



Land Administration Workshop: Knowledge Sharing for the Future

Sponsored by Land Equity International

14 August 2008

Rydges Lakeside, Canberra

The Hon Annette Ellis – Opening Address

Annette has been the Federal Member for the southern Canberra area since 1996 when she was elected to the seat of Namadgi. She is currently a member of the National Capital and External Territories Joint Standing Committee of the Federal Parliament, and the House Standing Committee on Aboriginal and Torres Strait Island Affairs. Prior to entering Federal Parliament, Annette was a member of the ACT Legislative Assembly from 1992 to 1995. She chaired the Social Policy Committee of the Assembly and was a member of a number of other committees. Before she began working in politics, Annette was a public servant in the Department of Foreign Affairs from 1974 to 1980.

Presentations – Session 1

Tony Burns, Managing Director, Land Equity International

Tony Burns is a land policy, land administration and systematic registration specialist with a background in surveying. He is the Managing Director of Land Equity International, a company focused on supporting land administration projects worldwide. For the past 25 years Tony has worked on land projects in countries including Bolivia, Cambodia, Ethiopia, Ghana, India, Indonesia, Lao PDR, Macedonia, Pakistan, Palestine, Papua New Guinea, Perú, Philippines, Tanzania, Turkey, Russia and Vietnam. Tony's experience encompasses land policy review and formulation; review and evaluation of cadastral survey and mapping procedures; systematic registration; and business land administration process re-engineering. His experience also covers the full donor cycle from the preparation of country strategies through to project evaluation. The World Bank recently published a report that he prepared on "Indicators of Land Administration Efficiency" and he is currently working on a study for the World Bank on "Good Governance in Land Administration".

Abstract: *Governance in Land Administration*

The topic of governance in economic development is one that has increasingly drawn the attention of policymakers, donors, and researchers. That good governance is important for development outcomes is hardly controversial - it is by now universally accepted that a state that can function effectively is a precondition for generating sustained economic growth and poverty reduction. Governments have a vital role to play in fostering the development of markets, as well as in addressing market failures, and cross-country empirical evidence confirms that aspects of governance such as a strong rule of law are strongly linked to economic growth. Recognition of the importance of these issues has led to increasing interest in achieving a better understanding of the various aspects of what good governance means, and how it can be achieved.

Land administration is often perceived as one of the most corrupt sectors in public administration. Land itself, considered a primary source of wealth, often becomes the trading medium and motivation of political issues, economic and political power gains, and other self fulfilling interests. The need to ensure there is good governance in land administration is thus very important. A key theme in the land sector among development professionals, policy makers and academics, is how to address governance within land administration. Current research and a draft Conceptual Framework are presented in this paper to contribute to on-going discussion and provide a tool for focussing assessment of governance within land administration systems.

Dr. Raewyn Porter, Social Development Specialist

Rae Porter is a development professional with a PhD in land and governance and twenty years experience in management, planning, consultation, research, evaluation, advocacy and policy practice. She has held a range of consultancy positions with NGO's, Government's and private practice in Australia, South-East Asia, South-Asia, Middle East and Africa. Her professional focus is on social development: rights and entitlements for vulnerable populations; inclusive, cohesive and accountable development, with particular experience in land title/security; housing/shelter; local area planning and management; state, NGO, Local Government relations; and gender. Rae combines her technical skills with a range of experience in program monitoring, review and evaluation working with central and local governments, NGO's and the private sector.

Abstract: *Approaches to Developing Land Policy*

The presentation examines land policy through the lens of an idealised 'policy cascade' and then compares recent examples of land policy development in three countries: Uganda, Philippines and West Bank & Gaza. Lessons are drawn from these land policy experiences and extrapolated to suggest potential characteristics of engagement in the Pacific States.

Ian Lloyd, Team Leader, Philippines LAMP II

Ian Lloyd is a Director of Land Equity International. Ian has worked internationally in project management and technical roles as a Team Leader, Land Registration Specialist, Cadastral Surveying Specialist and Systematic Adjudication Specialist since 1985. He has worked in the Philippines, Laos, Indonesia and Thailand to support the efforts for land administration reform including accelerated land titling, cadastral surveying and mapping, land valuation, land information and land registration. Ian is the current Team Leader of AusAID's Land Administration and Management Project in the Philippines and the former Team Leader of AusAID's Lao Land Titling Project.

Abstract: *Outcomes, Innovations, Impediments and Lessons Learned on two of AusAID's Land Administration Projects – LAMP II*

LAMP II has been used as a testing ground for a new and innovative approach to AusAID funding. The project supports an Innovation Support Fund (ISF) which is an AUD \$ 1.5 Million AusAID fund facility. This fund is intended to encourage local governments with key local land administration and management agencies to initiate, implement and institutionalise focused interventions and processes leading to local reforms on land administration and management, integration and improvement in land administration and management service delivery. Reforms are especially focused in land tenure security, land valuation, land titling and land records management at the city and municipal levels.

Chris Lunnay, Project Director, Laos PRLTP

Chris Lunnay is also a Director of Land Equity International. Chris has over 15 years of experience in consulting in land administration. He has specific expertise in surveying, systematic land titling, land registration, land policy, spatial information systems, project management and project design. He has been a team leader for more than 7 years on long term AusAID funded land administration projects in Indonesia and Lao PDR and undertaken project design and review activities in numerous countries in South East Asia and the Pacific. He was an author of one of the case studies for the AusAID document, "Making Land Work".

Abstract: *Outcomes, Innovations, Impediments and Lessons Learned on two of AusAID's Land Administration Projects – PRLTP*

The Lao – Australia Property Rights and Land Titling Project (Lao Land Titling Project) commenced in 1997 and has been successful in developing a land registration system and land offices in 14 of the 17 provinces of Lao PDR (remaining 3 provinces to be included following World Bank approval). The project has completed the issuing of land use rights over 509,800 land parcels; supported the successful development and implementation of a High Diploma in Surveying and Land Administration; developed a sustainable geodetic survey system; implemented a successful approach to community education and gender awareness and increased government revenue from land registration fees by over 300% in 5 years. In achieving these results the project has faced numerous hurdles in developing capacity and sustainability and there are a number of lessons that can be learnt.

Chair – Session 1

Professor Ian Williamson, University of Melbourne

Ian Williamson is Professor of Surveying and Land Information, Centre for Spatial Data Infrastructures and Land Administration, Department of Geomatics, at the University of Melbourne, Australia. His teaching and research is concerned with cadastral, land and geographic information systems, land administration and spatial data infrastructures in both developed and developing countries. In recent years he has focussed on the role that land administration systems play in supporting sustainable development, improving the efficiency of land administration systems, the inter-dependence of land administration systems and spatial data infrastructures, and understanding the operation of land markets. He has undertaken research or consultancies worldwide, including for AusAID, the United Nations, the Asian Development Bank and the World Bank, as well as for most governments in Australia. He is a Member of the Order of Australia (AM), a Fellow of the Academy of Technological Sciences and Engineering Australia (FTSE) and was awarded the Centenary Medal by the Prime Minister of Australia in 2003. He is a Fellow of the Institution of Surveyors Australia, a Fellow of the Institution of Engineers Australia, an Honorary Fellow of The Mapping Sciences Institute Australia, and an Honorary Member of the International Federation of Surveyors (FIG). He is currently a member of the Executive of the UN sponsored Permanent Committee for GIS Infrastructure for Asia and the Pacific and chairs its Working Group on Spatially Enabling Government (formerly Cadastre).

Presentations – Session 2

Professor Brian Roberts, Emeritus Professor

Emeritus Professor Brian Roberts has more than 30 years experience as a professional planner, project manager, academic and adviser on a wide range of urban planning, management and economic development projects. He has worked in 25 countries and held senior positions in the United Nations, Queensland State Government the consulting industry and academia. He has been involved with the management of several very large multi discipline projects involving national capital city planning and development; regional and urban economic planning and institutional reform programs. He is the co-author of the book "Urbanization and Sustainability in Asia: Good Practice Approaches to Urban Region Development". He is currently the Quality Assurance advisor for AusAID for the Philippines Land Administration and Management Project (LAMP) and Project Manager for the ADB City Cluster Development Project in South Asia. He recently completed the chapter on environment and climate change adaptation for the United Nations State of Asian Cities Report to be presented at the World Urban Forum in Nanjing later this year.

Abstract: *Urbanisation and Sustainability: Lessons from Good Practice*

This presentation on Good Practice Cases of Sustainable Urban Development in Selected Asian Countries outlines examples of approaches to sustainable development projects and programs which have been implemented to improve the quality of urban environments in Asian countries. The presentation commences by setting in context issues related to urbanization in Asia, where 1.1 billion people are expected to be added to the population of cities in the next 25 years. A series of case studies on sustainable urban development good practices will be presented. These draw upon research from two books: "Urbanization and Sustainability in Asia: Good Practice Approaches to Urban Region Development" and "Managing Asian Cities" published recently by the ADB, which Professor Roberts was extensively involved in writing. The case studies demonstrate aspects of sustainability in good governance, urban management, infrastructure/service provision, financing and cost recovery, social & environmental sustainability, innovation and change and leveraging official development assistance. The presentation concludes with an outline of important lessons to be learned about sustainability for the design, development and implementation of urban projects in the future by international development agencies.

Dr. Kate Dalrymple, Senior Land Administration Specialist

Kate joined LEI in September 2006 as a land consultant. As a Geomatic Engineering and Arts graduate she quickly turned her attentions to bridging the gap between project design and project beneficiaries. Her PhD field research and overseas assignments over the past three years have focused on the issues of land tenure and titling in South East Asia. Kate has just returned from her assignment as a Community Education Services adviser on the Lao Land Titling Project Phase II. A key counterpart during information dissemination and public

participation campaigns is the Lao Women's Union. Kate also takes a keen interest in research and development activities of international organisations, sharing tools of best practices and engaging in working group discussions.

Abstract: *Social and Gender Considerations*

Community education services are an integral pathway to ensuring project goals are achieved in a sensitive and collaborative manner. These services are also essential for ensuring clear communication and understanding between the project goals and beneficiaries.

Engaging men and women equally in both policy making and implementation on development projects is critical. The integration of the Lao Women's Union within the Lao Land Titling Project has been invaluable in terms of realising a gendered approach to titling. Success is also due to the level of ownership and coordination in communicating the gender message and opening a networking platform for gathering participation momentum. This presentation provides tangible lessons from the Lao Land Titling Project for countries attempting to reach Millennium Development Goal 3 – promoting gender equality and women's empowerment.

Professor Spike Boydell, Property Rights Research Group, University of Technology Sydney

Professor Spike Boydell PhD FRICS FAPI FIVEM, is Professor of the Built Environment in the Faculty of Design, Architecture and Building at the University of Technology Sydney. Prior to this appointment, he was Head of Land Management and Development at the University of the South Pacific (1998-2005). A Chartered Surveyor by profession, he worked in local government, private practice and finance before joining academe. He has subsequently held academic positions in the UK, Australia and South Pacific.

Spike has served as an expert adviser on property rights, land management and conflict minimisation issues to: Pacific Islands Forum Secretariat; the Secretariat of the Pacific Community; AusAID (on Pacific 2020 initiative as lead author for land input paper; and as visiting property rights expert for the Solomon Islands Institutional Strengthening Land Administration Project SIISLAP); the Food and Agriculture Organisation of the United Nations (UN FAO Visiting Expert in Land Tenure); UN Habitat; International Federation of Surveyors (FIG) Presidential Task Force on Institutional and Organisational Development; the Commonwealth Scientific and Industrial Research Organisation (CSIRO Undarra Property Rights Workshop); and, as International Native Title Spokesperson for the Royal Institution of Chartered Surveyors. In January 2007, he established the transdisciplinary UTS Property Rights Research Group. The UTS Property Rights Research Group (PRRG) specialises in land tenure and property rights research, advocacy, public policy development and consultancy.

Abstract: *Building Capacity through Education & Training*

This presentation takes a Pacific focus, highlighting that the role of customary land in the development of Pacific Islands is now firmly on the good governance agenda of donors and regional agencies. Tasked with negotiating these challenges are a small cohort of property professionals. The majority are land management graduates (in land management, real estate, planning or geomatics) from the University of the South Pacific or the Papua New Guinea University of Technology, who have studied their degree in their second (or third) language. Unlike their counterparts in developed countries, these graduates often return to senior positions in Government lands departments, without the support of mentors or professional bodies to help them navigate the early years of their career.

In a major step towards post university support and professional representation, the Pacific Islands Land Professionals Association (PILPA) was established in July 2008. This initiative of the Commonwealth Association of Surveying and Land Economy (CASLE) was almost thirty years in the making. As a representative professional body, PILPA can seek international recognition and support from other professional bodies. The mandate of PILPA largely overlaps and embraces the emergent Pacific Island Planning Association (PIPA).

Professional representation, whilst a major step for the region, can only advance its members in the region so far. Critical to making land work to support development in the region, this presentation discusses the engagement of kindred professional bodies (such as the Australian Property Institute, the Planning Institute of Australia, the Institute of Surveyors Australia, the Royal Institution of Chartered Surveyors and the Spatial Science Institute) to provide both expertise and essential mentor support to the young and aspiring Pacific land professionals.

Chair – Session 2

Ms Toni Bauman, Visiting Research Fellow, Native Title Research Unit, Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS)

Toni Bauman is an anthropologist, mediator, facilitator and trainer with around thirty years experience in a wide range of Indigenous matters including land and native title claims, agreement-making, decision-making, dispute management, government policy, social impact, and feasibility studies. She has worked as a staff member and consultant for a range of organisations such as Land Councils, Native Title Representative Bodies, the Aboriginal and Torres Strait Islander Commission, the Australian Institute of Aboriginal and Torres Strait Islander Studies, and the Aboriginal Areas Protection Authority in Darwin. Toni is also an Aboriginal Adult Educator, and has worked as the editor of the Indigenous Law Bulletin in the Faculty of Law at the University of New South Wales. She is a Director of Dodson, Bauman & Associates Pty Ltd, Legal and Anthropological Consultants and was the primary researcher and manager of the Indigenous Facilitation and Mediation Project at AIATSIS between 2003 and 2006.

Presentations – Session 3

Steven Wawrzonek, Pacific Land Program, AusAID

Steven Wawrzonek is currently the manager of AusAID's Pacific Land Program. He was a significant contributor to the Making Land Work publication as a co-author of volume one, "Reconciling customary land and development in the Pacific" and an editor of volume two, "Case Studies on customary land and development in the Pacific." He has undergraduate qualifications in Environmental Geography and Law (First Class Honors) and postgraduate qualifications in legal practice. Before joining AusAID Steven worked as a lawyer for the NSW Environmental Defenders Office, NSW Office of the Director of Public Prosecutions and the Commonwealth Department of Industry, Tourism and Resources.

Abstract: *Making Land Work: AusAID's Support for Land Policy Reform in the Pacific*

AusAID is supporting land policy reform in the Pacific with a \$54 million investment over the next four years. AusAID's land initiatives in the Pacific are being informed by the background research and publication of the "Making Land Work" report. AusAID's Pacific Land Program will build on the results of this research in guiding the implementation of Phase II of the Program. This presentation will focus on the types of reforms that AusAID will support and the approach AusAID is taking to development assistance in the land sector.

Dr. Jim Fingleton, Lawyer/Anthropologist

Jim Fingleton is a lawyer-anthropologist, who has worked on land matters in Asia and the Pacific Islands in various capacities over nearly four decades. He has been legal counsel in land cases and official inquiries, an academic researcher into changes in customary land tenures, a senior adviser to governments on land policy reform and a drafter of new land legislation.

He has worked for the United Nations and other aid agencies since 1980 on many projects, including legislative reforms in land, forestry, fisheries, agriculture, plant and animal health and conservation. He has working experience in two dozen countries in Asia, Africa, the Pacific and the Caribbean. At present, he practices as a freelance Development Law Consultant and a part-time farmer.

Abstract: *Pacific Land Tenures – New Ideas for Reform*

Land reform is never easy but, after many decades without much change in their land laws, there are signs of a mood for change in the Pacific Islands region. Under the Pacific Land Program (PLP), the Australian Government has committed \$54 million to support land reforms in Pacific Island countries and East Timor. The first phase of the PLP was the conduct during 2007 of 17 case studies, to look at major land tenure issues in the Pacific region and the innovative ways they were being addressed.

The talk will identify the main lessons for reform which can be drawn from the case studies, and offer views on how to apply those lessons to land reform in the Pacific. As always, it will be necessary to balance – the need for local "ownership" of any reforms; and ensuring that those reforms are based on good research, and will in fact promote sustainable development.

Neil Pullar, Director, Cadastre Limited, New Zealand

Neil began his career with the New Zealand Department of Lands & Survey in 1976 as a cadastral surveyor. He later specialised in Land Information Systems (LIS) and had periods of secondment with both the Papua New Guinea government and the Fiji government where he helped to establish the Fiji LIS. In 2001, he established a land information consultancy, Cadastre Limited and through that has been involved in land administration projects in over 15 countries around the world, including projects in Samoa and the Marshall Islands. In both these Pacific projects he was involved in the development and implementation of new computerised systems. His international work has included involvement in project preparation teams for land administration projects in Albania and Turkey. He has been heavily involved in the initial definition of new systems and related procurements of hardware, software, and the specification of associated scanning, data conversion, data update and improvement work. As well as his international work he has completed a number of LIS/GIS consultancy assignments within New Zealand and Australia including the training of private sector cadastral surveyors in the process of digital lodgement for cadastral surveys using the (NZ) Landonline system.

Abstract: Computerisation in the context of sustainable Land Registration/Land Administration in the Pacific

Computerisation has the potential to support most land administration reform initiatives. The land administration applications typically considered for computerisation in Pacific countries will be identified as will the common characteristics of the implementations of these applications. Computerised applications known to the presenter in Papua New Guinea, Fiji, Marshall Islands and Samoa are reviewed. Finally, a number of issues that are considered important to ensure land administration reforms are sustainable (particularly in Pacific countries) are identified.

Chair - Session 3

Associate Professor Kath Wellman, Director, Centre for Developing Cities, University of Canberra

Associate Professor Kath Wellman is the Director of the Centre for Developing Cities at the University of Canberra. She has qualifications in urban design, environment, and business management, and has won awards in urban design in Europe, USA and Canada. She has a strong interest in the issues arising in developing countries due to urbanisation, particularly in relation to urban governance and the delivery of urban services. She has worked for NGOs, government and universities.