



**Australian Government**

**Department of Education, Employment and Workplace Relations**

# **CPPDSM4078A Sell rural property by tender**

**Release: 1**

## **CPPDSM4078A Sell rural property by tender**

### **Modification History**

Not Applicable

### **Unit Descriptor**

#### **Unit descriptor**

This unit of competency specifies the outcomes required to conduct the sale of rural property by tender. It includes preparing for the sale of rural property by tender, receiving tenders, completing the sale of property and negotiating with tenderers if received tenders are unacceptable to the seller.

The unit may form part of the licensing requirements for persons engaged in stock and station agency activities in those States and Territories where these are regulated activities.

### **Application of the Unit**

#### **Application of the unit**

This unit of competency supports the work of licensed stock and station agents and stock and station representatives or certificate holders involved in preparing and conducting sales of rural property by tender.

### **Licensing/Regulatory Information**

Refer to Unit Descriptor

## Pre-Requisites

**Prerequisite units** Nil

## Employability Skills Information

**Employability skills** The required outcomes described in this unit of competency contain applicable facets of employability skills. The Employability Skills Summary of the qualification in which this unit of competency is packaged, will assist in identifying employability skills requirements.

## Elements and Performance Criteria Pre-Content

Elements describe the essential outcomes of a unit of competency.

Performance criteria describe the required performance needed to demonstrate achievement of the element. Where ***bold italicised*** text is used, further information is detailed in the required skills and knowledge and/or the range statement. Assessment of performance is to be consistent with the evidence guide.

## Elements and Performance Criteria

### ELEMENT

### PERFORMANCE CRITERIA

#### 1 Prepare for sale by tender.

- 1.1 Agreement to sell *rural property* by tender is obtained from seller in line with agency practice and *legislative requirements*.
- 1.2 *Tender details* are established to enable preparation of *tender documentation* in line with agency practice and legislative requirements.
- 1.3 *Assisting professionals* are instructed to prepare tender documentation in line with agency practice and legislative requirements.
- 1.4 Assisting professionals are followed up in a timely manner to ensure prompt delivery of tender documentation.
- 1.5 *Property promotion and advertising* are implemented consistent with seller instructions, agreed marketing plan and agency practice.
- 1.6 Advertising schedule and advertisement copy are prepared in line with agreed budget, marketing plan, agency practice and legislative requirements.
- 1.7 Advertising schedule, advertisement copy and promotional material are reviewed for accuracy, quality, cost effectiveness and impact.
- 1.8 Placement of advertising and development of promotional material are coordinated to ensure maximum impact.

#### 2 Receive tenders and complete sale of rural property.

- 2.1 Tenders are received and placed in a locked container to maintain confidentiality until closing date in line with agency practice.
- 2.2 Progress on receipt of tenders is advised to seller on a regular basis.
- 2.3 Tenders are made available to seller after closing date so that a decision can be taken on success or otherwise of the process.
- 2.4 Successful tenderer is promptly advised so that contract can be signed.
- 2.5 Negotiations are conducted in a professional manner with tenderers in line with seller instructions, agency practice and legislative requirements.
- 2.6 *Sales documentation* is completed and deposit taken at conclusion of process to evidence seller's and buyer's respective obligations.
- 2.7 Successful outcome of process is advised to assisting

<b>ELEMENT</b>	<b>PERFORMANCE CRITERIA</b>
	professionals by sending exchanged contracts in a timely manner.
	2.8 Deposit is processed promptly in line with contract, legislative requirements and agency practice.
	2.9 Special contract conditions are followed up to facilitate settlement within contract parameters.
<b>3 Negotiate with tenderers if tenders received are unacceptable to seller.</b>	3.1 Negotiations with all or selected tenderers are commenced if tenders are unacceptable to seller in line with seller instructions, agency practice and legislative requirements.
	3.2 <i>Effective negotiation techniques</i> are used to persuade and reach agreement between seller and buyer.
	3.3 Alternative offers are discussed and their viability assessed.
	3.4 <i>Effective techniques are used for dealing with conflict and breaking deadlocks</i> , where required, in line with agency practice, ethical standards and legislative requirements.
	3.5 <i>Effective techniques are used for closing sale</i> in line with agency practice, ethical standards and legislative requirements.

## Required Skills and Knowledge

### REQUIRED SKILLS AND KNOWLEDGE

This section describes the essential skills and knowledge and their level, required for this unit.

#### Required skills:

- ability to communicate with and relate to people from a range of social, economic and cultural backgrounds and with varying physical and mental abilities
- analytical skills to interpret documents such as legislation, regulations, contracts and requests for tender
- application of risk management strategies associated with selling rural property by tender
- computing skills to access agency databases, send and receive emails and complete standard forms online
- decision making and problem solving skills to analyse situations and make decisions consistent with legislative and ethical requirements
- literacy skills to access and interpret a variety of texts, including legislation,

## REQUIRED SKILLS AND KNOWLEDGE

regulations and tender documentation; prepare general information, papers, formal and informal letters, advertisements, reports and applications; and complete standard tender forms

- negotiation skills to assist sellers and buyers reach agreement on selling price of rural property
- numeracy skills to calculate and interpret data such as commissions and entitlements
- planning, organising and scheduling skills to undertake work-related tasks such as scheduling tender dates
- research skills to identify and source documents and information related to sale of rural property by tender.

### Required knowledge and understanding:

- consumer protection principles that impact on the sale of property, including:
  - false representation and misleading conduct in relation to the sale of land
  - impact of consumer protection legislation on contracts
  - insurance provisions
  - penalties and remedies for breaches
  - protection offered for consumers
  - rights and obligations of agents
  - secret commissions
- contracts
- ethical and conduct standards
- general legal principles that impact on property law relating to the sale of property by tender, including:
  - adverse possession
  - contracts
  - easements
  - fee simple and life estates
  - general law system and the Torrens system of title
  - mortgages
  - real and personal property
  - restrictive covenants
  - types of interest in land
- insurance
- marketing aids
- negotiation techniques
- property inspections
- property knowledge, including:
  - cropping properties: yields, seasons, types of crops, soils, facilities such as

## REQUIRED SKILLS AND KNOWLEDGE

- grain storage and transport, diseases and rotational cropping
- dairies: quotas, breeds, lactation, dairy layout and equipment and conversion factors, such as dairy set up, herd, access and distance to market
- general: local market conditions, trends in sector and industry, land titles, geophysical and topographical characteristics, carrying capacity and local land characteristics
- grazing properties: dry sheep equivalent (DSE)/carrying capacity, pastures, soil types and breeds
- irrigated properties: water licence availability, soil types, topography, and types of reticulation, such as flood, drip, direct or row cropping
- water
- relevant federal and state or territory legislation and local government regulations related to:
  - animal health
  - anti-discrimination
  - aquaculture
  - consumer protection
  - crown land
  - environmental issues
  - equal employment opportunity (EEO)
  - financial probity
  - franchises and business structure
  - industrial relations
  - livestock
  - native title
  - OHS
  - privacy
  - rural property sales
  - taxation
  - water rights
- sale by tender, including:
  - advantages and disadvantages
  - after-sales procedures
  - agency and statutory documentation
  - identifying suitable properties for sale by tender
  - negotiation procedures for when tender is unacceptable
  - role of stock and station agent in the tender process
- techniques for identifying needs and motivations of buyers.

## Evidence Guide

### EVIDENCE GUIDE

The evidence guide provides advice on assessment and must be read in conjunction with the performance criteria, required skills and knowledge, the range statement and the Assessment Guidelines for this Training Package.

#### Overview of assessment

This unit of competency could be assessed through practical demonstration of preparing and conducting a sale of rural property by tender. Targeted written (including alternative formats where necessary) or verbal questioning to assess the candidate's underpinning knowledge would provide additional supporting evidence of competence. The demonstration and questioning would include collecting evidence of the candidate's knowledge and application of ethical standards and relevant federal, and state or territory legislation and regulations. This assessment may be carried out in a simulated or workplace environment.

#### Critical aspects for assessment and evidence required to demonstrate competency in this unit

A person who demonstrates competency in this unit must be able to provide evidence of:

- arranging and conducting property inspections for potential buyers
- completing standard and statutory documentation associated with the sale by tender of rural property in line with legislative requirements and agency practice
- knowledge of agency practice, ethical standards and legislative requirements affecting the tendering of rural property
- knowledge of consumer protection principles that impact on the sale of rural property by tender
- maintaining agency records associated with the sale of rural property by tender
- maintaining communications with sellers throughout the tender process
- negotiating the sale of rural property if tenders are unacceptable to the seller, in line with seller instructions, agency practice and legislative requirements.

#### Context of and specific resources for assessment

Resource implications for assessment include:

- access to suitable simulated or real opportunities and resources to demonstrate competence
- assessment instruments that may include personal



planner and assessment record book

- access to a registered provider of assessment services.

Where applicable, physical resources should include equipment modified for people with disabilities.

Access must be provided to appropriate learning and/or assessment support when required.

Assessment processes and techniques must be culturally appropriate, and appropriate to the language and literacy capacity of the candidate and the work being performed.

Validity and sufficiency of evidence require that:

- competency will need to be demonstrated over a period of time reflecting the scope of the role and the practical requirements of the workplace
- where the assessment is part of a structured learning experience the evidence collected must relate to a number of performances assessed at different points in time and separated by further learning and practice with a decision of competence only taken at the point when the assessor has complete confidence in the person's competence
- all assessment that is part of a structured learning experience must include a combination of direct, indirect and supplementary evidence
- where assessment is for the purpose of recognition (RCC/RPL), the evidence provided will need to be current and show that it represents competency demonstrated over a period of time
- assessment can be through simulated project-based activity and must include evidence relating to each of the elements in this unit.

In all cases where practical assessment is used it will be combined with targeted questioning to assess the underpinning knowledge. Questioning will be undertaken in such a manner as is appropriate to the language and literacy levels of the candidate and any cultural issues that may affect responses to the questions, and will reflect the requirements of the competency and the work being performed.

## Range Statement

### RANGE STATEMENT

The range statement relates to the unit of competency as a whole. It allows for different work environments and situations that may affect performance. ***Bold italicised*** wording in the performance criteria is detailed below. Add any essential operating conditions that may be present with training and assessment depending on the work situation, needs of the candidate, accessibility of the item, and local industry and regional contexts.

- Rural property*** may refer to:
- acreage
  - commercial
  - farm, including:
    - aquaculture
    - cropping
    - dairy
    - grazing
    - horticulture
    - mixed uses
    - olive
    - orchard
    - trees
    - viticulture
  - hobby farms
  - residential
  - specialist property.
- Legislative requirements*** may include:
- relevant federal and state or territory legislation and local government regulations related to:
    - animal health
    - anti-discrimination
    - aquaculture
    - consumer protection
    - crown land
    - environmental issues
    - EEO
    - financial probity
    - franchises and business structure
    - industrial relations
    - livestock
    - native title
    - OHS

- pastoral leases
- privacy
- rural property sales
- taxation
- water rights.

***Tender details*** may include:

- address for lodgement of tender documentation
- agency contact details
- closing date and time
- copy of contract of sale
- fees associated with tender
- name of agency
- specifications of property
- tender rules
- withdrawal of tenders.

***Tender documentation*** may include:

- contracts
- contract inclusions, such as pasturing livestock, clearing timber and verifying equipment specifications
- lodgement details
- property specifications
- tender rules.

***Assisting professionals*** may include:

- conveyancers
- solicitors.

***Property promotion and advertising*** may include:

- advertising in all forms of media
- brochures
- direct mailing to client base and mailing list contacts
- interactive displays
- internet
- networking with contacts
- telemarketing
- window displays
- word of mouth.

***Sales documentation*** may include:

- contract inclusions
- contract of sale, contract note and contract for the sale of businesses
- declaration of selling agent
- financial statement to buyer
- receipt for deposit
- special conditions, including insurance, natural increases, timber, crops, water licences, permissive occupancy, possession prior to completion or depasturing

***Effective negotiation techniques*** may include:

- vendor's statement and trading statement.
- analytical skills
- listening techniques
- non-verbal communication skills
- personal attributes
- presentation techniques
- questioning techniques
- speaking skills.

***Effective techniques for dealing with conflict and breaking deadlocks*** may include:

- calling in a third party
- clarifying the positions of both parties
- deferring the decision
- preparing a compromise
- restating the position
- summarising the progress to date.

***Effective techniques for closing sale*** may include:

- alternate option close
- assumption close
- competition close
- customer close
- deal or concession close
- direct close
- indirect close
- summary-of-benefits close
- time-driven close.

## **Unit Sector(s)**

**Unit sector** Property development, sales and management

## **Competency field**

**Competency field** Stock and station agency