



Australian Government

Department of Education, Employment and Workplace Relations

CPPDSM6011A Negotiate partnership arrangements in the property industry

Release: 1

CPPDSM6011A Negotiate partnership arrangements in the property industry

Modification History

Not Applicable

Unit Descriptor

Unit descriptor

This unit of competency specifies the outcomes required to establish a formal partnership for property investment. It requires the ability to research and select a preferred partner and negotiate and formalise a partnership strategy for investment in property.

The unit may form part of the licensing requirements for persons working in the property industry, including in the real estate, business broking, stock and station agency and property operations and development sectors, 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 those involved in establishing formal partnerships for property investment.

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 Determine investment requirements.	<p>1.1 <i>Property investment</i> requirements are determined in consultation with <i>relevant people</i>.</p> <p>1.2 <i>Client</i> needs are accurately assessed and clarified using appropriate research and survey techniques and <i>consultative processes</i>.</p> <p>1.3 Relevant <i>documentation</i> and <i>legislation</i> are assessed to ensure investment options comply with investment requirements.</p> <p>1.4 Reliable methods for gathering information are used, making efficient use of time and <i>resources</i>.</p> <p>1.5 Applicable legislative, ethical and <i>organisational requirements</i> are interpreted and applied.</p>
2 Research partnership opportunities.	<p>2.1 Desired investment partnership arrangements are determined in consultation with client and relevant people.</p> <p>2.2 Criteria for potential <i>partners</i> are established in line with investment, client and organisational requirements.</p> <p>2.3 Listing of potential partners is established and confirmed with client according to organisational procedures.</p> <p>2.4 Identified partner preferences, needs and expectations are clarified and addressed using appropriate <i>communication techniques</i>.</p> <p>2.5 Preferred partner is selected based on <i>assessment</i> against specified criteria and in line with client preferences.</p>
3 Develop negotiation strategy.	<p>3.1 Strategy is developed for <i>negotiation</i> of partnership offer, according to client preferences, needs and expectations.</p> <p>3.2 Strategy includes details of timetables, budget and negotiation parameters.</p> <p>3.3 Negotiation strategy is established that complements workable partnership relationships.</p> <p>3.4 Potential <i>conflict situations</i> are identified and strategies developed to manage, resolve and facilitate partnership arrangement.</p> <p>3.5 Situations requiring <i>specialist advice</i> are identified and addressed.</p>
4 Negotiate partnerships.	<p>4.1 Negotiations are conducted in a professional manner and maintain a focus on client interests and agreed negotiation strategy.</p> <p>4.2 Problems are identified, analysed and addressed with minimal disruption to achievement of client objectives.</p> <p>4.3 Communication styles and methods are adapted to meet</p>

ELEMENT

PERFORMANCE CRITERIA

preferred individual negotiation style.

ELEMENT	PERFORMANCE CRITERIA
	4.4 Interactions are conducted in a manner that reflects sensitivity to individual <i>social and cultural differences</i> .
	4.5 Appropriate facilitation skills are used to promote a professional environment that supports and promotes participation throughout negotiations.
5 Establish partnership arrangements.	5.1 Partnership arrangements are established and confirmed according to client requirements.
	5.2 Financial arrangements are finalised according to negotiated terms and conditions.
	5.3 Documentation is prepared using <i>business equipment and technology</i> and formalised reflecting agreed arrangements.
	5.4 Client is advised of formal partnership arrangements and <i>feedback</i> is received on process and outcomes.
	5.5 Information is securely maintained with due regard to client confidentiality, and legislative and organisational 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:

- analytical skills to identify and assess potential partners and identify potential areas of conflict
- computing skills to access the internet and web pages, prepare and complete online forms, lodge electronic documents and search online databases
- interpersonal skills to relate to people from a range of social, cultural and ethnic backgrounds and varying physical and mental abilities and to adjust communication style to suit negotiations
- negotiation skills to direct focus of people involved in negotiation, negotiate agreement of all parties and resolve conflict and problems arising during negotiation
- organisational skills to coordinate assessment and selection process, conduct negotiation process and develop and complete strategies within established timeframes
- research skills to analyse and interpret property investment documentation and identify relevant sources of information
- technology skills to use financial and assessment software and spreadsheets, and to

REQUIRED SKILLS AND KNOWLEDGE

develop and present information.

REQUIRED SKILLS AND KNOWLEDGE

Required knowledge and understanding:

- a range of research methods and analytical techniques
- budgeting
- concepts and strategies for investing capital in property
- current property and investment markets
- ethical practices and relevant codes of conduct
- industry benchmarks
- investment risk factors and relationship to return expectations
- legal processes
- local property market conditions and overall trends in the industry
- negotiation strategies
- relevant federal and state or territory legislation and local government regulations related to:
 - anti-discrimination
 - consumer protection
 - environmental issues
 - equal employment opportunity (EEO)
 - financial probity
 - franchise and business structures
 - industrial relations
 - OHS
 - privacy
 - property sales, leasing and management
- sources of funding
- taxation as it applies to property development.

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 establishing a formal partnership for property investment. 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:

- conducting negotiations using effective communication and facilitation methods
- determining investment requirements and objectives through effective consultative processes and identifying required legislative compliance
- developing a negotiation strategy that includes timetables, budget and negotiation parameters and addresses potential areas of conflict
- formalising and documenting partnership arrangements, showing evidence of agreement by all parties to the arrangement
- identifying and selecting potential partnership arrangements using criteria developed for assessment and selection
- knowledge of organisation's practices, ethical standards and legislative requirements associated with establishing formal partnerships for property investment.

Context of and specific resources for assessment

Resource implications for assessment include:

- a registered provider of assessment services
- assessment materials and tools
- candidate special requirements
- competency standards
- cost and time considerations
- suitable assessment venue and equipment
- workplace documentation.

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 activity and must include evidence relating to each of the 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.

Property investment may include:

- concepts and plans
- strategies and placement of capital in property for investment
- productive use of property and assets
- customer service outcomes.

Relevant people may include:

- accountants
- agents
- analysts
- clients
- government personnel
- legal representatives
- management and colleagues
- members of industry associations
- site personnel
- taxation specialists.

Clients may include:

- developers
- financial institutions
- fund managers
- individuals
- internal and external property groups
- investment organisations
- joint ventures
- owner-occupiers
- partners
- unit trustees.

Consultative processes may include:

- face-to-face meetings
- telephone, facsimile and written communication.

Documentation may include information relating to:

- bank reports
- budgets and other financial reports
- contracts and other legal papers
- cultural variations

- general knowledge of industry
- government statistics
- industry reports and indices
- market intelligence
- media reports
- published analytical reports.

Legislation may be outlined and reflected in:

- Australian Securities and Investments Commission, Australian Competition and Consumer Commission, Foreign Investment Review Board requirements
- Australian standards
- federal and state taxation requirements
- consumer protection laws and guidelines
- court and tribunal precedents
- environmental and zoning laws affecting access security, access and property use
- freedom of information
- home building requirements
- licensing requirements
- privacy and confidentiality requirements and laws applying to owners, contractors and tenants
- public health
- quality assurance and certification requirements
- relevant common law
- relevant federal, and state or territory legislation and regulations affecting organisational operation, including:
 - anti-discrimination and diversity
 - environmental issues
 - EEO
 - industrial relations
 - OHS
- relevant industry codes of practice covering the market sector and industry, financial transactions, taxation, environment, construction, land use, native title, zoning, utilities use (water, gas and electricity), and contract or common law
- relevant local government policies and regulations
- strata, community and company titles
- tenancy agreements
- trade practices laws and guidelines.

Resources may relate to:

- materials
- personnel
- tools and equipment
- training
- transport.

Organisational requirements may be outlined and reflected in:

- access and equity principles and practice guidelines
- business and performance plans
- complaint and dispute resolution procedures

- goals, objectives, plans, systems and processes
- legal and ethical requirements and codes of practice
- mission statements and strategic plans
- OHS policies, procedures and programs
- policies and procedures in relation to client service
- quality and continuous improvement processes and standards
- quality assurance and procedure manuals.

- Partners*** may include:
- banks
 - builders
 - corporations
 - developers
 - government instrumentalities
 - other financial institutions
 - other investors
 - private individuals
 - tenants.
- Communication techniques*** may include:
- active listening
 - clear presentation of options
 - consultation methods
 - culturally inclusive and sensitive engagement techniques
 - questioning to clarify and confirm understanding
 - seeking feedback
 - two-way interaction
 - using language and concepts appropriate to cultural differences
 - verbal or non-verbal language.
- Assessment*** may include:
- establishing that potential partners are bona fide
 - verifying financial credentials.
- Negotiation*** techniques should include:
- clearly presenting options and consequences
 - control of tone of voice and body language
 - demonstrating flexibility and willingness to negotiate
 - using positive, confident and cooperative language
 - using language and concepts appropriate to the people involved
 - using strategic questioning and listening to gather information and direct the focus of people involved
 - using summarising of positions and agreements to move understanding.
- Conflict situations*** may include:
- accidents resulting in injury
 - arguments and disagreements
 - conflicts between members of the public
 - destruction of property
 - ejection of persons
 - persons suffering from emotional distress or mental illness
 - persons under the influence of intoxicating substances
 - persons with criminal intent
 - refusals to follow directions and guidance

- riots and demonstrations
 - situations affecting the security of self, others or property.
- Specialist advice*** may be sought from:
- analysts
 - architects
 - bankers and financiers
 - government officials
 - investment consultants
 - members of industry associations
 - planners
 - real estate agents
 - solicitors
 - valuers.
- Social and cultural differences*** may be expressed in:
- beliefs, values and practices
 - conventions of gender and sexuality
 - cultural stereotypes
 - dress
 - food and diet
 - religious and spiritual observances
 - social conventions
 - traditional practices and observations
 - verbal and non-verbal language.
- Business equipment and technology*** may include:
- computers
 - data storage devices
 - email
 - facsimile machines
 - internet, extranet and intranet
 - photocopiers
 - printers
 - scanners
 - software applications, such as databases and word applications.
- Feedback*** may be sought from:
- clients and their legal representatives
 - supervisors and colleagues
 - formal and informal performance appraisals
 - workplace assessment.

Unit Sector(s)

Unit sector Property development, sales and management

Competency field

Competency field Property operations and development