

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

WITNESS STATEMENT OF STEVE THOMAS

I, Steven James Thomas, General Manager Human Resources and Industrial Relations of BMD Group, affirm:

Introduction

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 page number of that Bundle.

Background

3. I hold a Bachelor of Business, majoring in Human Resources, and a Master of Business Administration.
4. I am currently employed by BMD Group as General Manager - Human Resources and Industrial Relations. My role is national in scope. It is not confined to any particular project.
5. I have worked with BMD Group for approximately 19 years and 8 months. Before joining BMD Group, I had recruitment experience in the logistics and manufacturing sectors and worked in a warehouse management role within a manufacturing environment.
6. I commenced with BMD Group in or about 2007 as a Human Resources Coordinator. I held that role for approximately four and a half years.
7. In or about 2011, I became Human Resources Manager. I held that role for approximately nine and a half years.
8. I then moved into my current role as General Manager - Human Resources and Industrial Relations. I have been in that role for approximately five years and nine months.
9. In my current role, I oversee the full suite of human resources services for BMD Group nationally. This includes HR operations, industrial relations, enterprise agreement negotiations, organisational development, learning and development, talent acquisition, payroll operations, remuneration and benefits, employee engagement, people matters, and coaching and support for leaders.
10. During my time in the current role, BMD Group has significantly developed and decentralised its people and culture operating model. That has included moving from a lean, centralised HR model to a business partnering model, with HR business partners aligned to particular business units and regional areas.

11. The functions that report to me include national HR operations, national talent acquisition, organisational development, national payroll operations, and remuneration and benefits. The HR team under my leadership fluctuates, but is approximately 40 people, subject to a few vacant positions currently.

Culture and Values within BMD

12. From my perspective, BMD Group has a people-centred culture. The values of the business are reflected not only in written statements, but in the way people within the business are expected to make decisions and treat each other.
13. A phrase I use to describe the culture is doing the right thing when no one is watching. That means doing the right thing by the business, by clients, and by BMD Group's people. It also reflects the trust given to senior people within the business to make decisions without unnecessary bureaucracy, and the responsibility that comes with that trust.
14. BMD Group is a private family business. In my experience, that informs the culture. It is not a rigid or bureaucratic environment. Relationships within the business are important, and many people have worked with one another for many years. That creates a sense of shared responsibility and loyalty.
15. The culture has a heavy focus on the wellbeing, development and safety of BMD Group's people. I do not have direct oversight of the HSEQ function. However, at my level I have visibility of the effort and direction given to safety, and I regard that effort as intense and significant. My direct commentary is directed principally to the people, culture and engagement aspects that fall within my remit.
16. Employee engagement results, tenure and referrals by employees are all indicators that, in my view, reflect a strong work environment.

Initiatives and measures to support a safe and engaged workforce

17. BMD Group invests heavily in onboarding and the employee experience from the commencement of employment. First impressions matter, particularly in a competitive market. The onboarding process is intended to introduce people to BMD Group's values, expectations, benefits, and the way the business operates.
18. BMD Group has a structured performance and development cycle. That process includes goal setting, feedback, career development aspirations and discussions about performance and progression. In my view, those matters give employees clarity about where they are heading and assist with engagement and retention.
19. BMD Group also invests in remuneration benchmarking and benefits. That work is data-led and applies across both white collar and blue collar workforces, including in the enterprise bargaining space.
20. BMD Group has implemented leadership and development programs across different levels of the business. One example is Formwork, a field leadership program that brings people from field roles into structured programs to educate and train them in different

aspects of the business. The purpose is to build strong superintendents and general foremen.

21. BMD Group also has graduate and emerging leader programs, including the Foundations graduate program. These programs are directed to creating pathways, building connections between people, and fostering a supportive culture across project teams and business units.
22. BMD Group also undertakes cultural and engagement initiatives including new starter days, team-building activities and bespoke cultural activities. In my view, those initiatives recognise that a project is built by a team, not by an individual, and that effective teams require people to know what they are buying into, what the business stands for, and what is expected of them.

CFMEU Campaign against BMD

23. My recollection is that, before the events at the Centenary Bridge Project, I became aware of an escalation in union activity affecting BMD Group in Victoria in late 2023.
24. I recall receiving calls from BMD Group's southern region team concerning issues on projects including Hall Road, Mickleham Road and Western Treatment Plant.
25. In relation to the water treatment plant project, my recollection is that concerns were raised about subcontractors, including Fitzgerald and Delcon, not working, or standing down. I understood from the conversations that there was concern about coercion or pressure affecting those subcontractors. I was not personally on site and cannot speak to the precise details of those events.
26. I also recall calls from senior superintendents and others reporting organisers attending project sites in Victoria. My recollection is that there had historically been a harmonious environment in Victoria, including under BMD Group's agreements with the AWU. The sudden attendance of another union at multiple sites was unusual in my experience.
27. The activity was reported to me as intense, involving multiple organisers attending sites, multiple projects being affected at the same time, and constant disputes about access and coverage. My recollection is that the intense period lasted for several weeks in or around October and November 2023 and through towards the end of that year. I recall that we instructed our lawyer to write a letter directly to CFMEU Victoria, CFMEU Queensland, CFMEU National and the safety regulators in each state regarding the conduct that was occurring.
28. A bundle of this correspondence is **Annexure ST-1, pages 2 to 24 of the Bundle**.
29. A senior superintendent in Victoria reported to me words to the effect that he could not do his job because he was tied up dealing with organisers and arguments about access. That reflected the broader concern within the business that frontline leaders were being diverted from their ordinary roles and from the safe and efficient delivery of work.
30. BMD Group sought to understand the options available to it. We had discussions with the AWU and with Steve Lovewell (an Industrial Relations Consultant) concerning

coverage and how to navigate the right of entry issues. The business continued to look for practical ways to support its people and maintain project operations.

31. A copy of an email between myself and Steven Lovewell, including his attached training proposal, dated 24 January 2025 is **Annexure ST-2, pages 25 to 31 of the Bundle**.
32. Around that time I was introduced to Host via Ronnie Hayden of the AWU. I understood Host to be a labour hire business with experience in industrial relations issues in Victoria. I spoke with Gary from Host, who described his experience in labour hire businesses and his understanding of the Victorian industrial relations landscape.
33. The solution proposed by Host was, in broad terms, to provide labour hire workers to projects where management of unlawful site access was required and, where possible, workers with experience in right of entry issues and relevant union coverage. My understanding was that this would help BMD Group's people understand and manage right of entry interactions and relieve pressure on frontline teams.
34. In my view, the involvement of Host provided relief to BMD Group's workforce. I do not say that it stopped all argumentative activity, but it helped the relevant teams feel that there was a practical strategy in place and that they were not managing the issue alone.

CFMEU Campaign at Centenary Bridge

35. The Centenary Bridge Project at Jindalee later became a significant focus of union activity. I understood that the project was high profile and that certain activities on the project would likely attract attention.
36. By the time activity escalated on the Centenary Bridge Project, BMD Group had already been dealing with activity on other projects. I did not regard the Centenary Bridge Project as an isolated event. I regarded it as part of a broader campaign affecting BMD Group projects in Queensland and, to a lesser extent, other jurisdictions.
37. I became aware of numerous visits and right of entry interactions at the Centenary Bridge Project. The intensity increased quickly. There were also references to social media activity, including material on Facebook, and a website titled "BMD: The Real Story" which was posted by the CFMEU.
38. I also understood that leaflets were distributed and that public statements were made about BMD Group which I considered unfair, inaccurate and damaging to the business and its reputation. In my view, the campaign was directed principally at BMD Group as a business, rather than at one specific individual, although any person who said "no" or challenged the conduct could become a practical target of the interaction.
39. In early 2024 there were reports of people congregating outside the Centenary Bridge Project. I also attended the site myself and observed people sitting outside the job. There were concerns within the project team about people entering the site and about how site access was being controlled.

40. At that time, BMD Group was considering practical steps to protect its people and maintain orderly site access. Those steps included site inspections, fencing, gating, a central sign-in point, and security measures to prevent uncontrolled access to the site.
41. I attended at least one meeting at which the issue of site security and access was discussed with the client, Department of Transport and Main Roads and Minister. My recollection is that Scott Power, Bart Mellish MP and Julie Mitchell were present at that meeting, among others, though I cannot recall specifically who. The possible need for enhanced controls, including turnstiles or swipe access if the conduct continued, was discussed. I recall Mr Mellish MP and Ms Mitchell were supportive of BMD taking additional steps to secure the work site, this was partly due to the fact Department staff were also based in the site offices at Centenary Bridge and were being exposed to this activity by the CFMEU.
42. BMD Group also engaged with the Queensland Police Service. My recollection is that QPS were helpful, but they made clear that they did not have resources to provide ongoing escorts for vehicles or to manage all site access issues. The practical effect was that BMD Group needed to take reasonable steps itself to secure the site and protect its people.
43. A copy of an email from the Queensland Police Service dated 24 April 2024 is **Annexure ST-3, pages 32 to 35 of the Bundle**.
44. Critical activities on the project that were being impacted included steel deliveries, trucks and concrete pours. My understanding was that blocking a truck could interfere with major works, including concrete pours, because concrete cannot remain in a truck indefinitely and because some pours need to be completed once begun. That created productivity and operational risk in addition to the people impacts.
45. Host was asked to mobilise to Queensland. My recollection is that the initial purpose was not simply to provide security, but to inspect the site, understand access points and help identify practical measures to secure the job and manage right of entry and access issues.
46. BMD Group also undertook broader measures across its business, including training and support for project teams dealing with right of entry issues. The issue was not confined to Centenary Bridge. I understood that activity was occurring on other BMD Urban and BMD Constructions projects, including Rockhampton Ring Road, Wellington Collection, Hamilton North Shore, Bulimba Barracks, Springfield Civil Works, Lillywood Estate, Eagleby, and Yeerongpilly, to name a few.
47. Some BMD Urban projects were not set up in the way major infrastructure jobs often are. They did not necessarily have the same fencing, security logistics or prior experience with union entry. Many leaders in those teams were experienced in delivering civil works but had limited experience dealing with permit holders.
48. For that reason, the business had to put in place education, training, security and mobile support so that frontline leaders were not left to manage difficult interactions alone. At times, mobile security or support crews were deployed across multiple locations because it was not always possible to know where the next attendance would occur.

Response to matters before the Commission

49. I understand the Notice issued by the Commission asks me to address particular allegations referred to in evidence before the Commission from Ms Jacqueline King and in an ABC article dated 22 August 2024.
50. I recall attending a meeting involving Jacqueline King. My recollection is that Rob Pickard, Greg Power (BMD's IR Consultant) and I attended for BMD Group. I do not recall exactly how the meeting came about.
51. My recollection is that the meeting involved a broad discussion about the union movement, the CFMEU, the industrial relations landscape in Queensland, coverage, right of entry issues and the behaviour being experienced by BMD Group. I did not attend the meeting to seek any particular action by Ms King or the QCU, and I do not recall any solution being proposed at that meeting.
52. I do not recall anyone saying that there was footage showing "Setka's people" from down south had been brought onto the Centenary Bridge Project or that they were Croatians.
53. I do not recall any discussion about BMD Group having hired a private investigator who said that "Setka's people" were at the project site. I recall discussions about security, but not about a private investigator in that sense.
54. I do recall an issue being discussed about a tracker being found on a security provider's vehicle. I do not know who put the tracker on that vehicle and I cannot say whether it was connected with any particular person or organisation.
55. I do not recall any discussion to the effect that BMD Group was targeted in Queensland because it refused to sign an agreement with the CFMEU in Victoria, as I am not aware of the CFMEU approaching BMD Group to sign an agreement in Victoria.
56. BMD Group has its own civil and construction agreement or major works agreement in Victoria with the AWU, and that it has existed over several generations of agreements.
57. In relation to the reported confrontation involving a CFMEU delegate near the Centenary Bridge Project, I understand that the CFMEU delegate, Cody Raymond reported to his employer that he had been confronted by two people on the footpath which went through the centre of the site. I was present when Mr Raymond conveyed some information about the incident and support was offered to him, though I did not have any direct conversation with him about what occurred.
58. Either just before or after the ABC article was published, I recall a conversation with Gary Samuel of Host about the people named in the article. Mr Samuel told us that the individuals were not connected with Host whatsoever. I also understood that there were no timesheet records indicating that those individuals were working for Host. I had no reason to doubt Mr Samuel's assurance that those individuals had no connection with Host.

Impact on BMD Group personnel and measures taken to support them

59. The campaign had significant impacts on BMD Group personnel. At a general level, people do not want to come to work in an environment where there is sustained confrontation, public criticism and uncertainty about site access and safety.
60. In my view, the consequences included psychosocial impacts, mental health impacts, stress, potential physical health impacts flowing from that stress, and the risk of attrition. Those impacts are contrary to BMD Group's culture and the way the business seeks to support its people.
61. The people most directly affected were frontline leaders and supervisors who had to deal with repeated right of entry interactions and disputes. Those people were required to manage difficult conversations, often involving arguments about coverage, entry and alleged safety issues, when their primary role was to deliver the work safely and efficiently.
62. I describe those interactions as draining and distressing for the people involved. Some frontline leaders were effectively taken out of their ordinary roles for hours at a time, which prevented them from supervising work, managing safety and supporting their teams.
63. There was also reputational harm to BMD Group. BMD Group is a contractor with a reputation in the industry for being human-centred, down to earth and good to do business with. Public statements attacking the business were, in my view, unfair and damaging, particularly given what BMD Group does for its people and the communities in which they work.
64. BMD Group responded by maintaining a calm and measured internal communication approach. Communication was undertaken through senior leaders and general managers. The objective was to explain what was occurring, what the business was doing about it, and what it meant for employees, without escalating the situation unnecessarily.
65. BMD Group also responded through practical support measures, including security, fencing, access controls, training, mobile support, engagement with police and other authorities, and external advice or assistance where appropriate.
66. The productivity impacts were also significant. They included disruption to deliveries and pours, supervisors and managers being diverted from their ordinary work, and time spent dealing with disputes and site access issues. Some of those impacts are difficult to quantify, but in my view they were substantial from a 'people' perspective in the sense that stress and concern they were feeling for their coworkers and delivery of the project.

Observations about industrial harmony and right of entry

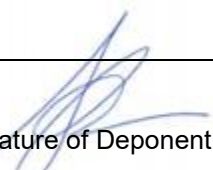
67. In my opinion, the negative impacts of the Union's conduct before administration were broad and significant. They affected people, project delivery, productivity, reputation and industrial harmony.

68. A recurring issue was the lack of clarity about coverage and the limits of rights of entry. From my perspective, civil infrastructure projects differ from vertical building projects. They can involve many work fronts across a large physical area and diverse types of work. A right of entry issue on one part of a project does not automatically justify access to every part of a complex civil site.
69. My understanding is that a permit holder must have a statutory right to represent the relevant workers and must identify the suspected contravention relied on for entry. I am not giving legal advice in this statement. I am identifying the issue as I experienced it from an HR and industrial relations perspective.
70. In my view, many of the disputes arose because permit holders appeared to believe that right of entry meant effectively unlimited access. That did not accord with my understanding of how right of entry should operate, particularly on complex civil projects.
71. The continuing uncertainty about coverage and access created repeated conflict. Frontline leaders were often required to respond to assertions about rights of entry and safety issues in circumstances where the relevant legal basis was not clearly articulated.

Observed changes since administration

72. Since the CFMEU went into administration, my personal involvement in day-to-day issues of this kind has reduced. I have been able to spend more time performing the broader aspects of my role.
73. From what I have observed and been told, the aggressiveness, sense of entitlement and escalation of reaction when challenged have reduced compared with the period when the issues were at their highest intensity.
74. However, I do not consider that all issues have been resolved. I continue to see or hear about disputes concerning coverage, right of entry and the adequacy of notices. In my view, there remains a misunderstanding about the distinction between civil works and vertical building work and how coverage and right of entry apply to complex civil projects.
75. In short, I consider that behaviour has improved in some respects since administration, but the underlying issues about coverage, right of entry and the proper articulation of alleged contraventions remain live.

I affirm the contents of this statement are true.


Signature of Deponent

Place: via Teams Date 07/08/2026


Before me (signature of witness)

Damian John Hegarty
Full name of witness (please print)

- ☐ Justice of the Peace (JP #)
- ☐ Notary public
- ☒ Lawyer
- ☐ Other authorised person (specify)

Commission of Inquiry into the CFMEU

and Misconduct in the Construction Industry

Bundle to the Statement of
Steven Thomas

From: Damian Hegarty [REDACTED]
Sent: Wednesday, 22 November 2023 11:07 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: Urgent | BMD Facebook Post
Attachments: BMD - Letter to CFMEU Victoria Facebook.pdf
Importance: High

Good afternoon,

Please refer to our **attached** letter for your urgent attention.

Damian Hegarty
Partner, HBA Legal

P [REDACTED]
M [REDACTED]
E [REDACTED]
W www.crawcolegal.com / www.hbalegal.com
A Level 23, 10 Eagle St Brisbane QLD 4000

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22 November 2023

John Setka
State Secretary CFMEU – Victoria Branch

By Email: [REDACTED]

Copy to: [REDACTED]

Dear John

Immediate Removal of Facebook Video

We act for BMD Group (**our client**) and demand:

1. the **immediate removal** of the video published on CFMEU Vic-Tas Facebook page on Tuesday 21 November 2023; and
2. that the CFMEU do not publish any further content that has been obtained while authorised representatives of the CFMEU have entered site relying on their entry permits.

The content posted unequivocally demonstrates that Mr Robert Janjic, an authorised representative of CFMEU, has contravened section 91 of the *Occupational Health and Safety Act 2004* (Vic) (**OHS Act**), in at least three (3) separate ways:-

1. Intentionally intimidating or threatening an employee. In this respect, there is a prima facie contravention given:
 - When an employee of BMD said “no thanks mate” and “I don’t like it” with reference to the camera being pointed at his face, Mr Janjic responded, “nah, nah, [be]cause now you get to star”.
 - Despite the BMD employee indicating they did not wish to speak with the CFMEU representative and asking him to turn off the camera, Mr Janjic continued to badger, film, and speak in an antagonistic manner to the BMD employee.
2. Intentionally using, disclosing and providing the recording obtained while exercising a power under section 89(1)(ba) to another person. In this respect, there is a prima facie contravention given:
 - Mr Janjic produced a Notice on 13 November 2023 purporting to exercise powers under section 89 of the OHS Act.

- Mr Janjic is recorded stating that he was on site due to alleged inadequate safe systems of work, which is consistent with what Mr Janjic wrote on the Notice as his suspected contravention.
- Mr Janjic identifies “Andy” during the video, which is consistent with who Mr Janjic states the Notice was given to.

Mr Janjic is liable to be prosecuted for his contraventions of section 91 of the OHS Act.

It is worth also noting that over the course of last week (13 – 17 November 2023), 12 separate authorised representatives from the CFMEU purported to exercise their right to enter site under section 89 of the OHS Act. Specifically:-

Date of Notice	Union Organisers Name
13/11/2023	Robert Janjic
14/11/2023	Rhett Campbell
14/11/2023	Constantine Josephipes
14/11/2023	Francis Donnelly
14/11/2023	Robert Janjic
14/11/2023	James Harris; Corey Laux; Joel Shakleton
15/11/2023	Joel Shackleton
15/11/2023	James Harris
15/11/2023	Corey Laux
15/11/2023	Martin Murphy
15/11/2023	Francis Donnelly
15/11/2023	Robert Janjic
15/11/2023	Gerry McCrudden
16/11/2023	Francis Donnelly
16/11/2023	Rhett Campbell
16/11/2023	Gerry McCrudden
16/11/2023	Robert Janjic
16/11/2023	Cory Laux
17/11/2023	Esther Van Anend
17/11/2023	Robert Janjic
17/11/2023	Constantine Jopsephipes
17/11/2023	Joel Shackleton
17/11/2023	Nikolaos Vamuas
17/11/2023	Corey Laux
17/11/2023	James Harris
17/11/2023	Francis Donnelly
17/11/2023	James Harris
17/11/2023	Garry Dennon

There has been no suspected contravention raised by any of those individuals that has been verified or has resulted in any enforcement action being taken by WorkSafe Victoria.

To date, our client's workers have facilitated the entry; however, it is our recommendation that our client report that conduct to WorkSafe Victoria given the authorised representatives are intentionally and unreasonably purporting to exercise their right of entry to hinder and obstruct our client, other employers and employees on site, in clear contravention of section 91(a) of the OHS Act.

The CFMEU owes a duty pursuant to section 23 of the OHS Act to ensure, so far as is reasonably practicable, that the persons other than its employees are not exposed to risks to their health and safety arising from the conduct of the CFMEU's activities.

It is abundantly clear the conduct of the CFMEU's workers is creating a psychosocial hazard through the intimidatory conduct and flagrant disregard of the provisions of the OHS Act prohibiting the publication of information, documents and recordings obtained on site.

Our client acknowledges the right of entry that exists under the OHS Act. However, it is not a right that exists in isolation, where authorised representatives can ignore the limitations that are also enshrined in the OHS Act.

We call on the CFMEU to direct its authorised representatives to immediately cease contravening section 91 of the OHS Act by:-

- Intentionally and unreasonably exercising the right of entry, where it is aimed solely at hindering and obstructing our client's operations, as it has been over the course of the last week.
- Intentionally intimidating and threatening our client's workers, which has been demonstrated in the video content already posted on CFMEU's Facebook page.
- Intentionally use, disclose or provide information, document and recordings obtained through the exercise of their powers under section 89 of the OHS Act.

HBA Legal



Damian Hegarty | Partner

D: [Redacted]

F: [Redacted]

E: [Redacted]

From: Damian Hegarty [REDACTED]
Sent: Saturday, 16 December 2023 10:29 AM
To: [REDACTED]
Subject: Urgent | BMD Facebook Post
Attachments: BMD - Letter to CFMEU QLD Facebook.pdf
Importance: High

Dear Michael,

Please refer to the attached letter for your urgent attention.

Damian Hegarty
Partner, HBA Legal

P [REDACTED]
M [REDACTED]
E [REDACTED]
W www.crawcolegal.com / www.hbalegal.com
A Level 23, 10 Eagle St Brisbane QLD 4000

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16 December 2023

Michael Ravbar
State Secretary CFMEU – Queensland Branch

By Email: [REDACTED]

Dear Michael

Immediate Removal of Facebook Post and News Article

We act for BMD Group (**our client**) and demand:

1. the **immediate removal** of the Facebook post made on 15 December 2023 on CFMEU Construction & General QLD/NT Facebook page referring to the death of a work and our client; and
2. the **immediate removal** of the item published on 15 December on “CFMEU News Centre” titled “WORKER DIES ON BMD CONSTRUCTION SITE”.
3. that the CFMEU do not publish any further false and misleading information, in the circumstances where the publication of such false and misleading information creates a psychosocial hazard affecting our client’s workers and is in clear contravention of the CFMEU’s own obligations under the *Work Health and Safety Act 2011* (Qld) (**WHS Act**).

False and Misleading Nature of the Publications

Our client notified Workplace Health and Safety Queensland (**WHSQ**) of the tragic situation and received reference number 99057 from WHSQ.

The employer of the deceased worker had also notified WHSQ.

The duty imposed under section 38 of the WHS Act is for:

*A person who conducts a business or undertaking must ensure that the regulator is notified immediately after becoming aware that a notifiable incident **arising out of the conduct of the business or undertaking** has occurred.*

Our client did not engage the electrical contractors, nor were they engaged to perform work associated with our client’s scope of work. Despite the fact the passing of the worker did not arise out of the conduct of our client’s business or undertaking and there not being a direct obligation on our client to notify WHSQ of the incident, it did so.

The assertions contained in the publications that:-

- our client has an obligation to report all workplace deaths, injuries or illnesses to WHSQ;

- our client was either complicit in a 'cover-up' or incompetent'

are plainly false and misleading as to the factually what occurred and the legislative obligations imposed.

For example, while multiple duty holders have the obligation to ensure that an incident has been notified to the regulator, only one needs to¹.

Our client went beyond compliance with its obligations by notifying WHSQ even after being informed by the electrical contractor it had been in contact with WHSQ.

CFMEU's WHS Obligations

The CFMEU owes a duty pursuant to section 19 of the WHS Act to ensure, so far as is reasonably practicable, that the persons other than its employees are not exposed to risks to their health and safety arising from the conduct of the CFMEU's activities.

It is abundantly clear the conduct of the CFMEU's in publishing false and misleading information is creating a psychosocial hazard, particularly for those workers on site, who were directly involved in performing CPR on the worker until emergency services arrived.

The assertions that the worker has died of heat stress and the fatality demonstrates BMD's poor treatment of its workers are without foundation and insinuates that our client's workers were in some manner responsible for the worker's tragic passing.

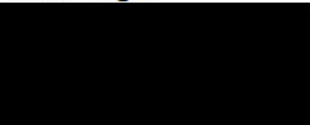
Making baseless allegations such as those contained in the published statement demonstrates the CFMEU's and your own reckless disregard for the psychosocial health and wellbeing of not only our client's workers, by others who were involved in rendering assistance.

Given your position as State Secretary of the Branch you personally have an obligations pursuant to section 27 and 28 of the WHS Act and the direct quotes attributable to you are evidence of your own reckless conduct which is imputed onto the CFMEU by section 244 of the WHS Act.

Our client will be separately notifying WHSQ of this incident and the reckless disregard shown for the psychosocial health and well being of others, by the CFMEU and yourself.

Furthermore, our client will be notifying WHSQ of the suspected contravention of section 148 of the WHS Act associated with the unauthorised publication of information obtained through your members exercising their WHS Entry powers.

HBA Legal



Damian Hegarty | Partner

D: [Redacted]

F: [Redacted]

E: [Redacted]

¹ Safe Work Australia Information Sheet – Incident Notification.

From: Damian Hegarty [REDACTED]
Sent: Saturday, 16 December 2023 12:55 PM
To: ODDG@oir.qld.gov.au
Cc: [REDACTED]
Subject: Psychosocial Hazard created by CFMEU | Our Client: BMD
Attachments: BMD - Letter to WorkSafe QLD re CFMEU.pdf; Urgent | BMD Facebook Post (276 KB); Incident_280884.pdf
Importance: High

Dear Deputy Director-General,

Please refer to our attached correspondence.

Kind regards,

Damian Hegarty
Partner, HBA Legal

P [REDACTED]
M [REDACTED]
E [REDACTED]
W www.crawcolegal.com / www.hbalegal.com
A Level 23, 10 Eagle St Brisbane QLD 4000

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16 December 2023

Peter McKay
Deputy Director-General
Office of Industrial Relations

By Email: ODDG@oir.qld.gov.au

Copy to: Sarina Wise
Executive Director, WHS Compliance and Field Services
Workplace Health and Safety Queensland

By Email: [REDACTED]

Dear Peter,

Psychosocial Hazards created by CFMEU

We act for BMD Group (**our client**) and write in relation to a “notifiable incident” our client has notified Workplace Health and Safety on 16 December 2023.

Our client considers it necessary and appropriate to escalate this matter immediately to you, given the clear risk posed to the psychological health and wellbeing of, not only to our client’s workers’ but, the Inspectors and Investigators, tasked with investigating the matters raised.

The “notifiable incident” to which our client refers is the publication by the CFMEU, Queensland Branch on its Facebook and News Centre Website of false and misleading information which has and continues to cause our client’s workers’ significant distress and poses a serious risk to their psychological health and wellbeing. We would assume the Department holds similar concerns (as a PCBU also) regarding the psychological health and wellbeing of its Inspectors and Investigators.

Please find **attached** a copy of our letter to Mr Ravbar, for your information.

While our client is of course providing other supports to its workers, the highest order control our client can implement is to take affirmative action to stop of the spread of false and misleading information and notify WHSQ so it can take appropriate action to investigate whether the conduct of the CFMEU and Mr Ravbar constitutes a breach of their obligations under the Work Health and Safety Act 2011 (**WHS Act**). Our client of course has a view in that regard, though appreciates it is the role and function of Workplace Health and Safety to monitor and enforce compliance with the WHS Act.

Respectfully, we call on Workplace Health and Safety to take clear and affirmative action to stamp out this conduct being displayed by the CFMEU.

We appreciate the Work Health and Safety Prosecutor has clearly demonstrated its willingness to prosecute those who have contravened the WHS Act, regardless of whether it is a State Government Department or sole operator. It is that leadership in this space which

is needed to address the significant psychosocial hazard presented by the reckless publication of false and misleading information.

We would welcome an opportunity to have a discussion with you regarding this matter and trust those Investigators within Workplace Health and Safety charged with investigating the notifiable incident our client has raised, will be empowered to take clear and decisive action promptly.

We are of course happy to answer any questions or concerns you may have in the meantime.

Yours faithfully
HBA Legal



Damian Hegarty | Partner

D: [Redacted]

F: [Redacted]

E: [Redacted]

Incident details	
Date and time :	15-Dec-2023 7:15 AM
Incident location :	BMD Site Office Fischer Road, RIPLEY 4306 Queensland Australia
Incident location description :	BMD Site Compound and work area
Description of incident :	BMD Urban contends that the following actions of the CFMEU Qld/NT constitute an incident in a place of work that exposes a worker, or any other person, to a serious risk to their health or safety from an immediate or imminent exposure to a psychosocial hazards: 1. The actions of the CFMEU members in their interactions with BMD employees and WHSQ officials on the Swanbank Site at Fairview Ipswich on Friday 15 December 2023; 2. The action of the CFMEU in releasing a media Statement on its Facebook page containing blatant lies, alleging a worker had died on BMDs site due to heat stress when there is no evidence to support the accusation and alleging that BMD did not report the incident to WHSQ in circumstances where the CFMEU knew this to be untrue. BMD employees are still continuing to process the circumstances of a death on their worksite, a number of BMD staff had participated in performing CPR on the deceased man. The mental health impacts of this alone are tremendous without the compounding affect of the CFMEUs actions.
Notified as a result of :	An infection to which the carrying out of work was a significant contributing factor
Involving :	
Incident involved licenced work?	No
Workplace is a major hazard facility?	No
Secured site?	Yes - Fischer Road, Ripley Qld 4306
Actions taken to prevent reoccurrence :	NA
Long term action taken to prevent reoccurrence :	Raising the issue with Workplace Health and Safety and CFMEU directly. All BMD Site employees and Workplace Health and Safety Investigators that were present were exposed. Multiple BMD employees were exposed.
How many people were injured?	0

Employer details	
WorkCover policy number :	WAD161212074
Legal name :	
Trading name :	BMD Urban Pty Ltd
ABN :	65158035539
ACN :	
Telephone :	
Mobile :	
Fax :	
Email :	
Main business activity :	Construction
Industry sector :	CONSTRUCTION
Business address :	THE BMD GROUP 1 SANDPIPER Avenue, PORT OF BRISBANE 4178 Queensland Australia

Employer's bank details	
Bank :	
BSB :	
Account number :	
Account name :	

Your contact details	
Name :	Mr Daniel Frame
Telephone/mobile :	██████████
Email :	████████████████████
Relationship to this incident notification :	EMPLOYER

Office of Industrial Relations privacy statement

The Office of Industrial Relations Queensland respects your privacy and is committed to protecting your personal information. The information provided on this form is for the purpose of advising Workplace Health and Safety Queensland and/or the Electrical Safety Office of a reportable incident under the *Work Health and Safety Act 2011*, *Electrical Safety Regulation 2002* or *Safety in Recreational Water Activities Act 2011*. This information will be managed within the requirements of the current state government privacy regime. The Department may be required to disclose your personal information to other regulatory agencies such as the Queensland Police Service, WorkCover, Q-Comp and other agencies in accordance with other law enforcement activities which may be conducted as part of an investigation. Further information on our privacy policy is available at www.worksafe.qld.gov.au.

From: Damian Hegarty [REDACTED]
Sent: Friday, 22 December 2023 10:41 AM
To: ODDG@oir.qld.gov.au
Cc: [REDACTED]
Subject: RE: Psychosocial Hazard created by CFMEU | Our Client: BMD
Attachments: BMD - Letter to WorkSafe QLD re CFMEU (2).pdf; BMD - OIR response to Psychosocial Notification.pdf

Dear Deputy Director-General,

Please refer to our attached correspondence.

Kind regards,

Damian Hegarty
Partner, HBA Legal

P [REDACTED]
M [REDACTED]
E [REDACTED]
W www.crawcolegal.com / www.hbalegal.com
A Level 23, 10 Eagle St Brisbane QLD 4000

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From: Damian Hegarty
Sent: Saturday, December 16, 2023 12:55 PM
To: 'ODDG@oir.qld.gov.au' <ODDG@oir.qld.gov.au>
Cc: [REDACTED] <[REDACTED]>
Subject: Psychosocial Hazard created by CFMEU | Our Client: BMD
Importance: High

Dear Deputy Director-General,

Please refer to our attached correspondence.

Kind regards,

Damian Hegarty
Partner, HBA Legal

P [REDACTED]
M [REDACTED]
E [REDACTED]
W www.crawcolegal.com / www.hbalegal.com
A Level 23, 10 Eagle St Brisbane QLD 4000

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22 December 2023

Peter McKay
Deputy Director-General
Office of Industrial Relations

By Email: ODDG@oir.qld.gov.au

Copy to: Sarina Wise
Executive Director, WHS Compliance and Field Services
Workplace Health and Safety Queensland

By Email: [REDACTED]

Dear Peter,

Psychosocial Hazards created by CFMEU

Further to our correspondence dated 16 December 2023, our client has received the **attached** automated reply from Licensing and Advisory Services, at Workplace Health and Safety Queensland (**WHSQ**).

Based on that automated reply and a phone call made by a WHSQ team member on 19 December 2023, it would appear that no investigation will be conducted unless individual workers complete the Psychosocial Hazard Complaint Form. While that approach may be appropriate in some circumstances, respectfully, it is not appropriate in all circumstances nor should it be a prerequisite for WHSQ to monitor and enforce compliance with the Act.

Just as our client would be required to notify WHSQ of a situation where a contractor was performing work in a manner that exposed workers or any other person to a serious risk to that person's health or safety, emanating from an immediate or imminent exposure to the matters listed in section 37 of the Act, it has notified of the circumstances giving rise to a serious risk to workers psychological health and safety.

Prior to making the notification to WHSQ, our client attempted to 'control' the risk by demanding the removal of the false and misleading information published by the CFMEU, Queensland Branch on its Facebook and News Centre Website. Although the Facebook post has now been removed, the publication on CFMEU News Centre Website remains.

There are no further reasonably practicable steps our client can take to eliminate or minimise the risk posed by this false and misleading information.

As stated in our letter to the Mr Ravbar of the CFMEU on 16 December 2023 (a copy of which has previously been provided):-

- The CFMEU is a person conducting a business or undertaking (**PCBU**) within the meaning of section 5 of the Act.
- As a PCBU, the CFMEU owes a primary duty of care pursuant to section 19 of the Act to ensure, so far as is reasonably practicable, that the health and safety of other

persons is not put at risk from work carried out as part of the conduct of the business or undertaking.

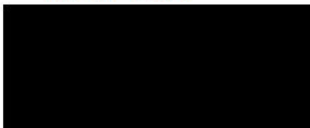
- Individuals employed by the CFMEU may also have obligations pursuant to sections 27 and 28 of the Act.

Given one of the Regulator's functions under section 152 of the Act is to monitor and enforce compliance with the Act, and the information presented as to suspected contraventions, it is appropriate those matters be investigated. It may also be appropriate for those investigating these matters to apply WHSQ's Compliance Monitoring and Enforcement Policy, and prohibit the activity of publishing false and misleading information that creates a serious risk to the health and safety of our client's workers and others (including the family of the deceased).

Would you please confirm this matter will be investigated?

We are of course happy to answer any questions or concerns you may have in the meantime.

Yours faithfully
HBA Legal



Damian Hegarty | Partner

D: [Redacted]

F: [Redacted]

E: [Redacted]

Damian Hegarty

From:

Subject:

FW: Psychosocial Hazard Complaint Form - reference number [REDACTED]

From: noreply@oir.qld.gov.au <noreply@oir.qld.gov.au>

Sent: Tuesday, December 19, 2023 10:05:55 AM

To: Daniel Frame <[REDACTED]>

Subject: Psychosocial Hazard Complaint Form - reference number [REDACTED]

You don't often get email from noreply@oir.qld.gov.au. [Learn why this is important](#)

Dear Daniel Frame,

Thank you for your time on the phone earlier.

Here is the link to the Psychosocial Hazard Complaint Form (Reference Number: [REDACTED]): [Please click here to complete the form.](#)

Please note, this link expires in 30 days from the date of this email. If you require additional time, please contact Workplace Health and Safety Queensland (WHSQ) on 1300 362 128.

As discussed, Workplace Health and Safety Queensland (WHSQ) can only deal with complaints that fall within the scope of the *Work Health and Safety Act 2011* (the WHS Act).

This means that WHSQ is unable to take action on complaints that fall outside the scope of the WHS Act. This includes:

- mediation between the workplace parties involved (the [Dispute Resolution Centre](#) can provide this service)
- providing legal advice ([Legal Aid Queensland](#) provide services that may be of assistance here)
- providing counselling (although we can connect you to suitable mental health services)
- ordering the employer or business (or other PCBU) to discipline a person alleged to be a source of harmful work behaviour, or to terminate their employment
- take sides
- issue an order to stop bullying behaviour or stop sexual harassment - the [Fair Work Commission](#) have powers to issue these orders if required, and

As outlined in [The role of Workplace Health and Safety Queensland in work-related psychosocial hazard complaints](#) document, an attempt should be made to resolve the complaint internally. Information regarding the outcome of this step should be included in your Psychosocial Hazard Complaint Form response. Please note that when there has been a request from a complainant to keep their identity anonymous, WHSQ will take every possible care not to disclose any information that may identify them. However, a person's identity may be disclosed, for example, through a right to information (RTI) request or if the matter is progressed to the Office of the Work Health and Safety Prosecutor (OWHSP) for prosecution.

If a complainant chooses to remain anonymous this will limit WHSQ's ability to address the specific nature of their complaint and the complainant will not receive feedback on any action taken by WHSQ.

WHSQ will be required to make relevant workplace parties aware of the detail raised in this complaint, and that the issue/s have been raised by the complainant.

Information on psychosocial hazards in the workplace can be found in the [Managing the risk of psychosocial hazards at work Code of Practice 2022](#).

The WHSQ website (www.worksafe.qld.gov.au) contains guidance information which may assist with the psychosocial hazards listed within this form. [Psychosocial hazards | WorkSafe.qld.gov.au](#)

You may wish to contact an organisation listed below for further information or support:

If your life is in danger, call emergency services on 000 or go to your local hospital emergency department.

Organisation	Website	Contact Number
Suicide Call Back Service	Suicide Call Back Service	1300 659 467
1300 MH CALL	A confidential mental health telephone triage service that provides the first point of contact to public mental health services to Queenslanders	1300 642 255
Lifeline Australia	Lifeline Australia - 13 11 14 - Crisis Support, Suicide Prevention	13 11 14
Beyond Blue Australia	Beyond Blue 24/7 Support for Anxiety, Depression and Suicide Prevention	1300 22 4636
Headspace	headspace.org.au	
Workers' Psychological Support Service	Workers' Psychological Support Service (wpss.org.au)	1800 370 732
Mates in Construction	www.mates.org.au	1300 MIC 111 (1300 612 111)
Working Women QLD	Working Women Qld - Supporting women for over 20 years - Basic Rights Queensland (brq.org.au)	1800 621 458
Open Minds	www.openminds.org.au	1300 673 664
SANE Australia	www.sane.org	1800 187 263
Women's Infolink	Women's Infolink Community support Queensland Government (www.qld.gov.au)	1800 177 577
MensLine Australia	Free help, referrals & counselling for men: MensLine Australia	1300 78 99 78

The following organisations may also be able to assist:

Organisation	Website	Contact Number
Legal Aid Queensland	Queensland Legal Aid Helping Queenslanders with their legal problems - Legal Aid Queensland	1300 65 11 88
JobWatch - Employment Rights Legal Centre	Home - JobWatch	1800 331 617
Queensland Human Rights Commission	QHRC : Queensland Human Rights Commission	1300 130 670
Fair Work Commission - Unfair Dismissal	Fair Work Commission Australia's national workplace relations tribunal (fwc.gov.au)	1300 799 675

If you have any further enquiries in relation to your complaint, please don't hesitate to contact Workplace Health and Safety Queensland on 1300 362 128.

This is an automatically generated email, please do not reply. If you have received this message in error please ignore this email.

Regards,
Licensing and Advisory Services
Workplace Health and Safety Queensland
Office of Industrial Relations
P: 1300 362 128
www.worksafe.qld.gov.au

The material provided in this response is intended as an information source only and is based upon the information you have outlined in your enquiry to Workplace Health and Safety Queensland. Workplace Health and Safety Queensland makes no statements, representations or warranties about the accuracy or completeness of any information contained in this response. It is guidance material only, and must be read in conjunction with the Work Health and Safety Act 2011, Work Health and Safety Regulation 2011, Electrical Safety Act 2002, Electrical Safety Regulation 2013, relevant Codes of Practice, and any other documents created by, or referenced by, the department relevant to its context. The information and data contained herein are subject to change without notice.

*The most important reason for making your workplace safe, is not at work at all. Work safe. **Home safe.***

For the latest information from Workplace Health and Safety Queensland please subscribe to [eSafe newsletters](#).

From: Damian Hegarty [REDACTED]
Sent: Monday, 11 March 2024 6:40 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: Website referencing BMD
Attachments: BMD - Letter to CFMEU Canberra.pdf; Urgent | BMD Facebook Post (254 KB); Urgent | BMD Facebook Post (276 KB)
Importance: High

Dear Zachary,

Please refer to our attached letter for your urgent attention.

Regards,

Damian Hegarty
Partner, HBA Legal

P [REDACTED]
M [REDACTED]
E [REDACTED]
W www.crawcolegal.com / www.hbalegal.com
A Level 23, 10 Eagle St Brisbane QLD 4000

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11 March 2024

Zachary Smith
Secretary
CFMEU ACT Branch

By Email: [REDACTED]

Copy to: [REDACTED]

Dear Zachary

URGENT – Immediate Removal of Website

We act for BMD Group (**our client**) and our client demands:

1. The immediate removal of the website <https://www.bmdtherealstory.com.au> (**the website**);
2. That the CFMEU do not publish (and immediately remove any previous publications of) any content that has been obtained while authorised representatives of the CFMEU exercised their rights as WHS permit holders;
3. That the CFMEU do not publish (and immediately remove any previous publications of) the false misleading information regarding the passing of a worker on 5 December 2023.

Contraventions

The website and material published therein:

1. Unequivocally demonstrate authorised representatives of the CFMEU have contravened section 91 of the *Occupational Health and Safety Act 2004* (Vic) (**OHS Act**) and section 148 of the *Work Health and Safety Act 2011* (Qld) (**WHS Act**) by using or disclosing information and documents obtained through your members exercising their rights as WHS permit holders.
2. Poses a psychosocial hazard. The CFMEU's has a duty to ensure, so far as is reasonably practicable, that the health and safety of other persons is not put at risk from work carried out as part of its undertaking pursuant to section 23 of the OHS Act and section 19 of the WHS Act. That duty has been breached in circumstances where the CFMEU has:
 - a. Published false and/or misleading statements on the website regarding the passing of a worker on 5 December 2023, causing distress to BMD workers who attempted to render assistance;

- b. Engaged in intimidatory conduct depicted in the videos published on the website;

We have previously raised the above issues, with the Queensland and Victorian Divisions of the CFMEU (correspondence **attached**). We repeat and rely on the matters raised in that correspondence.

By republishing this material on the website, you are personally involved in the contravention of section 148 of the WHS Act and are therefore taken to have personally contravened those obligations. To that end, section 256 of the WHS Act states:

256 Involvement in contravention treated in the same way as actual contravention

- (1) *A person who is involved in a contravention of a WHS civil penalty provision is taken to have contravened that provision.*
- (2) *A person is **involved in** a contravention of a civil penalty provision if, and only if, the person—*
- (a) *has aided, abetted, counselled or procured the contravention; or*
 - (b) *has otherwise induced the contravention, whether by threats or promises or otherwise; or*
 - (c) *has been in any way, by act or omission, directly or indirectly, knowingly concerned in or party to the contravention; or*
 - (d) *has conspired with others to effect the contravention.*

Demand

Our client demands you and the CFMEU:

1. immediately remove the website <https://www.bmdtherealstory.com.au> (**the website**);
2. do not publish (and immediately remove any previous publications of) any content that has been obtained while authorised representatives of the CFMEU exercised their rights as WHS permit holders;
3. do not publish (and immediately remove any previous publications of) the false misleading information regarding the passing of a worker on 5 December 2023.

Our client reserves all rights to commence proceedings against the individuals and organisations involved in the contraventions of the OHS Act and WHS Act and any other cause of action identified, without further notice to you. This letter may be tendered in court as evidence of your knowledge of the contraventions.

HBA Legal



Damian Hegarty | Partner

D: [Redacted]

F: [Redacted]

E: [Redacted]

From: Steve Thomas <[REDACTED]>
Sent: Tuesday, 9 December 2025 5:09 PM
To: Damian Hegarty
Subject: FW: Re training and other services
Attachments: Training Brief general nsw and qld 2024.docx

CAUTION: External email. Be careful clicking on links and opening attachments.



Steve Thomas
GENERAL MANAGER - HUMAN RESOURCES AND INDUSTRIAL RELATIONS
BMD GROUP
Email [REDACTED]
Mobile [REDACTED]
Phone [REDACTED]



The BMD Group acknowledges the Traditional Owners of the lands in which we operate and pay respect to Elders past, present and emerging.
Learn more about our [Reconciliation Action Plan](#).
Please consider the environment before printing this e-mail.

From: Steven Lovewell
Sent: Wednesday, 24 January 2024 8:42 AM
To: Steve Thomas
Subject: RE: Re training and other services

You don't often get email from [REDACTED]. [Learn why this is important](#)

Hi Steve
Thanks very much for meeting with me yesterday

As we chatted about – I have attached a training proposal which includes legislation and role plays and is a 4-5 hr session off site

As we talked about we can change this around and do sessions at site. I can also walk around sites and pick to pieces the site and run a session which would be the same cost as off site but this would be a walk for 2 – 3 hrs and a session for 2-3 hrs whatever makes up that time.

I can also be on hand for a phone standbye and we can talk about that if this is an option on a retainer.

Another service is just walking he site and talking to people looking at issues that are raised by unions and this is an hourly rate of \$250 per hr minimum 4 hrs

As I live in Sydney costs of travel would also be added unless we arrange when I am already here – or with another company that I would share costs.

Thanks again for your time yesterday

Cheers

Steven Lovewell
Director
SJ Lovewell & Assoc. Pty Ltd
Ph [REDACTED]
[REDACTED]

From: Steve Thomas <[REDACTED]>
Sent: Monday, January 22, 2024 11:33 AM
To: Steven Lovewell <[REDACTED]>
Subject: Re: Re training and other services

Excellent mate, 1 Sandpiper Ave Port of Brisbane, BMD office

From: Steven Lovewell <[REDACTED]>
Sent: Monday, January 22, 2024 11:31:19 AM
To: Steve Thomas <[REDACTED]>
Subject: RE: Re training and other services

You don't often get email from [REDACTED]. [Learn why this is important](#)

Ok lets do 2.30 tomorrow port of Brisbane

Senb me the address and I'll be there

From: Steve Thomas <[REDACTED]>
Sent: Monday, January 22, 2024 11:09 AM
To: Steven Lovewell <[REDACTED]>
Subject: RE: Re training and other services

Hi mate, just trying to line Dave moody up, he's pretty much fully booked this week, we could do 2.30pm out here at the Port of Brisbane tomorrow if that works for you?



Steve Thomas
General Manager - Human Resources and Industrial Relations
BMD Group

[REDACTED] | www.bmd.com.au
1 Sandpiper Ave Port of Brisbane Qld 4178
PO Box 197 Wynnum Qld 4178

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Learn more about our [Reconciliation Action Plan](#).
Please consider the environment before printing this e-mail.

From: Steven Lovewell <[REDACTED]>
Sent: Friday, 19 January 2024 5:45 PM
To: Steve Thomas [REDACTED]
Subject: Re: Re training and other services

You don't often get email from [REDACTED]. [Learn why this is important](#)

Hey mate definitely we can do Tuesday or Wednesday afternoon after 12.

Get [Outlook for Android](#)

From: Steve Thomas <[REDACTED]>
Sent: Friday, January 19, 2024 5:22:57 PM
To: Steven Lovewell <[REDACTED]>
Subject: RE: Re training and other services

Mate if you are in Brisbane Id try to catch up face to face, let me know your availability and ill see if I can get Dave Moody and Morgan as well



Steve Thomas
General Manager - Human Resources and Industrial Relations
BMD Group

[REDACTED] | www.bmd.com.au
1 Sandpiper Ave Port of Brisbane Qld 4178
PO Box 197 Wynnum Qld 4178

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Please consider the environment before printing this e-mail.

From: Steven Lovewell <[REDACTED]>
Sent: Friday, 19 January 2024 3:21 PM
To: Steve Thomas <[REDACTED]>
Subject: RE: Re training and other services

You don't often get email from [REDACTED]. [Learn why this is important](#)

Hi Steve
Hope you had a good Christmas

Next week I am flying to Brisbane Monday afternoon. Free in the morning for phone call. Do you want to meet face to face?

Steven Lovewell
Director
SJ Lovewell & Assoc. Pty Ltd
Ph [REDACTED]
[REDACTED]

From: Steve Thomas <[REDACTED]>
Sent: Thursday, January 18, 2024 8:45 PM

To: Steven Lovewell <[REDACTED]>
Subject: RE: Re training and other services

Hi mate,

There is some interest from our Urban SEQ business to look at on site support to assist with ROE.

Let me know when you free so I can arrange a time to chat with the GM of that business unit

cheers



Steve Thomas
General Manager - Human Resources and Industrial Relations
BMD Group

[REDACTED] | www.bmd.com.au
1 Sandpiper Ave Port of Brisbane Qld 4178
PO Box 197 Wynnum Qld 4178

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Please consider the environment before printing this e-mail.

From: Steven Lovewell <[REDACTED]>
Sent: Wednesday, 10 January 2024 7:20 AM
To: Steve Thomas <[REDACTED]>
Subject: RE: Re training and other services

Welcome back mate

No problems at all. Just let me know what I can do for you and we can make something happen if you wish

Cheers and have a great day

Steve

Steven Lovewell
Director
SJ Lovewell & Assoc. Pty Ltd
Ph [REDACTED]
[REDACTED]

From: Steve Thomas <[REDACTED]>
Sent: Tuesday, January 9, 2024 1:43 PM
To: Steven Lovewell <[REDACTED]>
Subject: RE: Re training and other services

Thanks mate, I got bac from leave yesterday it was a decent break this year, the extra week helps.

So far we haven't seen the cfmmeu this year however I expecting this will ramp up in the coming weeks.

Im just waiting on some of our operational teams to come back to me on how they wish to move forward.

Will be in touch mate

Thanks



Steve Thomas
General Manager - Human Resources and Industrial Relations
BMD Group

[REDACTED] | www.bmd.com.au
1 Sandpiper Ave Port of Brisbane Qld 4178
PO Box 197 Wynnum Qld 4178

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Please consider the environment before printing this e-mail.

From: Steven Lovewell <[REDACTED]>
Sent: Saturday, 30 December 2023 1:31 PM
To: Steve Thomas <[REDACTED]>
Subject: FW: Re training and other services

You don't often get email from [REDACTED]. [Learn why this is important](#)

Hi Steve

Hope you had a wonderful Christmas and New Year. Ours was very quiet – My wife worked – dam airlines and people wanting to travel lol.

Makes things easier I suppose to return to work ha-ha.

As we discussed on 20 December there are many changes in the industrial arena thanks to our wonderful government – including unions not having to produce permits when they wish to enter to assist HSR – this means any of the organsiers – even those that have lost permits can now enter your sites under the guise of assisting a HSR. There are of course controls, and they are not allowed to stop work etc – but this just gives them another reason to get on.

Also, as a brief introduction to me – Ex Qld P:olice Detective – then Federal Investigator for many years – 2004 joined the Australian Building and Construction Commission (was called building industry taskforce back then) and remained in this organisation for over 11 and half years resigning late 2015 to start my own company providing advice training and support to companies like yourself.

Since starting my own company I have helped many building companies and sub contract companies understand their rights and obligations under the relevant legislation in relation to:

- Right of entry
- Enterprise agreements – processes and pitfalls
- WHS – legislation, Codes of Practice
- Industgrial laws – sham contracting, payments, visa controls and licensing requirements re interstate to Qld

I have conducted industrial training which lasts up to 4 – 5 hrs depending on the questioning and knowledge of participants in NSW, Vic, ACT, Qld, SA. My clients include

- Meriton
- Mosaic
- Richard Crookes
- Buildcorp
- Adco
- Hansen Yunken
- Parkview
- BinGo Industries
- Westbourne
- Badge Constructions
- Minicom
- Broad Constructions

I have attached a training Brief for your perusal.

Basically the 1st step in training is to understand the rights and obligations of all parties when it comes to unions gaining access. This training is not designed to stop unions but rather to know what they can and cannot do. This gives power back to the site team , once they understand exactly what unions can do when they see an “Issue” that requires you to stop work and get people off eh site – for example – Fire hydrant not being charged on each of the required levels – therefore creating danger to workers and workers must get off the floor.

I explain why this and issues like this do not require stoppages and provide rulings by Federal Court Judges supporting the stance we should take.

The training is very real, using real life issues like above, and using my own experiences dealing with unions on site. Anoterh service I provide is “On-=Site” manpower – Basically this is a person on site 9 hrs a day 5 days a week to assist in dealing with union officials.

I am more than happy to chat some more and discuss what I can do to assist you.

Many thanks

Steven Lovewell

Director

SJ Lovewell & Assoc. Pty Ltd

Ph [REDACTED]
[REDACTED]

Legislation – Right of Entry Training Content

The purpose of this training package is to provide realistic practical introduction and support to requirements of all parties governing Union Entry to construction sites. Training is designed to assist site management to understand the obligations of ALL parties when utilizing legislation to gain entry to site.

Participants develop strategies on how to react or think in a particular situation and possible suggestive solutions for resolving the problem or analyzing the situation.

The training content covers the following, and can be tailored to the needs and situations of each matter.

1. Introduction to Legislation and right of entry particularly relating to the ABCC _ who they were and what we do?

- ABCC – what happens now they are gone?
- What legislation has changed?
- What legislation did the ABCC look after?
- What is legislation – Federal - State
- Which government departments administer the relevant legislation? Who do we call now?
- Work Health and safety act – (State by State)
- Fair Work Act
- What sections, areas are the most important for management to know
- How to find these
- Closing the loopholes – legislation changes

NB we do not go into the sections too much simply explaining what they mean

2. Explanation of requirements of:

- Unions
- Site management – with entry/providing safe work environment
- Sub contractors
- Some legislation involved but only to show that the requirements are law not a courtesy
- Use of white board during this time to show differences in table.
- Definitions – Permits/Permit Holders

3. Building Code 2016 –

- Do we have to comply with this now?
- What about drug and alcohol testing and WRMP?
- How does it impact companies?

4. New Codes introduced:

- Psychosocial code of practice
- Silica dust code of practice – to commence 1 May 2023

5. Use of role play/real life scenarios - These are to provide real practical examples of what happens on site and how to deal with variety of issues raised – to establish what rights are involved and what possible responses and actions to take based on legislation and reality to cope with the situation. They are based on the following themes

The discussions and role play scenarios are looking for the following:

1. Do they have the right under legislation to be on site or to do what they are doing?
2. What rights do they have (Unions, workers, principle contractors)?
3. What questions should be asked?
4. What procedures should be taken?
5. What immediate actions?
6. What follow up actions?
7. What documentation should be supplied?
8. What to do if no rights afforded?
9. How to deal with aggressive behaviour?

The role plays are good however they are used as "Brainstorming" sessions around the table. This is just as affective. The idea is to have real situations and have participants deal with these scenarios.

A power point presentation will be used if possible and the location supports this (in office area) however it certainly can be delivered without this. Training packs (folders) are provided which include:

- PowerPoints
- Scenarios
- Legislation
- Table of relevant legislation
- Samples of permits
- Right of entry checklist
- Right of entry step process
- Entry flow charts
- Building Code fact sheet

Costs

Training costs - \$2900 for in office including training material for 5 people – (you can have more people in a session – I recommend about 15 – 20 as maximum – this allows participation the only extra cost in

this scenario is for extra training manuals at \$20 each) 4 – 5 hrs – power point, role plays in depth training

Other costs include travel – Return airfare, transport to and from office, airport and accommodation. On occasions I may be able to have other clients request training at same time which reduces the travel costs to half each.

I don't charge for travel time as this is included in price.

From: Steve Thomas <[REDACTED]>
Sent: Friday, 23 January 2026 8:26 AM
To: Damian Hegarty
Subject: FW: QPS Application for Special Services
Attachments: QP 0023A - Application for Special Service.docx

CAUTION: External email. Be careful clicking on links and opening attachments.



Steve Thomas
GENERAL MANAGER - HUMAN RESOURCES AND INDUSTRIAL RELATIONS
BMD GROUP
Email [REDACTED]
Mobile [REDACTED]
Phone [REDACTED]



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www.bmdgroup.global

The BMD Group acknowledges the Traditional Owners of the lands in which we operate and pay respect to Elders past, present and emerging.

Learn more about our [Reconciliation Action Plan](#).

Please consider the environment before printing this e-mail.

From: Steve Thomas
Sent: Friday, 26 April 2024 9:54 AM
To: Tiffany Powell
Subject: FW: QPS Application for Special Services



Steve Thomas
General Manager - Human Resources and Industrial Relations
BMD Group

[REDACTED] | www.bmd.com.au
1 Sandpiper Ave Port of Brisbane Qld 4178
PO Box 197 Wynnum Qld 4178

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Learn more about our [Reconciliation Action Plan](#).

Please consider the environment before printing this e-mail.

From: [MajorEvents.BR\[BNE\]](mailto:MajorEvents.BR[BNE]<MajorEvents.BR@police.qld.gov.au>) <MajorEvents.BR@police.qld.gov.au>
Sent: Wednesday, April 24, 2024 11:22 AM
To: [REDACTED]; Steve Thomas <[REDACTED]>
Cc: Mt Ommaney.Station[SBD] <MountOmmaney.Station@police.qld.gov.au>
Subject: QPS Application for Special Services

You don't often get email from majorevents.br@police.qld.gov.au. [Learn why this is important](#)

Hi Gary and Steve,

Thanks for taking the time to come in today to discuss your CFMEU issues.

Attached is an Application for Special Services. Once completed, you should submit it to Mount.Ommaney.Station@police.qld.gov.au who will facilitate on their end (cc'd).

I've also emailed the Officer in Charge of both Mt Ommaney Station and Indooroopilly Stations to ensure they're aware of your ongoing issues.

Going forward, if you become aware of any planned protest activity by CFMEU, please send any available intel to MajorEvents.BR@police.qld.gov.au so we can assess it. We'll keep in touch with our CFMEU contacts to try and stay ahead of any larger protests going forward. However, as I'm sure you can appreciate, the CFMEU is not always engaging or forthcoming with the QPS, particularly with protest activity.

If there are any further questions, please let me know.

Ben



Ben TREZISE | Acting Sergeant | 26469
Protest Planning Officer
Brisbane Region Major Events Planning Unit
Brisbane City Station
North Brisbane District
Queensland Police Service

3258 2490
16 Mary Street, Brisbane, QLD 4000
[Redacted]
MajorEvents.BR@police.qld.gov.au

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QUEENSLAND POLICE SERVICE

APPLICATION FOR SPECIAL SERVICES

Financial Management Practice Manual

Division 4



QP 0023A
07/23
A1

**Applicants are to complete Sections 1 to 5 and sign this form.
Once completed—refer to Section 6 for forwarding instructions.**

Section 1	APPLICANT AND BUSINESS CONTACT DETAILS	
<i>*If same as business address write 'as above'.</i>	Family name: _____ Given name(s): _____	
	Company/Organisation: _____ ABN: _____	
	Position held: _____ Order/Contract no.: _____	
	Business address: _____	
	Suburb/Town: _____ State: _____ Postcode: _____	
	*Postal address: _____	
	Suburb/Town: _____ State: _____ Postcode: _____	
	Phone: _____ Fax: _____	
	Email: _____	
Section 2	DETAILS OF SPECIAL SERVICE REQUIRED	
<i>Wide Load, Road Closure or Special Event.</i> <i>Insert number of hours required per officer.</i> <i>Applicant to provide contact person name and details for duration of special service.</i>	Type of service: _____	
	From: _____ (Date) _____ (Time) To: _____ (Date) _____ (Time)	
	No. of police officers requested: _____ No. of hours per police officer: _____	
	Location commencing from: _____	
	Location terminating at: _____	
	Contact person: _____	
	Contact no.: _____	
	Description of service required: _____	
	Does the activity requiring QPS Special Service assistance present any hazards (i.e. chemicals, unusual environment etc)? If so, please list: _____	
	Are there any special requirements (PPE requirements, COVID Safe Industry Plans) that the Queensland Police Service need to follow? If so, what are the requirements: _____	
Section 3	PROVISIONS FOR PAYMENT	
<i>Payment terms.</i>	Type of payment: EFTPOS ☐ EFT ☐ Cash ☐ Cheque ☐	
	Payment terms:	
	3.1 Payment in full in advance must be made prior to the commencement of the special service unless prior arrangements exist between the customer and QPS. The QPS may retain the \$199.45 cancellation fee as an administrative cost recovery fee in the event of cancellation of the special service.	
	3.2 A late cancellation fee may also apply if the special service is not cancelled within a reasonable time prior to the commencement of the special service. The late cancellation fee shall apply in order to recover costs incurred by the QPS in circumstances where the police officer has already been deployed to commence the special service at the time of the cancellation. Notification must be given to the Officer in Charge of the police station, or establishment from where the special service is due to commence from .	
	3.3 Payment within 30 days from the date on the invoice is accepted for credit approved or established customers.	
	3.4 The charges for special services are determined by the actual resources deployed to perform the special service and may vary to the applicant's estimate at Section 2. Charges include the time travelled by police officers to and from their station/establishment and the location of the special service performed.	
	3.5 The Officer in Charge of a police station, establishment or one stop permit shop is responsible for determining the charges levied for the special service including any cancellation fees and recall to duty provisions, if applicable.	

Section 4	APPLICANT'S CHECKLIST	
	Checklist	
	4.1 I have completed Sections 1 to 5 of this application.	Yes ☐ No ☐
	4.2 I have read the provisions for payment as outlined in Sections 3.1 to 3.4 above.	Yes ☐ No ☐
	4.3 I have read the forwarding instructions outlined in Section 6 below.	Yes ☐ No ☐

Section 5	APPLICANT'S CERTIFICATION	
<i>This section must be completed by the applicant.</i>	<i>On behalf of the company/organisation recorded on this document, I hereby make application for the provision of 'special services' by the Queensland Police Service and undertake to pay in full all charges levied for this service in accordance with Section 3 of this application.</i>	
	Signature: _____	
	_____ (Name)	_____ (Date)

Section 6	FORWARDING INSTRUCTIONS
	6.1 Applications for wide load escorts are to be sent to: Brisbane — EMAIL: HVRPOPO@police.qld.gov.au
	6.2 All other applications are to be forwarded to your nearest police station.
	6.3 Following submission, it is the applicant's responsibility to verify the application has been received by the Queensland Police Service.
	6.4 The Queensland Police Service accepts no responsibility for applications not verified as being received by the Service.

Section 7	SCHEDULE OF FEES AND CHARGES—Effective 01/07/2023	
	Special services	Fee
	Police escorts, wide load escorts, road works traffic direction	\$162.00 per hr, per officer
	Police escorts, wide load escorts, road works traffic direction—public holiday	\$324.00 per hr, per officer
	Cancellation fee	\$199.45
	Mileage rates	Fee
	Police vehicles – per kilometre	\$1.18 per km, per vehicle
	Motorcycles – per kilometre	\$0.43 per km, per motorcycle
	Vessels: Outboard motor—less than 15 horsepower – per hour	\$24.50 per hr
	Outboard motor—not more than 50 horsepower – per hour	\$62.90 per hr
	Outboard motor—more than 50 horsepower – per hour	\$231.35 per hr
	Diesel inboard power – per hour	\$372.15 per hr
	Horse – per hour	\$9.40 per hr, per horse
	Stationary vehicles	Fee
	Police vehicles and motorcycles – per hour	\$30.95 per hr

Section 8	QPS USE ONLY	
	Lodged at: _____ (Police station)	_____ (Date)

Privacy Collection Statement

The Queensland Police Service (QPS) is collecting your information for the purpose of processing your application and recording and managing prescribed police services. The collection of this information is authorised by the *Police Service Administration Act 1990* (Qld). The information on this form will not be disclosed without your consent unless such use or disclosure is authorised or required by law, including the *Police Service Administration Act 1990* (Qld), the *Police Powers and Responsibilities Act 2000* (Qld) and the *Information Privacy Act 2009* (Qld). You have a right to access personal information that the QPS holds about you, subject to any exceptions in relevant legislation. If you wish to seek access to your personal information or inquire about the handling of your personal information, please contact Right to Information and Privacy by email at rti@police.qld.gov.au or by telephone (07) 3364 4666.