



Annual report of swamp kauri activity

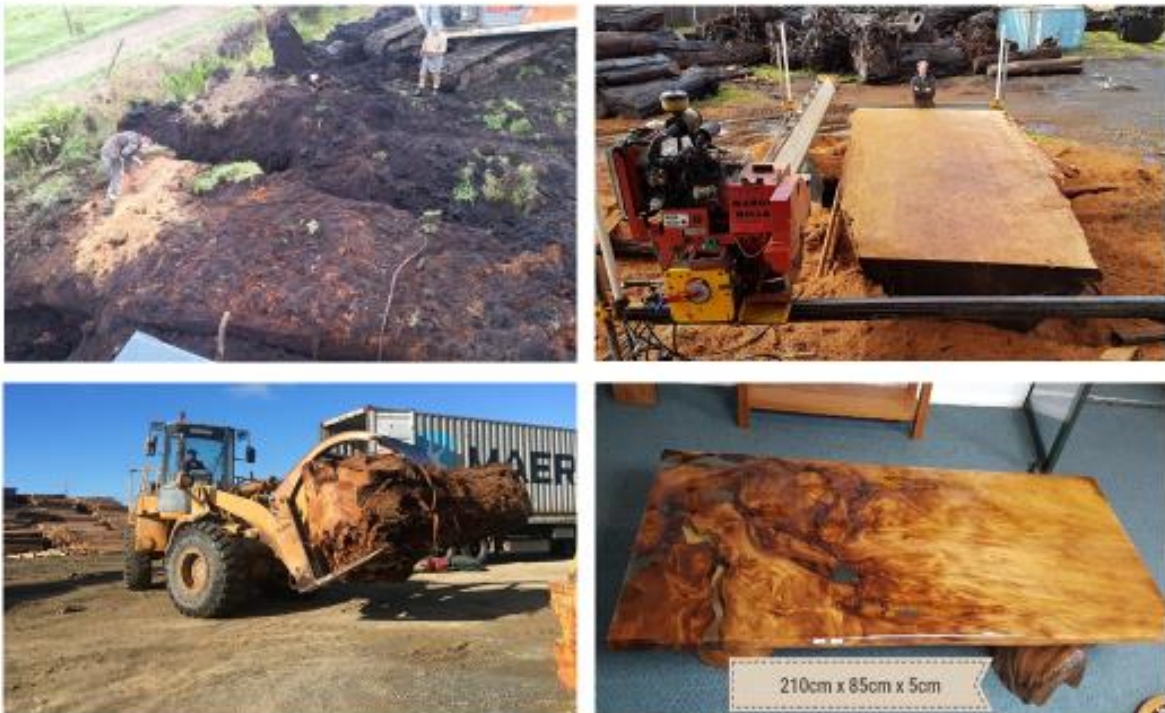
1 January 2018 – 31 December 2018

This report summarises Te Uru Rākau's regulatory activities in regard to the milling and export of swamp kauri for the period 1 January – 31 December 2018. The data presented was previously reported every quarter, however due to reduced levels of swamp kauri milling and export, the report will now be produced annually.

Swamp kauri, also known as ancient kauri, is kauri timber that has been buried and preserved in what used to be swamps for anywhere between 800 and 60,000 years.

Te Uru Rākau is responsible for regulating the milling and export of swamp kauri under the Forests Act 1949 ("the Act"). More information on the management of swamp kauri can be found at:

<http://www.mpi.govt.nz/exporting/forest-products/wood-and-wood-products/swamp-kauri>





Milling controls

All indigenous timber - including swamp kauri - can only be milled by sawmills registered with Te Uru Rākau. Te Uru Rākau regularly inspects registered sawmills which are required to report their milling activity every quarter. All swamp kauri must also have an approved milling statement from Te Uru Rākau before it can be milled at a registered sawmill (see Table 1).

Table 1: Milling statements issued 1 January – 31 December 2018

Milling statement #	Timber source	Region	Volume
7-01-02852	Non-indigenous forest land	Auckland	18 m ³
7-00-02861	Non-indigenous forest land	Auckland	4 m ³
7-02-02910	Non-indigenous forest land	Central North Island	4 m ³
7-01-02968	Non-indigenous forest land	Auckland	2 m ³
7-01-02964	Non-indigenous forest land	Auckland	14 m ³
7-01-02927	Non-indigenous forest land	Auckland	160 m ³
7-01-02912	Non-indigenous forest land	Auckland	3 m ³
7-01-02892	Non-indigenous forest land	Auckland	10 m ³
7-00-02987	Non-indigenous forest land	Northland	63 m ³
7-00-02973	Non-indigenous forest land	Northland	3 m ³
7-00-02946	Non-indigenous forest land	Northland	25 m ³
7-00-02915 ¹	Non-indigenous forest land	Northland	18 m ³
7-00-02911 ²	Non-indigenous forest land	Northland	35 m ³
7-00-02898	Non-indigenous forest land	Northland	50 m ³
7-00-02883 ³	Non-indigenous forest land	Northland	150 m ³
			559 m³

¹. This is a renewal of milling statement 7-00-01474

². This is a renewal of milling statements 7-00-07-00-02261, 7-00-02262 & 7-00-02796

³. This is a renewal of milling statement 7-00-01969



Site inspections

Responsibility for managing the extraction of swamp kauri rests with Regional and District Councils, under the Resource Management Act. However, as part of the evidence required when applying for a milling statement or for export approval, Te Uru Rākau inspects all new notified sites before and after extraction activities.

No swamp kauri extraction sites were active for the period between 1 January 2018 and 31 December 2018.

Export controls

Swamp kauri can only be exported as either a finished product or, providing it is not sourced from indigenous forest land, as whole or sawn stumps or root material. Indigenous timber export controls are set out in Section 67C of the Act (see Table 2 and Figure 1 & 2 for volumes exported).

Table 2: Notified swamp kauri export consignments for 1 January – 31 December 2018

Destination	Number of exports	Number of export inspections	Volume exported
France	1	1	2.0 m ³
Australia	1	1	0.7 m ³
China	11	11	215 m ³
Germany	2	2	1.55 m ³
Italy	8	8	64.55 m ³
Netherlands	2	2	2.96 m ³
Russia	1	1	0.2 m ³
USA	3	3	8.6 m ³
Vietnam	1	1	2.6 m ³
Total	27	27	298.16 m³



Release of the Court of Appeal's judgment

This appeal was brought by the Northland Environmental Protection Society (NEPS) in respect of a High Court decision regarding, among other things, swamp kauri export decisions by Te Uru Rākau under the Forests Act 1949.

The Court of Appeal's judgment in respect of the swamp kauri judicial review was released in 19th December 2017. The appeal was dismissed.

Northland Environmental Protection Society (NEPS) appealed the Court of Appeal decision in the Supreme Court, which released its judgment on 9 November 2018.

Release of the Supreme Court of New Zealand's judgment

The Supreme Court's judgment, partially concerned the correct interpretation of a finished or manufactured indigenous timber product (under section 2(1) of the Forests Act 1949) relating to exports (under section 67C(1)(b)). The majority of the Court found that, to be lawfully exported, an item must be a product in itself and in its final or kitset form. It must be either ready to be used, or ready to be installed into a larger structure.

This finding may affect some swamp kauri exports and other exports of indigenous products, though it does not affect the requirements for exporting personal effects or stump timber.

We are reviewing and updating our internal procedures and relevant information including industry guidelines, the good practice guide and information on our website. If you have any questions, contact info@mpi.govt.nz. This information will be made publically available on our website in May 2019.

Historic Data

A number of graphs are included below to show historic trends in swamp kauri exports and volumes approved for milling.

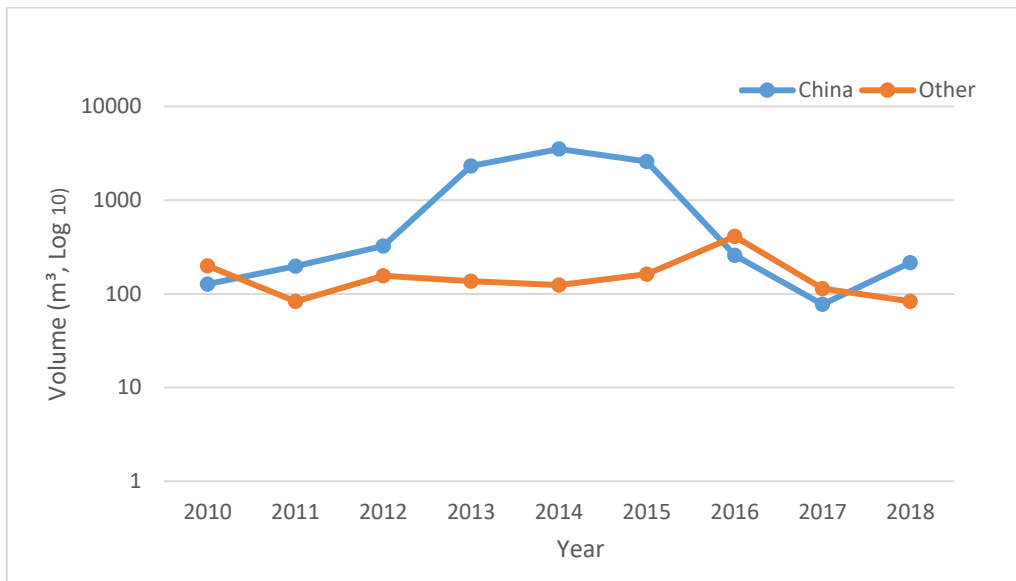


Figure 1: Annual swamp kauri export volumes, China vs. Rest of World 2010 – 2018

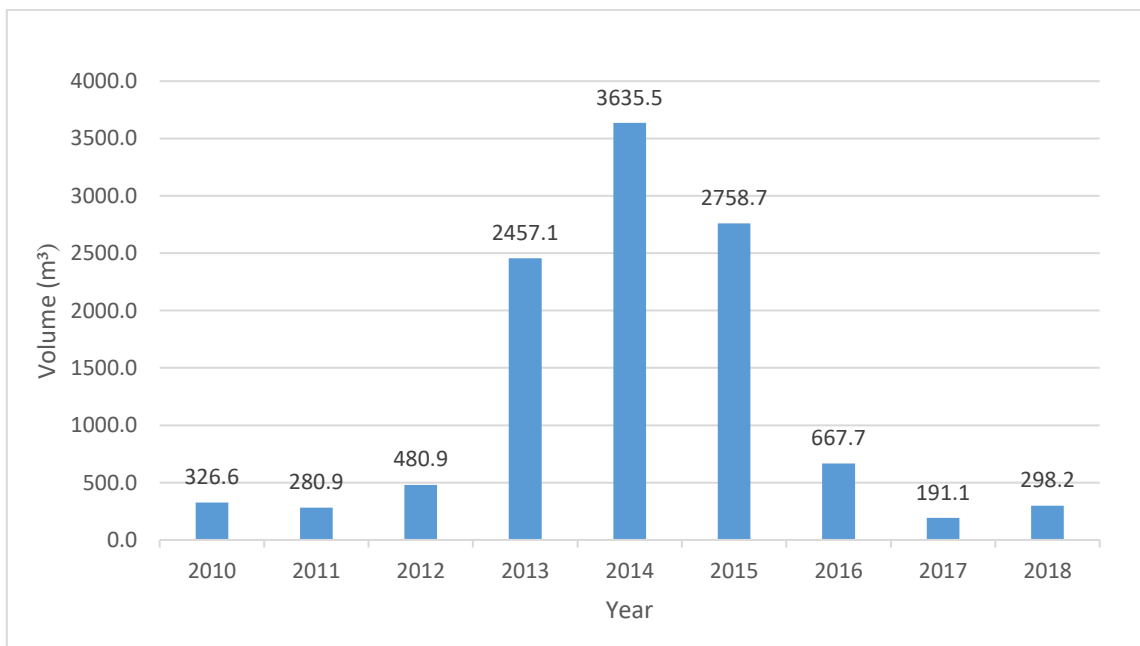


Figure 2: Annual swamp kauri export volumes, 2010 – 2018

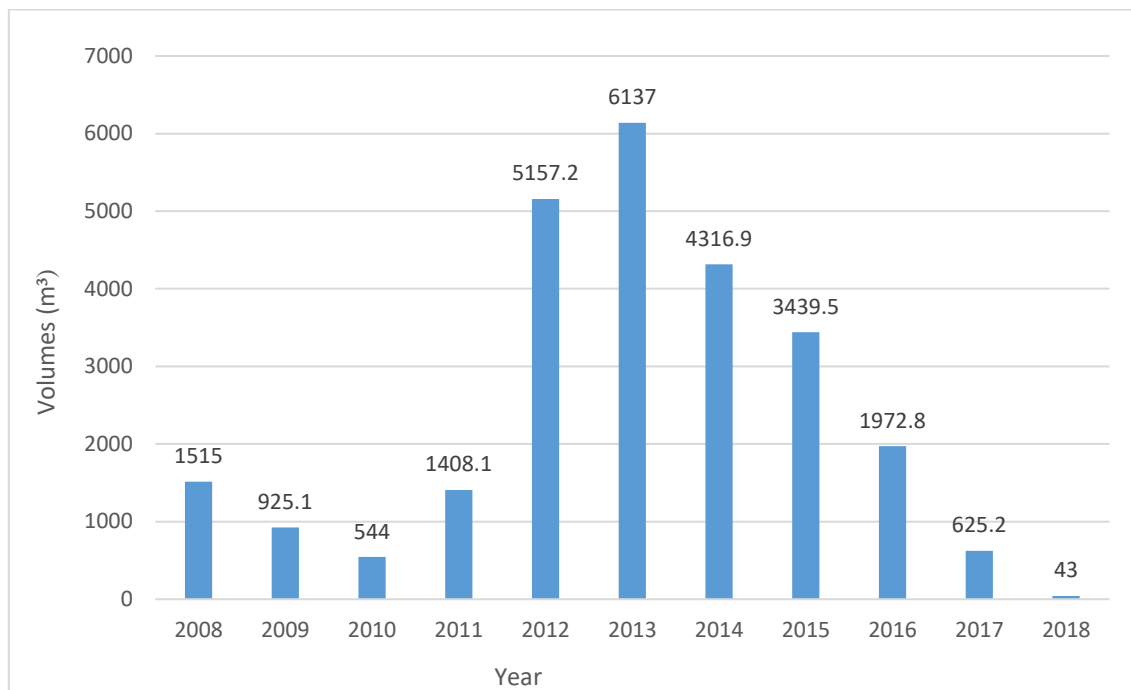


Figure 3: Annual volumes approved for the milling of swamp kauri, 2008 - 2018