNING AND LAND USE MANAGEMENT ACT 16 OF 2013
SWOT	STRENGTH WEAKNESSES OPPORTUNITIES THREATS

DEFINITIONS

TERM	DEFINITIONS
Ancillary	Means uses or activities which support and compliment the main use on the land and/or building and which shall not exist on their own when the main use on the property is discontinued.
Backpackers	Means land and buildings consisting of habitable rooms including dormitories, a communal kitchen, and dining-room, lounge and ablution facilities for the accommodation of guests and tourists for short periods away from the permanent place of residence and shall be managed by the owner or manager who shall reside on the same property.
Bed and Breakfast	Means a dwelling house or an additional dwelling unit which the occupant of the dwelling supplies lodging and breakfast for compensation to transient guests who have permanent residence elsewhere; Provided that - A. the dominant use of the dwelling house concerned shall remain for the living accommodation of one family; and B. the establishment does not include a guest house, a lodge and conference facilities; and in addition to a Bed and Breakfast, a home enterprise may be permitted subject to the consent of the municipality
Boarding House	Means a dwelling house where the habitable rooms are rented out for an extended period by the resident owner / occupant to unrelated persons and communal facilities such as the kitchen, lounge, dining room and bathrooms are shared by the boarders.
Camping Site	Means land and buildings used for transient guests for overnight accommodation in tents and may include ablution facilities, which - A. excludes the alienation of land on the basis of time sharing, sectional title ownership, the sale of block shares and the subdivision of the land unit concerned; B. includes a caravan park, whether public or privately owned; C. excludes a hotel or mobile homes; and may include ancillary facilities to resident guests only that are reasonable and ordinary related to camping (e.g. ablution facilities, sport facilities and tourist facilities).
Caravan	Means a licensed vehicle which is typically towed and 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.

Communes	“Commune” Means a dwelling house where the habitable rooms are rented out for an extended period to unrelated persons who share the communal facilities such as the kitchen, lounge, dining room and bathrooms.
Conference Facility	Means an additional activity to a primary function such as a hotel, motel, resort, guest house/ lodge, office, place of instruction and tourist facilities, where conferences can be held.
Dwelling House	Means a single and free-standing dwelling unit.
Dwelling Unit	Means An interconnected suite of rooms, designed for human habitation that shall contain a kitchen with or without an ancillary scullery and with the appropriate ablutions; irrespective of whether the dwelling unit is a single building or forms part of a building containing 2 or more dwelling units; provided that a second kitchen, which is to be used for religious purposes and which is physically connected with the first kitchen, may be provided to the satisfaction of the Municipality.
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	Means an enterprise consisting of not more than sixteen (16) guest rooms for the temporary accommodation of a maximum of thirty-two (32) transient guests and which is conducted from a dwelling house or a building that has specifically been designed for such purposes and may include a conference facility catering for business meetings or training sessions on the property. Only one (1) kitchen per establishment shall be allowed and meals and all facilities shall be provided to and are for the exclusive use of paying guest only.
Hotel	Means a building complying with the provisions of the Hotels Act, 1965 (Act No. 70 of 1965) (as amended), and is used as a temporary residence for transient guests, which use exceeds the restrictions of a guest house/ lodge where personal services, lodging and meals are provided and may include activities reasonably and ordinary related to a hotel, including conference facilities, place of refreshment, place of entertainment, place of amusement, tourist facilities, sport and recreation facilities, banquet hall, spa / hydro and wellness centre, and in respect of which a hotel liquor license has been, or is intended to be, issued under the Liquor Act, 1989 (Act No. 27 of 1989), (as amended), but excludes any off-sales facilities.

Kitchen (Kitchenette)	Means a room or part of a room equipped for preparing and cooking meals and excludes a braai room, food and drink preparation area or bar facilities in an entertainment area.
Lodge / Lodging	Means land and buildings used for accommodating guests or tourists for short periods and may include recreational use and self-catering facilities, conference facilities, wedding chapel, staff quarters and ancillary and subservient uses.
Parking Bay	Means an area measuring not less than 5,0m x 2,5m for perpendicular or angled parking and 6,0 m x 2,5 m for parallel parking, which is clearly outlined and demarcated for the parking of one motor vehicle and which is accessible to the satisfaction of the Municipality.
Place of Entertainment	Means land or a building used for entertainment purposes and includes a theatre, cinema, concert hall, live music performances, and may include uses such as a place of refreshment and a bar.
Public Nuisance	Means any act, omission or condition in the council's opinion, which could possibly be offensive, injurious or dangerous to health, which may materially interfere with the ordinary comfort, convenience, peace or quiet of the general public or which adversely affects the safety of the public.
Resort	Means a harmoniously designed and built holiday development which can include, holiday place, caravan park, game park, pleasure resort, camping site, mobile homes or picnic spot intended for public or private recreational use with the view to profit or gain, and includes a place of refreshment and other buildings normally related and appurtenant to such a resort, as approved by the municipality, - Provided that no facility within the resort shall be occupied by any person on a permanent basis not exceeding a period of six (6) months, except with the consent of the municipality, but does not include a hotel, guest house, bed and breakfast and lodge. Public Resorts will not be permitted on sectional title residential zoned properties.
Restaurant	Means land and/or buildings or a part thereof used for the preparation and sale of food or drink, whether or not consumed on the site, and may include inter alia a drive-thru restaurant, confectionary, a bar as well as an ancillary children's play area subject to the consent of the municipality, but excludes a place of entertainment and any activity which, in the council's opinion, may cause public nuisance, and shall be subject to a licence in terms of the Business Act, 1991 (Act No. 71 of 1991).
Second Dwelling	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: - 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	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, commune or self-catering unit.
Self-Catering Unit	Accommodation units, each incorporating a kitchenette facility only, rented for residential purposes to transient guests
Shared online rentals and Similar Platforms	A dwelling or residence in which the occupant of the dwelling supplies lodging and meals for compensation to transient guests who have permanent residence elsewhere through virtual booking platforms; provided that: 1) the dominant use of the dwelling unit concerned remain for living accommodation 2) the property complies with the requirements contained in the MLM Land Use Scheme in operation for short-term accommodation establishments.
Spa / Hydro / Wellness Centre	Means land and building or a part thereof used for human relaxation and body regeneration by making use of facilities such as pools, baths, sauna's, where treatment is provided by professional practitioners with subservient uses to the main use, such as retail, accommodation and gymnasium; Provided that the total floor area of subservient uses shall not be more than 100 m ² .
Sports Facility	Means land and buildings planned, designed and used for sport activities, whether indoors or outdoors.
Student Accommodation	Student accommodation is defined as 'a building designed as accommodation which is used primarily by students for residential purposes and who may share communal facilities such as a kitchen, lounge, and bathroom'.
Tourism Incentive Accommodation	Means permanent provision of overnight accommodation units on actively farmed properties to provide bona fide farmers with additional opportunity to generate income. Units shall not exceed the following provisions: One (1) unit per ten (10) hectares of property size, five (5) units maximum per property,

	each unit footprint is limited to 150 m ² including a structure for the parking of a motor vehicle and the development footprint per unit may not exceeding 250 m ² .
Tourist Facility	Means land or a building used for tourists or day visitors such as a teagarden, farm stall, animal touch farm, game viewing facilities, gift shop, outdoor activity, restaurant, spa/hydro and wellness centre or a rest room on a scale and combination of uses as determined by the municipality for the tourist or day visitor industry, fitting with the character of the surrounding area, but does not include overnight accommodation facilities.

1. INTRODUCTION

Residential based accommodation establishments and commercial based accommodation establishments 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. While zoning regulations remain the most effective mechanism to manage and control, policies in support of these regulations can provide further guidance to public regulating authorities, applicants and operators to ensure a uniform approach.

This document provides a comprehensive base for the review of the Midvaal Accommodation Establishment Policy (2011) by identifying key challenges and opportunities that will form part of the policy review. This document, through the situational analysis, examined external factors such as development trends and technological advancements, as well as internal factors such as regulatory changes. By understanding the contemporary landscape of accommodation establishments, the reviewed Midvaal Accommodation Establishment Policy will be able to provide a functional land use management tool as well as develop effective strategies to support the growth and competitiveness of accommodation establishments within the municipality.

It is therefore the aim of this policy review to provide a rational land use management framework to guide accommodation establishment related land uses in support of existing and future zoning scheme regulations and set a uniform approach to assessment of accommodation establishment related land use applications and land use activities.

2. PURPOSE

The Midvaal Local Municipality (MLM) recognises the importance of creating an enabling environment for stimulating economic growth, creating jobs, and enhancing the overall quality of life for its residents. To support development of a vibrant accommodation sector, the Municipality developed its Accommodation Establishment Policy.

The reviewed policy for accommodation establishments in MLM aims to provide a consistent set of criteria for evaluating land use applications related to accommodation establishments. It also looks to balance economic development and community interests by supporting the growth of the tourism industry while ensuring the quality of life for residents. There is a drive to regulate home-based accommodation by developing guidelines to minimize potential negative impacts on residential areas. There is also a focus on addressing illegal ancillary uses by implementing regulations to control uses such as conference facilities and restaurants.

Therefore, this policy seeks to outline the guidelines and regulations governing the establishment and operation of accommodation establishments within the MLM in compliance with relevant legislation, zoning regulations, and environmental standards.

3.OBJECTIVES

High level objectives of this policy are:

- To create a uniform point of departure and appropriate guidance for landowners, applicants and developers.
- To uphold the integrity of the Midvaal land use scheme, while also aligning, supplementing and supporting the subsequent implementation of the land use scheme.
- Setting equitable standards across the municipality by establishing uniform assessment criteria, definitions, land use guidelines and development parameters.
- Focus on facilitating economic development and access to economic opportunities in balance with social and environmental integrity and sustainability and having a direct facilitation role in ensuring orderly development.

4. LEGISLATIVE FRAMEWORK FOR ACCOMMODATION ESTABLISHMENTS IN SOUTH AFRICA

The legislative framework outlines the key national and municipal laws to be considered in the policy review:

- **National Environmental Management Act 107 of 1998 (NEMA)**
 - ensures that accommodation establishments are developed in consideration of potential impact to the environment. Activities listed under NEMA require environmental authorization, which may entail a Basic Assessment or a Full Scoping and Environmental Impact Assessment (EIA) process, depending on the activity's potential environmental impact.
- **Spatial Planning and Land Use Management Act 16 of 2013 (SPLUMA)**
 - provides the overarching framework for land use management, including the zoning of land through a Land Use Scheme that permits different types of accommodation establishments.
 - Accommodation establishments must be located in areas that are zoned for such use or can be rezoned in line with spatial planning policies.
- **National Building Regulations and Building Standards Act 103 of 1977**
 - set minimum standards for building construction and safety, ensuring the structural integrity and safety of accommodation establishments
 - It is imperative to ensure compliance with National Building Regulations and Building Standards Act 103 of 1977 as adherence to building regulations and fire safety standards is crucial for all establishments.
- **Municipal Systems Act 32 of 2000 (MSA)**
 - empowers municipalities to adopt local regulations and bylaws, including those related to land use and building standards. that dictate the permitted uses of land for the establishment of accommodation facilities.
- **National Heritage Resources Act 25 of 1999**
 - protects heritage sites and buildings and may influence the development of accommodation establishments.
- . Tourism Act 3 of 2014,

- Does not directly address accommodation, but it does provide a broader context for tourism development and can influence policy decisions.
- **Fire and Safety Regulations**
 - aim to ensure that accommodation establishments meet fire safety standards to protect guests and staff.
- Municipal policies and Bylaws perform a similar function to further regulate issues related to noise, waste management, and parking.

Considering the above legislative framework the accommodation establishment policy review will guide the development of legally and sustainable establishments , while minimizing negative impacts on the environment and community in line with the MSDF

5. METHODOLOGY

In the review of this accommodation establishment policy for the MLM, several logical steps have been taken to ensure alignment between the existing spatial planning policy and the land use scheme. The aim is to ensure that all factors assessed create clear guidelines for the municipality in dealing with the related applications. The following steps were undertaken:

- Benchmarking the assessment of accommodation establishment land uses with other municipalities.
- Solicit inputs from MLM Land Use Management section
- Compile a situational analysis based on the key takeaways from the above processes inclusive of SWOT
- Assess and define the eight guest accommodation typologies as per the Midvaal Land Use Scheme 2023
- Revise assessment criteria and update the policy statements and land use management guidelines for each of the eight typologies.
- Create list of definitions as per the Midvaal Land Use Scheme 2023
- Include land use management processes to be followed

6. SCOPE AND APPLICATION

6.1. AREA OF APPLICATION

This is a land use management policy to guide the effective and responsible development of guest accommodation establishments in Midvaal. When adopted, this policy will apply within the area of jurisdiction of the Midvaal Local Municipality as guidelines for the assessment of proposals for accommodation establishments. This policy addresses both business and leisure / recreational related forms of accommodation establishments.

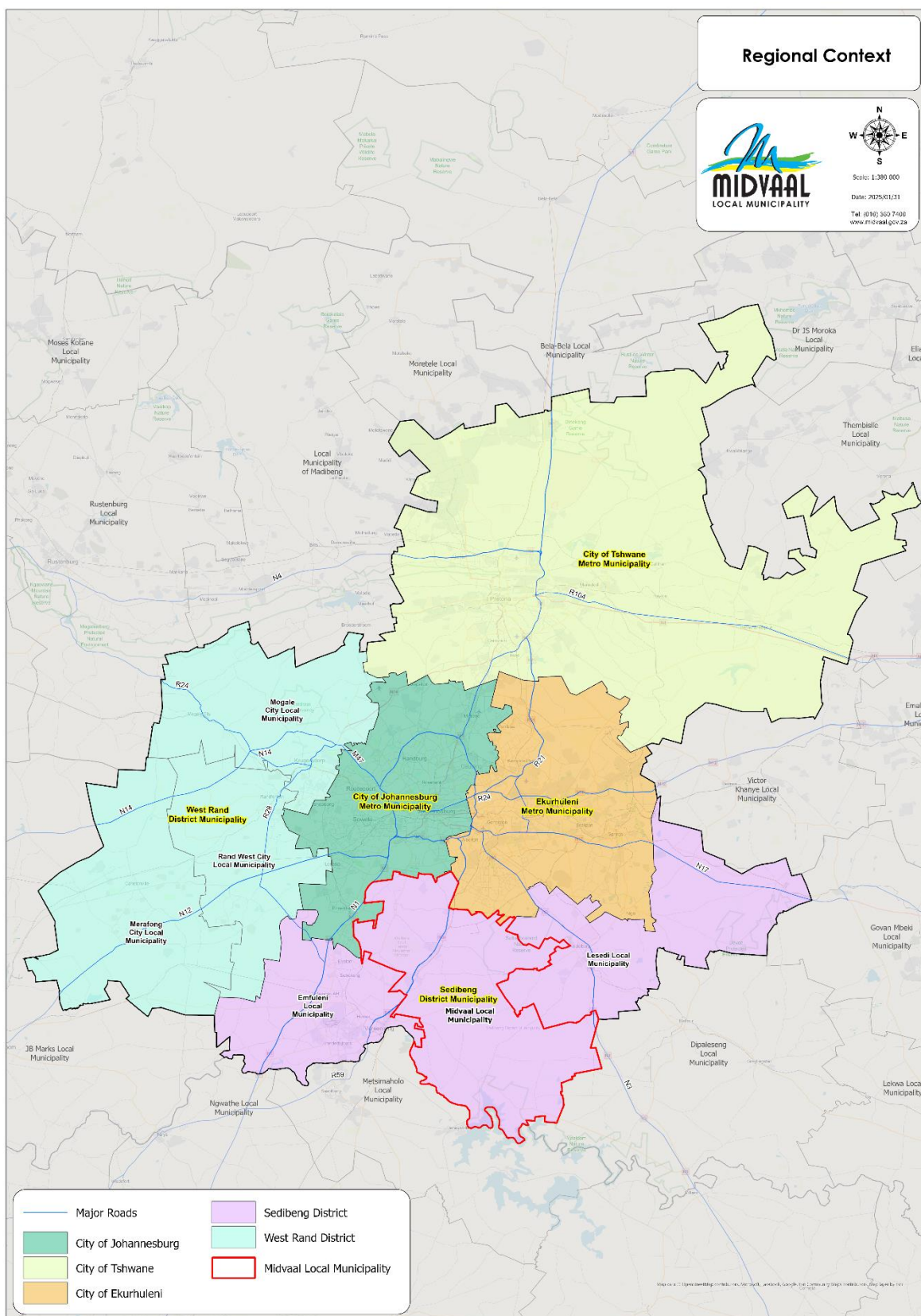
6.2. EXISTING ZONING SCHEME REGULATIONS

Where an existing zoning regulation prescribes standard development parameters (i.e. height, building lines, parking, etc), this policy does not replace these similar provisions, but is applied where such a provision does not exist, or in addition to such provisions. Where similar land use categories (i.e. bed and breakfast, guesthouse) do exist in existing zoning schemes, this policy is applicable to the extent that it is not in conflict with these regulations.

As part of the Land Use Management System, this policy only deals with land use management and related regulatory aspects. Beyond the provision of land use guidelines for assessing proposals, establishing and managing such enterprises, the policy does not get involved in any other sectoral support or economic development strategies and initiatives.

7. LOCATIONAL CONTEXT

The Midvaal Local Municipality is situated within the Sedibeng District Municipality in the southern region of Gauteng Province. The Sedibeng District Municipality encompasses two other local municipalities namely, Emfuleni Local Municipality that includes the towns of Vanderbijlpark and Vereeniging, known for their industrial heritage, as well as Lesedi Local Municipality, home to the towns Heidelberg and Nigel, which are a mix of urban and rural areas. The map below (Figure 1) shows the MLM within its provincial and regional context.



7.1. SPATIAL STRUCTURE

MLM offers a unique blend of rural and urban landscapes. The spatial structure of Midvaal Local Municipality is predominantly rural, with extensive farming activities covering approximately 50% of its total area. Midvaal's proximity to Johannesburg and Pretoria makes it an attractive location for both residential and commercial development. Other natural features include the Vaal Dam, Vaal River, Klip River, a network of ridges and conservancies and the Suikerbosrand Nature Reserves to name a few, which offer vast recreational opportunities. The municipality also boasts historical significance, as the area is rich in history, with various cultural and heritage sites. Another key feature is its economic drivers within the agriculture, manufacturing, and tourism sector that contribute significantly to the local economy.

The map below highlights the municipal boundary and the key natural and environmentally sensitive structuring elements that make up the spatial context of the Municipality (Figure 2).

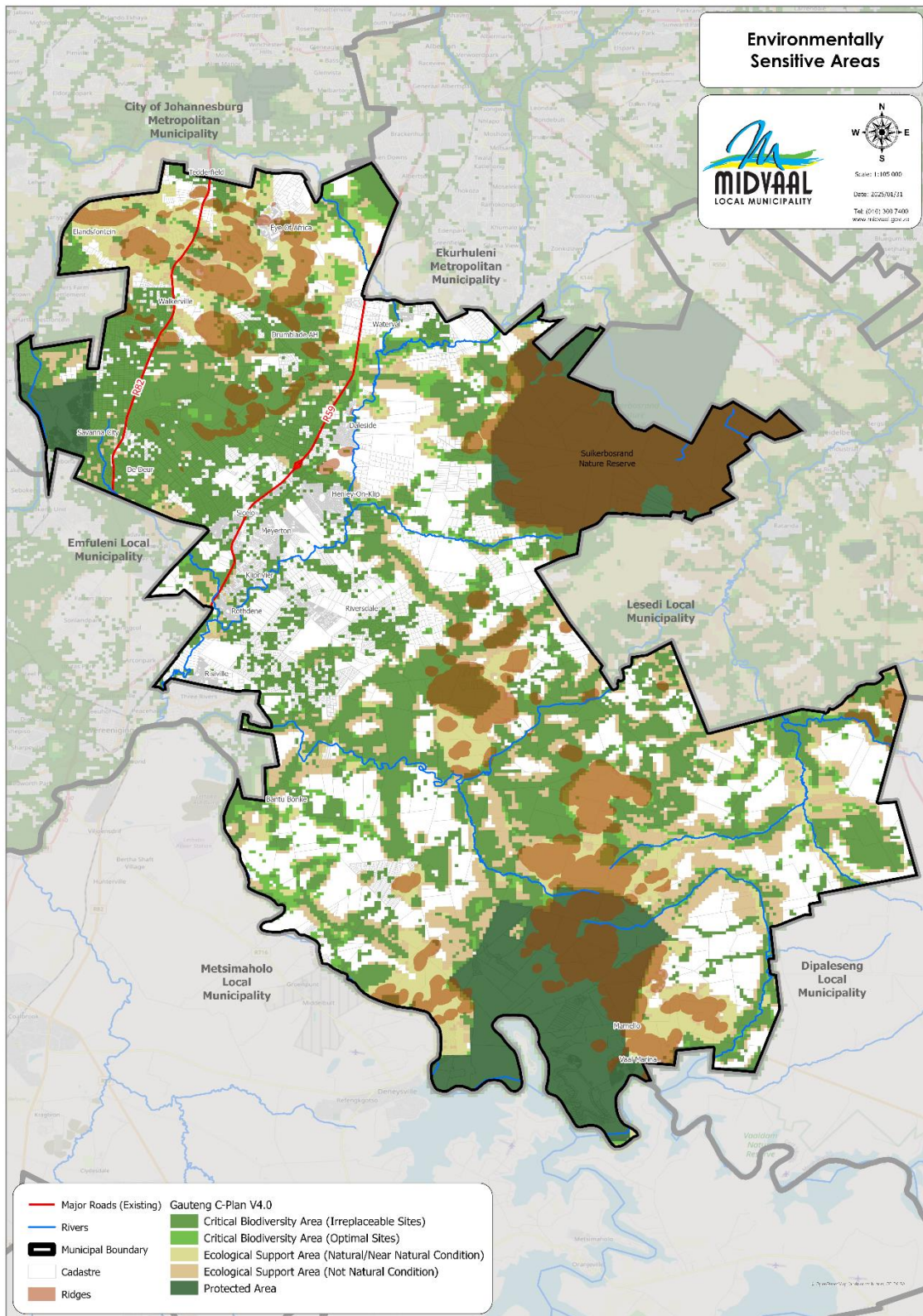


Figure 2: Environmentally Sensitive Areas

The Municipal Spatial Development Framework (MSDF) strives towards consolidated compact urban areas through the use of an Urban Development Boundary (UDB) that is a key structuring element within MLM. The UDB is therefore a major growth

management tool designed to promote compact urban development, support rural residential areas, protect high-potential agricultural land, and conserve critical biodiversity areas and valuable ecosystems. It aims to contain urban sprawl and manage urban-rural cross-over zones effectively. This is done through prioritizing areas for development while maintaining the rural character and protecting agricultural and environmentally sensitive areas outside the boundary. It becomes an important part of the accommodation establishment policy space because of the focus on conservation areas, tourism-related activities, recreational facilities, and rural residential uses. This gives opportunities for accommodation establishments both within and outside the UDB.

The map below (Figure 3) shows the UDB of the municipality, and it illustrates areas of development opportunity within the UDB and the urban rural .

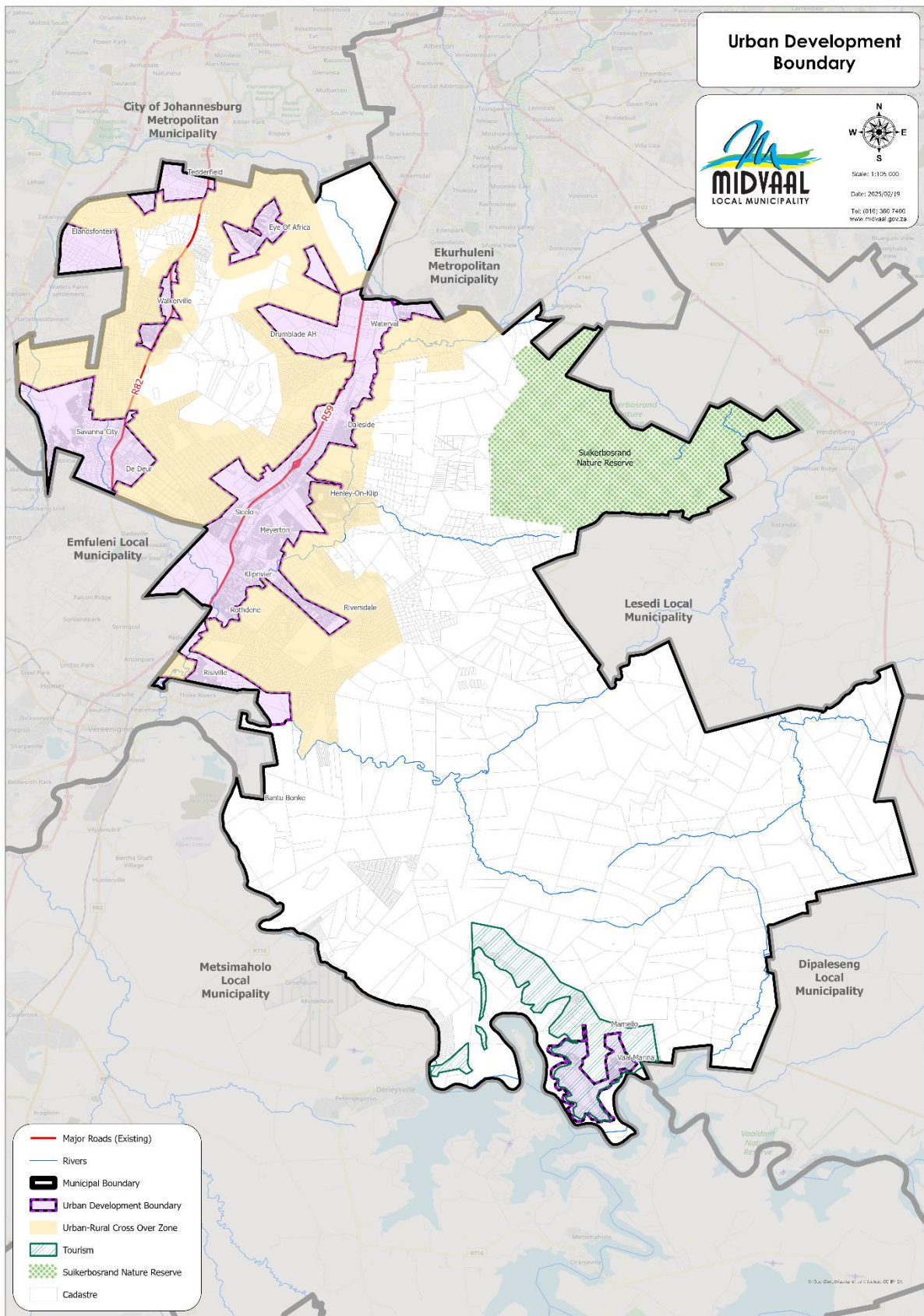


Figure 3: Urban Development Boundary

Other strong structuring elements of MLM include nodes and urban centres, development routes and corridors with a focus on connectivity, and natural areas with unique components. The R59 is an important structuring element of the MLM and a major development corridor with crucial links to key urban centres in the Gauteng city region. The R82 and R550 are important developing routes within the municipality that structure movement within the area and are earmarked as future development / industrial corridors. The R42 is also another key route seen as a secondary corridor linking economic units horizontally across the district.

The map below (Figure 4) shows the major road network of the municipality, and it illustrates areas of development in relation to the major routes and functional corridors.

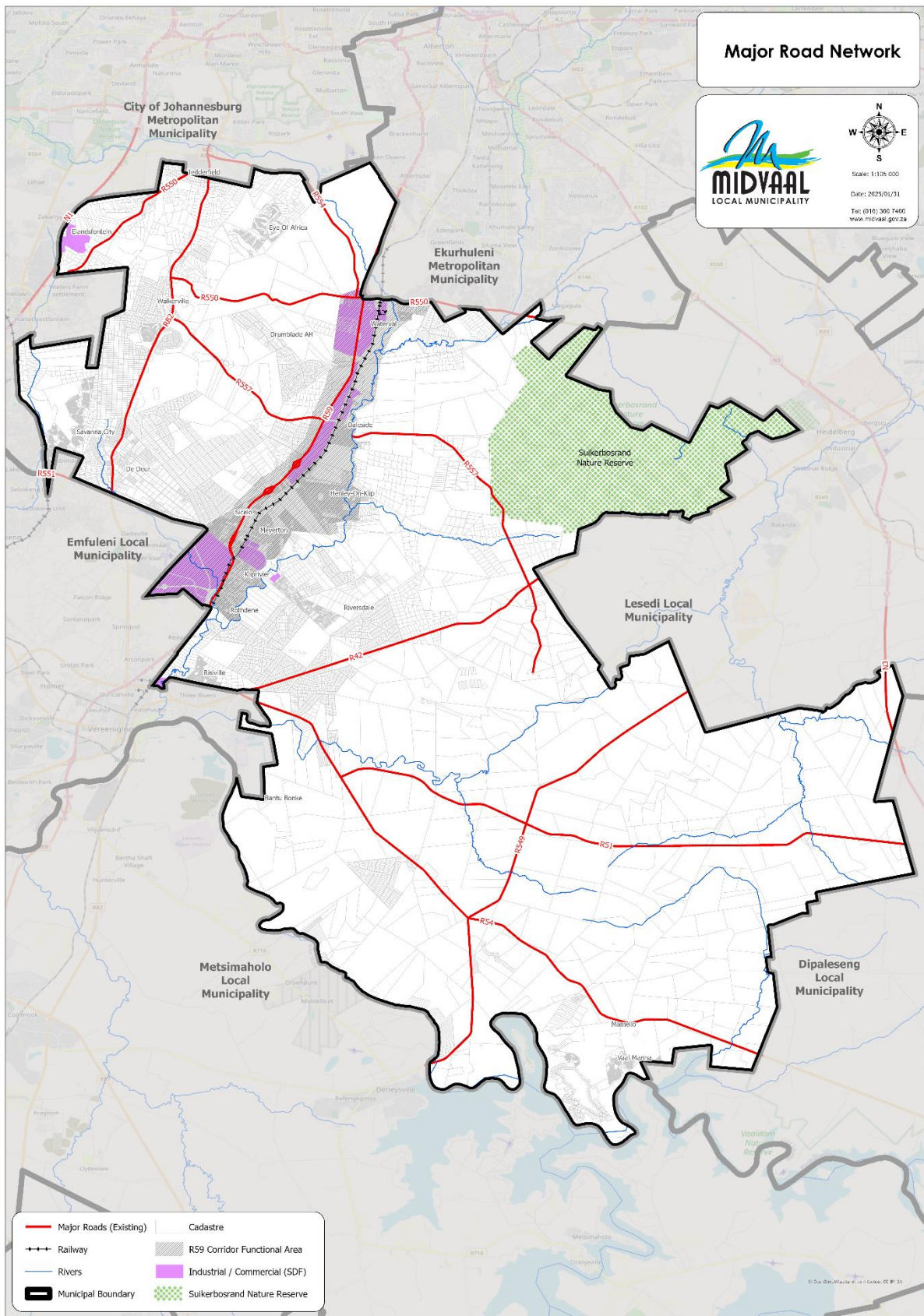


Figure 4: Road Network

8. BENCHMARKING & THE 2011 POLICY ANALYSIS

8.1. Benchmarking

A benchmarking process was undertaken as part of the research behind the review process of the accommodation establishment policy. The benchmark exercise aimed to understand the MLM accommodation establishment policy context in comparison with the aims and objectives of similar policies adopted by other municipalities. This process yielded key insights that largely influenced the review process and the subsequent guidelines within the policy.

The key points from the benchmarking exercise focused on definitions, land use processes and understanding the ancillary uses for accommodation establishments. In terms of the broad definition of accommodation establishment, the benchmarking exercise identified a wide range of short-term lodging options, beyond traditional guesthouses and B&Bs and a need to define these in a manner that relates directly to the Midvaal Land Use Scheme.

8.2. Input from Land Use Management Section

In consultation with the Land Use Management Section it was noted that the policy review needs to be closely linked to the Midvaal Land Use Scheme, ensuring that accommodation establishments are developed within appropriate zones. In terms of addressing ancillary uses, the policy needed to respond directly to these uses and specifically addresses ancillary uses like conference facilities and restaurants, by providing clearer guidelines and links to the primary uses. In relation to alignment issues, the process uncovered some inconsistencies between the policy and the land use scheme, and these have led to confusion and challenges in implementation, especially when assessing development applications. There are also misalignment of development interest and what current policy provisions.

Based on the above this policy review must strive to give guidelines to aid the land use scheme in by providing detail guidance to areas or topics that the land use scheme does not address. The review should align and uphold the integrity of the land use by ensuring the alignment of guidelines to current policies creating an enabling environment for planners to assess applications easier. As an outcome. the policy would therefore need to consider the accommodation establishment space and must

give clear guidance based on scale in selected areas, guide the frequency and provide limits in certain areas.

8.3. Aligning to the Midvaal Land Use Scheme

The following recommendations need to be considered

periodic review of the policy to ensure it remains aligned with the land use scheme and other relevant regulations. This should include an analysis of and response to emerging trends and challenges in the accommodation industry. The policy review must contain clear and consistent terminology to avoid confusion and ambiguity. The policy must include a clear definition for "accommodation establishment" which will encompass all relevant types of short-term lodging.

- Ensure stronger integration with land use planning by considering factors such as infrastructure capacity, environmental impact, and community needs.

institution wide alignment there needs to be a concerted effort to collaborate with other departments within the municipality to coordinate land use decisions and avoid conflicts. Further to this effective enforcement mechanisms need to be in place to ensure compliance with the policy and land use regulations. As part of the enforcement process the municipality should implement regular inspections and monitoring to identify and address non-compliance.

- Allow for public participation and stakeholder engagement to involve local communities, businesses, and other stakeholders in the development and implementation of the policy. This is also supported by the MSA in terms of effective municipal planning and governance. The participation process should include conducting public consultations to gather input and address concerns.
- provide for periodic review of the policy to ensure it remains aligned with the land use scheme and other relevant regulations and response to emerging trends and challenges in the accommodation industry.

In conclusion by addressing some of these issues and taking into consideration the key recommendations, the MLM can strengthen the alignment between its

accommodation establishment policy and land use scheme. Thus, ensuring the sustainable development of the tourism industry while protecting the interests of local communities.

9. SWOT ANALYSIS

The SWOT analysis identifies the strengths, weaknesses, opportunities, and threats facing the accommodation establishment sector and its influences on the Midvaal Short Term Accommodation Establishment Policy. The analysis in Table 1 below provides the basis for a structured framework for understanding the current situation, identifying potential areas for improvement in the policy and potential focus areas for intervention.

Table 1: Swot Analysis

STRENGTHS	WEAKNESSES
• Clear Policy Framework: The existence of a dedicated accommodation establishment policy provides a clear framework for regulating and managing accommodation establishments. • Zoning Regulations: The land use scheme provides a strong foundation for zoning and land use management, ensuring that accommodation establishments are in appropriate areas. • MSDF promotes accommodation establishment through tourism enhancing development drivers	• Lack of Clarity and Consistency: Potential inconsistencies between the policy and the land use scheme may lead to confusion and difficulties in implementation. • Enforcement Challenges: Enforcing regulations and addressing non-compliance can be challenging, especially for home-based accommodation. • Lack of Data: Insufficient data on the accommodation sector in terms of developer appetite and number of active establishments can hinder informed policymaking and evaluation. • Infrastructure Constraints: In some areas, inadequate infrastructure, such as transportation or utilities, can limit the growth and development of accommodation establishments.
OPPORTUNITIES	THREATS
• Sustainable Tourism: The municipality can promote sustainable tourism practices and passive land uses beyond the urban development boundary related to recreation and leisure • Diversification of the Economy: Accommodation establishments can contribute to the diversification of the local economy • Partnership with Local Communities: Collaborating with local communities can help to address concerns and ensure that the development of accommodation establishments benefits the community.	• Economic Downturns: Global economic downturns can reduce travel demand and impact the accommodation sector. • Competition: Increasing competition from online platforms and alternative accommodation options can challenge traditional establishments. • Natural Disasters: South Africa is prone to natural disasters, such as droughts and floods, which can disrupt tourism and impact accommodation businesses. • Illegal establishments and general non-compliance pose a health and safety risk

- Technology Adoption: Leveraging technology, use technology in terms of identifying existing establishments and their compliance status.
- Potential for Economic Growth: Well-regulated accommodation establishments can contribute to economic growth by attracting tourists and generating revenue.
- Job Creation: The tourism industry, including accommodation establishments, can create jobs in various sectors, such as hospitality, catering, and transportation.
- With proper regulation of the establishments through the policy and land-use scheme, the tourism landscape in Midvaal has an opportunity to benefit in terms of tourists enjoying establishments with quality standards, and safety since a legal establishment can comply with grading standards.
- Regulatory Burden: Excessive or complex regulations can increase the operational costs of accommodation establishments and hinder their growth.

10. THE VISION

The vision of the Short-Term Accommodation Establishment Policy is:

“To establish a dynamic and sustainable short-term accommodation establishment environment in Midvaal, driven by clear land use guidelines that foster vibrant developments.”

The vision targets strategically managing the growth of accommodation establishments within MLM and balancing the needs of urban expansion while focusing on the preservation of MLM's rural heritage. This is to be achieved through utilizing tools such as a clearly defined UDB, an efficient road network to connect vital components and nodal areas and the dynamic rural-urban crossover zones. The policy will guide development towards sustainable residential areas, enhance recreational opportunities and promote responsible tourism, while looking to protect and showcase MLM's natural features.

Development Driver 9 in the Midvaal SDF looks to prioritise the natural environment by using spatial planning tools to ensure these areas are protected and sustainable it states, “protect and manage the natural environment by administering the UDB to ensure an equilibrium between agriculture, tourism, industrial, and urbanisation activities.”. The 9th development driver is a culmination of various environmental management legislation and policies including NEMA and the Gauteng Province Environmental Management Framework 2021 (GPEMF) which targets environmental management and reinforces the protection of certain areas of the natural environment.

10.1. The Concept

The structuring elements within MLM inform the functional areas illustrated on the concept diagram. They create new niche spaces that can support the vision of this policy and the overall development vision of the high order strategic spatial plans. These areas can support the transient residential establishments and their ancillary uses. This is because the structuring elements provide appropriate connections to key sites in terms of major routes.

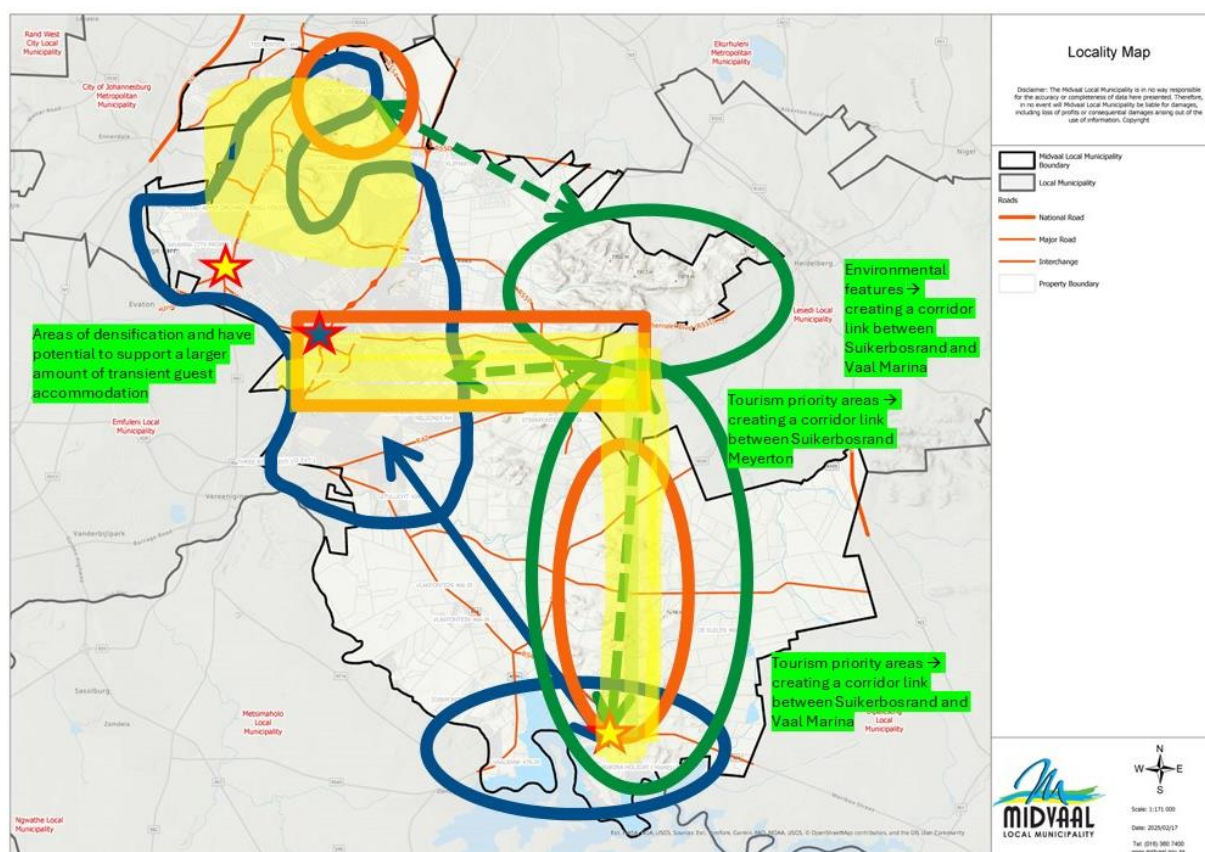


Figure 5 : High level concept diagram

The various areas of intersection between the conceptual components creates new functional areas as areas of opportunity. Spatially these should be targeted areas to enhance the short-term accommodation establishment space and general tourism within the municipality. The two key areas that stand out are the southern corridor from Suikerbosrand Nature Reserve towards the Vaal Marina Area and the Northeastern Corridor the area around the R82 and R550. Further to this, the concept diagram highlights the links between the functional areas, nodes and rural/ urban cross over zones.

The UDB creates a boundary to protect natural features and ensures that intensity is kept within the areas that are earmarked for development. But it also presents new areas of opportunity within the rural urban cross over zone for tourist activities and passive recreational activities that complement areas on the verge of or outside the UDB. This creates an opportunity for the policy to elaborate on guidelines for these areas and bridge the gap between the Land Use Scheme and the Midvaal SDF regarding these spaces. Ideally the policy should guide what these spaces need to look like in terms of guiding the ideal urban and natural form for accommodation

establishments and ensure that the required buffers to protect certain spaces are placed in the ideal area.

Spatial planning policy in the municipality has always been driving the development of these areas and a focus has been on formulating strategies to enhance tourism. The key areas targeted included Alewynspoort, Suikerbosrand Nature Reserve and Vaal Marina amongst others. This is reinforced in the most recent MSDF by development driver 5, which targets tourism stimulation in key areas. The MSDF states “ Protect tourism resources, heritage assets, and unique precincts by stimulating relevant tourism-related activities and appropriate developments in the ridges, in unique precincts, around Bass Lake, in Suikerbosrand Nature Reserve, and along the Vaal Dam.”.

In principle, many guest accommodation typologies as contained in the MLM accommodation policy should be promoted in and around the tourism precincts identified in the MLM MSDF, subject to these facilities complying with all the requirements and conditions as set out in this policy.

It should be emphasised that the MSDF supports the principle that most of the guest accommodation typologies as reflected above should be concentrated in and around the identified tourism precincts. However, this does not prevent landowners within any other parts of the municipal area from applying for such rights if they comply with the criteria, guidelines and justification requirements for such facilities.

The image below shows (Figure 6) an example of the desired typologies for accommodation establishments depending on their location and proximity to the urban nodal hierarchy.



Figure 6 : Typology conceptual diagram

11. LINKING THE LAND USE SCHEME AND SPATIAL PLANNING POLICY

The MLM Accommodation Establishment Policy must be intricately linked to the municipality's land use and spatial planning policies. This means the policy must guide where accommodation establishments are supported within earmarked areas and should ensure compliance with the relevant zoning regulations.

Highlighted here are some of the key connections the policy has with the Land Use Scheme and the Spatial Planning Policy. The zoning regulations are important as they layout the permitted uses. In terms of the policy, it supports accommodation establishments in line with the Land Use Scheme on zonings, in terms of where they are permitted as a primary or ancillary use.

In terms of compatibility with surrounding land uses, the policy considers the compatibility of accommodation establishments with neighbouring land uses, such as residential, commercial, and industrial zones. It also focuses on setbacks and buffer

zones, by guiding the required minimum setbacks and buffer zones between accommodation establishments and other land uses to minimize potential conflicts and maintain property values.

With regards to spatial planning, there is a nodal focus, in this case tourism nodes. Nodes in the context of MLM refer to specific areas within the municipality that are designated for concentrated development and investment. These nodes are strategically identified to promote economic activities and tourism. The tourism focus areas play a crucial role in this regard through providing accessible and well-equipped areas for tourists to stay and enjoy local attractions. For tourism and short-term guest accommodation these specified areas provide necessary services and amenities to support visitors and residents.

In MLM, nodes are categorized into primary, secondary, and rural nodes, each serving different functions and scales of development. Each of the nodes provide an opportunity for differing typologies and development intensity for tourism and short-term accommodation establishment.

The settlement hierarchy identifies and categorises all the major settlement areas within the municipality around which future development should be consolidated. It includes the following three categories:

The Primary Urban Node is the largest settlement(s) in the municipality and comprises the widest range of land uses, economic activities and job opportunities and a comprehensive range of community facilities serving local and regional needs.

The Secondary Urban Node is smaller than the Primary Urban Node with a limited range of land uses, economic activities and mostly middle to lower order community facilities.

The Rural Node represents a small community and/or service point in the rural parts of the municipality. The economic base of the node is very limited and primarily focused on agriculture. The limited population residing in such node normally only warrants very basic lower order community facilities, e.g. small primary school and mobile clinic, library, pension pay-out facilities.

The map below (figure 7) shows the various nodes within MLM as set out in the Midvaal SDF. It illustrates the nodal hierarchy as expressed in the MLM nodal policy.

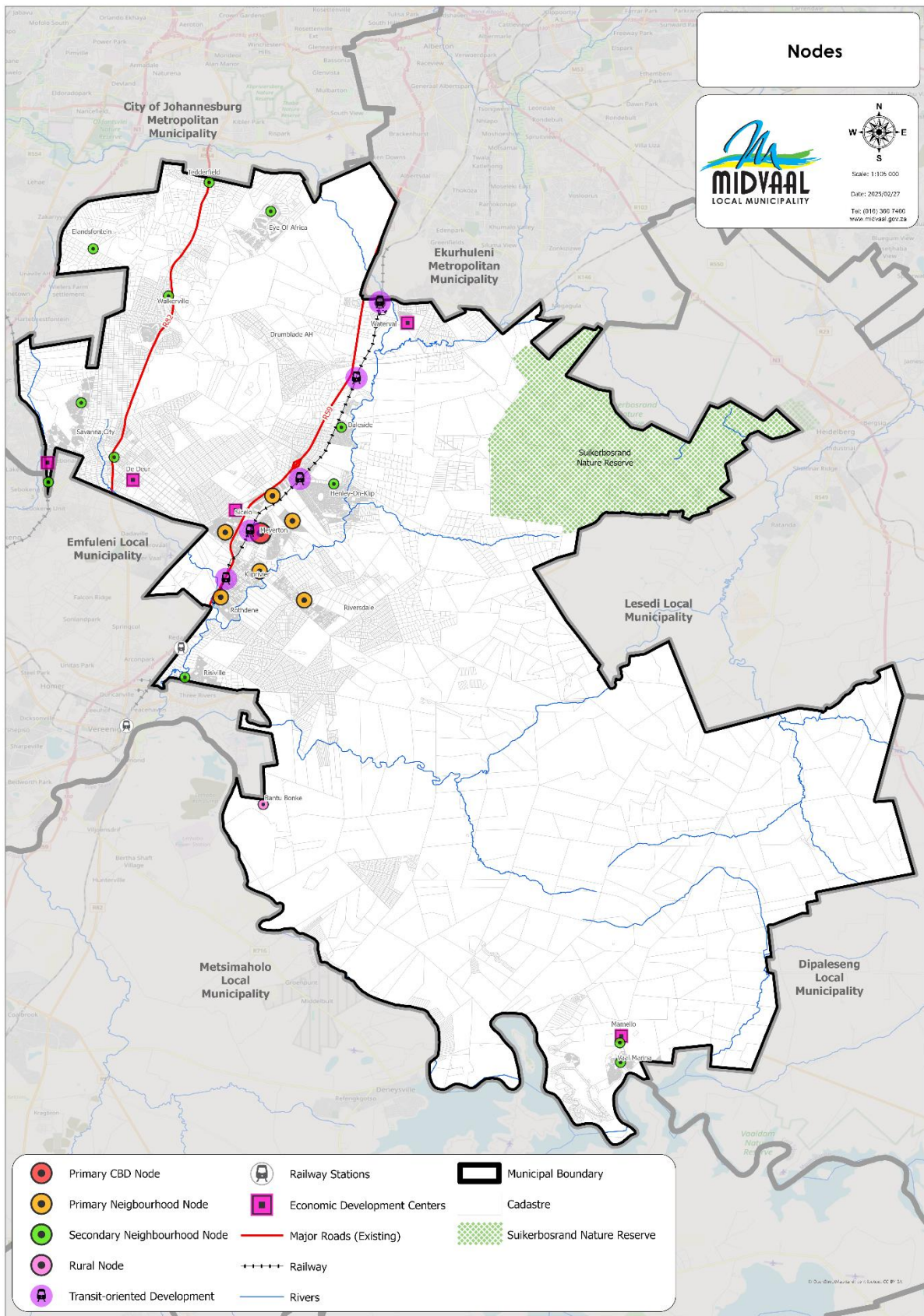


Figure 7: Nodes

The Tourism Priority Areas represent specific areas that are identified for tourism development, such as the Vaal Dam, Suikerbosrand Nature Reserve, and the Klip River. These areas are promoted for their natural beauty and recreational opportunities.

The map below (figure 8) illustrates the tourism priority areas as set out in the MSDF.

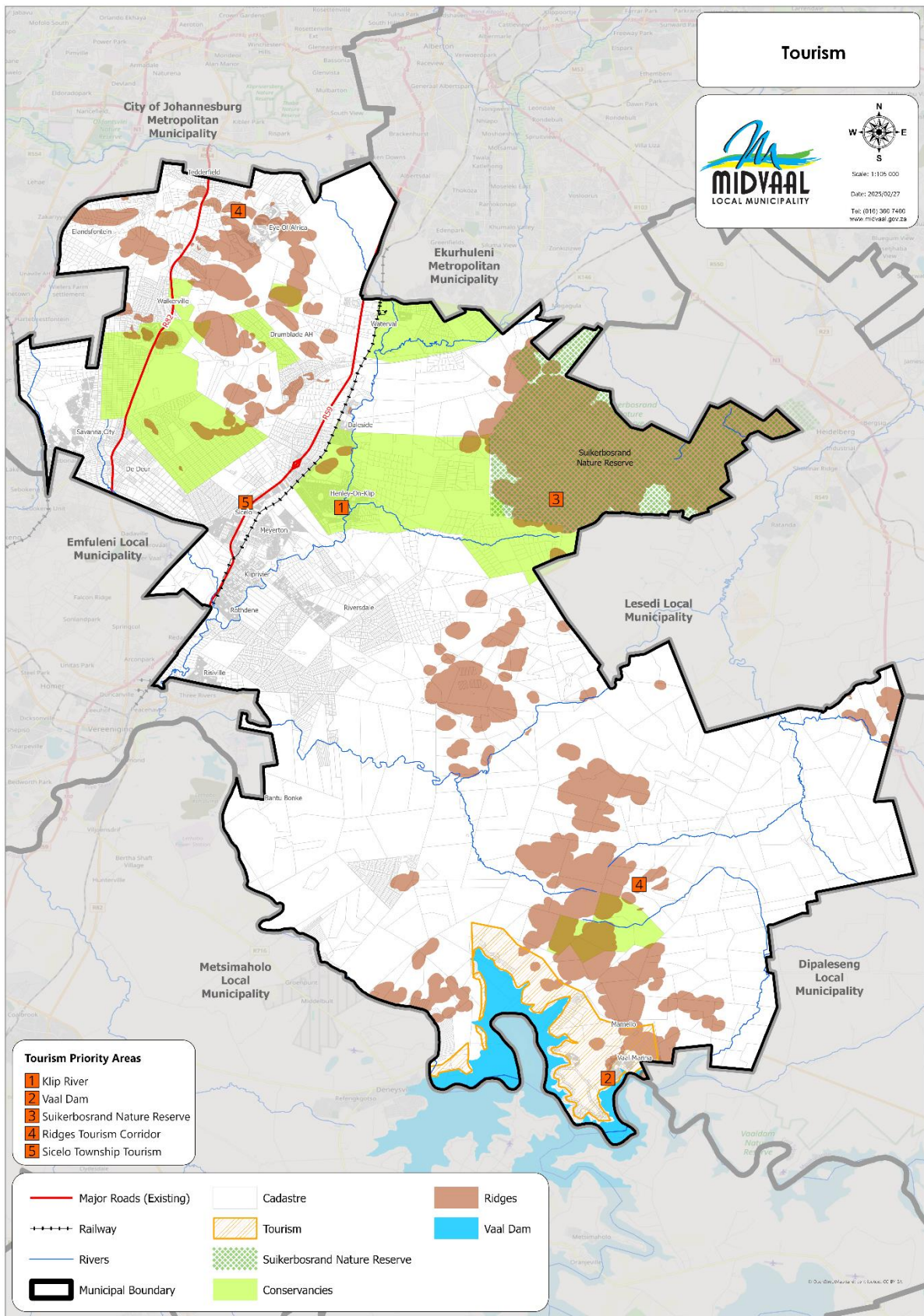


Figure 8 Tourism Priority Areas

The policy may identify specific areas within the municipality as outlined in the SDF, which are suitable for tourism development, including accommodation establishments. Furthermore, infrastructure and services, the policy may consider the availability of infrastructure and services, such as water, electricity, and waste disposal, to support the development of accommodation establishments. In terms of accessibility, the policy may address issues related to accessibility, such as road networks, public transportation, and pedestrian facilities, to ensure that accommodation establishments are easily accessible to visitors.

By aligning with the provisions of the land use scheme and spatial planning policies, the MLM Accommodation Establishment Policy helps to create a well-organized and sustainable development space. It ensures that accommodation establishments are in appropriate locations, contributing to the overall development and attractiveness of the municipality.

12. ACCOMMODATION TYPOLOGIES

For this policy, short term 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 land use scheme.

- Camping Site
- Caravan Park
- Bed and Breakfast Establishments
- Guesthouses
- Backpacker
- Self-catering Apartments
- Hotel
- Resort
- Lodge
- Game Farm

T TYPOLOGY	DESCRIPTION	DEFINITION
Camping Site	Informal temporary accommodation in a unique environment.	means land and buildings used for transient guests for overnight accommodation in tents and may include ablution facilities, which - (a) excludes the alienation of land on the basis of time sharing, sectional title ownership, the sale of block shares and the subdivision of the land unit concerned; (b) includes a caravan park, whether public or privately owned; (c) excludes a hotel or mobile homes; and (d) may include ancillary facilities to resident guests only that are reasonable and ordinary related to camping (e.g. ablution facilities, sport facilities and tourist facilities).
Caravan Park	Informal temporary accommodation in a unique environment.	means land and buildings used for transient guests for the overnight accommodation of caravans and tents and may include ancillary and subservient uses such as ablution facilities, caretaker's flat, communal kitchen, shops, restaurants, and other related buildings. Provided that the total area of ancillary uses is not more than 250 m ² and can be increased with consent of the municipality.
Bed and Breakfast Establishment	Accommodation in a dwelling- house or second dwelling unit for transient guests	means a dwelling house or an additional dwelling unit which the occupant of the dwelling supplies lodging and breakfast for compensation to transient guests who have permanent residence elsewhere; Provided that - (a) the dominant use of the dwelling house concerned shall remain for the living accommodation of one family; and (b) the establishment does not include a guest house, a lodge and conference facilities; and (c) in addition to a Bed and Breakfast, a home enterprise may be permitted subject to the consent of the municipality
Guesthouse	Accommodation in a dwelling- house or second dwelling unit for transient guests.	means an enterprise consisting of not more than sixteen (16) guest rooms for the temporary accommodation of a maximum of thirty-two (32) transient guests and which is conducted from a dwelling house or a building that has specifically been designed for such purposes and may include a conference facility catering for business meetings or

		training sessions on the property. Only one (1) kitchen per establishment shall be allowed and meals and all facilities shall be provided to and are for the exclusive use of paying guest only.
Backpacker	Accommodation and communal facilities in a building or free-standing buildings for transient guests	means land and buildings consisting of habitable rooms including dormitories, a communal kitchen, and dining-room, lounge and ablution facilities for the accommodation of guests and tourists for short periods away from the permanent place of residence and shall be managed by the owner or manager who shall reside on the same property.
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 development boundary .
Hotel	Large scale accommodation for transient guests incorporating various ancillary facilities	means a building complying with the provisions of the Hotels Act, 1965 (Act No. 70 of 1965) (as amended), and is used as a temporary residence for transient guests, which use exceeds the restrictions of a guest house/ lodge where personal services, lodging and meals are provided and may include activities reasonably and ordinary related to a hotel, including conference facilities, place of refreshment, place of entertainment, place of amusement, tourist facilities, sport and recreation facilities, banquet hall, spa / hydro and wellness centre, and in respect of which a hotel liquor license has been, or is intended to be, issued under the Liquor Act, 1989 (Act No. 27 of 1989), (as amended), but excludes any off-sales facilities.
Resort	Subsidiary transient accommodation that has been clustered, on a large tract of land normally on a small	means a harmoniously designed and built holiday development which can include, holiday place, caravan park, game park, pleasure resort, camping site, mobile homes or picnic spot intended for public or private recreational use with the view to profit or gain, and includes a place of refreshment and other buildings normally related and appurtenant to such a resort, as approved by the municipality, - Provided that no facility

	holding or farm	within the resort shall be occupied by any person on a permanent basis not exceeding a period of six (6) months, except with the consent of the municipality, but does not include a hotel, guest house, bed and breakfast and lodge. Public Resorts will not be permitted on sectional title residential zoned properties.
Lodge	Subsidiary transient accommodation that has been clustered, on a large tract of land normally on a small holding or farm	means land and buildings used for accommodating guests or tourists for short periods and may include recreational use and self-catering facilities, conference facilities, wedding chapel, staff quarters and ancillary and subservient uses.
Game Farm	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.	means land used for the rearing and/or breeding of wild animals with or without ancillary building(s) thereto.

13. POLICY ASSESSMENT CRITERIA

The table below provides an explanation of the land use criteria based on 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 of typical facilities that can be used by guests which support and compliment the main use on the land and/or building and which shall not exist on their own when the main use on the property is discontinued
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

14. POLICY STATEMENTS

14.1. CAMP SITE AND CARAVAN PARK

CRITERIA	GUIDELINES	JUSTIFICATION
PURPOSE	- 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	- 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	- 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	- To ensure low impact and compatibility with its surrounding environment. - Limitation on development of permanent structures to maintain character.
LOCATION	Often located in a unique and attractive natural environment or built-up area.	Supporting requirement of the MSDF for resource location
SELF CATERING	Cooking and braai facilities are provided for residents. day visitors to use communal braai facilities provided.	Forms inherent part of the attraction of a camping site.
LIQUOR USAGE	- Depending on zoning scheme requirement, selling of liquor for on-site consumption by residents may be permitted, subject to a separate liquor license application - Liquor trading hours as per Liquor Trading Act in operation	To ensure compliance with Liquor legislation but allow for diverse range of facilities/services to guests.
ANCILLARY FACILITIES	Subject to zoning scheme requirements and an application in this regard, a place of entertainment may be provided, with the size and nature of the facilities to be determined by an SDP	Complimentary (but strictly ancillary) land use to enhance camping character of establishment.

	May also include offices, restaurant, conference facilities, ablution facilities, tourist shop, sports and other communal facilities related to camping	
ON-SITE RESIDENCE	Permanent accommodation may be provided on-site for the manager/owner of the establishment	To accommodate operational requirements and support proper management
PARKING	Parking should be in terms of the Land Use Scheme in operation	Local circumstances will dictate
LOADING	Where necessary, loading requirement to be determined by SDP	Local circumstances will dictate
STAFF FACILITIES	Accommodation to be provided for staff to the satisfaction of the ED: Development and Planning	To prevent staff accommodation being used by visitors
SIGNAGE	Must comply with Council's Outdoor Advertising Policy	To prevent oversized signage that might be detrimental to visual integrity of the area
ENVIRON. ISSUES	- No activities constituting public nuisance shall be permitted - Disturbances from loud music or other sources should be limited, 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	- To protect amenity enjoyed by surround residents - Ensure that water saving mechanisms are in place
LAND USE PROCESS	The applicable process shall be followed as per the Land Use Scheme in operation	There is a need to manage such activities and facilitate this land use

14.2. BED AND BREAKFAST ESTABLISHMENTS

CRITERIA	GUIDELINES	JUSTIFICATION
PURPOSE	• 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 inter-lead to ensure buildings can revert back to single dwelling use	• To provide small scale guest accommodation in a conventional residential neighbourhood setting. • To enable more optimal use of existing single dwelling infrastructure.
SCALE	• Between 2 and 6 guest rooms shall be permitted	• Scale restricted to ensure single dwelling character of premises is maintained.
LOCATION	• 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: • landscaping • street elevation and streetscape • parking • architecture/aesthetics	• To ensure residential character of neighbourhood is not compromised including farm portions and agricultural holdings. • Limitation on services to non-residents to restrict scale and ensure single dwelling character is maintained.
SELF CATERING	Only one kitchen permitted per dwelling. Self-catering not permitted	• Not permitted
LIQUOR USAGE	No sale of liquor shall be permitted on site	• Not permitted
ANCILLARY FACILITIES	A place of entertainment, functions, conference facilities or other events not permitted	• Prevent noise nuisance and ensure reasonable amenity to neighbours
ON-SITE RESIDENCE	Proprietor may reside in a second dwelling	• Ensure single dwelling character of property is maintained

PARKING	Parking should be in terms of the Land Use Scheme in operation	• Prevent on-street parking that may adversely affect traffic flow, the streetscape or neighbourhood character
LOADING	If necessary, designated guest parking bays may be shared as temporary loading space	• Prevent on-street loading for same reasons as above
STAFF FACILITIES	• 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	• Restrict scale of operation and ensure staff quarters aren't used by visitors as additional accommodation
SIGNAGE	• 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 Outdoor Advertising Policy	• Prevent oversized signage that might be detrimental to visual integrity of the area
ENVIRON. ISSUES	• Disturbances from loud music or other sources should be limited, except with separate approval from Council	• Protect amenity enjoyed by surrounding residents
LAND USE PROCESS	• The applicable process shall be followed as per the Land Use Scheme in operation	There is a need to manage such activities and facilitate this land use that is on the increase

14.3. GUEST HOUSES

CRITERIA	GUIDELINES	JUSTIFICATION
PURPOSE	- 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 4 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	- An accommodation establishment consisting of not less than four and not more than sixteen guestrooms - Does not accept permanent residents - Has as its primary activity, the supply of personally supervised accommodation
SCALE	- 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	- 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	- Regarding maximum number of establishments in a particular locality, cumulative impact on services infrastructure must form part assessment. - Desirable location that are encouraged include: properties larger than 800 m²	aim to retain character of the area within residential neighbourhoods including farm portions and agricultural holdings.

	• properties near intersections and collector (class 4 and higher) roads; properties near open spaces/areas/amenities • larger ones closer to nodes or main roads • Includes agricultural holdings and farm portions • Areas outside UDB to be considered in line with the SDF and the rural urban cross over zones	
SELF CATERING	• No fully self-contained units or self-catering apartments permitted	• Provide more flexibility in responding to current trends, but prevent creation of fully fledged separate dwelling
LIQUOR USAGE	• Subject to obtaining liquor license 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	• Does not have a public bar Ensure compliance with Liquor legislation
ANCILLARY FACILITIES	• 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	• Prevent noise nuisance and parking problems and ensure reasonable amenity to neighbours.
ON-SITE RESIDENCE	• to be determined as per the operational requirements of the establishment	• Ensure residential character of property is maintained
PARKING	• Parking should be in terms of the Land Use Scheme in operation	• Prevent on-street parking that may adversely affect traffic flow, the streetscape or area character generally

LOADING	• Provide on-site space for loading and deliveries. • Depending on scale of establishment, designated guest parking bays may be shared as temporary loading space	• Prevent on-street loading for same reasons as above
STAFF FACILITIES	• Bona fide staff quarters shall be regarded as rooms for lodgers/guests and may not be converted to guest accommodation	• Restrict scale of operation and ensure staff quarters aren't used by visitors as additional accommodation
SIGNAGE	• All outdoor signage to comply with Council's Outdoor Advertising Policy	• Prevent oversized signage that is detrimental to the area
ENVIRO. ISSUES	• 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 considered • Where buildings are altered or newly constructed, Green Building Guidelines should be considered and applied • Disturbances from loud music or other sources should be limited, except with separate approval from Council	• 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	• Permitted as per the provisions of the Land Use Scheme in operation	• There is a need to manage such activities and facilitate this land use that is on the increase

14.4. BACKPACKERS

CRITERIA	GUIDELINES	JUSTIFICATION
PURPOSE	• May 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	• 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	• 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	• 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	• Not supported on a single residential zoned property • Locational criteria that should be considered, include: • proximity to public transport routes, commercial centres and tourist activities • character of the surrounding area	• Ensure contextually appropriate development, with maximum accessibility for transient guests which are normally less dependent on private transport

	- localities near intersections and collector/main roads - mixed use or commercial locations (including areas designated for high density development) are encouraged	
SELF CATERING	Meals and beverages supplied to resident guests only In case of rooms, communal kitchen.	Allow flexibility to guests with regards to catering arrangement but prevent creation of separate (self-contained) dwelling unit
LIQUOR USAGE	- No on-site liquor selling/license permitted at establishment located in single residential areas. - Liquor trading hours as per Liquor Act in operation	Liquor not permitted to be sold on site
ANCILLARY FACILITIES	- 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 public	Prevent escalation of the establishment beyond the intended scale.
ON-SITE RESIDENCE	Full time manager is required, may reside on-site	Always ensure proper on-site management.
PARKING	Parking should be in terms of the Land Use Scheme in operation	Prevent on-street parking that may adversely affect traffic flow, or area character generally
LOADING	Where possible, provide on-site space for loading and deliveries	Prevent on-street loading for same reasons as above
STAFF FACILITIES	Staff facilities are permitted, such as sleeping quarters, offices and a lounge	Cater for operational requirements
SIGNAGE	All outdoor signage to comply with Council's Outdoor Advertising Policy	- Prevent oversized signage that - might be detrimental to visual integrity of the area
ENVIRON. ISSUES	Any alteration or new structure shall be compatible with the character of the surrounding area	Ensure a reasonable and contextually appropriate level of amenity to

	• 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, Green Building Guidelines should be considered and applied. • No activities constituting a source of public nuisance shall be carried out. Disturbances from loud music or other sources should be limited, except with separate approval from Council	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	• The applicable process shall be followed as per the Land Use Scheme in operation	• There is a need to manage such activities and facilitate this land use in a sustainable manner

14.5. SELF-CATERING APARTMENTS

CRITERIA	GUIDELINES	JUSTIFICATION
PURPOSE	• 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 must cater for themselves • Self-Catering Apartments shall only be permitted on erven within the designated urban development boundary of the Midvaal Local Municipality	• 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	• 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	• Ensure a scale and form appropriate and sensitive to the local building and surrounding area context
LOCATION	• Not supported on a single residential zoned property, subject site must have suitable zoning. • Limited to areas only within the UDB • Locational criteria that should be considered, include:	• Ensure contextually appropriate development

	○ proximity to public transport routes, commercial centres and tourist activities. ○ character of the surrounding area ○ mixed use locations (including areas designated for high density development) are encouraged	
SELF CATERING	• 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	• Allow flexibility to guests with regard to catering arrangements
LIQUOR USAGE	• usage to be controlled as per the liquor Act in operation.	• Protect amenity and character of the area
ANCILLARY FACILITIES	• 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	• Restrict establishment/development to an appropriate scale
ON-SITE RESIDENCE	• Depending on zoning schemes, staff quarters are permitted	• Accommodate operational requirements
PARKING	• Parking should be in terms of the Land Use Scheme in operation	• Prevent on-street parking that may adversely affect traffic flow, the streetscape or area character generally
LOADING	• Provide on-site space for loading and deliveries • Depending on scale of establishment, designated guest parking bays may be shared as temporary loading space	• Prevent on-street loading for same reasons as above
STAFF FACILITIES	• 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	• Cater for operational requirements but prevent escalation of development beyond intended scale

SIGNAGE	• All outdoor signage to comply with Council's Outdoor Advertising Policy	• Prevent oversized signage that might be detrimental to visual integrity of the area
ENVIRON. ISSUES	• 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, Green Building Guidelines should be considered and applied. • No activities constituting a source of public nuisance shall be carried out. Disturbances from loud music or other sources should be limited, 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	• Protect amenity enjoyed by surrounding residents and character of the area
LAND USE PROCESS	• The applicable process shall be followed as per the Land Use Scheme in operation	• There is a need to manage such activities and facilitate this land use that is on the increase

14.6. HOTELS

CRITERIA	GUIDELINES	JUSTIFICATION
PURPOSE	• Purpose built building, which may consist of multiple free-standing structures or a multiple story 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	• Provide high end accommodation options for transient guests, visitors and tourists.
SCALE	• 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, to protect the area's character.	• Ensure a scale and form appropriate and sensitive to the local building and surrounding area context
LOCATION	• Locational criteria that should be considered, include: ◦ Scale of operation ◦ Proximity to public transport routes, commercial centers 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	• Accommodate hotel in most locations
SELF CATERING	• Self-catering to be considered on a case-by-case basis as per the proposed development concept.	• Permitted to accommodate mixed hotel/apartment developments

LIQUOR USAGE	• Subject to obtaining liquor license, alcoholic beverages may be sold for on- site consumption by resident guests including with meals in the dining or bar facilities of the hotel • Liquor trading hours as per Liquor Act in operation	• Ensure compliance with Liquor legislation but allow for diverse range of facilities/services to guests
ANCILLARY FACILITIES	• Depending on the zoning scheme, other ancillary services may include lecture rooms, a tourist/gift shop, sports facilities, banquet hall, spa/hydro, wellness center, 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	• Enable provision of a wide variety of complimentary services and facilities available to guests
ON-SITE RESIDENCE	• Permanent accommodation may be provided on-site for the manager of the establishment, as well as bona fide staff quarters	• Accommodate operational requirement and support establishment management
PARKING	• Parking should be in terms of the Land Use Scheme in operation	• Prevent on-street parking that may adversely affect traffic flow, the streetscape or area • character generally.
LOADING	• Sufficient dedicated on-site loading and delivery space to be provided, and set out per SDP	• Prevent on-street loading for same reasons as above
STAFF FACILITIES	• 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	• Cater for operational requirements but prevent escalation of development • beyond intended scale
SIGNAGE	• All outdoor signage to comply with Council's Outdoor Advertising Policy	• Prevent oversized signage that might be detrimental to visual integrity of the area
ENVIRON. ISSUES	• 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	• Ensure a reasonable and contextually appropriate level of amenity to surrounding residents and inhabitants of the area

	considered in design • Where buildings are altered or newly constructed, Green Building Guidelines should be considered and applied • No activities constituting a source of public nuisance shall be carried out. Disturbances from loud music or other sources should be limited, 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	
LAND USE PROCESS	• The applicable process shall be followed as per the Land Use Scheme in operation	• There is a need to manage such activities and facilitate this land use

14.7. LODGES/ RESORT ACCOMMODATION

CRITERIA	GUIDELINES	JUSTIFICATION
PURPOSE	• 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 development boundary, 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	• 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 relevant land use application and the submission of a Site Development Plan
SCALE	• Form and scale of development to be determined as a maximum of 2 dwelling unit per hectare, subject to the following conditions: ○ 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	• Ensure a contextually appropriate scale of development in harmony with its surroundings and with an acceptable environmental impact
LOCATION	• Council may determine/restrict the number of beds/rooms per establishment in cases and lay down conditions necessary to mitigate the impact thereof, to protect the surrounding environment, area's carrying capacity etc.	• Locational criteria that should be considered include if outside urban development boundary, proximity to a unique natural/recreational resource

	• Outside urban development boundary, no individual subdivision/separate title units/township establishment permitted	and areas within the UDB earmarked for tourism.
SELF CATERING	• 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)	• Self-catering may be permitted
LIQUOR USAGE	• Subject to obtaining liquor license 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 Act in operation	• Ensure compliance with Liquor legislation but allow for diverse range of facilities/services to guests
ANCILLARY FACILITIES	• 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 center, caravan park and camping and any other use which is reasonable related to resort accommodation, subject to the approval 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	• Enable provision of a wide variety of complimentary services and facilities available to guests
ON-SITE RESIDENCE	• Permanent accommodation may be provided on-site for the manager of the establishment, as well as bona fide staff quarters	• Accommodate operational requirement and support management
PARKING	• Parking should be in terms of the Land Use Scheme in operation	• Ensure orderly parking arrangement and prevent any unsafe traffic conditions on abutting public roads
LOADING	• 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	• Ensure orderly loading / delivery arrangement and prevent any unsafe traffic conditions on abutting roads

STAFF FACILITIES	• 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	• Cater for operational requirements but prevent escalation of development beyond intended scale
SIGNAGE	• All outdoor signage to comply with Council's Outdoor Advertising Policy	• Prevent oversized signage that might be detrimental to visual integrity of the area
ENVIRON. ISSUES	• 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, Green Building Guidelines should be considered and applied. • No activities constituting a source of public nuisance shall be carried out. Disturbances from loud music or other sources should be limited, 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	• Protect the character and amenity of the surrounding area
LAND USE PROCESS	• The applicable process shall be followed as per the Land Use Scheme in operation	• There is a need to manage such activities and facilitate this land use that is on the increase

14.8. GAME FARMS

CRITERIA	GUIDELINES	JUSTIFICATION
PURPOSE	• 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. • 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 development boundary	• 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 consent use application and the submission of a Site Development Plan
SCALE	• Form and scale of development shall be a maximum of 2 dwelling unit per hectare, subject to the following conditions: ○ 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	• Ensure a contextually appropriate scale of development in harmony with its surroundings and with an acceptable environmental impact
LOCATION	• 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	• Locational criteria that should be considered include if outside urban development boundary , proximity to a unique natural/rec. resource

SELF CATERING	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).	Self-catering should be permitted
LIQUOR USAGE	- Subject to obtaining liquor license 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. - Liquor trading hours as per Liquor Act in operation	Ensure compliance with Liquor legislation but allow for diverse range of facilities/services to guests
ANCILLARY FACILITIES	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.	Enable provision of a wide variety of complimentary services and facilities available to guests
ON-SITE RESIDENCE	Permanent accommodation may be provided on-site for the manager of the establishment, as well as bona fide staff quarters.	Accommodate operational requirements and establishment management / oversight
PARKING	- 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	Ensure orderly parking arrangement and prevent any unsafe traffic conditions on abutting public roads
LOADING	- 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	Ensure orderly loading / delivery arrangement and prevent any unsafe traffic conditions on abutting roads
STAFF FACILITIES	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	Cater for operational requirements but prevent escalation of development beyond intended scale

SIGNAGE	• All outdoor signage to comply with Council's Outdoor Advertising Policy	• Prevent oversized signage that might be detrimental to visual integrity of the area
ENVIRON. ISSUES	• 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, Green Building Guidelines should be considered and applied. • No activities constituting a source of public nuisance shall be carried out. Disturbances from loud music or other sources should be limited, 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	• 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 consent use application to the Council
LAND USE PROCESS	• The applicable process shall be followed as per the Land Use Scheme in operation	• There is a need to manage such activities and facilitate this land use

15. SHARED ONLINE RENTALS AND SIMILAR PLATFORMS

Shared online rental has increased in support in recent years and generates income for the tourism sector and provide additional income for households, which is much-needed following the strain placed on the tourism industry due to Covid-19.

The definition for Shared online rentals and Similar Platforms:

- A dwelling or residence in which the occupant of the dwelling supplies lodging and/or meals for compensation to transient guests who have permanent residence elsewhere through virtual booking platforms; provided that:
 - 1) the dominant use of the dwelling unit concerned remain for living accommodation
 - 2) the property complies with the requirements contained in the MLM Land Use Scheme in operation for short-term accommodation establishments.

There has been a call for the regulation of short-term rental operations in South Africa for various reasons, with the primary focus being Shared online rentals and Similar Platforms implications for property owners, the hospitality industry, the tourism industry, and the Government.

The view of this policy is that short-term rental operations should be regulated in a manner that promotes the tourism sector while also preventing/limiting the infringement of neighbours' property rights, while enabling the property rights of property owners as short-term hosts.

The municipality's zoning laws are of relevance in the short-term rental context, as they dictate areas that the municipality has identified that need to be used for residential or commercial purposes. Therefore, this policy is in place to guide the short-term rental space while ensuring development happens in the most sustainable way possible for MLM. Synergies between the Land Use Scheme and MSDF together with the municipal planning bylaw will enable the short-term rental market to be regulated and aligned with the MLM development vision.

15.1. Development Guidelines

The following conditions shall apply where a portion of property is used as a short-term accommodation establishment, or where rooms are let to lodgers:

- Relevant land use application is required for shared online rentals and similar platforms
- No more than 3 rooms per erf shall be used for bedroom accommodation for paying guests or lodgers, and no more than 6 paying guests or lodgers shall be supplied with lodging or meals at any time.
- Guest rooms shall not be converted to, or used as, separate self-catering dwelling units.
- Meals may only be supplied to guests or lodgers who have lodging on the property, employees, and the family residing in the dwelling.
- Advertising shall be displayed as per the MLM Outdoor Advertising Policy.
- Uses not related to lodging and ancillary uses are not permitted from this type of establishment.
- No activities shall be carried out which constitute, or are likely to constitute, a source of public nuisance.
- On-site parking shall be provided in accordance with the provisions of the MLM land Use Scheme in operation, provided that the MLM may at any stage require additional on-site parking if, in its opinion, the parking is not sufficient.

16. COMMUNES

“Commune” means a dwelling house where the habitable rooms are rented out for an extended period to not more than six unrelated persons and who share the communal facilities such as the kitchen, lounge, dining room and bathrooms but does not include a household enterprise. The use is further subject to the policy of the municipality, subject to an application procedure as amended from time to time.

Communes are located within established residential areas and must be in harmony with the existing character. The residential character of the dwelling house shall not be altered in such a manner that, in the opinion of Council, it may detract from the character of a dwelling house. Communes should be managed in such a way as to respect the appearance of the neighbourhood.

This section attempts to create a balance between the character of the established neighbourhood and the need to accommodate the housing need by limiting the number of occupants to a reasonable amount, in line with the number of bedrooms that are ordinarily available in a dwelling house and the character of the surrounding area. Where the proposal is to accommodate a large sum of people, the proposals will require a rezoning and/or consent for the relevant land uses such as boarding houses or residential buildings in terms of the Land Use Scheme in operation. The provisions of the MLM's SDF, Nodal Policy, Density Policy and any relevant spatial plans will inform further land uses and development intensity.

The number of communes within neighbourhoods should also be considered in the evaluation of applications. The desirable number should be considered in relation to the role and function of a neighbourhood. Further guidance should be provided by any applicable detailed local planning policies and frameworks in operation within a specified area.

16.1. Development Guidelines

- Provision of parking will be as prescribed in the Land Use Scheme in operation.
- The health requirements as stipulated in the MLM Public Health By-Laws shall be always adhered to.
- The National Building Regulations shall be always adhered to.
- The following standards shall furthermore apply:
 - Communes can only be operated from an approved dwelling house, an approved second dwelling or a combination of the two.
 - Not more than two tenants may be accommodated in any double bedroom and such double bedroom shall have a floor area of not less than 14 square meters.
 - Not more than one tenant may be accommodated in a single bedroom, and such single bedroom shall have a floor area of not less than 7 square meters.
 - Communal bathrooms shall be provided in a ratio of 1 bathroom per four tenants. A bathroom shall consist of at least:
 - A water closet (toilet).
 - Shower/Bath.

- Hand washbasin.

17. STUDENT ACCOMMODATION

The purpose of this section is to provide guidelines to regulate and manage student accommodation in MLM. Student accommodation is defined as ‘a building designed as accommodation which is used primarily by students for residential purposes and who may share communal facilities such as a kitchen, lounge, and bathroom’.

Recent requests for student accommodation in low density residential areas places a burden on the local roads networks and landlords often do not take into consideration whether the premises is conveniently located in relation to amenities and public transport. If poorly managed, such a site can result in deterioration of the neighbourhood and a breakdown of the sense of place where other residents live on a permanent basis.

The following guidelines will be considered by the MLM in the consideration of applications to ensure that student accommodation is inclusive and safe:

17.1. Development Guidelines

- The following principles should be applied: -
 - Accessibility of the property.
 - Locality in respect of a higher order road.
 - Locality in respect of public transport facilities.
 - Locality in respect of main development corridors in the area.
 - Locality and distance from existing nodes and facilities.
 - Locality in respect of higher density developments.

General guidelines to be followed when considering the location of student accommodation.

- Student accommodation should ideally be located close to universities, colleges, and other educational institutions. This proximity reduces commuting time and makes it easier for students to attend classes, access libraries, and participate in campus activities.
- Accommodation should be easily accessible through public transportation networks, including buses, trains, and even within walking distance of the

educational institution. This accessibility ensures that students can travel conveniently between their accommodation and campus.

- The chosen area should have a reputation for low crime rates and be well-lit and well-patrolled. Consider neighbourhoods that have a strong community watch presence or are known for their safety measures.
- Look for areas with essential amenities nearby, such as grocery stores, pharmacies, medical facilities, and recreational spaces. Access to these services makes daily living more convenient for students.
- Ensure that the area has reliable infrastructure, including well-maintained roads, electricity, water supply, and internet connectivity. These factors contribute to the comfort and well-being of students.
- Areas with cultural attractions, restaurants, cafes, and recreational facilities can enhance students' overall experience and quality of life.
- Consider areas where the cost of living is reasonable and aligns with students' budgets. Accommodation costs should not be excessive, ensuring that students from various economic backgrounds can afford to live in the area.
- Look for neighbourhoods that have a positive community atmosphere. This can contribute to a supportive living environment, especially for students who are away from home.
- Choose areas that are known for their diversity and inclusivity. This can help create a welcoming environment for students from various cultural and social backgrounds.
- Ensure the environmental impact of the development on the location is considered, including factors like air quality, noise levels, and proximity to green spaces. A healthy environment contributes to students' well-being.
- Areas with services tailored to students, such as study spaces, tutoring centres, and student-friendly businesses, can enhance the overall experience.

- Research any upcoming developments or infrastructure projects in the area. These could affect the value of the property and the overall living conditions for students.
- Adequate indoor and/or outdoor recreational space should be provided on the property and indicated on the SDP.
- Design guidelines for student accommodation should be as per the Higher Education Act, 1997 (Act No. 101 of 1997)
- The municipal guidelines pertaining to high density development in the MSDF and applicable local area plan must be adhered to.
- The scale shall be in accordance with the provisions of the 2021 Midvaal Density Policy.

18. LAND USE PROCEDURES

The following application procedures and conditions be applicable to all types of guest accommodation as defined by this Short Term Accommodation Establishment Policy. Reference is made to the Accommodation Typology Tables in Section 11. These reference the Land Use Scheme in operation and whether the use is permitted as a primary right, whether a written consent needs to be applied for or whether the use is not permitted, and the erf needs to be rezoned.

The following development controls are applicable to all land use applications for guest accommodation:

- That the written consent given shall be exercised within a reasonable period from the date on which the applicant is advised of the Council's decision with regard thereto.
- 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.
- The property shall always be kept and maintained in a sightly condition and no dirt of any kind shall be allowed to accumulate thereon, to the extent that the Executive Director: Development and Planning shall always be satisfied that the state of the property is not detrimental to the amenity of the area.

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

- The height shall not exceed the controls on the extent of the development as provided for the applicable land use zone.
- The guesthouse may have a minimum of two and maximum of sixteen bedrooms by consent use.
- The Bed and Breakfast Facility may have a minimum of two and a maximum of six bedrooms by written consent
- The Backpacker Establishment provide only a bed and pillow and a kitchen for self-catering
- Building Lines applicable must be in accordance with the Land Use Scheme in operation and/ or applicable authority.
- All meals and refreshments should be served exclusively to lodging guests and no public bar or adult entertainment will be allowed on the facility
- All Health Regulations shall be complied with in line with the National Health Act 61 of 2003
- Advertising board shall be in accordance with the Midvaal Outdoor Advertising Policy
- That a Site Development Plan be submitted, along with the written consent use application prior to the commencement of the use/consideration of building plans
- That paved demarcated parking be provided to the satisfaction of the Executive Director: Development and Planning as per the provisions of the Land Use Scheme in operation
- Where there is inconsistency between this policy and the Midvaal Land Use Scheme in operation, the Midvaal Land Use Scheme in operation- prevails to the extent of such inconsistency.

19. POLICY REVIEW

This Policy shall be reviewed as and when require considering major technological, legislative and strategic changes that have an impact on the Policy.