

Submission
No 55

**INQUIRY INTO INQUIRY INTO PFAS CONTAMINATION
IN WATERWAYS AND DRINKING WATER SUPPLIES
THROUGHOUT NEW SOUTH WALES**

Organisation: Lotsearch Pty Ltd

Date Received: 13 January 2025

13th January 2025

Select Committee on PFAS
NSW Parliament House
6 Macquarie Street,
Sydney NSW 2000

Dear Select Committee PFAS Members,

Whilst we recognise that the deadline for submissions has passed, we felt compelled to still submit our submission as we feel we can make a valuable contribution to the inquiry.

Our submission focuses on key themes that align to the following terms of reference:

- (e) sources of exposure to PFAS, including through historic and current firefighting practices.
- (m) areas for reform, including legislative, regulatory, public health and other policy measures to prevent, control and manage the risks of PFAS in water supplies

We are writing to express our concern regarding the pervasive issue of per- and polyfluoroalkyl substances (PFAS) contamination in our environment. PFAS are a group of man-made chemicals that have been widely used in various industrial and consumer products due to their resistance to heat, water, and oil. However, their persistence in the environment and potential adverse health effects have raised significant public health and environmental concerns.

PFAS contamination has been detected in water, soil, and air across numerous locations, posing risks to human health and ecosystems. Given the complexity and widespread nature of PFAS contamination, it is crucial to identify and mitigate the sources of these pollutants effectively.

Whilst the committee's role, focus and remit is clearly to look into PFAS, we also would like to recognise that broader contamination of our land and waterways (from PFAS and other contaminants) should be an important consideration so that any potential recommendation relating to PFAS are not made in isolation of the broader contamination issues we face.

Lotsearch Pty Ltd is a geospatial information provider and we have spent the past 10 years developing an extensive database of contamination sources and we have identified the location of over 260,000 known and potentially contaminated sites across Australia, with over 75,000 sites located in NSW. Further information about our business and detailed research can be found in Appendix A.

The database contains details of over 3 million former businesses that performed over 45,000 different commercial / industrial activities. Our team has categorised these 45,000 activities and aligned them to 63 contamination categories that are listed in relevant government policies and practice notes.

From this extensive research and categorisation work, we can now identify which businesses, entities, and activities were more likely to have potentially used PFAS.

In addition to these historical insights, we source current information on which sites are being investigated for PFAS contamination and which are in the process of being remediated.

Lotsearch are the leading provider of best practice environmental risk reports that help clients identify risk to land and property, including activities that may have caused PFAS contamination. By leveraging comprehensive current and historical data, Lotsearch can:

- Identify Potential Sources: Lotsearch's extensive databases can pinpoint industrial sites,

landfills, firefighting training areas, and other locations where PFAS-containing products were used or disposed of.

- Analyse Historical Land Use: Detailed historical land use records can reveal past activities that might have contributed to PFAS contamination, providing a clearer picture of potential sources.
- Support Regulatory Compliance: Lotsearch's data can assist regulatory bodies in enforcing environmental standards and ensuring compliance with PFAS-related regulations.
- Facilitate Remediation Efforts: By identifying contamination sources, Lotsearch can help prioritize areas for remediation, ultimately reducing PFAS levels in the environment and protecting public health.

The challenge we face is that up until now accessing information on contamination has been difficult, contaminated land reports and broader environmental risk reports like ours are starting to be used by specialist professionals like environmental consultants, but there has been little or no widespread adoption.

Typically, the onus is put on to the environmental regulators (Environment Protection Authorities) to report and manage the most significantly contaminated sites and manage the statewide contaminated land policies and framework.

Local Government Authorities and councils operate within this framework but still must implement their own contaminated land policies, processes and procedures. The overall system is often reactive, each party operate under legislation that can limit their ability to identify these issues earlier, there is often lack of funding, and available resources are often pulled into managing known contamination issues that come up regularly and require an immediate response. This can lead to a lack of information being disclosed to the public about contaminated sites.

In 2020 the NSW Environment Protection Authority (EPA) conducted a review of contaminated land information on planning certificates in NSW (the review), to better understand how NSW local councils present contaminated land information on their planning certificates. Their findings can be found here: <https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/contaminated-land/22p3809-contaminated-land-planning-certificate-review.pdf>

Other jurisdictions have experienced similar problems. In the UK, the contaminated land regime under Part 2A of the Environmental Protection Act 1990 is one of the main policy measures used to deal with their contamination legacy. The UK government mandated that councils develop a contaminated land register of sites that was to be made publicly available. The process took several years to complete but helped to ensure that key information could be made available to the public.

With the government information being made readily available by councils in the UK, The Law Society England & Wales issued a warning card to its members (early 2000's) advising them that environmental due diligence was to be conducted across all property transactions. The banking, financial and insurance industries followed suit in mandating best practice environmental reporting. This is a good example of how government took the initiative and industry followed in implementing best practice environmental reporting and due diligence.

We urge the committee to consider the integration of Lotsearch's information services into the NSW strategy for addressing PFAS contamination and we advocate for mandatory disclosure of key contamination information during property transactions, and during the planning and development process approval process. By doing so, we can enhance our ability to identify and mitigate the sources of PFAS, ensuring a safer and healthier environment for all Australians.

Thank you for your attention to this critical issue. We look forward to your positive response and action on this matter.

Sincerely,

Howard Waldron
General Manager & Co-Founder | Lotsearch Pty Ltd

Appendix A

<https://www.australianconveyancer.com.au/article/going-to-ground-lotsearch-maps-australias-contamination-hot-spots/>