

Section 70A Notifications

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The notifications advise prospective buyers of potential circumstances that might impact the enjoyment of that property.

The City or WAPC can place conditions on a subdivision or planning approval requiring a notification to be placed on the Certificate of Title of lot(s).

A notification could refer to any matter that may affect the use of the land or buildings on the land, and may need to be included on the Deposited Plan.

Examples of notices include:

Rural Workers Dwellings	Occupation of the dwelling is restricted to people engaged in the operation of an approved commercial rural use on the land.
Caretakers Dwellings	Occupation of the dwelling is restricted to persons who work in a business operating on the land or who are engaged to look after the land or buildings.
Contaminated Sites	The site or part of the site is contaminated.
Hazards	A hazard may affect the land, e.g. residential lots on land previously used as explosives depots.
Pollution	The land may be affected by emissions from a nearby land use, e.g. odour from poultry farm, dust from brickworks, noise from kennels.
Water Supplies	Advise that no reticulated water supply can be provided to the land by a licensed water service supplier and as a consequence owners will be required to make their own arrangements to provide an adequate water supply of potable water.
Bushfire Management Plan	Registered proprietors and prospective purchasers of the land described above described or any part thereof ("land") are notified that the land is within a bushfire prone area and buildings shall be designed and constructed in accordance with Australian Standard 3959 - Construction of Buildings in Bushfire-Prone Areas (or superseded Australian Standard) and comply with the approved bushfire management plan prepared in respect of the land to minimise the risk of property damage. Bushfire Prone Areas "The subject lot abuts a bushfire prone area and measures should be taken to design/construct buildings in-accordance with Australian Standard 3959 – Construction of buildings in bushfire-prone areas" to minimise the risk of property damage.

Section 70A Notifications (*continued*)

The developer/landowner is required to pay all costs associated with the preparation and registration of a notification on a Certificate of Title under Section 70A of the Transfer of Land Act.

It is recommended that solicitors or licensed surveyors are used to prepare and register the Section 70A notification documentation with Landgate.

Reference to affixing the Council's Common Seal on the 'Notification Under Section 70A' documentation is unnecessary, as execution of the documentation is performed by general authority of Council in accordance with the Council Policy ADM 18 – Common Seal and associated Management Practice ADM 18 – Common Seal.

Please ensure no reference is made to affixing the Common Seal, as this can result in delays to forms being signed and returned.

Further Information

For further information, refer to the Planning section of the City's website where the following information is available:

- Town Planning Scheme No. 4
- Planning and Development (Local Planning Schemes) Regulations 2015
- Local Planning Policies
- Information Sheets
- Schedule of Fees and Charges
- Application for Development Approval
- Development Application Checklist

For further information, refer to the Planning section of the City's website where the following information is available:

- Transfer of Land Act 1893
- Landgate

Contact the City's Planning Services for further information.

Please note the information contained within this brochure is intended as a guide only. It is recommended that advice and assistance of City's Planning Services staff be sought prior to lodgement of a development application. The City of Armadale disclaims any liability for any damages sustained by a person acting on the basis of this information.