

Site Name	Date on Site	Status - Comments	Outcome Comments	Attachment Reference
Pinnacle South Perth	6/08/2015	Jaxon has been getting a lot of attention in the mornings from the CFMEU. So far there have been no breaches, but [REDACTED] has stated that they are becoming a nuisance and wasting his time.	[REDACTED] has already downloaded the phone app and is in the process of organising to talk to Police in case the CFMEU escalates activity.	Nil
	12/08/2015	Site Visit to Pinnacle Apartments in response to ENQ19285.	Site should be closely monitored due to the increased union attention Jaxon is receiving on its sites, especially this site.	<u>DOCID-110-27345</u> (attachment 1.1)
	16/10/2015	Follow-up visit to the site that has had issues with increased union activity. [REDACTED] met with Inv [REDACTED] and Senior Inv [REDACTED] in the off-site office and then escorted them on site to meet with [REDACTED] and 457 Visa Worker [REDACTED]. No new subcontractors have started work on the site since the previous visit.	In addition to conducting a site visit, s457 visa holder monitoring was conducted. [REDACTED] was identified on site as a s457 visa holder engaged by Reowest (Majica Pty Ltd). [REDACTED] confirmed that he was engaged in the correct occupation and for more money than the contract stipulated. [REDACTED] was very happy and had no issues of concern. Mr [REDACTED] has previously downloaded the app and has asked for fact sheets to be provided to all staff on the site. Continued monitoring of this site is required into the future due to increased union activity and the length of time the project has left until completion. Follow-up site visit in early 2016.	Nil
	29/10/2015	Inv [REDACTED] and Inv [REDACTED] visited site to discuss information received about a CFMEU run BBQ outside the front of the site that is going to occur the following morning (Friday - 30/10/2015).	Continued monitoring needs to occur on this site due to the increase in union activity.	Nil
Pinnacle South Perth Total = 4				
Bennett Lodge	22/07/2015	Requires first site visit. Had to reschedule from 12/05/15 due to lack of access to site office during set up for a concrete pour. Had to reschedule from 22/05/15 due to tower crane being erected and unsafe to enter site. Long discussion with [REDACTED] in regards to his rights and obligations on site following on from previous visits to assist [REDACTED] with issues at his previous site.	Site to be closely monitored due to recent activity occurring at other Jaxon sites. Site management have contacted Inv [REDACTED] in the past so any issues arising at the site FWBC will know about. A secondary visit should be conducted in late 2015 in either November or December. Discussed the Mobile App with both site managers who have downloaded the app.	Nil
	27/08/2015	Site visit stemming from ENQ19409 - Right of Entry visit by [REDACTED] and [REDACTED] of CFMEU providing workers with standard template agreements.	Site should be monitored closely in to the future with the heightened union activity surrounding Jaxon Construction sites.	Nil

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	13/10/2015	Secondary site visit. Due to the location of the site, the level of activity the builder has recently received and the receptive nature of the site management; a site visit every 4 months would be beneficial. Discussion held with [REDACTED] about a range of topics regarding industrial relations matters.	Mobile App and Fact Sheets have been provided to Site Management during previous visits to the site. Monitoring to occur on an ongoing basis with another site visit to be scheduled in early 2016.	Nil
Bennett Lodge Total = 3				
Lily Queens Riverside Apartments	6/02/2015	Follow-up site visit recommended	Site is progressing well, [REDACTED] overseeing this site and the adjacent Queens Riverside QII Apartments (Stage 4) site (BUI12039) which is to be handed over shortly. There have been some union enquiries, particularly by phone from the CFMEU ([REDACTED]), but no issues of any substance and the site is currently running ahead of schedule, although sourcing some materials from China may cause some delay to push the project back to the original schedule.	Nil
	5/08/2015	Follow up site visit, previous visit conducted in February 2015. Site visit conducted in response to phone call from [REDACTED] saying the officials were on site looking to perform right of entry for a safety issue.	Continued monitoring of the site would be necessary due to the level of activity that has occurred on the site.	Nil
Lily Queens Riverside Apartments Total = 2				
Holiday Inn Perth City Centre refurbishment	3/02/2015	Site is mostly a refurbishment so unlikely to attract union attention. Site is also approximately 100m from FWBC Perth office so will be under view every day.	Project is mostly a refurbishment of existing hotel with some new building works associated with the lobby and new bar area. Outside of hotel will also be fully repainted. At full capacity site will have approx. 40-50 workers. Site manager was absent when visited but lengthy discussion was had with [REDACTED]. Site will enforce strict RoE but is yet to receive any official notices or attempted entries. [REDACTED] of the CFMEU did stop at the site entrance one morning and speak with [REDACTED] about scope of project and which subcontractors would be onsite but no approach has come since. Refresher of RoE legislation provided along with copies of example permits and notices. Site office itself is located inside existing hotel on level 2. Associated subcontractors have been linked to site. Site induction processes reviewed and site walk conducted without issues found.	Nil
Holiday Inn Perth City Centre refurbishment Total = 1				

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South Bank South Perth	20/11/2015	First visit to the site after Union visits had occurred. [REDACTED] is in charge of her first site while [REDACTED] receives regular attention from union officials due to a court case pending for a previous site. Officials [REDACTED] and [REDACTED] were in attendance on the site as Inv [REDACTED] and [REDACTED] arrived, however they left shortly afterwards.	Site to be closely monitored in to the future due to the increased activity received by Jaxon Construction site in the area. [REDACTED] downloaded the app while [REDACTED] already had the app. Inv [REDACTED] sent an email to the [REDACTED] containing samples of permits that union officials need to have with them on site.	Nil
South Bank South Perth Total = 1				
Queens Riverside Qll Apartments (Stage 4)	6/02/2015	Site is nearing completion so no further site visits would be required.	Site is well ahead of schedule and has had its hand over date brought forward to March instead of July. No issues on site to report.	Nil
Queens Riverside Qll Apartments (Stage 4) Total = 1				
Victoria Quarter	26/10/2015	Visited the site on 26/10/2015. Senior Site Manager was away on leave however he has been involved in several site visits with FWBC previously. [REDACTED] and [REDACTED] had not been a part of a site visit with FWBC before and were involved in the meeting.	Site to be closely monitored due to Jaxon's increased attention from the CFMEU. A second site visit to the site has been scheduled for April next year but can be brought forward should there be the need to do so. During the meeting fact sheets were provided to the site management team and the app was discussed and both managers downloaded it at the time.	Nil
Victoria Quarter Total = 1				
Aldi Supermarket Kwinana	28/10/2015	First site visit to the site. [REDACTED] has been caught up in legal action taken by CFMEU against Jaxon Construction at Lily Queens Riverside so is well aware of rights and obligations.	[REDACTED] downloaded the app during the visit. Site to be visited early 2016 to ensure it is on time and budget and that no industrial issues have occurred on the site in the same manner as other Jaxon sites.	Nil
Aldi Supermarket Kwinana Total = 1				
Monarc on Harold Apartments	25/02/2015	Site appears to be very well run with particular attention to all Code obligations. [REDACTED] very well versed on ROE, FOA etc.	(blank)	Nil
Monarc on Harold Apartments Total = 1				
Total = 15				

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[REDACTED] [REDACTED] working for Jaxon Construction Pty Ltd (Jaxon) at Pinnacle Apartments Site (the Site) in South Perth phoned me (Inv. [REDACTED]) to inform that two officials from the CFMEU [REDACTED] and [REDACTED] had attended the Site to attempt to gain access for a Safety issue. [REDACTED] and [REDACTED] followed correct Right of Entry (RoE) procedure and allowed them on to discuss the issue.

Once the issue was resolved [REDACTED] and [REDACTED] were informed that their RoE had expired and they needed to leave. The two officials did not leave and started walking around the Site and picking up other minor issues on the Site.

[REDACTED] required assistance from FWBC immediately to help with the situation. I stated that I would attend the Site with [REDACTED] as soon as possible.

[REDACTED] and I arrived in a parking bay down the road from the Site around 2:25 p.m. and witnessed a CFMEU vehicle stationed a few bays in front. We attended the site office across the road from the Site and saw [REDACTED] walking over who motioned to go inside the Site around 2:30 p.m.

[REDACTED] reiterated what he had stated over the phone in regards to the officials attending the Site for a safety issue and then not leaving when being informed their RoE was completed. [REDACTED] said the officials were finishing up and he would get [REDACTED], Jaxon Safety Manager [REDACTED] and Jaxon Human Resources Manager [REDACTED] to have a meeting with us once the officials left the Site.

From inside the site office I witnessed [REDACTED] and [REDACTED] escorted off the Site by [REDACTED], [REDACTED] and [REDACTED] before they stopped on the site office side of the road and discussed between the two of them. This discussion lasted for about 5 minutes before the officials left the Site around 2:40 p.m.

The meeting with Jaxon Site Management began shortly thereafter. I took the following notes in regards to the discussion in the meeting:

- [REDACTED] attended the Site in the morning of 12 August 2015 and was refused entry as site management determined that [REDACTED] did not have a reasonable belief of a safety issue on the Site.
- [REDACTED] raised the issue of the footpath being obstructed for pedestrians around the Site after neighbours had complained; however this is a council issue and not an issue affecting workers.

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FILE NOTE

- [REDACTED] then discussed other issues with Site management in regards to traffic management during a recent concrete pour not being used. I had attended Site on that day and personally witnessed traffic management in effect.
- [REDACTED] stated that the Site was generally unsafe and that he would be back to obtain the documents that he requested to investigate a safety breach under Section 49(l)(vi) of the Industrial Relations Act 1979 (the IR Act).
- [REDACTED] attended the Site with [REDACTED] at 1:34 p.m. and initially walked up to speak to the Traffic Controller of the Site. [REDACTED] asked to see his driver's licence, which was refused by the Traffic Controller according to [REDACTED]. At 1:44 p.m. after a discussion with [REDACTED] in regards to the request for documents and safety issues on the Site the RoE for a safety issue was exercised.
- [REDACTED] escorted the officials to the site office to sign in to the visitor register and then escorted them on to the Site. [REDACTED] then called [REDACTED] at 1:54 p.m. in regards to the situation who made he was to the Site.
- The original issues that the officials used to exercise their RoE were in regards to the access and egress of the Site. [REDACTED] escorted the officials to the area and discussed the plan with them. Afterwards he escorted them through the crib areas and then informed them that the RoE had been completed and they were to leave the Site.
- [REDACTED] and [REDACTED] refused to leave the Site and discussed and [REDACTED] stated that they had a breach of Section 19.1 of the Occupational Safety and Health Act 1984 (the OSH Act).
- [REDACTED] stated that they needed to be more specific about the details of the suspected breach as that is a broad section of the OSH Act. If they were specific about the details of the suspected breach then Jaxon would be able to provide the specific documents pertaining to the issue, but would refuse the request of documents until this is done.
- [REDACTED] asked whether they found any new issues on the Site. [REDACTED] responded with 'a bit of everything; the Site is generally unsafe'.
- [REDACTED] and [REDACTED] then started walking around the Site and picking up other safety issues that they could see. They were reluctantly escorted by Jaxon Site Management who were explaining that the issues they were picking up were minor. The officials stayed on site for around 45 minutes in total.

After concluding the meeting with Jaxon Site Management, [REDACTED] informed them that we would be attending the Kensington Police Station as it is the nearest station to inform them of Right of Entry legislation and when it potentially becomes a trespass matter.

We left the Site around 3 p.m.

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