

Product Safety regulations in Australian States and Territories

Australia operates under a federated regulatory system, in which chemical management responsibilities are shared between the federal government and the individual states and territories. At the federal level, the Australian Industrial Chemicals Introduction Scheme (AICIS) governs the importation and manufacture of industrial chemicals, ensuring that new substances are assessed for risks to human health and the environment under the Industrial Chemicals Act 2019. However, the implementation, licensing, and enforcement of chemical use, storage, transport, waste, and occupational safety is largely delegated to state and territory authorities.

Each jurisdiction establishes its own regulatory frameworks through environmental protection agencies or equivalent departments. These bodies are responsible for issuing permits, monitoring hazardous substances, and enforcing compliance under regional legislation such as the Environment Protection Acts, Dangerous Goods Safety Acts, and associated regulations. While states and territories often align with national standards, variations exist in how chemical hazards are classified, how exposure is managed, and what compliance documentation is required.

For example:

Western Australia enforces the Dangerous Goods Safety Act 2004, regulating the storage, handling, and transport of hazardous substances across mining and industrial sectors.

Victoria implements the Environment Protection Act 2017, which incorporates duties of care related to pollution and chemical risk.

New South Wales relies on the Protection of the Environment Operations Act 1997, supported by SafeWork NSW for occupational chemical safety.

Northern Territory and South Australia have integrated waste and chemical management into broader environmental protection frameworks, with a focus on pollution control and licensing.

Despite efforts to maintain national coherence through intergovernmental councils and harmonized WHS laws (Work Health and Safety), regulatory fragmentation remains a key consideration for businesses operating across multiple jurisdictions. Understanding each region's legal instruments, environmental compliance mechanisms, and licensing pathways is critical to ensuring regulatory adherence and managing chemical risk effectively.

The profiles that follow provide a state-by-state overview of the primary regulatory authorities, governing legislation, and web-based access to key compliance documentation, offering a practical entry point into Australia's decentralized chemical governance landscape.

New South Wales

Chemical Regulation Authority: NSW Environment Protection Authority (EPA)

Scope and Framework:

Manages chemical use under the Protection of the Environment Operations Act 1997, focusing on licensing for chemical waste and scheduled activities. Chemical safety in the workplace is regulated under SafeWork NSW.

Key Resource Website:

<https://www.epa.nsw.gov.au/legislation/protection-of-the-environment-operations-act-1997>

[Work Health and Safety Act 2011 \(NSW\)](#)

[Work Health and Safety Regulation 2017 \(NSW\)](#)

Victoria

Chemical Regulation Authority: Environment Protection Authority Victoria (EPA Victoria)

Scope and Framework:

Administers duties under the Environment Protection Act 2017. Chemical waste management and environmental risks associated with industrial facilities are regulated.

Key Resource Website:

<https://www.epa.vic.gov.au/about-epa/laws/environment-protection-act-2017>

[Occupational Health and Safety Act 2004 \(VIC\)](#)

[Occupational Health and Safety Regulations 2017 \(VIC\)](#)

Queensland

Chemical Regulation Authority: Department of Environment and Science (DES)

Scope and Framework:

Regulates chemical emissions and waste under the Environmental Protection Act 1994. Safe handling in the workplace is governed by Workplace Health and Safety Queensland.

Key Resource Website:

<https://www.legislation.qld.gov.au/view/html/inforce/current/act-1994-062>

[Work Health and Safety Act 2011 \(QLD\)](#)

[Work Health and Safety Regulation 2011 \(QLD\)](#)

Western Australia

Chemical Regulation Authority: Department of Mines, Industry Regulation and Safety

Scope and Framework:

Responsible for dangerous goods management under the Dangerous Goods Safety Act 2004. Enforces detailed regulations on explosives, flammable liquids, and chemicals.

Key Resource Website:

https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_300_homepage.html

[Work Health and Safety Act 2020 \(WA\)](#)

[Work Health and Safety \(General\) Regulations 2022 \(WA\)](#)

South Australia

Chemical Regulation Authority: Environment Protection Authority South Australia

Scope and Framework:

Applies the Environment Protection Act 1993 to oversee industrial and chemical waste, contaminated sites, and environmental compliance.

Key Resource Website:

https://www.epa.sa.gov.au/about_us/legislation

[Work Health and Safety Act 2012 \(SA\)](#)

[Work Health and Safety Regulations 2012 \(SA\)](#)

Tasmania

Chemical Regulation Authority: Environment Protection Authority Tasmania

Scope and Framework:

Implements chemical-related controls under the Environmental Management and Pollution Control Act 1994, focused on pollution and industrial waste.

Key Resource Website:

<https://epa.tas.gov.au/about-the-epa/policy-legislation-cooperative-arrangements>

[Work Health and Safety Act 2012 \(TAS\)](#)

[Work Health and Safety Regulations 2022 \(TAS\)](#)

Australian Capital Territory

Chemical Regulation Authority: Environment Protection Authority ACT

Scope and Framework:

Regulates under the Environment Protection Act 1997, particularly regarding licensing of hazardous materials and chemicals.

Key Resource Website:

<https://www.legislation.act.gov.au/View/a/1997-92/current/PDF/1997-92.PDF>

[Work Health and Safety Act 2011 \(ACT\)](#)

[Work Health and Safety Regulation 2011 \(ACT\)](#)

Northern Territory

Chemical Regulation Authority: Northern Territory Environment Protection Authority (NT EPA)

Scope and Framework:

Oversees waste and pollution from chemicals under the Waste Management and Pollution Control Act 1998.

Key Resource Website:

<https://ntepa.nt.gov.au/about-ntepa/legislation>

[Work Health and Safety \(National Uniform Legislation\) Act 2011 \(NT\)](#)

[Work Health and Safety \(National Uniform Legislation\) Regulations 2011 \(NT\)](#)

Occupational Exposure Limits Across Australian Jurisdictions

In Australia, Occupational Exposure Limits (OELs), known as Workplace Exposure Standards (WES), are established to protect workers from harmful airborne contaminants. These standards are developed at the national level by Safe Work Australia and are intended to be adopted by each state and territory under their respective Work Health and Safety (WHS) laws.

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The WES define the maximum allowable concentrations of airborne substances in the workplace and are categorized into three types:

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- **Time-Weighted Average (TWA):** The average concentration over an 8-hour workday.
- **Short-Term Exposure Limit (STEL):** The average concentration over a 15-minute period.
- **Peak Limitation:** The maximum concentration that should not be exceeded at any time.

While the WES are intended to be uniformly adopted, variations exist in how each jurisdiction implements and enforces these standards. Some states have adopted the model WHS laws and the associated WES, while others have retained their own standards.

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Notably, Australia is transitioning from the WES to the Workplace Exposure Limits (WELs), with full implementation expected by **1 December 2026**. The WELs are based on contemporary scientific evidence and aim to provide clearer guidance on exposure limits. Until the transition is complete, jurisdictions may operate under different standards, leading to discrepancies in permissible exposure levels.

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Comparative Overview of OELs Across Australian Jurisdictions

Jurisdiction	Adoption of Model WHS Laws	Current OEL Standards	Transition to WELs by 1 Dec 2026
New South Wales	Yes	WES	Yes
Victoria	No	OHS Regulations 2017	Pending
Queensland	Yes	WES	Yes
Western Australia	Yes (since 2022)	WES	Yes
South Australia	Yes	WES	Yes
Tasmania	Yes	WES	Yes

Australian Capital Territory	Yes	WES	Yes
Northern Territory	Yes	WES	Yes

Note: Victoria has not adopted the model WHS laws and continues to operate under its own Occupational Health and Safety Regulations.

For detailed information on the specific exposure limits applicable in each jurisdiction, please refer to the respective regulatory bodies or consult the national guidance provided by Safe Work Australia.

Workplace Exposure Standards for Airborne Contaminants (2024 Edition)

This document lists the current exposure standards for various airborne contaminants and outlines the duties under the Work Health and Safety (WHS) Act and Regulations.

 [Access the document](#)

Guidance on the Interpretation of Workplace Exposure Standards for Airborne Contaminants (March 2024)

This guide provides advice on applying the exposure standards in the workplace and should be read in conjunction with the WES list.

 [Access the guidance](#)