

Role Description

Senior Legal Officer



Planning,
Industry &
Environment

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

Agency overview

The Planning, Industry and Environment Cluster (DPIE) was formed in 2019. The Cluster drives greater levels of integration and efficiency across key areas such as long-term planning, precincts, housing, property, infrastructure priorities, open space, the environment, our natural resources – land, water, mining – energy, and growing our industries. There is a strong emphasis on regional NSW.

Primary purpose of the role

The Senior Legal Officer works as a member of a team providing legal services and advice in areas including land use planning law, water law, environmental law, coastal law, dams safety law, property and housing law, commercial law, administrative law, risk management, GIPA, development assessment, infrastructure, governance and licensing and compliance to meet the Cluster's needs.

Key accountabilities

- Provide client focused legal services to staff of the Cluster in the area of administrative law, focusing on water or planning law, to meet priority legal service needs
- Draft and review documents including statutory instruments (such as orders, directions, development consents and environmental planning instruments), briefing notes, delegations and agreements to enable the Department to effectively carry out its functions
- Facilitate the legislative process by advising on reform options and by preparing and reviewing Cabinet Minutes, second reading speeches, briefings and instructions for Parliamentary Counsel regarding the drafting of legislation so that legislative reform is 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 facilitate the management and resolution of a diverse range of legal, regulatory and compliance matters which impact the Department's capacity to achieve its strategic goals and to generally support decision making

- Keep abreast of contemporary legal advancements and share and transfer specialist knowledge, expertise and skills to clients and colleagues by conducting information, training and briefing sessions, and developing training materials, to contribute to the work of the Department
- Assist the team with developing innovative policy and legal options in response to challenging operational requirements to expand the Department's ability to effectively deliver its core business and enhance the experience and outcomes for the community and stakeholders it serves.

Key challenges

- Provide 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
- Manage competing priorities and interests in an environment of challenging workload demands and tight timeframes
- Maintain up to date knowledge of multiple types of legal matters impacting on the planning or water environment 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 Legal Services	<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

Who	Why
Legal & Governance Branch	<ul style="list-style-type: none"> • Share knowledge, expertise and information • Collaborate on matters and to implement ideas and innovative approaches • 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 the Legal Director, Group Executive Director and General Counsel but has some responsibility for setting own priorities within the overall agreed work program under the supervision of the Legal 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 Legal Director or Principal Legal Officer for guidance
- may be required to work closely with and receive guidance from Principal Legal Officers to support them on specific projects

Reporting line

Reports to the relevant legal team Director.

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

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
- Property law; or
- Administrative law or experience in the policy making and legislative process and good knowledge of statutory interpretation.





Capabilities for the role


The NSW Public Sector Capability Framework applies to all NSW public sector employees. The Capability Framework is available at www.psc.nsw.gov.au/capabilityframework

This role also utilises an [occupation specific capability set](#).

Capability summary

Below is the full list of capabilities and the level required for this role. The capabilities in bold are the focus capabilities for this role. Refer to the next section for further information about the focus capabilities.

NSW Public Sector Capability Framework		
Capability Group	Capability Name	Level
 Personal Attributes	Display Resilience and Courage	Adept
	Act with Integrity	Intermediate
	Manage Self	Adept
	Value Diversity	Adept
 Relationships	Communicate Effectively	Advanced
	Commit to Customer Service	Intermediate
	Work Collaboratively	Intermediate
	Influence and Negotiate	Adept
 Results	Deliver Results	Intermediate
	Plan and Prioritise	Intermediate
	Think and Solve Problems	Adept
	Demonstrate Accountability	Intermediate
 Business Enablers	Finance	Intermediate
	Technology	Intermediate
	Procurement and Contract Management	Intermediate
	Project Management	Intermediate

Legal Professionals Capability Set		
Capability Group	Capability Name	Level
 Legal	Statutory Interpretation	Level 2
	Legal Research	Level 2
	Legal Advice	Level 2

Focus capabilities

The focus capabilities for the role are the capabilities in which occupants must demonstrate immediate competence. The behavioural indicators provide examples of the types of behaviours that would be expected at that level and should be reviewed in conjunction with the role's key accountabilities.

NSW Public Sector Capability Framework		
Group and Capability	Level	Behavioural Indicators
Personal Attributes Act with Integrity	Intermediate	<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 follow legislation, rules, policies, guidelines and codes of conduct • Help others to understand their obligations to comply with legislation, rules, policies, guidelines and codes of conduct • Recognise and report misconduct, illegal or inappropriate behaviour • Report and manage apparent conflicts of interest
Relationships Communicate Effectively	Advanced	<ul style="list-style-type: none"> • Present with credibility, engage varied audiences and test levels of understanding • Translate technical and complex information concisely for diverse audiences • Create opportunities for others to contribute to discussion and debate • Actively listen and encourage others to contribute inputs • Adjust style and approach to optimise outcomes • Write fluently and persuasively in a range of styles and formats
Relationships Commit to Customer Service	Intermediate	<ul style="list-style-type: none"> • Support a culture of quality customer service in the organisation • Demonstrate a thorough knowledge of the services provided and relay 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 • Co-operate across work areas to improve outcomes for customers
Relationships Influence and Negotiate	Adept	<ul style="list-style-type: none"> • Negotiate from an informed and credible position • Lead and facilitate productive discussions with staff and stakeholders • Encourage others to talk, share and debate ideas to achieve a consensus • Recognise and explain the need for compromise • Influence others with a fair and considered approach and sound arguments • Show sensitivity and understanding in resolving conflicts and differences

NSW Public Sector Capability Framework

Group and Capability	Level	Behavioural Indicators
Results Deliver Results	Intermediate	<ul style="list-style-type: none"> • Manage challenging relations with internal and external stakeholders • Pre-empt and minimise conflict
		<ul style="list-style-type: none"> • Complete work tasks to agreed budgets, timeframes and standards • Take the initiative to progress and deliver own and team/unit work • Contribute to allocation of responsibilities and resources to ensure achievement of team/unit goals • Seek and apply specialist advice when required
Results Think and Solve Problems	Adept	<ul style="list-style-type: none"> • Research and analyse information, identify interrelationships and make recommendations based on relevant evidence • Anticipate, identify and address issues and potential problems and select the most effective solutions from a range of option • Participate in and contribute to team/unit initiatives to resolve common issues or barriers to effectiveness • Identify and share business process improvements to enhance effectiveness
Business Enablers Project Management	Intermediate	<ul style="list-style-type: none"> • Perform basic research and analysis which others will use to inform project directions • Understand project goals, steps to be undertaken and expected outcomes • Prepare accurate documentation to support cost or resource estimates • Participate and contribute to reviews of progress, outcomes and future improvements • Identify and escalate any possible variance from project plans