



**Australian Government**

# **PSPLAND408A Investigate Aboriginal land claims/applications**

**Revision Number: 3**

## PSPLAND408A Investigate Aboriginal land claims/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 investigate Aboriginal land claims/applications. It includes analysing and reviewing information sourced for an Aboriginal land claim, consulting with stakeholders, preparing a submission, and carrying out post determination instructions.

In practice, investigating Aboriginal land claims 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. Analyse and review information sourced for an Aboriginal land claim | <p>1.1 A complete review of the <b><i>information supplied</i></b> is carried out to ensure all technical aspects of the claim have been adhered to.</p> <p>1.2 The <b><i>evidence</i></b> supplied is analysed to ensure that the correct legal interpretation has been applied and that organisational policies have been considered.</p>                                                                                                                                                                      |
| 2. Consult with stakeholders                                           | <p>2.1 A check is made to ensure all <b><i>stakeholders</i></b> involved in the process have been consulted.</p> <p>2.2 Interests/concerns of all stakeholders are established in accordance with <b><i>organisational procedures</i></b>.</p> <p>2.3 Issues raised by stakeholders in their submissions are acknowledged and dealt with in accordance with organisational procedures.</p> <p>2.4 Stakeholders are consulted if clarification of information in a submission or an issue raised is required.</p> |
| 3. Prepare a submission                                                | <p>3.1 Relevant information and evidence gathered for an Aboriginal land claim is documented and presented in accordance with organisational procedures.</p> <p>3.2 All information in the submission is clearly expressed and technically correct.</p> <p>3.3 The submission is directed to the appropriate personnel for determination and issue of approval or refusal by the Minister.</p>                                                                                                                   |
| 4. Carry out post determination instructions                           | <p>4.1 Details of <b><i>post determination instructions</i></b> are noted.</p> <p>4.2 All instructions are completed in accordance with organisational procedures.</p> <p>4.3 Documentation is prepared and directed following organisational and <b><i>best practice requirements</i></b>.</p>                                                                                                                                                                                                                  |

## 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:

- interpreting legislation relating to Crown/State land administration and Aboriginal land claims/applications
- analysing evidence
- gathering evidence
- preparing detailed reports
- determining land tenure and ownership
- presenting evidence in a submission
- interpreting maps/plans/aerial photos
- communicating with diverse stakeholders including negotiation and mediation
- responding to diversity, including gender and disability
- applying public sector legislation such as occupational health and safety, environment, anti-discrimination and diversity in the context of Aboriginal land claims/applications

### Knowledge requirements

Look for evidence that confirms knowledge and understanding of:

- legislation, policies and procedures relating to Crown/State land administration and Aboriginal land claims/applications
- preparation of ministerial submissions requiring formality of style, language and format
- information that can be used as evidence
- Aboriginal culture and customs
- land tenures
- land title system
- departmental delegations
- the different types of organisational records that need to be noted or updated and in what circumstances
- public sector legislation including occupational health and safety and environment in the context of Aboriginal land claims/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)
- investigation of Aboriginal land claims/applications 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 investigation of Aboriginal land claims/applications
- case studies and workplace scenarios to capture the range of situations likely to be encountered when investigating Aboriginal land claims/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 investigating Aboriginal land claims/applications, including coping with difficulties, irregularities and breakdowns in routine

- investigation of Aboriginal land claims/applications 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.

***Information supplied for a claim*** may include:

- parish maps
- titles
- survey plans
- field inspection report
- aerial photographs
- documentation provided by government authorities
- information relating to Aboriginal heritage issues that needs to be addressed to see if a survey is required

***Evidence*** may be:

- relevant use at or about date of claim
- information from Bureau of Statistics
- local environmental study
- information supplied by government authorities
- reserve trust records
- letters of request for use of land
- rural lands protection board records
- fencing details
- weed control programs
- documentation proving occupation of land at date claim

***Stakeholders*** may include:

- Aboriginal groups
- Local Government
- government agencies
- Aboriginal land councils
- Aboriginal land trusts
- rural lands protection board
- public
- field inspection report
- local members
- objectors
- internal clients
- tenure holders

***Organisational procedures*** may include:

- regulatory requirements
- industry practices

**Organisational procedures** may be specified in:

- manual or electronic applications
- procedures manual
- office practice guidelines
- workplace notices
- computer training manuals

**Post determination instructions** may be:

- record noting
- raise title
- arrange survey
- arrange presentation of title to local Aboriginal land council by local dignitary
- arrange publicity for title handover

**Best practice requirements** may include:

- quality client service
- quality system documentation

## **Unit Sector(s)**

Not applicable.

## **Competency field**

Public Land Administration.