



**Australian Government**

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

# **CPPACC4002A Apply building control legislation to assess small-scale buildings for access**

Release: 1

## **CPPACC4002A Apply building control legislation to assess small-scale buildings for access**

### **Modification History**

Not Applicable

### **Unit Descriptor**

#### **Unit descriptor**

This unit specifies the competency required to identify, interpret and apply relevant building control legislation when assessing the accessibility of small-scale residential and commercial buildings. It includes understanding the Australian common law system and the various sources of law applicable to the accessibility of small-scale building developments, and identifying and applying the relevant professional code of practice required for the assessment and inspection of buildings.

The unit is based on BCGSV5008A Applying building control legislation to building surveying.

### **Application of the Unit**

#### **Application of the unit**

This unit of competency supports a number of access consulting services, including conducting a range of access audits, assessing building plans for access, working with development teams and providing advice on building renovations.

### **Licensing/Regulatory Information**

Not Applicable

### **Pre-Requisites**

Not Applicable

## **Employability Skills Information**

### **Employability skills**

This unit contains employability skills.

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

Elements describe the essential outcomes of a unit of competency.

Performance criteria describe the required performance needed to demonstrate achievement of the element. Where bold italicised text is used, further information is detailed in the required skills and knowledge and/or the range statement. Assessment of performance is to be consistent with the evidence guide.

## Elements and Performance Criteria

ELEMENT	PERFORMANCE CRITERIA
<p><b>1 Analyse the Australian administrative legal system.</b></p>	<p>1.1 Differences between common law, statute law, delegated legislation and local government law are analysed and documented.</p> <p>1.2 Civil law and examples of civil action relevant to building accessibility of small-scale buildings are identified and interpreted.</p> <p>1.3 Administrative law relevant to building accessibility is identified and interpreted.</p> <p>1.4 Individual elements of judicial review legislation are identified, interpreted and documented.</p>
<p><b>2 Describe the procedures and benefits of enforcing the law.</b></p>	<p>2.1 <i>Relevant building control legislation</i> is identified and understood in accordance with <i>organisational requirements</i>.</p> <p>2.2 Legislative benefits and examples of building accessibility enforcement are identified, reviewed and documented.</p> <p>2.3 Major regulatory enforcement strategies are identified, reviewed and documented.</p> <p>2.4 Processes for addressing non-compliance issues are identified and appropriate documentation is prepared in a format suitable for review by a building certifier.</p>
<p><b>3 Identify and implement the professional code of practice applicable to the assessment of access in small-scale buildings.</b></p>	<p>3.1 The <i>code of practice</i> required by the building industry regulator is identified and interpreted in accordance with organisational requirements.</p> <p>3.2 Concepts regarding duty of care as it relates to common law are identified and documented.</p> <p>3.3 Concepts regarding conflict of interest as specified by relevant legislation are identified, acknowledged and guidance is sought from <i>relevant persons</i>.</p>
<p><b>4 Identify the responsibilities and liabilities of access consultants and building certifiers and maintain effective working relationships.</b></p>	<p>4.1 <i>Responsibilities</i> and liabilities of access consultants are identified and documented.</p> <p>4.2 Responsibilities and statutory duties of building certifiers as specified by relevant legislation are identified and documented.</p> <p>4.3 Strategies for developing and maintaining effective working relationships between access consultants and building certifiers are implemented.</p>

## Required Skills and Knowledge

### REQUIRED SKILLS AND KNOWLEDGE

This section describes the essential skills and knowledge and their level, required for this unit.

#### Required knowledge and understanding include:

- Australian legal system
- building and construction terminology and definitions
- commonwealth, state and territory anti-discrimination legislation and regulations
- disability awareness
- effective working relationships
- industry codes of practice and ethics
- legal terminology, definitions, processes and procedures used in standard court operations
- limitations of work role, responsibility and professional abilities
- organisational and professional procedures and business standards
- privacy legislation and confidentiality requirements
- processes for recording data and administering records
- processes for preparing and administering documentation
- relevant commonwealth, state and territory building legislation, local government regulations and Australian standards
- report writing
- research methods
- role and responsibilities of building certifiers.

#### Required skills and attributes include:

- analytical skills to:
  - interpret and apply legislative requirements pertaining to disability access
  - interpret the impacts of the full range of disabilities and the limitations that each disability places on the individual's ability to access the environment
  - interpret how the full range of environmental barriers impacts on people with disabilities (who may have any of many impairments)
  - analyse the main features of the Australian legal system
  - interpret industry codes of practice and ethics
  - interpret and evaluate examples of civil action relevant to the provision of access
  - interpret the responsibilities of building certifiers as specified by legislation
  - interpret and analyse routine and non-routine situations to establish suitable methods of reporting
- application skills to:
  - apply relevant codes of practice and other legislative requirements to work processes
  - apply disability awareness to work processes
  - maintain knowledge of current codes, standards, regulations, practices and

- industry updates
- communication skills to:
  - explain clearly information on issues relating to the provision of access
  - impart knowledge and ideas through oral, written and visual means
  - maintain professional relationships and networks
- interpersonal skills to:
  - adapt to new workplace situations
  - analyse own work practices and process outcomes critically
  - engage colleagues and share disability access knowledge
  - facilitate change for greater awareness of disability access
  - provide advice in a sensitive and appropriate manner
  - relate to people from a range of social, cultural and ethnic backgrounds and with a range of physical and mental abilities
- literacy skills to:
  - assess and use workplace information
  - interpret building industry terminology and jargon
  - read and interpret legal terminology, definitions, processes and procedures used in standard court operations
  - read and record data
- organisational skills to:
  - prepare and administer documentation
  - implement organisational policies and procedures
- research skills to:
  - source information to assist in interpreting legislation regarding the provision of access
  - source and interpret building legislative requirements
  - source and interpret case law on the provision of access
- technology skills to:
  - apply information technology and computer skills to prepare working documentation and reports.

## Evidence Guide

### EVIDENCE GUIDE

The evidence guide provides advice on assessment and must be read in conjunction with the performance criteria, required skills and knowledge, the range statement and the Assessment Guidelines for this Training Package.

#### Overview of assessment

- This unit of competency could be assessed on its own or as part of an integrated assessment activity involving other competencies relevant to the job

**Critical aspects for assessment and evidence required to demonstrate competency in this unit**

function.

- A person who demonstrates competency in this unit must be able to provide evidence of:
  - recognising the needs and desires of people with disabilities to engage fully in all aspects of society, and their right to do so
  - interpreting accurately the impacts of the full range of disabilities and the limitations that each disability places on the individual's ability to access the environment
  - interpreting accurately how the full range of environmental barriers impacts on any of the impairments that people with disabilities might have
  - identifying and interpreting building and anti-discrimination legislation for the provision of access to small-scale buildings
  - interpreting relevant industry codes of practice and applying it to the personal work situation
  - identifying the processes for addressing issues of non-compliance with the relevant building control legislation
  - interpreting the responsibilities of building certifiers to ensure the provision of access to small-scale buildings
  - applying organisational management policies and procedures, including quality assurance requirements.

**Context of and specific resources for assessment**

- Resource implications for assessment include:
  - a registered provider of assessment services
  - competency standards
  - assessment materials and tools
  - suitable assessment venue/equipment
  - workplace documentation
  - candidate special requirements
  - cost and time considerations.
- Validity and sufficiency of evidence requires that:
  - competency will need to be demonstrated over a period of time reflecting the scope of the role
  - where the assessment is part of a structured learning experience the evidence collected must relate to a number of performances assessed at different points in time and separated by further learning and practice with a decision of

competence only taken at the point when the assessor has complete confidence in the person's competence

- all assessment that is part of a structured learning experience must include a combination of direct, indirect and supplementary evidence
- where assessment is for the purpose of recognition (RCC/RPL), the evidence provided will need to be current and show that it represents competency demonstrated over a period of time
- assessment can be through simulated project-based activity and must include evidence relating to each of the elements in this unit.

## Range Statement

### RANGE STATEMENT

The range statement relates to the unit of competency as a whole. It allows for different work environments and situations that may affect performance. Bold italicised wording in the performance criteria is detailed below. Add any essential operating conditions that may be present with training and assessment depending on the work situation, needs of the candidate, accessibility of the item, and local industry and regional contexts.

***Relevant building control legislation*** may include:

- Building Code of Australia
- Australian standards
- Disability Discrimination Act (DDA)
- DDA Premises Standard
- state and territory building legislation
- local government Development Control Plan.

***Organisational requirements*** may be outlined and reflected in:

- access and equity policy, principles and practices
- business and performance plans
- client service policies, procedures and standards
- codes of conduct and codes of practice
- communication channels and reporting procedures
- communication of services offered
- complaint and dispute resolution procedures
- compliance with legislation, codes and workplace standards
- continuous improvement processes and standards
- defined resource parameters
- duty of care
- employer and employee rights and responsibilities
- ethical standards



- legal policies and guidelines
- occupational health and safety policies, procedures and programs
- organisational mission statement, goals, objectives, plans, systems and processes
- policies and procedures relating to the setting of fees and the negotiation and management of contracts
- policies and procedures relating to own role, responsibility and delegation
- privacy and confidentiality policies and procedures
- quality assurance and/or procedures manuals
- records and information management systems and processes
- style guides and other guides used to prepare documents.

*Code of practice* may relate to:

- maintaining confidentiality
- using organisational property
- duty of care
- individual behaviour
- non-discriminatory practices
- misrepresentation
- clear communication of services offered and fee for services
- clear negotiation of fees.

*Relevant person* may include:

- professional indemnity insurer
- business partner
- colleague.

*Responsibilities* may include:

- working within own areas of competence
- working within the law
- maintaining a duty of care at all times in professional dealings
- providing contracted services to the standard specified in a timely and professional manner
- adhering to and implementing relevant industry codes of practice and ethics
- participating in continuous professional development programs.

## **Unit Sector(s)**

**Unit sector**  
Access consulting

