



Australian Government

**Assessment Requirements for
AHCCSW312 Apply knowledge of relevant
legislation to Aboriginal and/or Torres
Strait Islander sites work**

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Modification History

Release	Comments
Release 1	This version released with Agriculture, Horticulture and Conservation and Land Management Training Package Version 9.0.

Performance Evidence

An individual demonstrating competency must satisfy all of the elements and performance criteria in this unit.

There must be evidence that the individual has applied knowledge of relevant legislation to at least one Aboriginal and/or Torres Strait Islander site and has:

- developed a plan to undertake sites work according to legislation and cultural protocols
- worked within the constructs of relevant legislation when working with Aboriginal and/or Torres Strait Islander sites, cultural materials and cultural landscapes
- identified and applied relevant legislation to the circumstances appropriately and accurately
- identified and applied relevant compliance requirements affecting Aboriginal and/or Torres Strait Islander sites work in a specified jurisdiction
- used referral options and other expertise to assist in interpreting and applying legislative requirements
- communicated basic legal concepts and legislative language to Aboriginal and/or Torres Strait Islander clients and stakeholders in a culturally appropriate manner.

Knowledge Evidence

An individual must be able to demonstrate the knowledge required to perform the tasks outlined in the elements and performance criteria of this unit. This includes knowledge of:

- key principles of legislation that may impact Aboriginal and/or Torres Strait Islander sites work including:
 - Cultural and Heritage legislation
 - National Parks and Wildlife Service legislation
 - Native Title legislation
 - Land Rights laws in all states and territories bar Western Australia
 - environmental and sustainability legislation

- relationships between legislation, regulations and standards
- clients and stakeholders, including:
 - corporations
 - organisations
 - local Communities
 - government departments
- organisations to which appropriate referrals can be made, including:
 - Aboriginal Land Councils (ALCs)
 - Local Aboriginal Land Councils (LALCs)
 - Northern Peninsula Area Regional Council (NPARC)
 - Prescribed Bodies Corporate (PBCs)
 - Torres Strait Regional Authority (TSRA).

Assessment Conditions

Assessment of the skills in this unit of competency must take place under the following conditions:

- physical conditions:
 - skills must be demonstrated on Country and/or within an Aboriginal and/or Torres Strait Islander Community or an environment that accurately represents workplace conditions
- specifications:
 - access to specific legislation/codes of practice relevant to working on Aboriginal and/or Torres Strait Islander sites, materials and cultural landscapes
- relationships:
 - local Community Elders and/or Custodians.

Assessors of this unit must satisfy the requirements for assessors in applicable vocational education and training legislation, frameworks and/or standards. In addition, the following specific assessor requirements apply to this unit:

- Assessment must be undertaken by a workplace assessor who has expertise in this unit of competency and who is:

an Aboriginal and/or Torres Strait Islander Elder and/or Custodian or:

- accompanied by, and/or in communication with, an Aboriginal and/or Torres Strait Islander person who is a recognised member of the community with experience and knowledge of local cultural protocols.

Links

Companion Volumes, including Implementation Guides, are available at VETNet: -
<https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=c6399549-9c62-4a5e-bf1a-524b2322cf72>.