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**COMMERCIAL
BUILDING DISCLOSURE**

A National Energy Efficiency Program

Chris Mobbs

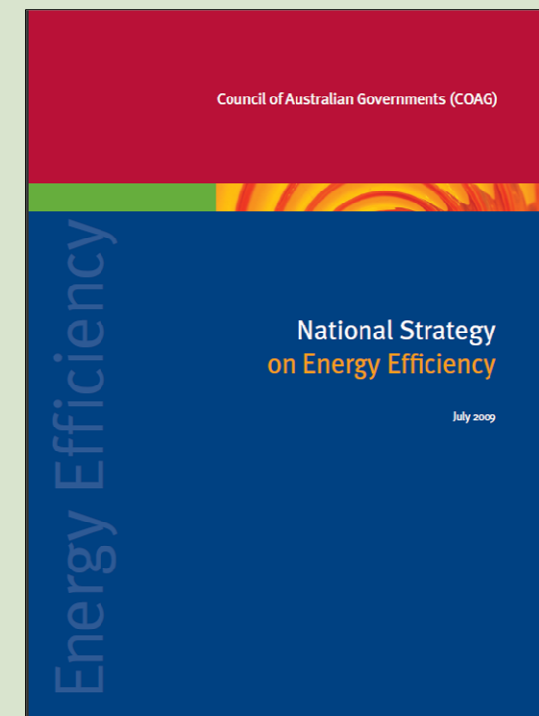
Assistant Director, Commercial Buildings Disclosure
Department of Climate Change and Energy Efficiency

Property Council of Australia seminars

September/October 2010

Program development

- Originally proposed in 2004 under National Framework for Energy Efficiency
- Governments recommitted to Program in 2009 under National Strategy on Energy Efficiency

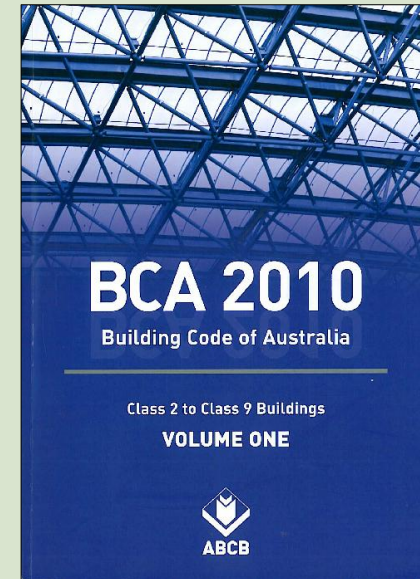


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Relationship to other measures

- Increased energy efficiency provisions in Building Code of Australia (commenced May 2010)
- National Building Framework
- HVAC High Efficiency Systems Strategy
- Phasing in commercial building disclosure:
 - 2010 - offices
 - 2012 - other commercial buildings

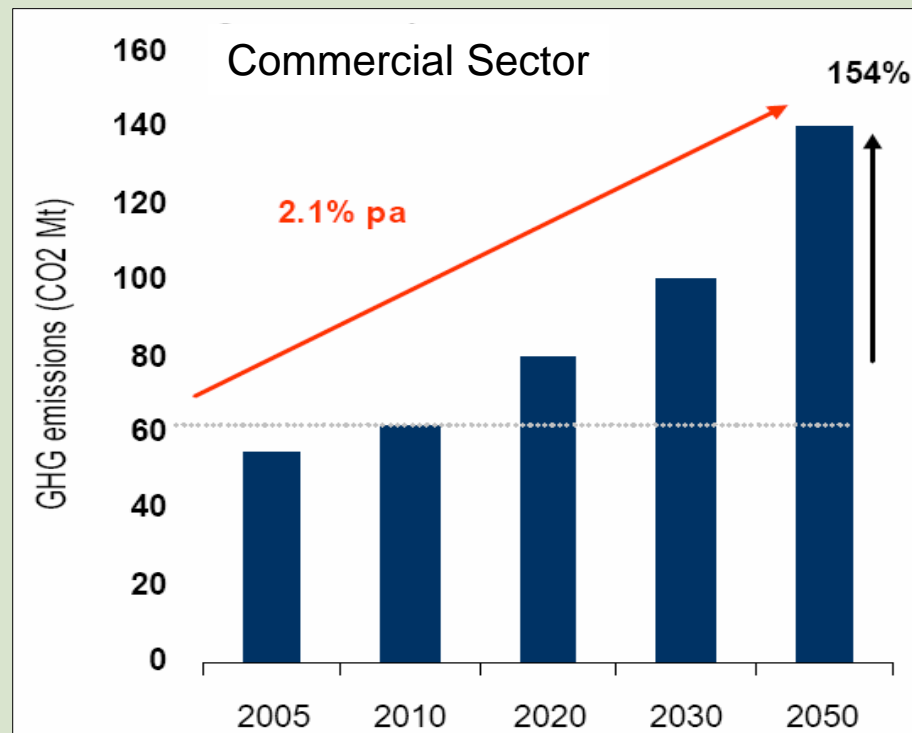


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Why do we need building measures?

- Commercial buildings account for ~10% of emissions



‘Business
as usual’



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Why a disclosure Program?

- Enable purchasers and lessees to consider energy efficiency as part of decision-making process
- Help overcome market barriers and promote energy efficient buildings
- Research indicates increasing demand and higher premiums for energy efficient buildings



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Who will be impacted by the Program?

- Designers and builders
- Building owners and tenants
- Valuers, real estate agents and lawyers
- Building managers
- Engineers and other technical experts
- Organisations promoting sustainable buildings



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What has changed since late 2009?

- Bill tabled in Parliament in March 2010
- Senate enquiry
- Government agreed to a number of amendments:
 - Modifications to the transitional arrangements
 - Reduced penalties for ongoing offences



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Timeframes



24 June 2010

Building Energy Efficiency Disclosure Bill 2010
passed by Parliament



1 July 2010

Legislation takes effect



1 Nov 2010

Disclosure obligations commence with
transition period – only NABERS Energy
ratings to be disclosed



1 Nov 2011

Transition period finished - Full BEECs to be
disclosed



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Program overview

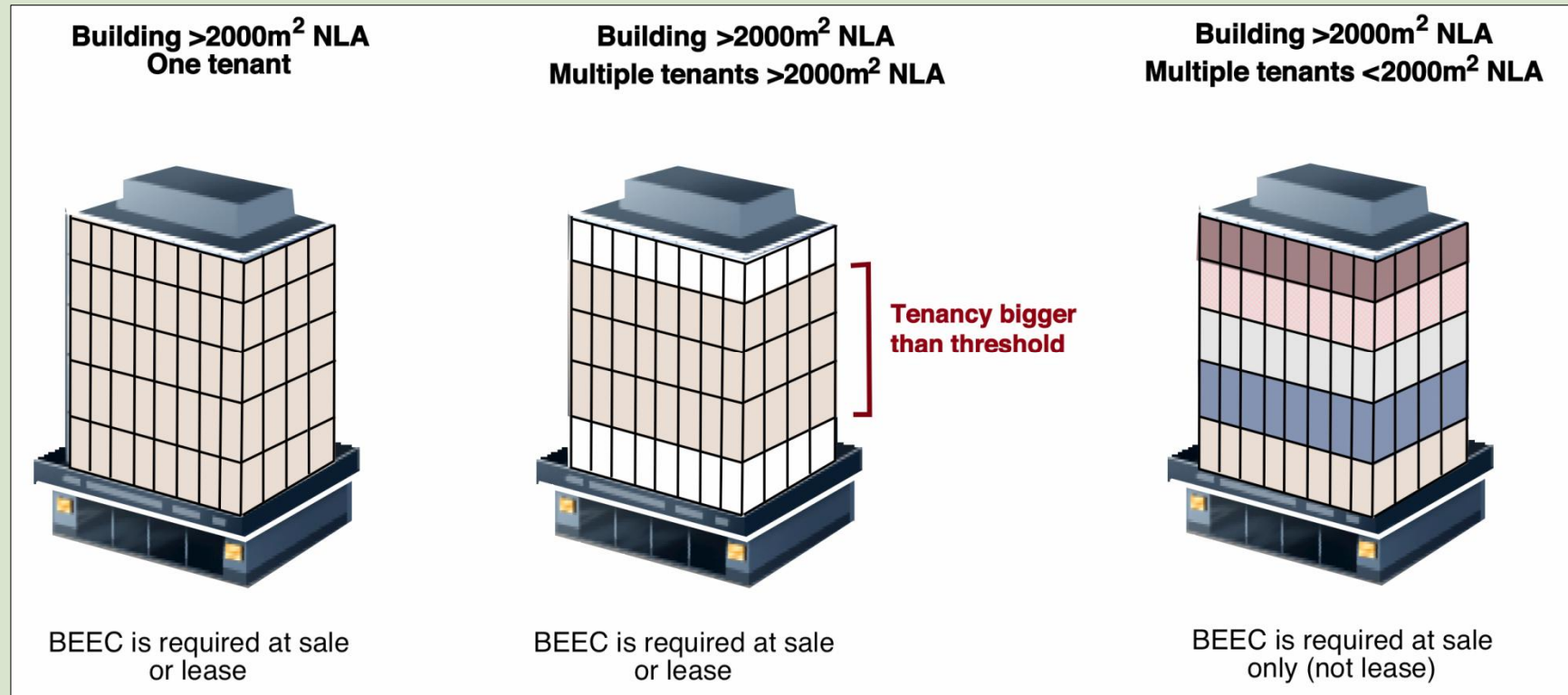
- Commencing with offices over 2,000 m²
- Disclosure required at point of sale, lease and sublease
- Owners and lessors are required to:
 - register a Building Energy Efficiency Certificate (BEEC); and
 - include the NABERS Energy star rating from the BEEC in any sale, lease or sublease advertisements



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Offices covered by the Program



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BUILDING ENERGY EFFICIENCY CERTIFICATE

Prepared in accordance with the *Building Energy Efficiency Disclosure Act 2010*

Building details:

Building name: ACME Towers
Company name: ACME Property Limited
Building address: 100 Example Street
Sydney NSW 2000

Certificate reference number:
20101234

Issue date:
1 July 2011

Rating scope: Base building
Rating area: 12,800m²

Expiry date:
30 June 2012

Hours of operation: 65 p/w

NABERS Energy Rating



This building has achieved a
4 star NABERS Energy rating

Building Consumption Details

For the period: 1 October 2009 to 30 September 2010

Total emissions: **1,261,298 kg CO₂-e p.a.**

Emissions intensity: **98.5 kg CO₂-e/m² p.a.**

Energy intensity: **394 MJ/m² of energy**

This building purchased: 5% GreenPower

- reducing its greenhouse gas emissions by **58,418 kg CO₂-e p.a.**
- improving its star rating to **4.5 stars**

Building assessor details:

Assessor name: John Smith
Business name: Energy assessors
Building address: 12 Example Street
Sydney NSW 2000
Assessor number: XYZ01234

About NABERS Energy ratings:

- 1 Star** – Poor performance
- 2 Star** – Below average performance
- 3 Star** – Good performance
- 4 Star** – Very good performance
- 5 Star** – Excellent performance

Tenancy Lighting Assessment

Functional space description	Space lighting control system	NLA of space	IPD (W/m ²)	Average lux	Comments
Ground Floor East (Office A)	Manual switches	1,053.2	15.0	638	
Ground Floor West (Office B)	Reset timer system	969.5	15.0	550	
Level 1 East	Timer system	1,454.5	15.0	780	
Level 1 West	Occupancy sensor control	1,454.5	15.0	450	Extensive tenancy lighting changes
Level 2 East		1,543.0	15.0	520	
Level 2 West		1,543.0	15.0	780	
Level 3 East		1,553.5	6.0	690	
Level 3 West		1,553.5	6.0	530	

Information about interpreting Tenancy Lighting Assessment

Disclaimer / legal information

NABERS Energy is an initiative of the Australian, state and territory governments, managed by the NSW Department of Environment and Climate Change.

The *Building Energy Efficiency Disclosure Act 2010* is administered by the Australian Government Department of Climate Change and Energy Efficiency.

Further information is available at: www.cbd.gov.au



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Tenancy lighting assessments

- Conducted by CBD accredited assessors
- Assessment rules currently being finalised
- Scheduled to be available for assessors early 2011
- Provides indicative information on tenancy lighting energy efficiency + lighting controls



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What is the energy efficiency guidance?

- Generic - not specific to any building
- Suggests opportunities for owners and tenants:
 - Corporate energy policy / action plan
 - Improving skills of building management team
 - Improvements for HVAC, lighting, etc
 - Increasing staff awareness
 - Green Leases



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Enforcement

- Court can order payment of a civil penalty of up to \$110,000 for first day of non-disclosure
- Department can issue infringement notices
- Non-disclosure register – listing of people who commit two or more offences in 12 months
- Department will monitor advertisements and transactions



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Who does what?



**Environment,
Climate Change
& Water**

- NABERS administration
- NABERS training and accreditation
- Issuing ratings/BEECs
- Basic audits



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**Department of Climate Change
and Energy Efficiency**

- Overall CBD administration
- Additional CBD training and accreditation
- Issuing exemptions
- Compliance monitoring and enforcement
- In-depth audits



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Further information

- www.cbd.gov.au
- commercialbuildings@climatechange.gov.au



Disclaimer

This presentation is intended to provide a summary about the Commercial Building Disclosure Program. The Program may be subject to change without notice. Readers should not act on the basis of the information provided in this presentation but should instead obtain legal advice.

Readers wanting further information may refer to the Program's website.

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