

Form 2B STATUTORY DECLARATION AS TO OWNER-BUILDER STATUS Section 45, Section 87A, and section 90D, Building Act 2004

1. THE BUILDING

Street address of building:

2. OWNER

Name of owner:

Address:

Phone number:

Email address:

3. THE PROJECT

Identification of design work that is restricted building work that has been carried out by owner-builder

Note: Complete the following section if this form is attached to an application for a building consent that is accompanied by plans or specifications containing design work that is restricted building work that has been carried out by the owner-builder (section 45(5)(b) of the Building Act 2004).

The design work that is restricted building work that I, (*name*): _____

Of (*place of abode*): _____

Occupation: _____

carried out as an owner-builder is:

*all of the design work that is restricted building work described in the attached application for a building consent ☐;

or

*the design work that is restricted building work as set out below ☐:

**Strike out words which do not apply.*

4. DESIGN WORK THAT IS RESTRICTED BUILDING WORK		Description	Reference to plans and specifications
[Tick]	[If appropriate, provide details of the restricted building work]	[If appropriate, specify references]	
Primary structure			
Foundations and subfloor framing ☐			
Walls ☐			
Roof ☐			
Columns and beams ☐			
Bracing ☐			
Other ☐			
External moisture management systems			
Damp proofing ☐			
Roof cladding or roof cladding system ☐			
Ventilation system (for example, subfloor or cavity) ☐			
Wall cladding or wall cladding system ☐			
Waterproofing ☐			
Other ☐			
Fire safety systems			
Emergency warning systems, evacuation and fire service operation systems, suppression or control systems, or other ☐			
Note: - The design of fire safety systems is only restricted building work when it involves small-to-medium apartment buildings as defined by the Building (Definition of Restricted Building Work) Order 2011. - Continue on another page if necessary.			

Identification of building work that is restricted building work intended to be carried out under an owner-builder exemption

Note: The following section is to be completed if:

(a) this form is accompanying an application for a building consent and the owner intends to carry out building work that is restricted building work (section 45(5)(a) of the Building Act 2004); *or*

(b) the application for a building consent was not accompanied by a statutory declaration in this form and the owner intends to carry out building work that is restricted building work (section 87A(2) of the Building Act 2004);

or

(c) under a building consent, there has been a change in the owner-builder carrying out the restricted building work and the new owner-builder has not already submitted to the building consent authority a statutory declaration in this form to that effect (section 87A(3)(a) of the Building Act 2004)

The design work that is restricted building work that I, (name): _____

Of (place of abode): _____

Occupation: _____

intend to carry out as an owner-builder is:

*all of the building work that is restricted building work described in the attached application for a building consent ☐;

or

*the building work that is restricted building work as set out below ☐:

*Strike out words which do not apply.

5. BUILDING ELEMENT**Description of restricted building work**

[Tick] [If necessary, describe the restricted building work]

Primary structure

Foundations and subfloor framing ☐	
Walls ☐	
Roof ☐	
Columns and beams ☐	
Bracing ☐	
Other ☐	

External moisture management systems

Damp proofing ☐	
Roof cladding or roof cladding system ☐	
Ventilation system (for example, subfloor or cavity) ☐	
Wall cladding or wall cladding system ☐	

Waterproofing	☐	
Other	☐	

Note: continue on another page if necessary.

Status as owner-builder

I, (name): _____

Of (place of abode): _____

Occupation: _____

am an owner-builder for the purposes of the Building Act 2004 as I:

- (a) have a relevant interest in the land or the building on which the restricted building work is carried out; and
- (b) reside or intend to reside in the household unit in relation to which the restricted building work is carried out; and
- (c) *have carried out the design work that is restricted building work myself or with the assistance of my unpaid friends and family members; and
- (d) *will carry out the restricted building work myself or with the assistance of my unpaid friends and family members; and
- (e) have not, under the owner-builder exemption, carried out restricted building work in relation to a different household unit within the previous 3 years.

**Delete if the paragraph does not apply.*

Defined terms

Relevant interest, in relation to the land or the building on which restricted building work is carried out, means a legal or equitable interest in the land or building and includes:

- (a) a right of occupancy of the land or building or part of the building; or
- (b) a right, power, or privilege over, or in connection with, the land or building.

Reside includes temporarily reside.

6. STATUTORY DECLARATION

Statutory declaration

I, (name): _____

Of (place of abode): _____

Occupation: _____

Solemnly and sincerely declare that the statements contained in this form are true. And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.

Declared at	(place): _____ _____ (date): _____
Before me	[Justice of the Peace, barrister and solicitor of the High Court, or other person authorised by law to take statutory declarations*]
Signature:	

**Select one.*