



Australian Government

Defence

Department of Defence

Final Condition 14 Compliance Report 2024

EPBC Act Approval 2012/6430
Garden Island Hammerhead Crane Proposed
Removal, NSW



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Declaration of Accuracy

In making this declaration, I am aware that sections 490 and 491 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act) make it an offence in certain circumstances to knowingly provide false or misleading information or documents. The offence is punishable on conviction by imprisonment or a fine, or both. I declare that all the information and documentation supporting this compliance report is true and correct in every particular. I am authorised to bind the approval holder to this declaration and that I have no knowledge of that authorisation being revoked at the time of making this declaration.

Signed

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Date	3 July 2024

1. Description of Activities

The approved action comprised the removal of the Hammerhead Crane located at Fleet Base East (FBE), at Garden Island, NSW. The Hammerhead Crane was constructed at FBE between 1944-51 to assist with the removal and fitting of battleship gun turrets. There has been no operational requirement for the Hammerhead Crane since 1996. The size, location and deteriorating condition of the Hammerhead Crane imposed operational restrictions on FBE and adjacent berths, adding complexity to maintenance activities and impacting on the berthing of larger vessels.

The action was referred to the former Department of Environment and Energy (DoEE) due to the project's proximity to World Heritage, National Heritage and Commonwealth Heritage properties. Garden Island itself is listed as a Commonwealth Heritage property. The action was approved by the former Department of Sustainability, Environment, Water, Population and Communities (SEWPaC) on 17 July 2013.

The approved scope of works for the removal of the Hammerhead Crane included the following:

- Securing the footprint beneath the Hammerhead Crane and establishing an appropriate buffer zone with appropriate fencing;
- Removal of bird faeces and asbestos by qualified contractors;
- Removal tasks using mobile cranes to strip the components of the Hammerhead Crane;
- Removal of items to be preserved and display where necessary;
- Progressive removal of the hammerhead and tower using a series of lifts and mobile cranes;
- Further cutting on the ground for removal and recycling; and
- Removal of the tower to just below the level of the wharf and re-establishment of the wharf deck surface.

A number of mitigation measures, primarily associated with heritage, were included as part of the approved action. Demolition activities occurred throughout 2014 and completed in approximately October 2014.

The following plans were developed and implemented in accordance with the EPBC Act approval:

- Environmental Management Plan (Liberty Industrial, 2013);
- Quality Management Plan (Liberty Industrial, 2013);
- Traffic Management Plan (Liberty Industrial, 2013).
- Heritage Interpretation Plan – Support Document (Godden McKay Logan, 2013);
- Heritage Interpretation Plan (Godden McKay Logan, 2014);
- Hammerhead Crane Salvage and Re-Use Plan (Godden McKay Logan, 2014); and
- Hazardous Paint Management Plan (Liberty Industrial, 2014).

Archival recording was undertaken prior to, during and post removal over the period February to late October 2014.

Condition 14 requires that within 12 months prior to the expiry of the approval (27 June 2024), a final compliance report must be concurrently published and submitted to the Environment Department (now Department of Climate Change, Energy, the Environment and Water (DCCEEW)).

2. Conditions of Approval

Table 1 – Compliance Table

Condition Number	Condition	Is the project compliant with this condition?	Evidence / Comments
1	The person taking the action must ensure that high value components from the disassembled Hammerhead Crane are salvaged for conservation and/or inclusion in public artwork(s) commemorating the heritage values of the Hammerhead Crane .	Compliant	A Heritage Significance Assessment undertaken in 2015 by Godden Mackay Logan (GML) Pty Ltd identified significant heritage components of the Hammerhead Crane that could be salvaged during the removal process, retained and conserved. A Salvage and Reuse Plan was then developed (Godden Mackay Logan Pty Ltd (GML), 2014), which identified how those high heritage value components could be removed and interpreted. The components finally salvaged included the hoist drum set, hook platform, hook blocks, jib tip cable anchorage frame, slew motor houses north and south (two sets of machinery), driver's cabin and the slew ring. Several museums and collections were offered high value heritage components of the Crane. These pieces included, and are described in the Salvage and Re-use Plan: • Riveted steel truss from the jib. • Section of riveted steel plate from the jib with rivet heads. • Slew Ring segment. • Riveted steel truss from the tower. • Cable drums and steel cable. A total of 80 expression of interest (EOI) information packs

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			were emailed to interested stakeholders (consisting of private individuals and organisations). Of these, a total of five submissions were received from private individuals. Appendix B of the Salvage and Re-use plan, provides copies of the full submissions. An evaluation committee was convened on 3 December 2013. The Salvage and Re-use Plan recommended that some components be made available to other interested parties via an expression of interest process (EOI). Five individual proposals were received by GML and four parties were offered, and accepted, a section of the riveted steel plate from the jib with rivet heads. All submissions are summarised in section 6.3 of the Salvage and Reuse plan. One of the submissions were accepted by Defence was that the applicant's grandfather owned the steel company that supplied the steel for the construction of the HHC. The Maritime Museum and Powerhouse, and the Sydney Harbour Federation Trust were approached by GML, but were unable to assist in displaying the high value components due to financial and other constraints. A Heritage Interpretation Plan (HIP) and HIP Support document were prepared to commemorate the heritage values of the Hammerhead Crane. Numerous efforts were made to offer pieces of significance to various organisations outlined in the Salvage and Re-use Plan, and to organise a public artworks display. However, various organisations declined all offers. Salvaged high value pieces are stored on Garden Island

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			near the Navy Heritage Centre. Several items (notably the Hook Blocks and Drivers Cabin) have been formally mounted. Currently the following high heritage value components are being held at GIDP. However these are not accessible to the public: • Hoist drum set; • Hook platform • Hook Blocks (Navy Heritage Centre); • Jib Tip Cable Anchorage Frame; • Slew Motor House North and South (2 sets of machinery); • Driver's Cabin (Navy Heritage Centre); and • Slew ring. Some of these pieces are becoming a safety hazard and may need to be removed, in accordance with the Salvage and Re-use Plan.
2	Prior to the commencement of removal works , the person taking the action must make a targeted call for expressions of einterest and / or tender, proposals to accept free of charge or purchase at a reasonable cost any component(s) of the Hammerhead Crane (except the high value components identified by condition 1 of this approval) for conservation purposes, or any use that	Compliant	Appendix A of the Salvage and Re-use Plan (GML, 2014) contains the EOI letter and Catalogue submitted to identify stakeholders. The letter is dated 24 October 2013. A list of organisations that were contacted is provided in Section 4.2.1 of the plan. Appendix B of the plan includes submissions requesting components of the Hammerhead Crane, as well as community expressions regarding the proposed action. Appendix C of the plan contains EOI Confirmation / Response Letters (dated 18 December 2013) to

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	sensitively commemorates and interprets the heritage values of the Hammerhead Crane . The invitation of expressions of interest and / or tender must target (but need not be limited to) those parties who made a submission during public consultation on the preliminary documentation.		submissions made.
3	Prior to the commencement of removal works, the person taking the action must provide a salvage and re-use plan to the Department which: a) sets out and includes a full copy of the submissions received in response to condition 2 of this approval; b) identifies criteria for evaluating the submissions received, including criteria relating to the heritage values of the Hammerhead Crane; c) provides an evaluation of each submission; d) outlines which components will be made available for conservation and re-use, including how and when these components will be used; and e) clearly states, and provides	Compliant	The Salvage and Re-use Plan was prepared in January 2014 (GML, 2014). The plan was submitted to the Environment Department and it addresses the following: a) Full copies of each submission were provided in Appendix B of the plan; b) Section 6.1 of the plan outlines the criteria used to evaluate the submissions; c) Section 6.2 provides an evaluation of each of the submissions. d) A discussion of the potential conservation and re-use options for high (and other) heritage value components of the Hammerhead Crane is provided at section 7. e) Justification of whether the proposal has been, or will be agreed to by the person taking the action is provided in section 6.3. The Salvage and Re-use Plan was implemented and is available on the Department of Defence's website: Removal of Hammerhead Crane About Defence. Defence does not have a record of when the Salvage and

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	justification for, whether the proposal(s) have been, or will be, agreed to by the person taking the action. The plan must be implemented and be published on the Royal Australian Navy or Department of Defence's website for the duration of removal works.		Re-Use Plan was submitted to the Environment Department.
4	Prior to the removal of any Hammerhead Crane components from Garden Island, the person taking the action must identify all components that are to be salvaged for conservation purposes or inclusion in public artwork(s) in accordance with conditions 1 to 3 of this approval.	Compliant	The Salvage and Re-use plan outlines both the high value components and the components subject to an expression of interest for stakeholders. Table 2.2 (pages 6-12) provides a description of high heritage value components.
5	The person taking the action must ensure that any components identified by the requirements of conditions 1 to 4 of this approval notification are stored in an appropriate location and maintained by the person taking the action to a standard that prevents any future deterioration, until such time as they are required for use in accordance with conditions 1, 3 and 6 of this approval (up to at least five years in the case of components to be used by third parties).	Compliant	A number of the remaining pieces of the Hammerhead Crane have been stored in the common access areas within Garden Island. The remaining items have been treated by removing the lead based paint and then spraying a protective coating to prevent further deterioration.
6	The person taking the action must engage a suitably qualified expert to	Compliant	GML provides advisory and research services in environmental heritage, planning, interpretation and

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	prepare a Heritage Interpretation Plan (HIP) which commemorates the heritage value of the Hammerhead Crane. The HIP must include (but not necessarily be limited to): a) details of specific elements or vantage points of the Hammerhead Crane which were identified in accordance with condition 7(a) of this approval and how they have been captured by the archival recording required under condition 8 of this approval; b) details of how the heritage values of the Hammerhead Crane (including its life history) will be commemorated both on and off site (on a temporary and permanent basis); c) identification of the themes and stories that will be explored through the measures required under condition 6(b) of this approval; d) details of the salvaged high value components of the Hammerhead Crane identified in accordance with condition 7(b) of this approval;		archaeology. GML are experts in the facilitation of conservation management of all types of heritage. GML has been a member of Defence's Environmental and Heritage Panel (DEHP) since 2004. The Heritage Interpretation Plan (HIP) was finalised on 31 October 2014. The HIP provides has addressed the requirements as follows: a) The specific elements or vantage points are described in section 3.3.5 – visual catchment; Appendix A – Visual catchment assessment; and Appendix B – available resources for interpretation. b) Interpretation opportunities are described in section 4.0. c) Key historic themes are described in section 2.5 and the key stories for interpretation are outlined in section 2.6. d) Details of salvaged high value components are described in Appendix B. e) Section 4.2.2 describes the display of high heritage value components. f) Key issues from the public submissions are outlined in section 5.4. Public consultation occurred over 20 business days from 22 September 2014 to 20 October 2014. It is assumed that the HIP was submitted to the Environment Department; however, we could not find any evidence to support this. However, the HIP has been publicly available on Defence's Environmental Compliance

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	e) how, where and by whom any high value components of the Hammerhead Crane salvaged for conservation and / or public display will be used (following consultation with the relevant stakeholders); and f) (in the final version only) a summary of any submissions received in response to public consultation on the HIP. Prior to providing the HIP to the Minister for approval, the person taking the action must invite public comments on the HIP for a period of no less than one month. The HIP must be approved by the Minister within two years of the date of this approval and must be implemented.		Website. The HIP Support Plan was submitted to the Environment Department in approximately October 2013 and was approved on 18 November 2013. Condition 1 mentions that the Salvage and Re-use Plan (GML, 2014) provided a description of the components of the Hammerhead Crane, and the heritage value, which was made available to the public under an EOI process. The high value components (as described in condition one) are located near the Navy Heritage Centre.
7	In order to support the HIP required under condition 6 of this approval, the person taking the action must engage a suitably qualified expert to identify and document: a) the specific elements or vantage points of the Hammerhead Crane which will be captured by the archival recording required by	Compliant	GML provides advisory and research services in environmental heritage, planning, interpretation and archaeology. GML are experts in the facilitation of conservation management of all types of heritage. GML has been a member of Defence's Environmental and Heritage Panel (DEHP) since 2004. The HIP Support Document addresses the requirements of this condition as follows: a) The HIP Support Document identifies and

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	condition 8 of this approval; and b) the high value components of the Hammerhead Crane which will be salvaged for conservation and / or public display. The documentation of these elements must be submitted and approved by the Minister prior to any removal works.		describes specific elements or vantage points of the Hammerhead Crane which was used for archival recording. b) The HIP Support Document provides photographs of the high value components and describes their location within the Hammerhead Crane. The HIP Support Document was submitted to the Environment Department on 24 October 2013 and was approved on 18 November 2013.
8	The person taking the action must engage a suitability qualified expert to undertake an archival recording of the Hammerhead Crane. The archival recording must: a) Provide an accurate record of the Hammerhead Crane as it exists prior to demolition; b) Provide an accurate record of the physical dismantling of the Hammerhead Crane; c) Record all elements or vantage points of the Hammerhead Crane, as identified in accordance with condition 7(a) of this approval; d) Include (but not necessarily be limited to) photographic	Compliant	Godden Mackay Logan Pty Ltd prepared the Hammerhead Crane, Garden Island, Sydney: Archival Recording Stage One (prior to removal) (2013) (AR) in accordance with this condition. It includes the following: a) A description diagram; b) An accurate record of the physical dismantling is provided in the Stage Two Archival Recording report (GML, 2014). Also a record of the dismantling is found on YouTube (the link was forwarded to DCCEEW on 30 March 2023); c) The Hammerhead Crane, Garden Island, Sydney, Heritage Interpretation Plan – Support Document and the AR (Stage one) provide a record of all elements and vantage points of the Hammerhead Crane. d) The AR (Stage one) includes photographs of the Hammerhead Crane and surrounding vantage points, photographic archival recording images of

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	recordings, video recordings, and three dimensional laser scans; and e) Be undertaken in accordance with the measures specified by the relevant NSW guidelines include, <i>'How to Prepare Archival Records of Heritage Items'</i> (prepared by the NSW Heritage Office, 1998). The archival material must be collated in both a digital and physical format that is easy to view and handle, and that ensures any photographs are unlikely to be damaged in the long term. Evidence that the archival recording required under condition 8(a) of this approval has been undertaken must be provided to the Department prior to the commencement of removal works. Evidence that the archival recording required under condition 8(b) of this approval has been undertaken must be provided to the Department within one month after having been undertaken.		and on the crane, and a representative selection of three dimensional laser scan images. Video recordings are referenced in the AR (Stage two). e) The photographic archival recording was undertaken in accordance with the NSW Heritage Council Guidelines – <i>"How to Prepare Archival Records for Heritage Items"</i> and <i>'Photographic Recording of Heritage Items using Film or Digital Capture'</i>. The archival material was made available in both digital and physical format. Archival material was made available to the public at the Navy Heritage Centre on Garden Island (noting that public access is no longer possible). Copies were also given to: • The National Archives of Australia; • The City of Sydney Library; and • The State Library of NSW. Digital copies are available on Defence's Environmental Compliance website. The AR was approved by the Commonwealth Environment Department on 18 November 2013.
9	Within three months of the archival	Compliant	The archival material was made available to the public at

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	recordings required under condition 8 of this approval having been undertaken, the archival material must be made available to the public (in perpetuity) at the Royal Australian Navy Heritage Centre, Garden Island, NSW and on the internet. Copies must also be provided to the following institutions (in physical format): • The National Archives of Australia; • A local library within the vicinity of the action; and • A state or national library within the vicinity of the action, or at an alternative publically accessible location approved by the Minister.		the Navy Heritage Centre on Garden Island (noting that public access is no longer possible). Additionally, copies were given to: • The National Archives of Australia; • The City of Sydney Library; and • The State Library of NSW. Digital copies are also available on Defence's Environmental Compliance website. Extracts of the 3D scans are found in the 2013 Archival Recording Report – Stage 1.
10	Within two years of the date of this approval, the person taking the action must have held at least one public exhibition commemorating the Hammerhead Crane. The exhibition must have: a) incorporated archival material obtained through the requirements of condition 8 of this approval;	Compliant	Attempts were made to place the components of high value on public exhibition at the Navy Heritage Centre, however, due to the weight and size of the components this was not feasible. The components would have required reinforcement of the flooring within the Heritage Centre. As previously mentioned in regards to condition one, pieces of high value were offered to various organisations and the community. However, the organisations declined

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	b) incorporated a collection of personal accounts/ stories and oral histories from people associated with the Hammerhead crane; c) presented extensive details on the life history of the Hammerhead Crane from its initial construction in the 1940s through to its removal; d) presented a technical description of the Hammerhead Crane (supported by engineering drawings); e) demonstrated how any salvaged components from the dismantling of the Hammerhead Crane have been or will be used for conservation purposes, public artworks, or adaptive re-use projects; and f) remained accessible to the public for a period of no less than one months.		the offer to take the pieces to use for conservation purposes, public artwork, or for adaptive –re-use projects. In discussion with DCCEEW, and as an alternative, a virtual commemorative information page has been developed and will be published here.
11	To minimise and mitigate impacts to the environment, the person taking the action must implement measures that are consistent with the proposed safeguards / mitigation measures outlined in table 5.2	Compliant	A Compliance Report (Brookfield Johnson Controls, 2014) was prepared to demonstrate compliance against Table 5.2 of the Preliminary Documentation Report EPBC Ref 2012/6430. Garden Island Hammerhead Crane Proposed Removal, Sydney, NSW .

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	(pages 45-50) of the <i>Preliminary Documentation Report EPBC Ref 2012/6430. Garden Island Hammerhead Crane Proposed Removal, Sydney, NSW</i> . 10 January 2013. The measures that will be implemented must be documented in a plan or plans that demonstrate consistency with table 5.2 prior to the commencement of removal works . Any such plan or plans must be made available to the Department upon request; and made available on the internet for the duration of removal works.		
12	Within 30 days after the commencement of removal works, the person taking the action must advise the Department in writing of the actual date of commencement.	Non-compliant	The compliance status is unclear. It was noted that Defence was to notify the minister prior to 12 February 2014. Defence's records of internal email correspondence show that the site establishment commenced on 28 January 2014. After an extensive search there is no evidence of correspondence sent to the Environment Department to support this.
13	The person taking the action must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement the Salvage and Re-use Plan, the Heritage Interpretation Plan, or any plan prepared under condition 11, as required by this approval, and make them available upon	Compliant	Relevant records are stored on Defence's electronic record management system known as 'Objective'. All Defence reports and management plans relevant to the implementation of conditional approvals have been made available for public access. These are published on Defence's environmental compliance website at: Removal of Hammerhead Crane About Defence .

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	request to the Department . Such records may be subject to audit by the Department or an independent auditor in accordance with section 458 of the EPBC Act , or used to verify compliance with the conditions of approval. Summaries of audits will be posted on the Department's website. The results of audits may also be publicised through the general media.		
14	Within three months of every 12 month anniversary of the commencement of the removal works (for a period of 3 years), and within 12 months prior to the expiry date of this approval, the person taking the action must publish a report on their website addressing compliance with each of the conditions of this approval, including implementation of the Salvage and Re-use Plan, the Heritage Interpretation Plan, and any plan prepared under condition 11, as specified in the conditions. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the Department at the same time as the compliance report is published.	Non-compliant	A 2014 Compliance Report , which was based on Table 5.2 of the Preliminary Documentation (PD), is publicly available on the Hammerhead Crane website . The report provides information extracted from the PD regarding compliance with Table 5.2 and was originally submitted to the Environment Department.

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15	Upon the direction of the Minister , the person taking the action must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to the Minister . The independent auditor must be approved by the Minister prior to the commencement of the audit. Audit criteria must be agreed to by the Minister and the audit report must address the criteria to the satisfaction of the Minister .	Compliant	An independent audit of compliance was undertaken by ERM in February 2014.
16	If the person taking the action wishes to carry out any activity otherwise than in accordance with the Heritage Interpretation Plan as specified in the conditions, the person taking the action must submit to the Department for the Minister's written approval a revised version of that Heritage Interpretation Plan.	Not applicable.	No activities were undertaken outside the scope of the HIP.
17	The varied activity shall not commence until the Minister has approved the varied Heritage Interpretation Plan in writing. The Minister will not approve a varied Heritage Interpretation Plan unless the revised Heritage Interpretation Plan is likely to result in an equivalent or improved environmental outcome over time.	Not applicable.	This requirement was never triggered.

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18	If the Minister approves the revised Heritage Interpretation Plan, then that Heritage Interpretation Plan must be implemented in place of the Heritage Interpretation Plan originally approved.	Not applicable.	This requirement was never triggered.
19	If the Minister believes that it is necessary or convenient for the better protection of the environment from a Commonwealth action, to do so, the Minister may request that the person taking the action make specified revisions to the Heritage Interpretation Plan specified in the conditions, and to submit the revised Heritage Interpretation Plan for the Minister's written approval.	Not applicable.	This requirement was never triggered.
20	The person taking the action must comply with any such request. The revised approved Heritage Interpretation Plan must be implemented. Unless the Minister has approved the revised Heritage Interpretation Plan, then the person taking the action must continue to implement the Heritage Interpretation Plan originally approved, as specified in the conditions.	Not applicable.	This requirement was never triggered.
21	If, at any time after five years from the date of this approval, the person taking the action has not substantially commenced the action, then the person	Not applicable.	This requirement was never triggered.

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	taking the action must not substantially commence the action without the written agreement of the Minister .		
22	Unless otherwise agreed to in writing by the Minister , the person taking the action must publish the Salvage and Re-use Plan, the Heritage Interpretation Plan, and any plan prepared under condition 11, referred to in these conditions of approval on their website. The Heritage Interpretation Plan must be published on the website within one month of being approved. The Salvage and Re-use Plan, the Heritage Interpretation Plan, and any plan prepared under condition 11 must be published on the website for the duration of removal works.	Compliant.	The HIP and support document were published on Defence's Environmental Compliance website and the HIP support document was also published on the Hammerhead Crane website during the life of the removal project

3. Correcting Non-Compliances

Conditions 12 and 14 are non-compliant as described below in Table 2:

Table 2 – Corrective Actions

Details of Non-Compliance	Corrective Action	Effectiveness
Condition 12: Within 30 days after the commencement of removal works, the person taking the action must advise the Department in writing of the actual date of commencement.	No evidence of any corrective action taken. Internal emails were exchanged advising of the site establishment works commenced on 28 January 2014, but there is no evidence found on Defence's records that the Environment Department was advised in writing.	Not applicable.
Condition 14: The first three annual reports were never submitted.	This final report will provide progress on each of the conditions.	Not applicable.

4. New Environmental Risks

No new environmental risks were observed for the approved action.