



Australian Government

Department of Education, Employment and Workplace Relations

PSPLAND403A Prepare and lodge non-claimant native title applications

Revision Number: 3

PSPLAND403A Prepare and lodge non-claimant native title applications

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 prepare and lodge non-claimant native title applications. It includes investigating native title and preparing and lodging applications.

In practice, preparing and lodging non-claimant native title applications may overlap with other generalist or specialist public sector work activities such as working ethically, complying with legislation, applying government processes, using resources, gathering and analysing 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. Investigate native title	1.1 The extent of the area to be searched is established. 1.2 The <i>sources</i> that need to be searched are established. 1.3 The <i>information</i> is gathered and examined to determine the history of use of the subject area. 1.4 A report and accompanying documentation is prepared recording the outcome of the investigation in accordance with <i>organisational procedures</i>.
2. Prepare and lodge non-claimant applications	2.1 Submission is prepared and directed to appropriate personnel to obtain approval to prepare a non-claimant application. 2.2 The documentation required for the <i>non-claimant application</i> is gathered and directed according to the organisation's practices and procedures. 2.3 Applications are prepared and lodged in accordance with <i>legislation, policy and procedures</i>. 2.4 <i>Follow-up action</i> after approval for non-claimant application is carried out within the time specified.

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:

- finding information in systems, databases and other sources
- searching historical records
- filing and retrieving organisational records
- retrieving spatial and textual information from electronic information systems
- obtaining a copy of a land title
- determining ownership and tenure
- consulting with Indigenous people and expert advisers
- responding to diversity, including gender and disability
- 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 investigations and non-claimant applications

Knowledge requirements

Look for evidence that confirms knowledge and understanding of:

- legislation, policies and procedures relating to Crown/State land and native title claims
- 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
- sources of historical records relating to land tenures and ways to access them
- public sector legislation including occupational health and safety and environment in the context of native title investigations and non-claimant applications

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:
 - PSPETHC401A Uphold and support the values and principles of public service
 - PSPGOV403B Use resources to achieve work unit goals
 - PSPGOV406B Gather and analyse information
 - PSPGOV408A Value diversity
 - PSPGOV422A Apply government processes
 - PSPLEGN401A Encourage 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)
- native title investigations and preparation of non-claimant applications undertaken 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 native title investigations and preparation of non-claimant applications
- case studies and workplace scenarios to capture the range of situations likely to be encountered when undertaking native title investigations and preparing non-claimant applications

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 undertaking native title investigations and preparing non-claimant applications,

including coping with difficulties, irregularities and breakdowns in routine

- native title investigations and preparation of non-claimant applications undertaken 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
- demonstration
- 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.

Data sources may include:

- archives
- cancelled maps
- cancelled public plans
- central or regional government offices
- central plan (survey) registries
- correspondence files
- Crown allotments
- Crown leases
- Crown surveys
- databases
- deeds registers
- departmental systems
- files
- gazettes
- information storage
- land titles office/s
- legal precedents
- Local Government council offices
- maps
- newspapers
- public libraries or other public institutions
- public registers including those maintained by academic institutions
- reserve plans
- resumption plans
- State/Territory and Federal Government registers

Information may be gathered from:

- aerial photography
- cadastral records, current and historic
- certified plans
- correspondence
- Crown grants
- deeds

- electronic records
- field reports
- file records, current and archived
- freehold certificates of title
- government gazette notices
- government infrastructure records
- historical records
- historical survey data
- land accounts
- leasehold titles
- legislation and executive orders
- municipal building approvals
- original plans
- plans
- records of land transfer or tenure
- reserve development plans
- tenure cards
- tenure documents
- titles

- Information** may be held:
- spatially
 - digitally
 - microfiched
 - electronically
 - in original hard copy format
- Organisational procedures** may include:
- organisational guidelines
 - workplace notices
 - regulatory requirements
 - industry practices
 - manual or electronic application
- A non-claimant application** may include:
- copies of titles
 - copies of plans and maps
- Legislation, policy and procedures** may include:
- legislation related to Crown land, State land or public land administration, in particular Commonwealth Native Title Act 1993, regulations, and Wik amendments
 - public sector legislation such as equal employment opportunity, anti-discrimination, diversity, occupational health and safety
 - privacy legislation and freedom of information
 - public sector standards
 - organisational standards
 - quality standards
 - jurisdictional and organisational code/s of practice and code/s of ethics
- Follow-up action after approval** may include:
- issuing a survey instruction
 - granting a lease or licence agreement
 - granting a lease surrender and subdivision application

Unit Sector(s)

Not applicable.

Competency field

Public Land Administration.