

# PIRC - Submission - Resources Safety and Health Queensland and Other Legislation Amendment Bill 2026

**Submission No:** 006

**Submission By:** Mining and Energy Union Queensland District

**Publication:** Making the submission and your name public

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16/03/2026

## **MEU Submission: Resources Safety and Health Queensland and Other Legislation Amendment Bill 2026**

The Mining and Energy Union (MEU) Queensland District is the largest union in the coal mining sector and is the principal union with coverage of workers performing all roles within the sector. The Union has represented coal mine workers since 1908 on all matters related to employment, with a particular focus on health and safety matters in the coal sector. The Union is also the only union recognised by the *Coal Mining Safety & Health Act 1999* (CSMH Act) and Regulations and also employs up to three (3) full time Industry Safety and Health Representatives, elected by the Union's membership, to perform the role in line with the provisions of the CSMH Act and Regulations.

The MEU would like to place on record that the consultation for such an important amendment to the Resources sector safety legislation is substantially inadequate. The MEU and other stakeholders were first notified on Friday the 6<sup>th</sup> of March and requested to provide a submission by Monday the 16<sup>th</sup> of March, which amounts to six business days at best to consider and respond.

Notwithstanding the short timeframe, we welcome the opportunity to respond to the draft Resources Safety and Health Queensland and Other Legislation Amendment Bill 2026. In our submission, we only make comment on matters that we deem necessary. Note that our position may expand or alter as more information is reviewed and considered which we may disclose at other opportunities such as upcoming hearings.

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We understand the objectives of the Bill include:

1. Establishing the Resources Safety and Health Queensland (RSHQ) Board to strengthen governance by providing strategic leadership, guidance and independent oversight of RSHQ.
2. Transferring the statutory functions of the Commissioner for Resources Safety and Health to the new RSHQ Board and discontinuing the Commissioner's role.
3. Reforming the Coal Mining Safety and Health Advisory Committee and the Mining Safety and Health Advisory Committee by reinstating their function to review the effectiveness of legislation, standards and guidelines.
4. Implementing reforms to the Land Access Ombudsman to support its expansion as a statutory body, refine governance arrangements, and repeal the former industry levy and cost recovery provisions
5. Modernising the Mineral Resources Act 1989 by replacing map-based requirements with spatial data, streamlining renewal application timeframes, and introducing a statutory show cause process before cancellation of a mining tenement for unpaid rent.

The MEU are primarily concerned with objectives 1-3 of the proposed bill.

**1. Establishing the Resources Safety and Health Queensland (RSHQ) Board to strengthen governance by providing strategic leadership, guidance and independent oversight of RSHQ**

The MEU has the following concerns in relation to the establishment of the "Board":

- There already exists an established, highly qualified group of people with potential to provide strategic leadership, guidance, and independent oversight of RSHQ. These are the already existing advisory committees such as the Coal Mining Safety & Health Advisory Committee (CMSHAC).
- These advisory committees already provide multi-stakeholder input, with members from industry, the regulator, and workers' representatives.
- Unlike CMSHAC, the Board is not proposed to be tripartite. Members are proposed to be appointed or removed by the Governor in Council on recommendation of the Minister. This allows the potential makeup of the Board to be comprised of partisan and unqualified persons aligned with the government of the day. This approach has already occurred with the appointment of the Mining and Resources Coroner. It is clear a Board of partisan structure cannot be considered independent. Further, with functions for example as:
  - seeking and providing a suitable candidate for CEO of RSHQ to the Minister, and

- Monitoring, reviewing, and reporting on the performance of the CEO, RSHQ and advisory committees, which detracts from the reputation and independence of RSHQ.

### **MEU proposal**

- The Board must have persons on it who are experienced and qualified in Queensland's resources sector. As such, it must be tripartite, with members nominated by appropriate stakeholders.
- The primary objective of the Coal Mining Safety & Health Act 1999 is to protect the safety and health of persons (section 6). The Act seeks to achieve this by cooperation between coal operators, site senior executives and coal workers (section 32). The Board in its proposed non-tripartite structure does not align.
- The Board has the proposed function of "monitoring, reviewing, and reporting" to the Minister on the performance of the functions of the CEO, RSHQ and advisory committees. The function of the Board should also include the ability to audit, to enable appropriate monitoring, reviewing, and reporting.

## **2. Transferring the statutory functions of the Commissioner for Resources Safety and Health to the new RSHQ Board and discontinuing the Commissioner's role**

The MEU has the following concerns in relation to the removal of the Commissioner's role:

- Professor Susan Johnston's *Review of the Queensland Resources Safety and Health Regulatory Model* clearly recommended that the CRSH role should be retained but should be more clearly defined. In direct opposition to this recommendation, the bill proposes removal of the CRSH role altogether.
- The removal of the Commissioner for Resources Safety and Health removes an important individual leadership role. The role was created deliberately as an independent, expert voice separate from the regulator. The Commissioners for Resources Safety and Health have always served to be industry leaders, providing strategic oversight and independent expertise to support and drive safety and health outcomes across the sector.
- The removal of Commissioner for Resources Safety and Health also removes a qualified expert chairperson of the advisory committees. As previously noted, this raises the potential

of a partisan and unqualified person to become the chairperson of these advisory committees. Technical and practical experience has previously been a key factor the Commissioner' chairing of these advisory committees.

- Speed and clarity of decision-making is crucial during safety crises, investigations, or urgent advice. Replacement of an individual commissioner with the Board will negatively impact safety in certain scenarios as Boards typically take longer to make decisions. In addition, the proposed Board structure does not guarantee the inclusion of industry experts, which may further limit the ability to provide timely, informed advice.
- There will be a reduced ability to remain "sensitive to operations," a fundamental high reliability organisation principal. Previous Commissioners' have worked full time and maintained an outward presence across industry such as mine visits, attendances at safety related conferences, participation in committees and other safety initiatives. A Board will have reduced ability to detect drift in the performance of legislation and other safety matters.

#### **MEU proposal**

- Maintain the Commissioner for Resources Safety and Health role as it currently exists in legislation.

### **3. Reforming the Coal Mining Safety and Health Advisory Committee and the Mining Safety and Health Advisory Committee by reinstating their function to review the effectiveness of legislation, standards and guidelines.**

The MEU agrees the reinstatement of these functions. However, there should be further clarity on the matters the Committee should consider in their review of the effectiveness of legislation. For example:

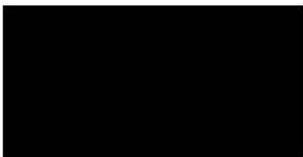
- the risk management performance of the coal mining industry;
- the appropriateness of recognised standards
- education, training, and standards of competency within the coal mining industry
- the implementation of recommendations from inspectors' investigations, coroners' inquests, boards of inquiry, and other sources
- the promotion of community knowledge and awareness of safety and health in the coal mining industry

**MEU proposal**

- Further clarify the Committees performance of their function to review the effectiveness of legislation, standards and guidelines.

The MEU and its representatives will be available to speak to this submission at the upcoming hearing.

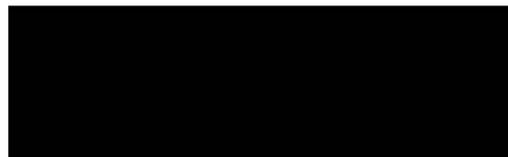
Regards



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