



Tax issues

This checklist contains the most common taxes and related charges and is not intended to be exhaustive. A section has also been included to identify common issues to be addressed when acting for foreigners. Ticking a box indicates who is responsible for considering the selected item. Both practitioner and client may be selected. A column has been included for initial comments. Some example comments have been inserted to highlight issues LPLC has seen in claims. It is recommended that a memorandum be sent to the client after the checklist is completed setting out what was agreed. Also refer to the LPLC GST checklist [here](#).

Warning

We take the risk of cyber fraud seriously and so should you. Hackers have impersonated law firms and requested payment via email using their own account details. It is important you take a number of steps to verify any bank account details you receive in an email from our firm including speaking to us before transferring money. Call us on a phone number you know is ours, not the one in an email with the bank account details as it may have been changed by a cyber-criminal. Do not reply to any emails asking for payment before verifying its authenticity with us by speaking with us.

Duty			
Item	Client	Practitioner	Comments
Estimate – transfer duty <i>If you are acting for a foreigner please also refer to section headed "Foreigner".</i>	<input type="checkbox"/>	<input type="checkbox"/>	\$.....
Spouse / partner exemption	<input type="checkbox"/>	<input type="checkbox"/>	
Double duty may be payable for sub-sales	<input type="checkbox"/>	<input type="checkbox"/>	A deemed sub-sale occurs where a new purchaser is nominated after land development, including applications for planning permits or where there is additional consideration paid by or on behalf of the nominee.
Concessions – eg pensioner	<input type="checkbox"/>	<input type="checkbox"/>	

Duty			
First homeowner grant - FHOG	<input type="checkbox"/>	<input type="checkbox"/>	The client should discuss any FHOG with their finance broker / mortgagee.
Landholder	<input type="checkbox"/>	<input type="checkbox"/>	
Farmland	<input type="checkbox"/>	<input type="checkbox"/>	Consider any GST implications. Refer to the LPLC GST checklist here .
Growth areas infrastructure contribution - GAIC	<input type="checkbox"/>	<input type="checkbox"/>	A purchaser client may wish to defer any GAIC. A vendor must comply with the disclosure obligations in the section 32 statement. See s.32G of the Sale of Land Act 1962 (Vic)
Windfall Gains Tax (WGT)	<input type="checkbox"/>	<input type="checkbox"/>	A landowner client may wish to defer any WGT. Refer s.31 of the Windfall Gains Tax and State Taxation and Other Acts Further Amendment Act 2021 which commences 1 July 2023.
Aggregation	<input type="checkbox"/>	<input type="checkbox"/>	
Congestion levy	<input type="checkbox"/>	<input type="checkbox"/>	
Lease duty – ie right of first refusal	<input type="checkbox"/>	<input type="checkbox"/>	
Self-managed superannuation fund issues	<input type="checkbox"/>	<input type="checkbox"/>	
Request an SRO private ruling	<input type="checkbox"/>	<input type="checkbox"/>	
For more information go to www.sro.vic.gov.au			

Foreigners			
Item	Client	Practitioner	Comments
Foreign purchasers of property	<input type="checkbox"/>	<input type="checkbox"/>	Individuals – if foreign citizen check visa details to determine if temporary or permanent residents. Temporary residents are foreign purchasers. NZ citizens must be in Australia to hold a subclass 444 visa. Discretionary trusts - check any trust deed to see whether the description of beneficiaries could include foreigners. If so, additional duty may be payable.
Additional duty	<input type="checkbox"/>	<input type="checkbox"/>	Foreigners pay additional duty. Currently 8%. Some exemptions apply.

Foreigners

Additional duty estimate – transfer duty	<input type="checkbox"/>	<input type="checkbox"/>	\$.....
Land tax – absentee owner surcharge	<input type="checkbox"/>	<input type="checkbox"/>	
Land tax - vacant residential land	<input type="checkbox"/>	<input type="checkbox"/>	
CGT withholding obligation	<input type="checkbox"/>	<input type="checkbox"/>	A purchaser must withhold 12.5% where a clearance certificate is not provided.
FIRB approval	<input type="checkbox"/>	<input type="checkbox"/>	

CGT

Item	Client	Practitioner	Comments
Estimate of amount payable	<input type="checkbox"/>	<input type="checkbox"/>	\$..... Client should discuss any CGT liability with their accountant.
Withholding obligation <i>If you are acting for a foreigner please also refer to section headed "Foreigner"</i>	<input type="checkbox"/>	<input type="checkbox"/>	A purchaser must withhold 12.5% where a clearance certificate is not provided.
Exemptions <ul style="list-style-type: none"> • Principal place • Pre 20 September 1985 assets • Rollover relief 	<input type="checkbox"/>	<input type="checkbox"/>	
Long term contracts spanning multiple financial years	<input type="checkbox"/>	<input type="checkbox"/>	
Deceased estate – payment by testator and/or beneficiaries	<input type="checkbox"/>	<input type="checkbox"/>	

For more information go to LPLC CGT withholding obligation [alerts](#) and [Claim free conveyancing practice risk guide](#).

Land tax

Item	Client	Practitioner	Comments
Principal place exemption	<input type="checkbox"/>	<input type="checkbox"/>	Any use other than as a residence may mean the exemption does not apply.
Dual principal place exemption	<input type="checkbox"/>	<input type="checkbox"/>	May apply where client has purchased a new home but yet to sell their existing home.
Trust rate – lodge form 8 notice	<input type="checkbox"/>	<input type="checkbox"/>	
Absentee owner surcharge <i>If you are acting for a foreigner please also refer to section headed "Foreigner"</i>	<input type="checkbox"/>	<input type="checkbox"/>	
Vacant residential land <i>If you are acting for a foreigner please also refer to section headed "Foreigner"</i>	<input type="checkbox"/>	<input type="checkbox"/>	
Special land tax – a one off payment where an exemption ceases to apply	<input type="checkbox"/>	<input type="checkbox"/>	
Other exemptions – eg retirement villages	<input type="checkbox"/>	<input type="checkbox"/>	

Administrative matters

Item	Client	Practitioner	Comments
ABN application	<input type="checkbox"/>	<input type="checkbox"/>	
TFN application	<input type="checkbox"/>	<input type="checkbox"/>	
Lost superannuation	<input type="checkbox"/>	<input type="checkbox"/>	

Lodging fees

Item	Client	Practitioner	Comments
Lodging fee Estimate \$.....	<input type="checkbox"/>	<input type="checkbox"/>	

For more information go to:

<https://www.land.vic.gov.au/land-registration/fees-guides-and-forms>

Note - Land Registry lodging fees are subject to annual increases by the Victorian government from 1 July each year.

Subdivisions

Item	Client	Practitioner	Comments
Public open space	<input type="checkbox"/>	<input type="checkbox"/>	
Planning / development levy	<input type="checkbox"/>	<input type="checkbox"/>	

Other charges and issues to consider

Item	Client	Practitioner	Comments
Local council rates	<input type="checkbox"/>	<input type="checkbox"/>	
Local council cladding rectification agreement	<input type="checkbox"/>	<input type="checkbox"/>	
Water rates	<input type="checkbox"/>	<input type="checkbox"/>	
Owners corporation	<input type="checkbox"/>	<input type="checkbox"/>	
Estate agents commission / fees	<input type="checkbox"/>	<input type="checkbox"/>	
Fire services property levy	<input type="checkbox"/>	<input type="checkbox"/>	
Insurance	<input type="checkbox"/>	<input type="checkbox"/>	
First home loan deposit scheme	<input type="checkbox"/>	<input type="checkbox"/>	

Completed by

Name	Date
Signature	
Name	Date
Signature	