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## New EPA process for certificates of title

The Environment Protection Authority is moving to record an interest in certificates of title in EPA assessment areas where it holds an environmental assessment report, further strengthening transparency and information available to the community around legacy contamination.

This follows a recent Supreme Court judgement that considered the interpretation of information that should be flagged on titles beyond that directly related to specific title of land.

EPA Director Policy, Assessment and Finance Kathryn Bellette said the change would require a positive response to one of the 23 questions the EPA must respond to within the environmental particulars in the Land and Business (Sale and Conveyancing) Regulations 2010.

“This will ensure that future potential purchasers are aware of what is happening in relation to preliminary EPA assessments in the local area, in addition to assessments undertaken on the land relating to the property title” she said.

The additional information does not change the risk assessment for the area, nor the priority of the assessment being undertaken by the EPA, as it already proactively engages with residents in existing assessment areas.

Properties in an EPA assessment area at Ethelton will be the first to have an EPA interest recorded on their certificates of title. This record will advise future purchasers that an environmental assessment has been undertaken by the EPA.

Around 100 property owners in the Ethelton assessment area have been notified of this process in a letter accompanying the latest community update on the monitoring of soil vapour and groundwater in the area, where a former dry cleaner operated.

This will be followed progressively by around 6500 additional titles in other EPA assessment areas.

The EPA has been undertaking assessment of soil vapour and groundwater at Ethelton since December 2020. The site contamination identified is associated with a former drycleaner and includes tetrachloroethene (PCE), trichloroethene (TCE) and other chemicals.

The most recent seasonal groundwater and soil vapour testing occurred in January and February this year and findings were consistent with previous sampling in January 2021.

Further soil testing will be conducted in July 2023 to assess the stability of the contaminated groundwater plume.

Properties in gazetted Groundwater Prohibition Areas, where there is a restriction on taking contaminated groundwater, are already recorded with a positive flag on the property title under the Regulations.

Many areas in Adelaide are now known to be affected by the legacy of poor historical chemical handling practices, due to past chemical leaks and spills and the common practice of disposing of chemicals by tipping them onto the ground. We now know this can result in contaminated groundwater and soil vapour.

This program helps ensure transparency of where this contamination exists and allows for any necessary management measures to be established in consultation with the community.

Further information about site contamination and the Public Register can be found on the EPA website.