

54th ANNUAL SURVEY CONGRESS

Theme: Addressing PNG's Rapidly Rising Development Changes through the embracing of New Survey Technology and Method.

Topic: Land Administration and Management Challenges in East New Britain Province.

VENUE: GAZELLE INTERNATIONAL HOTEL

DATES: 12th -14th Sept, 2022

Presentation Outline

- Introduction
- Mission, Goal & Objective
- Summary of ENB Development Pathways
- Legislations
- Provincial Plans and Policies
- Lands Sector Strategy per ENBSDP
- Stakeholders
- Key Programs
- Defn of Survey in Reference to Key Programs
- Plantations
 - ✓ *ENB Plantations Status*
 - ✓ *Plantations Challenges*
- Physical Planning and Growth Centres
 - ✓ *ENB Prov Physical Planning Board*
 - ✓ *Physical Planning Challenges*
 - ✓ *Growth Centre*
 - ✓ *Growth Centre Challenges*
- Customary Land Administration
 - ✓ *ILG and VCLR Experiences*
 - ✓ *IRDP/SABL in ENBP*
 - ✓ *Benefits of FCA and SABL sublease*
- Identified Survey Concerns and Issues
- Conclusions
- Recommendations

Introduction of ENB Lands Division

- Division of Lands & Physical Planning was once a unit under Provincial Administrator's office then graduated to a Division
- Signing of MOU in 1992
- Signing of MOA in 1997
- Delegation/Decentralisation of functions in 1997
- Lands Division came into full function with decentralised powers and functions under Land Act and its consequential legislations while most powers are being managed from the mother department (DoLPP).
- Lands Division comprises of five sections; Alienated Lands & Valuation Support, Surveys, Customary Lands, Physical Planning and Administration. 4 x District Lands Coordinators established in all 4 districts.
- Delegated functions been revoked in 2017 however provincial performance is recognised at National Level (DoLPP).

Goal and Objective of Lands Sector per ENBSDP

- **VISSION (ENBSDP)**

“ East New Britain Province to be peaceful, safe and secure; where our people will be wise; healthy, educated and prosperous”

- **Goal**

To mobilize & manage land to enhance, sustain and further grow the local economy through increase local participation.

- **Objective**

To mobilize and align land through an appropriate social mapping and make land available for local use to support priority development programs, urban development and agriculture development.

Summary of ENB Development Pathway



Development Path for ENB and its future vision for Advancement....

1994 – 1998 Restoration and Resettlement.

1999 – 2003 Rehabilitation and Reconstruction.

2004 – 2008 Integral Human Development & Institutional Strengthening.

2009 – 2013 Economic Development & Improved Service Delivery.

2014 – 2018 Economic Growth and Sustained Service Delivery.

2019 – 2023 Economic Advancement.

Legislations

1. Land Act 1996
2. Land Group Incorporation Act (Amendment) 2009
3. Land Registration Act (Amendment) 2009
4. Physical Planning Act 1989
5. Survey Act 1969
6. Valuation Act 1967
7. Land Tenure Conversion Act 1963
8. Land Dispute Settlement Act 1975
9. National Land Registration Act 1977
10. Public Service Management Act
11. Public Finance Management Act



Provincial Plans and Policies

- 1. ENB Economic Development Plan 2010-2030**
- 2. ENB Strategic Development Plan 2011-2021 (Review in progress)**
- 3. Disaster Risk Management Report**
- 4. Urban & Regional Plan and Growth Centre Strategy**
- 5. 4 x District Plans**
- 6. 18 x LLG Plans**
- 7. Kokopo – Tokua Subject Development Plans**
- 8. Rabaul Subject Development Plan**
- 9. Kokopo Subject Development Plan**
- 10. Development Control Policies**

(most plans are due for review)

Stakeholders

- **Dept. of Lands & Physical Planning**
- Dept. of Provincial & Local Government Affairs
- Department of Justice and Attorney General
 - ✓ Village Court and Land Mediation Secretariat
 - ✓ Public Curator's Office
 - ✓ Land Titles Commission
- Dept. of Civil Registry
- Police Dept.
- Magisterial Services
- Government Printing Office
- Office of Urbanization
- PNG Forest Authority
- **4 x District Administrations in ENB**
- **18 x LLGs and their wards**
- **Other SRAs & established Units within ENBPA**

Lands Sector Strategy per ENBSDP

- Acquire Land for Resettlement
- Mobilize Existing Government Purchase Land
- Support & Assist IRDPs to Register Customary Land
- Improve Administration & Management Mechanisms
- Letting Land to facilitate the provision of necessary infrastructures to promote local industries.

Key Programs

1. Land Administration & Management
2. Least Developed Area Intervention
3. Development Projects
4. Voluntary Customary Land Registration
5. ENB Prov Physical Planning Board
6. Growth Center Developments
7. Resettlements
8. Valuation Support
9. Lands Awareness
10. Plantation Redistribution Scheme
11. ENB Provincial Land Board

What is Survey in reference to Lands Sector Key Programs?

- Survey will always be a key activity in any land mobilization assignment. Be it a routine activity or a project
- In any Land Administration or Land Development and Management, survey is required depending on the type of process executed or the type of development to be carried out
- It is a must that survey works done by graduate surveyors must be physically supervised by a registered surveyor. **By practice, it is not always the case.**



PLANTATIONS

ENB Plantations Status

- Over 250 described portions of Plantations scattered throughout the length and breadth of East New Britain Province
- From the total number of plantations, a couple been designated for the following;
 - I. Plantation Redistribution Program
 - II. Growth Centres and Town Developments
 - III. Resettlement Programs
 - IV. Revenue Enhancement program
 - V. Private Urban Developments
 - VI. Private Subdivisions to cater for growing population

Plantation Challenges

- All plantations be inspected and status update be provided.
- A number of plantations have challenges which includes;
 - Customary Land owner claim on run down plantations
 - Not all survey readings are in the present **Grid North** used hence conversion is required
 - Duplicating Titles over Plantation portions; Freehold Titles issued through New Guinea Land Ordinance and issues in recent times using LTC process. Title from New Guinea Land Ordinance is recognised by ROT and DoLPP database as well as LTC Order is accepted by ROT through the administered legislations.



PHYSICAL PLANNING AND GROWTH CENTERS

ENB Provincial Physical Planning Board

- A functional ENB Prov Physical Planning Board
- Govern by Physical Planning Act 1989 & Regulation 2007
- Runs monthly meetings including Pre Board
- Administered by ENBPA Division of Lands & Physical Planning
- ENBPPPB Board Quorum is 7 from 3

ENB Prov Physical Planning Board cont'.

- Physical Planning Office provides Executive Advice to the Board
- Effective Board and members are critical when comes to assessment of development plans
- Survey is one component Board Members are always critical of especially stressing on the importance of work done must be under direct supervision of a registered surveyor.
- ENB Prov Physical Planning Board works in collaboration with ENB Provincial Building Board.



Physical Planning Challenges

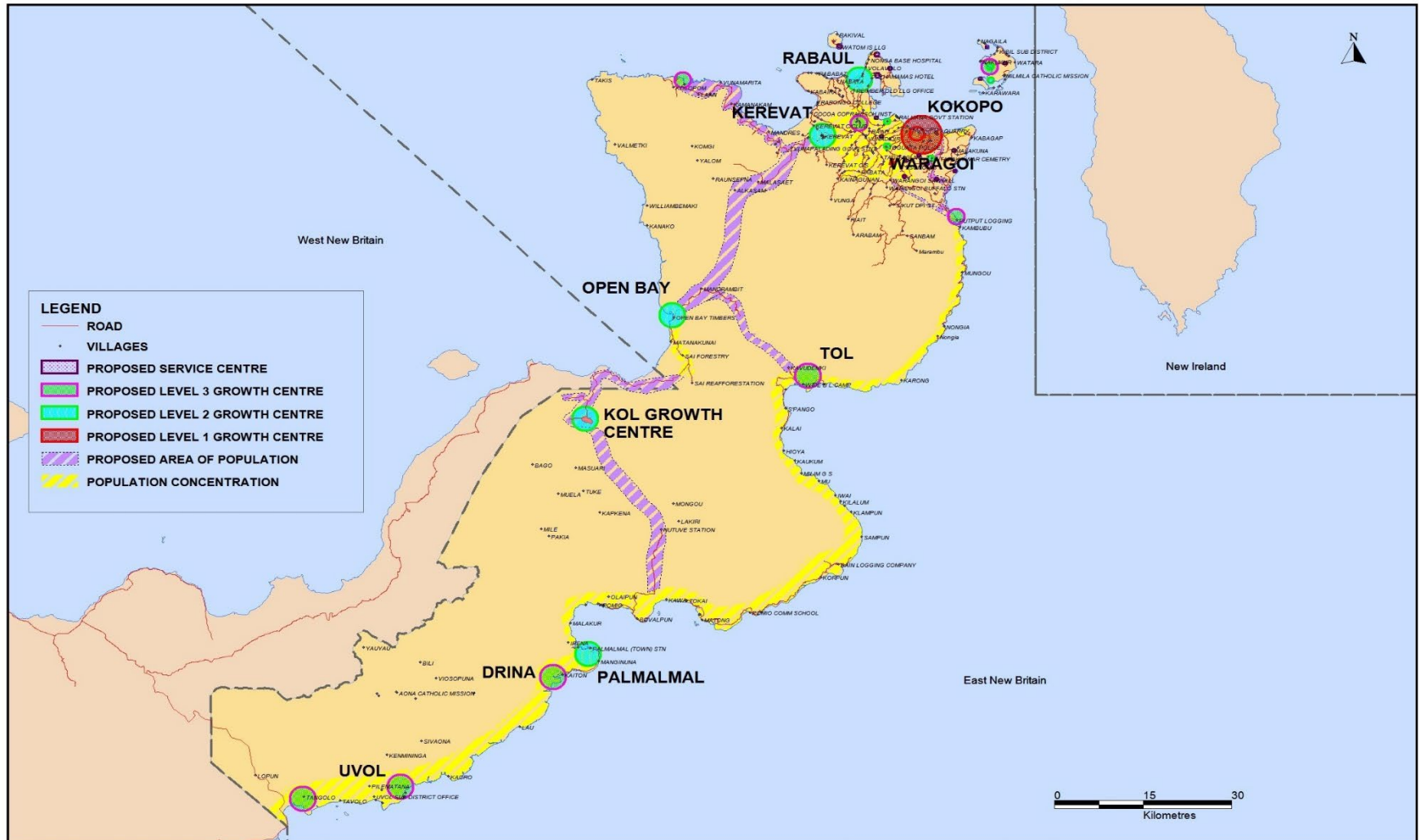
Growth Centres


- The urban and regional development plan outlines a strategy for Urban Development in the Kokopo/Tokua Corridor and the Growth Centre Hierarchy Strategy/Urban & Regional Plan 2003.
- The growth centre strategy identified growth centres to be developed in order to spread risk of future disasters and to establish service centres closer to the rural majority.
- The growth centre strategy is in line with government shifting of focal point of service delivery to Districts and Local Level Governments.

Classification of Growth Centres

Level	Location	District
Level 1	Kokopo City	Kokopo
Level 2	Rabaul	Rabaul
	Kerevat	Gazelle
	Open Bay	Gazelle
	Kol	Pomio
	Palmalmal	Pomio
Level 3	Kumaina/Rakanda	Kokopo
	Putput	Kokopo
	Vunakanau	Gazelle
	Tol	Pomio
	Drina	Pomio
	Uvol	Pomio
	Rano	Pomio
	Warangoi	
Level 4	Vunabanga	Rabaul

Growth Center per Palmalmal Urban Development Plan 2016



				DATUM	NIUGINI LANDS DEVELOPMENT SERVICES P.O. BOX 2470, KOKOPO, ENBP	 NIUGINI LANDS DEVELOPMENT SERVICES	LOCALITY: KOL GROWTH CENTRE DESIGNED: S. BIAMAK	PALMALMAL, POMIO DISTRICT	
RV.	REVISION	DATE	INT.	APP.			DRAWN: B. PAULIAS CHECKED: APPROVED: SCALE: AS SHOWN	GAZELLE PENINSULA SETTLEMENT PATTERNS DATE: NOV, 2015, REV MARCH 2016 MAP NO. 04 FILE NO.	RE.

Growth Centre Challenges

- Under resourced = development is at snail phase
- Funding – Major Issue
- Surveying is a major component especially when in the subdivision stage – Cadastral survey is required
- Engineering Design Aspect



CUSTOMARY LAND ADMINISTRATION

- ILG AND VCLR EXPERIENCES
- IRDP IN ENB (SABLS)

ILG and VCLR Experiences

- ❑ With the focus in Customary Land Administration being the **recent paradigm shift** having to encourage customary land owners register their customary land that is still **customary in tenure**, the **Customary Landowners are willingly complying** to the procedures set through the Revised Land Group Incorporation Act 2009 and Land registration Act 2009 to register their clans as Incorporated Land Groups (ILGs) and their customary land through Voluntary Customary Land Registration (VCLR) process or Land Tenure Conversion (LTC) process.
- ❑ After the lift of our provincial moratorium of ILGs in 2019, so far a total of **51** ILG applications were lodged with Lands Division, **29** Assessed and further lodged with Department of Lands & Physical Planning ILG Office which resulted in 10 being successful having ILG Certificates Issued and **19** pending. **22** Applications were assessed and are incomplete pending sketches. For VCLR, the provincial office does not have record of any issued Customary Land Title.
- ❑ Instances, customary landowners engage with investors prior executing the ILG and VCLR/LTC process so they are paid in advance some capital that will cater for their ILG and VCLR/LTC processes expenses. **Normally, we don't have control over this arrangement.**

ILG and VCLR Experiences

- ❑ Are there costs involved in the ILG process and VCLR process?

No	ILG Process	Cost (K)	VCLR	Cost (K)
1	NID (Membership)	Yes	Survey	Yes
2	Sketches (Properties)	Yes	Title Issuance	
3	Application Lodgement	Yes		
4	ILG Certificate Issuance	Yes/No		

- ❑ ENB's economy is mostly supported by Agriculture and most ILG members are local farmers who raised funds from toiling the land to fund their ILG and VCLR expenses.

INTEGRATED RURAL DEVELOPMENT PROJECTS (IRDPS)/ SPECIAL AGRICULTURE BUSINESS LEASES (SABLS)

- IRDP in the ENBSDP is a version of putting SABLS & FCAs together in administering land for development and improving livelihood of rural communities.
- SABLS issued over vast customary land mass for purpose of FCA and later long term Agriculture Land Use. Securing of land in this arrangement is via Landowner companies
- Partnership between landowners, investor, Provincial Government and National Line Departments including PNGFA, DAL and DoLPP. DAL and DOW are the missing Stakeholder in these IRDP initiatives.
- With SABL being a Controversial, there is need to convert what was issued under SABL to Customary Land Title through VCLR **so landowners must have definite ownership over a legal description that has a defined boundary.** This is the **Security** landowners will have over their customary land though financial institutions still see Customary Land Title not a collateral for loan. On the contrary, those Investors from logging (FCA) to Agriculture development who already experienced potential in the project will continue to assist the landowners until they complete the VCLR process. The arrangement will be agreed on by the landowners and the investors.
- PNGFA Kerevat Area Office recorded 14 FCAs for ENBP. These IRDPs from logging has embarked on Agriculture Developments of which was agreed on by both the investor and landowners.

FCA Initiatives under IRDP

No	Project Name	FCA No/ TP No.	Comments	Status
1	Makokol FCA	15-09	Cocoa, Cattle and Reforestation	Expired
2	Toriu FCA	15-11	Cocoa, Cattle and Reforestation	Expired
3	Suikol FCA	15-13	Cocoa, Coffee and Reforestation	Current
4	Taraiwara FCA	15-14	Agriculture and Reforestation	Current
5	Dengnenge 'A' FCA	15-15	Cocoa, Cattle and Reforestation	Current
6	Dengnenge 'B' FCA	15-16	Cocoa	Current
7	Illi-Wawas FCA	15-03	Oil Palm	Current
8	Sigite-Mukus FCA	15-07	Oil Palm	Expired
9	Ania FCA	15-17	Rice, Cocoa, Balsa, Kamarere	Current
10	Lote Kamlang FCA	15-18	Reforestation	Current
11	Simbali FCA	15-19	Agriculture, Reforestation	Current
12	Kakuna FCA	15-20	Agriculture, Reforestation	Current
13	Utnari FCA	15-21	Cocoa, Balsa, Kamarere	Current
14	Mengen FCA	15-22	Kamarere	Current

ENB ECONOMIC BENEFIT through FCA

Log Export Development Levies

- Paid to Gazelle and Pomio Districts
- Paid to ENBPA

Project Development Benefit Levy

- Illi-Wawas and Illi Stand Alone FCAs

Provincial Government Levies

- Paid by the Investors being KK Connections Ltd, Gilford Limited, Pacific Dev. Resources Ltd, Green Point Ltd, Tzen Niugini Ltd, Vanimo Jaya Ltd, Mekar (PNG) Ltd

Other Levies

- LLG Levies – paid to respective LLGs of impact projects (as per TP Terms and Conditions)
- District Levies – paid to respective Districts of impact projects (as per TP Terms and Conditions)

BENEFITS TO LANDOWNERS through FCAs

Royalties – various rates ranging from K10 – K35 per cubic paid direct to landowners through PNG Forest Authority (PNGFA)

Premiums – for the management of the Land Owner Companies (LOC)

Levies – through LOC, as per Logging and Marketing Agreements and TP Terms and Conditions

Log Export Development Levy (LEDL) – through respective Districts, especially Pomio and Gazelle

Project Development Benefit (PDB) – through PDB Committee and PNGFA

Domestic Processing Benefit – through the LOC

Infrastructures – schools, aid post, church, community hall, library, water supply, roads, bridges and culverts.

Other Benefits – employment opportunities, school scholarship opportunities, improved live styles, solar lights in homes, land cruisers, trucks, boats, walkabout sawmills, Balsa/Kamarere for long term revenue (money in pockets).

BENEFITS TO LANDOWNERS FROM SUBLEASE ARRANGEMENTS

Land Lease Rentals Annual Land Lease Rental Fee paid per hectares to the SABL holder (LOC) over areas developed to Agriculture Products and associated infrastructure developments



Umbrella/Holding Company is paid certain amount of of rental usually lower then what is paid to the LOC.

Undeveloped/Conserved areas attracts development levi also less then Annual Rentals

Note that the ILG does not benefit

5% FFB - 5% of Fresh Fruit Bunch (FFB) calculated on Farm Gate Price during harvest is due payable to the customary landowners from which the palm is harvested from.

SABL Challenges

1. The SABL arrangement is not clear, never sighted an issued SABL Title to the Landowners however documents only referenced Gazzetal of SABL projects
2. SABL Issued to Landowner companies and not ILGs thus direct landowner benefits not enjoyed by the true landowners instead the LOC
3. Need to calculate total land area of all SABL project areas.
4. Need clear information of land tenure status for SABL in such IRDP projects



Identified Surveyors Concerns and Issues

Survey Concerns and Issues.

Key Area	Issue Identified	Proposed Improvement
Professionalism	<p>Most Graduate Surveyors in field practicing for over a decade and are yet to be registered.</p> <p>Uphold the quality of standard for the production of cadastral plans (one standard for all).</p>	<ul style="list-style-type: none"> ▪ Have an institution similar to LTI to enable surveyors to register within a year after graduating in Bachelor. ▪ The institution will also register certifies measurers to ease the rising number of ILGs in the VCLR process. ▪ Review Survey Act, Review Survey Coordination Act and Survey Directions
Mapping	<ol style="list-style-type: none"> 1. Cartographers and GIS graduates are producing maps that are not to the best interest of the surveyors 2. Mapping for Planning purposed 3. Sketches for ILG Properties Listing 	<p>Cartographers and GIS Graduates to undergo training and be registered professionals as well. It will improve quality of output in mapping. (Which Act administers their registration?).</p> <p>Should Cartographers and GIS graduates have a separate Institute or Association or should they be part of ASPNG?</p>

Survey Concerns and Issues

Key Area	Issues Identified	Proposal
<p>Institution Strengthening</p>	<p>Abolition of DoLPP Islands Regional Office will result in certain services being rendered at a much higher cost than once at Regional Office. These include;</p> <ol style="list-style-type: none"> 1. Assessment of New Survey Plans 2. Issuance of Catalogue References 3. Mapping Certification for ILG Sketches <p>Circulars and directions from Secretary's desk or OSG's desk must reach all provincial offices to improve communication linkages</p>	<ol style="list-style-type: none"> 1. Dept of Lands & Physical Planning should have done a wider consultation prior making the decision therefore we call for DoLPP to Revoke its decision to close Islands Regional Office 2. Review of MOA between DoLPP and ENBPG for capacity building 3. Decentralization of Function by Lands Dept 4. Office of Surveyor General be privatised to an Authority

Survey Concerns and Issues

Key Area	Issue Identified	Proposal
Association of Surveyors Membership	<p>Classification of Membership in ASPNG. How do we classify our membership?</p> <ul style="list-style-type: none">i) Registered Membersii) Graduate Membersiii) Certified Measurer Membersiv) Financial Member (Associating Members) <p>If allow Cartographers, Land Administrators, Physical Planner and Property Managers to be members, will they be financial members?</p>	<p>Annually, upon payment of the classified fees, membership Certificates shall be issued to affiliating members stating clearly their membership status to ASPNG.</p>
Survey cost on Land Groups	<ul style="list-style-type: none">1. Fees charged on Sketches2. Fees charged on Subdivision Survey Work	<p>Reduced by 50% to encourage ILG and VCLR process for our local population. Review MOA between DoLPP and Provincial Governments</p>

List of Surveyors, Cartographers and GIS Personals in ENB

No	Name	No	Name
Registered Surveyors		Cartographers con't	
1	Skerry Palanga	4	Sam Kopsis
2	Joseph Wukawa	5	Henry Pinuana
3	Clement Sipara	6	Levi Pirit
4	John Bavul	GIS Personals	
Certified Measurer		1	Berson Paulias
1	Isimel Puipui	2	Ronald Kedek
2	Young Peneia		
Cartographers			
1	Kelly Nerius		
2	Leon So-on		
3	Willie Saun		

List of Surveyors, Cartographers and GIS Personals in ENB

No	Name	No	Name
Surveyors		11	Caspar Womola
1	Andrew Joseph	12	Joshua Tiotam
2	Clement Keketu	13	Hosea Pirit
3	Michael Vuvul	14	Ben Vartom
4	Benjamin Tiolam	15	Ben Penny
5	Kuamin Aiso	16	Steven Temean
6	Eric Tenor	17	Lawrence Warpin
7	Nilip Maika	18	Bruno Kawale
8	Jonah Penias	Summary; 4 x Registered Surveyors, 2 x Certified Measurers, 6 x Cartographers, 2 x GIS Personals, 18 x Graduate Surveyors	
9	Roddie Koniel		
10	Simeon Maibi		

Conclusion/Recommendation

- **Survey is a component of land administration as well as land development and management.**
- **It is paramount to ensure survey works are carried out in accordance to standards and in compliance to Law.** This includes Cartography and GIS Works (Mapping).
- **Through Office of Surveyor General in DoLPP who is responsible for Standard and Compliance for Surveyors, this is a call for us to develop a **carrier development pathway** for our volumes of graduate surveyors to be registered so we address the issue on Survey be done to standard and quality work output without much supervision.**
- **Team Work** - DoLPP, ASPNG, Provincial DoLPP through PNG and private sector.
- Graduate Surveyors, shift from comfort zones and work towards your registration. No one will do it for you, Your commitment is paramount.
- Review of the Survey Act and its consequential acts.
- Information sharing from DoLPP to Provincial Offices is vital



Thank you all.



FROM ENBPA DIVISION OF LANDS & PHYSICAL PLANNING TO YOU ALL