



**Australian Government**

**Department of Education, Employment and Workplace Relations**

# **BCGSV5004A Apply legislation to urban development and building controls**

**Release: 1**

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### **Modification History**

Not applicable.

### **Unit Descriptor**

This unit specifies the competency required to research, interpret and apply appropriate land use and urban development to any conventional building project in compliance with relevant legislation and the Building Code of Australia (BCA).

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### **Application of the Unit**

Not applicable.

### **Licensing/Regulatory Information**

Not applicable.

### **Pre-Requisites**

Not applicable.

### **Employability Skills Information**

Not applicable.

### **Elements and Performance Criteria Pre-Content**

Not applicable.

# Elements and Performance Criteria

## Elements and Performance Criteria

Element	Performance Criteria
1 Promote sustainable building and conservation practices in the community	<ul style="list-style-type: none"><li>1.1 Environmental changes are determined due to land-use and building development according to the natural elements of specific localities</li><li>1.2 Development of settlements and the evolution of urban structures for specific communities are researched, analysed and documented</li><li>1.3 Constrains on building development sites are identified and reported according to the physical nature of environment</li><li>1.4 Sustainable development and the benefits of conservation are recorded and promoted</li><li>1.5 Controls on development are analysed and reported</li></ul>
2 Identify the legal requirements relating to building developments	<ul style="list-style-type: none"><li>2.1 Components of land use and building legislation are identified and documented including the BCA as it applies to building developments.</li><li>2.2 Legislation affecting forms of development, including environmental safeguards is identified and recorded</li><li>2.3 Factors influencing safety of buildings and structures according to legislative requirements are identified and reported</li><li>2.4 Aims and objectives of building and land-use legislation are interpreted</li></ul>
3 Determine individual and community responsibilities relating to approval applications for building and land-use developments	<ul style="list-style-type: none"><li>3.1 Consent requirements for building and land-use approval are determined in accordance with legislative requirements</li><li>3.2 Development applications are prepared in accordance with legislative requirements</li><li>3.3 List of relevant authorities involved with project development is documented</li><li>3.4 Development application notices and responses are identified and prepared in accordance with</li></ul>

- legislative requirements
- 3.5 Appeal rights for individuals and community relating to building and land-use applications are identified and recorded in accordance with legislative requirements
- 4 Interpret and apply building, land-use and related legislation
- 4.1 Building and land-use legislation is applied to various classes of building in accordance with legislative requirements
- 4.2 Special provisions of legislation are researched, identified and recorded
- 4.3 Non-compliance with building, land-use and other related environmental legislation is identified and recorded
- 4.4 Heritage and Conservation legislation relating to building, land-use is researched, identified and recorded
- 4.5 Environmental health issues influencing building and land-use legislation are researched and documented
- 5 Determine the legal responsibilities of builders and owners relative to building projects
- 5.1 Responsibilities of owners/builders lodging building or land-use applications are determined in accordance with legislative requirements
- 5.2 Notices/orders issues with respect to applications and site safety signage requirements are identified and recorded in accordance with legislative requirements
- 5.3 Owner responsibility relating to construction of party walls is identified and recorded in accordance with legislative requirements
- 5.4 Owner responsibility relating to proposed work affecting adjoining land is identified and recorded in accordance with legislative requirements
- 6 Apply special provisions of building and land-use legislation
- 6.1 Land division requirements are identified and recorded in accordance with legislative requirements
- 6.2 Special requirements for major projects relating to preparation and assessment of environmental impact statements are recorded in accordance with

### legislative requirements

- 6.3 Referral to prescribed Government agencies/departments is identified and noted in accordance with legislative requirements
- 6.4 Land-use requirements applying to specific locations are identified and recorded in accordance with legislative requirements
- 6.5 Vehicle parking requirements applying to developments are identified and recorded in accordance with legislative requirements
- 7 Establish the system for dispute resolution
  - 7.1 Responsibilities of individuals under building and land-use legislation are identified and recorded in accordance with legislative requirements
  - 7.2 Appeal rights provided for under building and land-use legislation are identified and recorded
  - 7.3 Consequences for non-compliance with orders and notices are documented

## Required Skills and Knowledge

Not applicable.

## Evidence Guide

The Evidence Guide identifies the critical aspects, knowledge and skills to be demonstrated to confirm competency for this unit. This is an integral part of the assessment of competency and should be read in conjunction with the Performance Criteria and Range Statement.

### **What critical aspects of evidence are required to demonstrate competency in this unit?**

Compliance with occupational health and safety regulations applicable to workplace operations.

Application of organisational management policies and procedures including quality assurance requirements where appropriate.

Evaluation, reporting of data, findings, recommendations for and classification of at least one (1) conventional building development and in compliance with the applicable local government planning scheme for urban development and building control projects associated with relevant legislation and the BCA.

Provision of reports to appropriate body/individual as determined by the project brief.

Application of strategic plans, workplace policies and procedures.

### **Are there any other units which should be assessed with this unit or which relate directly to this unit?**

There are no specified relationships.

Holistic assessment should be applied where appropriate to form a complete work function.

### **What specific knowledge is required to achieve the performance criteria?**

Processes for the interpretation of reports, working drawings and specifications.

Authorities and powers of a building surveyor.

Relevant national, State/Territory legislation and local government policy and procedures.

Urban zoning.

Local market conditions.

Current home/commercial building development criteria.

Land use management models and concepts.

Control and appeal system.

Socio-economic data.

Terminology, definitions and hazard identification.

Research methods.

Processes for the administration and preparation of documentation.

### **What specific underpinning skills are required to achieve the performance criteria?**

These include a number of processes that are learned throughout work and life, which are required in most jobs. Some of these are covered by the national key competencies, although others may be added. The questions below highlight how these processes are applied in this competency unit. The number in brackets indicates the level to which the key competency needs to be demonstrated where (1) working within set conditions and processes, (2) management or facilitation of conditions or processes are exercised, and (3) design and/or development of conditions or process are required.

### **How will the candidate apply the following key competency in this unit?**

The candidate will need to:

#### **Collect, analyse and organise information**

Research, analyse, organise and understand the process for assessing compliance or urban development and building controls through the application of planning legislation plus subsequent reporting procedures. **Level 3**

#### **Communicate ideas and information**

Communicate and negotiate ideas and information to enable application of planning legislation to urban development and building controls for translation of compliance issues on conventional developments. **Level 2**

**Plan and organise activities**

Plan and organise activities including the planning of analytical processes, the assessment and strategies related to the determination of planning legislation compliance on urban development and building controls. **Level 2**

**Work with others and in a team**

Work with others and in a team by recognising dependencies and using co-operative approaches to optimise satisfaction and productivity. **Level 2**

**Solve problems**

Establish analytical processes, including diagnostic processes, which anticipate and allow for risks, cater for both direct and indirect evidence, avoid or minimise reworking and avoid wastage. **Level 2**

**Use mathematical ideas and techniques**

Use mathematical ideas and techniques to correctly complete measurements, calculate analytical requirements, establish realistic sample criteria, quantify, survey and present analytical results. **Level 1**

**Use technology**

Use workplace technology related to information gathering and analysis, diagnosis, information research, report writing, administration and management procedures. **Level 2**

**In what context should assessment occur?**

Competency is demonstrated by performance of all stated criteria, including paying particular attention to the critical aspects and the knowledge and skills elaborated in the Evidence Guide and within the scope defined by the Range Statement.

Assessment must take account of the endorsed assessment guidelines in the Construction Training Package.

**What methods of assessment should apply?**

Assessment of this competency is most likely to be project related under real or simulated conditions and require portfolios or other forms of indirect evidence of process. Direct evidence may include certification of compliance on the final outcome or authorisation for commencement by a competent authority.

Assessment must confirm the inference that competency is able not only to be satisfied under the particular circumstance, but is able to be transferred to other circumstances.

Assessment should reinforce the integration of the key competencies.

**What are the specific resource requirements for this unit?**

A situation, real or realistically simulated, requiring application of planning legislation upon urban development and building controls.

The learner and trainer should have access to appropriate documentation and resources normally used in the workplace.

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**What critical aspects of evidence are required to demonstrate competency in this unit?**

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## Range Statement

The Range Statement provides advice to interpret the scope and context of this unit of competency allowing for differences between enterprises and workplaces. It relates to the unit as a whole and facilitates holistic assessment. The following variables may be present for this particular unit:

### Unit scope

Legislation is limited to compliance with building and land-use legislation and the Building Code of Australia for the purposes of applying building controls and evaluating urban development procedures. It interrogates impacts of settlement, the physical environment and land use.

Application of building and land use legislation may include but not be limited to:

commercial environment - may be affected by rising, steady or falling markets  
market indicators - perceptions of the area, type of client likely to be attracted to the market, current market in the area and absorption rates  
property statistics, urban planning and local government data bases, demographic (socio-economic) data on populations in catchment areas, enterprise management reports, locality maps, cadastral maps, relevant local authority, environmental impact statements, notices/orders issued with respect to applications and site safety signage requirements.

Reporting systems in accordance with organisational, legislative and quality assurance procedures are to include desk based assessment and may include site-based assessment.

### Unit context

Competency requires the application of legislation corresponding with urban development and building controls through research, analysis, evaluation and reporting skills in the determination of compliance within the context of relevant legislations, the Building Code of Australia and Australian Standards.

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## **Unit Sector(s)**

Not applicable.