

CPCCBC4009

APPLY LEGAL REQUIREMENTS TO BUILDING AND CONSTRUCTION PROJECTS

ASSESSMENT SUMMARY

The assessment activities for *CPCCBC4009 Apply legal requirements to building and construction projects* cover all aspects of the unit of competency. For Apprentices/Trainees, this includes supervisor completion of the Apprentice/Trainee Record (ATR).

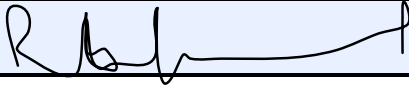
Participants must read all the information given before starting any assessment task. The assessment tasks are intended to be fair, flexible, valid and reliable. If a Participant has any questions or requires alternative arrangements to be made such requests should be directed to their Trainer/Assessor, who should note such arrangements in the 'Assessor Comments' on the affected assessment. If a Participant feels they are not yet ready to be assessed, they should discuss their options with their Trainer/Assessor.

To satisfactorily complete the assessment, the Participant is required to answer all questions correctly and demonstrate their skills to industry standards. If a Participant does not answer all questions or perform all tasks, they will be deemed 'Not Satisfactory' for the task and 'Not Yet Competent' for the unit of competency.

The Trainer/Assessor can provide the Participant with additional information on interpreting the assessment outcomes and guide the Participant's options. If a Participant is still deemed 'Not Satisfactory' they will have the opportunity to undertake a supplementary assessment or appeal the result as per the process in the Student Handbook.

By signing below, the Participant acknowledges:

- 1.0 They understand the assessment instructions and requirements, and consent to being assessed.
- 1.1 The work submitted is to be their own work – with the work of/with others needing to be clearly acknowledged and documented.
- 1.2 They consent to any photo/video recording of their work that occurs during assessment.

Participant name	Rex Henderson
Participant signature	

Pre-requisite unit(s) to be achieved and authenticated prior to undertaking assessment

☐ Not applicable

Task	Date completed	Assessment Results	
Theory Exam	Select Date.	☐ Satisfactory	☐ Not Satisfactory
Workbook	Select Date.	☐ Satisfactory	☐ Not Satisfactory
Practical Assessment	Select Date.	☐ Satisfactory	☐ Not Satisfactory
Outcome for CPCCBC4009	Select Date.	☐ Competent	☐ Not Yet Competent

Evidence requirements checklist (ticked by assessor and evidence supplied to RTO)

- | | |
|--|--|
| ☐ Theory Exam
☐ Workbook
☐ Practical Assessment
☐ Builder registration & licencing requirements | ☐ HR list of qualifications, competencies and licences
☐ Workplace procedures and workplace safety requirements adapted to site
☐ Workplace subcontractor agreements and Awards
☐ dispute resolution record |
|--|--|

Assessor name	
Assessor signature	

CPCCBC4009

APPLY LEGAL REQUIREMENTS TO BUILDING AND CONSTRUCTION PROJECTS

THEORY EXAM

Participant name	Rex Henderson
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FOR THE PARTICIPANT

Instructions

- 1.3 You will complete written questions as outlined on the following pages. You must attempt all questions and provide enough detail in your responses to demonstrate your knowledge.
- 1.4 It is anticipated that you should complete this assessment within two hours, but additional time may be allowed upon negotiation with the Assessor.
- 1.5 You must complete all questions unassisted by the Assessor or other personnel but may refer to reference material as needed. All questions must be answered correctly for a 'Satisfactory' assessment outcome to be awarded.
 - a. An oral examination may be allowed under certain circumstances, whereby your answers will be documented by another party.
 - b. Any written questions that are incomplete, or not answered satisfactorily will need to be completed again after further training support.
 - i. If you answer a question incorrectly but modify your response, put your initials next to the written change (or the Assessor must initial a verbal change).

Resources required

Pen

FOR THE ASSESSOR

Instructions

- 1.6 Where oral examination has occurred, ensure that this is acknowledged in writing (e.g. FT001 and Assessor Comments)
- 1.7 All questions must be satisfactorily demonstrated by the Participant for a Satisfactory determination (indicated by an Assessor tick to the right of the question).
- 1.8 Assessors are to complete marking in pen of a different colour to the Participant.
- 1.9 If the Participant verbally modifies their response, write in the modified response verbatim and put your initials next to the written change.

ASSESSOR COMMENTS

As necessary, outline:

- 1.10 Details on reattempts, alternative arrangements or reasonable adjustments made.
- 1.11 Where a Participant is deemed 'Not Satisfactory', provide recommendations for future training.

Q1. Discuss the following types of insurance and the purpose that builders or building companies need to organise them.

Answer

Insurance	Purpose/requirement
Workers compensation	Overall, workers' compensation insurance plays a crucial role in protecting the interests of both employees and employers, providing financial assistance to injured workers, ensuring compliance with legal requirements, promoting workplace safety, and contributing to economic stability.
Contract/Construction Works insurance	Covers insurance for buildings and other similar structures while they are being constructed. These policies usually have options that include the various property materials, such as building materials, foundations, temporary structures (like scaffolding), paving, fencing, outdoor fixtures and plants, trees, lawn and lawn fixtures the builder installs.
Public liability	Sometimes called <i>commercial or contractor general liability insurance</i> , provides liability protection to businesses in case of bodily harm or property damage during the project. Whether you are the owner or the contractor, these insurance policies protect you from unnecessary risk. General liability insurance policies usually cover various damages, including faulty craftsmanship, job-related injuries and defamation.
Professional indemnity	Professional indemnity insurance (PII), also known as professional liability insurance, is designed to protect professionals and their businesses against claims of negligence, errors, omissions, or wrongful advice arising from their professional services.
Commercial Motor Vehicle	Is not exclusively available for construction projects, but it is intended to provide auto insurance to vehicles used by the project. This insurance would help policyholders avoid high vehicle repair costs, medical expenses, and lawsuits resulting from auto accidents.



- Q2. **A worker you have employed on the site has been injured and has lodged a request for workers compensation to reimburse their medical expenses. Explain the process you must follow in your State or Territory for claiming on behalf of the worker.**

Answer

In Queensland, the process for claiming workers' compensation on behalf of an injured worker follows a set procedure regulated by the Workers' Compensation and Rehabilitation Act 2003 (the Act) and overseen by the Queensland workers' compensation regulator, WorkCover Queensland. Here's an overview of the process:

- Notify the Employer
- Seek Medical Treatment
- Lodge a Claim
- Medical Certificate
- Claim Assessment
- Decision and Notification
- Appeals Process



- Q3. **Discuss the different contracts a builder or building company must organise before beginning a residential or commercial construction project. What are the legal requirements for such contracts?**

Answer

Before beginning a residential or commercial construction project, a builder or building company typically needs to organize various contracts to establish the terms and conditions of the project. These contracts may involve different parties, including clients, subcontractors, suppliers, and other stakeholders. Like:

Client Contract: The client contract, also known as the construction contract or building contract, is a legally binding agreement between the builder or building company and the client (property owner or developer).

Subcontractor Agreements: Subcontractor agreements are contracts between the builder or building company and subcontractors hired to perform specific tasks or trades on the construction project.

Supplier Contracts: Supplier contracts are agreements between the builder or building company and suppliers of materials, equipment, or services needed for the construction project.

Consultant Agreements: Consultant agreements are contracts between the builder or building company and professional



consultants such as architects, engineers, or project managers hired to provide design, engineering, or project management services for the construction project.

Joint Venture Agreements: In some cases, builders or building companies may enter into joint venture agreements with other firms or individuals to collaborate on a construction project.

Insurance Contracts: Builders or building companies are typically required to maintain various types of insurance coverage to protect against risks and liabilities associated with construction projects.

Q4. What can occur if a building contractor in Queensland doesn't use a written contract for domestic building work priced over \$3,300?

Answer

In Queensland, failure to use a written contract for domestic building work priced over \$3,300 can have several consequences for building contractors. The Queensland Building and Construction Commission (QBCC) regulates the building industry in Queensland and enforces laws and regulations aimed at protecting consumers and ensuring compliance with industry standards.

Legal Non-compliance

Void Contract

Risk of legal liability

Reputation damage



Q5. Following a recruitment process, you have found a suitable new apprentice. What is required to begin the apprenticeship?

Answer

As an employer, you should make information regarding training known to all your workers involved in training inside the organisation. This will help you and your organisation be clear and transparent with the procedures and requirements regarding traineeship and apprenticeship. This includes the necessary documents, such as the training contract and plan.

Contract signing

Induction

Announce updates to policies and procedures to traineeship

Training

Maintain Insurances



Q6. The construction project must comply with the National Construction Code (NCC). What does this mean?

Answer

The National Construction Code (NCC), is a set of technical regulations and performance standards for the design, construction, and performance of buildings and structures in Australia. A national government agency responsible for overseeing building regulations and standards across the country.

The NCC sets out the minimum requirements that buildings and structures must meet to ensure the health, safety, amenity, and sustainability of occupants and the broader community. It establishes standards for structural integrity, fire safety, energy efficiency, accessibility, and other key aspects of building design and construction. The NCC contains technical provisions and performance criteria that govern various aspects of building construction, including building materials, structural design, fire resistance, insulation, ventilation, plumbing, electrical systems, and environmental sustainability. These provisions are updated periodically to reflect advances in building technology, changes in industry practices, and evolving community expectations.



Q7. Describe how builders ascertain construction activity restrictions, limitations and conditions from building approvals and permits for the project.

Answer

By carefully reviewing building approvals and permits, understanding permit conditions, and incorporating them into the construction plan, builders can ensure compliance with regulatory requirements and avoid potential delays, penalties, or enforcement actions during the construction process. Effective communication and collaboration with regulatory authorities, project teams, and stakeholders are essential for achieving successful project outcomes while meeting permit obligations.



Q8. Discuss why builders should keep and maintain records of subcontractors, site supervisors and managers qualifications, competencies, and licences.

Answer

Overall, maintaining records of subcontractors, site supervisors, and managers' qualifications, competencies, and licenses is essential for ensuring compliance, quality assurance, risk management, contractual fulfilment, professional development, and due diligence in the construction industry. Builders should establish robust record-keeping systems and procedures to track personnel qualifications effectively and demonstrate their commitment to excellence and regulatory compliance.



Q9. What can occur if a builder fails to adhere to environmental and waste management legislation?

Answer

The consequences of failing to adhere to environmental and waste management legislation can be severe, encompassing legal penalties, regulatory enforcement actions, project delays, environmental damage, reputational harm, financial liabilities, and legal risks. Builders should prioritize compliance with environmental laws and regulations to protect the environment, minimize risks, and uphold their ethical and legal responsibilities as stewards of natural resources and public health.



Q10. Why would the builder change/adapt workplace procedures and workplace safety requirements at a new site?

Answer

To reduce or mitigate against site specific hazards. Capture and ensure correct scope of works are met on the project and ensure compliance with the regulatory authorities By prioritizing workplace safety and continuously improving safety practices, builders can create safer work environments and promote the health, well-being, and productivity of workers in the construction industry.



Q11. Discuss strategies to apply that ensure all workers are inducted, informed, and regularly updated of their on-site safety responsibilities.

Answer

Comprehensive Induction Process: Develop a thorough induction process for all new workers before they commence work on-site. The induction should cover essential safety information, site-specific hazards, emergency procedures, relevant policies and procedures, and their individual safety responsibilities. Provide them with an induction checklist or handbook to refer to and ensure they understand the information presented.

Regular Toolbox Talks: Conduct regular toolbox talks or safety meetings with workers to discuss specific safety topics, hazards, near misses, incidents, and recent developments relevant to the construction site. These talks provide an opportunity to reinforce safety messages, share best practices, address concerns, and encourage open communication between workers and management.

Safety Training Programs: Provide ongoing safety training programs and workshops to enhance workers' knowledge and skills in identifying hazards, assessing risks, and implementing control measures. Offer training sessions on topics such as working at heights, manual handling, use of machinery and equipment, hazardous substances, and emergency response procedures.

Promote Safety Culture: Foster a positive safety culture within the organisation by promoting safety as a core value and encouraging active participation and engagement from all workers. Recognise and reward safety contributions, involve workers in safety committees or consultation groups, and empower them to raise safety concerns and suggest improvements.

Use of Visual Aids: Use visual aids such as safety signs, posters, banners, and diagrams to reinforce key safety messages and remind workers of their safety responsibilities. Display safety information in prominent locations around the construction site, including break areas, tool sheds, and entry points.

Regular Site Inspections: Conduct regular site inspections and safety audits to identify potential hazards, assess compliance with safety regulations, and ensure that control measures are effective. Involve workers in the inspection process and encourage them to report any safety issues or hazards they observe.

Provide Safety Resources:



Q12. The apprentice has come to you complaining about other workers who are discriminating against them and bullying them on site. You have decided to do nothing about it, as you think it is all just fun. Does this response meet the legislated requirements? Explain your response.

Answer

No, this response does not meet the legislated requirements regarding workplace discrimination and bullying. In most jurisdictions, including Australia, workplace discrimination and bullying are serious legal and ethical issues that must be addressed promptly and effectively by employers. Failing to take action in response to complaints of discrimination and bullying can lead to significant legal liabilities, regulatory sanctions, and reputational damage for the employer.



Q13. Describe how you deal with client complaints.

Answer

Employers should have clear policies and procedures in place for reporting and investigating complaints of discrimination and bullying and should provide training to employees, supervisors, and managers on how to prevent and address such behaviour in the workplace.



CPCCBC4009

APPLY LEGAL REQUIREMENTS TO BUILDING AND CONSTRUCTION PROJECTS

WORKBOOK

Participant name	Rex Henderson
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FOR THE PARTICIPANT	
Instructions	
1.12 1.13 1.14 a. b. i.	You will complete written activities as outlined on the following pages. You must attempt all questions and provide enough detail in your responses to demonstrate your knowledge. The timeframe for these tasks will be established by your Assessor or Training Plan, but additional time may be allowed upon negotiation with the Assessor. You must complete all questions unassisted by the Assessor or other personnel but may refer to reference material as needed. All questions must be answered correctly for a 'Satisfactory' assessment outcome to be awarded. An oral examination may be allowed under certain circumstances, whereby your answers will be documented by another party. Any written questions that are incomplete, or not answered satisfactorily will need to be completed again after further training support. If you answer a question incorrectly but modify your response, put your initials next to the written change (or the Assessor must initial a verbal change).
Resources required	
Pen	

FOR THE ASSESSOR	
Instructions	
1.15 1.16 1.17 1.18	Where oral examination has occurred, ensure that this is acknowledged in writing (e.g. FT001 and Assessor Comments) All questions must be satisfactorily demonstrated by the Participant for a Satisfactory determination (indicated by an Assessor tick to the right of the question). Assessors are to complete marking in pen of a different colour to the Participant. If the Participant verbally modifies their response, write in the modified response verbatim and put your initials next to the written change.

ASSESSOR COMMENTS

As necessary, outline:

- 1.19 Details on reattempts, alternative arrangements or reasonable adjustments made.
- 1.20 Where a Participant is deemed 'Not Satisfactory', provide recommendations for future training.

NOTE

At times, you will be provided with a specific business context to which you must respond, otherwise it is anticipated that you will use a workplace of your choosing (your own, or hypothetical) to provide the context to the task.

At all times, the responses in your assessment must reference **Australian** (Queensland or Federal) documentation, including legislation, regulations, codes of practice, standards and guidance publications.

For the following activities, name which state/territory the building activity you are involved in is based or located.

State/Territory	Queensland
------------------------	------------

Access and review your state/territory's builder registration and licensing requirements and answer the following questions.

Who is the authority or regulatory body overseeing builder registration and licensing in your state/territory?

In Queensland, the regulatory authority responsible for builder registration and licensing is the Queensland Building and Construction Commission (QBCC).

What builder licenses are available in your state/territory? Identify all the main types of builder licenses in your state/territory.

Builder Low Rise

Builder Medium Rise

Builder High Rise:

Trade Contractor

Specialist Contractor

Builder Project Management Services

Outline the general registration process for getting a builder license in your state/territory. Include in your response the documents and fees required for the registration

Meet Eligibility Criteria

Choose License Category

Prepare Supporting Documents

Submit Application

Pay Application Fees

Undergo Assessment

Notification of Outcome

Maintain License

**Satisfactory
Outcome**

Access and review your state/territory's Construction Code of Practice and answer the following questions.

If your state/territory does not have a specific code of practice for general construction work, refer to the 'Model Code of Practice: Construction work practice' located at Safe Work Australia.

How can you apply this code of practice in general building and construction work?

By applying a code of practice in general building and construction work, you can enhance safety, minimize risks, and promote compliance with relevant regulations and standards. This ultimately contributes to the overall success and sustainability of your construction projects while ensuring the health, safety, and well-being of everyone involved.

List the processes that are undertaken as part of managing the risks in construction work as outlined in your state/territory's code of practice.

In Queensland, managing risks in construction work involves a systematic approach to identifying, assessing, controlling, and monitoring hazards and risks associated with construction activities. The specific processes undertaken as part of managing risks in construction work in Queensland may vary depending on the nature of the project, the size of the construction site, and the types of hazards present.

Based on the code of practice you accessed, provide one example of work health and safety consultation with workers that can be done in building and construction work.

By conducting toolbox meetings regularly and involving workers in health and safety consultation processes, building and construction businesses can harness the collective knowledge and expertise of their workforce to identify hazards, assess risks, and implement effective control measures.

Satisfactory Outcome



Access and review the relevant websites to answer the questions below:
registering and naming your business including how to get an ABN/CAN
the relevance of Fair Work legislation to businesses
Building and Construction General On-site Award [MA000020]

How do you register for a business or trading name and ABN/ACN?

If you're operating as a sole trader or partnership and using a business name other than your own legal name, you'll need to register it with ASIC. You can do this online through the ASIC Connect website. If you're operating as a company, your business name will automatically be registered when you register the company with ASIC.

Provide one (1) example of how Fair Work legislation impacts building and construction projects.

The Fair Work Commission (FWC) establishes industry-specific Modern Awards that set minimum wages, penalty rates, and other employment conditions for workers in various industries, including construction. Employers in the construction industry must comply with the relevant Modern Award that applies to their workers, ensuring that they receive fair wages and entitlements for their work.

What does the 'Building and Construction General On-site Award' outline?

The Building and Construction General On-site Award is a Modern Award established by the Fair Work Commission (FWC) under the Fair Work Act 2009. It sets out the minimum wages, working conditions, and entitlements for workers employed in the building and construction industry in Australia.

**Satisfactory
Outcome**



Access and review relevant websites to answer the questions below regarding your workplace taxation requirements:

Where can you access information regarding managing worker taxation requirements?

The ATO is the primary authority responsible for administering taxation laws in Australia. Their website provides comprehensive information and resources on taxation requirements for employers, including guidance on PAYG withholding, superannuation contributions, fringe benefits tax (FBT), and other taxation obligations related to employing workers.

Who needs to apply for a director identification number .

(DIN) applies to individuals who are appointed or acting as directors of companies registered with the Australian Securities and Investments Commission (ASIC). The DIN is a unique identifier assigned to each director to track their involvement in corporate entities and improve transparency and accountability in corporate governance.

What circumstances require your business to lodge a 'Taxable payments annual report'? (TPAR)?

If your business's total income from providing relevant services exceeds the income threshold set by the ATO, you are required to lodge a TPAR. The income threshold is currently \$10 million or more in a financial year.

How do building and construction businesses use PAYG withholding?

Building and construction businesses use Pay As You Go (PAYG) withholding as a mechanism to withhold and remit tax from payments made to workers, subcontractors, and other entities for services provided. PAYG withholding is a system implemented by the Australian Taxation Office (ATO) to collect income tax from payments made to individuals and businesses, ensuring that tax obligations are met throughout the financial year.

When should a contractor register for GST. Provide two (2)

A contractor should register for Goods and Services Tax (GST) with the Australian Taxation Office (ATO) when their business meets certain eligibility criteria outlined by the ATO. Registering for GST is mandatory if the contractor's annual turnover meets or exceeds the GST registration threshold

List three (3) financial transactions that the Australian Taxation Office (ATO) considers construction expenditures.

Material Purchases: Expenses incurred for purchasing construction materials, supplies, and equipment used in building and construction projects are considered construction expenditures. This includes costs associated with acquiring raw materials, building materials (e.g., timber, steel, concrete), fixtures, fittings, and machinery necessary for construction activities.

Labor Costs: Labor costs associated with hiring workers, subcontractors, and other personnel to perform construction work are considered construction expenditures. This includes wages, salaries, allowances, and other remuneration paid to employees, contractors, and subcontractors for their services in construction, installation, repair, or renovation projects.

Equipment and Machinery Costs: Expenses related to acquiring, leasing, or renting equipment, machinery, and vehicles used in construction activities are considered construction expenditures. This includes costs associated with purchasing or hiring construction equipment such as excavators, cranes, bulldozers, trucks, and specialized tools necessary for completing construction projects.

**Satisfactory
Outcome**



Access websites relevant to your workplace and explain the role of WHS in your chosen workplace, by developing a report in the following structure:

INTRODUCTION

Outline the background of your workplace and the objectives and principles underpinning WHS legislation the workplace must adhere to

WHS REGULATOR

Identify the WHS regulator that applies to your company
Explain the functions and powers of the WHS regulator and how they are exercised

COMPLIANCE

Explain how policies, procedures, processes and systems are developed and changed to maintain compliance
Explain how workers and PCBU are assessed and monitored for WHS compliance with legislation and how these findings are reported and documented
Identify ways in which workers' and PCBU's WHS training needs are assessed
Identify how the workplace provides support for workers' and PCBU's training needs

CONCLUSION

Explain the importance of WHS to your company
Identify that workers and PCBUs have varying WHS duties, rights and obligations under the legislation
Express the importance of maintaining compliance and addressing training needs

TIPS:

Use the report template (provided on the next page) and elaborate on the points above.
Write in simple English. Remember that people from a range of backgrounds and abilities would be reading this document, such as workers, health and safety committees, health and safety representatives, managers, supervisors, and PCBUs or their officers.
Be sure to refer specifically to the legislation using section numbers, so that the reader could refer to the legislation for more information if they wanted to.

INTRODUCTION

In Queensland, the construction industry is governed by specific workplace health and safety (WHS) legislation and regulations tailored to address the unique hazards and risks associated with construction activities. The primary piece of legislation governing WHS in Queensland, including construction, is the Work Health and Safety Act 2011 (WHS Act)

WHS REGULATOR

WHS legislation aims to protect the health, safety, and welfare of workers in the construction industry by establishing standards for safe work practices, equipment, and environments. This includes ensuring adequate training, supervision, and personal protective equipment (PPE) for workers.

COMPLIANCE

WHS legislation in Queensland requires employers, principal contractors, workers, and other duty holders in the construction industry to comply with safety standards and regulations. It provides mechanisms for enforcement and penalties for non-compliance, including fines and prosecution for serious breaches.

CONCLUSION

In summary, WHS legislation in Queensland's construction industry aims to create safe and healthy work environments, prevent workplace injuries and illnesses, ensure compliance with safety standards, and foster a culture of consultation, participation, and continuous improvement in workplace health and safety. Compliance with WHS legislation is essential for all parties involved in construction projects to protect the health and safety of workers and the public, minimize risks, and promote a sustainable construction industry.

**Satisfactory
Outcome**



Access and review relevant websites to answer the question below relating to building and construction projects and obligations to environmental protection.

Discuss environmental protection laws, and the effect these have on building and construction projects. Provide two (2) examples.

In Queensland, Australia, environmental protection laws are enforced by various regulatory bodies and agencies, including the Queensland Government's Department of Environment and Science (DES) and the Queensland Building and Construction Commission (QBCC). These laws are designed to safeguard the environment, natural resources, and public health by regulating activities that may have adverse environmental impacts, including building and construction projects.

- For example, under Queensland's Environmental Protection Act, certain developments, such as large-scale infrastructure projects or developments in environmentally sensitive areas, may trigger a requirement for a thorough EIA. The assessment process involves identifying potential environmental impacts, consulting with stakeholders and the community, and developing strategies to avoid, minimize, or offset adverse effects on the environment.
- For instance, builders and developers in Queensland must comply with waste management plans and recycling requirements to divert construction and demolition (C&D) waste from landfill. This may involve implementing practices such as source separation of recyclable materials, onsite processing of waste materials, and documentation of waste disposal and recycling activities to demonstrate compliance with regulatory requirements.

**Satisfactory
Outcome**



CPCBC4009

APPLY LEGAL REQUIREMENTS TO BUILDING AND CONSTRUCTION PROJECTS

PRACTICAL ASSESSMENT

Participant name	Rex Henderson
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FOR THE PARTICIPANT

Instructions

- 1.21 The tasks outlined on the following pages will require performance of normal workplace activities, as a result of a structured activity set by an Observer in the workplace or a simulated activity set by your Assessor/Observer.
- 1.22 The timeframe for these tasks will be established by your Assessor/Observer, in consideration of location conditions and industry requirements.
- 1.23 You must complete all tasks unassisted by the Assessor or other personnel, unless the steps note this assistance.
- 1.24 You must attempt all tasks (and itemised steps) for a 'Satisfactory' assessment outcome to be awarded.
 - a. For any observation conducted that is incomplete, or without satisfactory performance, the observation will need to be completed again after further training support.

FOR THE ASSESSOR/OBSERVER

Instructions

- 1.25 The following observation record should be used to judge and record your observations of the Participant as they complete the task(s) set. You must record your observations of the Participant's performance.
 - a. For each occasion, indicate the task performed and whether it was a simulation or workplace-based task.
 - i. Any simulated assessment must ensure the Participant still performs under workplace conditions which reflect industry standards.
 - b. In the comments, provide clear detail regarding the task that the Participant was required to do (e.g. PPE used, materials handled, attachments connected, plant types).
- 1.26 All steps must be satisfactorily demonstrated by the Participant for a 'Satisfactory' determination (indicated by an Assessor tick to the right of each itemised step, or an Observer tick to the right of each itemised step, and confirmation by an Assessor in the Assessor Comments).
 - a. Where you have determined that one or more task steps have not been satisfactorily demonstrated, provide the Participant with additional support and outline details of such assistance in the Assessor/Observer Comments. Allow the Participant two (2) further opportunities to demonstrate the task again to allow an opportunity for a 'Satisfactory' assessment outcome to be achieved.
 - b. If after three (3) attempts the Assessor determines that the Participant cannot demonstrate the required steps, a 'Not Satisfactory' outcome is to be determined.

TASK OUTCOME					
Task	Date	Task Type (Tick)	Location	Task outcome (Tick)	
				Satisfactory	Not Satisfactory
Task 1	13/05/2024	☒ Workplace ☐ Simulation	Maroochydore private Hospital	☒	☐

ASSESSOR COMMENTS: GENERAL

As necessary, outline:

- 1.27 Details on reattempts, alternative arrangements or reasonable adjustments made.
 1.28 Where a Participant is deemed 'Not Satisfactory', provide recommendations for future training.

Rex showed a good understanding of this module.

ASSESSOR COMMENTS: PRACTICAL TASK 1:

☒ Individual student (as named on cover page) ☐ Multiple students [☐ All from Attendance Report, ☐ Specific students involved – identify students]	
Task	Provide detail
1.1B.	Specify how builder registration and licensing requirements and limitations were determined: building registration and licensing requirements and limitations are determined through a complex interplay of legislation, regulatory oversight, professional standards, public safety considerations, zoning laws, historical preservation needs, community input, and technological advancements.
1.1C.	Specify the type of building and construction project being undertaken. we are constructing a class 9 building. for private hospital. It also includes Class 7 being car park.
1.1C. 1.1D.	Specify Acts and regulations accessed to confirm legal requirements relating to the project. Building act 1975 QLD. National Construction code. Private health facility act 1999. Work Health and Safety act 2011 qld. Planning act 2016 qld. Disability standards 2010.
1.1E.	Specify who was contacted regarding building permits and approvals and limitations. Sunshine coast council. QLD government. Queensland Health. QLD fire and emergency services. QLD building and construction division. Town planning. Building certifier. unity water. energex.
1.1G.	Specify how sustainability, environmental & waste management requirements were determined: sustainability, environmental, and waste management requirements for a private hospital in Queensland, a comprehensive approach is taken involving legislation, regulations, codes and standards, guidelines, stakeholder engagement, and implementation of best practices. This ensures that the hospital not only meets legal requirements but also operates in an environmentally sustainable and responsible manner.

ASSESSOR COMMENTS: PRACTICAL TASK 1:	
1.2C. 1.4B.	Specify (✓) strategies applied to keep workers updated on on-site safety and responsibilities. ☒ Site induction ☒ Daily safety meetings before work begins ☒ Tool box talks ☒ Memo boards at site office ☒ External fire and first aid training ☒ External apprentice training ☒ Other Safety is of the utmost important to Mcnab. we also do but not limited to safety walks, safety commitments, safety meetings, pre starts, observations, training of all employees and subcontractors, KPI's ect.
1.3A.	Specify how it was confirmed that legal requirements were met during contract writing of both building contract and subcontractor contracts. Legal requirements were confirmed during the contract writing of both the building contract and subcontractor contracts by engaging legal experts, referencing applicable legislation and standards, and including clear compliance, monitoring, and reporting clauses.
1.3C.	Specify how insurance policy currency was confirmed, including workers compensation. Insurance policy currency, including workers' compensation, was confirmed by requesting and reviewing certificates of currency from the insurance providers, verifying the details with the insurers directly, and ensuring the policies were active and met all legal requirements.
1.3D. 1.4A.	Specify payroll system administered. OmTrak - a comprehensive payroll management software that ensured compliance with relevant laws and regulations, accurately calculated wages, taxes, and deductions, generated payslips, and maintained detailed employee records.
1.3E.	Specify how financial transactions were made. JobTrack - a secure accounting system that handled invoicing, payments, and record-keeping. Payments were processed via electronic funds transfer (EFT), credit card, or direct bank transfers, ensuring proper authorisation and documentation for each transaction.
1.4C.	How was information regarding discrimination and harassment shared with workers and contractors. Through company Alerts via our emails. this then generates each project to conduct a tool box talk to train each employee and close out each Alert.
1.5A.	Specify two (2) workplace disputes resolved according to workplace policy and procedure. Two workplace disputes were resolved according to workplace policy and procedure: one involving interpersonal conflict mediated by HR, and another concerning work assignments addressed through a formal review and action plan.
1.5B.	Specify two (2) complaints addressed promptly and resolved with best solution for all. Two complaints were promptly addressed and resolved with the best solution for all involved: one regarding workplace safety concerns where immediate corrective actions were taken, and another related to workload distribution which was addressed through reassignment of tasks and improved communication channels.

CPCBC4009

APPLY LEGAL REQUIREMENTS TO BUILDING AND CONSTRUCTION PROJECTS

Practical Task 1

Description of task:

The participant must demonstrate the skills and knowledge required for applying legal requirements to one (1) residential or commercial building and construction project. The participant must be a contributing part of the team, before and during construction, researching and applying legislated and quality requirements applicable to the project, including:

- Identify legislation relating to the construction project
- Determine class of building and builder registration and licencing requirements and limitations
- Determine legal requirements from relevant Acts and regulations appropriate to the type of building and construction project.
- Confirm legal requirements for building contracts, construction insurance, industrial relations obligations and payroll systems are met.
- Determine building permits and approvals have been sought and determine any construction activity restrictions, limitations and conditions that must be met.
- Confirm and document subcontractors, site supervisors, manager and workers qualifications, competencies and licences are current and meet legislated requirements.
- Determine sustainability, environmental & waste management requirements relevant to the site.
- Read codes of practice for construction work to confirm WHS legislated requirements are met.
- Apply site safety requirements
- Apply all the relevant requirements of WHS regulations that apply to the project.
- Adapt existing workplace procedures and workplace safety requirements to align with the project.
- Apply induction and other strategies to keep workers updated on on-site safety responsibilities.
- Apply legal requirements
- Adhere to state or territory laws and regulations, and fair trading legislation while organising contracts.
- Adhere to contract agreements and meet all the conditions during construction of the project.
- Confirm the currency of all mandatory building, subcontractor and workers compensation insurance to ensure sufficient and legislated insurance in place to cover workers, materials and building.
- Administer payroll system which incorporates employee and contractor payments, deduction of taxes, including goods and services tax (GST), tracking of transactions and calculating wages.
- Make financial transactions correctly to pay supplier invoices and other required payments.
- Apply building and construction standards and codes during construction.
- Apply industrial relations
- Ensure workplace and subcontractor agreements and Awards are current, meet industrial relations requirements and are complied with.
- Organise and provide agreed training to workers and apprentices as required.
- Provide information on discrimination & harassment to workers and monitor for positive actions.
- Resolve disputes and complaints\
- Apply workplace dispute resolution processes.
- Address complaints promptly, consult with complainant and resolve issue with the best solution for all.
- Record dispute outcome and maintain documentation.

These tasks may be simulated or real. The Participant is to gather evidence of how they have completed each component of the Practical Task, which is to be submitted with this Practical Assessment sheet. The Observer is to provide detailed comments on the tasks completed by the Participant (on the Observer Comments, overleaf). The Assessor is to verify the Observer's comments, noting their findings in the Assessor Comments (on the back of the Practical Assessment cover page) and provide the assessment outcome.

Resources required:

Workplace, Building project, Access to internet/ intranet; workplace policies and procedures, contract templates/documents; site documents; site diary; schedule; Insurance documents; payroll software or system including PAYG components; HR resources including employment agreements, Awards, Training agreements; Dispute resolution policies and procedures.

Observer details

Practical Task 1	
Name of observer:	Adrian Wyatt
Role of observer (Confirm suitability to sign)	Site Manager
Email address of observer	Adrian.wyatt@mcnab.net.au
Signature of observer:	
Date:	15/05/2024

When completing the task, did the Participant:	Tick if satisfactorily completed. Provide comments if left unticked.
1 Identify legislation relating to the construction project.	
1.1A. Access NCC and correctly determine the class of building for the project.	☒
1.1B. Confirm current builder registration and licencing requirements. (Attach screenshot or document)	☒
1.1C. Determine legal requirements from relevant Acts and regulations appropriate to the type of building and construction project.	☒
1.1D. Confirm legal requirements for building contracts, construction insurance, industrial relations.	☒
1.1E. Determine building permits and approvals have been sought and determine any construction activity restrictions, limitations and conditions that must be met.	☒
1.1F. Confirm and document subcontractors, site supervisors, manager and workers qualifications, competencies and licences are current and meet legislated requirements. . (Attach screenshot or document).	☒
1.1G. Determine sustainability, environmental & waste management requirements relevant to the site.	☒
1.1H. Read codes of practice for construction work to confirm WHS legislated requirements are met.	☒
2 Apply site safety requirements.	
1.2A. Apply all the relevant requirements of WHS regulations that apply to the project.	☒
1.2B. Adapt existing workplace procedures and workplace safety requirements to align with the project. (Attach copy of documents adapted to suit site)	☒
1.2C. Apply induction and other strategies to keep workers updated on on-site safety responsibilities.	☒
3 Apply legal requirements	
1.3A. Adhere to requirements for contracts – including common law, state or territory laws and regulations and fair trading legislation.	☒
1.3B. Adhere to contract agreements and meet all the conditions during construction of the project.	☒
1.3C. Confirm the currency of all mandatory building, subcontractor and workers compensation insurance to ensure sufficient and legislated insurance in place to cover workers, materials and building.	☒
1.3D. Administer payroll system which incorporates employee and contractor payments, deduction of taxes, including goods and services tax (GST), tracking of transactions and calculating wages.	☒
1.3E. Make financial transactions correctly to pay supplier invoices and other required payments.	☒
1.3F. Apply building and construction standards and codes during construction.	☒

When completing the task, did the Participant:	Tick if satisfactorily completed. Provide comments if left unticked.
4 Apply industrial relations.	
1.4A. Ensure workplace and subcontractor agreements and Awards are current , meet industrial relations requirements and are complied with. (attach screenshot or copy of Agreement/Award)	☒
1.4B. Organise and provide agreed training to workers and apprentices as required.	☒
1.4C. Provide information on discrimination & harassment to workers and monitor for positive actions.	☒
5. Resolve disputes and complaints.	
1.5A. Apply workplace dispute resolution processes.	☒
1.5B. Address complaints promptly, consult with complainant and resolve issue with the best solution for all.	☒
1.5C. Record dispute outcome and maintain documentation. (attach screenshot or copy of record)	☒

Observer comments: