

These Guidance Notes are of a general nature and are not intended to, and cannot, replace the advice of a Legal Practitioner or Registered Conveyancer.

For additional information on the completion of this form and requirements see Land Services SA notes on Community Titles available at www.landservices.com.au/property-professionals/land-division

Applications to deposit a community plan must be accompanied by the By-laws for the scheme. A request for the Registrar-General to file a set of by-laws with a community plan is to be made using Form LF1.

The by-laws:

- a. Must be attached to the LF1
- b. Must be certified by the person preparing the by-laws in accordance with Form No. 10 in the Community Titles Regulations 2011. This certification must be shown on the by-laws and not placed on the LF1 form.
- c. Must be prepared in accordance with the Registrar-General requirements:
 - Have a comprehensive index at the beginning of the instrument with clear reference to compulsory matters required by the Act.
 - All pages must be consecutively numbered in the format of 1 of 10, etc.
 - The top left-hand side of each page of the by-laws must have the following header-

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- The top right-hand side of each page of the by-laws must have the following header, with the development number inserted-

By-laws Development No.

- d. Must include the mandatory matters as set out in section 34(2) of the Community Titles Act 1996 (CTA)
- e. May include those provisions set out in section 34(3) of the CTA.

All handwriting must be in permanent, dense, rapid drying black or blue ink.

Each page must be printed double sided, where possible.

The by-laws must be accompanied by the fee prescribed by regulation. The Registrar-General may refuse to accept for registration any instrument, annexure sheet, or additional or inserted sheet which does not comply with the provisions of these standards.

SCHEME DESCRIPTION

A request to file a scheme description with a community plan is to be made using Form LF1.

Pursuant to section 11 of the *Community Titles Act 1996* (CTA), a scheme description must be lodged for every plan of community division except where:

- a. The plan creates 6 lots or less and does not create a development lot, and
- b. The lots in the scheme are being predominantly used for residential purposes, and
- c. There is no requirement for any further development, including the constructions of any buildings, on a community or development lot and or the common property after deposit of the community plan.

The scheme description must:

- a. Be attached to the LF1.
- b. Be certified by the person preparing the scheme description in accordance with Form No. 10 in the Community Titles Act Regulations.
- c. Be endorsed by the relevant planning authority
- d. Be prepared in accordance with the Registrar-General requirements:
 - Have a comprehensive index at the beginning of the instrument with clear reference to compulsory matters required by the CTA.
 - All pages must be consecutively numbered in the format of 1 of 10, etc
 - The top left-hand side of each page of the scheme description must have the following header-

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- The top right-hand side of each page of the scheme description must have the following header, with the development number inserted-

Scheme Description Development No.
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- e. Include the mandatory matters as set out in section 30(1) of the CTA.

All handwriting must be in permanent, dense, rapid drying black or blue ink.

Each page must be printed double sided, where possible.

The scheme description must be accompanied by the fee prescribed by regulation.

The Registrar-General may refuse to accept for registration any instrument, annexure sheet, or additional or inserted sheet which does not comply with the provisions of these standards.

DEVELOPMENT CONTRACT

A request to file a development contract with a community plan is to be made using Form LF1

Pursuant to section 13 of the *Community Titles Act 1996* (CTA) a development contract must be lodged where the scheme description indicates that the community parcel is to be (or is likely to be):

- a. Divided in a subsequent stage for which a development lot is being created in the community plan.
- b. Have buildings or other improvements erected on a development or the common property.
- c. Have a community lot(s) divided or otherwise developed in a particular manner or for a particular purpose.

The development contract must:

- a. Be attached to the LF1.
- b. Be certified by the person preparing the development contract in accordance with Form No. 10 in the Community Titles Act Regulations.
- c. Be executed by the developer¹.
- d. Be prepared in accordance with the Registrar-General requirements:
 - Have a comprehensive index at the beginning of the instrument with clear reference to compulsory matters required by the CTA.
 - All pages must be consecutively numbered in the format of 1 of 10, etc.
 - The top of left-hand side of each page of the development contract must have the following header-

TERMS OF INSTRUMENT
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- The top right-hand side of each page of the development contract must have the following header, with the development number inserted-

Development Contract
Development No.

- e. Include the mandatory matters as set out in section 47 of the CTA.
- f. Any plans attached must be A4 size.

All handwriting must be in permanent, dense, rapid drying black or blue ink.

Each page must be printed double sided, where possible.

The development contract must be accompanied by the fee prescribed by regulation.

The Registrar-General may refuse to accept for registration any instrument, annexure sheet, or additional or inserted sheet which does not comply with the provisions of these standards.

FORM LF1 (Version 2)

¹ Definition of “developer” see section 46 of the *Community Titles Act 1996*.



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