

Commercial Building Disclosure & NABERS



COMMERCIAL BUILDING DISCLOSURE & NABERS

In 2009, the Council of Australian Governments (COAG) agreed that a national scheme for reporting energy efficiency in the commercial office market was required.

The Building Efficiency Disclosure Act 2010 activated the disclosure obligations that commenced on the 1st of November 2010. A transitional period has been put in place for the first 12 months during which building owners must provide a NABERS base building energy rating upon sale or lease of the whole building, tenancy or sublease space of greater than 2,000m².

COMPONENTS OF THE SCHEME

Initially, only Class 5 office buildings¹ are required to disclose. There are some exceptions but generally these are office buildings used for professional and commercial purposes excluding retail, car parks, storerooms, showrooms and storage.

During the transitional period from 1st November 2010 to the 31st October 2011, the only requirement will be the disclosure of a valid NABERS Energy base or whole building rating.

As at 29th November 2010, a determination clarified that mixed use buildings with less than 75 per cent office space (NLA) and buildings that have had recent major

refurbishments are not required to disclose a NABERS rating as an interim measure.

After 1st November 2011, all prospective tenants or buyers must be provided with a Building Energy Efficiency Certificate (BEEC) which is valid for 1 year and summarises the performance of the building with:

- a NABERS Energy rating,
- a lighting efficiency assessment
- suggestions on how to improve the energy efficiency of the building.

The building owner (or tenant in the case of a sub-lease) must provide this BEEC to a central registry. Civil penalties of up to \$110,000 for the first day and \$11,000 for each subsequent day may be imposed by a Court for each breach of a disclosure obligation.

WHAT SHOULD YOU DO?

In order to be in accordance with the scheme, building owners need to ensure that:

- sub-metering is correctly installed as per the requirements of the NABERS Office Energy reporting process
- current net lettable floor area surveys are undertaken based on the Property Council of Australia (PCA) Method of Measurement for Lettable Area March 1997.
- preparations are made for the upcoming BEEC assessment.

NABERS ASSESSMENTS

Although Commercial Building Disclosure only focuses on the

Energy component, NABERS also has tools for measuring water consumption, waste generation and recycling performance, as well as indoor environment quality and performance. The Energy and Water rating tools can also be used for Hotels, Retail and Residential use. our services

Davis Langdon has in-house NABERS Assessors with the capacity to perform NABERS assessments, provide strategic advice to improve your building or tenancy, whilst managing the costs.

MORE INFORMATION?

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¹ As defined by the Building Code of Australia (BCA)