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OIA-2024-5204

*B*nd January 2025

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Dear [REDACTED]

I refer to your email of 4 November 2024 to the Office of Rt Hon Christopher Luxon requesting, under the Official Information Act 1982 (OIA), copies of the following documents:

1. *Briefing – 2024 Half Year Economic and Fiscal Update Specific Fiscal Risks for Ministerial Services Portfolio – received 16 October 2024*
2. *Monthly Update to the Chief of Staff on Staffing – October 2024 – received 14 --- October 2024*
3. *Prime Minister’s Weekly Brief, 15 October 2024*
4. *Op RESOLUTION – NZDF options (removing containers and stopping leaks) --15 October 2024*
5. *14 October 2024: Chief Executive Appointment (Cabinet paper taken jointly with the Minister for the Public Service)*

Part 4 of your request was transferred to the New Zealand Defence Force (NZDF) in accordance with section 14(b)(ii) of the OIA. A copy of this briefing is enclosed. Where indicated, information is withheld in accordance with section 6(a) of the OIA to avoid prejudice to the international relations of the Government of New Zealand; section 6(b)(i) to avoid prejudice to the entrusting of information to the Government of New Zealand on the basis of confidence by the Government of any other country or agency of such a Government; and section 9(2)(g)(i) to maintain the effective conduct of public affairs through the free and frank expression of opinion.

You have the right, under section 28(3) of the OIA, to ask an Ombudsman to review this response to your request. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Please note that responses to official information requests are proactively released where possible. This response to your request will be published shortly on the NZDF website, with your personal information removed.

Yours sincerely

GA Motley
Brigadier
Chief of Staff HQNZDF

Enclosure:

1. Dot Point Brief for the Prime Minister on Options for Container Removal and Leak Stopping for Operation Resolution, 15 October 2024

Dot Point Brief for the Prime Minister on Options for Container Removal and Leak Stopping for Op RESOLUTION 15 October 2024

Overview

- The New Zealand Defence Force (NZDF), as lead agency, has been directed to provide options on removing the three 10ft containers from HMNZS MANAWANUI that are lodged in various parts of the reef off of the south coast of Samoa, no later than commencement of CHOGM on 21 October 2024. The NZDF has also been directed to provide options on stopping leaks from HMNZS MANAWANUI.
- The planning for these directed tasks has been primarily conducted by the NZDF in order to meet the rapid timelines, s. 6(a) [REDACTED]
[REDACTED]
[REDACTED] Input from the scientific community (from MBIE and NIWA) is being considered in parallel with course of action development, environmental impact considerations are provided with each option.
- Consultation with the Government of Samoa is needed before any plan is enacted, to ensure they are fully briefed on the benefits and risks and give their consent to the course of action.

Container Removal

- Two of the three containers are empty, with the third containing approximately 3000kgs of food. The containers are not watertight and have sustained some structural damage.
- Two primary options have been planned, each with a subset as outlined below:
- **Surface Removal.** Two surface removal options have been considered and these are:
 - Partial flotation and tow to the beach by commercial contractor (**this is the preferred option and will be taken forward for development and execution**).
 - Partial flotation and tow to the open ocean for recovery by RNZN or commercial vessel. (**not progressed for the reasons given below**).
 - General Considerations:
 - For bringing containers ashore, Samoan Customs and Quarantine Officials yet to determine biosecurity disposal of food items in the remaining container – engagement is ongoing with High Commission in Apia indicating this can be approved with their assistance.
 - The commercial provider would handle all requirements of getting the containers off of the reef and safely ashore, with the NZDF responsible for movement from the beach to final location and assesses one day for preparation, and one day per container to remove.

- For the deeper-water option, the southern coast of Samoa is not well sheltered from the prevailing weather conditions making it unlikely that conditions will allow CANTERBURY, or possibly any other commercial vessel, to conduct crane operations to recover the containers once they are seaward and out of the relative shelter of the reef.
- Environmental Impact Considerations:
 - Physical damage to the reef risks:
 - Damage arising from moving the container, or accessing the container, including placing lifting equipment under or around the container.
 - Risk of damage to the reef or the biodiversity of the reef from collision and/or contact from vessels working near the reef edge.
 - Structural failure of the container, increasing damage to the reef including its biodiversity through need to collect larger number of parts.
- Pollution risks:
 - Dispersal of container contents through failure or leakage of the container. This could lead to decomposing food, multiple types of waste, inc. plastic waste entering the reef washing up on the shore.
 - Complete or partial structural failure of containers leading to parts of the container drifting in the reef, possible contaminants from container insulation.
 - Any refrigeration materials being exposed to the environment.
- Risks:
 - Commercial Health and Safety procedures are not yet known for both options.
 - Reputational risk if further damage to the reef is caused during removal due to surf and breakers slamming containers back into the reef.
 - The weather conditions are a risk with this option as they may not be conducive for recovery if successfully floated and removed to seaward.
 - For a shore recovery, the option would be wholly commercial, and NZDF would lose tactical control of the task, and the commercial operator would use their own procedures and have to plan to minimise further damage to the reef.
- Feasibility:
 - Commercial provider has advised both tasks are feasible within current capability, noting impacts from weather and potential damage to the reef in the process.

- This is the same provider that recovered MANAWANUI's RHIBS (small boats) from the beach s. 9(2)(g)(i) [REDACTED]
 - Feasibility of recovering the containers to seaward is unlikely due to lack of shelter from prevailing conditions.
- **Aerial removal** utilising either an NZDF NH-90 helicopter s. 6(b)(i) [REDACTED] (not progressed due to assessed high risk outlined below).
 - Considerations:
 - NH-90 maximum underslung lift is 2400kgs. s. 6(b)(i) [REDACTED]
 - Dry container assessed as approximately 1200kgs, with the food refrigeration container assessed as 2000kgs (with 3000kgs of food within). Additional water weight on initial lift is up to 7500kgs.
 - s. 6(b)(i) [REDACTED]
 - Environmental Impact Considerations:
 - Physical damage to the reef risks:
 - Damage arising from moving the container, or accessing the container, including placing lifting equipment under or around the container.
 - Structural failure of the container, increasing damage to the reef including its biodiversity through need to collect larger number of parts.
 - Pollution risks:
 - Dispersal of container contents through failure or leakage of the container. This could lead to decomposing food, multiple types of waste, inc. plastic waste entering the reef washing up on the shore.
 - Complete or partial structural failure of containers leading to parts of the container drifting in the reef, possible contaminants from container insulation.
 - Any refrigeration materials being exposed to the environment.
 - Risks:
 - This is a complex air operation over water, which needs to consider sea-state, wind, and tide conditions on the day the recovery is attempted.
 - The container weights are negatively amplified by water and/or sand/silt from time on the reef, which need to be factored into lift

calculations. There is also the potential for the containers, especially the one which still has food in it, to be structurally damaged such that they could break apart in the air, further damaging the reef on impact, or causing a safety incident for the helicopter while in flight.

- The compressed timelines for execution place additional risk to ensure all factors are considered and understood prior to execution.
- Risk for NZDF NH-90 option assessed as **HIGH** due to the lift weight exceeding operating limitations of the airframe.
- s. 6(b)(i)

- Feasibility:

- NZDF feasibility assessment is **LOW** based on the potential weight of the containers with water weight considerations being in excess of the NH-90 safe airworthiness limitations.
- s. 6(b)(i)

- **The next steps in container removal:**

- The option to contract local company to float and tow the containers to the beach will now be progressed.
- The next step is for this option to be socialised with both the Government of Samoa and the Ship Owners' Club Surveyor.
- Subject to all parties' acceptance of this course of action, the NZDF will execute this plan.

Leak Stopping



- Consistent reporting has seen a small leak evident from the engineering vents in the funnel, above the engineering spaces. The exact nature of what comprises this leak is still to be determined but could be from residual diesel fuel in the pipework, or remnants of the liquid in MANAWANUI's engine-room bilge which is slowly being released. The slow leak is independently assessed by the International Tanker Oil Pollution Federation (ITOPF) representative as a **LOW** risk to the environment.
- Consideration into stemming the flow or plugging the leak has been on-going. It is not as simple as purely 'plugging' the leak, as this could cause the fuel to divert to multiple other release points elsewhere in the funnel exhaust casing or ship, resulting in the same release of fuel from different points. Advice from both the Surveyor and ITOPF representatives on scene is that the discharge may be better being mitigated than rather than an attempt made to 'plug' it.
- Mitigation would include continuous monitoring (already underway) to determine if the volume increases, decreases, or remains steady, as well as continuous beach patrols to observe conditions on the ground.

- s. 6(a)
[REDACTED]
- Given the potential for more serious discharges or environmental impacts if the leak is plugged, the Samoan Government would also need to consent to this decision and be fully informed of the potential risks.
- The Surveyor continues his assessment to develop options for the removal of the remaining fuel and liquids in MANAWANUI, as well as reef assessment and potential recovery requirements. This will take time and involves the Ship Owners' Club utilising commercial means, including tenders and contracts to subject matter experts, familiar with recovery and rectification from incidents of this nature.
s. 9(2)(g)(i)
[REDACTED]
- A second oil release from the aft section has been observed and confirmed to come from the Port thruster oil tank vent. Divers are preparing to bag the identified vent to cease oil release. This is assessed as a low-risk option.
- The NZDF team on the ground, and back in New Zealand are in continuous contact with the Surveyor, Ships Owners' Club and ITOPF on the way ahead, and are assisting the industry experts in what's required for the resolution of this incident.
- The Marine Pollution Action Committee met this morning, 15 October, and the ITOPF representative attended and briefed Samoan officials from an independent perspective. While we await feedback from the meeting, it is anticipated that this brief will assist to alleviate concerns of pollution and long-term impact to the environment. The ITOPF representative has advised that terminology-wise it is a *fuel sheen on the water*, and not an *oil slick*.
- NZDF personnel remain on standby in New Zealand to respond if the situation deteriorates with a major spill. However, the team on the ground continue daily beach surveys with local authorities, and still have not found any evidence of pollution or fuel spill impact on the shoreline. Flotsam continues to be collected as it makes landfall.
- Maritime New Zealand advised yesterday that personal protective equipment (PPE) stores requested last week be cancelled due to oil flow and drift modelling showing that it is unlikely to be required. They have additionally advised that the spill-response containers and majority of the bulk equipment embarked in HMNZS CANTERBURY, is not disembarked in Samoa, and returns to New Zealand undisturbed. This is based on current modelling of what has been observed thus far, and future changes anticipated in environmental conditions. This recommendation has had ITOPF and Surveyor engagement.

Considerations and Recommendations

- The NZDF, having considered the options presented for container removal, will focus on executing the commercial option that sees the containers floated and towed from the reef to shore. NZDF personnel in Samoa have been directed to communicate this option, and the associated environmental risks, to the Government of Samoa, the Surveyor, and all relevant parties, to ensure concurrence.

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- This recommendation is primarily based on being the most expeditious method of container removal, however it must be noted that this option comes with the potential environmental risks noted in this brief.
- s. 9(2)(g)(i)

- Prior to execution of this option, the plan to float and tow the containers to shore will be ratified by the Surveyor and Samoan Officials. The projected timeline for completion of removal of the three containers is being worked through. However, the contractor indicates one day of preparation is required, and one day to remove each of the containers. Assuming Government of Samoa concurrence on 16 October, and agreeable weather, the containers could be clear of the reef by 20 October.
- s. 6(a)

- In respect to the engine room vent leak, the current advice from industry experts, and the Interagency Task Force, is to continue to monitor and mitigate, rather than plug the known leak, which risks making the situation worse. The focus from the Surveyor and ITOPF representative is on the long-term removal of the fuel-oil liquids from MANAWANUI safely in accordance with industry best-practice.

Prepared by:

The Op RESOLUTION National Coordination Centre

Ministry of Defence

Headquarters Joint Forces New Zealand

Strategic Commitments and Engagement Branch, New Zealand Defence Force

15 October 2024