



SIBA is the leading association representing the **Spatial Industries**

31 August 2017

Ms Nicole Lockwood
Lockwood Advisory
Via email

Re Review of the Land Information Authority Act 2006– SIBA|GITA response

Dear Nicole

Thank you for seeking our input into the review of the Land Information Authority Act 2006.

The wide-ranging scope of the review is welcomed by SIBA|GITA. It occurs at a time when several discussions are underway across Australia as to the role of industry, government and academia in enhancing our collective capability for managing land information and other fundamental data assets.

This submission is a collaborative body of work from the SIBA|GITA board, membership and staff. Our response is structured across three themes:

1. *General statements providing a context for our response*
2. *Our specific recommendations*
3. *Our next steps*

General statements

- It is becoming clear that technological advances bring new business opportunities for radically transforming how transaction-based services can be delivered and these must be addressed. We welcome the innovation culture that is emerging as a result.
- It is also apparent that governments across Australia currently have an appetite for establishing new, often outsourced, commercial arrangements for such services, in exchange for opportunities to distribute government resources in other ways. We welcome the opportunities that this provides for industry, and commend government on implementing these courageous strategies.
- It is widely understood that regulation follows innovation. There is a general view that innovation has moved so rapidly in recent years that several areas are experiencing an anarchy of sorts while regulation catches up. The spatial information sector is one such area, where considerable work is required to review and develop regulatory frameworks more suited to an economy underpinned by data as a commodity.
- In other areas, regulation has clearly provided the lever for change. The Land Information Authority Act 2006 is one example. This has both advantages and disadvantages, the lessons of which are discussed later in this submission.
- The economy has moved through tremendous change post-GFC, via disruption, with traditional roles and functions bearing the brunt of these forces. Specifically, the roles of government, industry and academia have become blurred while we focus on “innovate or die” as a modus operandi. Many great things have come of this focus, and there is a strong sense in all groups to now turn to defining our

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respective roles, relative to one another. It is time to look at governance in the context of this triparted relationship.

- Australia has long had a reputation for being resourceful and resilient. Our role as an innovator and leader in the Asia-Pacific region, and broader global economy is in the spotlight. Many are asking “what are we best at?” There is a need for us to collectively identify our national brand in this context. We are remote and geographically diverse. We are world leaders in spatial enablement in many ways and we can certainly punch above our weight. We expect to see this vision embodied in policy settings.

Our observations and recommendations

1. *A clear strategy for fundamental datasets is needed*

The Land Information Authority Act 2006 refers to fundamental land information, which is further described in the Transfer of Land Act 1893. It is reasonable to assume that the Land Information Authority Act provides a precedent for access and commercialisation of other government services, especially those involving high volumes of data-oriented transactions.

SIBA|GITA expects the West Australian government to commit to a defined list of fundamental datasets that considers all datasets containing geospatial attributes, and not limited to land information. Further SIBA|GITA expects the government to commit to making public a clear strategy for the ongoing creation, storage, management, modification, use, dissemination and disposal of those datasets as a precursor to further privatisation.

2. *The Act and its implementation would benefit from improved transparency*

It is our view that much of the pushback on the privatisation of the Land Registry is resulting from a sense of surprise from industry. On reviewing the Act, it seems that the legislation was especially designed to provide for the recent transformation. This tells us that the purpose of the Act is not widely understood in industry, and we will continue to monitor such awareness in future. Further, current practice at the time of the Act being proclaimed would not have caused people to imagine the privatisation scenario as it unfolded.

Our concerns primarily arise from the highly commercial nature of the activities provided for by the Act. We expect that members of the public would and should have clear and reasonable opportunity to legitimately raise informed concerns about how land information transactions are conducted. Further we expect that subordinate regulation provides expressly for this.

Within this scope, we also observe that most of the significant privatisation/outsourcing activities undertaken by Landgate in recent times have not been by way of open, public, competitive tender (or similar procurement process), whereby members of the Australian spatial industry, amongst others, might have participated. SIBA|GITA is of the view that the best outcomes for the taxpayer are achieved when such processes are utilised.

We request the review to comment on the openness and transparency of these recent privatisation/outsourcing activities.

3. *That policy be enacted to support a strong multi-faceted industry in relation to land information*

The overarching policy objective should be for a vibrant, competitive and innovative industry underpinned by government. Landgate has an important role to play in that, and the Land Information Authority Act 2006



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provides lots of opportunities to do so. In performing that role, Landgate must ensure it doesn't overshoot its goal through having a competitive advantage that stymies the industry it is set up to stimulate. There is considerable potential within the current scope of the Act for privatised government services to inadvertently usurp private sector market share.

We request the review to make recommendations aligned with ensuring future initiatives for stimulating innovation and growth do actively develop the market potential. We expect the government to report on the impact of privatised government services on stimulating growth in related sectors.

4. *That the government formally use SIBA/GITA as a resource to support the development of a spatially enabled economy*

We see that by taking a more active role in Western Australia, we can assist in strengthening the local spatial information capability and associated business community. We are committed to supporting spatially enabled businesses as they navigate the disruptive economy, both as disruptors and disrruptees. We are actively working with several growth industries to develop their use of spatial information. We understand the West Australian government is also keen to play a key role in these activities. We welcome a closer working relationship with Landgate and the government more broadly, as the peak industry representative for the spatial industry.

Our next steps

We are currently responding to a number of similar reviews, and our themes remain consistent in these:

- *sharpening the definitions of the roles for government, industry and academia*
- *the importance of developing an international reputation for Australia targeting our spatial excellence*
- *improving transparency in governance and performance reporting*

We have recently published our strategy to 2020, and through its implementation will seek to address these themes nationally and in each state. We are working closely with our colleagues in Western Australia to deliver regional initiatives in line with local needs.

We will be actively working with state governments and industry stakeholders to ensure fundamental data sets are appropriately captured in policy and understood. This includes existing initiatives like 3D Queensland as well as emerging discussions.

We welcome a candid dialogue with the West Australian government and other stakeholders on an ongoing basis, and particularly as we collectively work toward new ways of doing business.

Once again, I thank you for the opportunity to comment directly on the review. I look forward to the next stage.

Warm regards

A handwritten signature in black ink that reads 'Deanna Hutchinson'.

Deanna Hutchinson
Chief Executive Officer