



## PLANNING – SECTION 70A NOTIFICATIONS

Section 70A is a section of the Transfer of Land Act that allows notifications to be placed on Certificate of Title. Sometimes, Council places a condition on a subdivision or development that a notification be placed on the Certificate of Title for the land. A notification could refer to any matter that may affect the use of the land or buildings on the land such as:

Ancillary Accommodation:	Advise that occupation of the ancillary accommodation is restricted to relatives of the person who owns or occupies the land and the main dwelling (i.e. the new dwelling cannot be rented out to just anyone).
Rural Workers Dwellings:	Advise that occupation of the dwelling is restricted to people engaged in the operation of an approved commercial rural use on the land.
Caretakers Dwellings:	Advise that 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 (i.e. overnight security).
Contaminated Sites:	Advise that the site or part of the site is contaminated.
Hazards:	Advise of a hazard that may affect the land (i.e. residential lots on land previously used as explosives depots).
Pollution:	Advise that the land may be affected by emissions from a nearby land use (i.e. noise from an industry or highway, dust from brickworks, odour from a poultry farm).
Floodplain:	Advise that the land is located within the 1 in 100 year flood plain of the Avon River or other area which is subject to flooding and may be susceptible to inundation. A Deed of Indemnity is also required to indemnify the Shire in relation to any possible claims for damage should a flood event occur.



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 Land Transfer Act.

**More Information...**

For further information please contact the Shire of York on (08) 9641 2233 or [records@york.wa.gov.au](mailto:records@york.wa.gov.au).

**\*DISCLAIMER\***

This Information Note is a guide only.  
The Shire of York accepts no responsibility for errors or omissions.