



APRIL 2018

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### **FIRST HOME BUYERS INCENTIVES**

It is common knowledge that from 1 July 2017 the NSW Government introduced as part of the 'housing affordability package' the First Home Buyers Assistance Scheme which introduced a range of measures to assist first home buyers with the affordability to own their first home. The most commonly known is the abolishment of Stamp Duty on all homes (existing/new) up to \$650,000.00.

Most property buyers are not aware of some other incentives, concessions and exemptions available to first home buyers including:

- The "Shared Equity Arrangements" option permits a discount on the stamp duty calculated on the purchase of property when a first home buyer is buying a property with another non-first home buyer (exceptions apply). You could save 90% of the stamp duty payable if the first home owner purchases a 90% share.
- Vacant Land: First home buyers can still obtain an exemption from stamp duty on vacant land (no house) up to \$350,000.00 and a concession on the duty payable on vacant land values between \$350,000-\$450,000.
- Reduction in stamp duty for all homes being purchased by first home buyers valued between \$650,000.00 and \$800,000.00.
- A \$10,000 grant for the building of a new home worth up to \$750,000 (including building a home on vacant land).
- A \$10,000 grant for the purchase of a new home worth up to for the purchase of a new home worth up to \$600,000.

- Abolishing insurance duty on lenders mortgage insurance.

Please contact anyone of our property Solicitors for advice on whether you're eligible for any of the above mentioned incentives, concessions or exemptions as a first home buyer.

### **WHEN ARE FAMILY LAW ORDERS BINDING?**

In the vast majority of disputes under the Family Law Act the disputes are resolved by the making of orders by consent. In most cases this involves each party separately signing court documents and the original documents are forwarded to the court. Unless the matter is listed before a judge or a registrar for directions, consent orders are usually dealt with in chambers in the absence of the parties.

It is not until the court issues the sealed court order that the proceedings are finalised. It is possible (but extremely rare) for either spouse to withdraw their consent to the making of the orders prior to the court issuing the sealed orders. The time delay between the signing of the orders and when sealed orders are issued is often several weeks. In most cases neither spouse wishes to change their mind once an agreement has been made but if there is a significant change in circumstances or after the orders are signed either spouse becomes aware of other assets or other significant factors, the consent to the making of the orders can be withdrawn.

The rights of spouses to withdraw their consent to an order being made is an important tool available to spouses where an agreement has been reached and (for any number of reasons) the agreement needs to be set aside. However, once a court order is made there are limited means available for setting those orders aside.

If you or anyone you know requires advice or assistance in relation to Family Law, please contact one of our solicitors Sean Cahill (who is an Accredited Family Law Specialist) or Siobhan McGreal. Both Sean and Siobhan practice from our Campbelltown office.

### DRIVING OFFENCE REFORMS

Rolling out at the end of last year were new laws seeing greater on the spot powers for police and a reduction in disqualification periods to provide incentives for drivers on long bans to reform their ways.

Police can more readily impose on the spot vehicle sanctions including confiscation of car plates and cars if a driver is caught speeding 30km/hour over the limit.

Maximum penalties for unauthorised driving have been lessened from receiving the same penalties as severe offences like high range drink driving. The automatic disqualification periods for unauthorised driving offences include not less than 3 months and up to 6 months for a first offence.

The Habitual Traffic Offender Scheme, which bans persons convicted of three serious traffic offenders for a period of five years in addition to imposed disqualifications periods, has now been banned. Existing Habitual Traffic Offenders will be able to apply for their disqualification to be lifted if they comply with their disqualification for two or four years. Note this option does not include drivers ever convicted of driving offences involving death or grievous bodily harm.

The reforms are aiming to reduce disqualification periods having disproportionate impacts on people in rural areas who cannot readily access public transport, where the length of disqualification has been shown not to deter irresponsible driving.

If you need help please do not hesitate to contact our Campbelltown office.

### MEEHANS SOLICITORS

171-179 QUEEN ST.,  
CAMPBELLTOWN  
PHONE: 46 27 3333

OR

2/31 OXFORD ROAD,  
INGLEBURN  
PHONE: 9829 3333

AND NOW ALSO LOCATED at

6/22 SOMERSET AVENUE  
NARELLAN

HELPLINE 0418 37 32 37



(Paul Meehan – Principal)

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Website: [www.meehans.com.au](http://www.meehans.com.au)

Email: [info@meehans.com.au](mailto:info@meehans.com.au)

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