

SDC Rooding Policy - Whitebait Hut

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Rooding Policy - Whitebait Huts

1. **Objective:** To manage the establishment of whitebait huts within the road margin whilst ensuring the safety of road users.
 2. **Purpose:** Council may allow structures to be erected on road margins to provide shelter during whitebaiting. This procedure is intended to ensure structures are constructed to the required standard and do not create safety hazards for road users.
 3. **Procedure:** The right to place whitebait huts on Type 1, 2 and 3 roads is subject to the conditions of this Procedure. Note: No new huts will be allowed on or adjacent to Type 3 roads if, in the opinion of the Area Engineer, their location will create traffic safety issues. Owners of structures do **NOT** own the land upon which the structures are located and do not have any legal rights of occupation. Council has no responsibility to provide or maintain access to any structures.
 4. **Requirements:** Whitebait huts shall meet the following requirements:
 - The structure shall be single storey and shall not exceed 10.0 m² in area and 2.5 metres in height.
 - The structure shall **not** contain sleeping accommodation or sanitary facilities or permanent potable water storage or plumbing.
 - The number of the stand (from Environment Southland) which the structure is associated with shall be clearly displayed on the building and visible from the road.
 - The structure shall be constructed in such a manner that it can be relocated off the site if necessary.
 - The consent of the adjacent property owner and occupier shall be obtained where the adjacent owner or occupier is managing the land in accordance with Procedure Use of Roads and Road Licences.
 - Where appropriate, it shall be the responsibility of the person intending to construct the hut to clearly establish that the hut is located on unformed road and not on privately owned land. Any costs in establishing this shall be borne entirely by the person wishing to construct the hut, with no costs to be borne by the Council.

Note:
Whitebait huts, being subject to the building consent process, will not be permitted where they do not meet these requirements.
 5. **Applications for New Huts:** Formal application shall be forwarded to the Council's Property Manager prior to any new hut being constructed on any road. The application shall include **ALL** of the following information.
 - A plan and elevation of the proposed structure, with details of materials to be used.
 - A statement of which links stand to the proposed hut.
 - A site plan clearly illustrating the proposed location of the hut.
 - Where appropriate provide documentary evidence proving the hut is located on unformed road.
 - The written approval of the adjacent landowner, if the adjacent landowner is managing the land in accordance with Procedure 'Use of Roads and Road Licences'.
 - The name and address of the owner of the hut.
- Any application on a Type 3 road will be referred to the Area Engineer by the Property Manager. Each application shall be accompanied by the prescribed fee as set out in the Council's Schedule of Fees and Charges. Following the receipt of all the above information, the Council shall forward a formal response in writing, either granting or declining approval for the construction of the hut.
6. **Advice on Removal:** If a change in circumstances means that the Council requires the structure to be removed; then Council shall first take all reasonable steps to locate the owner of the structure. Where the Council is able to locate the owner, Council shall give the owner a minimum of **30 days** to remove the structure. The timeframe for removal shall be outlined by letter to the owner. If, at the end of this period, the owner has not removed the structure, then the Council may remove it without compensation to the owner and may sell the materials and retain any monies from such sale to compensate it for the costs of removal. Where the Council is unable to locate the owner having taken all reasonable steps, then Council may remove the structure immediately, dispose of any materials, and retain any monies from such sale to compensate Council for the costs of removal.
 7. **Existing Whitebait Huts:**
 - 7.1 **Status of Existing Huts:**
Council acknowledges that numerous existing whitebait huts are located on unformed and formed roads throughout the District. While Council has no immediate intention to take action on such structures; the Council wishes it to be known that these structures are located on road at the pleasure of the Council and that the owners of these structures do **NOT** own the land upon which the structures are located and do not have any legal rights of occupation.
Existing huts are subject to this procedure.
 - 7.2 **Alterations to Existing Huts:**
No alterations shall be made to existing huts without the prior consent of Council.
 8. **Legislation and References:**
Section 357 Local Government Act 1974.