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

WITNESS STATEMENT OF DANIEL JAMES LEWIS

I, Daniel James Lewis, Structures and Fitout Supervisor employed by CPB Contractors Pty Ltd (**CPB**), swear:

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. I am currently a supervisor on Lot~~1~~3 of the Albert Street Precinct site in Brisbane on the Cross River Rail (**CRR**) Project. I commenced employment with CPB on 19 June 2023.

3. I have worked in the construction industry for approximately 15 years. My trade background is in carpentry. I started my trade in 2008 (residential) and completed it in 2011. Since that time, I have worked on a number of medium and large scale projects across a number of industries including Oil & Gas, Mining, Defence, Health, Justice & Education.

4. Prior to joining CPB, my professional experience included the following roles:

   (a) 2011 to 2017 – Formworker employed by Bechtel on the Curtis Island APLNG Project.

   (b) 2017 to 2021 – Foreman employed by FKG Group on projects in Kingaroy, Oakey and Roma.

   (c) 2021 to 2023 – Foreman employed by Hutchinson Builders, including on the Benevolent Living project in Rockhampton, work associated with the Mudgee Hospital project, defect and completion works on a number of projects, and remote construction work.

5. My qualifications include a Certificate 3 in Carpentry and a Certificate 4 in Building and Construction.

Role at the Albert Street Precinct

6. The Albert Street Precinct is one of the major construction sites forming part of the CRR Project. For construction and management purposes, the precinct was divided into Lots 1, 2 and 3 bound by Mary, Edward, Elizabeth and George Street in Brisbane City. The lots are divided as follows:

   (a) Lot 1 – Main station entrance;

   (b) Lot 2 – Tunnelling site; and

   (c) Lot 3 – Northern station entrance.

7. Mr James Maher, the site manager for Albert Street Precinct, has the overall responsibility for the site. Supervisors were allocated responsibility for particular lots,

work packages or disciplines, including structures, fitout, electrical and mechanical works.

8. When I commenced on the CRR Project, I worked with the structures team at Lot 3. My work involved supervising and coordinating structural construction activities.

9. As the structural works progressed and were completed, I was assigned to other duties. In approximately early 2025 (I cannot recall the precise date), I became a fitout supervisor at Lot 1, with responsibility for work areas extending from Basement Level 4 to Level 4.

10. My day-to-day responsibilities as a supervisor at the Albert Street Precinct include coordinating construction activities and trades, supervising subcontractor works, monitoring compliance with site requirements, and managing safety matters, including personal protective equipment and safe systems of work.

11. Most of the fitout work within my area is performed by subcontractors. Their supervisors report to me for the purpose of coordinating the works. On an ordinary day, approximately six subcontractor supervisors may report directly to me and I may have direct dealings with approximately 60 workers, leading hands and supervisors across the work fronts for which I am responsible.

12. My role is site-based. I need to be physically present at the work fronts to coordinate trades, resolve construction issues and supervise the work. If I cannot enter the site, my ability to perform my ordinary role is substantially limited.

Dealings with the CFMEU at Albert Street

13. I had the most frequent dealings with the following CFMEU delegates while I was working with the structures team at Lot 3, the Northern station entrance situated between Elizabeth and Charlotte Street:

    (a) Sean Korostovetz; and

    (b) Steven Amies.

14. Mr Korostovetz and Mr Amies were engaged after the safety reset meeting on 28 July 2023. They were employed by CPB as labourers but also performed delegate/HSR functions across the Albert Street Precinct.

15. Mr Korostovetz and Mr Amies generally moved around the site together. In my dealings with them, I found them abrasive and, at times, counterproductive to the performance of the works. Although they were employed as labourers, I rarely observed them performing ordinary labouring duties. I more commonly saw them moving between work areas and acting as representatives of the CFMEU. I also generally saw them wearing CFMEU-branded clothing rather than CPB clothing.

16. Mr Korostovetz and Mr Amies were not directly allocated to work under my supervision. However, because they acted across the Albert Street Precinct, I dealt with them when they attended work fronts within my area.

17. Mr Korostovetz and Mr Amies regularly raised matters which they described as safety concerns. During some periods, concerns were raised more than once a week.

18. Whenever a safety concern was raised, the relevant work was ordinarily paused so that the concern could be assessed. In my recollection, in approximately nine cases out of ten, the matter was assessed within about 15 to 20 minutes and no relevant or legitimate safety issue was identified. The work would then resume. The process nevertheless caused delay. Workers and supervisors had to stop productive work, inspect the area, review the applicable controls and explain the work method before the activity could recommence.

19. At times, Mr Korostovetz and Mr Amies did not first raise a concern with the responsible supervisor and allow it to be assessed. Instead, they would approach the subcontractor workforce and say words to the effect of, "*down tools*" or "*stop work*". The workers generally complied.

20. In my observation, they were more measured when a formal Health and Safety Representative walk was being conducted in the presence of CPB safety personnel and a supervisor. When there were fewer management personnel present, their manner could be more aggressive and the direction to stop work could be given without prior consultation.

21. One example occurred during stabilised-sand works at Lot 3. A concern was raised that a crane was lifting loads over workers and that people were underneath the suspended load. I believe Mr Korostovetz raised the issue on this day but I cannot recall this with certainty. However, I recall that the work was stopped prior to any consultation occurring about the particular issue. I was involved in reviewing the concern. The dogman was controlling the lift and the required exclusion and traffic controls were in place. I did not observe anyone beneath the load. After the work method and controls were reviewed, the work was permitted to continue.

22. In my view, repeated interruptions of that kind reduced productivity because time was spent investigating matters which, after assessment, often did not require any change to the work.

Recruitment of workers

23. I also observed CFMEU delegates seeking out new starters and other workers at Lot 3. At times, the delegates attended the area on successive days looking for a particular worker.

24. The workers being sought included new starters and persons who were said to have been members on an earlier project but had not paid union dues. The delegates carried union membership or sign-up documents and approached those workers about joining or renewing their membership.

25. Some of the new starters were young and had limited experience in the construction industry. I did not hear the precise representations made to them and I did not hear any express threat. However, the repeated pursuit of particular workers and the presentation of sign-up material appeared to me to place pressure on those workers to join the CFMEU.

Industrial Action

26. I recall two distinct periods of significant picketing and industrial activity at Albert Street in 2024. The first occurred around late April and early May 2024. The second occurred in around July 2024.

April and May 2024

27. During the first period, picketers established themselves at the entrances to the Albert Street site. In the first days, I was able to enter because I generally arrived before the picket line had fully formed.

28. The picket later operated on a 24-hour basis. At that time, the supervisors' site office was located inside the site perimeter. If I could not enter the site, I could not reach my office or perform my normal site-supervision duties.

29. When I approached the gate after the picket had formed, there were generally two persons positioned immediately in front of the outward-opening access door. They stood with their arms crossed and blocked the doorway. They did not grab, push or strike me. However, I could not open and pass through the doorway without physically forcing my way past them. I did not attempt to push past them because I did not want the situation to become violent. I withdrew and went to an off-site office.

30. A number of the picketers knew me by name and said words to the effect of, "*Dan, you're not going in today*".

31. I estimate that there were approximately 15 to 20 committed CFMEU picketers near the front of the picket line. There were also workers who had arrived for work but remained outside because they did not want to cross the picket line, which made the gathering appear larger.

32. I recognised Mr Korostovetz and Mr Amies among those involved. I also recognised a small number of other Albert Street workers, but many of the persons at the front of the picket were not workers whom I knew from the Albert Street site.

Industrial action on and around 16 July 2024

33. On 16 July 2024, I was working from an office near the Albert Street site. At approximately 5:11am, I returned from that office towards the Lot 1 personal access entrance with Murray Harris, Matt Anforth and Elliott Hamm.

34. A CFMEU picket had formed near the entrance. There were approximately seven or eight people associated with the picket, and a shade cover and barbecue had been set up nearby.

35. I did not recognise most of the persons at the front of the picket and did not understand them to be workers from Albert Street. One person used a mobile telephone to film me and the people walking with me as we approached and entered the site. Persons at the picket said words to the effect of, "*You're not going to cross the picket line*" and "*Stand with your brothers and sisters for better conditions and better rates*".

36. I did not experience any physical violence and I do not recall any express threat of violence being made to me or the people with me. We proceeded through the access door and entered the site.

37. The picketing continued for several days. On later occasions, I was unable to enter the site and returned to the off-site office in Mary Street. There was little useful site-supervision work I could perform from an office because my role required me to be at the work fronts.

CCTV Footage

38. I have been shown various clips of CCTV footage taken from the Albert Street site.

39. The first footage I have been shown commenced at approximately 5:11am on 16 July 2024 at the Lot 1 personal access entrance. It shows the following:

    (a) At 0:00, there are three men in orange Hi-Viz gear in the far right of the frame. At the front of the group is Mr Harris, on the rear right is Mr Anforth and I am on the rear left.

    (b) At 00:03, another man in orange Hi-Vis becomes visible in the far-right hand corner of the frame; this is Mr Hamm. John Wells is also in the group approaching the personal site access door which is the blue door on the far-left corner of the frame.

    (c) At about 00:09, Mr Amies enters the far-left hand corner of the frame. He is holding up his phone as a recording device.

    (d) At 0:10, the blue door is opened to a staircase. We climb that staircase to reach our site offices.

    (e) At about 00:21, Lyndon Hinrichsen and Johnny Geoghegan become visible in the far-right corner of the frame and approach the site entry door. Johnny Geoghegan is a Senior Project Engineer onsite.

    (f) At 00:30, a large man of Islander background, wearing a CFMEU hoodie and drinking from a disposable water bottle appears at the bottom left-hand side of the frame.

40. A copy of the footage is **Annexure DJL-01.**

41. The second footage I have been shown is from 30 April 2024. It shows the following:

    (a) At 00:04, Mr Aimes stands up.

    (b) At 00:06, Mr Tommy Williams is the person who put on his jacket. He was an employee of CPB, and I believe a member of the CFMEU.

    (c) At 00:15, Michael Fisher is identifiable, he stands up and is wearing a black cap. Mr Fisher was a CFMEU delegate employed by Rocktown (RTMWF Pty Ltd) on the CRR Project.

    (d) The other two individuals in the footage do not work on site. Their faces are covered.

    (e) At 01:20, a large man appears in frame; this is Mr Korostovetz.

42. A copy of the footage is **Annexure DJL-02.**

43. The third footage I have been shown is from 30 April 2024. It shows the following:

    (a) The woman in pink is Andre Hildreth, a delegate from Altus Traffic Management.

    (b) Mr Korostovetz appears.

(c) The other people in the footage have never worked on site.

44. A copy of the footage is **Annexure DJL-03.**

45. The last footage I have been shown is from 3:21am on 30 April 2024. It shows the following:

(a) In frame are subcontractors standing on the picket line waiting to access the site.

(b) At 00:13 Mr Korostovetz comes into frame.

(c) At 01:07, Mr Amies enters the frame wearing yellow Hi-Vis.

46. A copy of the footage is **Annexure DJL-04.**

Impact of CFMEU conduct

47. My overall impression of the picketing and some of my dealings with CFMEU personnel was that standover tactics and an intimidating demeanour were used to influence whether people entered the site or continued working.

48. The conduct added stress and complexity to an already demanding construction project. On some mornings, I did not know whether I would be able to enter the site and perform my job.

49. The stoppages and restrictions on access affected the progress of the project. If supervisors, subcontractors and workers could not reach the work fronts, the planned activities could not be completed and the project program was delayed.

50. The conduct also affected workforce morale. I spoke with workers who wanted to work and earn income for their families but felt unable or unwilling to cross a picket line.

51. I heard workers express concern that crossing a picket line could affect their future employment in the Brisbane construction industry.

52. In my opinion, the Albert Street site had high standards of safety and working conditions. I often did not understand why works were being stopped, particularly where the asserted safety concern was promptly assessed and found not to require corrective action.

I swear that the contents of this statement are true.

[redacted]

Si_____

Place: Brisbane. Date: 11/09/26

[redacted]

E_____tness)

CATHERINE MCLEOD

Full name of witness (please print)

☐ Justice of the Peace (JP No. _____)

☐ Notary public

☒ Lawyer

☐ Other authorised person (specify): _____