



13 February 2026

## **Submission to the Standing Committee on Law and Justice Inquiry into the Operation of the Work Health and Safety Scheme**

The NSW Mine Workers' Alliance (the Alliance) was established in 2024 as a partnership of the Australian Workers Union (AWU) and the Mining and Energy Union (MEU), to represent metalliferous mineworkers across NSW. It follows the successful operation of the Western Mine Workers Alliance in the Western Australian Pilbara region since 2013.

The AWU and MEU are Australia's two largest mining unions.

The Alliance supports submissions to this Inquiry of the MEU Northern Mining and NSW Energy District and AWU NSW Branch; and welcomes the opportunity to make a further submission regarding an important proposed improvement to safety in NSW metalliferous mines.

We submit that the proven system of Industry Safety and Health Representatives (ISHRs) operating in the NSW coal mining industry should be expanded and adapted for application in the NSW metalliferous mining sector.

Coal mining operates under a regulatory framework that recognises the limitations of site-based and generalist HSR models in high risk, technically complex and production-intensive environments.

ISHRs – also known in the coal industry as 'check inspectors' – were established in the earliest days of the NSW coal industry, when workers demanded elected safety representatives with statutory powers to prevent unsafe practices. 2026 marks the 150<sup>th</sup> anniversary of the continuous employment of ISHRs in the NSW coal industry.

The establishment of ISHRs has materially strengthened safety outcomes by providing independent, specialist oversight, capable of intervening across sites, identifying systemic risks, and supporting local representatives who often lack the time, resources or authority to address entrenched safety issues.

The metalliferous mining industry exhibits many of the same characteristics that justified the creation of coal-specific representative roles, including:

- inherently complex high-risk work involving heavy mobile plant, explosives, geotechnical instability, confined spaces and hazardous substances;
- 24-hour operations with complex shift arrangements;
- extensive use of contractors and labour hire;
- geographically remote and isolated worksites; and
- production pressure.

Despite these shared risk factors, metalliferous workers do not have access to independent industry-level safety representatives with statutory authority comparable





to coal ISHRs, relying instead on site-based HSRs operating within the general WHS framework.

The coal experience demonstrates that representatives with industry-wide oversight and responsibilities complement rather than replace HSRs. ISHRs provide specialist expertise in mining-specific hazards; continuity and institutional knowledge across sites and operators; support and protection for site-based HSRs; a trusted support and source of advice for workers; and a systemic, preventative focus rather than reactive enforcement.

Extending a comparable model to metalliferous mining would directly address many of the deficiencies identified in the operation of the general HSR framework in high risk environments.

The Alliance submits that the Committee should recommend the establishment of statutory Industry Health and Safety Representatives for the NSW metalliferous mining industry with powers and functions modelled on coal ISHRs, appropriately adapted to the metalliferous context; and legislative recognition of these roles as a core component of the WHS scheme for mining operations.

Recent fatalities, injuries and incidents in the NSW metalliferous industry including the tragic double fatality in Cobar in October and underground fire at Perilya mine in January 2025 are a reminder of the dangers faced by workers in the mining industry.

Such reform would represent a logical and evidence-based extension of an already successful safety model, ensuring that workers in all high-risk mining sectors receive equivalent protections, regardless of commodity or regulatory history – especially as NSW looks to expand the state's critical and transition minerals industries.

MEU and AWU representatives are advocating for this reform through participation on the NSW Mine Safety Advisory Council, which advises the NSW Resources Minister on mine safety matters.

To this end, we have commissioned a report by industry safety experts Emeritus Professor Michael Quinlan (UNSW) and Dr Heather Jackson (University of Newcastle). This extensive report reviews the history and evolution of the ISHR system in coal, reviews existing literature on the operation of the ISHR system, analyses mine incidents in NSW, and reports on the findings of interviews and focus groups with mine workers about their safety experiences and representation. Once the report has been finalised and presented to MSAC, we are able to provide it to the Committee in support of our submission.

