



Exemption for Land used for Retirement Villages

This Commissioner's practice outlines when an exemption from land tax will be granted on land used for retirement villages.

Background

Section 39 of the *Land Tax Assessment Act 2002* provides that land used for a retirement village within the meaning of the *Retirement Villages Act 1992* is exempt for an assessment year (to the extent that it is not exempt under any other provision) if, at midnight on 30 June in the previous financial year, it is used for residential premises that are:

- in a retirement village and
- being occupied, or available for occupation, under a residence contract.

Where land is used for a retirement village, a memorial must have been lodged in accordance with section 15(3) of the Retirement Villages Act, and the Certificate of Title suitably endorsed.

Where an exemption for residential premises in a retirement village applies, the exemption also applies to any land that is:

- part of the retirement village and
- appurtenant to the residential premises and
- being occupied or used for, or in connection with, the retirement village scheme for the retirement village.

Commissioner's practice

1. An application for exemption should be made by the owner or administering body of the land on form [FLT39 'Exemption Application: Retirement Villages'](#), and must be accompanied by details of all land required to be considered for exemption together with a sketch or plan detailing use of the land.
2. An exemption will only apply to the developed portion of a retirement village site where construction is complete and the premises are being occupied, or available for occupation, under a residence contract at 30 June in the previous financial year.
3. The Commissioner may inspect properties and/or seek documentary evidence in order to be satisfied that an exemption from land tax is applicable.

Date of effect

This Commissioner's practice takes effect from 26 May 2017.

Nicki Godecke
COMMISSIONER OF STATE REVENUE
26 May 2017

Commissioner's Practice history

Commissioner's Practice	Issued	Dates of effect	
		From	To
LT 14.0	29 October 2003	29 October 2003	25 May 2017
LT 14.1	26 May 2017	26 May 2017	Current