

Departmental Memo



Department of
Conservation
Te Papa Atawhai

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In Confidence

Date: 28 November 2017
To: Minister of Conservation
From: Ian Angus, Director Aquatic Unit
Subject: Memo – Response – RMS Niagara wreckage

Purpose

1. In response to your request on 28 November 2017, this memo provides you with information on the management of oil leaking from the ship wreck RMS *Niagara*.

Background and context

Niagara Wreck

2. RMS *Niagara*, a passenger ship built in 1913, was sunk in June 1940 by a German mine, north-west of the Mokohinau Islands. The wreck is in 120 metres of water inside the Auckland Council boundary and close to the Northland Regional Council boundary.
3. Seventy-seven years later, fuel oil continues to leak from the wreck. There is a visible oil slick on the surface and a noticeable diesel-like smell. It is estimated that 1600 tonnes of fuel remains in tanks in the rear of the wreck.

Who owns the Niagara wreck?

4. The wreck belongs to the Crown. Maritime New Zealand is the Crown agency responsible for managing the wreck. DOC has liaised with Maritime New Zealand to collate some of the information contained in this memo.

Campaign to extract fuel oil from Niagara wreck

5. A number of people have campaigned around the issue of oil leakage from the *Niagara*. This includes Auckland Council member Mike Lee, author Keith Gordon, salvage expert Clive Sharp and Forest & Bird seabird advocate Karen Baird. All have spoken about the wreck posing a major environmental risk for the Hauraki Gulf.
6. This group have stated the wreck is a 'ticking time bomb' because after 77 years in the sea it will inevitably collapse spilling hundreds of tonnes of fuel oil into the ocean. The group also states the spill would be larger than the oil spill from the *Rena* that hit Astrolabe Reef at the entrance to Tauranga Harbour in October 2011. The *Rena* spilt 350 tonnes of oil.
7. These campaigners estimate it will cost between 5 - 10 million dollars to extract the fuel oil from the *Niagara* wreck.
8. These campaigners have given presentations to both the Auckland and Northland Conservation Boards on the issue.
9. The campaigners are lobbying Auckland Council and Northland Regional Council for support for the extraction of the oil.

10. The Hauraki Gulf Marine Spatial Plan has policies and actions that relate to the *Niagara*, including an “assessment of the risk to seabird and shorebird populations posed by the wreck of the *Niagara* by 2020”, and to “Determine the volume of oil on the *Niagara* wreck and remove it if required.”

Auckland & Northland Conservation Boards support the campaign

11. Both boards have publicly announced their support for the campaign to have fuel oil extracted from the wreck. Both boards agreed to be proactive in their support for the campaign.
12. Auckland Conservation Board chair Lyn Mayes wrote to the former Ministers of Conservation and Transport, and the then Parliamentary Commissioner for the Environment, in June this year.
13. The letter says: “Our Board is concerned that there is a “ticking time bomb” in our region and with the potential to impact the Waitemata Harbour.”
14. The letter called on the previous government to provide Maritime New Zealand with funding needed to extract the fuel oil from the wreck.
15. “This is a preventable environmental disaster. It is better to act now to minimise the effects than to let the wreck totally fail in the next decade or so and have a catastrophic effect.
16. “The Board strongly recommends that funding is allocated to remove the oil from the *Niagara* now rather than waiting until the wreck erodes further and fuel is spilled into the Gulf creating an ecological disaster. Oil slicks up to 15 kilometres long have already been seen from the wreck and a major spill would affect many of the 27 species of sea birds that live in the Hauraki Gulf, including Cook’s petrel, storm petrel, black petrel, Pycroft’s petrel and fairy tern. Ecologists have expressed their concern about the risk to breeding colonies and habitat.”

DOC’s involvement to date, and deferral to Maritime NZ

17. To date, DOC has had limited involvement in the management of the *Niagara* wreck, and has declined to comment in the media on the basis that the government agency responsible for the *Niagara* is Maritime NZ. The *Niagara* wreck’s oil spill risk was the subject of radio and print media reports in August 2017. This week (28 November), DOC is providing reports under the OIA to NZ Herald Investigative Reporter David Fisher. Mr Fisher is likely to be critical of the lack of action by the Crown to address the risks posed by a fuel spill from the wreck.
18. The former Conservation Minister’s office advised the Auckland Conservation Board that the matter was within the portfolio responsibilities of Hon. Simon Bridges (formerly Minister of Transport) and transferred the correspondence to him for a response. In brief, he responded to the Board in July 2017 that Maritime NZ advice was that a major leak is unlikely (due to water depth, oil type, oil state and wreck fuel compartments), and that he was satisfied with Maritime NZ’s existing contingency plans in place.
19. No funding bid or cost estimates have been prepared by DOC or Maritime NZ for the removal or management of oil in the *Niagara* wreck.
20. The assessment of environmental risk appears to vary between MNZ and the campaigners. Maritime NZ’s assessment is that the risk of oil spillage is low.
21. The Department is also unaware of any thorough assessment of the *Niagara*’s risk to biodiversity and conservation values other than statements made by the campaigners, and Maritime NZ’s regional and national assessments for oil spill planning. However, the waters, islands and coasts of Hauraki Gulf and Northland are known to contain significant values that could potentially be affected by oils spills at the location of the *Niagara*.

Risk assessment

22. There is a risk of adverse public response to any decision on this matter. There is some level of public interest in the *Niagara* wreck, including recent media reports and OIA requests. Reporter David Fisher is likely to ask us what we are doing to mitigate the risks posed to the native wildlife in the area.

Next steps

23. The Department will engage with Maritime NZ further on this issue.

Attachments

- Auckland Conservation Board letter to former Ministers of Conservation and Transport and Dr Jan Wright, 16 June 2017
- Former Minister of Transport's response to Auckland Conservation Board, 17 July 2017

Contact for queries: Kath Blakemore, Manager (Marine Ecosystems), m. [REDACTED]

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