



Australian Government

Department of Education, Employment and Workplace Relations

LGAPLEM407A Read and interpret titles, covenants and the local planning scheme

Revision Number: 2

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Modification History

LGAPLEM407A Release 2: Layout adjusted.

LGAPLEM407A Release 1: Primary release.

Unit Descriptor

This unit covers the identification, reading and interpretation of the fundamental tools that underpin council's planning processes. The ability to access and understand complex technical planning tools is essential, together with the ability to communicate information regarding these tools to community members and planning applicants.

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

Application of the Unit

This unit supports the attainment of skills and knowledge required for competent workplace performance in councils of all sizes. Knowledge of the legislation and regulations within which councils must operate is essential. The unique nature of councils, as a tier of government directed by elected members and reflecting the needs of local communities, must be appropriately reflected.

Licensing/Regulatory Information

Not applicable.

Pre-Requisites

Not applicable.

Employability Skills Information

This unit contains employability skills.

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 Range Statement. Assessment of performance is to be consistent with the Evidence Guide.

Elements and Performance Criteria

ELEMENT

PERFORMANCE CRITERIA

- | | |
|---|---|
| <p>1 Identify, interpret and communicate title information</p> | <p>1.1 <i>Purpose</i> and <i>types of titles</i> are researched and understood.</p> <p>1.2 <i>Forms of ownership</i> shown on titles are identified and understood.</p> <p>1.3 <i>Information contained on a title</i> and its use are identified and understood.</p> <p>1.4 Information about titles and their impact on the planning process is communicated to community members and planning applicants clearly, accurately and concisely.</p> |
| <p>2 Identify, interpret and communicate covenant information</p> | <p>2.1 Purpose of covenants is researched and understood.</p> <p>2.2 <i>Role of covenants</i> to define the use of land is identified and interpreted.</p> <p>2.3 Information about covenants and their impact on potential developments and the planning process is communicated to community members and planning applicants clearly, accurately and concisely.</p> |
| <p>3 Identify, interpret and communicate local planning scheme information</p> | <p>3.1 <i>Purpose of the local government area's planning scheme</i> is researched and understood.</p> <p>3.2 Impact of state government or other planning authorities' decisions on the development and operation of the local planning scheme is researched and interpreted.</p> <p>3.3 Requirements of the planning scheme and their impact on the assessment of planning applications are identified and interpreted.</p> <p>3.4 Information about the planning scheme and its impact on potential developments and the planning process is communicated to community members and planning applicants clearly, accurately and concisely.</p> |

Required Skills and Knowledge

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

Required Skills

- research, analytical and interpretative skills
- reading and interpreting a range of information relevant to job role, including plans and legislation
- records management
- report writing
- communicating and liaising with internal and external professional practitioners
- demonstrating clear communication with the community and stakeholders and managing stakeholder relationships using a range of communication techniques
- achieving effective working relationships that demonstrate an ability to work collaboratively with people from diverse backgrounds and across all sections of the organisation
- problem solving and conflict management
- monitoring own work and adjusting to meet agreed standards and expectations
- engaging in activities that promote own ongoing learning requirements, which may include maintaining current knowledge of legislation and common law
- using technology relevant to the job/role, which may include the use of computers and other relevant office technology

Required Knowledge

- history, intent and application of common law title and Torrens title in Australia
- terminology and definitions associated with titles, including indefeasibility of title, fee simple, certificate of title, conveyancing, title registration, easement, fixture, right of way, settlement, special condition and Torrens system
- relevant building and planning legislation requirements
- council development control, planning and customer service policies and practices
- council building and planning application procedures

Evidence Guide

Overview of assessment requirements

A person who demonstrates competency in this unit will be able to perform the outcomes described in the elements to the required performance level detailed in the performance criteria. The unit's skill and knowledge requirements must also be demonstrated. For example, knowledge of the planning scheme, titles and covenants and the requirements for the submission of planning applications is required.

Critical aspects of evidence to be considered

The demonstrated ability to:

- demonstrate knowledge of planning schemes, planning processes, titles and covenants
- interpret and communicate information to community members and planning applicants about planning schemes, titles and covenants

Context of assessment

On the job or in a simulated work environment.

Method of assessment

The following assessment methods are suggested:

- observation of the learner performing a range of workplace tasks over sufficient time to demonstrate handling of a range of contingencies
- written and oral questioning to assess knowledge and understanding
- completion of workplace documentation
- third-party reports from experienced practitioners
- completion of self-paced learning materials, including personal reflection and feedback from trainer, coach or supervisor

Evidence required for demonstration of consistent performance

Evidence will need to be gathered over time across a range of variables depending on council work flow and planning cycle as long as the critical aspects of evidence can be demonstrated.

Resource implications

Access to a workplace or case study that encompasses such resources as:

- copies of relevant building and planning legislation
- examples of titles
- examples of council policies and procedures
- reports and council records
- experts, such as building surveyors, engineers and town planners

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.

Purpose of titles is:

- to provide a legally defensible registration of land title that provides the registered proprietor (owner) with paramount title and rights over his or her land

Types of titles include:

- Torrens title
- strata title
- community title

Forms of ownership are:

- single registered proprietor
- joint tenancy
- tenancy in common

Information contained on a title includes:

- plan showing spatial relationships and including placements of any easements or rights of way
- historical data
- lot number
- folio number
- proprietorship
- unique identification numbering
- land value

Role of covenants is to:

- restrict the use of the land described in the title that is imposed by a council and/or a developer to ensure future development meets identified design and land use guidelines

Purpose of a planning scheme is to:

- "ensure land use and development meets present and future needs of the community, reflects minimum community standards of health, safety and amenity, protects the environment, provides a process for resolving competing interests and ensures there is a reasonable level of choice."
(from Australian Local Government Association website 10/03/08)

Unit Sector(s)

Planning