

Evidence 1

Buying property – due diligence and registering of PFAS contamination on title

This starts the process of chasing links and getting nowhere.

EPA Chief Environmental Scientist stated that contamination will be registered on title. It is noted in email on 21/4/2021, then by 04/05/2021 it is no longer part of the new Act.

consumer.vic.gov.au/housing/buying-and-selling-property/checklists/due-diligence?utm_source=openlot.com.au

Consumer Affairs Victoria > Housing > Buying and selling property > Checklists

Soil and groundwater contamination

You should consider whether past activities, including the use of adjacent land, may have caused contamination at the site and whether this may prevent you from doing certain things to or on the land in the future.

For information on sites that have been audited for contamination, visit [Land and groundwater pollution - EPA](#).

For guidance on how to identify if land is potentially contaminated, see the Potentially Contaminated Land General Practice Note [June 2005](#) at [Planning Practice Notes - DTP](#).

From: EPA Victoria Customer Service <contact@epa.vic.gov.au>

Sent: Wednesday, 21 April 2021 12:57 PM

To:

Subject: Enquiry Feedback 200502852

Hi Tracey,

Thank you for contacting EPA Victoria.

Please be advised that the 'Contaminated land registered on title' site will be available after July 1st.

You can refer to our current resources available. I have linked these below. These will have information on sites within Victoria that are contaminated and/or have been issued further notices.

- Priority Sites Register: <https://www.epa.vic.gov.au/for-community/environmental-information/land-groundwater-pollution/priority-sites-register>
- Victoria Unearthed: <https://www.environment.vic.gov.au/sustainability/victoria-unearthed>

REF: 200502852

Re: Enquiry Feedback 200502852



Tracey Anton

To: EPA Victoria Customer Service

[Reply](#) [Reply all](#) [Forward](#) [Print](#) [More](#)

Wed 21/04/2021 1:44 PM

Thank you

Further questions now arise for implementation of the new act for when, how and if **contaminated land will be registered on title** in the absence of any updated or relevant site information post July 2021.

This has relevance for persons wanting to purchase land in contaminated zones, ie PFAS areas, that has not already been registered.

A person buying land is expected to apply due diligence and the websites that guide these links (Consumer Affairs/DELWP) with their outdated information is unsatisfactory.

- For guidance on how to identify if land is potentially contaminated, see the Potentially Contaminated Land General Practice Note [June 2005](#) at [Planning Practice Notes - DELWE](#).
- directs link to <https://www.epa.vic.gov.au/for-community/environmental-information/land-groundwater-pollution/priority-sites-register>

Disclaimers are not good enough on the EPA link above.

has told a farmer that their land will have PFAS registered on their title when the new Act is implemented and much land has already been sold around the ESSO Longford gas plant with some having above measurable levels of PFAS.

The sale of this land should not be transferred to a new buyer when the current state of knowledge is to hide the contamination.

Could you please **provide a clear process of how the act and its obligations relevant to registering contaminated land on title will proceed separate to the site being developed.**

EPA Victoria Customer Service <contact@epa.vic.gov.au>
To: You
Tue 4/05/2021 5:09 PM
You forwarded this message on Tue 4/05/2021 5:12 PM

Hi Tracey,

In regards to your query on implementation of the new Act, under the new Environment Protection Act 2017 there is no general requirement or power to register the presence of contamination on a land title. The Planning and Environment Act 1987 (section 173 agreement) currently allows matters of contamination to be registered on a land title.

Under section 39(2)(d) and (e) of the Environment Protection Act 2017 there is an obligation on those selling contaminated land to communicate information about the contamination to the buyer. For further information on how EPA is managing contaminated land, <https://www.epa.vic.gov.au/for-business/new-laws-and-your-business/manage-contaminated-land>

In certain circumstances, EPA may issue a site management order to require the long-term management or rehabilitation of contaminated land. EPA may use site management orders when harm is likely to occur if an existing measure is not maintained or modified, or a new measure is not put in place. They may also be used where harm may arise is a specific event, activity or land use takes place on the site. Site management orders will be attached to the land title. Read more about site management orders <https://www.epa.vic.gov.au/about-epa/what-we-do/compliance-and-enforcement/remedial-notice-and-directions>

REF: 200504312

Evidence 2

LABELLING

EPA webpage <https://www.epa.vic.gov.au/and-polyfluoroalkyl-substances-pfas>
Updated 26 May 2025

epa.vic.gov.au/and-polyfluoroalkyl-substances-pfas

Manage your exposure to PFAS

As part of our precautionary approach, we advise that you take care and reduce your exposure to PFAS. This is in line with the guidance from the federal [Environmental Health Standing Committee \(enHealth\)](#).

Ways to reduce exposure to PFAS include:

- avoid products containing PFAS
- check the ingredients in personal care products
- follow our advice when we issue alerts about PFAS
- wash your hands after touching soil.

Published 22 July 2022

[https://www.foodstandards.gov.au/business/labelling#:~:text=FSANZ%20sets%20food%20labelling%20standards,for%20Primary%20Industries%20\(MPI\).](https://www.foodstandards.gov.au/business/labelling#:~:text=FSANZ%20sets%20food%20labelling%20standards,for%20Primary%20Industries%20(MPI).)

FSANZ sets food labelling standards in the [Food Standards Code](#). These standards are enforced by the Australian states and territories and, in New Zealand, by the Ministry for Primary Industries (MPI).