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REFORMING  
PNG'S LEGAL  
FRAMEWORK  
FOR URBAN  
LAND  
ACQUISITION:  
FROM  
COMPENSATION  
TO CO-  
DEVELOPMENT

**58th ASPNG Congress – Wewak, 1–5 June 2026**

**Theme:** Surveyors' role in reclaiming the land:  
Redefining and addressing current administrative  
laws and legacy issues in a changing PNG

**Presenter:** Dickson Taunagita

**Affiliation:** Asia Pacific Surveys



# THE PROBLEM – URBAN GROWTH, STATIC LAWS

- PNG is urbanising rapidly (Port Moresby, Lae, Mt. Hagen)
- 97-95% of land is under customary ownership
- Current law: *Lands Act 1996* – one-off cash compensation only
- Result:
  - Projects delayed 3–7 years
  - Landowners lose land but gain no lasting benefit
  - Government faces K200m+ in outstanding claims

Question: Is “fair and just compensation” really fair?



# A CASE STUDY – THE MOTU KOITA PEOPLE

- Traditional landowners of Port Moresby
- Alienated land for the national capital – but excluded from prosperity
- “Double disadvantage” (Rooney 2015):

Lost customary land AND livelihood from that land

- Many villages lack basic services (water, sewerage)
- One-off payments: short-lived, no intergenerational benefit

**Lesson:** Compensation is not enough. We need **participation.**



# THE PROPOSED PARADIGM SHIFT

- From compensation → to co-development
- Give customary landowners a permanent “seat at the table”
- New legal principle: “Fair and just consideration” can include equity, shares, and revenue-sharing – not just cash



# FOUR CODIFIED OPTIONS FOR LEGAL REFORM

Amend the *Lands Act 1996* to mandate:

1. **Equity Shareholding** – Guaranteed % in the development project
2. **Land as Equity (Leasehold Equity)** – Lease land in exchange for equity stake
3. **Reserved Spin-Off Businesses** – Contracts reserved for landowner businesses
4. **Revenue-Sharing Agreements** – Perpetual income from markets, commercial sites

☞ **Transforms landowners from compensated ex-owners into active partners**

# WHY THIS IS A “WIN-WIN

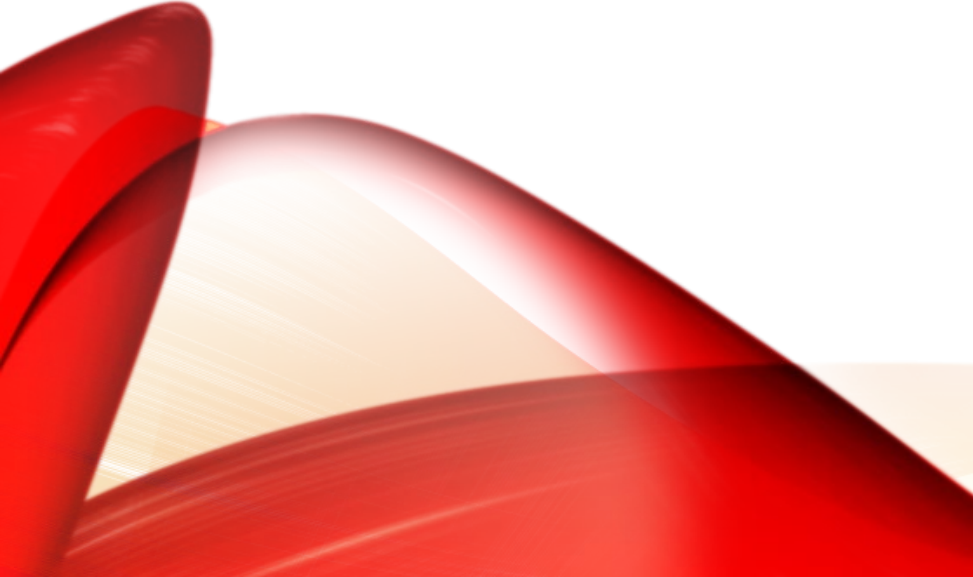
For Landowners	For Government & Nation
Sustainable, intergenerational income	New development partners, not claimants
Real economic participation	Increased tax revenue (income, corporate)
Social stability & dignity	Reduced social conflict over land and affordable housing

# THE SURVEYOR'S EXPANDED ROLE – PART 1

Traditional Role → New Role in Co-Development

Phase	Traditional	New
Pre-acquisition	Boundary identification	Participatory mapping with ILGs
Negotiation	Technical advice	Providing data for equity valuation
Community engagement	Minimal	Facilitating mediation & trust-building

Key: Surveyors serve as trusted facilitators among the state, developers, and landowners.



# THE SURVEYOR'S EXPANDED ROLE – PART 2

Technical competencies needed for the new era:

- 3D cadastres for complex developments (air rights, strata titles)
- Valuation methodologies for non-monetary contributions
- Designing subdivisions that carve out landowner equity
- Managing digital land information systems with customary tenure data

Call to ASPNG: Develop professional development programs now.

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# IMPLEMENTATION ROADMAP

## Short-term (1-2 years)

- Draft amendments to the *Lands Act 1996* & *Land Groups Incorporation Act*
- Establish National Land Development Authority (recommended)

## Medium-term (3-5 years)

- Pilot co-development projects (e.g., with Motu Koita Assembly)
- Roll out surveyor training in 3D cadastre & mediation


## Long-term (6-10 years)

- National scale-up of co-development model
- Continuous professional development for surveyors



# WHAT ASPNG CAN DO NOW

1. **Form a task force** – Develop a competency framework for co-development surveying
2. **Advocate for legislative reform** – Present this paper to the national government
3. **Update Code of Conduct** – Ethical guidance for multi-stakeholder negotiations
4. **Partner with NRI & DLPP** – Develop valuation guidelines & standard agreements



# CONCLUSION – RECLAIMING THE LAND, RECLAIMING VALUE

- The old model of one-off compensation has **failed** customary landowners
- The Motu Koita story is a call for **urgent legal reform**
- Co-development = landowners as **partners**, not petitioners
- Surveyors are the **indispensable professionals** to make it work

**Let us reclaim not just the physical land, but the economic future of Papua New Guineans.**