

# Statutory declaration as to owner-builder status

## Section 45, 87A, and 90D of the Building Act 2004



Please use this form if you carried out or supervised restricted building work on a building consent

### BUILDING DETAILS

Street address of building:

### PROJECT DETAILS

Building consent number:

### OWNER'S DETAILS

Owners name:

Mailing address:

Postcode:

Daytime phone:

Mobile:

Email address:

### 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).

Name

Place of abode

Occupation

The **design work** that is restricted building work that I carried out as an owner-builder is: *(strike out words that do not apply)*

- 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:

**RECORD OF DESIGN WORK THAT IS RESTRICTED BUILDING WORK**

Design work that is restricted building work		Description	Reference to plans and specifications
<i>[Tick]</i>	<input type="checkbox"/>	<i>[If appropriate, provide details of the restricted building work]</i>	<i>[[If appropriate, specify references]</i>

**Primary structure**

Foundations and subfloor framing	<input type="checkbox"/>		
Walls	<input type="checkbox"/>		
Roof	<input type="checkbox"/>		
Columns and beams	<input type="checkbox"/>		
Bracing	<input type="checkbox"/>		
Other	<input type="checkbox"/>		

**External moisture management systems**

Damp proofing	<input type="checkbox"/>		
Roof cladding or roof cladding system	<input type="checkbox"/>		
Ventilation system (for example, subfloor or cavity)	<input type="checkbox"/>		
Wall cladding or wall cladding system	<input type="checkbox"/>		
Waterproofing	<input type="checkbox"/>		
Other	<input type="checkbox"/>		

**Fire safety systems**

Emergency warning systems, evacuation and fire service operation systems, suppression or control systems, or other	<input type="checkbox"/>		
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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.

**RECORD 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)

Name

Place of abode

Occupation

The **building work** that is restricted building work that I intend to carry out as an owner-builder is: *(strike out words that do not apply)*

- 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:

Building element		Description of restricted building work
<i>[Tick]</i>	<input type="checkbox"/>	<i>[If necessary, describe the restricted building work]</i>

**Primary structure**

Foundations and subfloor framing	<input type="checkbox"/>	
Walls	<input type="checkbox"/>	
Roof	<input type="checkbox"/>	
Columns and beams	<input type="checkbox"/>	
Bracing	<input type="checkbox"/>	
Other	<input type="checkbox"/>	

**External moisture management systems**

Damp proofing	<input type="checkbox"/>	
Roof cladding or roof cladding system	<input type="checkbox"/>	
Ventilation system (for example, subfloor or cavity)	<input type="checkbox"/>	
Wall cladding or wall cladding system	<input type="checkbox"/>	
Waterproofing	<input type="checkbox"/>	
Other	<input type="checkbox"/>	

**Note:** Continue on another page if necessary

## STATUS AS OWNER-BUILDER

Name

Place of abode

Occupation

I 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 not, under the owner-builder exemption, carried out restricted building work in relation to a different household unit within the previous 3 years; and (*strike out words that do not apply*)
- d) have carried out the design work that is restricted building work myself or with the assistance of my unpaid friends and family members; and
- e) will carry out the restricted building work myself or with the assistance of my unpaid friends and family members

### 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 right of occupancy of the land or building or part of the building; or
- a right, power, or privilege over, or in connection with, the land or building

**Reside** includes temporarily reside

## DECLARATION

Name

Place of abode

Occupation

I 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.

<b>Signature of owner / builder</b>	
<b>Declared at</b>	
<b>On (date)</b>	_____ (day) _____ (month) _____ (year)
<b>Before me</b> ( <i>Name of Justice of the Peace, Barrister and Solicitor of the High Court, or other person authorised by law to take statutory declarations</i> )	
<b>Signature</b>	