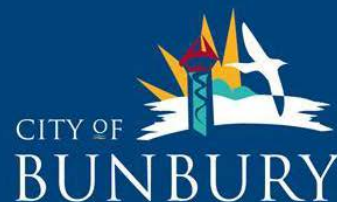


# SECTION 70A NOTIFICATIONS

## FACT SHEET - PLANNING



**Section 70A is a section of the *Transfer of Land Act 1893* that allows notifications to be placed on a property's Certificate of Title.**

The notifications advise prospective buyers of potential circumstances that might impact the enjoyment of that property. The City of Bunbury or Western Australian Planning Commission can place conditions on a subdivision or development 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:

<b>Bushfire Prone Areas:</b>	The site or part of the site falls within a 'bushfire prone area' as designated by an Order made by the Fire and Emergency Services Commissioner under 18P of the <i>Fire and Emergency Services Act 1998</i> .
<b>Bushfire Management Plan:</b>	The site or part of the site is subject to a Bushfire Management Plan.
<b>Contaminated Sites:</b>	The site or part of the site is contaminated.
<b>Pollution:</b>	The land may be affected by emissions from a nearby land use, e.g. transport noise, odour from poultry farm, dust from brickworks, noise from kennels.
<b>Hazards:</b>	A hazard may affect the land, e.g. residential lots on land previously used as explosive depots.
<b>Caretakers Dwellings:</b>	Occupation of the dwelling is restricted to persons who work in a business operating on the land.

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.

### Further Information

Further information can also be found at:

- *Transfer of Land Act 1893*
- Landgate (phone 08 9273 7373)

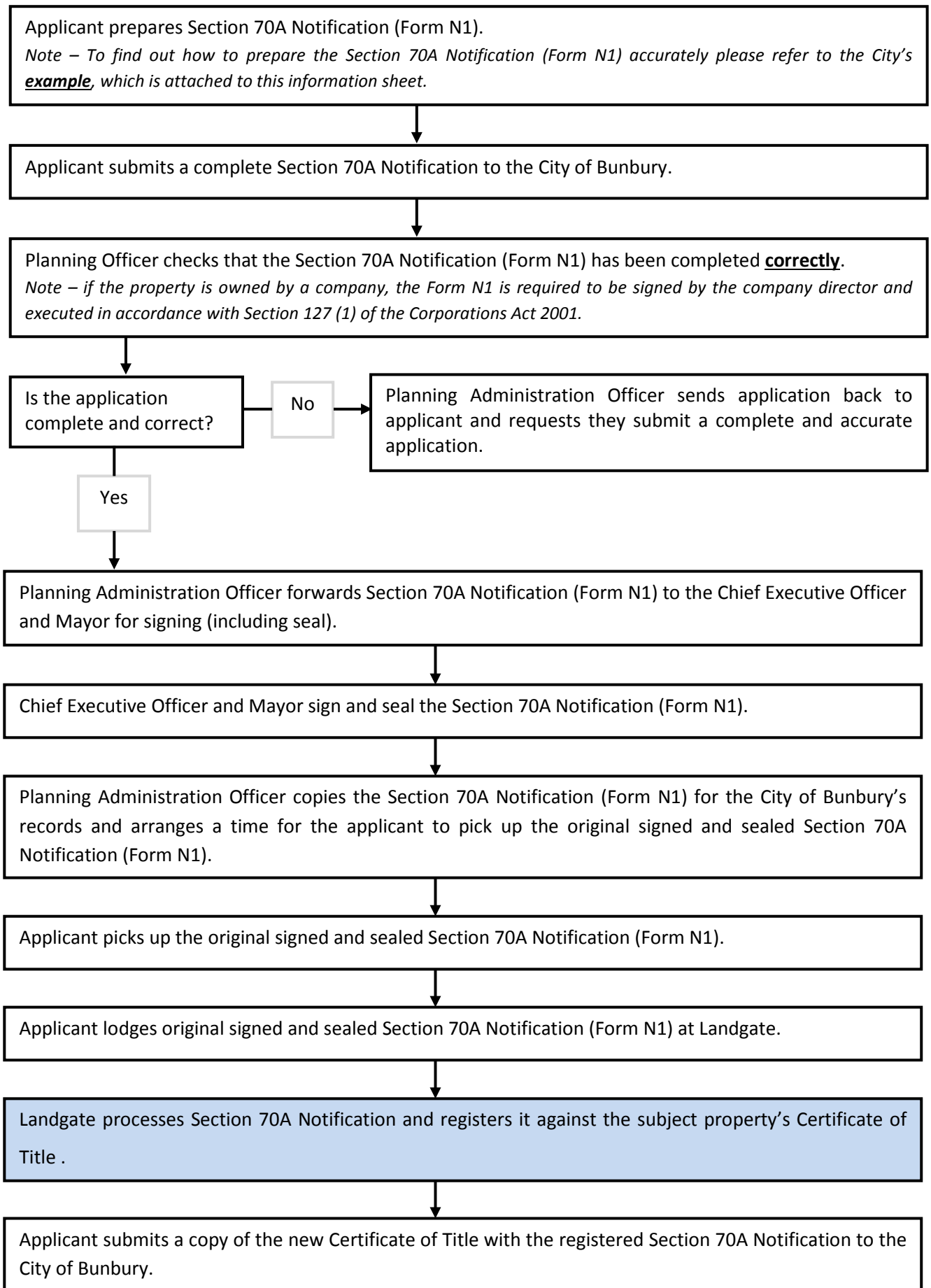
Contact the Development Assessment team at the City of Bunbury for further information by phone on (08) 9792 7000 or by email to [records@bunbury.wa.gov.au](mailto:records@bunbury.wa.gov.au).

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

P: 08 9792 7000 E : [records@bunbury.wa.gov.au](mailto:records@bunbury.wa.gov.au) A: 4 Stephen Street, Bunbury WA 6230, PO Box 21 Bunbury WA 6231

[www.bunbury.wa.gov.au](http://www.bunbury.wa.gov.au)

## Flowchart - Section 70A Notification lodgement



# Section 70A Notification Example

FORM N1

WESTERN AUSTRALIA  
TRANSFER OF LAND ACT 1893 AS AMENDED

## NOTIFICATION UNDER SECTION 70A

DESCRIPTION OF LAND (Note 1)

--

EXTENT

--

VOLUME

--

FOLIO

--

REGISTERED PROPRIETOR (Note 2)

--

LOCAL GOVERNMENT / PUBLIC AUTHORITY (Note 3)

City of Bunbury
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FACTOR AFFECTING USE OR ENJOYMENT OF LAND (Note 4)

<p>The site or part of the site falls within a 'Bushfire Prone Area' as designated by an Order made by the Fire and Emergency Services Commissioner under Section 18P of the Fire and Emergency Services Act 1998.</p>
--

Dated this

day of

Year

LOCAL GOVERNMENT/PUBLIC AUTHORITY ATTESTATION (Note 5)

<p>The Common Seal of the City of Bunbury was hereunto affixed in the presence of:</p>  <p>_____ Signature of Mayor</p> <p>Name:</p>  <p>_____ Signature of CEO</p> <p>Name</p>
---

REGISTERED PROPRIETOR/S SIGN HERE (Note 6)

<p>Signed</p>  <p>in the presence of</p>  <p>Signed</p>  <p>in the presence of</p>
--

**INSTRUCTIONS**

1. If insufficient space in any section, Additional Sheet Form B1, should be used with appropriate headings. The boxed sections should only contain the words "see page....."
2. Additional Sheets shall be numbered consecutively and bound to this document by staples along the left margin prior to execution by the parties.
3. No alteration should be made by erasure. The words rejected should be scored through and those substituted typed or written above them, the alteration being initialed by the persons signing this document and their witnesses.

**NOTES**

1. **DESCRIPTION OF LAND**  
Lot and Diagram/Plan/Strata/Survey-Strata Plan number or Location name and number to be stated.  
Extent - Whole, part or balance of the land comprised in the Certificate of Title to be stated.  
The Volume and Folio number to be stated.
2. **REGISTERED PROPRIETOR**  
State full name and address of the Registered Proprietors as shown on the Certificate of Title and the address / addresses to which future Notices can be sent.
3. **LOCAL GOVERNMENT / PUBLIC AUTHORITY**  
State the name of the Local Government or the Public Authority preparing and lodging this notification.
4. **FACTOR AFFECTING THE USE AND ENJOYMENT OF LAND**  
Describe the factor affecting the use or enjoyment of land.
5. **ATTESTATION OF LOCAL GOVERNMENT / PUBLIC AUTHORITY**  
To be attested in the manner prescribed by the Local Government Act or as prescribed by the Act constituting the Public Authority.
6. **REGISTERED PROPRIETOR'S EXECUTION**  
A separate attestation is required for every person signing this document. Each signature should be separately witnessed by an Adult Person. The full name, address and occupation of the witness must be stated. Execution by a corporation or body corporate must be in accordance with the Corporation Act



EXAMINED

OFFICE USE ONLY

**NOTIFICATION**

LODGED BY

ADDRESS

PHONE No.

FAX No.

REFERENCE No.

ISSUING BOX No.

PREPARED BY

ADDRESS

PHONE No.

FAX No.

REFERENCE No.

INSTRUCT IF ANY DOCUMENTS ARE TO ISSUE TO OTHER THAN LODGING PARTY

TITLES, LEASES, DECLARATIONS ETC LODGED HEREWITH

1. _____	Received Items
2. _____	Nos.
3. _____	
4. _____	
5. _____	Receiving Clerk
6. _____	

Lodged pursuant to the provisions of the *TRANSFER OF LAND ACT 1893* as amended on the day and time shown above and particulars entered in the Register.