



Australian Government

LGAPLA004 Identify native title issues relevant to local government

Release: 1

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Modification History

Not applicable.

Application

This unit describes the performance outcomes, skills and knowledge required to identify native title issues relevant to development planning and infrastructure projects in local government.

This unit applies to individuals who work in local government.

The skills in this unit must be applied in accordance with Commonwealth and State or Territory legislation, Australian standards and industry codes of practice.

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

Competency Field

Not applicable.

Unit Sector

Not applicable.

Elements and Performance Criteria

ELEMENTS

Elements describe the essential outcomes

1. Determine scope of native title applications.

2. Apply native title legislation.

PERFORMANCE CRITERIA

Performance criteria describe the performance needed to demonstrate achievement of the element.

1.1. Check council database of land and water holdings against informal and formal registers of native title determinations, applications and agreements held by the National Native Title Tribunal (NNTT).

1.2. Obtain and map details of applications and determinations.

1.3. Check mapping of applications and determinations with claimants and NNTT.

2.1. Assess legal requirements to notify, consult and negotiate with native title holders and applicants.

2.2. Assess impact of native title on existing and future land uses.

- 2.3. Report on status of native title assessment.
- 2.4. Integrate requirements to notify, consult and negotiate with native title holders and applicants into council strategic, operation and decision making processes.

Foundation Skills

Foundation skills essential to performance in this unit, but not explicit in the performance criteria are listed below.

SKILLS	DESCRIPTION
Reading skills to:	• interpret legislation.
Writing skills to:	• prepare native title assessment report.
Technology skills to:	• use information systems relevant to development planning.

Unit Mapping Information

LGALAND502A Identify native title issues relevant to local government context and functions.

Links

Companion Volume Implementation Guide are available in VETNet -
<https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=0388d502-0fc3-49d9-a06e-c95893d7>

Assessment Requirements for LGAPLA004 Identify native title issues relevant to local government

Modification History

Not applicable.

Performance Evidence

Evidence of the ability to complete tasks outlined in elements and performance criteria of this unit in the context of the job role, and:

- identify native title issues relevant to local government including:
 - determining the scope of one native title application involving land and water use
 - assess impact of native title on one existing and future land use
- prepare one written report on native title assessment including:
 - requirements to notify, consult and negotiate with native title holders and applicants into council strategic, operation and decision making processes.

Knowledge Evidence

- Demonstrated knowledge required to complete the tasks outlined in elements and performance criteria of this unit:
- organisational policies and procedures applicable to identifying native title issues relevant to local government
- native title legislation applicable to identifying native title issues relevant to local government
- native title origins and framework
- Australian land tenure system
- Aboriginal and Torres Strait Islander laws and customs applicable to native title and development planning
- requirements for assessing native title determination application:
 - status of land parcel
 - infrastructure project
- native title holder and applicant rights and interests
- native title implications for council and associated risks
- stakeholder interests:
 - Australian Local Government Association
 - state and territory local government associations
 - state and territory government agencies
 - native title representative body
 - National Native Title Tribunal
- processes for mediation and litigation in native title matters.

Assessment Conditions

Skills must be demonstrated in the workplace or in a simulated work environment that reflects workplace conditions in a local government environment.

Assessment must ensure access to:

- organisational policies and procedures applicable to identifying native title issues relevant to local government
- legislative requirements applicable to identifying native title issues relevant to local government
- information systems used in development planning and identifying native title issues relevant to local government.

Assessors must satisfy the Standards for Registered Training Organisations' requirements for assessors.

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