Department of Natural Resources and Environment Tasmania

**Statement of Duties**

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| **Position title** | Senior Legal Officer |
| Position number | 709683 |
| Division/Business Unit/Branch | Environment, Heritage and Land / Heritage and Land Tasmania / Land Titles Office |
| Award/Agreement | Tasmanian State Service Award |
| Classification | Legal Practitioner, Level 2 |
| Position Status | Permanent |
| Full Time Equivalent (FTE) | 1.0 FTE (minimum 0.80 FTE, by negotiation) |
| Ordinary hours per week | 36.75 hours (minimum 29.40 hours, by negotiation) |
| Location | Hobart |
| Reports to | Recorder of Titles |

**Position Purpose**

The purpose of the role is to:

* Assist the Recorder of Titles by interpreting and applying relevant legislation to administer General Law and Torrens Title estates and interests land ownership in Tasmania.
* Provide advice and legal guidance to a wide range of internal and external stakeholders including staff, clients, professional groups, Ministers, and senior government officials relating to matters of statutory interpretation as it applies to land law.

**Major Duties**

* Provide professional advice, legal guidance and direction to the Recorder of Titles and other staff members of the Land Titles Office, legal practitioners in the private and public sector, senior officers of the Department and representatives of other Departments on a wide range of issues relating to land law, based on knowledge of land law and its interaction with other State and Commonwealth legislation.
* Interpret relevant statutes and complete research and analysis to ensure complex matters concerning the lodgement, examination, processing and registration of dealings and applications are in accordance with the *Land Titles Act 1980* and other Acts administered in the Land Titles Office.
* Advise the Recorder of Titles on aspects of legislation relating to land law and as required undertake legal work of a sensitive nature under the general supervision of the Recorder of Titles.
* Assist in educating and informing staff in the Land Tasmania Division, other Divisions within the Department as well as other Departments and client groups about land law and provide guidance and training to examination and registration clerks.
* Assist the Recorder of Titles with the adjudication of strata relief applications lodged under the *Strata Titles Act 1998*, and with the processing of complex applications lodged with the Recorder of Titles including applications under the *Land Titles Act 1980*, and the *Conveyancing and Law of Property Act 1884*.
* Perform any other assigned duties at the classification level that are within the employee’s competence and training.

**Responsibility, Decision Making and Direction**

As a professional specialist, the occupant of the position is responsible for:

* providing the Recorder of Titles with advice on making definitive rulings on the appropriateness and legality of documents prepared for the Torrens titling system.
* providing a specialist consultation and advisory service on legislative matters affecting land law, and for the provision of quality advice to legal practitioners both in the public and private sector and other persons on the operation of the Torrens titling system.
* performing statutory duties if required.
* providing legal guidance and training to staff within the Branch.
* ensuring a safe working environment by complying with relevant Work Health and Safety (WHS) legislation, codes of practice and policies, procedures and guidelines issued under the Department’s WHS Management System and for promoting the principles of managing diversity.

The decision making and direction received in relation to the role are that:

* The carrying out of day-to-day tasks and decision-making to be performed initially under general or direct supervision, however, with progression would be expected to function with general direction only, to apply own initiative and consult with senior staff only in respect of more complex elements of work
* The occupant has considerable operational autonomy with operational direction according to government policy and broad corporate objectives.

**Knowledge, Skills and Experience (Selection Criteria)**

1. Relevant professional knowledge, expertise, and specialised skills in relation to statutory interpretation and the ability to apply these to the *Land Titles Act 1980*, *Conveyancing and Law of Property Act 1884*, *Registration of Deeds Act 1935* and other legislation administered by, or affecting, the Recorder of Titles.
2. Proven capacity to research, analyse and evaluate land law related matters, or the ability to acquire the capacity, to make independent professional judgements and provide high level professional advice to a range of stakeholders.
3. Proven ability to exercise professional judgement in the determination of overall strategies, priorities, and work standards, with a well-developed understanding of the strategic context within which the legal work is undertaken.
4. High level negotiation skills and the capacity to communicate effectively at all levels of both the public and private sectors including professional groups dealing with the Branch.
5. Proven ability to provide legal guidance and training to staff and to instruct staff from the Branch, Division, other Divisions within the Department, and other Departments and client groups on land law.

**Position Requirements**

**Essential Requirements**

* Admitted, or qualified for and entitled to be admitted, as a barrister or practitioner of the Supreme Court of Tasmania under the provisions of the Legal Profession Act 1993.
  + Minimum of 2 years relevant post-admission experience.

**About Us**

**The Department of Natural Resources and Environment Tasmania (NRE Tas)** is responsible for the sustainable management and protection of Tasmania’s natural and cultural assets for the benefit of Tasmanian communities and the economy. The Department’s activities guide and support the use and management of Tasmania’s land and water resources and protect its natural and cultural environment. The Department is also responsible for delivering the services that support primary industry development and the protection of the State’s relative disease and pest-free status.

Under Tasmania’s emergency management arrangements NRE Tas is the management authority (lead agency) for various aspects of the management of biosecurity emergencies (includes exotic animal, plant and marine disease and pest emergencies), fire in national parks and other reserves, sea inundation from storm surge. In regard to those types of emergency prevention, preparedness and response activities are core business of this agency and potentially may involve all staff in some way.

The Department’s website at [www.nre.tas.gov.au](http://www.nre.tas.gov.au) provides more information.

# **Working Environment**

# Employees work within an environment that supports safe work practices, diversity and equity with employment opportunities and ongoing learning and development. We are committed to valuing and respecting each other as colleagues and peers. We value the diverse backgrounds, skills and contributions of all employees and treat each other and our customers with respect. We do not tolerate discrimination, harassment or bullying in the workplace.

# NRE Tas has a culture of zero tolerance towards violence, including any form of family violence. We will take an active role to support employees and their families by providing a workplace environment that promotes their safety and provides the flexibility to support employees to live free from violence.

# There is a strong emphasis on building leadership capacity throughout NRE Tas.

# The expected behaviours and performance of the Department’s employees and managers are enshrined in the *State Service Act 2000* through the State Service Principles and Code of Conduct. These can be located at [www.dpac.tas.gov.au/divisions/ssmo](http://www.dpac.tas.gov.au/divisions/ssmo).