CPD ONLINE MASTERCLASS

Property Tax Reframed: New Rules, Old Traps and Emerging Risks Online Masterclass

Tuesday 13 October 2026

Vic, NSW, ACT, Tas: 9:00am to 4.40pm
QLD: 8:00am to 3.40pm
SA: 8:30am to 4:10pm
NT: 7:30am to 3:10pm
WA: 6:00am to 1:40pm

- Property Tax After the Budget: The Changes, the Timing and the Risks
- Trust-Held Property: CGT, Streaming and the Impact of the Budget Reforms
- Rental Property Deductions: TR 2026/1 and the Holiday Home Crackdown
- Change of Intention: The Developer's GST Time Bomb
- Margin Scheme Mistakes: Geocon and the GST Chain
- Property Tax Mistakes After Death: CGT and the Main Residence Exemption Traps

The Education Network

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9.00 – 9.10am	**Morning Theme: Budget Reform, Investment Structures and CGT** **Introduction and Welcome** **Morning Chair:** ***Prudence Barker, Barrister, Greens List, Melbourne, Vic***
9.10 – 10.00am	**Session 1: Property Tax After the Budget: The Changes, the Timing and the Risks** The 2026–27 Federal Budget announced major proposed reforms to the taxation of residential property investment and capital gains. With the changes scheduled to commence from 1 July 2027, and many clients already making investment decisions in anticipation of the reforms, advisers need a clear understanding of the proposed measures, transitional rules and practical implications. This session provides a comprehensive overview of the reform package and examines the key issues practitioners should be discussing with clients now, including: • Negative gearing changes for established residential property acquired after Budget night and the proposed quarantining of rental losses • Grandfathering arrangements for existing investors and the treatment of properties acquired under contracts entered into before the reforms were announced • The proposed concession for eligible new-build properties and the practical questions surrounding the definition of a “new build” • Replacement of the 50% CGT discount with an indexation-based approach and a proposed minimum tax framework from 1 July 2027 • The proposed 30% minimum tax regime for discretionary trusts and the key exclusions and concessions announced to date • Advising during the reform period: professional obligations, managing uncertainty and communicating risks where legislation remains unenacted or subject to amendment ***Speaker: Mark Molesworth, Partner, BDO, Brisbane, Qld***
10:00 – 10.10am	**Questions and Discussion**

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10.10 – 11.00am	**Session 2: Trust-Held Property: CGT, Streaming and the Impact of the Budget Reforms** Discretionary trusts remain one of the most popular structures for holding investment and development property. However, the CGT consequences of trust-held property are often misunderstood, particularly where property is transferred, distributed or restructured. The proposed Budget reforms have added a further layer of complexity, raising important questions about how gains flowing through trusts will be taxed and whether existing structures remain fit for purpose. This session examines the taxation of trust-held property, the operation of the current CGT rules, and the practical implications of the reform agenda, including: • CGT consequences arising on the disposal of trust-held property and the appointment of property to beneficiaries • Cost base and acquisition issues for beneficiaries receiving trust property • Streaming capital gains through discretionary trusts and the operation of the current CGT discount rules • Valuation strategies for trust-held property before 1 July 2027 and the evidentiary issues associated with apportioning gains under the proposed reforms • How the proposed CGT reforms and discretionary trust minimum tax measures may affect trust-held property and beneficiary outcomes • Restructuring trust-held property before the commencement of the reforms, including CGT, stamp duty and trust resettlement risks ***Speaker: David Marschke, Principal, DBM Horizons, Brisbane, Qld***
11.00 – 11.10am	**Questions and Discussion**
11.10 – 11.30am	**Morning Break**
11.30am – 12.20pm	**Session 3: Rental Property Deductions: TR 2026/1 and the Holiday Home Crackdown** The withdrawal of IT 2167 and its replacement by TR 2026/1 represents the most significant update to the ATO's rental property guidance in decades. Together with the release of new Practical Compliance Guidelines dealing with apportionment and holiday homes, the ATO has signalled a more rigorous compliance approach to rental property deductions. This session explores the new framework and its implications for advisers and investors, including: • The structure and practical application of TR 2026/1 • The ATO's approach to section 26-50 and circumstances in which holding costs may be denied • Apportionment methodologies accepted under PCG 2026/2 • The ATO's compliance expectations for holiday homes and short-stay accommodation under PCG 2026/3 • Transitional arrangements and the ATO's stated compliance approach • Record-keeping requirements and practical issues involving Airbnb, family use and mixed-purpose properties ***Speaker: Abhishek Shekhawat, Senior Associate, Norton Rose Fulbright, Sydney, NSW***
12.20 – 12.30pm	**Questions and Discussion**
12.30 – 1.15pm	**Lunch Break**

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1.15 – 1.20pm	**Afternoon Theme: High-Risk Property Tax Issues in Practice** **Introduction and welcome** **Afternoon Chair:** ***David Marks KC, Barrister, Queensland Bar, Brisbane, Qld***
1.20pm – 2.10pm	**Session 4: Change of Intention: The Developer's GST Time Bomb** One of the most significant GST risks facing property developers arises when a project's intended use changes after development has commenced. Market conditions, financing pressures and sales delays can quickly alter a client's strategy, potentially triggering substantial GST adjustments under Division 129. This session examines how these provisions operate and the practical steps advisers can take to manage the risk, including: • The operation of Division 129 where development projects shift from sale to leasing • Adjustment period mechanics and common misconceptions regarding BAS amendments • How the ATO identifies changes in intention through data-matching and third-party information sources • Advising developers considering whether to retain and rent unsold stock • Build-to-rent projects and circumstances where GST credits may become claimable following a later decision to sell • Record-keeping and documentation strategies to support and defend a taxpayer's stated intention ***Speaker: Rhys Penning, Partner, Grant Thornton, Melbourne, Vic***
2.10 – 2.20pm	**Questions and Discussion**
2.20pm – 3.10pm	**Session 5: Margin Scheme Mistakes: Geocon and the GST Chain** The margin scheme remains one of the most valuable GST concessions available to property developers, yet it is also one of the most frequently misunderstood. Eligibility often depends on transactions that occurred years earlier, and mistakes made at acquisition can permanently deny access to the concession. Recent judicial consideration in Geocon has reinforced the importance of understanding GST consequences at the commencement of a project. This session examines the practical operation of the margin scheme and the lessons arising from recent developments, including: • The acquisition history rule and why eligibility for the margin scheme depends upon the GST treatment of prior transactions • The written agreement requirement and common drafting mistakes that prevent access to the concession • Distinguishing between the margin scheme and GST-free going concern treatment • The lessons from Geocon, including non-monetary consideration, GST recovery issues and acquisition structuring • Margin scheme risks arising in subdivisions, joint ventures and unit trust development structures • Due diligence issues advisers should address before a development site is acquired ***Speaker: Ken Fehily, Director, Fehily Advisory, Melbourne, Vic***
3.10 – 3.20pm	**Questions and Discussion**

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3.20 – 3.40pm	**Afternoon Break**
3.40 – 4.30pm	**Session 6: Property Tax Mistakes After Death: CGT and the Main Residence Exemption Traps** Property is typically the most significant asset in a deceased estate, and the CGT consequences of estate administration — often underestimated until a sale is imminent — can be substantial. Recent ATO guidance has materially narrowed the circumstances in which the main residence exemption is available to estates and beneficiaries, while the Budget's proposed CGT reforms introduce a further layer of complexity for estates holding property with significant unrealised gains. This session examines the current CGT framework for deceased estates, the impact of recent developments, and the practical steps advisers and estate planners should be taking now, including: • The CGT framework on death: deemed acquisition rules for legal personal representatives and beneficiaries, and the two-year rule for disposing of a deceased's main residence • The two pathways to the main residence exemption for inherited property: sale within two years of death, or continued occupation by an individual with a right to occupy under the deceased's will • TD 2026/D1 and the tightening of the right to occupy test: the ATO now requires an express, unambiguous right to occupy named in the will — informal or implied arrangements are unlikely to satisfy the test • The specific implications of TD 2026/D1 for testamentary trusts: where a right to occupy is granted through trustee discretion rather than express will terms, the ATO's position may disqualify the estate from the full CGT exemption • Will drafting implications: existing wills that do not meet the new standard need urgent review • The interaction between the Budget's proposed CGT reforms and inherited property: how indexation, the 30% minimum tax and the removal of the 50% discount affect the taxation of gains in estates holding property beyond 1 July 2027 • Pre-CGT property in estates: the Budget's proposal to bring pre-CGT assets into the regime and its significance for long-held family homes and intergenerational transfers • Practical estate planning strategies: structuring wills and testamentary trusts to protect access to the main residence exemption, timing disposal decisions, and advising executors on CGT consequences ***Speaker: Paula Tallon, Founder, Salann Tax, Sydney, NSW***
4.30 – 4.40pm	**Questions and Discussion**
4.40pm	**Masterclass Close**

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The registration fee includes attendance at the live online masterclass.

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Access to the papers and PowerPoints will be available online to all delegates in the lead-up to the masterclass (as they become available). The materials will be available in .pdf format for easy download.

CPD

Lawyers: 6 CPD units/points (substantive law)

Accountants: 6 CPD hours

CPD Certificate	All delegates will receive a CPD certificate confirming registration and the CPD units applicable

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Registration Form

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Enquiries: Contact our Event Manager, Jenna Pickrell (jenna@tved.net.au) – phone: 03 8601 7729
Register online: **www.tved.net.au** – go to Masterclasses

Please register me for the **Property Tax Reframed: New Rules, Old Traps and Emerging Risks Online Masterclass** to be held online on Tuesday – 13 October. [code: MPTOCT26]

[ ] **Early Bird Registration – for registrations paid on or before 4 September 2026 - $880** ($800 + $80 GST)

[ ] **Discount Registration – for registrations paid on or before 30 September 2026 - $1089** ($990 + $99 GST)

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