



Australian Government

Department of Education, Employment and Workplace Relations

PSPLAND303A Administer public land tenures

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 process public land tenure applications and to deal with other enquiries using organisational guidelines and information systems to provide a quality service to the public.

It includes processing an existing land tenure application/change, processing the initial granting of a public land tenure, producing a tenure report, conducting a plan search, re-determining rent, and preparing statutory documents.

In practice, administration of public land tenures may overlap with other generalist or specialist public sector work activities such as working ethically, complying with legislation, organising workplace information, working with diversity.

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. Process an existing land tenure application/change | <ul style="list-style-type: none">1.1 Details of the application/change are investigated to confirm processing requirements.1.2 Documents associated with the land tenure application/change are gathered and directed following organisational and best practice requirements.1.3 Documentation is checked to ensure it is endorsed by personnel with delegated authority.1.4 Information is recorded in accordance with legislation, policy and procedures. |
| 2. Process the initial granting of a public land tenure | <ul style="list-style-type: none">2.1 Confirmation is obtained that a tenure application investigation was conducted and approval to the initial allocation granted.2.2 Documentation is prepared and directed in accordance with organisational procedures.2.3 Records are prepared and updated in accordance with organisational procedures and practices. |
| 3. Produce a tenure report | <ul style="list-style-type: none">3.1 The reason for the report is established in accordance with organisational policy and procedures.3.2 The source of the required information is ascertained.3.3 The requested tenure report is generated in accordance with organisational format. |
| 4. Conduct a plan search | <ul style="list-style-type: none">4.1 The extent of the search is established.4.2 The source of the required information is ascertained.4.3 Plans are obtained and copied and the originals are returned to the system in accordance with organisational procedures. |
| 5. Re-determine rent | <ul style="list-style-type: none">5.1 Tenures that require rent re-determination are ascertained.5.2 Calculations are made following organisational procedures.5.3 Documents associated with rent re-determination are gathered and directed following organisational and best practice requirements.5.4 Objections received are directed to the appropriate personnel for arbitration in accordance with legislative requirements and organisational practices.5.5 The information is recorded in accordance with organisational procedures. |
| 6. Prepare statutory documents | <ul style="list-style-type: none">6.1 The statutory document/s required to process an application are ascertained.6.2 Statutory document/s are prepared in accordance with organisational procedures and statutory requirements.6.3 Endorsement is obtained in accordance with organisational policy and procedures. |

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:

- following organisational guidelines
- determining ownership and tenure
- noting organisational records to regulatory and organisational requirements
- filing and retrieving organisational records
- collecting data and converting it to electronic form
- retrieving spatial and textual information from electronic information systems
- obtaining a copy of a land title
- generating documentation to organisational standards
- reading a map or a plan
- calculating an area
- using computer technology in the context of public land tenure administration
- responding to diversity, including gender and disability
- applying public sector legislation including occupational health and safety and environment in the context of administering public land tenures

Knowledge requirements

Look for evidence that confirms knowledge and understanding of:

- legislation relating to public land administration and land management
- organisational policies and procedures relating to public land administration
- impact of previous legislation on public land
- tenure administration
- the different types of tenures and the unique features of each
- the different types of organisational records that need to be noted or updated and in what circumstances
- management of public records
- land title system
- organisational policies, guidelines and statutory obligations in relation to rent re-determination
- organisational standards for the preparation of documentation
- knowledge of local values
- plan lodgment procedures
- public sector legislation including occupational health and safety, environment, privacy and diversity

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:
 - PSPETHC301B Uphold the values and principles of public service
 - PSPGOV301B Work effectively in the organisation
 - PSPGOV305B Access and use resources and financial systems
 - PSPGOV307B Organise workplace information
 - PSPGOV308B Work effectively with diversity
 - PSPLEGN301B Comply with legislation in the public sector
 - PSPLAND302A Investigate tenure and land use history

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)
- administration of public land tenures 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 guidelines relating to the administration of public land tenures
- access to computer information systems
- case studies and workplace scenarios to capture the range of situations likely to be encountered when administering public land tenures

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 administering public land tenures, including coping with difficulties, irregularities and breakdowns in routine

- administration of public land tenures 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.

A land tenure application/change may include:

- land tenure interest dealing such as:
 - easement
 - covenant
 - new lease
 - new licence
 - new permit
 - forfeiture
 - de-restriction
 - subdivision
 - cancellation
 - correction
 - consolidation
 - conversion
 - amalgamation
 - consents to transfer
 - renewal
 - new deed
 - lease/licence/permit
 - purchase of reservation in title
 - exchange
 - change of land use
 - simultaneous opening and closure of road
 - road opening
 - road closure (permanent or temporary)
 - surrender
 - revocation of management orders (for reserves)
 - revestments
 - cancellation of dedications under Acts
 - issues relating to contamination, hazards and encumbrances, and the need to deal with these before land comes back to the Crown

Land tenure may include:

- tenures created and administered under a range of Acts relating to Crown land, State land, land use such as clearing,

cultivation, irrigation, enclosure

- tenures created under a previous Act and administered under a land Act
- creation of and dealing with interests in the tenures, for example easements, subleases, covenants, mortgages and trusts
- interests created under legislation such as:
 - easements
 - subleases
 - mortgages
 - trusts
 - writs of execution, etc
 - freehold
- leasehold, where changes to existing tenure may require special processes under legislation (e.g. ACT leasehold system where changes are subject to public notification, decisions are subject to appeal and changes need to comply with The Territory Plan)
- licences
- permits

Best practice requirements may include:

- quality customer service
- quality system documentation

Legislation, policy and procedures may include:

- legislation related to public land administration
- public sector legislation such as equal employment opportunity, anti-discrimination, diversity and occupational health and safety
- privacy legislation and freedom of information
- public sector standards
- jurisdictional and organisational code/s of practice and code/s of ethics
- organisational standards
- industry standards

Initial tenure application investigation may include:

- referral to a range of authorities on issues including:
 - planning
 - environment
 - aboriginal heritage
 - native title
 - Local Government requirements
 - servicing agencies' requirements

The initial allocation of a public land tenure may be:

- lease
- licence
- reservation
- dedication
- enclosure permit
- deed
- permit to occupy
- authority to use
- easements

Organisational procedures may include:

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

Organisational procedures may be specified in:

- office practice guidelines
- workplace notices/memos
- computer training manuals
- procedure manuals

Organisational records may include:

- cards
- maps
- files

- electronic information systems
 - land accounts
 - land titles
 - plans
 - gazettes
- Tenure reports*** may include:
- tenure details
 - rental details
 - outstanding moneys
 - transfer details
 - status report
 - valuation details
 - property dealings
- Rent*** may include:
- yearly rent
 - rent for a fixed term
 - rent adjusted for consumer price index (CPI)
 - premiums
 - phasing-in of rents
 - waivers
- Rent re-determination*** may include:
- dealings involving allocation of:
 - concessional rentals
 - rent deferral
 - rent forgiveness
- Calculations*** may include:
- rent re-determination
 - concession
 - deferral
 - forgiveness
- Objections to rent*** may be for:
- carrying capacity
 - right to rebate
 - disputed value
 - disputed rental category
 - disputed land valuation
- Statutory documents*** may be:
- lease agreement
 - licence agreement
 - land titles office forms

Unit Sector(s)

Not applicable.

Competency field

Public Land Administration.