

REPLACEMENT CHECKLIST

The Safer Buildings Program is a collaborative audit administered by the QBCC which requires owners of certain private buildings to complete the online Combustible Cladding Checklist.

Amendments made to the *Building Regulation 2006* in 2019 now allow a building owner or agent to request a *Replacement Checklist*.

Section 16ZQ of the *Building Regulation 2006* allows for a person who has already completed a Combustible Cladding Checklist either for Part 1, Part 2 or Part 3 (the *Original Checklist*) to request a *Replacement Checklist*, using the Approved Form. An owner may at any time apply to the QBCC Commissioner to replace the *Original Checklist*.

If the QBCC Commissioner considers the replacement of the *Original Checklist* reasonable in the circumstances, the QBCC Commissioner may permit the owner to give a *Replacement Checklist* in the approved way and within a *reasonable stated period*.

It is essential that the person requesting the *Replacement Checklist* is the building owner (or if a representative or agent is appointed, that representative or agent). If you are not the registered person in the Safer Buildings website your *Replacement Checklist* request cannot be considered (refer to Transfer Owner/Agent factsheet if you are required to change owner or agent).

Some reasons why you may wish to request a *Replacement Checklist* include:

- An error was made, for example, you entered a 'Yes' when you should have entered a 'No' to one of the questions in the Checklist.
- The construction Type is not A or B and has been reassessed by a Building Industry Professional.
- The compliance period for the Checklist was missed and you have automatically progressed to the next Part when you believe you should have exited.
- There is no longer combustible cladding (for example, you removed the cladding).

When making a request to the QBCC Commissioner to replace the *Original Checklist* ensure you include relevant information that will assist in determining whether your request is reasonable in the circumstances. This may be, for example:

- A new Form 34 – Building Industry Professional Statement showing the construction is not Type A or B (showing reasons for the change in classification) or stating there is no combustible cladding.

- If this is a result of removing the combustible cladding then any accompanying reports, statements, photographs or the like that will assist the Commissioner in considering your application.

DO NOT request a *Replacement Checklist* if you do not have sufficient evidence as to why the Commissioner would believe the replacement reasonable in the circumstance, as it will be rejected. Only submit a *Replacement Checklist* request when you have sufficient detail and evidence to provide.

DO NOT request a *Replacement Checklist* if the *Original Checklist* is NOT completed.

'Completed' is defined in the Regulation and means the Checklist has been filled out using the online system, and the filled out checklist is printed, signed and dated by the owner (or agent) in the presence of the witness and signed and dated by the qualified witness. This is in the form of a Statutory Declaration which has been uploaded to the system.

A *Replacement Checklist* cannot be approved if the *Original Checklist* is still in progress.

If a *Replacement Checklist* is approved by the QBCC, it is deemed to have been received within the compliance period for that Part of the checklist. Meaning, if you submit a request to replace the Part 2 checklist and it is approved, the penalty provisions for late completion do not apply for the *Replacement Checklist*.

If you consider this option appropriate for your building, please submit a completed Approved Form via an email to the QBCC (qbcc.saferbuildings@qbcc.qld.gov.au) requesting which Part of the checklist you want replaced and the reasons why, including any supporting documents. The QBCC will consider if the *Replacement Checklist* is appropriate in the circumstances and notify you as to whether your request is approved OR not approved.

If approved, the QBCC will require you to submit the checklist by the Approved Way (which is published on the Safer Buildings website) within the stated period noted in the approval email.

If NOT approved, you will be required to proceed with your *Original Checklist* through the Combustible Cladding Checklist process.

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MORE INFORMATION

The [Guideline for assessing buildings](#) with combustible cladding, which can be found on the Safer Building Queensland website (www.saferbuildings.qld.gov.au), provides further information on the legislative ability to request a *Replacement Checklist*, which may be of assistance to you.

To request a *Replacement Checklist* email a completed Approved Form to the QBCC at qbcc.saferbuildings@qbcc.qld.gov.au outlining your reasons and attaching any supporting documentation.

Forms can be found on the Safer Buildings Queensland website (www.saferbuildings.qld.gov.au), including:

- APPROVED FORM – Replacement Checklist Request
- FACT SHEET – Transfer a checklist to a new owner or agent
- FACT SHEET – Approved Way – Replacement Checklist
- FACT SHEET - Failing to comply with the Approved Way to Process a Replacement Checklist