

# Build to Rent | State Taxes comparison

## 30 May 2025

**Build-to-rent (BTR) concessions in the various States and Territories across Australia are all different, including the eligibility requirements for a BTR project to access the tax concessions. We have provided a comparison of the BTR concessions and BTR definitions for all States and Territories in Australia, below.**

Victoria	New South Wales	Queensland	Western Australia
From 1 January 2022 to 31 December 2031.	From 1 January 2021 to 31 December 2040.	From 1 July 2023 to 30 June 2050.	From 1 July 2023.
<b>Land Tax</b>			
50% up to 30 years.	50% up to 2040.	50% up to 20 years.	50% up to 20 years.
<b>Foreign Investor/Absentee Owner Land Tax surcharge</b>			
Exempt up to 30 years.	Exempt up to 2040.	Exempt up to 20 years.	General exemption for refund of surcharge purchaser duty may be available if construction/significant renovations of at least 10 dwellings commences within 5 years of acquisition.
<b>Additional Foreign Acquirer Duty</b>			
Full exemptions may be granted to BTR developments that are considered to '[add] to the supply of housing stock in Victoria', applicable to any relevant developments occurring on or after 1 October 2018.	Exempt up to 2040.	100% discount on future acquisitions or transfer of the identified site for development.	Full exemption available if development consists of 10 or more dwellings and construction/standard refurbishment is commenced within 5 years of acquisition.
<b>BTR Definition</b>			
The dwellings must have an occupancy date (i.e. when the dwellings are first suitable for occupancy as evidenced by an occupancy permit) on or after 1 January 2021 and before 1 January 2032.	Treasurer's Guidelines and Revenue Ruling G 014. Construction commences after 1 July 2020.	Construction commences after 1 July 2023.	Construction completed and the dwellings are able to be lawfully occupied between 12 May 2022 and 1 July 2032.
It must be on land or a parcel of land with a new or substantially renovated building/s fixed to it.  The building(s) were constructed or renovated for the purpose of providing dwellings for lease under residential tenancy agreements.  The building(s) provide at least 50 self-contained dwellings which form the BTR development.	50 self-contained dwellings. Includes swimming pool, storage, recreation areas, car parks.  Does not include shops, café, hairdressers etc.	At least 50 self-contained dwellings managed by the same entity (exception applies for the discounted rent dwellings).  At least 10% of the dwellings in the BTR development must be offered at a discounted rate to 'eligible tenants'.  Eligible tenants must be Australian citizens or permanent residents, occupying the dwelling as their principal place of residence.	Contain at least 40 self-contained dwellings that are all occupiable within 5 years of each other.  Buildings must be constructed or substantially renovated.  While areas of the buildings may be used for unrelated purposes, the exemption is proportionally reduced according to the percentage of the building that is made up for BTR spaces.

Victoria	New South Wales	Queensland	Western Australia
<b>BTR Definition</b>			
-	10% of the construction workforce must involve certain workers (e.g. apprentices, long term unemployed, aboriginal job seekers etc.	-	-
The development is owned collectively and held within a unified ownership structure.	The dwellings and common land that comprise the build-to-rent property must be held within a unified ownership structure.	-	Owned by the same owner or group of owners and be managed by the same management entity.
The development is managed by a single entity. An exception applies to the discounted rent dwellings, which may be wholly managed by a registered community housing provider.	Single management entity with on-site access to management for tenants (unless affordable or social housing for a continuous period of 15 years).	-	-
The development is owned collectively and held within a unified ownership structure.	The dwellings and common land that comprise the build-to-rent property must be held within a unified ownership structure.	-	There is a single management entity for the whole of the build-to-rent property.  Management entity will generally provide services such as cleaning and general maintenance.
The dwellings must be made available for rent to the general public under residential rental agreements as defined in the Residential Tenancies Act 1997. A lease term of at least 3 years must be offered for each dwelling. From 1 January 2026 - the tenant is required sign a declaration that a 3 year term is offered. A tenant may choose a lesser period but it must be at least 12 months (except in limited circumstances, such as the extension of a lease).  The rental agreement must not be subject to any restrictions except those required to ensure public health and safety or to provide social affordable housing.	Genuine option to enter into a fixed term lease of at least 3 years.	-	Dwellings are available for three-year residential leases.  The dwellings cannot be restricted to certain classes of person unless it is necessary to ensure public health or safety, if the dwellings are social housing, or in prescribed circumstances.
Eligibility criteria must be met for a continuous period of at least 15 years.	Eligibility criteria must be met for a continuous period of at least 15 years.	-	Retrospective land tax would apply if an eligible build-to-rent development stops meeting the criteria within the first 15 years after the exemption is granted.

Victoria	New South Wales	Queensland	Western Australia
How to apply for exemptions to the foreign land tax surcharge?			
In writing to the Commissioner.	<p>NSW Online Services, lodge a return.</p> <p>Supply evidence: development application containing compliance with relevant affordable housing policies under Environmental Planning and Assessment Act 1979 and building on a parcel of land contains 50 self-contained dwellings used specifically for the purpose of build to rent; occupation certificate; documents showing BTR properties are managed by single management entity; construction labour force hours involved no less than 10 per cent of certain classes of workers as stated in Revenue Ruling G014.</p>	<p>Option to apply for ruling on whether a proposed development is eligible for land tax concessions.</p> <p>Complete application form LT26: Application for a ruling for the land tax concession for eligible BTR developments.</p> <p>Send application to tadrulings@treasury.qld.gov.au</p>	Application form to be released once legislated.

Australian Capital Territory	Tasmania	South Australia
(Released land). (No formal concessions, rather adjustments to titling of BTR units to affect tax liabilities).	(BTR considered, no official announcements).	Land Tax Act 1936 s7A.
<b>Land Tax</b>		
Individual dwellings not required to be unit titled. Having a single title for all residential properties in a Build-to-Rent development significantly reduces annual properties tax liabilities (including land tax.)	-	50% up to 2040.
<b>Foreign Investor/Absentee Owner Land Tax surcharge</b>		
No exemptions granted due to titling requirement.	-	Exempt up to 30 years.
<b>Additional Foreign Acquirer Duty</b>		
No exemptions granted due to titling requirement.	-	-
<b>BTR Definition</b>		
-	-	Construction commenced on or after 1 July 2023.
At least 15% of dwellings within development are affordable BTR dwellings.	-	Regulations for the minimum number of build-to rent dwellings or units within the property has not been published as of yet.
In mixed-use developments, commercial and residential use must be on separate titles to ensure residential tax rates apply to the residential dwellings.	-	Building complies with Planning, Development, and Infrastructure Act 2016. Land tax exemption proportionally reduced if only part of land is used for BTR dwellings.
The development is owned by one owner/entity.	-	-
Development rented out long-term (preferably at least 15 to 20 years).	-	Each tenant in BTR dwellings is offered lease term of at least three years (and any shorter leases may only be entered into at the option of the tenant).
-	-	Land tax payable will be reassessed if building ceases to comply to BTR definitions.
<b>How to apply for exemptions to the foreign land tax surcharge?</b>		
Enquiries related to BTR in ACT can be sent to <a href="mailto:cmtdeddbuildtorent@act.gov.au">cmtdeddbuildtorent@act.gov.au</a> .	-	Application form still to be advised.  Register for your interest to be advised when further information on the BTR concession is available here.