

# Marina WHS & Compliance Legislation Reference

New South Wales · Queensland · Victoria — obligations, instruments and the evidence auditors ask for

Marina WHS obligations sit across harmonised work health and safety law, marine safety law and state environmental protection law at once. Every system we build cites the instrument it satisfies, so your documentation stands up in an insurer, regulator or board audit. Below is the working framework for our three busiest jurisdictions — the same structure is applied in SA, WA, TAS, NT and the ACT.

## New South Wales

*SafeWork NSW · NSW Maritime (Transport for NSW) · NSW EPA*

### Work Health and Safety Act 2011 (NSW)

*s.19 primary duty · s.20 duty of a person with management or control of a workplace*

Marina operators hold the PCBU duty over berths, gangways, hardstand and the contractors working on them.

### Work Health and Safety Regulation 2017 (NSW)

*Ch.3 risk management · Ch.4 hazardous work · Ch.6 construction work · Ch.7 hazardous chemicals*

Drives the risk register, permit-to-work, confined space, working at height and fuel storage controls we install.

### Marine Safety Act 1998 (NSW) & Marine Safety Regulation 2016

*Vessel operation, moorings and waterway management*

Governs berth allocation, mooring licences and safe vessel movement within the facility.

### Protection of the Environment Operations Act 1997 (NSW)

*s.120 water pollution · s.148 notification of pollution incidents*

Basis of the spill response protocol, bunding, and the duty to notify the EPA immediately on a hydrocarbon release.

### Dangerous Goods (Road and Rail Transport) & fuel storage requirements

*AS 1940 storage and handling of flammable and combustible liquids*

Applied to fuel docks, bowsers, LPG and bulk oil storage on site.

## Queensland

*Workplace Health and Safety Queensland · Maritime Safety Queensland · QLD DES*

### Work Health and Safety Act 2011 (Qld)

*s.19 primary duty · s.20 management or control of a workplace*

Mirrors the harmonised model act; industrial manslaughter provisions (s.34C) raise director-level exposure.

### Work Health and Safety Regulation 2011 (Qld)

*Risk management, plant, electrical, hazardous chemicals and construction work*

Drives marina electrical inspection and testing intervals, plant registers and high-risk work licensing.

**Electrical Safety Act 2002 (Qld) & Electrical Safety Regulation 2013***Queensland-specific duties beyond the WHS Regulation*

Critical for marina pedestals, shore power and RCD testing — QLD imposes obligations NSW does not.

**Transport Operations (Marine Safety) Act 1994 (Qld)***Ship safety, crewing and operational duties*

Applies to vessels and tenders operated by the facility itself.

**Environmental Protection Act 1994 (Qld)***s.319 general environmental duty · s.320 duty to notify environmental harm*

Underpins spill, antifoul, slipway washdown and waste-water controls at boatyards and hardstands.

**Victoria***WorkSafe Victoria · Safe Transport Victoria · EPA Victoria***Occupational Health and Safety Act 2004 (Vic)***s.21 duties to employees · s.26 duties of persons managing or controlling workplaces*

Victoria is NOT harmonised — the OHS Act 2004 applies instead of a WHS Act, and system wording must change accordingly.

**Occupational Health and Safety Regulations 2017 (Vic)***Part 3.1 plant · Part 3.5 construction · Part 4.1 hazardous substances*

Sets Victorian-specific consultation, HSR and incident notification requirements.

**Marine Safety Act 2010 (Vic) & Marine Safety Regulations 2023***Waterway management, moorings and vessel operations*

Governs berth and mooring management for Victorian marinas and waterway managers.

**Environment Protection Act 2017 (Vic)***s.25 general environmental duty (GED) · duty to notify*

The GED is proactive — Victorian facilities must demonstrate controls before harm occurs, not after.

**Dangerous Goods Act 1985 (Vic)***Storage and handling of flammable liquids at fuel docks*

Separate Victorian licensing regime for fuel volumes held on site.

**How Sydney Marine Logistics applies this**

A plain-language reference sheet mapping NSW, QLD and VIC marina obligations to the documents, registers and evidence an auditor will ask for. Every engagement confirms the applicable instruments in writing, maps each obligation to a document, register or evidence record, and schedules the annual review. To scope your facility, contact [sean@sydneymarinelogistics.com.au](mailto:sean@sydneymarinelogistics.com.au) or 0472 649 226.