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ADDENDUM NO 35

AUGUST 1995

**POLICY: ACCOMMODATION ESTABLISHMENTS  
(GUEST HOUSES\PENSIONS\BED AND BREAKFASTS)**

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1. **BACKGROUND:**

1.1 **Introduction:**

At its meeting held on 9 May 1995, Item 4.8, the Management Committee, inter alia, adopted the following resolution:

"That Concept Accommodation Establishment Regulations be drafted for Council's consideration."

Item 4.8 related to an application for Council's consent for the establishment of a Pension (Guest House) on Erf 2864 Walvis Bay.

Namibian accommodation establishments are controlled by the Accommodation Establishment and Tourism Ordinance. Regulations for this Ordinance have been framed and are applicable. Therefore there is no need for Walvis Bay to prepare its own Accommodation Establishment Regulations, and this issue is discussed in more detail under Paragraph 5, Legal Aspects of Accommodation Establishments.

Rather, and in relation to the Management Committee resolution of 9 May 1995, Item 4.8, this report will deal with a policy for Pensions\Guest Houses\Bed and Breakfasts.

Various categories of land use (particularly General Residential 1\2, General Business 1, Local Business) permit pension\guest house\bed and breakfast accommodation establishments as a primary or consent right. In other land use categories (notably Single Residential) it is not possible to establish an accommodation establishment either as a primary right or with consent.

Furthermore, the Council has no formal policy for the establishment of accommodation establishments in Walvis Bay. Hence this report.

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**1.2 Accommodation Establishments:**

There is little documented theory or available research dealing with accommodation establishments nationally or internationally. The provision of accommodation is nevertheless a prominent issue, particularly taking into account the global growth in tourism. It therefore follows that the provision of accommodation, in general, is perceived as a national priority. The Council itself has also identified tourism as an important objective with the approval of the Tourism Strategy for Walvis Bay. The provision of accommodation forms an integral part of that Tourism Strategy.

The provision of accommodation for business people, particularly in Walvis Bay, is also an important priority. Contrary to the tourism demand for accommodation, which is seasonal, the demand for accommodation for business people occurs throughout the year.

**1.3 Objective of the Policy:**

The primary objective of the policy is to identify the types of accommodation establishments and to identify the location of these in Walvis Bay. The intention of the policy will provide the Council guidelines in considering applications for the establishment of accommodation establishments in Walvis Bay.

**2. THE TYPES OF ACCOMMODATION ESTABLISHMENTS:**

In general terms the range of accommodation establishments can be summarised as follows:

- \* Hotels:
- \* Chalets\Timeshare\Holiday Flats:
- \* Game\Nature Reserves:
- \* Caravan Parks (including tents)
- \* Guest Houses\Pensions\Bed and Breakfast:
- \* Private Homes\Second Holiday Homes:
- \* Youth Hostels\Holiday Camps

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For the purposes of this report, a Pension is an accommodation establishment providing 10 or more rooms, together with public\service areas, and Bed and Breakfast or Guest House is an accommodation establishment providing 9 or fewer rooms, together with public\service areas.

Each type of accommodation through the range has its own characteristics and requirements, ranging from a sophisticated city centre location (5-star luxury hotel) to a remote, rural location (game\nature reserve). Each type can also be considered as being complementary, rather than competitive, serving a particular market segment from holiday makers, businessmen to students.

Furthermore, accommodation, by its very nature, forms a very small part of the urban or rural structure, generally having limited impact on its environment. Accommodation establishments must also be seen primarily as a residential land use, the only significant difference being the intensity of the development.

Nationally and internationally the demand for accommodation is split between business and tourist trade in a 40:60 ratio.

The pattern of demand for the business trade is during the week, consistently through the year. The business trade demands good quality accommodation with a broad range of facilities, including telephones, fax, room service, parking facilities and secretarial services.

On the other hand, the pattern of demand for the tourist market is seasonal with clearly defined peaks and therefore erratic. The tourist trade requires the full range of accommodation from good quality to basic rudimentary accommodation.

In recent times, the trend has moved away from hotels to more informal kinds of accommodation such as boarding houses, timeshare, bed and breakfast, camping and caravanning.

**3. WALVIS BAY CONTEXT:**

Walvis Bay currently provides a comprehensive, if limited, range of accommodation, made up as follows:

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- \* Hotels:
  - Casa Mia
  - Flamingo
  - Atlantic
  - Mermaid
  
- \* Chalets\Timeshare\Holiday Flats:
  - Lagoon Chalets
  - Long Beach
  - Dolphin Beach
  - Suidwes Flats
  - Esplanade
  
- \* Caravan Parks:
  - Esplanade
  - Long Beach
  
- \* Guest Houses\Pensions\Bed and Breakfast:
  - Golden Fish
  - Levo
  - The Courtyard

It would appear that there are some unofficial bed and breakfasts operating from private homes. It is unknown how many private homes are actually second holiday homes, but this is probably an insignificant amount.

Other than the Flamingo and Atlantic Hotels, most other accommodation types are provided in a residential rather than a business area.

It is appropriate that a policy be prepared relating to the defined accommodation establishments: Guest Houses\Pensions\Bed and Breakfasts. The reasons for this have been identified as follows:

- \* Walvis Bay has 4 existing hotels providing nearly 100 rooms, with 2 proposed hotels that will provide a further 100 rooms. Walvis Bay is considered to be well provided for hotel rooms.
  
- \* Walvis Bay has 5 existing chalets\holiday flats providing over 100 units. Other than the Esplanade and Lagoon Chalets, the occupancy

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rates of these units is not nearly capacity, except at peak holiday season. Walvis Bay is considered to be well provided for chalets/holiday flats.

- \* Neither the Esplanade nor Long Beach Caravan Parks operate at capacity, except at peak holiday season. Walvis Bay is considered to be well provided for caravan parks.
- \* All three guest houses operate at capacity almost throughout the year indicating an inherent demand for this form of accommodation in Walvis Bay.

It must be noted nevertheless that with the anticipated growth of business activity and the expected growth in tourist activity that a demand for all types of accommodation will similarly increase. Therefore, the provision of additional accommodation throughout the range must be provided should the need and demand arise.

It is only that there is a pressing need to address accommodation for guest houses\pensions\bed and breakfasts that this policy has been prepared.

**4. POLICY CRITERIA:**

The establishment of guest houses\pensions\bed and breakfasts can be taken into consideration with regard to the following aspects:

**4.1 Location of Accommodation:**

As stated previously, accommodation establishments must be seen primarily as a residential land use, but having a greater intensity. Therefore it follows that guest houses\pensions\bed and breakfasts can and should be located in a residential area, subject to appropriate conditions of control.

This attitude is reinforced by the following:

- \* location in a quiet, relaxed home environment
- \* the on-site provision of the personal touch, as being home from home
- \* tariffs below normal hotel rates.

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At the same time, the location should provide good traffic access and if possible visible exposure. Accessibility to the Town Centre (or other business areas) and other community facilities is also an important locational criteria.

Any location within the Town Centre or in an outlying business area is suitable for a guest house\pension\bed and breakfast.

**4.2 Size of the Site:**

Within reason, there is no need to restrict the site size of a guest house\pension\bed and breakfast, rather its intensity. For practical purposes however, an erf size of 750 m<sup>2</sup> is considered the absolute minimum and an erf size of 3 000 m<sup>2</sup> is considered the absolute maximum.. A site of less than 750 m<sup>2</sup> cannot accommodate the service or public facilities required for a guest house\pension\bed and breakfast, whereas a site in excess of 3 000 m<sup>2</sup> changes its use and function to that of a hotel.

For smaller sites (less than 1 000 m<sup>2</sup>) it is recommended that 1 room be provided for every 250 m<sup>2</sup> area. For larger sites (between 1 001 m<sup>2</sup> and 3 000 m<sup>2</sup>) it is recommended that 1 room be provided for every 150 m<sup>2</sup> of site area. In this way the required parking (1,5 bays\room), service or public areas, open space, landscaping and so on can be accommodated on the site.

Other than for outbuildings, the normal building lines (street: 5 m, side: 3,0 m) must be maintained to limit any effects on adjacent properties.

The height of buildings should be restricted to a maximum of 2 storeys, to limit any effects of overlooking, privacy and so on.

**4.3 Quality and Nature of the Development:**

By its very nature the development of a guest house\pension\bed and breakfast must be complementary to and compatible with the residential environment within which it is situated. This means that careful attention will need to be given to the positioning, height, coverage, massing of proposed buildings relative to adjacent properties.

It is therefore recommended that a comprehensive site development plan be prepared dealing with these issues for submission to and consideration by the Aesthetics Committee prior to development proceeding.

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Any guest house\pension\bed and breakfast will consist of residential rooms, suites, or units with limited services such as a lounge, dining room and private bar. No public gatherings can be permitted to take place and no public restaurants, public bars and so on can be permitted.

In simple terms, a guest house\pension\bed and breakfast will be developed in a residential style and character reflecting a somewhat larger private home.

A pre-condition for the establishment of a guest house\pension\bed and breakfast is that it be privately owned, with the owner living on site. In this way the development will express an extension of the owners individual character. The character of a guest house\pension\bed and breakfast is that of personalised service, lack of uniformity, tranquility and ambience, reflecting a home environment.

**4.4 Impact on the Neighbourhood:**

The traffic generation of a guest house\pension\bed and breakfast will not be such that it will increase significantly to the detriment of a residential environment. The road system can accommodate any additional traffic generated. Furthermore, deliveries will be via light delivery vehicles rather than large vehicles, a common occurrence in any residential area.

Although the traffic generated will be 1 car per room, it is recommended that on-site parking be provided in the ratio of 1,5 bays\room. In this way, all parking will occur on-site and not in the street. In this way the external impact of the guest house\pension\bed and breakfast is eliminated.

Boundary walls on common boundaries with adjacent properties, and if required, along the street front will screen adjacent properties from any proposed development. In addition, normal building lines should be maintained as far as possible.

**5. LEGAL ASPECTS:**

A distinction must be made between accommodation establishments that need to be registered and those that do not require registration.

In terms of the Regulations Relating to Accommodation Establishments and Tourism (copy attached: Annexure 1), only Hotels, or Motels (10 bedrooms), Guest Farms (5 bedrooms), Restcamps (5 rooms), Caravan Parks

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and Safari Undertakings require registration. Any other type of accommodation establishment does not require to be registered.

For the purposes of this report, a Pension (having 10 or more rooms) will require registration, and a Bed and Breakfast or a Guest House (having 9 or fewer rooms) will not require registration. Statutory legislative control is therefore required for a Pension, but not for a Bed and Breakfast or a Guest House. In addition town planning control for Pensions\Guest Houses\Bed and Breakfasts is exercised by the Council in terms of the Town Planning Scheme and this policy.

From the Council's perspective it is appropriate that control be exercised in terms of the Town Planning Scheme and this policy, rather than in terms of the Accommodation Establishments and Tourism Ordinance. Compliance with the Accommodation Establishments and Tourism Ordinance is still necessary by applicants and forms part of the policy and the requirements (from a town planning point of view) are incorporated into the conditions of the consent.

It is considered that adequate control mechanisms exist, as set out above, exist to ensure the proper establishment and operation of pensions\guest houses\bed and breakfasts in Walvis Bay.

**6 SUMMARY AND CONCLUSIONS:**

It is accepted that there is a demand for accommodation for tourists and business people in Walvis Bay. The range of accommodation establishments is provided in Walvis Bay, with an apparent shortage of guest houses\pensions\bed and breakfasts.

Consideration of the establishment of guest houses\pensions\bed and breakfasts must include the site location, the site size, the quality and nature of the development and the impact on the neighbourhood. Statutory legal requirements also need to be complied with.

Being residential in nature, guest houses\pensions\bed and breakfasts can, subject to conditions, be established in residential areas.

**7 RECOMMENDATION:**

- (a) That the policy report Accommodation Establishments, and in particular Sections 4 and 5, be adopted as policy for the establishment of guest houses\pensions\bed and breakfasts in Walvis Bay.

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- (b) That the establishment of guest houses\pensions\bed and breakfasts be approved, where properly motivated in terms of the Council policy, subject to the following conditions:
- (i) The maximum number of rooms be calculated in the following ratio:
    - \* Erf size: 750 m<sup>2</sup> to 1 000 m<sup>2</sup>: 1 room\250 m<sup>2</sup>
    - \* Erf size: 1 001 m<sup>2</sup> to 3 000 m<sup>2</sup>: 1 room\150 m<sup>2</sup>
  - (ii) The height of all buildings shall not exceed 2 storeys.
  - (iii) The coverage of all buildings shall not exceed 40%.
  - (iv) The floor area ratio of all buildings shall not exceed 0,4.
  - (v) Access to and from the site shall be to the satisfaction of the Town Engineer.
  - (vi) The area of the public\service areas (kitchen\lounge\dining room\private bar) shall not exceed the area of the rooms for accommodation purposes.
  - (vii) On-site parking shall be provided in the ratio of 1,5 bays per room for accommodation purposes.
  - (viii) No signs shall be erected without the consent of the Town Engineer.
  - (ix) The public\service areas shall only be used by bona-fide residents and their guests and not by the general public.
  - (x) Meals may only be supplied to bona-fide residents and their guests and not to the general public.
  - (xi) Only an on-site consumption liquor licence shall be permitted.
  - (xii) Neither the buildings nor grounds shall be used as an entertainment hall, amusement area or for any other similar use.

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- (xiii) The scale and appearance of the buildings and grounds shall be residential in character.
  - (xiv) The owner shall live on the site.
  - (xv) A Site Development Plan shall be submitted to and approved by the Aesthetics Committee prior to any development taking place on site.
  - (xvi) The regulations contained in the Accommodation Establishments and Tourism Ordinance shall be complied with.
  - (xvii) The approval of the Tourism Advisory Board shall be obtained.
  - (xviii) The neighbours (owners and occupiers) written consent will be required by Council as well as advertisements in terms of Clause 7 of the Town Planning Scheme-in-preparation.
  - (xix) Unless development takes place within one year of the approval of the application the approval will automatically lapse.
  - (xx) The approval is subject to the applicable laws and regulations of both the Government and the Municipality.
  - (xxi) All rates and services charges for business be made applicable.
- (c) That any amendments to the Town Planning Scheme brought about by the approval of the policy report be included in the new consolidated Town Planning Scheme-in-preparation.
  - (d) That the policy report be publicised to the general public.

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- (e) That a copy of this report be forwarded to the Ministry of Regional and Local Government and Housing for information.

DIRECTOR: COMMUNITY SERVICES

TOWN CLERK

BS\HT

Annexure: 1

## **ACCOMMODATION ESTABLISHMENTS** **CHECK LIST FOR APPROVAL**

- **PHYSICAL STRUCTURE**

### BEDROOMS

SIZE: SINGLE ROOM: 10m<sup>2</sup>  
DOUBLE ROOM: 15m<sup>2</sup>  
BED WIDTH: SINGLE ROOM: 900mm.. (INNER SPRING MATTRESS)  
DOUBLE ROOM: 1800mm.. (INNER SPRING MATTRESS)

BEDSIDE TABLE AND BEDSIDE LAMP / BED

FLOOR COVERING: CERAMIC TILES/WALL-WALL CARPETS/LOOSE CARPETS

1 CHAIR PER GUEST

TABLE AND/OR DRESSING TABLE

LUGGAGE RACK

WARDROBE/BUILT-IN-CUPBOARD WITH 6 HANGARS, WITH DOORS

WASTE CONTAINER

ELECTRIC PLUG SOCKET

MIRROR: 900mm. X 370mm..

LIGHTING: SINGLE ROOM: 100W

DOUBLE ROOM: 150W

AT LEAST 1 EXTERNAL WINDOW, AND WINDOWS TO HAVE CURTAINS/BLINDS

### BATHROOMS

MINIMUM SIZE: 4m<sup>2</sup>

EN-SUITE OR 1 BATHROOM / 3 BEDROOMS

EN-SUITE OR 1 WC / 3 BEDROOMS

25% WITH BATHS/75% WITH SHOWERS: HOT AND COLD WATER

BASIN TO BE PROVIDED: HOT AND COLD WATER

FLOOR COVERING: CERAMIC TILES OR SIMILAR

WALLS TILED TO 1,35m..

MIRROR: 450mm. X 300mm..

### OTHER

OWNER/OPERATOR TO BE RESIDENT ON-SITE

PARKING: 1 BAY / ROOM

COMMUNAL GARDEN/OPEN SPACE

FIRE FIGHTING APPLIANCES

FACILITIES FOR HANDICAPPED GUESTS

- **OPERATIONAL ISSUES**

RATES TO BE DISPLAYED IN ROOMS

REGISTRATION CERTIFICATE OF FITNESS TO BE DISPLAYED

TELEPHONE ON PREMISES

PUBLIC FACILITIES/DINING ROOM TO BE PROVIDED

BREAKFAST SHALL BE PROVIDED

1 COOK/WAITER TO BE EMPLOYED

FLOOR SERVICE: 16 HOURS / DAY

RECEPTION/OFFICE: 14 HOURS / DAY OR EASILY ACCESSIBLE

SAFE KEEPING FACILITIES

WASHING/IRONING SERVICE

FURNITURE/EQUIPMENT TO BE OF GOOD QUALITY

TOWN PLANNING SECTION

MAY 2000