

Lotsearch Pty Ltd

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Committee Secretary
Senate Select Committee on PFAS (per and polyfluoroalkyl substances)
Committee Office | Department of the Senate

Supplementary Submission to the Federal PFAS Inquiry

Subject: Gaps in PFAS Contamination Information and Disclosure in Property Transactions

Lotsearch appreciates the opportunity to make this supplementary submission to the Federal PFAS Inquiry. Lotsearch is an Australian technology company that provides environmental information to a variety of sectors including legal professionals, government agencies, and industry with data and mapping tools to identify environmental and planning risks.

Through our work, Lotsearch has identified a significant gap in the availability, consistency, and disclosure of information relating to per- and polyfluoroalkyl substances (PFAS) contamination during property transactions. This gap affects property purchasers, industry stakeholders, and governments, and has broader implications for environmental management and public trust.

1. Lack of Mandatory Disclosure Obligations

At present, there is no nationally consistent legal requirement for vendors, agents, or relevant authorities to disclose the presence—or likelihood—of PFAS contamination when a property is sold or leased. Purchasers are largely responsible for conducting their own investigations, often without access to the necessary data or environmental expertise.

While contamination may be known or suspected for properties located near defence bases, airports, firefighting training facilities, or industrial sites, this information is rarely incorporated into standard due diligence materials, such as vendor disclosure statements, planning certificates, or title searches.

2. Fragmented and Inaccessible Public Data

Lotsearch routinely reviews environmental datasets across Australian jurisdictions. Our analysis has shown that PFAS contamination data is fragmented, inconsistently maintained, and difficult for property purchasers to access. Common issues include:

- Incomplete or outdated datasets published by different state and territory agencies;

- Lack of property-level resolution, making it difficult to determine whether specific parcels are affected;
- Variable reporting formats and terminology across jurisdictions; and
- Limited integration with standard conveyancing and property information systems, meaning this information is not surfaced to buyers unless they actively commission specialised reports.

This fragmentation creates a significant information gap for both buyers and professionals involved in property transactions.

3. Consequences for Purchasers and Communities

The lack of accessible PFAS contamination information has tangible impacts:

- **Health Risks:** Purchasers may unknowingly acquire properties where soil, water, or produce is contaminated, leading to potential exposure risks.
- **Financial Impacts:** Undisclosed contamination can reduce property values, complicate financing and insurance, and lead to unforeseen remediation costs.
- **Legal Uncertainty:** Buyers may inherit environmental liabilities without prior knowledge, creating legal and financial risks.
- **Loss of Trust:** A lack of transparency undermines confidence in both the property market and regulatory systems.

4. Recommendations

Based on Lotsearch's experience working with property and environmental data, we recommend the Committee consider the following measures to improve transparency and reduce risk:

1. **National Mandatory Disclosure Framework** – Establish clear obligations for vendors to disclose known or suspected PFAS contamination during property transactions, consistent across all states and territories.
2. **Data Integration with Land and Planning Systems** – Require PFAS contamination data to be made available and embedded in information register tools, including title searches and planning certificates (e.g. Section 10.7 certificates in NSW).
3. **Centralised Public Register** – Develop and maintain a national PFAS contamination register that maps known and potential contamination to specific property parcels in an accessible format.
4. **Standardised Data Reporting** – Adopt uniform standards for how PFAS investigation and contamination data is collected, reported, and made publicly available to ensure interoperability and accuracy.
5. **Enhanced Guidance for Industry** – Provide clear guidance to conveyancers, real estate professionals, and purchasers on how to access and interpret PFAS contamination information as part of routine due diligence.

5. Conclusion

Lotsearch believes that addressing the current gaps in PFAS contamination disclosure will significantly enhance transparency in property transactions, protect purchasers, and support more effective environmental management.

By improving the consistency and accessibility of PFAS data, governments can reduce uncertainty, support informed decision-making, and strengthen public confidence in both the property market and regulatory frameworks.

Lotsearch can offer its expertise in sourcing, standardizing, and presenting information on contamination issues including PFAS to help support the recommendations.

We thank the Committee for the opportunity to provide this supplementary submission and would welcome the chance to provide further information or technical input on data integration and disclosure mechanisms.

Sincerely,

Howard Waldron & Peter Rodgers
Co-Founders & Directors
Lotsearch Pty Ltd