

IN THE DISTRICT COURT / I TE KŌTI Ā ROHE  
ROTORUA / TE ROTORUA-NUI-A-KAHUMATAMOMOE

CIV-2024-063-000364

**UNDER** THE LOCAL GOVERNMENT ACT 2002

**IN THE MATTER** of an application for an injunction to restrain commission  
of an offence under s162

**BETWEEN** ROTORUA DISTRICT COUNCIL

Applicant

**AND** ROTOKAKAHI BOARD OF CONTROL

First Respondent

**AND** PERSONS UNKNOWN

Second Respondents

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AFFIDAVIT OF ROSS DALLAWAY IN SUPPORT OF AN APPLICATION FOR AN  
INJUNCTION

Affirmed: 24<sup>th</sup> September 2024

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TOMPKINS | WAKE

Kate Cornegé (kate.cornege@tompkinswake.co.nz)

Westpac House  
Level 8  
430 Victoria Street  
PO Box 258  
DX GP 20031  
Hamilton 3240  
New Zealand  
Ph: (07) 839 4771  
tompkinswake.com

233086  
3477-0432-7727-V3

**AFFIDAVIT OF ROSS DALLAWAY IN SUPPORT OF AN APPLICATION FOR AN  
INJUNCTION**

I, **ROSS DALLAWAY**, of Rotorua, project manager at Fulton Hogan, affirm -

1. I am employed as a project manager for Fulton Hogan, Rotorua.
2. As part of my role, I am currently overseeing the installation of wastewater pipeline infrastructure along Tarawera Road.
3. The current worksite is situated on a section of Tarawera Road adjacent to Lake Rotokakāhi, where the pipeline is being installed under around 400 metres of Tarawera Road (the **worksite**). There are 1400 meters of drilling outstanding required to complete these works. One lane of Tarawera Road is closed and the worksite is fenced off with security fencing along the edge of the closed lane. Traffic management is also in place to control the one lane of the road that remains open.
4. As project manager, I regularly attend the worksite to assess the progress of the works. I therefore have direct knowledge of the facts and matters that are the subject of this application.
5. In this affidavit, I provide details of recent incidents involving protestors that I have witnessed while I have been at the worksite.

**Protests**

6. The week of 19 August 2024 was used by Fulton Hogan and its sub-contractors to establish the worksite and ensure safety protocols were set up. Fulton Hogan staff erected 800 metres of security fencing and facilitated the installation of CCTV cameras covering sections of the worksite.
7. During that week no drilling work was done. Fewer than 10 protestors consistently attended the worksite. The protestors that did attend erected banners and attached flags to roadside fencing and began clearing an area to the left of the boat ramp. Protestors have recently

begun erecting structures such as tents, a fire pit, and stands made of pallets in the area adjacent to the lake access ramp and on the landward side of Tarawera Road images of which are annexed to this affidavit and marked "A".

8. I did notice over the course of this week that whenever I would attend site there would be an influx in protestor vehicles arriving at the boat ramp. I believe they had identified me as someone in a managerial position and informed other protestors of when I attended site so that they could arrive and join the protest.
9. Ahead of the substantive works commencing on 26 August 2024 I was made aware via social media of a 'hikoi' planned by protestors on that same day along Tarawera Road. I discussed this with other Fulton Hogan staff and eventually decided to delay the works on 26 August to begin mid-day (after the hikoi had finished) as we considered it to be unsafe for workers to attend the site while the hikoi occurred.
10. It was reported to me that around 100 protestors had attended the hikoi, and that after works commenced around mid-day on 26 August 2024 the number of protestors that remained at the worksite into the evening was around 60 individuals.

### **Incidents**

11. I was not on site on 26 August 2024 to witness incidents that occurred first hand but have compiled incident reports referred to at paragraph 29 below which detail a number of incidents that occurred that evening.
12. Workers attended the worksite on 27 August 2024 to re-check gear and re-establish the site following the incidents described in the affidavit of Bayden James Neylon also filed in support of this application, the night before. No substantive drilling works were conducted on 27 August as efforts were focused on re-securing the site and preparing the site for works to re-commence the following day.

27 August 2024

13. On 27 August 2024, I arrived at the worksite at around 1pm. The purpose of my visit was to assess the status of the project and discuss progress with my colleagues and other subcontractors.
14. As I was walking along the worksite, two men (who were not Fulton Hogan employees or, as far as I could tell, employees of any of the subcontractors on site) were walking towards me.
15. I could see that the men were within the worksite and therefore in an unauthorised area. It appeared to me that both men were under the influence of alcohol because of the way they were walking and one of the men had an alcoholic drink in his hand.
16. As the men approached, I turned around and walked away from them to avoid a possible confrontation.
17. I immediately alerted a security guard to the presence of the men. I then saw the security guard walk over and talk to the two men. I then saw the men leave the worksite through a bush track.
18. These individuals we're captured on CCTV walking through the worksite, video of which is contained in a USB drive annexed to this affidavit and marked "B" and labelled "001". The footage is timestamped at 1:06pm on 27 August 2024.<sup>1</sup>
19. Around 15 minutes later (as I was walking back to my ute), another man approached me via the live traffic lane. The man began to shout at me through the security fence. He said that I was trespassing on his land and that what Fulton Hogan was doing was wrong.

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<sup>1</sup> Exhibited via a USB in accordance with rule 9.67(3) of the District Court Rules 2014 and *Davis v Hogg* [2024] NZHC 2621.



28 August 2024

20. I visited the worksite again on 28 August 2024 at around 10am.
21. The purpose of my visit that day was to ensure the drilling operation commenced in accordance with the plans and without incident. This involved a site walkover with staff to ensure that everyone understood the scope of work.
22. During my visit to the worksite, protestors rushed at the security fence (again crossing into the live traffic lane) and stood adjacent to where we were working. The protestors were shouting a lot of angry comments and saying that we were not to commence works. Some of the comments were directed at me personally. I knew this because the protestors were using my full name to address me. I then left the site.
23. Later that day I returned to the site at approximately 3pm to check on progress.
24. Upon my return, the protestors again rushed across the live lane to the fence and began to aim questions at me. It was at this point that the police asked me to leave the area to de-escalate matters.
25. It seems to me that protestors have identified me as a managerial member of the Fulton Hogan staff and are targeting my attendances at the worksite with increased activity. An example of one of these occasions where protestors had approached the worksite to question me was uploaded to social media and is contained in the USB annexed to this affidavit and marked "B" and labelled as "002".
26. This has led me to be unable to conduct my role as project manager as I am unable to access the worksite to supervise workers.

### Other Incidents

27. Further incidents have also been recorded on cameras we have set up at the worksite. CCTV footage contained in a USB and annexed to this affidavit marked "B" and labelled "003" shows several protestors, some holding flags, entering the worksite through an access gate. The footage is time stamped at 9:31 pm on 26 August 2024.
28. Protestors have also parked their vehicles in breach of the TTM plan along the lakeward side of Tarawera Road. I have witnessed protestor vehicles (usually concentrated around the entrance to the Lake Rotokakāhi boat ramp) parked in amongst cones (marked with no parking signs) delineating the open lane. Protestors freely exit their vehicles and cross the active lane to approach the worksite's fences, potentially blocking traffic and creating risk for the public using the roadway and workers operating vehicles in and around the worksite. These breaches of the TTM plan are captured in a social media video, which I have sighted, and is also contained in the USB annexed to this affidavit marked "B" and labelled "004".

### Incident reports

29. I have compiled incident reports filled out by staff and contractors on site. Redacted versions of these reports are attached to this affidavit and marked "C". Personal details of the workers who filled out the reports have been redacted due to workers' concerns for their health and safety should their details be published alongside this application. Given the nature of the incidents reported to me I do not consider these concerns to be unfounded.
30. I have read the reports and corroborate their contents as the truth where I have knowledge of specific incidents (my reports are marked as FH12 and FH13 in the redacted report register marked C), and in my experience of these incidents described in the paragraphs above.

**Injunction**

31. The above incidents have prevented the safe completion of the project and the increasingly aggressive efforts to disrupt the works by the protestors have put Fulton Hogan workers at risk. The works are therefore currently on hold on advice from the Rotorua Police so that additional steps can be taken.
32. In my opinion, the manner in which the protest is continuing is interfering with works and presents an ongoing risk to Fulton Hogan staff and subcontractors.
33. I therefore believe that an injunction is necessary in order to allow works to proceed and for our workers to be appropriately protected.

Signature of Deponent:

**ROSS DALLAWAY**

**Affirmed** by the abovenamed **ROSS DALLAWAY** at  
this 24<sup>th</sup> day of September 2024 before me:



Tracey O'Brien  
Deputy Registrar  
District Court of New Zealand

**A Solicitor of the High Court of New Zealand**



"A"



EXHIBIT NOTE

This is the annexure marked "A" referred to in the affidavit of **ROSS DALLAWAY** affirmed at Rotorua this 23<sup>rd</sup> day of September 2024 before me:

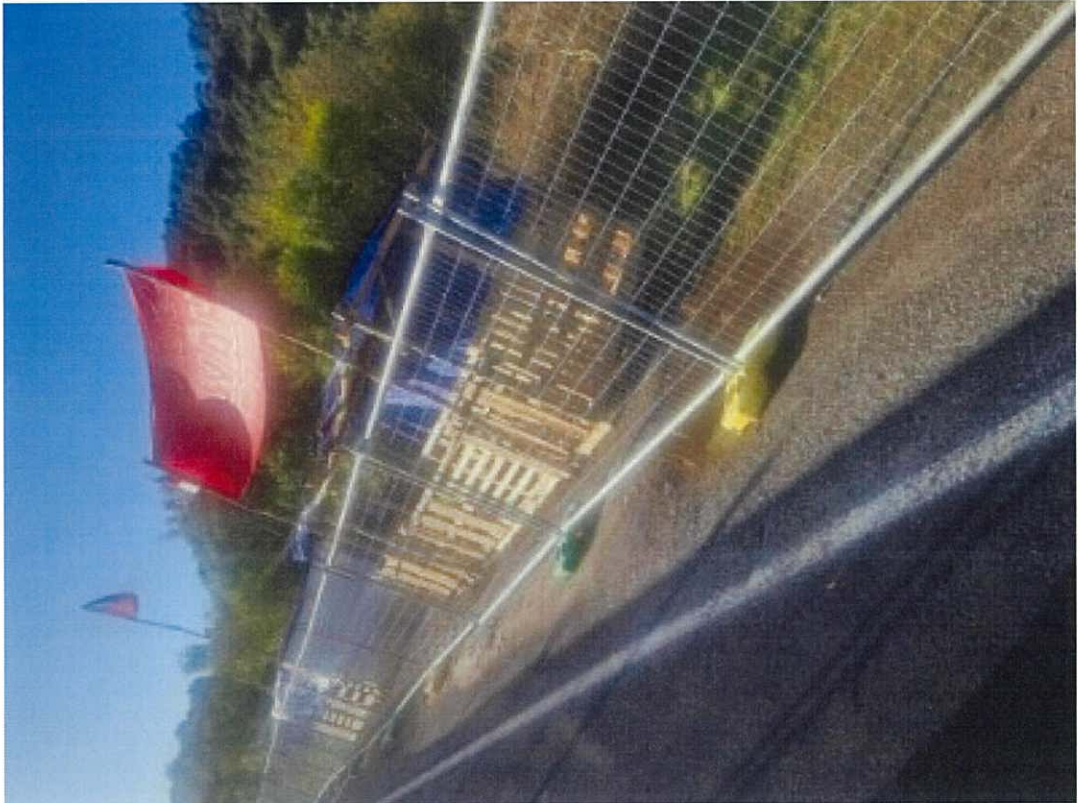
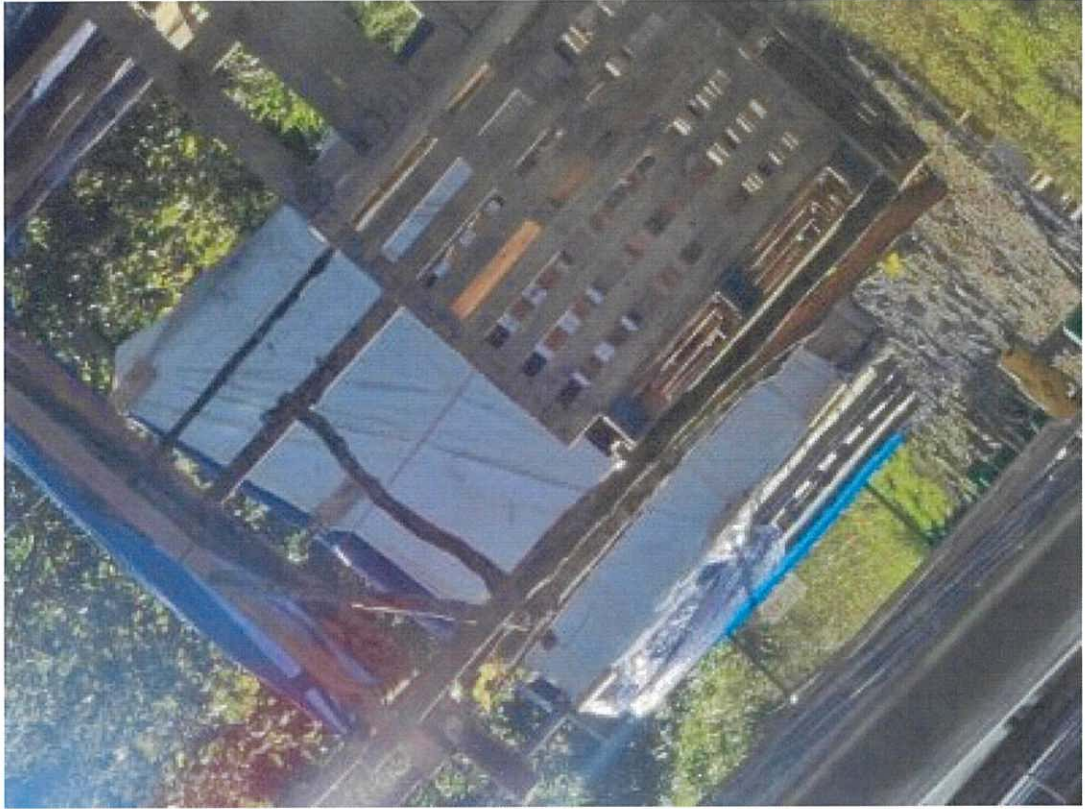
Tracey O'Brien

Deputy Registrar

Disputes Registrar  
District Court of New Zealand

A solicitor of the High Court of New Zealand





**EXHIBIT NOTE**

This is the USB marked "B" referred  
to in the affidavit of **ROSS DALLAWAY**  
affirmed at *Rotong* this *24* day of September 2024, before me:

*[Signature]*  
Tracey O'Brien  
Deputy Registrar  
District Court of New Zealand

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A Solicitor of the High Court of New Zealand





EXHIBIT NOTE

This is the annexure marked "C" referred to in the affidavit of ROSS DALLAWAY affirmed at

Rotorua this 27<sup>th</sup> day of September 2024 before me:

Deputy Registrar  
District Court of New Zealand

Signature.....

A solicitor of the High Court of New Zealand

"C"

Green Lake Incident Register

| Date       | Time    | Incident Description   | Reported Date | Reported Time | Reported By   | FH Reference | Police Reference | Follow-up by Police - RLC |
|------------|---------|--|---------------|---------------|---------------|--------------|------------------|---------------------------|
| 15/08/2024 | 12:22PM | Verbal abuse   | 16/08/2024    | 10:01 am      |               | FH01         |                  |                           |
| 26/08/2024 | 5:15 pm | Verbal abuse & intimidation  | 26/08/2024    | 6:00 pm       |               | FH02         | P059769337       |                           |
| 26/08/2024 | 7:30 pm | Death threats with a firearm   | 27/08/2024    | 9:30 pm       | Neylon        | FH03         | P059769337       |                           |
| 26/08/2024 | 7:30 pm | Intimidating behaviour, not allowing staff to leave site                         | 27/08/2024    | 9:30 pm       | Baden Neylon  | FH04         | P059769337       |                           |
| 26/08/2024 | 8:30 pm | Entering enclosed work area. Obstructing access to site                          | 27/08/2024    | 9:30 pm       |               | FH05         | P059769337       |                           |
| 26/08/2024 | 9:00 pm | Verbal abuse & intimidation  | 27/08/2024    | 9:30 pm       |               | FH06         | P059769337       |                           |
| 26/08/2024 | 9:00 pm | Entering enclosed work area, refusing to leave, inability to commence operations | 27/08/2024    | 9:30 pm       |               | FH07         | P059769337       |                           |
| 26/08/2024 | 7:00 pm | Spotlights blinding excavator operator   | 27/08/2024    | 9:30 pm       |               | FH08         | P059769337       |                           |
| 26/08/2024 | 7:30 pm | Verbal abuse & intimidation  | 27/08/2024    | 9:30 pm       |               | FH09         | P059769337       |                           |
| 26/08/2024 | 9:30 pm | Public breaching enclosed site and seeking confrontation                         | 27/08/2024    | 9:30 pm       | Baden Neylon  | FH10         | P059769337       |                           |
| 26/08/2024 | 7:00 pm | Tampering with operational equipment more than once                              | 27/08/2024    | 9:30 pm       | Baden Neylon  | FH11         | P059769337       |                           |
| 27/08/2024 | 1:08 pm | Entering work site under the influence of alcohol                                | 27/08/2024    | 1:40 pm       | Ross Dallaway | FH12         |                  |                           |
| 27/08/2024 | 1:16 pm | Verbal abuse   | 27/08/2024    | 1:40 pm       | Ross Dallaway | FH13         |                  |                           |
| 27/08/2024 | 1:38 pm | Public breaching enclosed site   | 28/08/2024    | 7:30 am       |               | FH14         |                  |                           |
| 27/08/2024 | 3:00 pm | Vehicle Confrontation  | 28/08/2024    | 1:00 pm       |               | FH15         |                  |                           |
| 28/08/2024 | 4:00 pm | Equipment struck whilst in use   | 28/08/2024    | 4:00 pm       |               | FH16         |                  |                           |
|            |         |  |               |               |               | FH17         |                  |                           |
|            |         |  |               |               |               | FH18         |                  |                           |
|            |         |  |               |               |               | FH19         |                  |                           |
|            |         |  |               |               |               | FH20         |                  |                           |
|            |         |  |               |               |               | FH21         |                  |                           |
|            |         |  |               |               |               | FH22         |                  |                           |
|            |         |  |               |               |               | FH23         |                  |                           |
|            |         |  |               |               |               | FH24         |                  |                           |
|            |         |  |               |               |               | FH25         |                  |                           |
|            |         |  |               |               |               | FH26         |                  |                           |
|            |         |  |               |               |               | FH27         |                  |                           |
|            |         |  |               |               |               | FH28         |                  |                           |
|            |         |  |               |               |               | FH29         |                  |                           |
|            |         |  |               |               |               | FH30         |                  |                           |
|            |         |  |               |               |               | FH31         |                  |                           |
|            |         |  |               |               |               | FH32         |                  |                           |
|            |         |  |               |               |               | FH33         |                  |                           |
|            |         |  |               |               |               | FH34         |                  |                           |
|            |         |  |               |               |               | FH35         |                  |                           |
|            |         |  |               |               |               | FH36         |                  |                           |
|            |         |  |               |               |               | FH37         |                  |                           |
|            |         |  |               |               |               | FH38         |                  |                           |
|            |         |  |               |               |               | FH39         |                  |                           |
|            |         |  |               |               |               | FH40         |                  |                           |
|            |         |  |               |               |               | FH41         |                  |                           |
|            |         |  |               |               |               | FH42         |                  |                           |
|            |         |  |               |               |               | FH43         |                  |                           |
|            |         |  |               |               |               | FH44         |                  |                           |
|            |         |  |               |               |               | FH45         |                  |                           |
|            |         |  |               |               |               | FH46         |                  |                           |
|            |         |  |               |               |               | FH47         |                  |                           |
|            |         |  |               |               |               | FH48         |                  |                           |
|            |         |  |               |               |               | FH49         |                  |                           |
|            |         |  |               |               |               | FH50         |                  |                           |



| Green Lake Incident Witness Report   |                               |              |                           |
|--|-------------------------------|--------------|---------------------------|
| Date of Incident :   |                               | 21/08/2024   | Time of incident: 12:22pm |
| Witness Name:  |                               |              |                           |
| Contact Number :   |                               |              |                           |
| Address of Witness:  |                               |              |                           |
| F  |                               |              |                           |
| BOP 3189   |                               |              |                           |
| DOB :  |                               |              |                           |
| Organisation:  |                               | Fulton Hogan |                           |
| FH Register Reference:   |                               |              | FH01                      |
| Other Witnesses (Other witnesses to complete separate report):   |                               |              |                           |
|  |                               |              |                           |
| Description of Incident:   |                               |              |                           |
| Member of public was walking past site and stopped, making numerous comments loud enough for us to hear from across the road; " disrespectful we were taking over their land / campsite belongs to them, need more than fences". Security alarm on camera sounded, comments made " you will need more than that" He then continued to advised that we were planning to steal land back. Security deescalated situation and he left the vicinity. |                               |              |                           |
| Offender(s) details  | N/A                           |              |                           |
| Male / Female :  | Male                          |              |                           |
| Approx Age:  | Late 20'2 arly 30's           |              |                           |
| Known Name:  | N/A                           |              |                           |
| Other Identifying Features :   | Mongrel Mob, red hat, tattoos |              |                           |
| Vehicle Registration:  | N/A                           |              |                           |
| Evidence Taken :   | N/A                           |              |                           |
| Other :  |                               |              |                           |
| Action Taken by Witness:   |                               |              |                           |
| Didn't engage , continued with task at hand  |                               |              |                           |
| Action Taken by 3rd Party:   |                               |              |                           |
| Security deescalated, told him we are all just doing our jobs and to pass concerns onto council.   |                               |              |                           |

| Green Lake Incident Witness Report   |  |
|--|--|
| Date of Incident :   | #####  |
| Time of incident:  | 5:15pm   |
| Witness Name:  |  |
| Contact Number :   |  |
| Address of Witness :   |  |
|  |  |
| DOB :  |  |
| Organisation:  | Fulton Hogan   |
| FH Register Reference:   | FH02   |
| Other Witnesses (Other witnesses to complete separate report):   |  |
| 2x UUL staff. 2x FH staff  |  |
|  |  |
| Description of Incident:   |  |
| <p>We were walking through the site explaining to the drilling team what was to be completed. A member of the public was walking down the road and started to tell our team to "piss off" and "that we had no right to be here". He also stated that we should look out cause the whanau were on their way. We then found out that the same individual had entered our work area and started to question our welding contractor about numerous things. 20 minutes later when we were back down at the drill end of the site, the same individual came down and was pacing up and down the road voicing his opinions about our operation and that were "tapu" (cursed).. The individual was hard to distinguish as he was wearing orange hi viz clothing.</p> |  |
| Offender(s) details  |  |
| Male / Female :  | Male Maori   |
| Approx Age:  | mid/late 40's  |
| Known Name:  | Unknown  |
| Other Identifying Features :   | Wearing a hi-viz vest with Safety First on the tail end of his vest. |
| Vehicle Registration:  | -  |
| Evidence Taken :   | -  |
| Other :  | The individual was drinking a bottle of Waikato beer                 |
|  |  |
| Action Taken by Witness:   |  |
| <p>Kept our distance, didn't interact with the individual other than a couple of polite responses.</p>   |  |
|  |  |
| Action Taken by 3rd Party:   |  |
| <p>N/A</p>   |  |



| Green Lake Incident Witness Report                             |  |                   |                    |
|--|--|-------------------|--------------------|
| Date of Incident :   | 26/08/2024   | Time of Incident: | 1930 Approximately |
| Witness Name:  | Boden Neylon   |                   |                    |
| Contact Number :   | [REDACTED]   |                   |                    |
| Address of Witness :   | [REDACTED]   |                   |                    |
| DOB :  | [REDACTED]   |                   |                    |
| Organisation:  | Universal Underground  |                   |                    |
| FH Register Reference:   | FH03   |                   |                    |
| Other Witnesses (Other witnesses to complete separate report): | [REDACTED]   |                   |                    |
| Description of Incident:                                       | Establishing red boxes on site and overheard a protector saying he felt like grabbing his shotgun and start blasting us. |                   |                    |
| Offender(s) details  | -  |                   |                    |
| Male/ Female :   | -  |                   |                    |
| Approx Age:  | -  |                   |                    |
| Known Name:  | -  |                   |                    |
| Other Identifying Features :                                   | -  |                   |                    |
| Vehicle Registration:  | -  |                   |                    |
| Evidence Taken :   | -  |                   |                    |
| Other :  | -  |                   |                    |
| Action Taken by Witness:                                       | -  |                   |                    |
| Action Taken by 3rd Party:                                     | -  |                   |                    |



| Green Lake Incident Witness Report                             |   |
|--|---|
| Date of Incident :   | 26/08/24  |
| Time of Incident:  | 2030-2200   |
| Witness Name:  | Briden Newton   |
| Contact Number :   | [REDACTED]  |
| Address of Witness :   | [REDACTED]  |
| DOB :  | [REDACTED]  |
| Organisation:  | WUL   |
| FH Register Reference:   | FH04  |
| Other Witnesses (Other witnesses to complete separate report): | [REDACTED]  |
| Description of Incident:                                       | Boxed in onsite with no means to safely get out to use sat phone to call for help. Reception was bad onsite itself. No communication to outside world |
| Offender(s) details  | Multiple people   |
| Male / Female :  | -   |
| Approx Age:  | -   |
| Known Name:  | -   |
| Other Identifying Features :                                   | -   |
| Vehicle Registration:  | -   |
| Evidence Taken :   | -   |
| Other :  | -   |
| Action Taken by Witness:                                       | [REDACTED]  |
| Action Taken by 3rd Party:                                     | [REDACTED]  |



Green Lake Incident Witness Report

|                      |            |                   |             |
|----------------------|------------|-------------------|-------------|
| Date of Incident :   | 26/08/24   | Time of Incident: | 2030 - 2100 |
| Witness Name:        | [REDACTED] |                   |             |
| Contact Number :     | [REDACTED] |                   |             |
| Address of Witness : | [REDACTED] |                   |             |

|  |   |
|--|---|
| DOB :  | [REDACTED]                              |
| Organisation:  | UUL                                     |
| FH Register Reference:   | FH05                                    |
| Other Witnesses (Other witnesses to complete separate report): | Baden, [REDACTED] [REDACTED] [REDACTED] |

Description of Incident:

Walked behind our water truck as we were reversing into position on site. Breached into enclosed worksite - leaning on fencing to push it onto the truck doors.

|                              |   |
|------------------------------|---|
| Offender(s) details          |   |
| Male / Female :              |   |
| Approx Age:                  | - |
| Known Name:                  | - |
| Other Identifying Features : | - |
| Vehicle Registration:        | - |
| Evidence Taken :             | - |
| Other :                      | - |

Action Taken by Witness:

[REDACTED]

Action Taken by 3rd Party:

[REDACTED]



Green Lake Incident Witness Report

|                      |            |                   |                       |
|----------------------|------------|-------------------|-----------------------|
| Date of Incident :   | 26/08/24   | Time of incident: | <del>11:00</del> 2:00 |
| Witness Name:        | [Redacted] |                   |                       |
| Contact Number :     | [Redacted] |                   |                       |
| Address of Witness : | [Redacted] |                   |                       |

|  |                               |
|--|-------------------------------|
| DOB :  | [Redacted]                    |
| Organisation:  | UUC                           |
| FH Register Reference:   | FH06                          |
| Other Witnesses (Other witnesses to complete separate report): | [Redacted] Burden, [Redacted] |

Description of Incident:

Whilst breached into our work site multiple threats that "some thing bad would happen to us occurred if we turned the drill on" and/or put rods into the ground. Threatened that another 100+ people were on the way and that we would be in deep trouble.

|                              |   |
|------------------------------|---|
| Offender(s) details          |   |
| Male / Female :              | - |
| Approx Age:                  | - |
| Known Name:                  | - |
| Other Identifying Features : | - |
| Vehicle Registration:        | - |
| Evidence Taken :             | - |
| Other :                      |   |

Action Taken by Witness:

-

Action Taken by 3rd Party:

-



Green Lake Incident Witness Report

|                      |            |                   |              |
|----------------------|------------|-------------------|--------------|
| Date of Incident :   | 26/03/24   | Time of incident: | 2100 onwards |
| Witness Name:        | [REDACTED] |                   |              |
| Contact Number :     | [REDACTED] |                   |              |
| Address of Witness : | [REDACTED] |                   |              |

|  |   |
|--|---|
| DOB :  | [REDACTED]                                |
| Organisation:  | WUL                                       |
| FH Register Reference:   | FH07                                      |
| Other Witnesses (Other witnesses to complete separate report): | [REDACTED], Baden, [REDACTED], [REDACTED] |

Description of Incident:

Breached our site and blocked staff in impeding work from continuing. Security guards were only barrier between us and them. Refused to get back behind barriers when asked repeatedly.

|                              |   |
|------------------------------|---|
| Offender(s) details          |   |
| Male / Female :              | - |
| Approx Age:                  | - |
| Known Name:                  | - |
| Other Identifying Features : | - |
| Vehicle Registration:        | - |
| Evidence Taken :             | - |
| Other :                      | - |

Action Taken by Witness:

-

Action Taken by 3rd Party:



|                                    |            |
|------------------------------------|------------|
| Green Lake Incident Witness Report |            |
| Date of Incident :                 | 26/08/2024 |
| Time of incident:                  | 1900       |
| Witness Name:                      | [REDACTED] |
| Contact Number :                   | [REDACTED] |
| Address of Witness :               | [REDACTED] |

|  |               |
|--|---------------|
| DOB :  | 55 [REDACTED] |
| Organisation:  | WIL           |
| FH Register Reference:   | FH 08         |
| Other Witnesses (Other witnesses to complete separate report): |               |
| [REDACTED] [REDACTED] Backen, [REDACTED]                       |               |

|  |  |
|--|--|
| Description of Incident:   |  |
| <p>While operating digger to start breaking ground, protestors were shining very bright spot lights in operators eyes which presented a risk to injury to spotter.</p> |  |

|                              |   |
|------------------------------|---|
| Offender(s) details          |   |
| Male / Female :              |   |
| Approx Age:                  | - |
| Known Name:                  | - |
| Other Identifying Features : | - |
| Vehicle Registration:        | - |
| Evidence Taken :             | - |
| Other :                      | - |

|                          |  |
|--------------------------|--|
| Action Taken by Witness: |  |
| -                        |  |

|                            |  |
|----------------------------|--|
| Action Taken by 3rd Party: |  |
| -                          |  |



Green Lake Incident Witness Report

|                      |            |                   |             |
|----------------------|------------|-------------------|-------------|
| Date of Incident :   | 26/08/24   | Time of Incident: | 1930 - 2200 |
| Witness Name:        | [REDACTED] |                   |             |
| Contact Number :     | [REDACTED] |                   |             |
| Address of Witness : | [REDACTED] |                   |             |

|  |                              |
|--|------------------------------|
| DOB :  | [REDACTED]                   |
| Organisation:  | UML                          |
| FH Register Reference:   | FH 09.                       |
| Other Witnesses (Other witnesses to complete separate report): | [REDACTED] Baden, [REDACTED] |

Description of Incident:

Getting intimidated by a protector who waited for staff walking back to sites parked <sup>just</sup> outside active worksite. Thurling verbal abuse

|                              |   |
|------------------------------|---|
| Offender(s) details          |   |
| Male / Female :              |   |
| Approx Age:                  | - |
| Known Name:                  | - |
| Other Identifying Features : | - |
| Vehicle Registration:        | - |
| Evidence Taken :             | - |
| Other :                      | - |

Action Taken by Witness:

-

Action Taken by 3rd Party:

-



Green Lake Incident Witness Report

|                      |               |                   |      |
|----------------------|---------------|-------------------|------|
| Date of Incident :   | 26/08/24      | Time of incident: | 2130 |
| Witness Name:        | Borden Newton |                   |      |
| Contact Number :     | [REDACTED]    |                   |      |
| Address of Witness : | [REDACTED]    |                   |      |

|  |            |
|--|------------|
| DOB :  | [REDACTED] |
| Organisation:  | UML        |
| FH Register Reference:   | FH 10      |
| Other Witnesses (Other witnesses to complete separate report): | [REDACTED] |

Description of Incident:

- Kaumatua barged in with around ~~at~~ at least 10 people behind him onto site and demanded confrontation with supervisor on site whilst people recorded us. People hurling abuse.

|                              |   |
|------------------------------|---|
| Offender(s) details          |   |
| Male / Female :              |   |
| Approx Age:                  | ? |
| Known Name:                  | - |
| Other Identifying Features : | - |
| Vehicle Registration:        | - |
| Evidence Taken :             | - |
| Other :                      | - |

Action Taken by Witness:

-

Action Taken by 3rd Party:

-



Green Lake Incident Witness Report

|                      |              |                   |             |
|----------------------|--------------|-------------------|-------------|
| Date of Incident :   | 24/08/24     | Time of Incident: | 1900 - 2200 |
| Witness Name:        | Kaden Newlon |                   |             |
| Contact Number :     | [REDACTED]   |                   |             |
| Address of Witness : | [REDACTED]   |                   |             |

|  |                                  |
|--|----------------------------------|
| DOB :  | [REDACTED]                       |
| Organisation:  | ULL                              |
| FH Register Reference:   | FH 11                            |
| Other Witnesses (Other witnesses to complete separate report): | [REDACTED] [REDACTED] [REDACTED] |

Description of Incident:

Subotaging tower light by pulling wires out and hitting kill switch. Happened over 3 times once they had breached and encroached into our worksite.

|                              |          |
|------------------------------|----------|
| Offender(s) details          |          |
| Male / Female :              |          |
| Approx Age:                  | Mid 20's |
| Known Name:                  | -        |
| Other Identifying Features : | -        |
| Vehicle Registration:        | -        |
| Evidence Taken :             | -        |
| Other :                      | -        |

Action Taken by Witness:

[REDACTED]

Action Taken by 3rd Party:

[REDACTED]



| Green Lake Incident Witness Report  |                                |                   |       |
|---|--------------------------------|-------------------|-------|
| Date of Incident :  | 27/08/2024                     | Time of incident: | 13:08 |
| Witness Name:   | Ross Dallaway                  |                   |       |
| Contact Number :  | [REDACTED]                     |                   |       |
| Address of Witness :  | [REDACTED]                     |                   |       |
|   |                                |                   |       |
| DOB :   | [REDACTED]                     |                   |       |
| Organisation:   | Fulton Hogan                   |                   |       |
| FH Register Reference:  |                                | FH12              |       |
| Other Witnesses (Other witnesses to complete separate report):  |                                |                   |       |
| [REDACTED]  |                                |                   |       |
| Description of Incident:  |                                |                   |       |
| Walking back through site towards my vehicle, I was being approached by two younger males walking towards me within the barriered off area, one was drinking alcohol. |                                |                   |       |
| Offender(s) details   | 2 x males, late 20's - 30's    |                   |       |
| Male / Female :   | Male x 2                       |                   |       |
| Approx Age:   | Approx late 20's to early 30's |                   |       |
| Known Name:   | N/A                            |                   |       |
| Other Identifying Features :  |                                |                   |       |
| Vehicle Registration:   |                                |                   |       |
| Evidence Taken :  |                                |                   |       |
| Other :   |                                |                   |       |
| Action Taken by Witness:  |                                |                   |       |
| Walked the opposite direction and alerted security, once security were talking to the individuals I proceeded to walk past towards my vehicle.                        |                                |                   |       |
| Action Taken by 3rd Party:  |                                |                   |       |
| Watchdog talked to individuals before they disappeared into the bush.   |                                |                   |       |



| Green Lake Incident Witness Report   |                                   |                   |       |
|--|-----------------------------------|-------------------|-------|
| Date of Incident :   | 27/08/2024                        | Time of incident: | 13:16 |
| Witness Name:  | Ross Dallaway                     |                   |       |
| Contact Number :   | [REDACTED]                        |                   |       |
| Address of Witness :   | [REDACTED]                        |                   |       |
|  |                                   |                   |       |
| DOB :  | [REDACTED]                        |                   |       |
| Organisation:  | Fulton Hogan                      |                   |       |
| FH Register Reference:   |                                   | FH13              |       |
| Other Witnesses (Other witnesses to complete separate report):   |                                   |                   |       |
| [REDACTED]   |                                   |                   |       |
|  |                                   |                   |       |
| Description of Incident:   |                                   |                   |       |
| Walking back through site towards my vehicle, I was approached by an older man (outside of the fence) shouting verbal / threatening abuse. Worth noting I was referred to as 'Dan' several times, so somehow names of staff are now known to protesters. Lots of comments regarding taking land and I'm not welcome etc.. Watchdog intervened as they were not too far away. |                                   |                   |       |
|  |                                   |                   |       |
| Offender(s) details  |                                   |                   |       |
| Male / Female :  | Male                              |                   |       |
| Approx Age:  | Approx late 50's to early 60's    |                   |       |
| Known Name:  | N/A                               |                   |       |
| Other Identifying Features :   | Gum boots, Swannie, beanie, beard |                   |       |
| Vehicle Registration:  |                                   |                   |       |
| Evidence Taken :   |                                   |                   |       |
| Other :  |                                   |                   |       |
|  |                                   |                   |       |
| Action Taken by Witness:   |                                   |                   |       |
| Didn't interact, just listened   |                                   |                   |       |
|  |                                   |                   |       |
| Action Taken by 3rd Party:   |                                   |                   |       |
| Watchdog talked to individual before as I left site.   |                                   |                   |       |
|  |                                   |                   |       |

|  |                                   |
|--|-----------------------------------|
| Green Lake Incident Witness Report   |                                   |
| Date of Incident :   | 27/08/2024                        |
| Witness Name :   | [REDACTED]                        |
| Contact Number :   | [REDACTED]                        |
| Address of Witness:  | [REDACTED]                        |
| Paengaroa  |                                   |
| BOP 3189   |                                   |
| DOB :  | [REDACTED]                        |
| Organisation:  | Fulton Hogan                      |
| FH Register Reference:   | FH14                              |
| Other Witnesses (Other witnesses to complete separate report):   |                                   |
|  |                                   |
|  |                                   |
| Description of Incident:   |                                   |
| Protester witnessed walking through site, trying to invite other protesters in whilst gates open during plant movements. |                                   |
| Offender(s) details  | N/A                               |
| Male / Female :  | Male                              |
| Approx Age:  | 40's                              |
| Known Name:  | N/A                               |
| Other Identifying Features :   | Hunting and Fishing Jacket, beard |
| Vehicle Registration:  | N/A                               |
| Evidence Taken :   | Yes - Photo                       |
| Other :  |                                   |
| Action Taken by Witness:   |                                   |
| Once he exited site, fencing shut and lock it down to ensure no one else could stroll in.                                |                                   |
|  |                                   |
| Action Taken by 3rd Party:   |                                   |
|  |                                   |





Green Lake Incident Witness Report

|                      |            |                   |      |
|----------------------|------------|-------------------|------|
| Date of Incident :   | 28-27-8-24 | Time of incident: | 1500 |
| Witness Name:        | [REDACTED] |                   |      |
| Contact Number :     | [REDACTED] |                   |      |
| Address of Witness : | [REDACTED] |                   |      |

|  |            |
|--|------------|
| DOB :  | [REDACTED] |
| Organisation:  |            |
| FH Register Reference:   |            |
| Other Witnesses (Other witnesses to complete separate report): |            |

Description of Incident:

White ute with flat deck and dog boxes swerved into my lane on purpose while I was heading past the blue lake I had to swerve out of his way to avoid an accident. I was in a sign written fullon hogan 6 wheeler I felt it was a targeted action, the ute was a mazzda

|                              |                    |
|------------------------------|--------------------|
| Offender(s) details          |                    |
| Male / Female :              |                    |
| Approx Age:                  | Late 30s early 40s |
| Known Name:                  |                    |
| Other Identifying Features : |                    |
| Vehicle Registration:        |                    |
| Evidence Taken :             |                    |
| Other :                      |                    |

|                          |  |
|--------------------------|--|
| Action Taken by Witness: |  |
| [REDACTED]               |  |

|                            |  |
|----------------------------|--|
| Action Taken by 3rd Party: |  |
| [REDACTED]                 |  |

| Green Lake Incident Witness Report                             |  |
|--|--|
| Date of Incident:  | 28-8-24  |
| Time of incident:  | 4pm - 4:30pm   |
| Witness Name:  | [REDACTED]   |
| Contact Number:  | [REDACTED]   |
| Address of Witness:  | [REDACTED]   |
| DOB:   | [REDACTED]   |
| Organisation:  | UUL  |
| FH Register Reference:   |  |
| Other Witnesses (Other witnesses to complete separate report): |  |
| Description of Incident:                                       | LOCATING CLOSE TO FENCE THEY WERE KICKING THE LOCATOR FROM UNDER TEMPORARY FENCING. STOPPING ME FROM DOING MY JOB. |
| Offender(s) details  |  |
| Male / Female:   |  |
| Approx Age:  |  |
| Known Name:  |  |
| Other Identifying Features:                                    |  |
| Vehicle Registration:  |  |
| Evidence Taken:  |  |
| Other:   |  |
| Action Taken by Witness:                                       |  |
| Action Taken by 3rd Party:                                     |  |



**Green Lake Incident Witness Report**

Date of Incident :  Time of incident:

Witness Name:

Contact Number :

Address of Witness :

DOB :

Organisation:

FH Register Reference:

Other Witnesses (Other witnesses to complete separate report):

Description of Incident:

Offender(s) details

Male / Female :

Approx Age:

Known Name:

Other Identifying Features :

Vehicle Registration:

Evidence Taken :

Other :

Action Taken by Witness:

Action Taken by 3rd Party: