

**Special notes**

- 1 Compliance with the following legislation, regulations, and codes is required:
  - Building Act 2004
  - Building Act 1991
  - Electricity Act 1992
  - Protected Disclosures Act 2000
  - Commissions of Inquiry Act 1908
  - Privacy Act 1993
  - Resource Management Act 1991
  - Fencing of Swimming Pools Act 1987
  - Hazardous Substances and New Organisms Act 1996
  - Health Act 1956
  - Local Government Act 2002
  - Plumbers, Gasfitters, and Drainlayers Act 2006
  - The Building Code
  - Building (Forms) Regulations 2004.
  
- 2 The scope of buildings assessed within this unit standard fall generally within the coverage of New Zealand Standards 3604:1999 Timber Framed Buildings and 4229:1999 Concrete masonry buildings not requiring specific engineering design available from <http://www.standards.co.nz/default.htm>
  
- 3 Definition  
Case Law is the body of law created by judges' written opinions.
  
- 4 Reference documents relevant to this unit standard include:
  - The Building Code Handbook available from <http://www.dbh.govt.nz/UserFiles/File/Publications/Building/Compliance-documents/handbook.pdf> ;
  - The Building Code Compliance Documents  
<http://www.dbh.govt.nz/building-code-compliance-documents> ;
  - Building Officials – Building Act 2004 overview  
<http://www.dbh.govt.nz/bofficials-buiding-act-2004-overview> .

<b>Element 1</b>		
Outline the principles and content of the Building Act 2004.		
Performance Criteria	Candidate	Assessor
<p>1.1 The Building Act 2004 is described in terms of its change in focus from the Building Act 1991.</p> <p>Range change in focus includes but is not limited to – clarity of building standards, guidance, competent workers, consumer confidence.</p>	Describe the change in focus Building Act 1991 to the Building Act 2004 including – clarity of building standards, guidance, competent workers, consumer confidence.	<p>The description includes appropriate items under the headings:</p> <ul style="list-style-type: none"> <li>• clarity of building standards – revision of the Building Code</li> <li>• guidance – new documents</li> <li>• competent workers – creation of LBP board</li> <li>• consumer confidence – protection of consumers WHRS legislation.</li> <li>• Principles of the registration system are appropriately described including accountability and performance standards for Licenced Building Practitioners (LBP).</li> <li>• Local authority roles split between Territorial Authority (TA) and Building Consenting Authority (BCA)</li> <li>• TA powers &amp; Role – PIMS, Property Files, BWOFF, NTF, Dangerous Building Notices, prosecutions</li> <li>• BCA powers and roles – CPU, Building Consents (Approval &amp; Inspections), CCC</li> </ul>
<p>1.2 Description of the Act outlines the principles of the registration system.</p> <p>Range principles may include but are not limited to – accountability, performance standards.</p>	Describe the Aims of the building act including - encouraging better practice, improving building design, regulating building control and construction.	
<p>1.3 Purpose of the Building Act 2004 is outlined in terms of its aims.</p> <p>Range aims may include but are not limited to – encourage better practice, improve building design, regulate building control and construction.</p>	Describe the principles of the registration system including accountability and performance standards for Licenced Building Practitioners (LBP).	
<p>1.4 Territorial authority, building consent authority and private body roles and powers are described in terms of the Building Act 2004</p>	Describe the powers and role of territorial authorities, building consent authorities and private bodies under the Act.	

<b>Element 1</b> <i>Continued from the previous page....</i>		
Outline the principles and content of the Building Act 2004.		
Performance Criteria	Candidate	Assessor
1.5 Case law is described in terms of its effects on building control decisions.	Describe case law in terms of its effects on building control decisions.	Describe the precedents of case law in terms of its effects on building control decisions. e.g. Logan Vs ACC
1.6 Building Control Surveyor powers are described in terms of the provisions of the Building Act 2004.  Range sections include but are not limited to – 3, 7, 5, 47,112, 115, 164, and 363.	Describe the powers of a Building Control Official in terms of the provisions of Building Act 2004 sections 3, 7, 5, 47,112, 115, 164, and 363.	Describe the powers of a Building Control Official in terms of the provisions of Building Act 2004 sections 3, 7, 5, 47,112, 115, 164, and 363.
<b>Element 2</b>		
Explain the purpose of the Building Regulations 1992.		
2.1 Purpose of the Building Regulations is explained in terms of building control decisions.	Describe the purpose, scope and impact of the Building Regulations 1992 on building control decisions.	The description:  Includes the clauses of the building code, forms, the ability to charge levies, provides timeframes and policies.
2.2 The scope of the Building Regulations 1992 is explained in terms of building control decisions.  Range includes but is not limited to – acceptable solutions, analysis of alternative solutions.	The description includes - acceptable solutions and analysis of alternative solutions	Includes the role of acceptable solutions and analysis of alternative solutions  Explains the effect of the Building Regulations 1992 on building control decisions.
2.3 The impact of the Building Regulations 1992 is described in terms of building control decisions.		

<b>Element 3</b>		
Explain the purpose of the Building Code.		
Performance Criteria	Candidate	Assessor
3.1 The structure of the Building Code is described in terms of its objectives and function.	Describe the structure of the Building Code on building control decisions.	The description includes the structure of the Building Code Clauses, reference documents, verification methods and acceptable solutions.
3.2 The relationship between the Building Code and Building Regulations 2002 is explained in terms of building control decisions.	Explain the relationship between the Building Code and Building Regulations 2002.	The description includes the key aspects of the relationship between the Building Code and Building Regulations 2002. The Building Regulations lists and describes the clauses of the Building Code.
3.3 The performance requirements outlined in the Building Code are described in terms of acceptable and alternative solutions.	Describe the performance requirements of the Building Code including - acceptable solutions and analysis of alternative solutions.	The description includes the performance requirements of the Building Code including - acceptable solutions and analysis of alternative solutions which should be equal to or better than the acceptable solutions.
3.4 Methods of achieving compliance are described in terms of process and type.  Range methods may include but are not limited to – waivers, modifications, alternative solutions, compliance documents, determinations.	Describe other methods of achieving compliance.	The description includes – waivers, modifications, alternative solutions, compliance documents, determinations.

**Element 4**

Explain the purpose of supporting legislation.

Performance Criteria	Candidate	Assessor
<p>4.1 The effect of supporting legislation is described in terms of building control decisions.</p> <p>Range of supporting legislation includes but is not limited to – RMA 1991, Fencing of Swimming Pools Act 1987, Hazardous Substances and New Organisms Act 1996, Health Act 1956, Local Government Act 2002, Plumbers, Gasfitters, and Drainlayers Act 2006.</p>	<p>Describe the effect of supporting legislation on terms of building control decisions.</p> <p>The range of supporting legislation includes but is not limited to – RMA 1991, Fencing of Swimming Pools Act 1987, Hazardous Substances and New Organisms Act 1996, Health Act 1956, Local Government Act 2002, Plumbers, Gasfitters, and Drainlayers Act 2006.</p>	<p>The description includes the effect of the following supporting legislation on terms of building control decisions.</p> <p>RMA 1991 – the lack of resource consent can prevent building</p> <p>Fencing of Swimming Pools Act 1987 – sets standards for pool fencing including heights and location.</p> <p>Hazardous Substances and New Organisms Act 1996 – affects the volumes and locations of hazardous substance storage on site.</p> <p>Health Act 1956 includes – food premises, mortuaries, hairdressing, abattoirs.</p> <p>Local Government Act 2002 – development contributions, cellar indemnities</p> <p>Plumbers, Gasfitters, and Drainlayers Act 2006 – controls registration of Plumbers, Gasfitters, and Drainlayers.</p>