

Form 2B

**Statutory declaration as to owner-builder status**

**Section 45, section 87A, and section 90D, Building Act 2004**

**The building**

Street address of building:

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**The owner**

Name of owner:

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Address:

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Phone number:

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Email address:

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**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, place of abode, and 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.*

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<b>Design work that is restricted building work</b>	<b>Description</b>	<b>Reference to plans and specifications</b>
<i>[Tick]</i>	<i>[If appropriate, provide details of the restricted building work]</i>	<i>[If appropriate, specify references]</i>
<b>Primary structure</b>		
Foundations and subfloor framing ( )		
Walls ( )		
Roof ( )		
Columns and beams ( )		
Bracing ( )		
Other ( )		
<b>External moisture management systems</b>		
Damp proofing ( )		
Roof cladding or roof cladding system ( )		
Ventilation system (for example, subfloor or cavity) ( )		
Wall cladding or wall cladding system ( )		
Waterproofing ( )		
Other ( )		

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**Fire safety systems**

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Emergency warning systems, evacuation and fire service operation systems, suppression or control systems, or other	( )		
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**Note:**

1. 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.
2. 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)

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The building work that is restricted building work that I,

[*name, place of abode, and 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.

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<b>Building element</b>	<b>Description of restricted building work</b>
<i>[Tick]</i>	<i>[If necessary, describe the restricted building work]</i>
<b>Primary structure</b>	
Foundations and subfloor framing ( )	
Walls ( )	
Roof ( )	
Columns and beams ( )	
Bracing ( )	
Other ( )	
<b>External moisture management systems</b>	
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

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I,

[name, place of abode, and 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.*

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### 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.

- I understand and accept that Council may rely on this document, for the purposes of establishing compliance with the above building consent and that the content including the signature, whether electronic or not, is truly representative and authoritative of the information contained.

### Statutory declaration

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I,

[name, place of abode, and occupation]

solemnly and sincerely declare that the statements contained in the 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:	

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*\*Select one.*