

Role Description

Senior Legal Officer



Planning,
Industry &
Environment

Cluster	Planning, Industry & Environment
Agency	Department of Planning, Industry & Environment
Division/Branch/Unit	Governance & Legal / Planning, Environment & Resources
Location	Parramatta
Classification/Grade/Band	Planning Officer (Professional) Level 2 / Legal Officer Grade 4
Role Number	Various
ANZSCO Code	271311
PCAT Code	1118192
Date of Approval	December 2020
Agency Website	www.dpie.nsw.gov.au

Agency overview

Our vision is to create thriving environments, communities and economies for the people of New South Wales. We focus on some of the biggest issues facing our state. We deliver sustainable water resource and environment management, secure our energy supply, oversee our planning system, maximise community benefit from government land and property, and create the conditions for a prosperous state. We strive to be a high-performing, world-class public service organisation that celebrates and reflects the full diversity of the community we serve and seeks to embed Aboriginal cultural awareness and knowledge throughout the department.

Primary purpose of the role

The Senior Legal Officer works as a member of a team providing legal services and advice in areas including commercial and contract advice, land use planning, environmental, resources and administrative law matters, risk management, GIPA, development assessment, infrastructure, governance and compliance to meet the cluster's needs.

Key accountabilities

- Provide strategic legal assistance in the delivery of client focused legal services to staff of the Department in the areas of commercial, property and administrative law to meet priority legal service needs
- Undertake legal tasks associated with major property and commercial projects, including drafting and reviewing a variety of documents, attention and advice around property law considerations, and provision of advice regarding options to enable delivery of projects in line with Government objectives and timeframes
- Support Departmental negotiations with other agencies, proponents and their legal representatives to achieve positive client and Department outcomes

- Undertake research and analysis and provide advice and recommendations on complex matters to support decision making

Key challenges

- Providing advisory and legislative services to a range of clients to manage legal risks and achieve outcomes in relation to complex and sensitive projects and to meet the Department’s statutory and legal obligations
- Managing competing priorities and interests in an environment of challenging workload demands and tight timeframes
- Maintaining up to date knowledge of multiple types of legal matters impacting on the property and commercial space to quickly understand matters and provide timely responses, services and advice consistent with applicable legislation, policies and procedures

Key relationships

Who	Why
Internal	
General Counsel and Group Executive Director	<ul style="list-style-type: none"> • Receive instructions, guidance and feedback for assigned work
Team Director and Principal Legal Officers in the team	<ul style="list-style-type: none"> • Support the Director and Principal Legal Officers in the team. • Receive instructions, guidance and feedback • Provide legal services and advice on team work program • Support negotiations with agencies, proponents and their lawyers • Inform of major, complex, contentious or emerging issues • Provide regular updates on status of legal matters and priorities • Assist with team and Branch work program planning
Key clients	<ul style="list-style-type: none"> • Provide legal advice and develop and maintain effective working relationships to align the team’s resources to corporate priorities, offer innovative legal solutions and identify key legal risks • Liaise to ensure broad understanding of legal aspects and issues impacting current initiatives • Inform of status of, and to resolve identified legal matters • Share expertise and information, and provide professional legal and procedural advice • Liaise to obtain responses to questions and requests for advice • Assist with training and briefing sessions and training support material
Team members	<ul style="list-style-type: none"> • Share knowledge, expertise and information • Collaborate on matters and to implement ideas and innovative approaches • Attend team meetings and contribute to development of effective team systems and procedures
Legal & Governance Branch	<ul style="list-style-type: none"> • Share knowledge, expertise and information • Collaborate on matters and to implement ideas and innovative approaches

Who	Why
	<ul style="list-style-type: none"> • Provide mutual support • Participate as part of a team in Legal & Governance Branch projects and initiatives
External	
State and Local Government agencies, state owned corporations, proponents, legal representatives	<ul style="list-style-type: none"> • Develop effective working relationships • Assist in client engagement activities, legislative process consultations or in negotiations • Provide advice regarding practice and legal procedure • Obtain support and cooperation to seek responses and required advice

Role dimensions

Decision making

The Senior Legal Officer:

- receives advice and guidance from senior team members but has some responsibility for setting own priorities within the overall agreed work program, under the supervision and guidance of the Director or Principal Legal Officer.
- is required to complete all legal work within the required timeframes, legislative framework, and in accordance with any applicable Departmental policies and legal professional standards
- is required to refer emerging issues to the Director or Principal Legal Officer for guidance

Reporting line

Reports to the relevant legal team Director or Principal Legal Officer, as advised.

Direct reports

Nil

Budget/Expenditure

Nil

Key knowledge and experience

Experience in one or more of the following areas:

- Planning law including the Environmental Planning & Assessment Act;
- Natural resources law (including water law and environmental law); or
- Administrative law or experience in the policy making and legislative process and good knowledge of statutory interpretation.

Essential requirements

Admitted or qualified for admission as a Solicitor or Barrister in the Supreme Court of NSW and hold, or be eligible to hold, a NSW Practising Certificate.

Capabilities for the role

The [NSW public sector capability framework](#) describes the capabilities (knowledge, skills and abilities) needed to perform a role. There are four main groups of capabilities: personal attributes, relationships, results and business enablers, with a fifth people management group of capabilities for roles with managerial responsibilities. These groups, combined with capabilities drawn from occupation-specific capability sets where relevant, work together to provide an understanding of the capabilities needed for the role.

The capabilities are separated into **focus capabilities** and **complementary capabilities**.

Focus capabilities

Focus capabilities are the capabilities considered the most important for effective performance of the role. These capabilities will be assessed at recruitment.

The focus capabilities for this role are shown below with a brief explanation of what each capability covers and the indicators describing the types of behaviours expected at each level.

FOCUS CAPABILITIES			
Capability group/sets	Capability name	Behavioural indicators	Level
 Personal Attributes	Act with Integrity Be ethical and professional, and uphold and promote the public sector values	<ul style="list-style-type: none"> • Represent the organisation in an honest, ethical and professional way • Support a culture of integrity and professionalism • Understand and help others to recognise their obligations to comply with legislation, policies, guidelines and codes of conduct • Recognise and report misconduct and illegal and inappropriate behaviour • Report and manage apparent conflicts of interest and encourage others to do so 	Intermediate
 Relationships	Communicate Effectively Communicate clearly, actively listen to others, and respond with understanding and respect	<ul style="list-style-type: none"> • Present with credibility, engage diverse audiences and test levels of understanding • Translate technical and complex information clearly and concisely for diverse audiences • Create opportunities for others to contribute to discussion and debate • Contribute to and promote information sharing across the organisation • Manage complex communications that involve understanding and responding to multiple and divergent viewpoints • Explore creative ways to engage diverse audiences and communicate information • Adjust style and approach to optimise outcomes • Write fluently and persuasively in plain English and in a range of styles and formats 	Advanced
	Commit to Customer Service	<ul style="list-style-type: none"> • Focus on providing a positive customer experience 	Intermediate

Provide customer-focused services in line with public sector and organisational objectives

- Support a customer-focused culture in the organisation
- Demonstrate a thorough knowledge of the services provided and relay this knowledge to customers
- Identify and respond quickly to customer needs
- Consider customer service requirements and develop solutions to meet needs
- Resolve complex customer issues and needs
- Cooperate across work areas to improve outcomes for customers

Influence and Negotiate

Gain consensus and commitment from others, and resolve issues and conflicts

- Negotiate from an informed and credible position Adept
- Lead and facilitate productive discussions with staff and stakeholders
- Encourage others to talk, share and debate ideas to achieve a consensus
- Recognise diverse perspectives and the need for compromise in negotiating mutually agreed outcomes
- Influence others with a fair and considered approach and sound arguments
- Show sensitivity and understanding in resolving conflicts and differences
- Manage challenging relationships with internal and external stakeholders
- Anticipate and minimise conflict

Deliver Results

Achieve results through the efficient use of resources and a commitment to quality outcomes

- Seek and apply specialist advice when required Intermediate
- Complete work tasks within set budgets, timeframes and standards
- Take the initiative to progress and deliver own work and that of the team or unit
- Contribute to allocating responsibilities and resources to ensure the team or unit achieves goals
- Identify any barriers to achieving results and resolve these where possible
- Proactively change or adjust plans when needed

Think and Solve Problems

Think, analyse and consider the broader context to develop practical solutions

- Research and apply critical-thinking techniques Adept in analysing information, identify interrelationships and make recommendations based on relevant evidence
- Anticipate, identify and address issues and potential problems that may have an impact on organisational objectives and the user experience
- Apply creative-thinking techniques to generate new ideas and options to address issues and improve the user experience
- Seek contributions and ideas from people with diverse backgrounds and experience





Project Management

Understand and apply effective planning, coordination and control methods

- Participate in and contribute to team or unit initiatives to resolve common issues or barriers to effectiveness
 - Identify and share business process improvements to enhance effectiveness
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- Perform basic research and analysis to inform and support the achievement of project deliverables
 - Contribute to developing project documentation and resource estimates
 - Contribute to reviews of progress, outcomes and future improvements
 - Identify and escalate possible variances from project plans
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- Intermediate

Complementary capabilities

Complementary capabilities are also identified from the Capability Framework and relevant occupation-specific capability sets. They are important to identifying performance required for the role and development opportunities.

Note: capabilities listed as 'not essential' for this role are not relevant for recruitment purposes however may be relevant for future career development.

COMPLEMENTARY CAPABILITIES

Capability group/sets	Capability name	Description	Level
 Personal Attributes	Display Resilience and Courage	Be open and honest, prepared to express your views, and willing to accept and commit to change	Adept
	Manage Self	Show drive and motivation, an ability to self-reflect and a commitment to learning	Adept
	Value Diversity and Inclusion	Demonstrate inclusive behaviour and show respect for diverse backgrounds, experiences and perspectives	Adept
 Relationships	Work Collaboratively	Collaborate with others and value their contribution	Intermediate
 Results	Plan and Prioritise	Plan to achieve priority outcomes and respond flexibly to changing circumstances	Intermediate
	Demonstrate Accountability	Be proactive and responsible for own actions, and adhere to legislation, policy and guidelines	Intermediate
 Business Enablers	Finance	Understand and apply financial processes to achieve value for money and minimise financial risk	Intermediate
	Technology	Understand and use available technologies to maximise efficiencies and effectiveness	Intermediate
	Procurement and Contract Management	Understand and apply procurement processes to ensure effective purchasing and contract performance	Intermediate
Occupation specific capability set			
 Legal	Statutory Interpretation	Interpret legislation, subordinate legislation and instruments in accordance with legislation and accepted legal principles	Level 2
	Legal Research	Undertake legal research	Level 2
	Legal Advice	Provide quality independent legal advice and explanation of legal issues	Level 2