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Australian Capital Territory Budget Consultation 2018/2019
ACT Chief Minister and Treasury

By email: budgetconsultation@act.gov.au

Ngunnawal People and Land Tax Budget Submission

In addition to being a Traditional Owner of the Ngunnawal First Nation, I'm an award-winning business woman, Director of the Canberra Business Chamber and Chair of the Indigenous Business Advisory Council amongst other community contributions. I'm also a property investor and all of my properties are located in the ACT on my Ngunnawal lands.

I don't object to contributing financially to our city. I have an understanding of government, and as a business owner, an appreciation for the challenges faced in balancing a budget for our city. Most times I understand and/or agree with the decisions made.

However, it seems so very wrong for the government to be charging Ngunnawal people a tax on land that was taken from our ancestors, land that very few of us have been able to reach a position in life where we're financially successful enough to be able to buy it back.

From my research, it seems that righting this wrong would have a minimal impact on our cities' budget and genuinely contribute towards meeting the governments goals in terms of the published commitments on Reconciliation.

I have a unique view on this topic as I am one of those Ngunnawal people. I've worked incredibly hard to take myself from a position of homelessness to the comfort I have today, which includes small segments of property ownership to hold as a legacy for my children.

Last year a large and punitive penalty was imposed on me for overlooking a new property in terms of my Land Tax obligations. Until then, I had a perfect payment record but missed this one during a hectic period. I asked for the penalty (not the fee) to be reconsidered but was offered no grace. This harsh treatment and severe penalty has sat heavily with me since. The only shining light in the experience was that it gave me cause to research and learn the Land Tax Act.

More recently I was one of the local Ngunnawal people who donated our time and culture to the Possum Skin Cloak that is the central artistic theme of your CMTEDD Reconciliation Action Plan. It's my hands that are on the first page of that document and I read it with interest, particularly the second line that states "We acknowledge that these lands are Aboriginal lands".

The incongruity of these two experiences is what has brought me to write to you to ask that you amend the *Land Tax Act 2004* to provide an exemption for Ngunnawal Traditional Owners.

Section 10 of the Act contains provisions for exemptions. Under this section Community and Government housing is exempt; Nursing homes and retirement villages are exempt; even

religious institutions are exempt – it doesn't seem a far stretch to add a 10(j) to this section that will also exempt Ngunnawal (and those that identify as Ngamberi) Traditional Owners.

This amendment will help your Government achieve the commitments made under the ACT Aboriginal and Torres Strait Islander Agreement 2015-18 via the following:

- Supporting the following principles under the 'Statement of Commitment':
 1. Supporting the rights of Aboriginal and Torres Strait Islander peoples to freely determine their political status and to freely pursue their economic, social and cultural development in line with the right to self-determination.
 5. Having a mutual obligation to address issues of structural disadvantage within the local Aboriginal and Torres Strait Islander community, service providers and the ACT Government in a collaborative, inclusive and transparent manner.
 7. Accountability to the local Aboriginal and Torres Strait Islander community, through the Aboriginal and Torres Strait Islander Elected Body to provide accessible and equitable services that promote the fair distribution of economic resources by aiming to improve the social, environmental, economic and cultural infrastructure of their local community.
- Demonstrating 1, 2, 3 and 4 of the 'ACT Relationship Principles';
- Clearly meets the Action/Initiative under the Key Focus Areas of **"Increased opportunities for Aboriginal and Torres Strait Islander peoples to move towards economic independence"**

The amendment could also be used as a multiple deliverable under Actions 3 and 12 of your Departmental RAP. Under Deliverable 3.1 it could be incorporated as a measure of success in the engagement plan as it's a clear example of working with an Aboriginal stakeholder. It would also be another clear example under Deliverable 12.1 of working with "a member of the Indigenous business community to foster entrepreneurship in the ACT" and is 100% compatible with the overall wording of Action 12 in terms of being a strong outcome that is an **"opportunity for an Aboriginal person to engage in and influence the economic life of the ACT"**.

This initiative would have minimal impact on our Cities current revenue collection. Only 3% of the national population are Indigenous Australians and 6% of the national population own an investment property. If we draw an extremely long bow and assume there's a level financial playing field for Indigenous and non-Indigenous Australians, then based on these statistics that would still only equate to 0.018% of the Indigenous population being property investors. These figures applied to the ACT alone would be much smaller again. If we take those figures a step further to align them with this request by applying them to just the Ngunnawal people who live on their traditional lands in the ACT then the financial effect on the ACT budget would likely not even be noticeable – however it would go a long way to setting an authentic reconciliation leadership example to the rest of the country.

At every event the Chief Minister acknowledges the Ngunnawal people as the Traditional Owners of the Ngunnawal land. I respectfully ask for his leadership in this budget process to right the wrong of government charging Ngunnawal people a tax on their hard-earned modern ownership of land that was stolen from our ancestors.

Yours sincerely,



Mrs Laurie McDonald
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Chair, Canberra Business Chamber Indigenous Business Advisory Council