

OVERVIEW OF EXISTING AND NEW MANAGEMENT MEASURES FOR SWAMP KAURI

Swamp kauri is kauri timber that has been buried and preserved in what used to be swamps for anywhere between 800 years and 60 000 years. The Ministry for Primary Industries (MPI) has specific responsibilities for the regulation of the milling and export of swamp kauri under the Forests Act 1949. Responsibility for its extraction rests with councils under the Resource Management Act 1991.

EXISTING MANAGEMENT MEASURES

EXTRACTION	MILLING	EXPORT
<p>Extraction is regulated under the Resource Management Act 1991 and is given effect through regional and district plans.</p> <p>Under the Northland Regional Council (NRC) plan extraction is a permitted activity provided it occurs outside areas of indigenous wetlands.</p> <p>District councils in the area have responsibility for rules that relate to indigenous vegetation clearance.</p> <p>Operators are not required to notify the Council of any permitted activity they’re undertaking but they must adhere to any conditions in the relevant plans that apply to that activity.</p>	<p>Swamp kauri can only be milled if the timber has an approved MPI milling statement and is milled at a sawmill registered with MPI under the Forests Act.</p> <p>Sawmill operators are required to submit quarterly returns detailing the indigenous timber that their mill has processed and the source of that timber.</p>	<p>Swamp kauri can only be exported as a finished product or as whole or sawn swamp kauri stumps or roots.</p>
<p>Consents are required if extraction will:</p> <ul style="list-style-type: none">• disturb an indigenous wetland;• remove indigenous forest; or• cause adverse effects on the natural ecosystem such as impacts on a wetland from water level changes. <p>Significant wetlands are not specifically identified in the Regional Soil and Water Plan for Northland but it does contain criteria to determine whether an area is an indigenous wetland.</p>	<p>Milling statements can be issued pre or post extraction, but milling cannot progress without a milling statement.</p> <p>Milling statements can only be issued if the swamp kauri has been salvaged:</p> <ul style="list-style-type: none">• from land that is not indigenous forest land; or• from indigenous forest land (including wetlands) where the natural values of that land will be maintained when the swamp kauri is extracted.	<p>Export approval is needed before exporting swamp kauri stumps and roots.</p> <p>To secure export approval, exporters complete a “notice of intention to export indigenous timber”. MPI confirms the source of the stump material and completes a visual inspection to confirm the material proposed for export meets the Forests Act definition of a stump.</p> <p>Exports can only progress once an approval has been given.</p>
<p>NRC has established good relationships with operators. It maintains a record of current swamp kauri operators and advises them of any requirements that must be met before extraction can occur.</p>	<p>MPI assesses whether the site is indigenous or non-indigenous forest land using photos provided by the applicant, aerial imagery and mapping information held by MPI, and local knowledge of the site. Where warranted, MPI will undertake a site visit to gather information in order to reach a decision on the milling statement application.</p>	<p>Exporters of finished or manufactured products do not have to notify MPI before exporting.</p> <p>MPI encourages exporters to voluntarily use the notification and inspection process to confirm that exports of finished or manufactured products comply with the Forests Act. Voluntarily working within this process avoids exporters breaching the requirements of the Forests Act.</p> <p>MPI works closely with Customs to monitor all indigenous timber exports including swamp kauri.</p>



NEW MANAGEMENT MEASURES

EXTRACTION	MILLING	EXPORT
Public Factsheet outlining the overall regulatory regime for the management of swamp kauri to help clarify the relative roles of central and local Government and the key elements of the legal frameworks in place.		
Operators to voluntarily notify NRC ahead of any and all extraction activities commencing. This will provide an early opportunity for the Council to assess any site specific issues and whether the proposed extraction should be a permitted activity or if it would require a consent. NRC will share this information with MPI.	Create a swamp kauri specific milling statement application form in order to capture finer scale data (such as log volumes and log numbers) so as to improve traceability across the supply chain.	MPI and Customs to increase oversight of exports, including: <ul style="list-style-type: none">export alerts on identified swamp kauri operators (and related companies);continue with existing alerts on all swamp kauri products; andensuring there are appropriate export codes for finished manufactured indigenous timber products.
Operators to voluntarily notify NRC of the volume extracted to ensure regulators to have a greater oversight of the total volume of swamp kauri in the supply chain. NRC will share this information with MPI.	Where possible MPI will inspect all extraction sites as part of the swamp kauri milling statement approval process in order to confirm salvage activities are consistent with the milling statement approval.	Operators to voluntarily notify finished products for export approval using the ITE form. MPI will inspect these products to ensure only finished products as defined by the Forests Act are exported.
		MPI (through AsureQuality) to maintain 100 percent visual inspections on all product notified for export. As part of the inspection process additional information will be collected, including details of modified or declined export consignments, so as to ensure there is a stronger basis for public trust in export decisions reached.
		Create a swamp kauri specific Intention to Export form.
		Factsheet developed for operators to use in overseas markets on the export controls relating to swamp kauri to increase awareness amongst buyers.
		Assist operators with appropriate text around advertising products in overseas markets to avoid confusion and the perception that products are not compliant with the legislation.
NRC, as part of their Plan review process and implementation of the National Policy Statement for Freshwater Management is reviewing provisions relating to wetland management. In addition NRC will consider publishing information to ensure activities in sensitive environments are appropriately managed.		MPI will continue regular monitoring of trade listings and will take follow up action on listings that could be misleading or suggest non-compliance with export controls.
		MPI to publish quarterly reports of regulatory activities under the Forests Act relating to swamp kauri (applications to mill, sawmill activity and exports) to increase transparency in order to lift public trust.
		Updated factsheet for swamp kauri operators outlining the specific Forests Act requirements that must be met for the milling and export of swamp kauri.
		Additional MPI resource in Whangarei to increase MPI profile with the sector and the public, and to increase inspections of sawmills and export consignments.
		Public release of all MPI swamp kauri OIAs from July 2012 to present so as to increase transparency on activities in order to lift public trust.

