



# Good Practice Guide for Swamp Kauri Operators

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The purpose of this Guide is to help swamp kauri extractors, sawmillers, and exporters understand their legal requirements and promote the enhancement of values associated with swamp kauri.

The Guide is organised into three sections:

- **Values**
- **Procedures**
- **Compliance**

Legal requirements are highlighted in orange.

### Context of swamp kauri

The extraction of swamp kauri is regulated under the Resource Management Act 1991. Regional and district councils are responsible for administering many of the key functions under the Resource Management Act 1991.

The milling and export of swamp kauri is regulated under the Forests Act 1949, and it is considered to be "salvaged" or naturally dead timber under the Act. Te Uru Rākau – New Zealand Forest Service is responsible for administering the Forests Act.

# Values and risks

## Cultural values

- Kauri is a taonga (treasure) to Māori.
- There is a risk that swamp kauri can be extracted from areas significant to Māori.

## Environmental values

- Swamp kauri can be found in or near sensitive environments such as wetlands.
- Extraction at or near these areas risks damage to their environmental and ecological values.

## Scientific values

- Swamp kauri holds important scientific data.
- If researchers are unable to extract this data before the timber is milled or exported, it can be lost to science.

## Economic values

- Extraction often involves removing the swamp kauri timber from the surface of pastoral land, thereby improving productivity.
- Extraction contributes employment to local communities, however, costs incurred during extraction are not always recovered as the quality of the timber is only recognisable once milled.
- It's important to carefully manage swamp kauri once it has been extracted – it can break down if left exposed.
- Recognising the cultural, environmental and scientific values of swamp kauri is an important part of maintaining its economic value.

## Procedures Extraction

### 1. Planning

Plan where you are going to extract swamp kauri from and mark it on a map.

Extracting from sites like paddocks reduces the risk of damaging sensitive environments.



### 2. Notification

If planning to extract swamp kauri (or if you come across swamp kauri accidentally), notify:

- the Regional and District Council;
- the local Heritage New Zealand office; and
- Te Uru Rākau – New Zealand Forest Service.

Contact details are on page 13.



Councils and Heritage New Zealand can advise you of your legal obligations. Notifying Te Uru Rākau – New Zealand Forest Service means the information needed to make milling and export decisions can be gathered. It is ultimately the extractors responsibility to obtain any required consents or authorities.

### 3. Inspections

Te Uru Rākau – New Zealand Forest Service and the Regional Council are likely to inspect the site.

If the site is determined to be indigenous forest land, it may affect your ability to mill or export any timber you extract.



### 4. Working with scientists

Swamp kauri timber holds important scientific data.

Where possible:

- notify swamp kauri researchers of your planned extraction (contact details are on page 13); and
- allow swamp kauri researchers to access the site and sample the extracted timber.



When extraction starts, you must comply with the conditions of any resource consents, archaeological authorities, and environmental requirements in the regional and district plans.

## 5. Discovering archaeological material

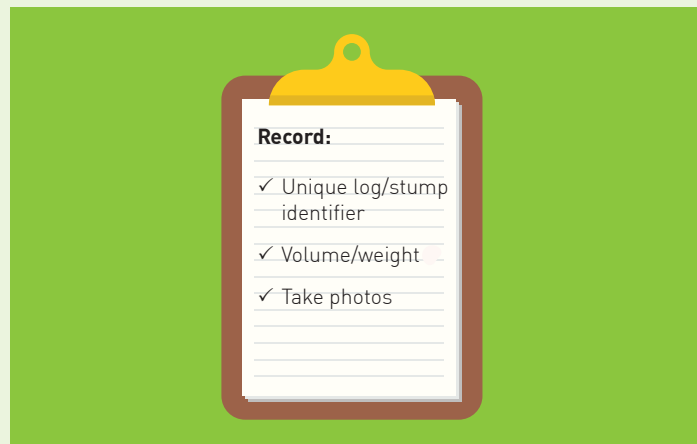
If you discover archaeological material (including human remains) during extraction:

- Stop all work immediately, secure the site, and contact the local Heritage New Zealand office (contact details are on page 13).
- Contact a representative of the local iwi/hapu.



## 6. Keeping timber records

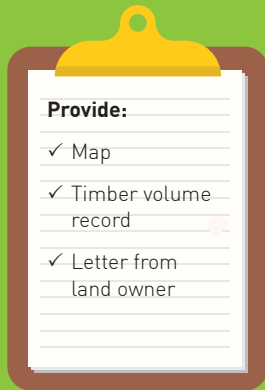
Keep a volume record of all timber extracted. You should use the swamp kauri logbook, which you can get by emailing [indigenous.forestry@mpi.govt.nz](mailto:indigenous.forestry@mpi.govt.nz).



Te Uru Rākau – New Zealand Forest Service may have specified steps to maintain the natural values of areas of indigenous forest land. Te Uru Rākau will inspect extraction sites regularly, and if these steps aren't followed it may affect your ability to mill or export any timber you extract.

## 7. Applying for a milling statement

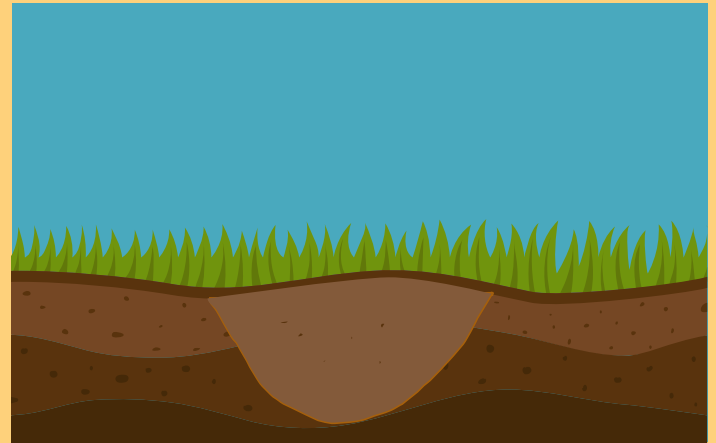
A milling statement must be obtained from Te Uru Rākau – New Zealand Forest Service for any swamp kauri intended to be milled, before it is milled. To apply for a milling statement, complete the “Swamp Kauri Milling Application Form” (see link on page 13).



## 8. After extraction

Return the extraction site to the condition specified in:

- the conditions of any resource consents; and/or
- any district and/or regional plan rules.



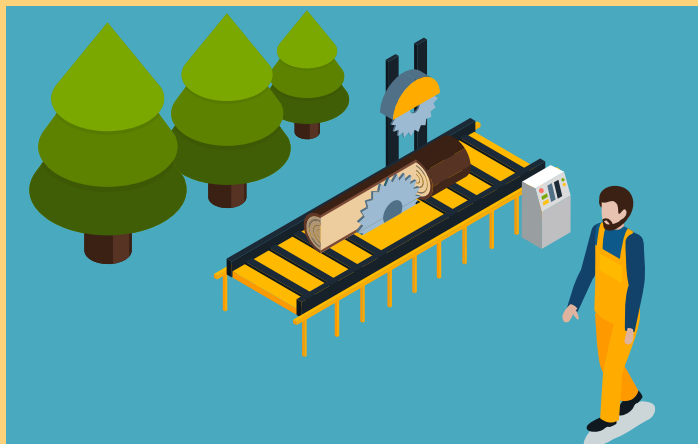
- All extracted timber should be well marked. Mark the number used in your record sheet in spray-paint, or write it on a cattle tag and nail it to the log.
- You should store the extracted timber in a sheltered place to stop it breaking down.

## Milling

### 1. Registering a sawmill

Swamp kauri may only be milled at a sawmill registered with Te Uru Rākau – New Zealand Forest Service.

Complete the sawmill registration form (see link on page 13).



### 2. Recording swamp kauri timber

Registered sawmills must keep an accurate record of indigenous timber received for processing, and make 3-monthly returns of indigenous timber received.



- Sawmill registration costs \$115 a year. The registration year runs from 1 July to 30 June.
- If you receive timber before a milling statement is issued, record the date, volume and source. Enter the milling statement number when it is issued.



### 3. Sawmill inspections

Te Uru Rākau – New Zealand Forest Service regularly inspects registered sawmills. During

Te Uru Rākau – New Zealand Forest Service inspections:

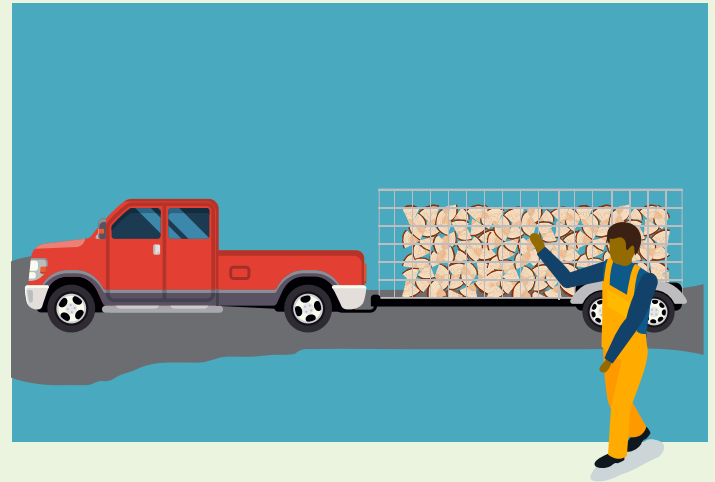
- Provide access to the sawmill and any timber stockpiles.
- Ensure the sawmill record book is available and up to date.
- Provide copies of any milling approvals issued by Te Uru



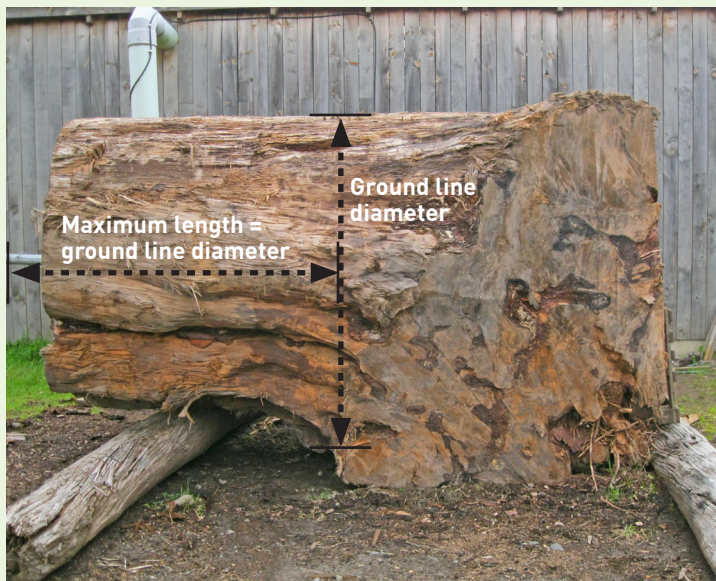
Rākau – New Zealand Forest Service for timber on site or recently milled.

### 4. Timber offcuts

Swamp kauri is valued by artisans and carvers, who can work with small pieces of wood. If you have lots of timber offcuts, consider making them available to the local iwi/hapu, and members of the wider community.



## Exporting



How a stump is measured under the Forests Act.

Swamp kauri timber can only be exported if it is:

- salvaged stump or root and Te Uru Rākau – New Zealand Forest Service has stated in writing that the timber has been taken from an area that is not indigenous forest land; or
- a personal effect; or
- a finished or manufactured indigenous timber product.

A finished or manufactured indigenous timber product is any indigenous timber product:

- that is a product in its own right;
- that has been finished or manufactured into its final form;
- is ready for immediate use or installation without any further modification;
- is a complete item that is ready to be used immediately or a component of an item that is a product that is ready to be installed.



Exporters are responsible for meeting all export requirements and obtaining necessary certifications. If you are considering exporting a sculpture made from a log, or products incorporating rough sawn timber (e.g. a bespoke rustic table), the assessment process may take longer to determine if these products meet export requirements. We advise exporters get in contact with the Indigenous Forestry Team directly to discuss their products. More information can be found at [www.teururakau.govt.nz](http://www.teururakau.govt.nz) or by calling 0800 00 83 33.

## 1. Notification

An exporter who wishes to export swamp kauri stumps or roots must submit a completed “Notice of Intention to Export” form (see link on page 13).



## 2. Inspection

The consignment must be presented to a Forestry Officer for inspection and approval prior to export. If it is approved for export, Te Uru Rākau – New Zealand Forest Service will provide a clearance number – give this to your customs agent.



- If the stumps or roots have been milled, provide photos from before they were milled. This will help Te Uru Rākau – New Zealand Forest Service determine whether the proposed export is stump timber.
- During Te Uru Rākau – New Zealand Forest Service inspections, provide Forestry Officers access to all swamp kauri intended for export.
- It is appreciated if Te Uru Rākau – New Zealand Forest Service is notified of finished product exports.

## Compliance

### Resource Management Act 1991

Operators must comply with any statutory requirements and relevant rule or process under a district or regional policy or planning instrument under the Resource Management Act 1991. Failure to follow these may result in prosecution or other enforcement action.

### Forests Act 1949

Offences under the Forests Act include milling of indigenous timber at an unregistered sawmill, milling indigenous timber without the appropriate approval, and falsifying milling records. Te Uru Rākau – New Zealand Forest Service takes its responsibilities under the Forests Act seriously and will investigate all suspected offences. Persons or companies who breach the requirements of the Forests Act are liable upon conviction to fines of up to \$200,000.

### Heritage New Zealand Pouhere Taonga Act 2014

Persons or companies who commit offences under the Heritage New Zealand Pouhere Taonga Act 2014 may face prosecution. Full details of offences and penalties can be found in Part 5 of the Act. An electronic copy of the Act can be found [here](http://www.legislation.govt.nz/act/public/2014/0026/latest/DLM4005414.html) ([www.legislation.govt.nz/act/public/2014/0026/latest/DLM4005414.html](http://www.legislation.govt.nz/act/public/2014/0026/latest/DLM4005414.html)).

## Contact details

| Organisation                              | Phone   | Email  |
|---|---|--|
| Te Uru Rākau – New Zealand Forest Service | 0800 00 83 33   | <a href="mailto:Indigenous.forestry@mpi.govt.nz">Indigenous.forestry@mpi.govt.nz</a>   |
| Northland Regional Council                | 09 408 6600   | <a href="mailto:peterw@nrc.govt.nz">peterw@nrc.govt.nz</a> (Far North)<br><a href="mailto:mailroom@nrc.govt.nz">mailroom@nrc.govt.nz</a> (Whangarei and Kaipara) |
| Far North District Council                | 0800 920 029  | <a href="mailto:Ask.us@fndc.govt.nz">Ask.us@fndc.govt.nz</a>   |
| Kaipara District Council                  | 0800 727 059  | <a href="mailto:council@kaipara.govt.nz">council@kaipara.govt.nz</a>   |
| Whangarei District Council                | 09 430 4200   | <a href="mailto:mailroom@wd.govt.nz">mailroom@wd.govt.nz</a>   |
| Auckland Council                          | 09 301 0101   |  |
| Waikato Regional Council                  | 0800 800 402  |  |
| Heritage New Zealand                      | 09 307 9920   | <a href="mailto:infonorthern@heritage.org.nz">infonorthern@heritage.org.nz</a>   |
| Swamp Kauri Research Consortium           | 09 375-2055   | <a href="mailto:andrew.lorrey@niwa.co.nz">andrew.lorrey@niwa.co.nz</a>   |
| Department of Conservation                | <a href="http://www.doc.govt.nz/footer-links/contact-us/office-by-name/">http://www.doc.govt.nz/footer-links/contact-us/office-by-name/</a> |  |

## Forms and resources

|   |   |
|---|---|
| Sawmill registration form                             | <a href="https://www.mpi.govt.nz/document-vault/55">https://www.mpi.govt.nz/document-vault/55</a>   |
| Milling statement application form                    | <a href="https://www.mpi.govt.nz/document-vault/10865">https://www.mpi.govt.nz/document-vault/10865</a>   |
| Notice of Intention to Export Swamp Kauri (Form ITE2) | <a href="https://www.mpi.govt.nz/document-vault/10862">https://www.mpi.govt.nz/document-vault/10862</a>   |
| Guide to sampling swamp kauri logs                    | <a href="http://www.niwa.co.nz/climate/research-projects/climate-present-and-past/palaeoclimate/kauri-research">www.niwa.co.nz/climate/research-projects/climate-present-and-past/palaeoclimate/kauri-research</a>      |
| Applying for an archaeological authority              | <a href="http://www.heritage.org.nz/protecting-heritage/archaeology/standard-archaeological-authority-process">http://www.heritage.org.nz/protecting-heritage/archaeology/standard-archaeological-authority-process</a> |

TE URU RĀKAU – NEW ZEALAND FOREST SERVICE

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**[www.teururakau.govt.nz](http://www.teururakau.govt.nz)**

New Zealand Government