



Australian Government

Department of Education, Employment and Workplace Relations

PSPLAND503A Manage native title future act processes

Revision Number: 3

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Modification History

Release	TP Version	Comments
3	PSP12V1	Unit descriptor edited.
2	PSP04V4.2.	Layout adjusted. No changes to content.
1	PSP04V4.1	Primary release.

Unit Descriptor

This unit covers the competency to assess a project in terms of the future act regime of the Native Title Act 1993 including preparation of procedural notices and coordinating agreement negotiations. It includes assessing a future act, observing procedural requirements, coordinating processes for indigenous land use agreements, recording outcomes and monitoring compliance.

In practice, managing native title future act processes may overlap with other generalist or specialist public sector work activities such as working ethically, complying with legislation, coordinating and using resources, undertaking research and analysis.

No licensing, legislative, regulatory or certification requirements apply to this unit at the time of publication

Application of the Unit

Not applicable.

Licensing/Regulatory Information

Not applicable.

Pre-Requisites

Not applicable.

Employability Skills Information

This unit contains employability skills.

Elements and Performance Criteria Pre-Content

Elements are the essential outcomes of the unit of competency. Together, performance criteria specify the requirements for competent performance. Text in *bold italics* is explained in the Range Statement following.

Elements and Performance Criteria

ELEMENT	PERFORMANCE CRITERIA
1. Assess a future act	1.1 The nature of the future act is identified. 1.2 Legislative provisions relating to the future act are identified. 1.3 <i>Assessment</i> is conducted and documented in accordance with legislative provisions, organisational policy and <i>procedures</i> .
2. Observe procedural requirements	2.1 Procedural notices are prepared and issued to native title applicants and representative bodies. 2.2 Comments and submissions are received and assessed in accordance with organisational policy and procedures. 2.3 <i>Stakeholders</i> are advised of outcomes of assessment in accordance with legislative requirements. 2.4 Good faith negotiations are conducted and assessed against criteria. 2.5 Recommendations are made for either project approval or additional negotiation.
3. Coordinate processes for indigenous land use agreements	3.1 The jurisdiction's interests are presented and addressed in negotiations on indigenous land use agreements. 3.2 Good faith negotiations are ensured and agreement on desired outcomes from negotiating parties is obtained.
4. Record outcomes and monitor compliance	4.1 The effect on native title rights and interests of all future acts is recorded in the organisation's <i>information systems</i> . 4.2 Conditions included within registered agreements are monitored and adhered to.

Required Skills and Knowledge

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

Skill requirements

Look for evidence that confirms skills in:

- interpreting legislation relating to public land administration and native title
- recording information in systems, databases and other sources
- consulting with Indigenous people and expert advisers
- responding to diversity, including gender and disability
- negotiating agreements in good faith
- preparing procedural notices
- generating documentation to organisational standards
- applying public sector legislation such as occupational health and safety, environment, anti-discrimination and diversity in the context of native title future act processes

Knowledge requirements

Look for evidence that confirms knowledge and understanding of:

- legislation, policies and procedures relating to Crown/State land and native title
- the different types of organisational records that need to be noted or updated and in what circumstances
- organisational delegations
- cultural and heritage factors that might affect land use
- Aboriginal customs and culture relevant to native title
- public sector legislation including occupational health and safety and environment in the context of native title future act processes

Evidence Guide

The Evidence Guide specifies the evidence required to demonstrate achievement in the unit of competency as a whole. It must be read in conjunction with the Unit descriptor, Performance Criteria, the Range Statement and the Assessment Guidelines for the Public Sector Training Package.

Units to be assessed together

- *Pre-requisite* units that must be achieved prior to this unit: *Nil*
- *Co-requisite* units that must be assessed with this unit: *Nil*
- *Co-assessed units* that may be assessed with this unit to increase the efficiency and realism of the assessment process include, but are not limited to:
 - PSPETHC501B Promote the values and ethos of public service
 - PSPGOV503B Coordinate resource allocation and usage
 - PSPGOV504B Undertake research and analysis
 - PSPLAND501A Review planning documents and environmental assessments
 - PSPLAND502A Develop and market public land
 - PSPLEGN501B Promote compliance with legislation in the public sector

Overview of evidence requirements

In addition to integrated demonstration of the elements and their related performance criteria, look for evidence that confirms:

- the knowledge requirements of this unit
- the skill requirements of this unit
- application of the Employability Skills as they relate to this unit (see Employability Summaries in Qualifications Framework)
- management of native title future act processes in a range of (3 or more) contexts (or occasions, over time)

Resources required to carry out assessment

These resources include:

- legislation, policy, procedures and protocols relating to the management of native title future act processes
- case studies and workplace scenarios to capture the range of situations likely to be encountered when managing native title future act processes

Where and how to assess evidence

Valid assessment of this unit requires:

- a workplace environment or one that closely resembles normal work practice and replicates the range of conditions likely to be encountered when managing native title future act processes, including coping with difficulties,

irregularities and breakdowns in routine

- management of native title future act processes in a range of (3 or more) contexts (or occasions, over time)

Assessment methods should reflect workplace demands, such as literacy, and the needs of particular groups, such as:

- people with disabilities
- people from culturally and linguistically diverse backgrounds
- Aboriginal and Torres Strait Islander people
- women
- young people
- older people
- people in rural and remote locations

Assessment methods suitable for valid and reliable assessment of this competency may include, but are not limited to, a combination of 2 or more of:

- case studies
- portfolios
- questioning
- scenarios
- simulation or role plays
- authenticated evidence from the workplace and/or training courses

For consistency of assessment

Evidence must be gathered over time in a range of contexts to ensure the person can achieve the unit outcome and apply the competency in different situations or environments

Range Statement

The Range Statement provides information about the context in which the unit of competency is carried out. The variables cater for differences between States and Territories and the Commonwealth, and between organisations and workplaces. They allow for different work requirements, work practices and knowledge. The Range Statement also provides a focus for assessment. It relates to the unit as a whole. Text in ***bold italics*** in the Performance Criteria is explained here.

Evidence for an

assessment may include:

- native title application material
- cadastral records
- government gazettes
- aerial photography
- maps
- development plans
- tenure records
- field reports

Organisational

procedures may include:

- statutory and regulatory requirements
- industry practices
- manual or electronic applications

Organisational

procedures may be specified in:

- office practice guidelines
- computer training manuals
- executive directives
- court or tribunal directions

Stakeholder may be:

- native title holders
- traditional owners
- native title applicants
- Aboriginal people with an interest in an area
- representative bodies
- State/Territory governments
- private developers
- National Native Title Tribunal
- community interest groups
- Local Government

Information systems may include:

- Federal Government registers
- State Government registers
- other public registers including those maintained by academic institutions

Unit Sector(s)

Not applicable.

Competency field

Public Land Administration.