Commission of Inquiry into the CFMEU and Misconduct in the Construction Industry

WITNESS STATEMENT OF ALICIA JANE WOOD

I, Alicia Jane Wood, formerly a Senior Industrial Relations Advisor and Industrial Relations Team Lead at Ghella ANZ Pty Ltd, affirm:

Background

1. I make this statement in response to a notice issued by Stuart John Wood AM KC, the Commissioner appointed pursuant to the *Commissions of Inquiry Order (No. 2) 2025*.

2. Attached to this statement is a bundle of documents (**Bundle**). I refer to relevant documents by reference to the annexure number and the page number of that Bundle.

3. I was made redundant from the Cross River Rail (**CRR**) Project in June 2026.

4. Prior to my redundancy, I was employed by Ghella ANZ Pty Ltd (**Ghella**), which was part of the CPB-Ghella-BAM-UGL Joint Venture (**CBGU JV**) delivering the CRR Project. I commenced on the CRR Project in August 2021.

Role on Cross River Rail

5. During my time on the CRR Project, I held three progressively senior roles:

   (a) IR Advisor, August 2021 – January 2022: I started as an Industrial Relations (**IR**) Advisor based at the Boggo Road Precinct. In that role I was responsible for day-to-day industrial relations inquiries and issues at the Boggo Road and Gabba precincts, including managing right of entry by union officials. I initially reported to Nick Forde, Senior IR Advisor, CPB and later to Andrew Marsden.

   (b) Senior IR Advisor, January 2022 – August 2023: I was promoted to Senior IR Advisor, continuing my frontline IR work across CRR Project sites.

   (c) IR Team Lead, August 2023 – June 2026: I became the IR Team Lead responsible for managing all IR personnel on the ground across the various CRR Project sites. In that capacity I was based day-to-day at the Albert Street Precinct but attended all sites as required. I reported to Terry Prior, IR Manager for CPB Contractors Pty Ltd (**CPB**).

6. As part of my various roles on the CRR Project, my responsibilities included:

   (a) managing and responding to right of entry notices and visits by union officials;

   (b) verifying permits, managing sign-in procedures and escorting union officials on site;

   (c) coordinating with site management and safety personnel regarding union attendance;

   (d) as Team Lead, conducting morning IR team meetings, triaging issues across sites and assigning tasks to IR advisors; and

(e) coaching and mentoring junior IR team members, including Jessica Allam , on right of entry procedures and dealings with union officials.

Experiences on the CRR Project

7. Throughout my time on the CRR Project, I was subject to a level of intimidation and hostility from CFMEU officials.

8. However, in my assessment, the CFMEU officials were conscious of how much they could push with me being female and calibrated their conduct accordingly. The sense I got was that they treaded more carefully with me because overt hostility towards a woman in an IR role would have been more conspicuous and harder to defend. Unlike other members of the IR team, I did not receive the posters, pictures or written slogans that were directed at my colleagues.

9. That said, I was subjected to the following types of behaviour from CFMEU officials and personnel:

   (a) They would stand very close and over the top of me during discussions. I am not tall, and I felt this was a deliberate physical intimidation tactic.

   (b) They would make derogatory comments about me and my role, including calling me a "puppet" for CPB.

   (c) They would make cheap shots directed at me. In particular, Andrew Blakely would direct comments to me at any chance he got.

   (d) When I attended meetings or conversations involving CFMEU officials (particularly in the context of a right of entry), the officials would become really antsy towards me and discussions would go off track. I got the real sense that my presence in the room made things worse.

10. I found that the CFMEU's intimidation operated on a sliding scale depending on the individual. Everyone on the IR team received hostility, but in different degrees and in different ways. I was more willing than most to call out their behaviour, but it did not stop their conduct towards me, and at times tended to antagonise them.

11. In terms of individual CFMEU personnel who I encountered more regularly than others:

   (a) Mr Blakely, as I mentioned above, was persistently hostile and would make negative comments about me.

   (b) Consistently with what I have said above, Dean Riley, Dean Mattas, Dylan Howard and Matthew Von Hoff were hostile to all IR personnel on the Project, including me, but they didn't seem to take things as far with me as they did the other IR personnel.

   (c) Steve Amies generally steered clear of me, but I observed that he was a bully to other people on the project.

   (d) Richie Atutolu ignored me.

12. I adapted my approach to entries on site over time. Rather than physically attending every entry, which I found could escalate matters (as mentioned above), I developed methods of obtaining necessary information without being physically present, for

example by coaching team members about what to do and say in certain situations and receiving real-time updates by phone or text.

13. Although I believe the CBGU JV could have done more to protect the workplace from this conduct, I acknowledge that there was significant difficulty in obtaining concrete evidence sufficient to take formal action against any individual.

Right of Entry to Site

14. During my time on the CRR Project, the unions that exercised rights of entry included the CFMEU, the Electrical Trades Union (**ETU**), the Australian Workers' Union (**AWU**). There were also a couple of entries by the Australian Manufacturing Workers' Union.

15. Every entry by the ETU and AWU was, in my experience, planned in advance and conducted in compliance with right of entry requirements. The AWU, in particular, always provided proper notice and followed the established sign-in procedures.

16. By contrast, the CFMEU's approach to right of entry was markedly different. In the early period of the CRR Project, the CFMEU never provided section 484 notices under the *Fair Work Act 2009* (Cth). CFMEU officials would instead arrive unannounced, purporting to rely on section 117 or section 81(3) of the *Work Health and Safety Act 2011* (Qld) (**WHS Act**).

17. CFMEU entries to site were the most common. In my experience, the CFMEU organisers were regularly intimidating and were not willing to listen to or follow directions from site management or IR personnel.

18. The established process for union right of entry on the CRR Project required officials to present at the turnstile, sign in at the DAMSTRA kiosk, complete a visitor induction, and then be escorted through the site by a team typically comprising an IR person, a safety person and a superintendent.

19. Although other unions had no problems with these procedures, the CFMEU consistently failed to comply with this process. CFMEU officials would refuse to sign in, refuse to complete visitor inductions, and refuse to participate in drug and alcohol testing. They would not wait at the gates per standard practice and would instead walk through truck gates or vehicle access points, bypassing the turnstiles entirely.

20. I detail some particular examples below.

Incident on 31 August 2021 – Boggo Road (Section 81(3) Entry Attempt)

21. On the morning of 31 August 2021, CFMEU officials Kurt Pauls and Michael Davis attempted to enter the Boggo Road Precinct site under section 81(3) of the WHS Act.

22. I was present on site together with Nick Forde and Darrin Gaske. I was aware that neither Mr Pauls nor Mr Davis held valid right of entry permits at the time.

23. A Workplace Health and Safety Queensland (**WHSQ**) inspector arrived and inspected the site. Despite the permit issue, and notwithstanding that Mr Forde explained the High Court's position on the requirement for federal permits, the WHSQ inspector's supervisor directed that Mr Pauls and Mr Davis be allowed entry. The WHSQ inspector did not identify who had given the direction.

24. I prepared summary notes documenting this incident on the same day. A copy of those notes is at **Annexure AJW-1, pages 2 to 4.**

25. I also sent an email to Terry Prior on the same day summarising the events. A copy of that email is at **Annexure AJW-2, pages 5 to 6.**

Incident on 14 October 2021 – SAW Railway Terrace, Boggo Road South Precinct

26. On 14 October 2021, Mr Blakely entered the Railway Terrace site at the Southern Portal at approximately 6:47 am. Mr Blakely entered without anyone on site being notified of his arrival. His permits were never checked by site staff.

27. Mr Blakely was on the site for approximately 10 minutes unescorted before his presence was identified.

28. Following this incident, I recommended that right of entry training be provided to site personnel to ensure they were able to properly manage CFMEU entries.

29. I prepared summary notes of this incident which I emailed to Nick Forde and Terry Prior. A copy of those notes is at **Annexure AJW-3, pages 7 to 8.**

30. Mr Forde also forwarded to me an email from Phil McInerney, summarising the same incident. A copy of this email is at **Annexure AJW-4, page 9.**

Incident on 18 October 2021 – Boggo Road Stations

31. On 18 October 2021, Andrew Blakely conducted another entry at the Boggo Road Stations site under section 117 of the WHS Act.

32. I prepared summary notes of this entry which I emailed to Mr Forde and Mr Prior. A copy of those notes is at **Annexure AJW-5, from pages 10 to 11.**

Incident on 19 October 2021 – Boggo Road Stations

33. On 19 October 2021, I received notification at 6:31 am that a CFMEU official was on site at the Boggo Road Stations. When I arrived on site, I observed Mr Blakeley accompanied by Darrin Gaske, Site Manager.

34. Mr Blakely engaged me in conversation during his visit, asking questions that appeared designed to elicit information about the workforce and union coverage on site, including asking me:

> *"Are you the IR person on site now?"*
>
> […]
>
> *"What do you do all day when I am not around?"*
>
> […]
>
> *"Does the AWU have any workers in the cavern?"*
>
> […]
>
> *"What is their level of coverage in the cavern?"*

35. Mr Blakely departed site at 8.23 am.

36. I prepared summary notes of this entry. A copy of those notes is at **Annexure AJW-6, from pages 12 to 15.**

Facebook Videos

37. During 2023, I became aware that the CFMEU was posting videos of me on their Facebook page. This became a regular occurrence, almost weekly.

38. The videos were recordings taken of me without consent by CFMEU officials during right of entry visits. The officials would then cut and merge footage from different entries to create a composite video that made events appear worse than they were. This was a sustained and, in my view, disproportionate campaign directed at me.

39. I consider this to have been the CFMEU's alternative to the posters, pictures and slogans they directed at other members of my IR team. It was their way of targeting me specifically.

Incident on 21 April 2023 – Albert Street (Environmental Protest)

40. On 21 April 2023, a group of individuals presented themselves at the Albert Street Precinct site as environmental protesters and conducted a sit-in at the entrance to the site.

41. I was present at the site during this incident.

42. We attempted to have the protestors move away so that they were no longer obstructing the gate. I was wearing a camera when we did this.

43. The footage I took from my camera is **Annexure AJW-7**.

44. Queensland Police Service (**QPS**) officers were called to help deal with the situation. I was involved in a conversation with the attending police officers.

45. I am informed by the solicitors assisting the commission that footage taken by the police body worn camera has already been tendered in evidence as Video VSTS-5.

Incident on 24 May 2023 – Albert Street (Concrete Pour Disruption)

46. On 24 May 2023, a large protest took place outside the Albert Street Precinct gates in the Brisbane CBD. This was, in my experience, the worst protest I witnessed on the CRR Project.

47. The protest was directed at preventing concrete pours at the Albert Street site. The protesters blocked the gate so that a concrete truck could not enter the site. The concrete truck eventually had to leave, at which point the protesters cheered.

48. The following CFMEU officials were present and involved in the protest:

    (a) Dylan Howard, who was on a megaphone leading chants;

    (b) Matt von Hoff;

    (c) Mr Mattas; and

    (d) Mr Riley.

49. During the protest, comments were directed at our IR team, including words to the effect of "*get off our job*". I was not referenced specifically by name.

50. QPS officers were called to the scene. They attempted to speak with the officials but were unable to resolve the situation. We simply had to wait the protest out.

51. I have been informed by solicitors assisting the Commission that video footage of this incident have already been tendered as Video VSTS-6 and Video VSTS-7.

Change Disruption – Health and Safety Representatives

52. To my observation, there had been a campaign of disruption on the CRR Project by the CFMEU, that was primarily achieved by officials entering the site, purportedly on safety grounds or union member consultation grounds.

53. After the safety reset on the CRR Project in mid-2023, and the election of Health and Safety Representatives (**HSRs**), the nature of the disruption on the project changed.

54. There were fewer right of entry visits by the CFMEU because, in my observation, the CFMEU no longer needed to come onto site as frequently because they had access to information and influence through their appointed representatives.

55. The way I would describe it as that disruption started to come from within the project. To take one example, HSR meetings, which typically take a couple of hours (one hour for the meeting and one hour for a walkthrough), became half-day and full-day affairs. This was a significant drain on productivity and resources.

56. There were two HSRs installed on the Albert Street Site: Steve Amies and Sean Korostovetz. When the two were together, they were horrible to deal with.

PABO Ballot

57. I have previously given evidence in relation to events concerning the PABO ballot by way of my affidavit affirmed on 15 April 2024 and my second affidavit of 18 April 2024, which were prepared in the context of proceedings before the Federal Court of Australia.

58. A copy of my affidavit dated 15 April 2024 is at **Annexure AJW-8, pages 16 to 29**.

59. A copy of my affidavit of 18 April 2024 is at **Annexure AJW-9, pages 30 to 38.**

60. I also heard from colleagues that Mr Amies was actively rallying workers on how to vote during the ballot and that Mr Amies and Mr Korostovetz were attempting to supervise or monitor workers when they voted.

Albert Street Picket Lines – Protected Industrial Action (2024)

61. In April 2024, protected industrial action started at the Albert Street Precinct. Picket lines were established and remained in place for around three months.

62. During the period of the picket lines:

    (a) CFMEU officials and supporters were stationed at every gate to the Albert Street site;

    (b) people were filming workers and taking pictures of anyone who attempted to attend work;

(c) workers felt unsafe to cross the picket lines and feared for their safety and the safety of their families (this was reported to me by workers on site);

(d) individual workers received threats, which I heard about through others on the project;

(e) if a worker went to work, it would be reported back to the CFMEU;

(f) workers were required to attend CFMEU meetings held on Fridays to vote on whether to return to work. Workers did not want to be singled out by voting "yes" to return; and

(g) the result was that virtually no-one went to work for the entire 12-week period.

63. The workers were terrified. All they wanted was to go to work. It was a very low point for many of them.

Events of 19 July 2024

64. On Friday 19 July 2024, Mr Korostovetz and Mr Amies attended the Albert Station site from approximately 5:17 am.

65. Mr Korostovetz entered the site before the 6:00 am prestart, and pressured workers to leave site. No worker was willing to provide a written statement about this.

66. Later that day, before nightshift started, I was informed that a supervisor contacted Mr Maher to advise him that a number of workers felt threatened and uncomfortable in returning to work and left site. Again, no worker or subcontractor agreed to provide a written statement out of fear of repercussion.

67. I sent two emails summarising these events to Mr Prior. Both copies of these emails are at **Annexure AJW-10, pages 39 to 45.**

Events of 23 July 2024

68. On 23 July 2024, a HSR committee walk took place at the Albert Street site.

69. During the morning committee walk, I was informed that Brad Kinson was told by Mr Korostovetz and Mr Amies that unless CPB reached an enterprise bargaining agreement with the CFMEU, he could not return to work. Mr Kinson was told CPB would need to agree with the heat policies and other contract terms that the CFMEU wanted before he could return to work. I also understand that Mr Korostovetz telephoned Mr Kinson, threatening and coercing him not to return to work.

70. Later that afternoon, Mr Mattas directed subcontractors to leave site. I understand that Mr Korostovetz and Mr Amies remained at the site until nightshift began, where they applied further pressure to workers arriving on site.

71. A summary of these events is detailed in an email I sent Terry Prior. A copy of this email is at **Annexure AJW-11, pages 46 to 47**.

Events of 25 July 2024

72. On 25 July 2024, picketers stood outside the Albert Street entrance and intimidated several CRR workers into leaving the site. Alcohol could be smelt on at least one member's interactions with the workforce.

73. I emailed Mr Prior a summary of this incident the next day, on 26 July 2026. A copy of this email is at **Annexure AJW-12, pages 48 to 49.**

74. I also emailed Mr Prior photos of the incident the next day. A copy of this email with these photos is at **Annexure AJW-13, pages 50 to 55.**

Worker Morale

75. Worker morale on the CRR Project was, in my assessment, quite poor, particularly during the period of industrial action in 2024. During the picket line period at Albert Street, morale reached its lowest point. Many workers wanted to return to work but felt they could not safely cross the picket lines.

76. The sense I got from workers in their conversations with me was that they dreaded CFMEU entries because they knew their day would be disrupted.

Overall Reflections

77. It has been three months since I left the CRR Project. When I reflect on my time working on the CRR Project, I am not quite sure how we all put up with the union's behaviour for so long.

78. What I saw on the CRR Project are things I never thought I would see in a workplace. Some days I hated going to work. I do not think I can adequately explain the level of chaos, intimidation and harassment that was a regular feature of the CRR Project whenever there was some interaction with the CFMEU.

I affirm the contents of this statement are true.

[redacted]

Signature of deponent

Place: Brisbane Date: 25 / 09 / 26

[redacted]

Before me (signature of witness)

Eden Jardine

Full name of witness (please print)

☐ Justice of the Peace (JP No. _____)

☐ Notary public

☑ Lawyer

☐ Other authorised person (specify): _____

Commission of Inquiry into the CFMEU and Misconduct in the Construction Industry

Bundle of Documents to
Statement of Alicia Wood

AJW-1

Alicia Wood Summary Notes

CFMEU - Unauthorised Access at Boggo Stations 31.08.21

Site:	Boggo Rd Station
Unauthorised access date:	31 August 2021
CFMEU Arrival time:	8.30 am
Departure time:	1.05 pm
CBGU JV attendee(s):	Darrin Gaske (Gaske), Shane Bradley (Bradley) Nick Forde (Forde), Peter Cullens (Cullens), Alicia Wood **(Wood)**
Union attendee(s):	Kurt Pauls (Pauls), Michael Davis (Davis)
WHSQ attendee(s):	Travis Dungley (Dungley), Garry Stanley (Stanley)

1. 6.00am – I attended pre-start at Boggo Rd.
2. 7:30am – I undertook a site tour with Matt Papworth.
3. 8.10am – I witnessed the first CFMMEU official waiting outside Boggo Rd. Papworth received a phone call about the CFMMEU Officials at the Southern Point.
4. 8:20am – I witnessed the second CFMMEU official waiting outside Boggo Rd.
5. 8:25am – Gaske, Forde and I approached the Officials waiting to see what they were doing. The Officials introduced themselves as Kurt Pauls and Michael Davis.
6. 8:30am – Pauls and Davis indicated that they were on-site under s81(3) regarding several reoccurring safety issues. Pauls and Davis briefly described the safety issues as access and egress. Pauls and Davis would not provide any further information or specifics regarding the reoccurring safety issues.
7. 8:30am – Forde asked Pauls and Davis for a copy of their Federal Permits. Davis stated that they did not need a Federal Permit to access site. Pauls and Davis provided Forde with a business card. Pauls and Davis advised that WHSQ had been notified and were on their way.
8. 9:15am – WSHQ arrived at Boggo Rd. Forde explained to WSHQ that Pauls and Davis did not have the Federal Permit to enter the site.
9. 9:20am – WHSQ spoke to Pauls and Davis regarding the reoccurring safety issues.

Alicia Wood Summary Notes

CFMEU - Unauthorised Access at Boggo Stations 31.08.21

10. 9:20am – WHSQ advised Forde, Gaske and I of the safety issues in which Pauls and Davis sought entry. These included lifting techniques, working at heights and access and egress.
11. 9:20am – WHSQ advised that Pauls and Davis requested an explanation for the denied access.
12. 9:25am – Forde explained to Pauls and Davis the reasons for denying access to site. WHSQ observed these discussions and did not intervene.
13. 9:30am – 2 x WHSQ entered the Boggo Rd site. The site inspection was conducted and lead by Gaske and accompanied by Forde, Cullens and I. The inspectors were escorted around the site.
14. 9:30am – The inspectors witnessed the inadequate barriers surrounding the trench.
15. 10:15am – Forde left the site. Gaske, Cullens and I continued to escort WHSQ around the site.
16. 10:25am – WHSQ inspected the cranes, lifting techniques and requested to see copies of relevant licences.
17. 10:40am – WHSQ inspected the Hazchem. Pauls and Davis were witnessed by Cullens as being on-site.
18. 10:45am – I called Forde to notify that Pauls and Davis were on-site. Forde advised to notify Gaske or Bradley to direct Pauls and Davis to leave the site as it was an unauthorised entry.
19. 10:55am – WHSQ were escorted from site by Gaske, Cullens and I. I was advised by Gaske that Bradley was directing Pauls and Davis to leave the site.
20. 11:02am – I advised Forde (via phone) that Bradley was with Pauls and Davis on-site.
21. 11:05am – WHSQ advised Gaske, Cullens and I of the infringement notice for inadequate barriers surrounding the trench.

Alicia Wood Summary Notes

CFMEU - Unauthorised Access at Boggo Stations 31.08.21

22. 11:20am – Gaske and I returned to the lower truck gate where Pauls and Davis were on-site. Forde and the relevant supervisors were with Pauls and Davis waiting for them to leave site.
23. 12:15pm – WHSQ returned to site and were escorted by Gaske to the lower truck gate. WHSQ initiated discussions with Forde regarding the denied access. WHSQ advised Forde that they were not aware of the High Court Case.
24. 12:30pm – I left the lower truck gate and walked back to site.
25. 1:05pm – I witnessed Pauls and Davis leave the site.

From: Wood, Alicia [redacted]
Sent: Tue 8/31/2021 5:09:41 AM (UTC)
To: Prior, Terry [redacted]
Cc: Forde, Nicholas [redacted]
Subject: Summary of s81(3) CFMMEUQ Boggo Rd

Terry,

Please see the summary below of today's unauthorised access at Boggo Road by the CFMMEUQ:

- 8:20am – CFMMEU officials spotted outside Boggo Rd waiting to enter site.
- 8:25am – Darrin Gaske, Nick Forde, Alicia Wood approached the officials to see what they were doing. The Officials introduced themselves as Kurt Pauls and Michael Davis.
- 8:30am – Pauls and Davis indicated that they were on-site for s81(3) regarding several reoccurring safety issues.
- 8:30am – Forde requested to see Federal Permits. Davis stated that they did not need this permit to access the site. Pauls and Davis advised WHSQ had been notified and were on their way.
- 9:15am – WHSQ arrived at Boggo. Discussion undertaken with WHSQ about reoccurring safety issues. It was explained to WHSQ that Pauls and Davis do not have the Federal permit to enter site.
- 9:20am – WHSQ spoke to Pauls and Davis regarding the safety issues. WHSQ advised Gaske, Forde and Wood that the Official's requested an explanation from Forde for denying access to site. Pauls told Forde that he was denying workers' rights.
- 9:25am – more discussions with Forde and CFMMEUQ re: s81(3). WHSQ observed these discussions.
- 9:30am – 2 x WHSQ entered the Boggo Rd site. Site inspection conducted and led by Gaske. Inspectors witnessed inadequate barriers surrounding the trench.
- 10:25am – WHSQ inspected the cranes, checked operating licences.
- 10:40am – WHSQ inspected the hazchem. Union were sighted by Peter Cullan as being on site.
- 10:45am – Wood called Forde to notify that Officials were on-site.
- 10:55am – WHSQ were escorted from site by Gaske, Cullens and Wood. WHSQ advised of the infringement notice for the barrier.
- 11:20am – Gaske and Wood returned to lower truck gate. Forde and supervisors were waiting for Official's to leave site.
- 12:15pm – WHSQ returned to Boggo Rd site and met at the lower truck gate. Discussions were undertaken on s81(3). WHSQ advised that they were not aware of High Court Case.
- 1:05pm – Witnessed Pauls and Davis leave site.

Regards

Alicia Wood
Industrial Relations Advisor



Level 3, North Tower, 339 Coronation Drive, Milton, QLD 4064, Australia
T **M**
E [redacted]

From: Wood, Alicia[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=2C4FF76849984B2F887EAA6190879D21-ALWOOD]

Sent: Thur 10/14/2021 12:27:50 AM (UTC)

To: Forde, Nicholas[redacted]

Cc: Prior, Terry[redacted]

Subject: Summary Notes - CFMEU s117 SAW Railway Tce

Nick,

Notes below from today's 117 ROE at Railway Tce at the Boggo South Precinct of the SAW works. I have saved the CCTV footage here

I arrived at Railway Tce at approximately 7.20am. The J2 Truck Gate had been locked as a result of the unauthorised access. I called Phil McInerney (Superintendent) to gain access to the site and spoke to Phil regarding the reasons for the visits. Phil advised the following:

- At approximately 6.47am, Andrew Blakeley entered the Railway Tce site at Southern Portal.
- Blakeley walked onto site unauthorised through the J2 truck gate. Blakeley seems to wave his 117 notice at a traffic controller who has tried to stop him coming onto site.
- No one saw Blakeley enter the site and walk towards the crib rooms.
- Blakeley entered the crib rooms where there were a few AvoPiling workers. (I asked these workers about the nature of the conversation and they advised it was a very brief conversation where Blakeley asked about their wet weather arrangements).
- At approximately 7.00am Phil saw Blakeley on site in the crib rooms and asked him to leave the site. Blakely refused and handed him a s117. Phil did not check Blakeley's permits.
- Phil advised that he would have to call the appropriate people (Brendan Price - Senior Project Engineer and Duncan Reid - General Superintendent) down to site to handle the ROE. Blakeley remained in the crib rooms whilst Phil called Brendan and Duncan.
- After Phil called Brendan and Duncan, Phil again asked Blakeley to leave site or wait at the J2 entrance gate. Blakeley agreed. Phil proceeded to escort him out.
- On the way out, Blakeley raised concerns about the flooded walkway from the entrance to the site to the crib rooms. Phil advised that there was nothing he could do about this, provided it was raining, however, they were redirecting people an alternative way.
- Blakeley seemed to accept this and proceeded to leave site at approximately 7.05am.

A couple of additional notes:

- Phil has since advised that they have set up an exclusion zone around the flooding walkway and a Labourer is monitoring that exclusion zone underneath a shelter.

- It is recommended that ROE training is provided to Phil and appropriate personnel at Railway Tce as:
    - Blakeley's permits were never checked,

- Phil asked me whether Blakely could just 'walk onto site like that'; and
- No one notified Phil or any Supervisors/ Management of Blakeley's entrance to site. Blakeley was on the site for approximately 10 minutes unescorted.

Regards

Alicia Wood

Industrial Relations Advisor



30 Joe Baker Street, Dutton Park, QLD, 4102, Australia
T + [redacted] **M** [redacted]
E [redacted]

From: Forde, Nicholas [redacted]
Sent: Wed 10/13/2021 10:57:45 PM (UTC)
To: Wood, Alicia [redacted]
Subject: FW: union

FYI. Note from Phil below.

Regards

Nicholas Forde
Senior IR Advisor

CROSSRIVERRAIL TUNNEL & STATIONS | CPB CONTRACTORS | bam | Ghella | UGL
Cross River Rail - Tunnels and Stations
CBGU D&C JV
91 Leopard Street, Woolloongabba, QLD 4102, Australia
T + [redacted] M [redacted]
E [redacted]

From: Reid, Duncan [redacted]
Sent: Thursday, 14 October 2021 8:50 AM
To: Forde, Nicholas [redacted]
Cc: Curtin, Mark [redacted]; Paterson, Graham [redacted]
Subject: FW: union

FYI

From: McInerney, Phil [redacted]
Sent: Thursday, 14 October 2021 8:33 AM
To: Reid, Duncan [redacted]
Subject: union

Hi Duncan,

Today at 7am union official Andrew Blakerly walked through gate J2 straight down to the crib room at the Boggo south section of SAW works without letting anyone know.
The Avo pilling work crew where inside the crib room. I asked him to leave he refused. I phoned Brendan Price to alert the correct people.
I went back and told him to leave or at least go to J2 and he agreed. I escorted him out, he pointed out some water pooling in the walkway and I explained we were in the process of redirecting people around another way.
As he left J2 he gave me a form which I gave to Alicia from IR.

Thanks,
Phil

From: Wood, Alicia[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=2C4FF76849984B2F887EAA6190879D21-ALWOOD]

Sent: Sun 10/17/2021 11:51:19 PM (UTC)

To: Forde, Nicholas [redacted]au]; Prior, Terry[redacted]

Subject: Summary Notes - CFMEU s117 Boggo Stations

Nick and Terry,

Please see below a summary of the CFMEU 117 ROE at Boggo Stations today:

- 6.30am – I receive a notification that a CFMEU official is on-site. I call Darrin Gaske and he advised Andrew Blakeley is already on-site in the station box.
- 6.35am – I arrive on-site and see Blakeley accompanied by Gaske inspecting the second exit point out of the station box. Gaske advises me that he has checked Blakeley's permits and provides me with the 117 notice. Blakeley seems satisfied with the second exit point.
- 6.40am – Blakeley inspects the first entry and exit points in the station box and advises that the FRP workers need two stretcher stairs access to and from the station box. Gaske and Tim Hunt (Safety Advisor) tell Blakeley that they were not aware of this requirement but agree to get an additional stretcher stair access to the box.
- 7.00am – Blakeley continues inspecting the station box and raises concerns about the drainage and the potential safety concerns with water on site near the cavern entrance. Gaske organises for the water to be drained. Blakeley also advises that this should be barricaded up until it is drained.
- 7.10am – Blakeley inspects parts of the station box which also contains water. Gaske advises that the water will be pumped and barricades will be implemented in the meantime.
- 7.25am – Blakeley speaks to Shane Bradley (Superintendent) about the crane drivers and their processes for wet weather, RDO weekends coming up and whether the workers will be on-site. Blakeley seems satisfied with Bradley's response.
- 7.35am – Blakeley asks me what I do all day when he is not here. I provide a brief response that I look after the blue collar workers. Blakeley did not seem satisfied with that response.
- Blakeley asks me whether the AWU have any workers in the cavern and their level of coverage. I say I am not sure. Blakeley responds, you are not sure or you don't know. I just respond – I am not sure I would have to find out. Blakeley does not ask any further questions about this but continues to look towards the cavern.
- 7.50am – Blakeley continues to walk towards the FRP works undertaken by Kenny Constructions. He stops and speaks to an Austunnel employee. He asks the employee whether he was paid his backpay last week. The employee responds "Yes." Blakeley asks whether all the other workers received their backpay. The Austunnel employee advises he doesn't know.
- 7.55am – Gaske, Hunt and I follow Blakeley to the FRP works undertaken by Kennys. Blakeley raises an issue with a Kenny's employee not setting up his exclusion zone.
- 8.00am – Blakeley proceeds to inspect the deck where the Kenny employees are working on above the station box. Blakeley raises the issue that this is a form deck and

therefore, there needs to be 2 exit points. Gaske and Hunt disagree that this is a form deck as there is only 1 wall. Blakeley eventually concedes that he is incorrect and leaves the deck.

- 8.10am – Blakeley raises concerns with there not being a clear walkway for Kenny's workers in the station box. Gaske advises this walkway will be cleared up.
- Blakeley advises that there should be a spotter present and barricades around all the machinery work performed by Kenny's. Gaske eventually agrees and advises that this will be set up today.
- 8.15am – Blakeley continues to walk around site, leaving the station box and walking around the top of the site. Blakeley raises no other issues.
- 8.20am – Gaske and I escort Blakeley off-site. Gaske advises that he will implement the items they discussed and send him a picture when it is done. Blakeley thanks Gaske and says he will probably come back later in the week. Blakeley departs site.

Regards

Alicia Wood

Industrial Relations Advisor

CROSSRIVERRAIL TUNNEL & STATIONS | CPB CONTRACTORS | bam | Ghella | UGL

Cross River Rail – Tunnels and Stations

CBGU D&C JV

30 Joe Baker Street, Dutton Park, QLD, 4102, Australia

T [redacted] **M** [redacted]

E [redacted]

AJW-6

Alicia Wood Summary Notes

CFMEU – Access to Boggo Stations 19.10.21

Site:	Boggo Stations
Access date:	19 October 2021
CFMEU Arrival time:	6.31 am
Departure time:	8.23 am
CBGU JV attendee(s):	Darrin Gaske (Gaske), Tim Hunt (Hunt), Alicia Wood (AW), Shane Bradley (Bradley)
Union attendee(s):	Andrew Blakeley (Blakeley, AB)
WHSQ attendee(s):	N/A

1. 6.31am - I received a notification that a CFMEU official was on-site at Boggo Stations.
2. 6.35am – I arrived on site and saw Blakeley accompanied by Gaske inspecting the second exit point out of the station box. Gaske was explaining the procedures to Blakeley with the second exit point. Blakeley seemed satisfied with this explanation.
3. Gaske provided me with a copy of the s117 entry notice as provided by Blakeley. Gaske advised me that he had checked Blakeley's permits and said that Blakeley did not enter through the correct gate i.e. the turnstiles at the Boggo Rd entrance. Blakeley was waiting at the truck gate to enter site.
4. Blakeley refused to fill out and sign a COVID-19 declaration. This was completed and signed by Gaske on behalf of Blakeley.
5. 6.40am – Blakeley inspects the first entry and exit points in the station box and advises that the Form Reo Pour (FRP) workers need two stretcher stairs to enter and exit the station box. Gaske and Hunt were not aware of this requirement.
6. Blakeley continues to advise that the two stretcher stair requirements are in the Cross River Rail emergency procedures and the Project is required to abide by these. Gaske and Hunt agree to implement an additional stretcher stairs access to the box.
7. 7.00am – Blakeley continues inspecting the station box and raises concerns about the drainage of water near the cavern entrance. Blakeley advises that this is a safety

concern and needs to be drained immediately. Gaske organises for the water to be drained. Blakeley also advises that this section should be barricaded up until this is drained.

8. 7.10am – Blakeley continues to walk around site raising concerns at multiple sections of the station box which contains water. Gaske advises that these sections will be pumped, and barricades will be implemented. Gaske advises Blakeley that he will send him a picture once this is completed.
9. 7.20am – Blakeley remains on-site near the cavern entrance watching the workers drain the water.
10. 7.25am – Blakeley speaks to Bradley about who is operating the cranes today, their processes for wet weather and the RDO weekends coming up. Blakeley confirms with Bradley that no workers will be working the upcoming RDO weekend. Blakeley seems satisfied with this response.
11. 7.35am – Blakeley engages in conversation with me, trying to get more information about the workers on site.

    AB – "Are you the IR person on site now?"

    AW – "Yes"

    AB – "What do you do all day when I am not around?"

    AW – "I look after the blue-collar workforce."

    AB – "What do you mean by that?"

    AW – "I make sure that the blue-collar workforce has no issues"

    Blakeley did not seem satisfied with this brief response.

12. Blakeley continues engaging in conversation with myself. Blakeley seemed to be looking for alternative avenues to get additional information.

    AB – "Does the AWU have any workers in the cavern?

    AW – "I am not sure sorry."

    AB – "What is their level of coverage in the cavern?"

AW – "I am not sure."

AB – "You are not sure, or you don't know?"

AW – I am not sure. I would have to find out"

Blakeley does not ask any further questions but continues to look towards the cavern.

13. 7.50am – Blakeley walks towards the FRP works undertaken by Kenny Constructions (Kennys). Blakeley stops and speaks to an Austunnel employee.

    AB – "Were you paid your backpay last week?"

    Employee – "Yes"

    AB – Did all the other workers receive their backpay too?"

    Employee – "I am not sure. You would have to ask them".

14. 7.55am – Gaske, Hunt and I follow Blakeley to the FRP works undertaken by Kennys. Blakeley raises an issue with a Kennys employee about not setting up his exclusion zone before elevating the EWP.
15. 8.00am – Blakeley proceeds to inspect the deck where the Kennys employees are working above the station box. Blakeley raises the issue that this is a formdeck and therefore, there needs to be two exit points.
16. Gaske and Hunt disagree that this is a formdeck. Further, the Kennys Supervisor advises Blakeley that the deck is not a formdeck as there is only one wall. If there was more than one wall, then it would be a formdeck. Blakeley reluctantly concedes that he is incorrect and leaves the deck.
17. 8.10am – Blakeley raises concerns with there being no clear walkway for the Kennys workers in the station box. The walkway was surrounded with steel and machinery. Gaske advises that this walkway will be cleared up.
18. Blakeley also tells Gaske that there should be a spotter present and barricades around the machinery works undertaken by Kennys. Gaske advises that this will be set up today.

Alicia Wood Summary Notes

CFMEU – Access to Boggo Stations 19.10.21

19. 8.15am – Blakeley continues to walk around site, leaving the station box and walking round the top of the site. Blakeley raises no other issues.
20. 8.20am – Gaske and I escort Blakeley off site. Gaske advises Blakeley that the items discussed will be implemented and he will send a picture to him (Blakeley) when it is done.
21. 8.23am – Blakeley thanks Gaske and advises he will probably be back later in the week. Blakeley departs site.

AJW-8

NOTICE OF FILING

Details of Filing

Document Lodged:	Affidavit - Form 59 - Rule 29.02(1)
Court of Filing	FEDERAL COURT OF AUSTRALIA (FCA)
Date of Lodgment:	15/04/2024 3:53:39 PM AEST
Date Accepted for Filing:	15/04/2024 3:53:47 PM AEST
File Number:	QUD189/2024
File Title:	CPB CONTRACTORS PTY LTD v CONSTRUCTION, FORESTRY AND MARITIME EMPLOYEES UNION & ORS
Registry:	QUEENSLAND REGISTRY - FEDERAL COURT OF AUSTRALIA

Registrar

Important Information

This Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The date of the filing of the document is determined pursuant to the Court's Rules.

Form 59
Rule 29.02(1)

Affidavit

No. QUD189 of 2024

Federal Court of Australia

District Registry: Brisbane

Division: Fair Work

CPB Contractors Pty Ltd

Applicant

Construction, Forestry and Maritime Employees Union and others

Respondents

Affidavit of: **Alicia Jane Wood**

Address: [redacted]

Occupation: Industrial Relations Lead, Ghella ANZ

Date: 15 April 2024

Contents

Document number	Details	Paragraph	Page
1	Affidavit of Alicia Jane Wood in support of the application by CPB Contractors Pty Ltd for injunctive relief affirmed on 15 April 2024	1 - 16	1-4
2	Annexure "AW1", being copy of the typed statement of Voter A	16(a)	5-7
3	Annexure "AW2", being copy of the typed statement of Voter B	16(b)	8-10
4	Annexure "AW3", being copy of the typed statement of Voter C	16(c)	10-12

I Alicia Jane Wood, Industrial Relations Lead (Ghella ANZ), affirm:

Filed on behalf of (name & role of party) CPB Contractors Pty Ltd, Applicant
Prepared by (name of person/lawyer) [redacted]
Law firm (if applicable) Mills Oakley
Tel [redacted] Fax
Email [redacted]
Address for service (include state and postcode) Level 23, 66 Eagle Street, Brisbane QLD 4000

[Version 3 form approved 02/05/2019]

[redacted]
Witness

[redacted]
Deponent

1. I am employed by Ghella Pty Ltd trading as Ghella ANZ (**Ghella**) in the role of Industrial Relations Lead.

2. Ghella is a member, together with the Applicant, of the joint venture known as CBGUJV that is working to deliver the Cross River Rail Project (**CRR Project**) for the Queensland Government.

3. The CRR Project involves building and construction work performed by employees and contractors of the Applicant and other members of the CBGUJV across various work sites. These work sites are at Albert Street, Boggo Road, Roma Street, Southern Area, Northern Portal and Woolloongabba in Brisbane.

4. In my role I manage a team of industrial relations advisors and am the first point of contact with whom workers on the CRR Project may raise concerns. I also provide industrial relations support to on-site teams to ensure the smooth running of the CRR Project. On average, I spend about 20% of my working time on-site.

5. In my role I am also aware that employees of the Applicant who are also members of the Construction, Forestry, Maritime and Energy Union (**Union**) would be voting in relation to proposed protected industrial action between 8 April 2024 and 12 April 2024 pursuant to orders issued by the Fair Work Commission on 3 April 2024 in matters B2024/260 and B2024/261 (**PABO Ballots**).

Events of 8 April 2024

6. At about 8:00AM on 8 April 2024 I spoke in person with Mr James Maher (Site Manager) while I was at the Albert Street Site.

7. Mr Maher said that on Friday (which was 5 April 2024) employees of the Applicant eligible to vote in the PABO Ballots (**Voters**) received a text message from the Union. He said that the words of the text message were to the effect that Voters should not vote alone.

8. To the best of my recollection, Mr Maher said that:

   (a) in the morning of 8 April 2024 delegates of the Union, Mr Sean Korostovetz and Mr Sean Amies, arranged a meeting to occur at the Albert Street site at 9:00AM;

   (b) Mr Maher understood that the reason for the meeting was to ensure that all Voters voted together;

   (c) the Voters were informed by site management that no meeting was to take place, which I understood to mean that Mr Maher had communicated this to the Voters;

[redacted] [redacted]

Witness Deponent

(d) Mr Korostovetz and Mr Amies instead arranged a "smoko" meeting to occur at 10:00AM in one of the crib rooms on site;

(e) approximately six (6) Voters attended the meeting at 10:00AM with Mr Korostovetz and Mr Amies.

Events of 9 April 2024

9. Sometime between 7:00AM and 8:00AM on 9 April 2024 I received a telephone call from Mr Maher. In this telephone call Mr Maher said that some of the Voters had come to him expressing that they felt bullied about the conduct of the vote, and wanted to put in a statement.

10. At approximately 9:00AM two (2) Voters (**Voter A** and **Voter B**) attended the Albert Street site office (located on Mary Street) where I met with them together with Mr Maher. These Voters were known to me as employees of the Applicant and eligible to participate in the PABO Ballots.

11. I spoke with both Voters together and informed them that:

(a) I understood that they wanted to make a statement;

(b) I assured them of the confidentiality of their statement;

(c) I offered to leave the room while they wrote their statements by hand; neither Voter asked me to leave the room.

12. The Voters then wrote their statements by hand. I do not recall talking to either of the abovementioned Voters while they wrote their statements. Each Voter signed their statements and I co-signed their statement as the person taking the statement.

Events of 11 April 2024

13. At approximately 9:00AM I had a telephone conversation with Mr Maher checking-in on the situation on-site in relation to the PABO Ballot.

14. During this conversation Mr Maher informed me that another Voter (**Voter C**) wished to make a statement.

15. Mr Maher and Voter C attended the Albert Street site office shortly thereafter. I spoke briefly to Voter C in which I said to them:

(a) that I understood they wished to make a statement;

(b) that the statement would remain confidential;

[redacted] [redacted]

Witness Deponent

(c) that they should include as much information as they could recall; and

(d) I offered to leave the room while they wrote their statement.

16. I have since been informed that Voter A, Voter B and Voter C does not wish their statement to be provided in evidence in its original form for fear that their handwriting may be recognised. I therefore on 15 April 2024 typed up:

(a) Voter A's statement, a true typed copy of which (redacted to protect their identity at this time) is **Annexure AW1** to this affidavit;

(b) Voter B's statement, a true typed copy of which (redacted to protect their identity at this time) is **Annexure AW2** to this affidavit;

(c) Voter C's statement, a true typed copy of which (redacted to protect their identity at this time) is **Annexure AW3** to this affidavit;

Affirmed by the deponent)
at Brisbane)
in Queensland)
on 15 April 2024)
Before me:)

[redacted]
Signature of deponent

[redacted]
Signature of witness

Alexander Edward Millman, Solicitor

No. QUD189 of 2024

Federal Court of Australia

District Registry: Brisbane

Division: Fair Work

CPB Contractors Pty Ltd

Applicant

Construction, Forestry and Maritime Employees Union and others

Respondents

CERTIFICATE OF ANNEXURE

This is the Annexure referred to as "**AW1**" referred to in the affidavit of Alicia Jane Wood sworn at Brisbane on 15 April 2024 before me:

[redacted]

Deponent

[redacted]

Witness

CBGU D&C JV

Interview Record

INCIDENT DETAILS

Incident:		**Incident No:**	
Project:	CRR-TSD	**Interview Date:**	09/04/2024

WITNESS / INVOLVED PERSONS DETAILS

Name:	Redacted	**Position:**	Redacted
Project / Department:	TSD	**Company**	
Shift / Crew:	Site Labour	**Supervisor:**	Redacted
Contact Details:	Redacted	**D.O.B:**	Redacted

Describe the witnesses skills and knowledge, that may be of relevance to the incident

(e.g. A rigger with 16 years of experience rigging various loads, who witnessed a rigging incident)

Skills	Knowledge
Redacted	

STATEMENT

Please provide a detailed description of the incident and the events leading up to the incident

During the process leading up to the ballot we received the CFMEU sent out txt msgs saying do not vote alone and there will be a meeting to do so.

While having smoko we got instructed by the CFMEU to go sit with them to do the ballot together as they stood around us watching.

They instructed us what to put on the ballot and I felt pressure from them to do so, in my understanding a ballot should be private and done alone to make the decision.

This made me feel uncomfortable.

The CFMEU also told us the ballots mean nothing and we will be doing a hands up vote at the CFMEU house on Monday to decide. I feel this is not fair as they are very intimidating when there and it won't be confidential.

Note anything unusual you observed prior to or during the incident (sights, sounds, smells, etc):

What was your role in the incident sequence?

What conditions influenced the incident (weather, time of day, equipment malfunctions, etc)?

Did anyone influence the incident (actions, emergency response, etc), if so how?

How do you think the incident could have been prevented?

Please list other possible witnesses:

Redacted

Additional comments/observations:

I declare that the above statement is true and accurate.

Witness Name: Redacted **Date:** 09/04/2024

Signature: Redacted

Interviewer: **Date:**

Signature:

No. QUD189 of 2024

Federal Court of Australia

District Registry: Brisbane

Division: Fair Work

CPB Contractors Pty Ltd

Applicant

Construction, Forestry and Maritime Employees Union and others

Respondents

CERTIFICATE OF ANNEXURE

This is the Annexure referred to as "**AW2**" referred to in the affidavit of Alicia Jane Wood sworn at Brisbane on 15 April 2024 before me:

[redacted]

Deponent

[redacted]

Witness

CBGU D&C JV

Interview Record

INCIDENT DETAILS

Incident:		**Incident No:**	
Project:	CRR-TSD	**Interview Date:**	09/04/2024

WITNESS / INVOLVED PERSONS DETAILS

Name:	Redacted	**Position:**	Redacted
Project / Department:	TSD	**Company**	
Shift / Crew:	Site Labour	**Supervisor:**	Redacted
Contact Details:	Redacted	**D.O.B:**	Redacted

Describe the witnesses skills and knowledge, that may be of relevance to the incident

(e.g. A rigger with 16 years of experience rigging various loads, who witnessed a rigging incident)

Skills	Knowledge
Redacted	

STATEMENT

Please provide a detailed description of the incident and the events leading up to the incident

Prior to the day of voting I received text msgs from CFMEU stating we'll all vote together on Monday. This again was said to me on the morning of 8th April from delegate Shawn.

At a 1st lunch break I and others were coerced into another room and were instructed we should all vote yes to all questions regarding the ballot.

I felt uncomfortable that I was being coerced to vote for them.

Note anything unusual you observed prior to or during the incident (sights, sounds, smells, etc):

What was your role in the incident sequence?

What conditions influenced the incident (weather, time of day, equipment malfunctions, etc)?

Did anyone influence the incident (actions, emergency response, etc), if so how?

How do you think the incident could have been prevented?

Please list other possible witnesses:

Redacted

Additional comments/observations:

I declare that the above statement is true and accurate.

Witness Name: Redacted **Date:** 09/04/2024

Signature: Redacted

Interviewer: **Date:**

Signature:

No. QUD189 of 2024

Federal Court of Australia

District Registry: Brisbane

Division: Fair Work

CPB Contractors Pty Ltd

Applicant

Construction, Forestry and Maritime Employees Union and others

Respondents

CERTIFICATE OF ANNEXURE

This is the Annexure referred to as "**AW3**" referred to in the affidavit of Alicia Jane Wood sworn at Brisbane on 15 April 2024 before me:

[redacted]

Deponent

[redacted]

Witness

CBGU D&C JV

Interview Record

INCIDENT DETAILS

Incident:		**Incident No:**	
Project:	CRR-TSD	**Interview Date:**	11/04/2024

WITNESS / INVOLVED PERSONS DETAILS

Name:	Redacted	**Position:**	Redacted
Project / Department:	TSD	**Company**	
Shift / Crew:	Site Labour	**Supervisor:**	Redacted
Contact Details:	Redacted	**D.O.B:**	Redacted

Describe the witnesses skills and knowledge, that may be of relevance to the incident

(e.g. A rigger with 16 years of experience rigging various loads, who witnessed a rigging incident)

Skills	Knowledge
Redacted	

STATEMENT

Please provide a detailed description of the incident and the events leading up to the incident

On Monday morning 8th of April 2024 received text message stating voting will be conducted at a meeting with your delegate. Please do not vote separately and was pressured to vote yes.

I felt pressured into voting for a yes vote and not having my say.

I put my vote in by myself and had my say. I was told I should of voted with them (CFMEU) and was questioned about my vote.

Note anything unusual you observed prior to or during the incident (sights, sounds, smells, etc):

What was your role in the incident sequence?

What conditions influenced the incident (weather, time of day, equipment malfunctions, etc)?

Did anyone influence the incident (actions, emergency response, etc), if so how?

How do you think the incident could have been prevented?

Please list other possible witnesses:

Redacted

Additional comments/observations:

I declare that the above statement is true and accurate.

Witness Name: Redacted **Date:** 11/04/2024

Signature: Redacted

Interviewer: **Date:**

Signature:

AJW-9

NOTICE OF FILING

Details of Filing

Document Lodged:	Affidavit - Form 59 - Rule 29.02(1)
Court of Filing	FEDERAL COURT OF AUSTRALIA (FCA)
Date of Lodgment:	18/04/2024 6:48:15 PM AEST
Date Accepted for Filing:	18/04/2024 6:48:21 PM AEST
File Number:	QUD189/2024
File Title:	CPB CONTRACTORS PTY LTD v CONSTRUCTION, FORESTRY AND MARITIME EMPLOYEES UNION & ORS
Registry:	QUEENSLAND REGISTRY - FEDERAL COURT OF AUSTRALIA

Registrar

Important Information

This Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The date of the filing of the document is determined pursuant to the Court's Rules.

Form 59
Rule 29.02(1)

Affidavit

No. QUD189 of 2024

Federal Court of Australia

District Registry: Brisbane

Division: Fair Work

CPB Contractors Pty Ltd

Applicant

Construction, Forestry and Maritime Employees Union and others

Respondents

Affidavit of: **Alicia Jane Wood**

Address: [redacted]

Occupation: Industrial Relations Lead, Ghella ANZ

Date: 18 April 2024

Contents

Document number	Details	Paragraph	Page
1	Affidavit of Alicia Jane Wood in support of application by CPB Contactors Pty ltd for injunctive relief affirmed on 18 April 2024.	1-15	1-4
2	Annexure "AW4" being a copy of a Psychosocial Hazard Risk Assessment dated 14 April 2024.	12	
3	Annexure "AW5" being a copy of an email from Terry Prior (CPB) to Jade Ingham (CFMEU) dated 14 April 2024	13	

I, Alicia Jane Wood, Industrial Relations Lead (Ghella ANZ), affirm:

1. This is my second affidavit in these proceedings. My first affidavit was affirmed on 15 April 2024 (**First Affidavit**).

Filed on behalf of (name & role of party) CPB Contractors Pty Ltd, Applicant
Prepared by (name of person/lawyer) [redacted]
Law firm (if applicable) Mills Oakley
Tel [redacted] Fax
Email [redacted]
Address for service (include state and postcode) Level 7, 151 Clarence Street, Sydney NSW 2000

Events of 11 April 2024

2. I refer to paragraph 13-15 of my First Affidavit in these proceedings, affirmed on 15 April 2024. In those paragraphs I refer to an employee, Voter C, who wished to make a statement in relation to the conduct of the CFMEU and their delegates.

3. Before Voter C provided to me with their statement, that employee told me that they were only 'happy' for me to use their statement if their name and personal details were redacted from the statement. In the context of the conversation I understood this to mean that the Voter C was afraid that their name or personal details would be disclosed to the CFMEU, and that unless this information could be withheld from them by redaction, they were not prepared to give me a statement. In particular, Voter C said to me words to the effect that he wanted me to confirm that "*All my details from the top half of the* [template statement] *form will be taken off, and there is no way that they will be able to tell who gave the statement*." Voter C was referring to the CFMEU and their delegates.

4. Based on my statements I made to Voter C, set in paragraph 15 of my First Affidavit, that employee was willing to provide me with their statement.

Events of 15 April 2024

5. On or around 10.30am on 15 April 2024 I individually called and spoke to three employees who had submitted statements to CPB Contractors Pty Ltd (**CPB**) for the purposes of these proceedings. Those employees are identified in my First Affidavit as Voter A, Voter B and Voter C.

6. During the course of my call with each of the employees, I said words to the effect of: "*Your names, numbers and classifications will be redacted from your statement. Only your words will be used, so that there is no way that you can be identified*". I did so because I knew that these employees were afraid of the CFMEU and their delegates identifying them.

7. Despite my assurances above, both Voters B and C still expressed concern as to whether their statements would be anonymous enough, and whether they could still be identified based on the information that would not be redacted.

8. Both Voters B and C also told me that they were afraid that the CFMEU delegates (Sean Korostovetz and Steve Amies), who are employed by CPB, would be able to find out which employees had provided the statements; which site the employees had worked on; and that they would recognise the employee's handwriting.

9. Voter C then told me that he was aware that Mr Korostovetz and Mr Amies had been on [redacted]lier that morning and had told a number of CPB employees that they would "*find*

[redacted]

[redacted]

who had submitted these statements." I understood that Mr Korostovetz and Mr Amies were referring to the redacted statements of CPB employees which had been filed as annexures to the affidavit of Malcolm Davis sworn 12 April 2024 and filed with the Federal Court of Australia on that same day.

10. Voter C then told me that they were afraid that the CFMEU would get a copy of the hand written statements and post them on their Facebook page. I understood that the employee was concerned this would make it easier for the large number of member of that Facebook group to identify their hand written statement, and would increase the risk they would be harassed and intimidated by persons in that Facebook group, once identified. That employee told me that they were aware that other workers on the Albert Street Station site had been subject to harassment and intimidation after videos were posted on the CFMEU Facebook page.

11. For this reason I prepared typed and redacted copies of the statements which are annexed to my First Affidavit.

Work Health and Safety Risk Assessment and Implementation of Safety Controls

12. I am informed by Chris Butler, Shared Services Director, that on or around 14 April 2024 CPB undertook a work health and safety Psychosocial Hazard Risk Assessment in relation reports from its employees that they had been subjected to inappropriate, unlawful conduct by a third party who had been granted access to our workplaces on the understanding that they had lawful and legitimate business to conduct. Annexed to this affidavit and marked "**AW4**" is a copy of that Psychosocial Hazard Risk Assessment.

13. As a result of the Psychosocial Hazard Risk Assessment, at 4.06pm on 14 April 2024, CPB issued correspondence to Mr Jade Ingham of the CFMEU informing him as to CPB certain work health and safety controls which would apply in relation to the entry to CPB controlled premises and workplaces on the Cross River Rail Project. Annexed to this affidavit and marked "**AW5**" is a copy of that correspondence. CPB also issued relevantly identical correspondence to each of the other unions who were active on the Cross River Rail project.

Correction to Affidavit of Malcolm Davis sworn 12 April 2024

14. I refer to subparagraph 39(d) the affidavit of Malcolm Davis sworn 12 April 2024 in these proceedings. That subparagraph states: *I am informed by Mr Matthew Papworth, and verily believe, that the list of employees that was supplied to the Second Respondent in accordance with Order 6 contained a list of 72 of the Applicant's employees. It follows that the total number of eligible voters in the RIS PABO is up to 72.*

15. The number 72 identified in that paragraph is incorrect. On 18 April 2024 I spoke to

[redacted]

[redacted]

Matthew Papworth and was informed that at the time of the PABO Ballot there were 32 direct hire CPB employees engaged in the Rail Integration Systems (**RIS**) package of works. I separately confirmed that this number is correct by reference to the list of RIS employees submitted to the Fair Work Commission for the PABO Ballot. During my call with Mr Papworth on 18 April 2024 he also informed me that since that date they have employed 3 additional employees, so that as at 18 April 2024 the total number of CPB RIS workers is 35.

Sworn / Affirmed by the deponent)
at Brisbane)
in Queensland)
on 18 April 2024)
Before me:)

[redacted]

Signature of deponent

[redacted]

Signature of witness

[redacted]

This document was signed in counterpart and witnessed over audio visual link in accordance with section 14G of the Electronic Transactions Act 2000.

[redacted]

[redacted]

Certificate Identifying Annexure

No. QUD235 of 2024

Federal Court of Australia

District Registry: Brisbane

Division: Fair Work Division

CPB CONTRACTORS PTY LTD

Applicant

CONSTRUCTION, FORESTRY AND MARITIME EMPLOYEES UNION and others

Respondents

This is the exhibit marked "**AW4**" now produced and shown to Alicia Jane Wood at the time of swearing his affidavit on 18 April 2024.

[redacted]

Before me: ……..

[redacted]

Filed on behalf of (name & role of party)	The Applicant
Prepared by (name of person/lawyer)	[redacted]
Law firm (if applicable)	Mills Oakley
Tel	[redacted] Fax [redacted]
Email	[redacted]
Address for service (include state and postcode)	Mills Oakley, Level 7, 151 Clarence Street Sydney NSW 2000

.

Psychosocial Hazard Risk Assessment - 14 April 2024

Hazard ID	Element	Risk Source / Hazard*	Potential Events	Contributing Factors/Potential Causes	Potential consequence	Basis for potential consequence	Risk Evaluation			Control measures - So Far As Is Reasonably Practicable (SFAIRP) (That will be used to eliminate or manage likelihood of the hazard/aspect occurring or the severity of the consequence)		Project Risk Evaluation			Owner
							Risk (Before controls have been identified and implemented)			Standard Control Measures**	Other Project Identified Controls	Risk (Post control identification and implementation)			
	Hazard Group	Define the source of potential harm	Define the types of events to occur	State the different causes and interaction with other psychosocial hazards	What is the most likely consequence	What data informs the basis of the most likely consequence	Most credible consequence	Likelihood	Risk Score	Controls specified are the standard business as usual controls identified in the CPB CMS.	Additional Project level controls List controls according to Hierarchy of Controls (1. Eliminate, 2. Substitution, 3. Isolation, 4. Engineering 5. Administrative, 6. PPE)	Most credible consequence	Likelihood	Risk Score	(Role Responsible)
1	**Workplace Interactions**	Workplace Behaviour	Employees of CPB working at our workplaces across the CRR Project have recently reported being subjected to inappropriate, unlawful conduct. That allegedly conduct was engaged in by employees of a third party who had been granted access to our workplaces on the understanding that they had lawful and legitimate business to conduct. The alleged conduct was described by CPB employees as being intimidating and threatening and as a result made the employees feel uncomfortable. Several employees reported this conduct on 11 April 2024. Noting also that the most recent reports of inappropriate and unlawful conduct are not an isolated occurrence across the CRR Project sites, with there being a history of similar instances occurring.	Behaviour that is unreasonable, offensive, intimidating or has the potential to cause distress. Repeated and unreasonable behaviour directed towards a worker or group of workers that creates a risk to health and safety. Interaction with other psychosocial hazards: - adequate support. - workplace culture.	Injury/ illness to CPB employees Workers compensation risk	Recent employee complaints raised on 11 April 2024. However, this is likely indicative of potentially a broader risk across all sites, particularly when historical instances are taken into account. **EAP usage** - 7.8% - conflict with others; 3.9% workplace behaviour.	Moderate	Likely	Very High	ADMINISTRATION (a) Implementation of CIMIC and CPB polices and procedures; 1. CIMIC Group Code of Conduct; 2. Anti-bullying, Harassment and Discrimination; 3.Safety and Health; 4. Workplace Behaviour. (b) Implementation of CIMIC and CBP Procedures: 1. Group Code of Conduct Management; 2. Monitoring and Reporting; 3.Workers Compensation and Rehabilitation. (c) Staff and Wages personnel to successfully complete CIMIC and CPB Training, toolbox talks, education coaching and mentoring; 1. Respectful workplaces; 2. Code of Conduct; 3. Anti-Bullying & Harassment. (d)Gryphon Psychology Toolkits and EAP to be promoted and made available on the Project.	Across both the CRR TSD and RIS Projects: 1: Commenced proceedings in the Federal Court on 12 April in response to several CPB employees expressing concerns they had been subjected to unlawful interference, intimidation and threats while seeking to exercise their legal right to vote freely and secretly in the Protected Action Ballots. They also reported witnessing other CPB employees being subjected to similar conduct. 2: On the 14 April 2024, CPB sent a communication to all 5 Unions relevant to the CRR Projects (AWU, CFMEU, AMWU, CEPU and ETU). This covered the updated WH&S controls in relation to entry to CPB controlled Premises and Workplaces across the Cross River Rail Project, which were effective immediately. This covered the following reintroduction of the following WH&S controls:- - Any general licence to enter our workplaces (with the exception of those contractual licences granted to contractors for the performance of their contracted works) has been withdrawn. In short, effective immediately, ONLY those persons with a valid entry permit, who have fully complied with all legislative and other requirements (including notice requirements where necessary) to authorise their entry to our workplaces, will be permitted to enter; and - Any person (including a person purporting to exercise a lawful right of entry) will be required to immediately remove themselves from our workplaces if they engage in any conduct that places a CPB employees (and /or any other person lawfully on our workplaces) at risk to their health or safety; and - Any person who is not able to, or declines to provide evidence of their identity, will not be permitted to enter any CPB workplace. 3. CPB across both CRR TSD and RIS Project on 14 April 2024, commenced education of staff teams regarding the access protocols covering the communication to the 5 unions.	Moderate	Possible	High	CPB QLD Business Unit Safety Manager

Certificate Identifying Annexure

No. QUD235 of 2024

Federal Court of Australia

District Registry: Brisbane

Division: Fair Work Division

CPB CONTRACTORS PTY LTD

Applicant

CONSTRUCTION, FORESTRY AND MARITIME EMPLOYEES UNION and others

Respondents

This is the exhibit marked "**AW5**" now produced and shown to Alicia Jane Wood at the time of swearing his affidavit on 18 April 2024.

[redacted]

Before me: ……..

[redacted]

Filed on behalf of (name & role of party) The Applicant

Prepared by (name of person/lawyer) [redacted]

Law firm (if applicable) Mills Oakley

Tel [redacted] Fax [redacted]

Email [redacted]

Address for service (include state and postcode) Mills Oakley, Level 7, 151 Clarence Street Sydney NSW 2000

.

From: Prior, Terry
Sent: Sunday, April 14, 2024 4:06 PM
To: QNT Industrial <[redacted]
Subject: Updated WH&S controls in relation to CPB controlled Premises and Workplaces across the Cross River Rail Project

Attention: Mr Jade Ingham

Dear Mr Ingham

RE: Updated WH&S controls in relation to entry to CPB controlled Premises and Workplaces across the Cross River Rail Project – Effective Immediately

Employees of CPB working at our workplaces across the CRR Project have recently reported being subjected to inappropriate, unlawful conduct. That allegedly conduct was engaged in by employees of a third party who had been granted access to our workplaces on the understanding that they had lawful and legitimate business to conduct.
As a PCBU yourself, you will appreciate that CPB (in its capacity as an employer and PCBU with control over access and egress in its capacity as a Principal Contractor), cannot tolerate any employee of a third party engaging in conduct at our workplaces, which causes, or is likely to cause, a WH&S risk to our employees or any other person who is lawfully on our projects.
To address these risks, we write to inform you that we have, effective immediately, reintroduced the following WH&S controls:-

1. Any general licence to enter our workplaces (with the exception of those contractual licences granted to contractors for the performance of their contracted works) has been withdrawn. In short, effective immediately, ONLY those persons with a valid entry permit, who have fully complied with all legislative and other requirements (including notice requirements where necessary) to authorise their entry to our workplaces, will be permitted to enter; and
2. Any person (including a person purporting to exercise a lawful right of entry) will be required to immediately remove themselves from our workplaces if they engage in any conduct that places a CPB employees (and /or any other person lawfully on our workplaces) at risk to their health or safety; and
3. Any person who is not able to, or declines to provide evidence of their identity, will not be permitted to enter any CPB workplace;

Sincerely,

Terry Prior
Industrial Relations Manager

CROSSRIVERRAIL TUNNEL & STATIONS
CPB CONTRACTORS | bam | Ghella | UGL
Cross River Rail – Tunnels and Stations
CBGU D&C JV

Level 3, North Tower, 339 Coronation Drive, Milton, QLD 4064, Australia
T [redacted] **M** [redacted]
E [redacted]

AJW-10

David Cooper

Subject: UPDATED Albert Summary - Friday 19 July
Attachments: Albert Station CCTV Pictures - Friday 19 July.docx

From: Wood, Alicia [redacted]
Sent: Monday, July 22, 2024 9:57 AM
To: Prior, Terry [redacted]
Subject: Albert Summary - Friday 19 July

Terry,

As discussed, summary of Fridays incidents below.

CCTV is attached of the incident involving CPB employees – Tyson Hayes, Kadyne Coyle and James Nikora. All employees are engaged on the TFO Logistics scope.

There are several circumstances of CCTV capturing this throughout the night shift. I have provided some but can locate more if required.

- On Friday 19th July 2024 at approx.. 6.30am, Sean Korostovetz and Steve Amies (CPB Delegates) were standing by the access door to the Albert St station site. There were a number of other delegates/ workers also at the entrance door who were not recognised by the supervisors.
- Sean entered the Albert site (prior to the 6am prestart), walked into the crib rooms and pressured a number of CPB, UGL, VTS and Rocktown workers to leave site. No worker was willing to provide a written statement.
- At 4.45pm, 3x CPB workers arrived and read the court orders on the main access door. The group then remained at the entrance to site whilst the night shift workforce arrived over the next hour.
- At 5.25pm, prior to the commencement of night shift, 2x Supervisors contacted James Maher to advise him that 3x CPB workers (and an identified worker) were standing outside the entrance to site. The employees were reported to the Supervisor as warning Rocktown workers not to cross a picket line and enter the site.
- The supervisor spoke to a number of workers who confirmed they felt threatened and uncomfortable in returning to work and left site. A number of UGL electricians also felt threatened and did not enter site. No worker or subcontractor agreed to provide a written statement out of fear of repercussion.
- James spoke to the night shift CPB Delegate (via phone) and advised him of the reported behaviour of the workers. The Delegate was reminded of the court injunction and that these workers were in breach of it. The Delegate was requested to remove the crowd breaching the 15m radius immediately or this would escalate to QPS. A hard copy of the court orders was provided to the crowd on the picket line.
- At approx.. 5.37am, the CPB worker receives a phone call and walks away to take this. The other two workers then followed this worker to the boundary of the exclusion zones where the majority of the crowd was located.
- Throughout the night, the Supervisor checked the boundaries and was photographer by the crowd and threatened that 'we know who you are'

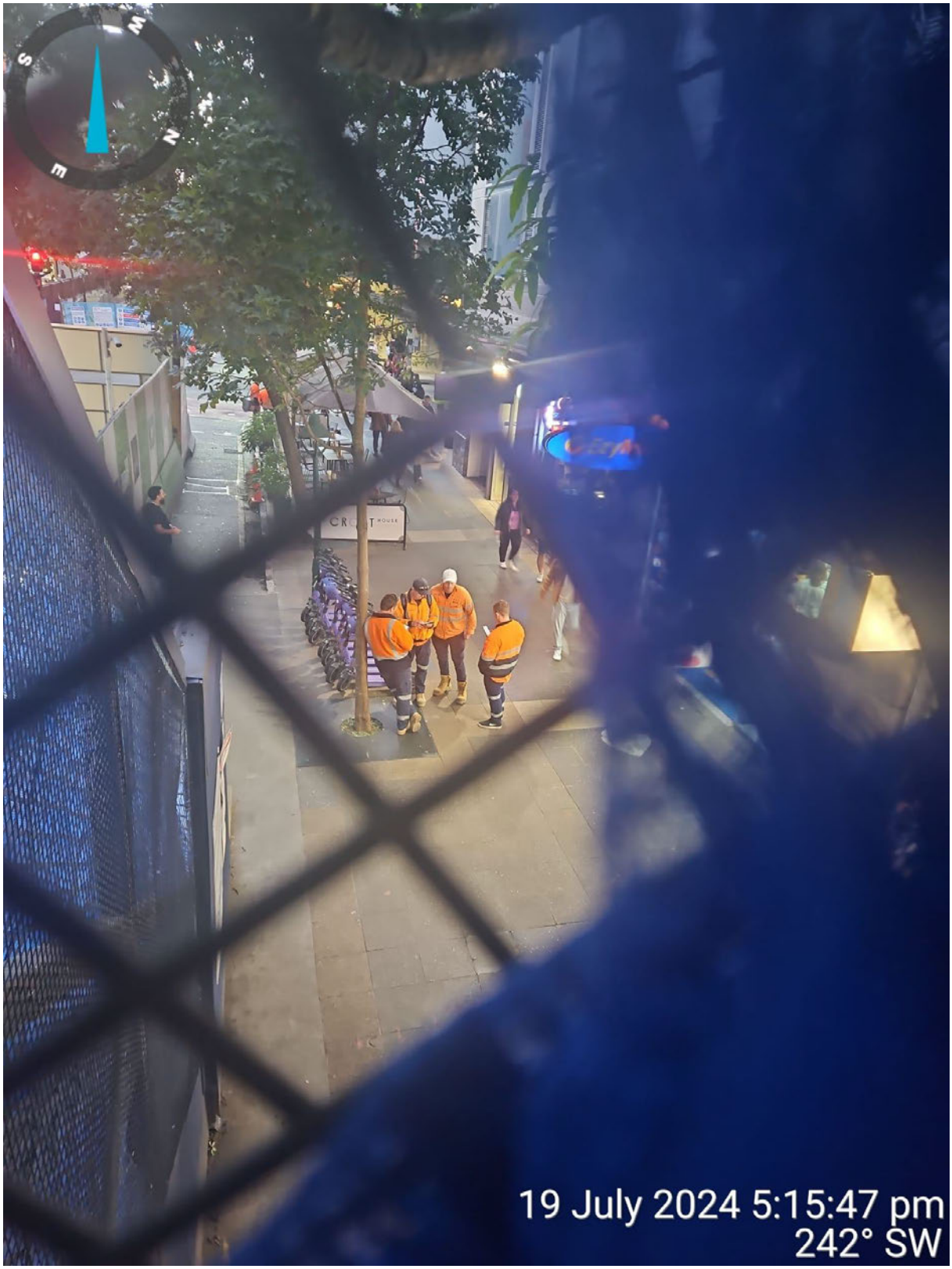
There were no other attempts to prevent workers from accessing site on Saturday or today by delegates or crowds.

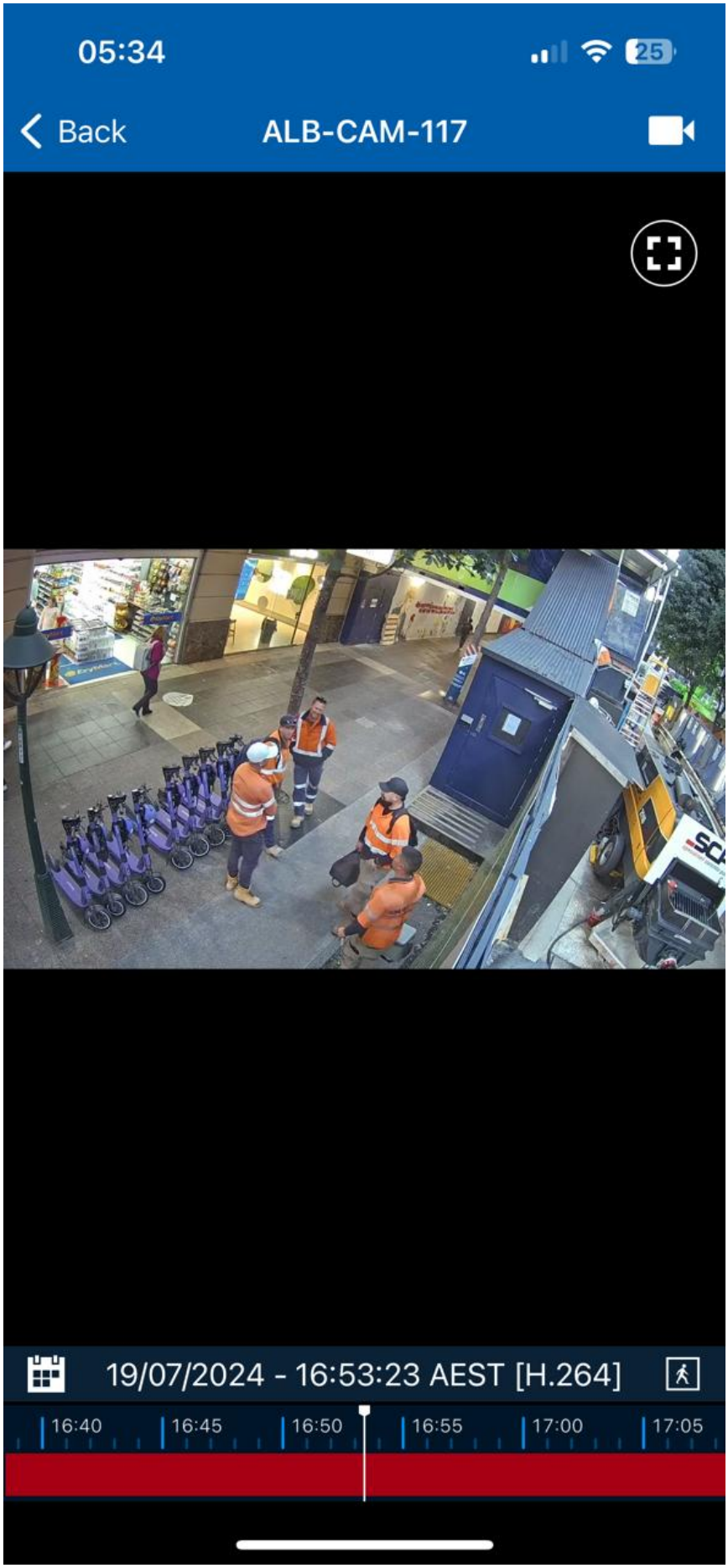
Regards

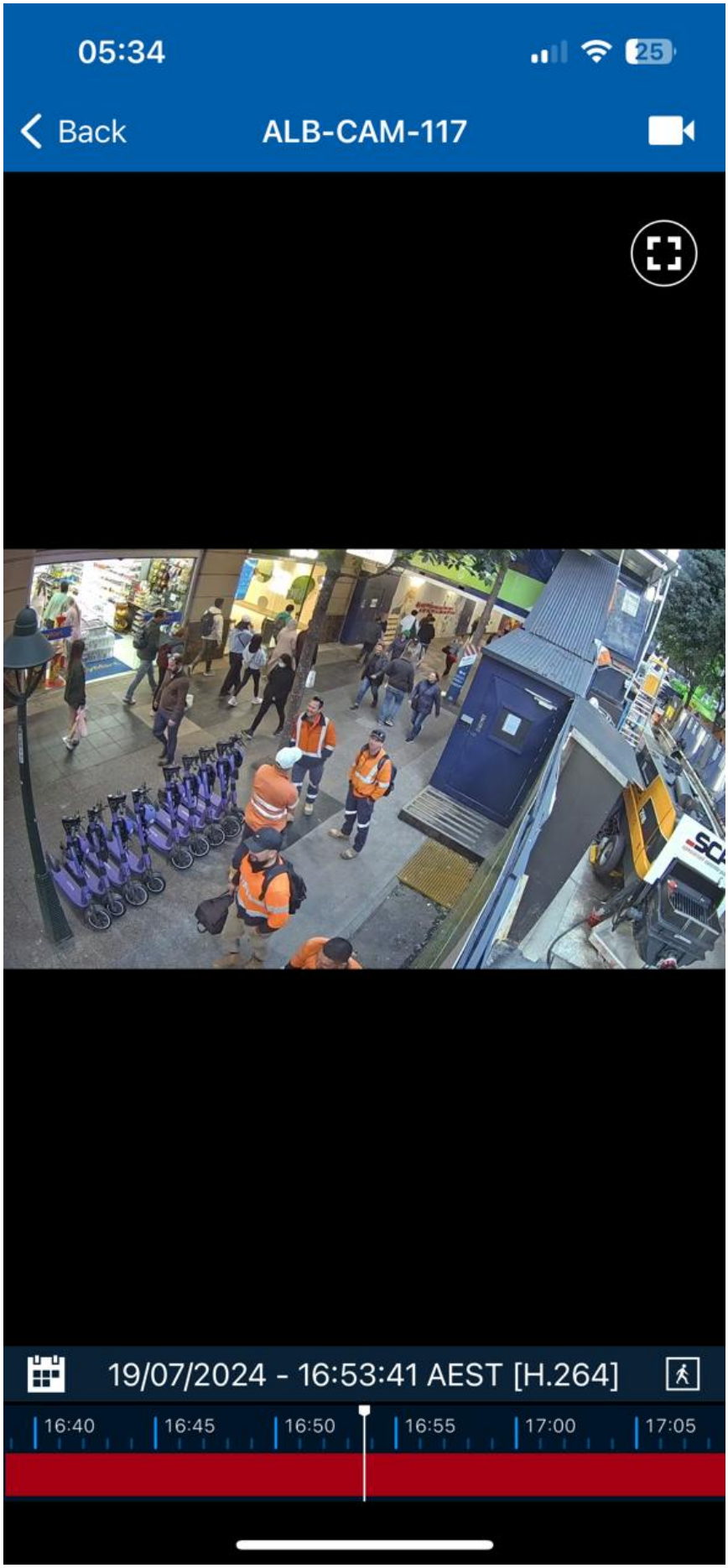
Alicia Wood
Senior IR Advisor

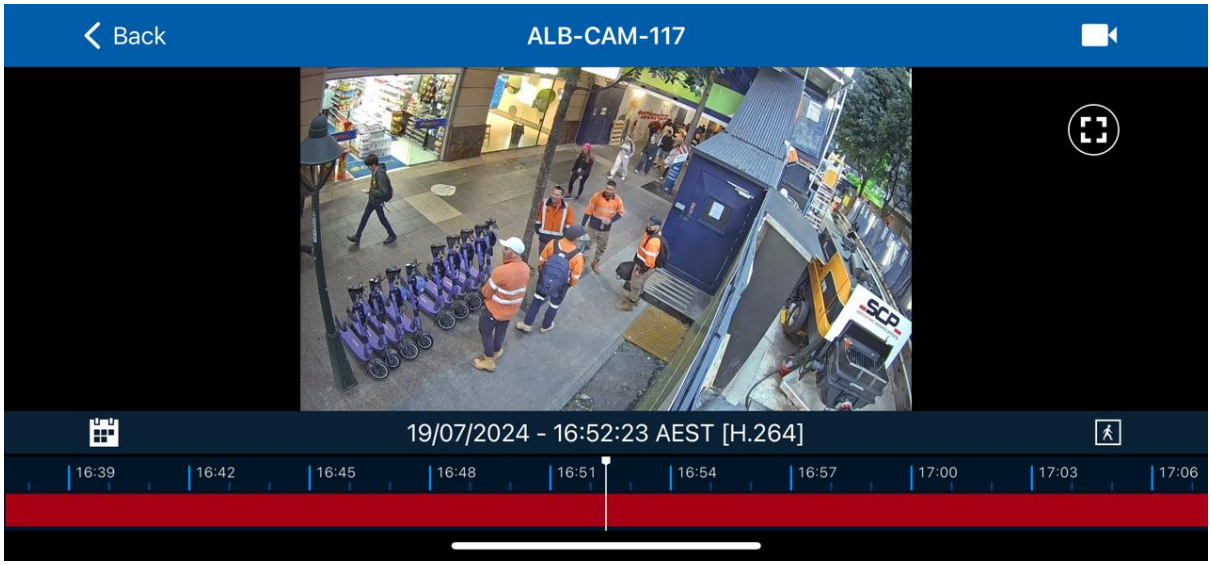
Cross River Rail – Tunnels and Stations
CBGU D&C JV

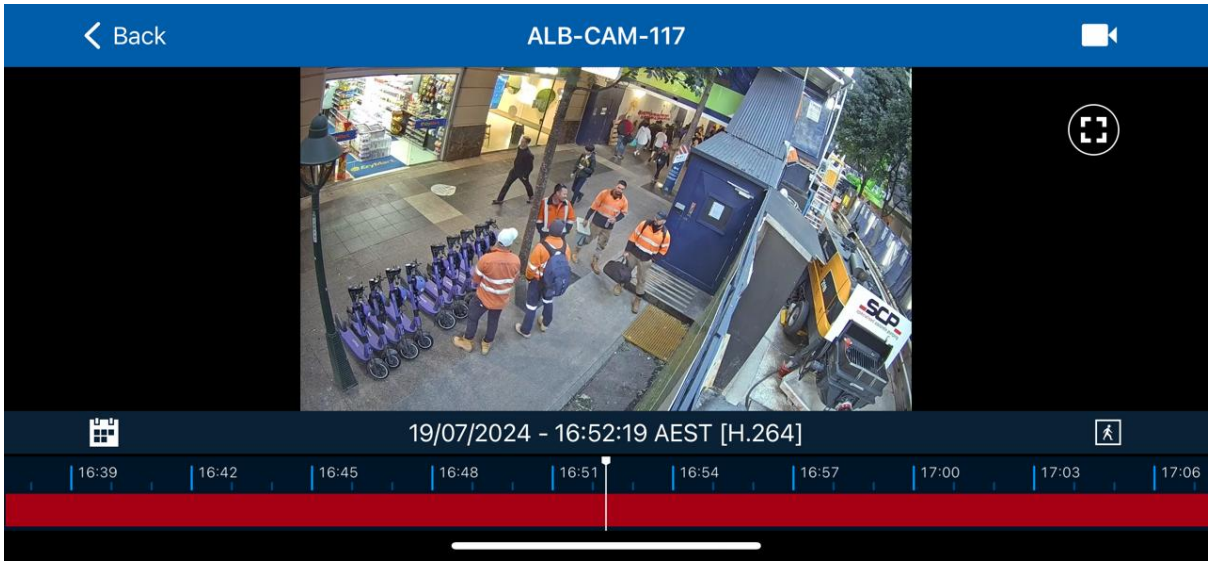
Level 3, North Tower, 339 Coronation Drive, Milton, QLD 4064, Australia
T [redacted] **M** [redacted]
E [redacted]

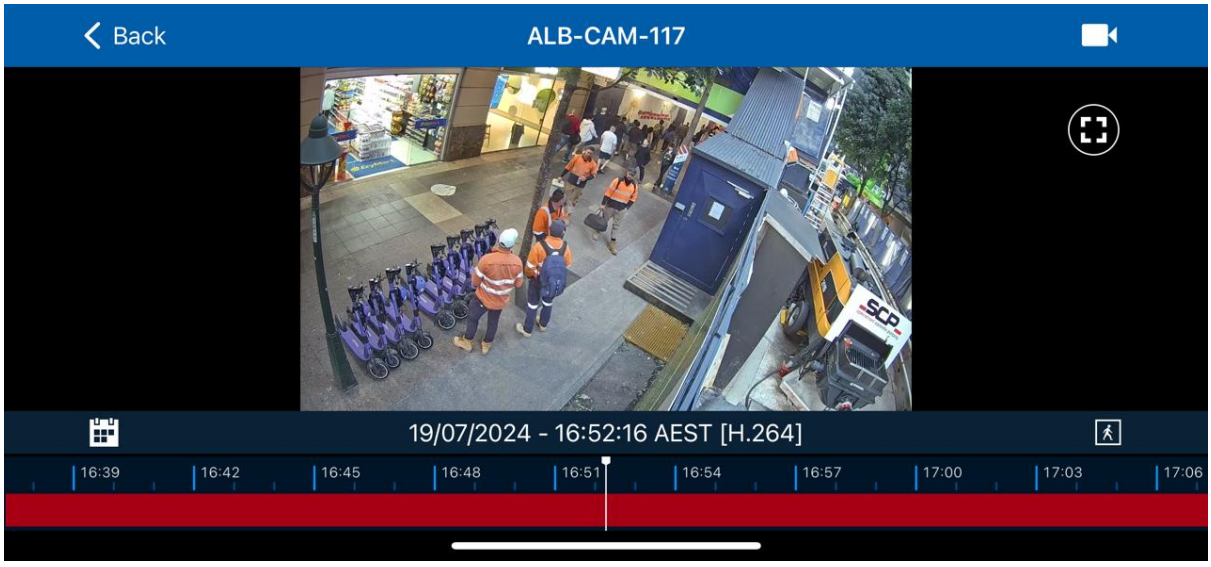

19 July 2024 5:15:47 pm
242° SW


05:34
Back
ALB-CAM-117
19/07/2024 - 16:53:23 AEST [H.264]
16:40
16:45
16:50
16:55
17:00
17:05


05:34
Back
ALB-CAM-117
19/07/2024 - 16:53:41 AEST [H.264]
16:40
16:45
16:50
16:55
17:00
17:05


Back
ALB-CAM-117
19/07/2024 - 16:52:23 AEST [H.264]
16:39
16:42
16:45
16:48
16:51
16:54
16:57
17:00
17:03
17:06


Back
ALB-CAM-117
19/07/2024 - 16:52:19 AEST [H.264]
16:39
16:42
16:45
16:48
16:51
16:54
16:57
17:00
17:03
17:06


Back
ALB-CAM-117
19/07/2024 - 16:52:16 AEST [H.264]
16:39
16:42
16:45
16:48
16:51
16:54
16:57
17:00
17:03
17:06

David Cooper

Subject: RE: Albert St delegate - Sean K - evening of Friday 19 July 2024

From: Wood, Alicia [redacted]
Sent: Tuesday, July 23, 2024 12:03 PM
To: Prior, Terry [redacted]
Subject: Sean K - Friday 19 July 2024

Terry,

As discussed, please see attached CCTV of Sean K entering Albert Station on Friday 19th July 2024. Timeline as follows:

- Sean arrives outside the Albert Station entrance at 5.17am. He is joined by Steve Amies.
- At approx.. 5.31am, Sean speaks to Steve briefly and then enters site into the Lot 1 & Lot 3 crib rooms.
- Sean speaks to the workers in the crib rooms for about 5 minutes before exiting site. The workforce in the crib rooms start leaving about 2 minutes after Sean has left.
- Sean then goes to the tunnel/ PSD/ UGL crib rooms where CCTV shows him entering the cribs and exiting about 1 min later. The workforce leave site thereafter.

Regards

Alicia Wood
Senior IR Advisor

CROSSRIVERRAIL TUNNEL & STATIONS
CPB CONTRACTORS | bam | Ghella | UGL
Cross River Rail – Tunnels and Stations
CBGU D&C JV

Level 3, North Tower, 339 Coronation Drive, Milton, QLD 4064, Australia
T [redacted] **M** [redacted]
E [redacted]

********** This email, and any files transmitted with it, are confidential and intended for use by the addressee only. The confidential nature of the information contained in the email and/or file attachment is not waived, lost or destroyed if it is sent to other than the addressee. Use or dissemination of the information contained in the email and/or file attachment, by a recipient other than the addressee, may cause commercial damage to both/either the sender and/or addressee. If you are not the addressee of this email/file attachment contact the sender immediately and delete this email/file attachment.
****

David Cooper

Subject: RE: Email 1 of 3 - Possible Albert Station Coercion - 23 July 2024

From: Prior, Terry [redacted]
Sent: Wednesday, July 24, 2024 4:27:52 AM
To: Malcolm Davis [redacted]
Cc: Butler, Chris [redacted]
Subject: Email 1 of 3 - Possible Albert Station Coercion - 23 July 2024

From the Albert St IR Adviser.....

Please see attached WhatsApp conversation.

Sean (HSR) has spoken to Brad (HSR) verbally by phone – threatening and coercing him and saying that he (Sean) will not allow Brad to come back early. Will see what else I can get on this.

Please see summary below for incidents yesterday at Albert Station.

23 July 2024

- The HSR committee walk occurred as usual with only 8 HSRs – usual numbers around 25.
- As the walk occurs, the safety advisors/ supervisors post actions on the Whatsapp to be fixed and/or completed.
- These tasks are usually undertaken by CPB labourers, leading hands etc. There are very minimal CPB numbers on-site this week.
- As such, Brad Kinson (CPB HSR) replied to the actions and asked whether he could return to work early (prior to Tuesday) to close out these actions.
- Sean K and Steve Amies (HSR's) both responded that – unless an EBA is agreed to, he cannot return and/or CPB need to agree with the heat policies and other clauses the CFMEU want before he can return.
- The HSRs who are on-site today are frustrated as the HSR meeting will not go ahead with less than 50% of the committee members present.

23 July 2024 @ approx.. 1.30pm.

- Dean Mattas (CFMEU ORGANISER) contacted a number of subcontractor companies – VTS, IDEC, FTF to leave site at 2pm.
- Sean K (HSR) arrived outside Albert St at approx.. 1.30pm and was seen on the phone. He was also seen speaking to Mick Fisher (Rocktown HSR) on several occasions where pressure was applied for Rocktown to also leave site by 2pm.
- However there is no evidence of this and Rocktown are feeling threatened and are refusing to provide a statement.
- Sean K, Steve Amies and Tom Williams (HSRs) stayed around till the commencement of night shift where further pressure was applied to the workforce who arrived for work.
- Subbies who left at 2pm included – Rocktown, Altus, IDEC, FTF, KME, Cooke & Dowsett and NWCI.

Regards

Alicia Wood
Senior IR Advisor

Cross River Rail - Tunnels and Stations
CBGU D&C JV

Level 3, North Tower, 339 Coronation Drive, Milton, QLD 4064, Australia
T +[redacted] **M** [redacted]
E [redacted]

********** This email, and any files transmitted with it, are confidential and intended for use by the addressee only. The confidential nature of the information contained in the email and/or file attachment is not waived, lost or destroyed if it is sent to other than the addressee. Use or dissemination of the information contained in the email and/or file attachment, by a recipient other than the addressee, may cause commercial damage to both/either the sender and/or addressee. If you are not the addressee of this email/file attachment contact the sender immediately and delete this email/file attachment.
****

David Cooper

To: Malcolm Davis
Subject: RE: EMAIL 1 - Albert Night Shift Interactions - Thursday 25 July

From: Wood, Alicia [redacted]
Sent: Friday, July 26, 2024 8:13 AM
To: Prior, Terry [redacted]
Subject: Albert Night Shift Interactions - 25/07/24

Terry,

Please see summary below of interactions at Albert Station last night – 25th July.

CPB employees include:

- Tom Williams (SAW HSR)
- Tyson Hayes (TFO Operator)
- Kadyne Coyle (Gabba Form setter)
- Lachlan Donald (Albert Operator/ Hoist Driver)
- Quinton Semple (TFO Operator)

- 4.41pm – Tom Williams spotted outside the Albert access door (not seen on camera). Supervisor witnessed telling Tom that he needs to stand outside the 15m radius. Tyson Hayes arrives and Supervisor delivers the message again. Tom and Tyson refuse to leave.

- 4.49pm – Tom told 2 employees there was a picket line and intimidated them to leave. 4x additional workers are intimidated by Tyson and Tom to leave.

- 4.50pm – A separate supervisor approached Tom Williams and told him he could not stand there. Tom told the supervisor that because he was a CBGU employee and not a CFMEU employee he was within his rights to be there. The supervisor asked him to leave and he (Tom) refused.

- 5.05pm - Kadyne Coyle arrived and was also standing within the 15m radius. The group refused to move when requested by the supervisor.

- 5.10pm – Lachlan Donald joined the crowd within the 15m radius.

- 5.22pm – Supervisor and safety spoke to Lachlan and asked him to remove himself. He complied and was reasonable about the request. Tom, Kaydne, Tyson and Quinton remained at the entrance.

- The group eventually leave the area at 6.38pm.

- Tom was witnessed going into the pub on several occasions and smelling like alcohol throughout his interactions with the workforce.

Note – Quinton Semple was the fourth unidentified person who was at the access door on Friday.

Regards

Alicia Wood
Senior IR Advisor

Cross River Rail – Tunnels and Stations
CBGU D&C JV

Level 3, North Tower, 339 Coronation Drive, Milton, QLD 4064, Australia
T [redacted] **M** [redacted]
E [redacted]

********** This email (including any attachments) is confidential and intended for the named recipient(s) only. It may be subject to legal or other professional privilege (and neither is waived or lost by mistaken delivery) and contain copyright material. Any unauthorised use, distribution or copying of this email or any attachments is expressly prohibited. If you have received this email in error, please notify the sender immediately and promptly delete it from your system. Our liability in connection with this email (including due to viruses, interception or unauthorised access) is limited to re-supplying this email and its attachments. Any personal information in this email must be handled in accordance with the Privacy Act 1988 (Cth).
****

AJW-13

David Cooper

Subject: RE: EMAIL 2 - Albert Night Shift Interactions - Thursday 25 July

From: Wood, Alicia [redacted]
Sent: Friday, July 26, 2024 9:35 AM
To: Prior, Terry [redacted]
Subject: FW: Albert Night Shift Interactions - 25/07/24

Photos attached.

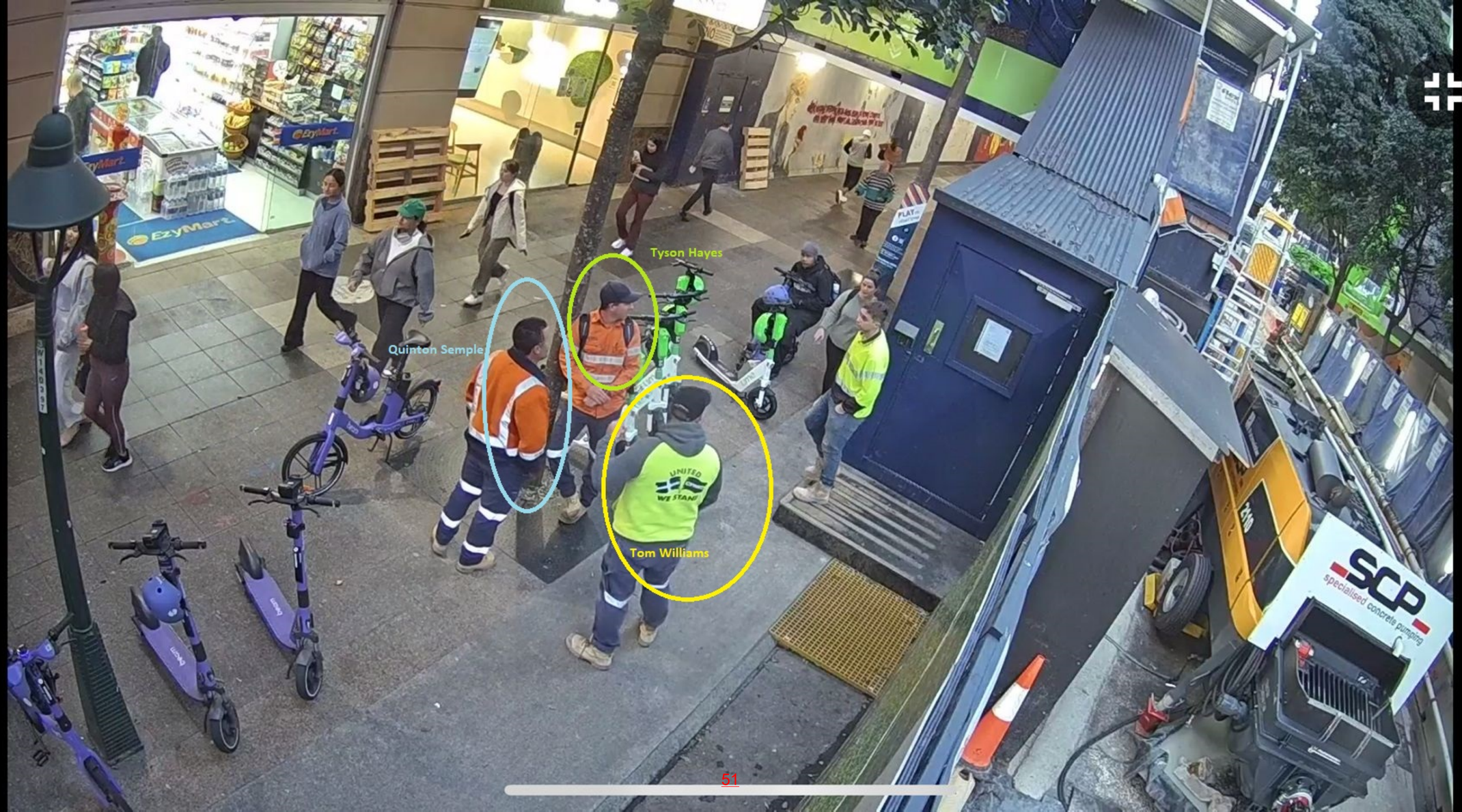
Regards

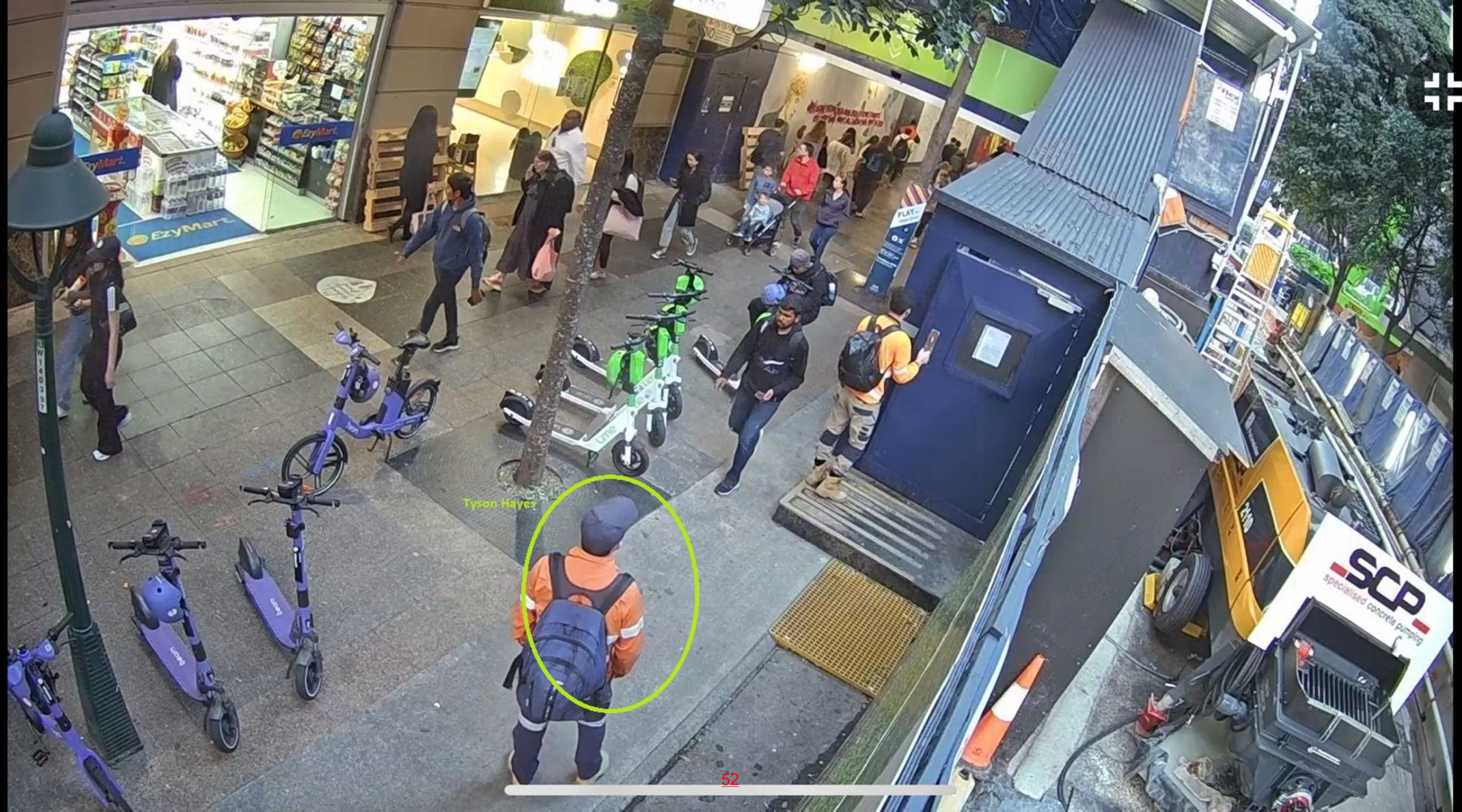
Alicia Wood
Senior IR Advisor

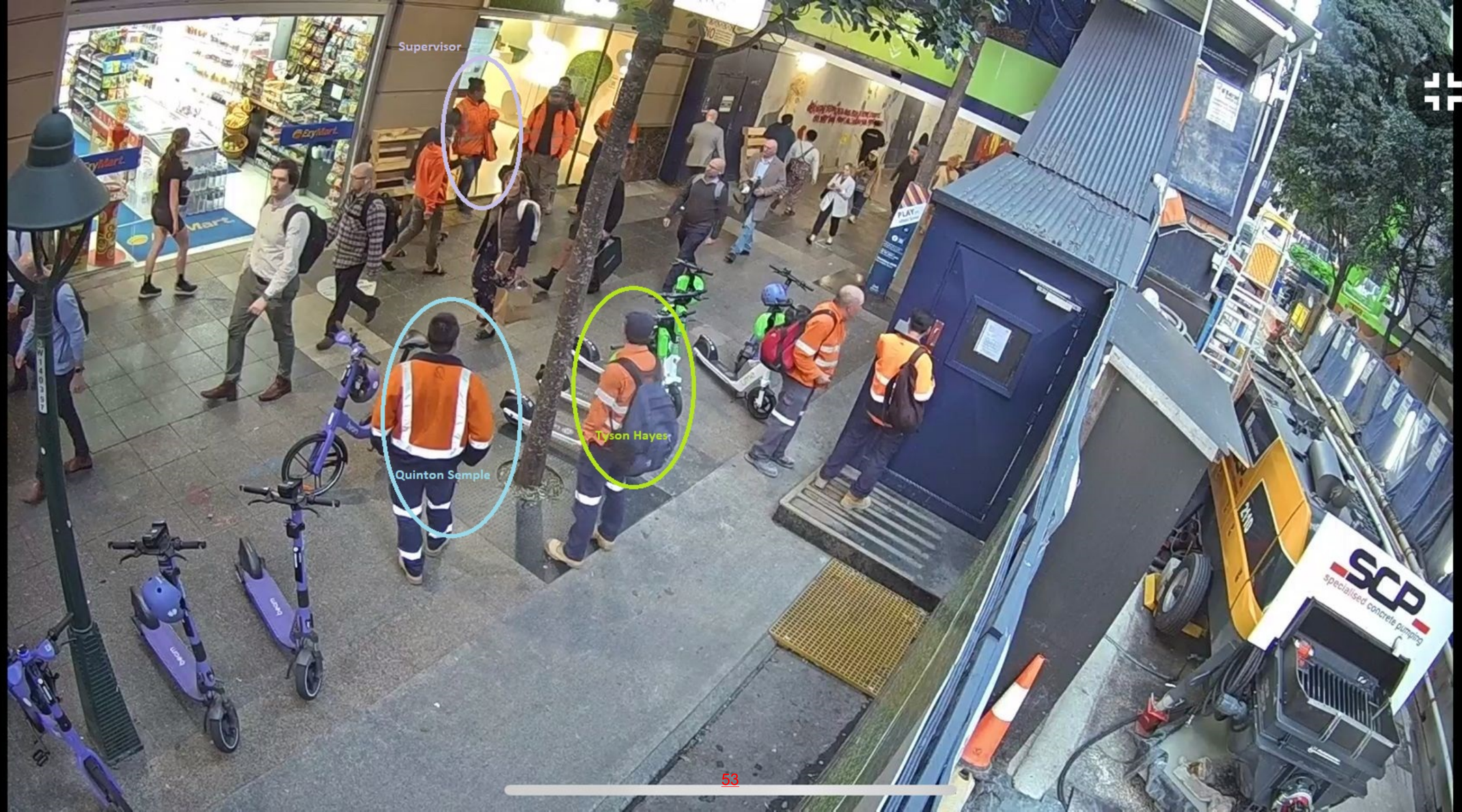
Cross River Rail – Tunnels and Stations
CBGU D&C JV

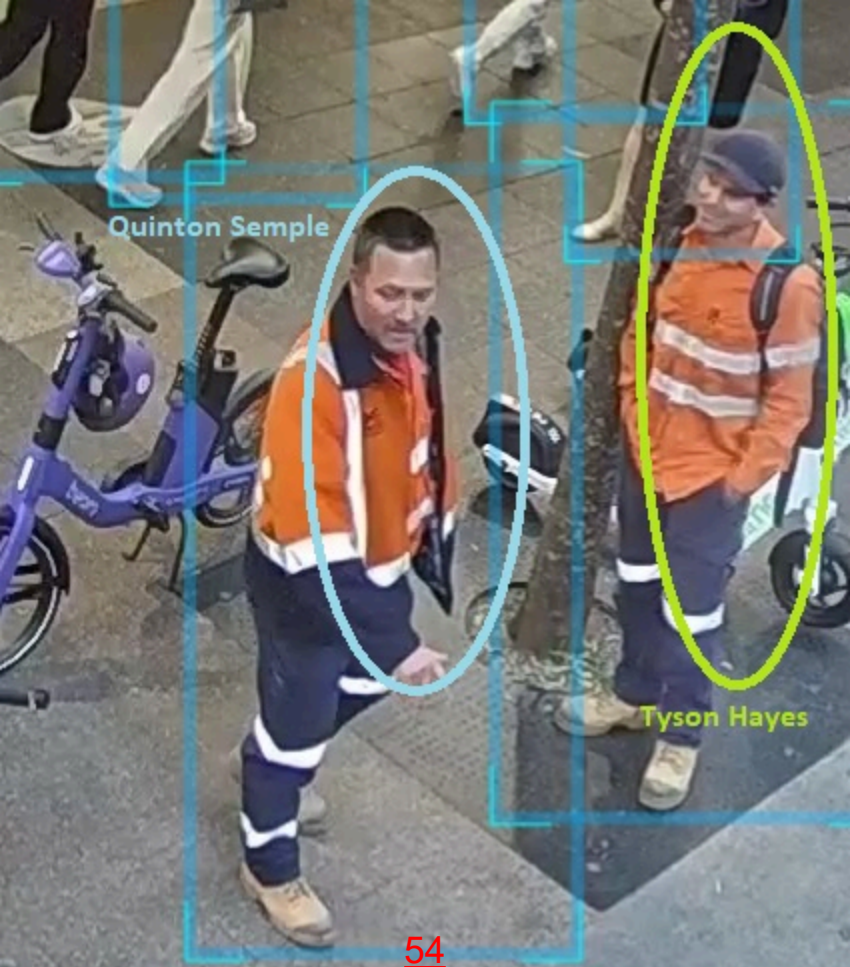
Level 3, North Tower, 339 Coronation Drive, Milton, QLD 4064, Australia
T [redacted]
E [redacted]

********** This email (including any attachments) is confidential and intended for the named recipient(s) only. It may be subject to legal or other professional privilege (and neither is waived or lost by mistaken delivery) and contain copyright material. Any unauthorised use, distribution or copying of this email or any attachments is expressly prohibited. If you have received this email in error, please notify the sender immediately and promptly delete it from your system. Our liability in connection with this email (including due to viruses, interception or unauthorised access) is limited to re-supplying this email and its attachments. Any personal information in this email must be handled in accordance with the Privacy Act 1988 (Cth).
****


Tyson Hayes
Quinton Semple
Tom Williams
EzyMart
SCP
specialised concrete pumping


EzyMart
Tyson Hayes
SCP
specialised concrete pumping

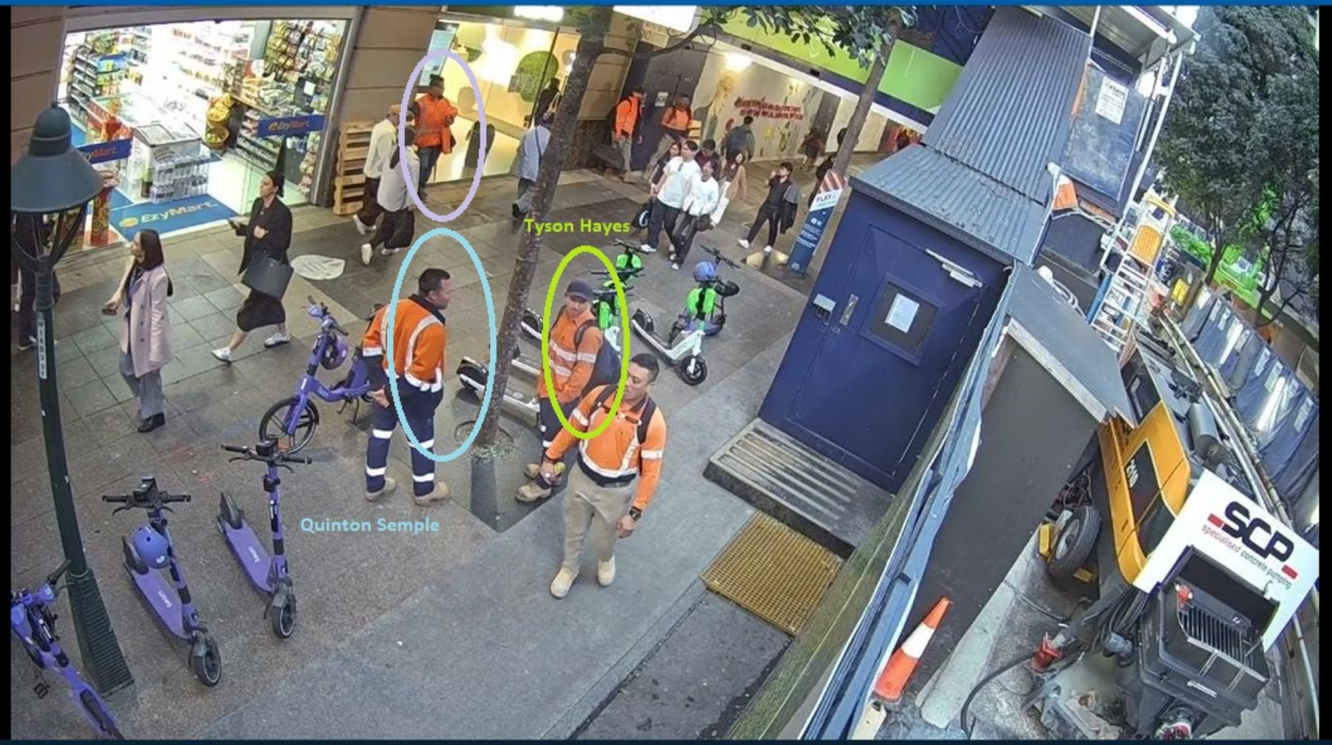

Supervisor
Quinton Semple
Tyson Hayes
SCP
specialised concrete pumping


Quinton Semple
Tyson Hayes

Back

ALB-CAM-117

Supervisor



25/07/2024 - 16:55:15 AEST [H.264]

16:42 16:45 16:48 16:51 16:54 16:57 17:00 17:03 17:06 17:09

55