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MATATIELE LOCAL MUNICIPALITY

**ACCOMMODATION ESTABLISHMENT POLICY**

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**MATATIELE**

**LOCAL MUNICIPALITY**

2022-23 financial year

## DEFINITIONS

**Dwelling Unit** means a building or portion of a building being used or intended, adapted or designed to be used for the purpose of human habitation on a permanent basis by a single person, a single family or not more than six persons who do not comprise a single family

**Short Term Stay** means where the room or bed is not occupied for more than 90 days in any 12 month period by the same guest.

**Special Consent** means a temporary approval, usually five years after which the applicant must make a new application for renewal. A renewal may not be granted twice therefore applicants need to keep this in mind if they plan to invest huge sums of money in alterations etc.

**Bed & Breakfast Establishment** means any dwelling in which the property owner provides accommodation for more than three (3) guest rooms on a short term basis, primary source is business and includes the provision of breakfast.

**Guesthouse**- a residential accommodation establishment with distinct individual character, offering resident guests the exclusive use of the facilities including accommodation and a breakfast as well as lunch and dinner by prior arrangement, without a public bar, managed by the owner or host, who resides on the property with his or her family with a maximum of sixteen and a minimum of three bedrooms”.

- **Back-packer** - a residential accommodation which provides low-cost accommodation to travelling people whose primary needs are for sleeping facilities in a residential house, flat or other suitable building providing only bed and pillow and a kitchen for self-help.

- **Self-catering** - a room or rooms including a facility for the preparation of meals and ablution facility rented out on a temporary basis for the private use of guests catering for themselves

- **Rooming or lodging** - accommodation establishment offering a room or rooms available for accommodation in a building for guests where no meals are prepared and facilities are shared.

## 1. INTRODUCTION

Matatiele Local Municipality has existing policy- Bed and Breakfast establishment and Guest House Policy that was adopted in 20....as the requirement of **Municipal Systems Act,2000**

A municipality exercise its legislative/executive authorities by:

- (a) Development and adoption of policies, plans, strategies and programmes, including setting targets for delivery
- (j) monitoring the impact and effectiveness of any services, policies programmes or plans

Therefore,there is a need to review municipal policies regularly. Also, the policy does not address some of the components covered by the accommodation establishments, hence the need for its renewal from time to time.

Accommodation establishments play a vital role towards contribution to Local Economic Development initiatives and providing support to development sector specifically in the Tourism industry. The location, business opportunities and tourist attractions available in Matatiele make it be visited regularly, therefore business travelers and tourists needs accommodation while visiting Matatiele. This is proved by the growing number of applications received by the Development Planning Unit for establishment of accommodation establishments (special consent applications to change residential accommodation into uses such as guest houses and new proposals for establishment of hotels etc. Currently, MLM Land Use Management Scheme- Regulations(2013) does not address the issue of hotels, therefore there is a need for its revision as well.

Therefore, there is a need to review the policy in order to regulate the industry.

## **2. AIM OF THE POLICY**

The policy aims to provide guidelines for the following:

- (a) Establishment of accommodation establishment industry.
- (b) Ensuring timeous assessment of applications
- (c) to allow residents to operate an accommodation establishment from the property, to a degree that does not impact adversely on the quality and amenity surrounding residential environment.
- (d) Implementation/operation is in line with the applicable legislation and by-laws.

## **3. POLICY OBJECTIVES**

The policy objective is to create an environment that:

- (a) Supports a diversity of accommodation base within Matatiele Local municipality
- (b) Provides an effective framework of guidelines within Matatiele Local municipality to develop accommodation establishments.
- (c) Ensure the maintenance of a satisfactory standard of facility, which has planning as well as Environmental Health and Building approval.
- (d) Maintains the amenity of both the property and the neighbourhood where such establishments are located
- (e) Ensures the facility is adequately sign-posted as required
- (f) Ensure the appropriate location of accommodation establishments so as to increase the safety of motorists and guests.

## **4. TYPES OF ACCOMMODATION ESTABLISHMENTS OPERATED/TO BE REGULATED BY THIS POLICY**

### **4.1 GUEST HOUSE**

A Guest House defined as follows:

- (a) An accommodation establishment consisting of not less than four and not more than sixteen guestrooms.
- (b) Does not have a public bar.

- (c) Does not accept permanent residents.
- (d) Has as its primary activity, the supply of personally supervised accommodation.
- (e) Serves at least one meal a day to paying guests on a full time basis.
- (f) Should there not be a restaurant of an acceptable standard within a reasonable distance, the guest house would be obliged to provide an evening meal

#### **4.2 BACK PACKER ESTABLISHMENTS**

A back packer establishment is defined as “an establishment providing low-cost accommodation for the travelling public whose primary requirement is for sleeping facilities only”.

- (a) It is situated in a residential house , blocks of flats or any other suitable building or in any suitable location.
- (b) provides only a bed and pillow and bathrooms.
- (c) A kitchen is available for self-help, but no meals are provided for guests.
- (d) All facilities are communal.
- (e) Private rooms are available, minimum of four bunker beds are provided in a dormitory
- (f) Lockers for valuable items are provided.

#### **4.3 SELF-CATERING ESTABLISHMENTS**

Self- catering establishments 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.

- (a) Units can be separate or connected to each other or to a part of the main building.
- (b) All the facilities of the unit are for the private use of the guest.
- (c) Guests have to cater for themselves.
- (d) The self-catering establishment shall consist of not less than four units.

#### **4.4 BED & BREAKFAST ESTABLISHMENT**

Bed and breakfast establishment can be an existing home, a renovated home or a building that has been specifically designed as a residential dwelling to provide overnight accommodation, It must have more than three rooms and public areas for the exclusive use of its guests.

- (a) Bathroom facilities must be en-suite. If not, exclusive use of bathroom facilities per room is ensured
- (b) bed and breakfast are provided
- (c) lunch and dinner may be provided upon prior arrangements
- (d) they provide separate rooms with one communal dining facility

#### **4.5 GUEST LODGES/HOTELS**

Guest lodges /hotels can be defined as establishments where a formal accommodation establishment of more than sixteen rooms offering accommodation in a room, including ablution facilities and where all other facilities are shared with the other guests.

- (a) they provide separate rooms with one communal dining facility
- (b) Breakfast is served and lunch and dinner are provided as well.
- (c) All provided facilities are for the exclusive use of the residing guests.

- (d) No provision is made for self-catering.
- (e) The owner or host resides on the property.

#### **4.6 CARAVAN**

- (a) A Caravan and Camping Park is a facility that provides space for guests who provide their own accommodation, such as a tent, a motor home and/or a caravan and ablution facilities.
- (b) Bathroom facilities may be separate communal male and female facilities (an ablution facility dedicated to men only with a separate section dedicated to ladies only.); or may be private (an ablution facility allocated to a specific site and used by the occupants of that allocated site only); or family bathrooms (bathrooms attached to the main ablution facility that can be used by each family one family at a time, and which are lockable from inside).
- (c) Guests have to cater for themselves. Within the park, paths should be adequately lit (if appropriate) and, where necessary, directional signage and/or site plans should be provided to guide guests around the park.
- (d) All grounds and gardens under the control of the operator must be neat, well maintained and appropriate.

#### **4.7 CHALET**

- (a) it is defined as a small cabin or house used by holidaymakers, forming a unit within a holiday complex
- (b) Guests may cater for themselves.
- (c) All the facilities of the unit are for the private use of the guests.

#### **4.8 TOURIST RESIDENTIAL**

The intent here is to provide land for the development of tourist accommodation to satisfy the local tourism demand, to cover caravan and chalet development permitted in terms of the Scheme, to broaden the options for tourism accommodation

### **5. PLANNING CONTROLS**

The following are the planning controls pertinent to the development of accommodation facilities where the prime aim is to facilitate development such facilities as a sustainable, low impact tourism product base with niche market appeal.

#### **5.1 TOWN PLANNING CRITERIA**

<b>CATEGORY</b>	<b>NO. OF GUEST ROOMS</b>	<b>TYPE OF APPLICATION</b>	<b>CONTROLS</b>
A. Dwelling House	One to two (1&2)	No application required	<ul style="list-style-type: none"> <li>• None other than normal Town Planning and Building Regulations</li> <li>• No conference facilities are permitted.</li> </ul>
B. Bed and Breakfast Establishment	Three to four (3&4)	Special Consent application in Residential Only Zone (residential 1) and Agricultural; Tourist Residential; Medium Impact Residential (MIR 1) General Mixed Use and Civic and Social Services	<ul style="list-style-type: none"> <li>• Town Planning and Building Regulations</li> <li>• Parking: 2 parking bays.</li> </ul>
C. Guest House	Five to sixteen (5 & 16)	<ul style="list-style-type: none"> <li>• Special Consent application in Residential only Zone (Residential 1) and Agricultural; Tourist Residential; Medium Impact Residential (MIR1) General Mixed Use and Civic and Social Services Zone 3</li> <li>• A rezoning application to</li> </ul>	<ul style="list-style-type: none"> <li>• Town Planning and Building Regulations</li> <li>• Parking: 2 bays for every 3 guestrooms and 2 additional parking bays for the owner/manager.</li> </ul>

		Residential Zone is required to other Zones.	
<b>D. BACK PACKER ESTABLISHMENTS</b>	Minimum 1 dormitory and 2-3 rooms	<ul style="list-style-type: none"> <li>• Special Consent application in Residential Only Zone (residential 1) and Agricultural; Tourist Residential; Medium Impact Residential (MIR 1) General Mixed Use and Civic and Social Services</li> <li>• Special Consent application in Residential only Zone (Residential 1) and Agricultural; Tourist Residential; Medium Impact Residential (MIR1) General Mixed Use and Civic and Social Services Zone 3</li> </ul> <p>No application required on Tourist Res 1( Caravan park/chalet)</p>	•

		<ul style="list-style-type: none"> <li>• A rezoning application to Residential Zone is required to other Zones.</li> <li>•</li> </ul>	
E. SELF CATERING		<ul style="list-style-type: none"> <li>• Special Consent application in Residential only Zone (Residential 1) and Agricultural; Tourist Residential; Medium Impact Residential (MIR1) General Mixed Use and Civic and Social Services Zone 3</li> <li>• A rezoning application to Residential Zone is required to other Zones.</li> </ul>	•
F. GUEST LODGES/ HOTELS		<ul style="list-style-type: none"> <li>• Special Consent application in Residential only Zone (Residential 1) and Agricultural; Tourist Residential; Medium Impact Residential (MIR1) General Mixed Use</li> </ul>	•



		<p>and Civic and Social Services Zone 3</p> <p>A rezoning application to Residential Zone is required to other Zones.</p>	
CARAVAN		<ul style="list-style-type: none"> <li>Only on Tourist Residential zone (no application required)</li> </ul>	<ul style="list-style-type: none"> <li></li> </ul>
CHALET		<p>Special Consent application in Residential only Zone (Residential 1) and Agricultural; Tourist Residential; Medium Impact Residential (MIR1) General Mixed Use and Civic and Social Services Zone 3</p> <p>No application required on Tourist Res 1( Caravan park/chalet)</p> <ul style="list-style-type: none"> <li></li> <li>A rezoning application to Residential Zone is required to other Zones.</li> </ul>	<ul style="list-style-type: none"> <li></li> </ul>

## 6. SAFETY AND SECURITY

The best possible precaution must be taken at all times, to maintain the safety and security of the guests, to prevent damage or theft of their property and possessions. Emergency information, procedures and after hours contacts for assistance must be clearly displayed in English, and other dominant languages within the Municipality.

A person responsible for safety and security must be on call 24-hours a day to provide safety, security and comfort for guests, lighting needs to be adequate throughout all public areas, particularly stairways and car parks. The best possible locking devices need to be fitted within all guestrooms. These locks must enable the guest to lock their room from the outside, when leaving the room, as well as from the inside, whilst in the room. In situations where rooms are inter-connecting, locking methods need

to be secure and certain. A safe, if not available in each room, must be provided at reception for the secure storage of guests valuables. Once a guest is registered, security codes or remote control devices must be made available, providing the guest access to the premises at all times.

## **7 Cleanliness and Comfort**

Every effort to maintain the highest possible standards of cleanliness and comfort must be made throughout the establishment, ensuring that every guest enjoys the comfort they expect.

## **8. Access**

Accommodation establishments must be open every day of the year providing all appropriate services and facilities, unless offering only seasonal accommodation, or are closed for refurbishments. Access must never be denied based on race, ethnicity and gender, physical or mental condition.

## **9. Courtesy**

Courtesy of the highest standard must be shown to guests at all times. Any complaints must be dealt with promptly and courteously.

## **10. Marketing, Reservations and Pricing**

Clear communication regarding what the establishment has to offer must be made available whether by advertisement, brochure, word of mouth or other means to all guests or prospective guests upon request. This must include:

- (a) Detailed prices for: accommodation, meals, refreshments, any additional services, service charges, surcharges and levies. All prices must include VAT.
- (b) Full details of cancellation policy and in-house rules, e.g. smoking or pets to be on hand.
- (c) An honest description of all amenities, facilities and services offered.
- (d) All of the above must be communicated before, or at the time of reservation. All requests, correspondence, enquires and complaints must be handled in a friendly and efficient manner

## **11. Buildings**

## **11.1 Exterior**

The grounds and gardens of each establishment must always be well maintained, neat and clean. All signage needs to be clearly visible, both on and off the property, ensuring guests are correctly guided to the appropriate entrances at all times.

## **12. Maintenance**

All interior and exterior structures, fittings, fixtures and furnishings must be maintained in a sound, clean and working condition.

## **13. Bedrooms**

### **13.1 Housekeeping**

All bedrooms must be cleaned daily. Beds must be made daily and all linen and bedding must be changed for each new guest and be clean at all times. Non-allergic pillows and duvets must be available upon request

### **13.2 Bedroom Size**

The size of a bedroom must allow for guests to move easily, with free access to all furniture and fittings in the room. All doors, windows, cupboards and draws must open with ease. Minimum ceiling height must allow for a person of 1.8m tall, to move without stooping.

### **13.3 Beds**

All beds must be in good condition providing a secure headboard. Mattresses must be of a good quality, sprung or foam and fitted with a mattress protector or under-blanket. A single bed must comfortably accommodate an average sized adult and a double bed, two adults.

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### **13.4 Bedside Tables**

All beds must be accompanied by a bedside table and a reading light, where there are two beds in a room, a single table, between the two, will suffice. A dressing table or writing table may double as a bedside table and must be supplied with a folder containing relevant information. This may not be applicable in back-packers accommodation

### **13.5 Windows and Lighting**

A minimum of one window per room is recommended to provide natural light and ventilation. Even if the window is unable to open, guests must be able to 'look out' and in such a case a ventilation system must be provided.

### **13.6 Curtains**

Curtains, blinds or shutters must be installed on all windows including glass panels and glass doors to provide both privacy and light exclusion for the guest. Consideration must be given for additional privacy in the form of net curtaining or blinds where appropriate.

### **13.7 Heating and Cooling**

A heater or fan must be available for each room and they must be on working conditions at all times.

### **13.8 Flooring**

Ease of cleaning and hygiene must be considered when determining the appropriate flooring.

### **13.9 Clothes Storage**

Each room must provide sufficient space for hanging clothes, with good quality hangers. In addition to a wardrobe, adequate drawer and shelf space must also be available.

### **13.10 Dressing or Writing table**

Each guest room must have a dressing or writing table, a chest of draws or equivalent, thus providing the guest with suitable space to either work or to place their belongings.

There must be a mirror adjacent to the dressing or writing table with adequate lighting.

### **13.11 Seating**

There must be a minimum of one chair in each room.

### **13.13 Beverage facilities**

Tea and coffee making facilities must be provided in each bedroom, unless a self-service beverage buffet is available (could be a vending machine) or the equivalent room service is offered.

### **13.14 Television and Radio**

If a broadcast signal is available then a colour television set suitable for the size of the room must be provided in each bedroom. If there are no televisions in the bedrooms then a colour television must be available in the lounge area. This may not be applicable in back-packers accommodation

### **13.15 Stationary**

Stationary and other writing materials must be available from reception.

### **13.16 Telephones**

Telephones in guest rooms are optional; however the guest must be able to make use of the household telephone.

Hotels: Bedroom telephones must be provided – at minimum for internal communication. Where there are phones in a bedroom the number of the phone, the establishment's number, reception number, switchboard number and all emergency numbers must be displayed. Guests must also be informed of all telephone charges on request.

## **14 Bath / Shower room**

### **14.1 En-suite, private bath or shower rooms**

Each room within the establishment (the number of beds may vary dependant on the configuration of the establishment's rooms) must have an en-suite bathroom/ shower and a toilet. Other necessities include;

- Washbasin with adjacent mirror
- Soap dish/holder/dispenser
- Toilet roll holder and toilet paper.
- Waste bin
- Towel rail, shelf or equivalent
- Running, hot water for bathing
- Clean hand and bath towel for each guest

For backpackers, separate bathrooms/showers may be provided in the same buildings as the bedrooms or at reasonable walking distance that will not compromise convenience of the guests. All bathrooms must provide sufficient space to allow freedom of movement for guests and access to all fittings.

## **15 Ventilation**

All bathrooms must provide sufficient ventilation. This can be a window that opens. Where there is no window, an extraction fan must be fitted

## **16. Public Areas**

### **16.1 Reception Area**

A clean central meeting or reception area must be provided. This must also provide the guests with the means (a bell or buzzer) of gaining attention when the reception is not attended.

## **17 Public Toilets**

A separate toilet facility must be conveniently located in the public areas (may be unisex). All toilets must be well maintained, clean and frequently checked. At minimum a basin with running water, toilet paper, soap and a drying mechanism (clean towel, paper towels, hot air dryer, etc) must be provided.

## **18. Services and Food & Beverage(these are applicable on hotels)**

### **(a) Porter Service**

Assistance with luggage must be available on request.

### **(b) Morning Call**

Guests must be able to request an early morning wake-up call if there is no alarm clock in guest rooms.

### **(c) Laundry**

an iron and ironing board must be available on request.

## **19. HEALTH REQUIREMENTS OF THE HEALTH DEPARTMENT FOR NON/SERVICED**

### **ACCOMMODATION**

A cottage, chalet, bungalow, flat, studio, apartment, villa, houseboat, tents or similar accommodation where facilities and equipment are provided for guests to cater for themselves. The facilities must be adequate to cater for the maximum advertised number of residents the facility can accommodate.

## **20 Miscellaneous**

In addition to the above each bedroom must provide the following:

- (a) Clean drinking glass per permanent sleeping position.
- (b) An ashtray (if smoking is permitted)
- (c) Sufficient, safe and conveniently located power sockets, for electrical equipment.
- (d) Double adapter and extension

## **21. APPLICATION REQUIREMENTS**

1. Application shall consists the following documentation:

- (a) Covering Letter (Postal address of the applicant, the address of the establishment, number of guest rooms)Motivation report (Need and desirability)
- (b) compete application form
- (c) Proof of advertising
- (d) Letter from adjoining property owners
- (e) Copy of building plans showing the rooms to be used

- (f) Site Plan showing the following:
  - (i) the location of the ingress/egress point;
  - (ii) sight distances (in metres) in each direction;
  - (iii) location of any obstructions within the road reserve (i.e. trees, crests);
  - (iv) Speed limit of road access is proposed to be gained
  - (v) On- site Parking,
  - (vi) Footprint of the proposed use
  - (vii)** Application fees as per approved Tariffs of the Council
- (2) Establishment which proposes to gain direct vehicular access from the main road must consult Traffic Department for comments.
- (3) Letters of no objections from adjoining property owners must be furnished with the Application

N.B. application forms are available and must be submitted at the Town Planning Department.

## 22 *SIGNAGE REQUIREMENTS*

- (a) Council may permit one sign on the property to indicate the dwelling is a Bed & Breakfast establishment/ Guest House.
- (b) The sign shall not exceed one square metre in area and shall only contain the name of the Bed & Breakfast and the proprietor.
- (c) The size of the sign must be determined as an appropriate size to ensure the character of the area is retained whilst also allowing the identification of the Bed & Breakfast establishment for passing tourists.
- (d) Directional signposting for the establishments may be erected in accordance with Council's Signage Policy.
- (e) It is considered that appropriately located and scaled signage is an important factor in assisting visitors to access their destination in a safe, informed manner whilst retaining the values of the immediate streetscape.

## 23 *ENVIRONMENTAL HEALTH REQUIREMENTS*

- (a) Kitchen facilities and food handling practices must comply with all applicable Health Regulations.
- (b) Separate bathroom and toilet facilities are to be provided for guests.
- (c) All Environmental Health requirements shall be attended to by the Alfred Nzo District Environmental Health Officer.

## 24 ADVERTISING

1. Written notification will be forwarded by the applicant to the owners of land adjoining and opposite the subject site, which shall contain the following information:

- (a) description and address of the site
- (b) description of the building or land use
- (c) name of the applicant and establishment
- (d) where and when the plans can be inspected
- (e) copy of the locality plan

- 25 Written comments/objections on the application shall be submitted within 28 days from the date of the letter.

## 26. FEES AND CHARGES

(a) Accommodation establishments are businesses and shall be rated accordingly. The business shall be licensed annually and an appropriate fee shall be made payable to Council as per Council's Tariff Policy. Upon payment of such fee, Council shall issue a Business Licence for the establishment.

(b) Application fees shall also be payable in terms of the approved Council Tariff Policy.

## 26 GENERAL CONDITIONS

- (a) Consent approval shall lapse after five years and an application for renewal shall be made to the Town Planning Department.
- (b) No self-catering in the main dwelling other than the main kitchen.
- (c) Accommodation is for a short-term basis only.
- (d) The property owner or manager must reside on the premises.
- (e) All new development and alterations or second dwelling must be in line with Town Planning and Building Regulations.
- (f) No directional signs are permitted without prior approval and prior approval from SANRAL is required along R56

## 27. NOTICE TO COMPLY

27(a) The Municipality shall serve a written notice (First and Final) on the responsible person that the property has been declared a problem property, it is not at the correct zoning or it is operating without permission (special consent), requiring such responsible person within a specified period to comply with the provisions of these policy and any other relevant legislation or By-laws and the responsible person shall forthwith comply with the notice.



27(b) Legal action will be undertaken upon serving Final Notice on non-compliance . A letter of demand will be served instructing the perpetrator to comply within 7-14 days, if not complying, then a matter will be taken to court as per legal processes.

## 27 NOTES

- (a) An approved Consent shall be renewed after the it has expired/ about to expire by submitting an application
- (b) If there are no objections from adjoining property owners and relevant departments to the application, the final decision lies with the Town Planning Department to make recommendations to the Council.
- (c) Town Planning Department reserve the right not to approve any application if it foresees that it will have a negative impact on the surrounding area (specific erf/services within that vicinity)
- (d) Council reserve the right to withdraw its approval should establishment become detrimental to the surrounding area by:
  - a. causing a disturbance or annoyance to neighbours or occupiers of land in the vicinity
  - b. causing traffic problems
  - c. contravening with any of the other criteria as laid down in the policy.

Policy number

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Council Resolution (CR) Number

**CR**

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**MR. L. MATIWANE**  
**MUNICIPAL MANAGER**

28/07/2022

**DATE**



**CLLR. S. MNGENELA**  
**MAYOR**

28/07/2022

**DATE**



**CLLR. N. NGWANYA**  
**SPEAKER OF COUNCIL**

28/07/2022

**DATE**