

What is Office Space?

Meaning of “for administrative, clerical, professional or similar information based activities” under the CBD Program

The term ‘for administrative, clerical, professional or similar information-based activities, including any support facilities for those activities’ is one of several criteria which are used to determine whether a building or area of a building is disclosure affected under the legislation that underpins the CBD Program. This guidance note is intended to assist building owners, their agents and CBD Assessors determine whether a particular space meets this criterion.

What is for ‘administrative, clerical, professional or similar information-based activities, including any support facilities for those activities’?

The term ‘administrative, clerical, professional or similar information-based activities, including any support facilities for those activities’ is intended to encompass all the activities that would normally take place in an office.

For the sake of simplicity, the term ‘office’ is used below to refer to spaces which the *Building Energy Efficiency Disclosure (Disclosure Affected Buildings) Determination* refers to as spaces ‘for administrative, clerical, professional or similar information based activities’ (including spaces for support facilities).

Where a building or area is currently occupied, whether or not that space is used for office activities will generally be a straightforward matter. For instance, if the building or area is fitted out to be used as an office it (and any space for support facilities) should generally be regarded as being for administrative, clerical, professional or similar information-based activities.

There will be other circumstances where it will be more difficult to determine whether a building or an area is disclosure affected—some of those circumstances are discussed below.

Spaces unable to be assessed under NABERS because they are not office space under the NABERS rules

If a space is unable to be rated under the NABERS Energy for Office Methodology because it is not considered to be office space under the NABERS rules, this may indicate that the area is not office space for the purposes of the CBD Program as well.

Note: Space which is unable to be rated under the NABERS Energy for Offices methodology for another reason can still be disclosure affected under the CBD Program. For example, where a rating cannot be performed because of a vacancy during the rating period or because the relevant energy use information is unavailable, this does not change whether the building is disclosure affected.

Where an office building is temporarily unable to obtain a NABERS rating, the building owner should apply for an exemption from the disclosure obligations of the CBD Program. For further information on how to apply for an exemption, see [Exceptions and Exemptions](#).



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Vacant spaces

A building or an area in a building that has been designed or built to be used as office space but is currently unoccupied should generally be regarded as being for office activities and therefore disclosure affected.

A vacant building or area may be disclosure affected even if there is currently no fit out or only a minimal fit out of the space, so long as the building or area has been designed or built to be used as office space. The past, intended and possible future uses of a space are indicative of whether a space would generally be used for office activities—for instance, if a building or area would generally be used for office activities when it is tenanted, this may indicate that the building or area should be regarded as being for office activities.

An example is where a floor in an office building has been subject to a ‘make good provision’, resulting in only the lighting, carpet and internal base building services remaining on that floor, this space should still be considered to be for office activities and disclosure affected.

Space which cannot currently be used to perform office functions, but it could be so used in the future

Spaces that cannot currently be used to perform office activities—that is have not been designed or built to be used as office space, but could be converted to perform office functions in the future—are not disclosure affected.

For example, a space fitted out to be used as a retail showroom but which could be converted into office space, will not generally be disclosure affected, even where the possibility of the space being used as office space is highlighted in advertising.

It is important to note that once a space is converted to facilitate the performance of office activities, it should then be regarded as disclosure affected and a BEEC must be registered before it is offered for sale or lease in the future.

Non-office space converted to be used for office activities

Where space that was intended to be used for non-office purposes, such as retail, has been converted to be used as office space, it should be regarded as being as being capable of being used as an office and for office activities. It would therefore be disclosure affected.

For example, if a warehouse has been converted by a tenant to be used as office space, it will be disclosure affected until it is converted back into a warehouse.

Note: A building or area that is disclosure affected and does not have an exception or exemption must comply with the obligations of the CBD Program, regardless of whether the building or area is advertised as being for office activities or is intended by the owner, sub-lessor or agent to be used as office space in the future.



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Office space converted to be used for non-office activities

Spaces originally intended or envisioned as being used as office space may be converted for another purpose. For example, office space may be converted to be used as educational or medical space, such as consulting rooms. Where significant alterations would need to be made to again undertake office activities in the converted space, the space is not considered to be office space and is not disclosure affected.

For example, if class rooms or medical consultation rooms have been set up in what was originally office space, this space is unlikely to be disclosure affected. This is because – in most cases – a significant alteration would be required for the space to be suitable for office activities, such as alterations to the internal walls, facilities, fixtures and lighting.

However, where such alterations to an office building are removed under a ‘make good’ provision or similar arrangement, leaving the space vacant, the space is considered to be vacant office space and disclosure affected.

