

West Coast Regional Council

Policy on the Management of Whitebait Stands

showing deletions



The following policy and regulatory procedures are in respect of Permits for whitebait stands.

1. All whitebait stands located downstream of the Coastal Marine Area boundary line shall be authorised as Coastal Permits pursuant to Section 87(c) of the Resource Management Act 1991 (RMA). All whitebait stands located upstream of the Coastal Marine Area boundary line shall be authorised as Land Use Permits pursuant to Section 87(a) of the RMA. Applications will not require notification.

2. Applications for resource consent shall be made on the Councils Resource Consent Application Form 10B.

3. A whitebait stand (whitebait jetty) shall be defined as:

Any structure built and used for standing on by persons engaged in whitebait fishing in accordance with Condition 1 of the Resource Consent. ~~The structure may extend over the foreshore, the bed of a navigable river or the bed of a watercourse subject to tidal influence.~~ The stands must be clearly identified with the stand number as soon as they are built.

At the time the stand is built its starting point must be clearly marked and remains the start point of the stand for the season unless a relocation is granted. It is not permitted to shift the marker indicating the start point or to construct or use a stand in a manner that exceeds the stand length allowable for that river. The stand length will be measured from the start point and fishing must cease in accordance with the Whitebait Fishing (West Coast) Regulations 1994 when water is present on the inward side of the start point marker.

The length of a stand may not be artificially extended through the deposition of any material to create a bank or raise the level of the riverbed where the predominant purpose is to improve the whitebait fishing site.

4. Permits authorising the construction of whitebait stands shall be restricted to the Rivers listed in Appendix 1. The maximum number of permits per river and the maximum length of stand out from the mean high water spring tide level, are also included in Appendix 1.
5. With the exception of the Little Wanganui, Whataroa, Ohinetamatea, and Mahitahi Rivers where stands shall not be less than 20 metres apart, the spacing between stands shall be at least 40 metres.

6. On the Mokihinui

- The existing positions of the registered stands may be less than 40 metres apart; except that
 - Any relocation of a registered stand must be at least 40 metres from another registered stand.
7. If a dispute arises between adjoining consent holders which requires resolution by the Council, the Council's Enforcement Officer shall fix the position of the stands. The Council's costs on settling disputes will be recovered from the permit holders involved.
8. Damage to river banks resulting from the permit holders actions, which in the Council's view may develop into an erosion problem, shall be repaired at the permit holders cost.
9. The erection of whitebait stands shall not be implemented prior to 14 days before the commencement of the season. Stands shall be dismantled and all materials removed from the riverbed, no later than 14 days after the conclusion of the season.

If it is necessary for the Council to arrange removal of a stand all costs shall become a charge payable by the Consent Holder.

10. Relocation of whitebait stands

Permit holders may apply to the Council for a change of site:

- (a) At any time outside of the dates 15 September to 14 November; or
- (b) At any time during the period 15 September to 14 November if natural river changes make a site unfishable.
- (c) No application for relocation will be accepted as a valid application between 15 September and 14 November and no priority to a site will be given, unless Clause 10(b) applies.
- (d) An application to relocate will ~~cease to be valid if it is declined.~~
- (e) For rivers with multiple channels on a river no relocation will be granted where it would be within 40 metres of an existing stand if that stand has to move out on its line into the riverbed to get to fishable water.

Priority to a site:

- (a) Will be determined on a first in first served basis according to the receipt of a valid written application for relocation; and
- (b) The Council must receive the payment of fees from the applicant within 5 working days of receipt of the application otherwise the priority will pass to the next application.

Authorisation of the relocation will be given following confirmation by a Council Enforcement Officer that the new site meets statutory requirements and in the case of applications made under 10(b) after inspection confirms the original site unfishable.

11. Minor adjustments to the alignment of stands, to take into account any natural changes in the river, may be authorised by the Council's enforcement officers ~~provided the adjustment maintains compliance with the fisheries Whitebait Fishing (West Coast) Regulations 1994.~~
12. The stands designated as front markers on each river are listed in Appendix 2. There shall be no relocation of any other stand authorised downstream of the front marker unless the front marker:
 - (i) relocates so that they are not the first stand on the river or channel; or
 - (ii) they move so that their stand is more than 40 metres upstream of the front line; or
 - (iii) moves from their 2004 season position (where the front marker is already more than 40 metres from the front line);

then this Clause and Appendix 1 cease to have effect for that stand.

13. If sub-clauses 12(i), (ii), or (iii) apply then:
 - (a) Any stand on the river can then be relocated (in accordance with Clause 10) up to the front line (as identified in Appendix 2); and
 - (b) No other stand will be designated as a front marker and the position of the front line will determine the downstream extent to which stands can be relocated.
 14. If a permit becomes available because a new consent is not applied for by the stand holder or the consent is forfeited due to non payment of the inspection and administration fees then it shall be offered to the person at the top of the waiting list.
 15. Permits for whitebait stands are transferable to new consent holders under the provisions of the RMA. Written notice of transfer of a coastal permit must be made to the Council together with payment of the prescribed fee.
 16. The term of Permits for whitebait stands shall be ten years from the date at which they are granted.
 17. Invoices for ~~annual administration and inspection~~ charges will be sent to permittees ~~in July each year and will fall due for payment by 31 August.~~

Failure to pay the annual administration ~~and inspection~~ charge by the due date may result in cancellation of the Permit.
 18. The schedule of charges shall be set by the Council in accordance with the provisions of Section 36 of the RMA.
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Appendix 1

River	Number of Permits	Maximum length per stand (metres)
Little Wanganui	24	5
Mokihinui	69	5
Orowaiti	22	12
Taramakau	41	18
Hokitika	70	30
Waitaha	10	18
Wanganui	77	30
Poerua	10	9
Whataroa	12	9
Waitangitaona	14	9
Saltwater	2	18
Karangarua	13	18
Jacobs	22	18
Mahitahi	5	18
Ohinemaka	8	9
Paringa	25	30
Moeraki	21	9
Haast	36	18
Okuru	47	18
Turnbull	24	18
Waiatoto	50	30
Arawhata	25	30
Cascade	30	24

Appendix 2

River	True left Bank (Stand Number)	Mid river channels			True Right Bank Stand Number
		At their position on the 2006 season map	At their position on the 2006 season map	At their position on the 2006 season map	
Little Wanganui	708				1596
Mokihinui	694				653
Orowaiti	none				1366
Taramakau	960				945
Hokitika	1470	1459	980		1284
Waitaha	1151				1452
Wanganui	820	1500	836	825	813
Poerua	1393				1043
Whataroa	1045				1326
Waitangitaona	1547				853
Saltwater	1248				1247
Karangarua	1050				1546
Jacobs	1386				1520
Mahitahi	1092				1129
Ohinemaka	1146				1550
Paringa	887				1381
Moeraki	998				1003
Haast	1503	1634		1689	1690
Okuru	1237				1088
Turnbull	1012				1017
Waiatoto	1240				1124
Arawhata	1091				1623
Cascade	895				901

