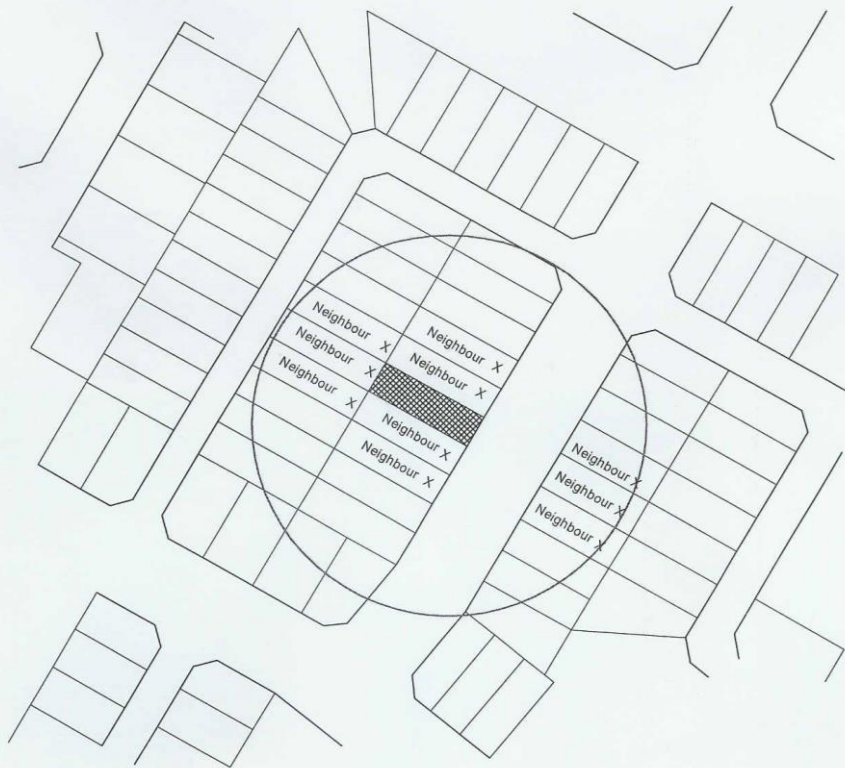




ACCOMMODATION ESTABLISHMENTS



**Example of Neighbours
who should give consent**

NEW POLICY: ACCOMMODATION ESTABLISHMENTS (CM 2011/09/29 - A 4/3/1/21)

(RESIDENTIAL GUESTHOUSES, PENSIONS AND BED & BREAKFASTS)

The following definitions are included to describe the proposed uses and are taken from the new Town Planning Amendment Scheme No. 12.

“RESIDENTIAL GUEST HOUSE” means all pensions, guest houses, bed and breakfast and backpackers establishments operating from **private dwellings** with a maximum of nine bedrooms available for not more than 20 tourists, and where the owner/manager **permanently resides** in the house.

“BED AND BREAKFAST” means any premises comprising no more than 10 bedrooms or 20 beds whichever is the most restrictive, in or on which the business of providing accommodation without meals except breakfast is conducted against payment to tourists but exclude a Residential Guest House.

“PENSION” means any premises comprising no more than 20 bedrooms or 40 beds, whichever is the most restrictive, in or on which the business of providing accommodation with or without meals is conducted against payment to tourists and in which liquor may be served on payment to overnight guests only but excludes a Residential Guest House.

General requirements:

(i) LOCATIONS:

Residential Guest Houses, Pensions and Bed & Breakfasts must be seen as residential land use; hence they must principally be located in a residential area. Appearance of buildings and ground shall be residential in character.

(ii) ERF SIZE AND MINIMUM NUMBER OF ROOMS:

The density of the erf as well as the number of rooms allowed must be according to the Town Planning Amendment Scheme regulations for the applicable zone.

(iii) HEIGHT:

The height of all buildings shall not exceed 8m or as permitted in the Town Planning Scheme for the relevant zone. The privacy of neighbors should be maintained as far as possible, overlooking etc. should be kept to the minimum.

(iv) COVERAGE:

The coverage of all buildings shall not exceed 60% as prescribed in the relevant zone according to the Town Planning Scheme.

(v) FLOOR AREA RATIO:

The floor area ratio of all buildings to be used for the accommodation establishment may not exceed 40% of the total floor area of the house. This is to be applicable in the "Single Residential" zone.

(xi) SITE DEVELOPMENT PLAN:

In the case of a new building, a site development plan shall be submitted for approval to the Town Engineer prior to any development taking place on site.

(xii) ACCOMMODATION ESTABLISHMENT AND TOURISM ORDINANCE:

The regulations of the above ordinance shall be complied with.

(xiii) TOURISM ADVISORY BOARD APPROVAL:

Final approval to operate a Residential Guesthouse, Pension or Bed & Breakfast will only be given once written approval has been received from the NTB (Namibian Tourism Board) that such an establishment meets all their requirements according to the Accommodation Establishment and Tourism Ordinance (Ord.20 of 1973) and its Amendments.

(xiv) ADVERTISEMENT AND NEIGHBOURS' CONSENT:

In all cases applications must be advertised for comments and objections in terms of Clause 6 of the Town Planning Scheme for comments/objections. The neighbour's (owners & occupiers) written consent in a radius of $\pm 100m$ of the property will be required by Council.

(xv) The approval is subject to the applicable laws and regulations of both Government and the Municipality.

(xvi) All rates and services charges for business will be applicable.

(vi) QUALITY AND NATURE OF DEVELOPMENT:

Residential Guesthouse, Pension and Bed & Breakfast must consist of residential rooms, en-suite bathrooms plus units of limited services such as a lounge, dining room, kitchen, and private bar.

(viii) ERECTIONS OF SIGNS:

Signs for Residential Guesthouses, Pensions and Bed & Breakfasts must comply with the Council's advertising sign policy and should be to the Town Engineer's approval. No signs shall be erected without the consent of the Town Engineer.

(ix) LICENSING AND SERVICES

The public/service areas (kitchen/lounge/dining room and private bar) shall only be used by bona-fide residents and their guests and not by the general public. Meals may only be supplied to bona-fide residents and their guests and not to the general public. Only an on-site consumption liquor license will be permitted.

(x) ENTERTAINMENT:

Neither the buildings nor the grounds may be used for or as a Social/entertainment hall, Place of amusement or for any other similar use.

(vi) PARKING AND ACCESS REQUIREMENTS:

NOTE: If tandem parking spaces are indicated on a parking layout for a premises, same will only be approved for the exclusive use of the property owner. Additional provision must be made for guests to have parallel/unobstructed single parking spaces i.e. if all the parking spaces indicated, are occupied simultaneously, a vehicle in an approved parking space may not obstruct a guest's vehicle parked in an approved parking space.

Residential Guesthouse:

Residential Guest House	A minimum of 2 plus 1.5 per room
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The street lending access to the erf should be able to carry the increased traffic flow and the entrance/exit must satisfy the municipal requirements.

Pensions:

Pension	A minimum of 2 plus 1.5 per room
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(xvii) WARNING:

The Namibian Tourism Board may withdraw the license to operate an accommodation establishment if it is not operated according to the board’s regulations.

The Town Council reserves the right to cancel the consent, should any of the above-mentioned conditions not be complied with or any valid objections/complaints be received.

(xviii) APPLICATIONS:

Anyone who possesses a site with the necessary requirements may apply in writing for consent to construct and operate a Residential Guesthouse, Pension or Bed & Breakfast and the following will be required along with the application:

- ❖ Municipal approved plan indicating the number of rooms to be used and area to be utilized.

- ❖ A site plan indicating the required parking and access to the Erf.
- ❖ Written comments/objections of all neighbours required.
- ❖ The required advertising fee to place the notice in the newspapers.

Once the application has been received and advertised for any comments/objections, the application will be submitted to Council as per the Town Planning Regulations for approval of a consent use. On approval the applicant must then further apply to the NTB (Namibian Tourism Board) for approval. With the conditional consent of Council as well as the approval of NTB (Namibian Tourism Board) the applicant may then approach the health department for final approval.

(REVISED ACCOMMODATION ESTABLISHMENT POLICY)
(C/M 2011/09/29 - A 4/3/1/21)

The street lending access to the erf should be able to carry the increased traffic flow and the entrance/exit must satisfy the municipal requirements.

Bed & Breakfast Establishments:

Bed & Breakfast	A minimum of 2 plus 1.5 per room
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The street lending access to the erf should be able to carry the increased traffic flow and the entrance/exit must satisfy the municipal requirements.

Parking must be provided on the erf and owners of such establishments must ensure that visitors make use of such parking and no parking by guests or visitors on any street will be allowed.