



Australian Government

CPCCB4009 Apply legal requirements to building and construction projects

Release: 2

CPCBC4009 Apply legal requirements to building and construction projects

Modification History

- Release 2 Updated reference to general construction induction training program.
- Release 1 This version first released with CPC Construction, Plumbing and Services Training Package Release 5.0.
- Supersedes and is equivalent to CPCBC4009B Apply legal requirements to building and construction projects. Updated to meet the Standards for Training Packages 2012.

Application

This unit of competency specifies the skills and knowledge required to apply legal requirements to residential and commercial building and construction projects. It includes meeting licensing requirements, complying with financial and insurance laws and meeting the conditions of building contracts.

It applies to National Construction Code (NCC) classifications:

- Residential - Class 1 and 10 buildings, maximum two storeys
- Commercial—Class 2 to 9, Type C only constructions.

This unit of competency applies to builders, site managers, forepersons, estimators and other construction industry personnel responsible for applying legal requirements to residential or commercial building and construction projects.

This unit of competency is suitable for those using specialised knowledge to complete routine and non-routine tasks and using their own judgement to deal with predictable and sometimes unpredictable problems relating to legal requirements of building and construction projects.

Completion of the general construction induction training program specified by the model Code of Practice for Construction Work is required for any person who is to carry out construction work. Achievement of *CPCWHS1001 Prepare to work safely in the construction industry* meets this requirement.

Licensing, regulatory or registration requirements apply to this unit of competency in some jurisdictions. Relevant state and territory regulatory authorities should be consulted to confirm these requirements.

Pre-requisite Unit

Nil.

Unit Sector

Building and Construction

Elements and Performance Criteria

Elements describe the essential outcomes.

Performance criteria describe what needs to be done to demonstrate achievement of the element.

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| 1 Identify legislation relating to the construction project. | 1.1 Identify legal requirements from relevant government Acts and regulations appropriate to the type of building and construction project. |
| | 1.2 Identify legal requirements for building contracts, construction insurance, industrial relations obligations and payroll systems. |
| | 1.3 Determine class of building for the project and check for limitations of builder's registration and licence. |
| | 1.4 Identify any construction activity restrictions, limitations and conditions from building approvals and permits for the project. |
| | 1.5 Check licensing requirements or competencies for subcontractors, site supervisors and managers. |
| | 1.6 Identify sustainability, environmental and waste management legislated requirements. |
| | 1.7 Identify work health and safety (WHS) legislation and requirements of Construction work Code of Practice. |
| 2 Apply site safety requirements. | 2.1 Apply all the relevant requirements of WHS regulations that apply to the project. |
| | 2.2 Adapt organisation's workplace procedures and workplace safety requirements to align with the project. |
| | 2.3 Implement strategies to ensure all workers are inducted, informed and regularly updated of their on-site safety responsibilities. |
| 3 Apply legal | 3.1 Apply contract law in accordance with common law principles, relevant state or territory laws and |

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| requirements. | regulations, and fair trading legislation. |
| | 3.2 Apply the contract agreements and meet all the conditions during construction of the project. |
| | 3.3 Confirm all mandatory building, subcontractor and worker's compensation insurances are current and applied to comply with legal requirements. |
| | 3.4 Administer payroll system which incorporates employee and contractor payments, deduction of taxes, including goods and services tax (GST), tracking of transactions and calculating wages. |
| 4 Apply industrial relations. | 4.1 Apply workplace and subcontractor agreements and relevant awards to comply with industrial relations legislation. |
| | 4.2 Identify and apply provisions for training agreements and make information available to all workers. |
| | 4.3 Take proactive measures to ensure discrimination and harassment are not practiced in the workplace. |
| 5 Resolve disputes and complaints. | 5.1 Apply dispute resolution processes following organisational policies. |
| | 5.2 Address complaints promptly, consult with complainant and resolve issue with the best solution for all. |
| | 5.3 Record dispute outcome and maintain documentation. |

Foundation Skills

Foundation skills essential to performance are explicit in the performance criteria of this unit of competency.

Unit Mapping Information

Supersedes and is equivalent to CPCBC4009B Apply legal requirements to building and construction projects

Links

Companion volumes to this training package are available at the VETNet website -

<https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=7e15fa6a-68b8-4097-b099-030a5569b1ad>

Assessment Requirements for CPCBC4009 Apply legal requirements to building and construction projects

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Performance Evidence

To demonstrate competency, a candidate must meet the elements and performance criteria of this unit by applying legal requirements to one residential or commercial building and construction project.

In doing this, the candidate must:

- identify and apply relevant legislative requirements applicable to the building and construction project
- apply legal obligations for:
 - insurance covering workers, materials and building
 - industrial relations, financial transactions, payment of wages and payment of subcontractor and supplier invoices
 - contractual agreements
- apply building and construction standards and codes during construction.

Knowledge Evidence

To be competent in this unit, a candidate must demonstrate knowledge of:

- building and construction industry contracts
- builder registration and licensing
- Construction work Code of Practice
- appropriate government legislation:
 - business registration and licensing
 - industrial relations
 - work health and safety (WHS)
 - taxation and financial transactions
 - insurance

- waste management and environmental protection
- organisational policies and procedures.

Assessment Conditions

Assessors must meet the requirements for assessors contained in the Standards for Registered Training Organisations.

Assessment can be undertaken in the workplace or in a simulated workplace environment.

A simulated environment is one that realistically replicates workplace conditions, materials and equipment, interactions with others and workplace irregularities, and which meets industry standards for safety and environmental practices.

Candidates must have access to:

- relevant government building and construction legislation
- current building and construction codes and standards
- relevant construction industry contracts
- organisational policies and procedures, insurance, industrial relations and other quality documentation required to undertake the performance criteria and assessment requirements
- digital devices, applications and software to obtain legal and building and construction information and record outcomes of disputes.

Links

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