

**IN THE ADMINISTRATIVE APPEALS TRIBUNAL  
GENERAL DIVISION  
No 2010/1149**

**No Ship Action Group Inc**  
Applicant

**Minister for Environment Protection, Heritage and the Arts,  
The Honourable Peter Garrett MP**  
First Respondent

**State of New South Wales**  
Second Respondent

**AFFIDAVIT OF DAVID COYLE**

On 3 July 2010 I, David Coyle of XXXXXXXXXXXXXXXX in the State of New South Wales, affirm:

1. I am a Director and shareholder of Capability By Design Pty Ltd (**CBD**).
2. I have previously made two affidavits in these proceedings, affirmed on 20 May 2010 ("my 20 May affidavit") and 2 July 2010 ("my first 2 July affidavit").
3. In November 2007, CBD were awarded a contract by the Commonwealth Defence Materiel Organisation (**DMO**) to act as project manager for the paying off availability, (**POA**) for Ex-HMAS ADELAIDE (**Ex-ADELAIDE**) prior to the vessel being handed over to the NSW Government, as described in my 20 May affidavit.
4. In July 2009, CBD were awarded a contract by the NSW Land and Property Management Authority (at that time the NSW Department of Lands) (**LPMA**) to act as contract manager for ship scuttling preparation work being performed by McMahons Services Australia Pty Ltd (**McMahons**) on Ex-ADELAIDE.
5. I was the Project Manager responsible for delivering CBD's services under the above two contracts.
6. I have read the affidavits of Jim Puckett affirmed on 23 June 2010 and of Werner Hoyt dated 15 June 2010.

7. The only place where the recycling activity could be undertaken is Sydney Harbour. The reason for this is that the vessel has been prepared for a short ocean tow to the Central Coast and the vessel would not be in a condition that it could be towed a long distance, particularly in inclement weather.
8. On that basis, I am able to provide some indicative costs of conducting the work at Garden Island dockyard, the only facility in Sydney that would be capable of undertaking this work.

<b>Activity</b>	<b>Cost</b>
Tug	\$25,000
Preparing the dock to receive the Adelaide	\$100,000-150,000 depending on the previous configuration of the dock blocks and which dock is available
Dock rental	\$84,000  On the basis of \$1,000-2,000 per day depending on which dock is available Sub-total (assuming 12-week production period):
Workforce to conduct recycling activity	\$1,382,400 On the basis of 3 teams of 5 personnel working on 2 shifts at \$80 per hour for 8 hours per day, 6 days a week, by 12 weeks
Cost of removing and disposing of insulating material	\$1,000,000
Project Management	\$96,000 On the basis of 2 personnel, 8 hours per day, 5 days, \$100 per hour, 12 weeks
Crane usage	\$57,600  On the basis of \$200 per hour, 4 hours per day, 6 days per week, 12 weeks
Consumables	\$50,000

	Includes provision for items such as Oxy Acetylene that will be used during the cutting process
Scaffolding	\$10,000 Includes provision for hire of scaffolding that would be required to facilitate removal of insulation materials from the bulkheads
<b>Total</b>	<b>\$2,855,000</b>

9. Based on the trim and stability calculations conducted by the naval architects from Len Michels of Three Quays the weight of the ship is 3,040 tonnes (excluding ballast water and concrete). Given the size of the Aluminium superstructure compared to the Steel hull of the vessel, I estimate that the weight of Aluminium remaining in the ship is approximately 200 tonnes and the weight of the steel is approximately 2,840 tonnes.
10. On 2 July 2010 I telephoned Steve Black from Simms Metals and we had a conversation to the following effect:
- Coyle            *"Can you give me an indicative price for scrap steel and scrap aluminium to be collected from Garden Island dockyard amount of the ship. "*
- Black            *"Where's the steel coming from?"*
- Coyle            *"The steel is from an RAN Ship that would be getting cut up and sold for scrap."*
- Black            *"Assuming that the metal is cut into a suitable size for transport and you would load it into a Simms vehicle, the price for scrap steel would be approximately \$170-180 per tonne and the price for scrap Aluminium would be approximately \$1,200-1,300 per tonne."*
11. Therefore the 200 tonnes of scrap Aluminium at \$1,300 per tonne would generate \$260,000 and the 2,840 tonnes of scrap Steel at \$180 per tonne would generate \$511,200. Therefore the total value of the sale of the scrap metal would be approximately \$771,200.

AFFIRMED at	Sydney
On	3 July 2010
Signature of deponent	.....
Signature of witness	.....
Name of witness	Sarah Johnson
Address of witness	60-70 Elizabeth Street, Sydney NSW 2000
Capacity of witness	Solicitor