



Australian Government

Department of the Environment and Energy

Commercial Building Disclosure Program

Regulator Performance Framework

**Commercial Building Disclosure Program 2015–16
Self-Assessment Report**

Prepared by the Department of the Environment and Energy

For consideration by the Commercial Building Disclosure
Forum

Pre-Certification draft for external Stakeholder Validation

cbd.gov.au

Contents

Contents	2
1 Executive Summary.....	3
2 Introduction.....	4
2.1 About the Regulator	4
2.2 The Australian Government Regulator Performance Framework.....	5
2.3 CBD Program response to the implementation of the Framework	5
3 Regulator Self-Assessment Report	6
3.1 KPI 1 - Regulators do not unnecessarily impede the efficient operation of regulated entities	6
3.2 KPI 2 - Communication with regulated entities is clear, targeted and effective	7
3.3 KPI 3 - Actions undertaken by regulators are proportionate to the regulatory risk being managed.....	8
3.4 KPI 4 - Compliance and monitoring approaches are streamlined and coordinated	8
3.5 KPI 5 – Regulators are open and transparent in their dealings with regulated entities	9
3.6 KPI 6 - Regulators actively contribute to the continuous improvement of regulatory frameworks.....	9
4 Key Achievements and Future Challenges.....	11
4.1 CBD Review and Regulatory Impact Statement	11
4.2 Expanding the CBD Program	11
4.3 CBD and NABERS Conference	12
4.4 Future challenges	12
4.5 Continuous improvement plan.....	12
5 Stakeholder validation activities.....	13

Attachments

Attachment A - Overview of industry forums participation 2015–16

Attachment B - CBD Statistics 2015–16

Attachment C - CBD Forum members

Attachment D - Glossary

1 Executive Summary

The Commercial Building Disclosure (CBD) Program is a light touch regulatory program. It requires the disclosure of energy efficiency information to the market when commercial office space 2000m² and above is offered for sale or lease. The CBD Program is aimed at improving the energy efficiency of Australia's large office buildings and ensuring prospective buyers and tenants are informed of the building's energy efficiency.

The CBD Regulator performance framework (RPF) Self-Assessment Report is a summary of the key activities the CBD Program delivered in 2015–16 to fulfil its obligations under the *Building Energy Efficiency Disclosure Act 2010* (BEED Act) and meet the requirements of the Australian Government's Regulator performance framework.

During 2015–16, the CBD Program continued to experience a high level of industry compliance. The volume of applications for Building Energy Efficiency Certificates (BEECs) remained steady at around 1100 per year, accredited assessors were available throughout Australia and processing times remained well within service standard timeframes. Since the CBD Program commenced, the average National Australian Built Environment Rating System (NABERS) rating has improved from 2.9 stars to 3.7 stars and the Nominal Lighting Power Density has reduced from 14.15 W/m² to 11.24 W/m².

In February 2016, an independent review undertaken by ACIL Allen Consulting into the effectiveness of the CBD Program was released. The review concluded that the CBD Program is an appropriate, successful and effective program that delivered significant benefits at minimal cost to industry and government. The report, available on cbd.gov.au, found the program has been effective in inducing positive behaviour change in relation to commercial building energy efficiency, and is the principal Commonwealth Government program for driving energy efficiency improvements in the office sector. The review found the program had delivered a reduction in end-use energy consumption of 10,020 TJ, abatement of 2 million tonnes of greenhouse gases and has delivered \$15 million in benefits (\$44 million including GHG reductions) between 2010 and 2014.

On 21 June 2016, regulation changes were announced that will come into effect on 1 July 2017. The Government has moved to lower the mandatory disclosure threshold of commercial office buildings to 1000m² and this change is expected to capture an additional 231 buildings per year. To offset the increased regulatory burden associated with this change, Tenancy Lighting Assessments (TLAs), which form part of a building owner's BEEC, approved after 1 September 2016, will increase from a one-year validity to a five-year validity period. In 2015–16, the TLA Rules were revised, with effect from 1 September 2016, and a number of improvements were made to make them easier to use, accurate and up-to-date with new lighting technologies.

Improvements and upgrades have also been made to the CBD Assessor Portal, through which applications are lodged, and the internal CRM Processing System. These improvements will reduce BEEC application processing times, and provide assessors with the capacity to update their own accreditation details in the system.

The CBD Program uses a risk-based targeted approach for compliance monitoring and enforcement activities. The approach is based on understanding the regulated community, working with them where appropriate, and ensuring compliance monitoring and enforcement resources are targeted to the areas of greatest risk. The result is those regulated entities complying with the BEED Act are not unnecessarily targeted or burdened.

Throughout 2015–16, the CBD Program actively consulted and worked with assessors, industry associations, NGOs, government bodies and other internal and external stakeholders to improve the delivery of the program. No official complaints were received in 2015–16 and a number of compliments were recorded.

2 Introduction

2.1 About the Regulator

The CBD Program is an initiative of the Council of Australian Governments (COAG) and is managed by the Australian Government Department of the Environment and Energy (the Department). The program was established under the BEED Act which was introduced on 1 November 2010. Under the Act, the principal authority is the Secretary of the administering Department, who, in turn delegates powers to officers of the Department. The CBD Program was fully implemented on 1 November 2011. The Program is a small regulator with 11 officers and an approximate annual budget of \$2 million.

The CBD Program is aimed at improving the energy efficiency of Australia's large office buildings. The building sector (commercial and residential) in Australia accounts for approximately 19 per cent of Australia's total energy consumption and 23 per cent of the nation's overall greenhouse gas emissions.

Commercial buildings (including office buildings, retail, warehouses, hospitals and shopping centres) account for roughly 10 per cent of overall energy consumption in Australia. Standalone commercial office buildings account for around 2.5 per cent of overall energy consumption in Australia.

The CBD Program requires most sellers and lessors of large office spaces (above 2000m²) to provide energy efficiency information to prospective buyers and tenants. The regulator collects and publishes this information to make available clear and credible energy efficiency and greenhouse emissions data to create a more informed commercial property market, and encourage more energy efficient buildings and reduced emissions. The regulator issues BEECs, maintains a public register, accredits assessors, monitors compliance, administers audits and issues exemptions. These regulatory functions and the regulator's performance in 2015–16 are set out at cbd.gov.au and in this Regulator Self-Assessment Report.

It is estimated there are approximately 3500 office buildings across Australia that could be subject to mandatory disclosure but the CBD Program generally deals with 1200 on an annual basis, usually when they come up for sale or lease. The Property Council of Australia has estimated the value of this property dealt with by the program annually at approximately \$600 billion. The regulated industry ranges from large portfolios to individual corporations owning a single building.

To meet the CBD Program requirements, building owners need to obtain a BEEC before offering office space for sale or lease. A BEEC consists of a NABERS Energy for Offices rating and information about the energy efficiency of the office lighting, contained in the TLA. The NABERS energy star rating must be disclosed on all advertising for sale or lease.

The BEEC enables potential purchasers or lessees to consider a building's energy efficiency as part of their decision-making processes and is listed on a public register at cbd.gov.au.

Disclosing energy efficiency provides the market with access to consistent and meaningful information about the building's energy performance. This makes it easier for companies to buy or rent more energy efficient office space and have cheaper electricity and gas bills. It also drives building owners to improve the energy efficiency of their buildings.

2.2 The Australian Government Regulator Performance Framework

The Government has committed to reducing the burden of regulation on individuals, business and community organisations.

The Australian Government Regulator performance framework (RPF) policy was released in 2014 as part of the Australian Government's Spring Repeal Day initiative. It applies from 1 July 2015, with the first reporting period to be for 2015–16.

The RPF encourages regulators to undertake their functions with the minimum impact necessary to achieve regulatory objectives. The RPF requires regulators to report objectively on the outcomes of their efforts to administer regulation fairly, effectively and efficiently. It is also intended to be a tool for regulators to identify opportunities for improvement and better target their resources for greater impact.

Commonwealth regulators that administer, monitor or enforce regulation are required to implement the RPF. The CBD Program is established under the BEED Act to administer, monitor and enforce the BEED Act and associated regulation. The Secretary of the responsible Department fulfils the role of regulator of the CBD Program and so is required to report under the RPF.

The Government has committed to reducing the cost of unnecessary or inefficient regulation imposed on individuals, business and community organisations by at least \$1 billion a year. In order to achieve the Government's goal of reducing the burden of regulation, a key contribution will come from improving the performance of regulators, including by supporting regulators to adopt consistent, risk-based approaches to administering regulation.

To achieve the Government's objectives, the Framework consists of:

- Outputs and activities by the regulator based on their Program
- Measures of good regulatory performance
- Assessment against six outcomes-based Key Performance Indicators (KPIs)
- Completion of an annual externally validated self-assessment (this report)

These points are explained in more detail in the RPF document at <https://cuttingredtape.gov.au/resources/rpf>

2.3 CBD Program response to the implementation of the Framework

The regulator for the CBD Program developed a number of measures and outcomes to assess performance against the six KPIs under the RPF. The Commercial Building Disclosure Forum (CBDF) provided feedback on the CBD Program's proposed performance measures on 4 June 2015. The performance measures for the CBD Program were approved by the Minister for Industry and Science, the Hon Ian Macfarlane, on 21 July 2015. The CBDF was approved as the stakeholder consultation mechanism for the RPF.

3 Regulator Self-Assessment Report

This section provides the CBD Program regulator self-assessment report against each of the CBD Program approved performance measures for the period 2015–16.

RPF Measures against KPIs	Agreed CBD Program Output	2015–16 Results
KPI 1 – Regulators do not unnecessarily impede the efficient operation of regulated entities		
Regulators demonstrate an understanding of the operating environment of the industry or organisation, or the circumstances of individuals and the current and emerging issues that affect the sector.	Participate in relevant industry forums.	Yes. Officers attended 17 industry forums in 2015–16 (see Attachment A for details).
	Meet with Commercial Building Disclosure Forum (CBDF) at least twice a year.	Yes. The CBDF met on 2 March and 4 June in 2015, and 18 February and 1 July 2016.
Regulators take actions to minimise the potential for unintended negative impacts of regulatory activities on regulated entities or affected supplier industries and supply chains.	Provide quality technical support to CBD assessors and building owners.	Yes. TLA Rules, guidance notes and FAQs are published on cbd.gov.au . Technical support is also provided through info@cbd.gov.au and the CBD Enquiry Line.
	Maintain relationship with NSW Office of Environment and Heritage (OEH), the NABERS National Administrator, to resolve issues promptly and streamline common elements.	Yes. The directors of the CBD and NABERS programs regularly meet as part of the National Steering Committee. Both teams also met on 19 August and 25 November 2015 and 27 April 2016 to resolve issues and streamline processes.
Regulators implement continuous improvement strategies to reduce the costs of compliance for those they regulate.	Deliver enhancements to the CBD IT system that underpins the CBD Program administration.	Yes. In 2015–16, application processes and IT systems were streamlined to improve the efficiency of processing and provide additional information to assessors on their accreditation status.
	Review and assess the CBD Program effectiveness at least once every 3 years.	Yes. ACIL Allen Consulting undertook a comprehensive review of the CBD Program, which was released on 4 February 2016. ACIL Allen found the CBD Program to be appropriate, successful and effective at improving the energy efficiency of Australia’s commercial office space. The review is available at cbd.gov.au .

RPF Measures against KPIs	Agreed CBD Program Output	2015–16 Results
KPI 2 – Communication with regulated entities is clear, targeted and effective		
Regulators provide guidance and information that is up to date, clear, accessible and concise through media appropriate to the target audience.	Include communication principles in the CBD Customer Service Charter and update annually.	Yes. The CBD Customer Service Charter states the regulator commits to being responsive, diligent, accountable, and consultative. The regulator also promises to strive for continuous improvement and provide easily accessible information about the program and the services delivered.
	Regularly review CBD Website content (at least twice annually).	Yes. The CBD website was reviewed four times in 2015–16.
Regulators consider the impact on regulated entities and engage with industry groups and representatives of the affected stakeholders before changing policies, practices or service standards.	Seek input from CBDF in the development and review of the CBD Customer Service Charter.	Yes. The CBD Customer Service Charter was considered by the CBDF in February 2016.
	Consult with CBDF and/or affected parties prior to introducing or changing legislation, rules or policies.	Yes. Targeted consultation on proposed changes to the CBD Program was conducted with the CBDF and industry stakeholders in April 2015 and February and March 2016. The changes were announced on 21 June 2016.
Regulators' decisions and advice are provided in a timely manner, clearly articulating expectations and the underlying reasons for decisions.	Publish service standards and timeframes for decision making in the CBD Customer Service Charter.	Yes. The CBD Customer Service Charter lists the prescribed timeframes for each application (see Attachment B) and also states the regulator will aim at certifying 90 per cent of all correctly submitted applications within 10 working days and answering enquiries within five working days.
	Report on performance against service standards outlined in the CBD Customer Service Charter, including the proportion of applications processed within prescribed timeframes.	Yes. In 2015–16, the per cent of applications processed within the prescribed timeframes was: <ul style="list-style-type: none"> • TLAs – 99 • BEECs – 100 • Exemptions – 59¹ • Assessor Accreditations – 100 The majority of enquiries were answered within 5 working days. See Attachment B for details.

¹ This includes cases where further information was required or payment had not been received

RPF Measures against KPIs	Agreed CBD Program Output	2015–16 Results
Regulators' advice is consistent and supports predictable outcomes.	Provide advice to regulated entities that is consistent with legislation, and make guidance notes publicly available.	Yes. Guidance notes are reviewed regularly to ensure the advice provided is accurate and consistent with legislation.
KPI 3 – Actions undertaken by regulators are proportionate to the regulatory risk being managed		
Regulators apply a risk-based, proportionate approach to compliance obligations, engagement and regulatory enforcement actions.	Ensure the CBD Education, Compliance and Enforcement Policy articulates an intelligence-led, risk-based approach to compliance monitoring activities.	Yes. The CBD Education, Compliance and Enforcement Policy states the regulator will use intelligence analysis and risk assessment to allocate compliance monitoring resources and activities.
Regulators' preferred approach to regulatory risk is regularly reassessed. Strategies, activities and enforcement actions are amended to reflect changing priorities that result from new and evolving regulatory threats, without diminishing regulatory certainty or impact.	Review compliance and audit strategies and policies annually in light of audit outcomes and compliance action.	Yes. Three Compliance and Audit policies were reviewed and combined into a single document in January 2016 to make the policy easier to understand. The policy is available at cbd.gov.au and will be reviewed annually in light of audit outcomes.
KPI 4 – Compliance and monitoring approaches are streamlined and coordinate		
Regulators' information requests are tailored and only made when necessary to secure regulatory objectives, and only then in a way that minimises impact.	Report on the percentage of compliance issues resolved through the following escalation points: <ul style="list-style-type: none"> • Phone calls to regulated entities • Emails sent to regulated entities • Formal letters sent to regulated entities • Infringement notices issued • Court enforced civil penalties. 	Yes. In 2015–16, 100 per cent of the compliance issues were resolved through phone calls and emails to regulated entities. No formal letters, infringement notices or court-enforced civil penalties were issued. See Attachment B for details.
Regulators' frequency of information collection is minimised and coordinated with similar processes including those of other regulators so that, as far as possible, information is only requested once.	Co-ordinate with the NABERS National Administrator to minimise the impact of audit activities.	Yes. The CBD team regularly meets with the NABERS National Administrator to reduce impacts of audit activities by discussing applications, system enhancements and potential infringements prior to Level 2 audits.

RPF Measures against KPIs	Agreed CBD Program Output	2015–16 Results
Regulators base monitoring and inspection approaches on risk and, where possible, take into account the circumstance and operational needs of the regulated entity.	Monitoring and enforcement processes allow for a range of regulatory responses based on the Compliance continuum.	Yes. In determining appropriate responses to non-compliance, the regulator uses a risk-based approach that takes into account stakeholders' behaviours and motivations. The Compliance Continuum ranks these behaviours and motivations according to compliance risk and recommends appropriate regulatory responses.
KPI 5 – Regulators are open and transparent in their dealings with regulated entities		
Regulators' risk-based frameworks are publicly available in a format which is clear, understandable and accessible.	Publish the CBD Education, Compliance and Enforcement Policy on the CBD website.	Yes. The CBD Education, Compliance and Enforcement Policy is published at cbd.gov.au .
Regulators are open and responsive to requests from regulated entities regarding the operation of the regulatory framework, and approaches implemented by regulators.	Communicate clear service expectations and avenues for providing feedback through the CBD Customer Service Charter.	Yes. The CBD Team communicates clear service expectations in the FAQ section on the website and in the CBD Customer Service Charter. Stakeholders and members of the public have several avenues to provide feedback: through the Contact Us page on the CBD website, email and the hotline.
Regulators' performance measurement results are published in a timely manner to ensure accountability to the public.	Provide a self-assessment report on CBD performance to CBDF and publish on the CBD website by 31 December 2016.	On track. The self-assessment report will be provided to the CBDF on 21 October for validation. It will be published in December, pending Ministerial approval.
KPI 6 – Regulators actively contribute to the continuous improvement of regulatory frameworks		
Regulators establish cooperative and collaborative relationships with stakeholders to promote trust and improve the efficiency and effectiveness of the regulatory framework.	Improve regulatory and administrative practices to address feedback provided by stakeholders.	Yes. Feedback on the CBD Program was provided through the CBD Review, the RIS consultation process, and feedback workshops and surveys during the CBD and NABERS Conference. From the collected feedback the CBD Program has streamlined application processes, enhanced the ICT programs and improved regulatory processes to reduce regulatory burden.

RPF Measures against KPIs	Agreed CBD Program Output	2015–16 Results
<p>Regulators engage stakeholders in the development of options to reduce compliance costs. This could include industry self-regulation, changes to the overarching regulatory framework, or other strategies to streamline monitoring and compliance approaches.</p>	<p>Provide opportunities for stakeholders to participate in the development and/or amendment of regulatory frameworks.</p>	<p>Yes. In 2015–16, stakeholders were consulted on the proposed changes to the CBD Program, including the proposal to reduce the mandatory disclosure threshold to 1000m² and extending the TLA validity to five years. Stakeholders also participated in the review of the TLA Rules version 3 and the development of graphics for the TLA rating system.</p>

4 Key Achievements and Future Challenges

4.1 CBD Review and Regulatory Impact Statement

An independent review of the CBD Program was released on 4 February 2016. The review found the program to be a successful and effective way of delivering significant benefits at a minimal cost to industry and government. The review concluded the program has delivered \$44 million in benefits over the last four years by assisting to improve the energy efficiency of Australia's large office buildings.

The review highlighted the following key findings and recommendations:

- The CBD Program is an appropriate program that complements a suite of related government policies and programs, and should continue.
- The CBD Program has been effective in inducing positive behaviour change in relation to commercial building energy efficiency in affected buildings, resulting in significant benefits.
- The CBD Program remains the principal Commonwealth Government program for driving energy efficiency improvements in the office sector.
- The focus for the CBD program should remain on commercial office buildings.
- The CBD program should be expanded to include smaller office spaces by reducing the disclosure threshold to 1000m², which will in turn generate additional economic benefits.
- Extending the certification validity period for the TLA, from one to five years will generate additional net benefits with no adverse impact on energy efficiency outcomes.

In response to the recommendations from the review to lower the disclosure threshold and extend the TLA validity period, a Regulatory Impact Statement was prepared that estimated:

- Lowering of the mandatory disclosure threshold to 1000m² would result in an increase in the average annual regulatory costs for business of \$1.2 million.
- Increasing the validity of the TLA from one to five years would result in a reduction in the average annual regulatory costs for business of \$1.8 million.

The average annual regulatory save for business from the combined changes to the CBD Program was calculated to be \$0.6 million.

Public consultation on the changes to the program was undertaken 4 February to 12 March 2016. Fifty one submissions were received with the majority supporting the changes to Program to increase the mandatory reporting threshold to 1000m² and to extend the TLA validity from one to five years.

The Office of Best Practice Regulation advised on 19 April 2016 the 2016 CBD Regulatory Impact Statement (RIS) for Improving the Energy Efficiency Performance of Small Office Buildings was deemed to be compliant. A copy of the RIS can be found at cbd.gov.au.

4.2 Expanding the CBD Program

On 21 June 2016, the Minister for Resources, Energy and Northern Australia, the Hon. Josh Frydenberg announced the CBD Program mandatory disclosure threshold will reduce to 1000m² from 1 July 2017, and the validity period for TLAs will be extended from one to five years, taking effect for all new TLAs submitted from 1 September 2016.

The following organisations issued media releases or published news articles welcoming the changes to the program, after the CBD Program announcement in June 2016:

- Australian Sustainable Built Environment Committee (ASBEC)
- Fifth Estate article
- Property Council of Australia

- Energy Efficiency Council
- Green Building Council of Australia
- NABERS
- Facility Management Association
- ESDNews.com.au article
- Printed articles in the Canberra Times and the Australian Financial Review.

4.3 CBD and NABERS Conference

The CBD and NABERS teams in the Department of Industry, Innovation and Science (DIIS) and New South Wales Office of Environment and Heritage (NSW OEH) jointly held the second CBD/NABERS Conference in Sydney on 27 April 2016. The conference was attended by 157 people including 68 NABERS Assessors and 63 CBD Assessors. The regulator delivered the following presentations:

- CBD Outlook, directions and review update
- CBD Program Performance
- The future of the TLA
- CBD IT updates
- CBD quality assurance and auditing
- CBD advertising and marketing.

The full report on the conference is available on cbd.gov.au.

4.4 Future challenges

The CBD Program has prepared a communication strategy to inform new stakeholders of their obligations under the Program. The strategy includes:

- Paid advertising on commercial real estate websites
- Preparation of editorials and newspaper articles
- Social media
- CBD newsletter updates
- Updates to the CBD website
- Direct mail out to building owners
- Continued work with industry associations to connect with stakeholders
- Utilising the existing stakeholder network to reach newly affected stakeholders.

Future challenges for communication of the CBD Program include engaging more effectively with the mid-tier office sector. Due to a range of factors, the mid-tier office sector (includes B, C and D grade assets) have lagged significantly in implementing energy retrofits and represent a large opportunity for energy productivity improvement.

4.5 Continuous Improvement Plan

The Department looks for ongoing opportunities to improve the CBD program. Mechanisms currently in place include:

- Monitoring and incorporating feedback on the program from stakeholders forums and assessor conferences
- Ongoing continuous improvement and monitoring of the IT system to improve application processes for assessors
- TLA – incorporate advice of auditors who periodically review the program
- Maintenance of a legal regulation issues register for improvements to the regulatory framework

- Management of a program issues register which will be referenced when the program is next reviewed
- Continuous monitoring of cbd.gov.au to keep the information updated and relevant
- Hosting conferences for assessors and stakeholders, and incorporating their feedback (from workshop and questionnaires) into the program where appropriate.

5 Stakeholder validation activities

External Validation – Consideration by the CBDF

A list of CBDF Members is at [Attachment C](#).

Attachment A - Overview of industry forums participation 2015–16

Date:	Event/Conference/ Forum:	Relevance to CBD Program:
19 August 2015	Meeting with NABERS – NSW Government in Sydney	Engage with the NABERS Operations and Compliance teams on future collaborations that relate to the CBD Program.
17–18 November 2015	National Energy Efficiency Conference 2015	Networked with industry stakeholders and presented on outcomes and recommendations on the CBD Review.
25 November 2015	Meeting with NABERS – NSW Government in Sydney	Engage with the NABERS Operations and Compliance teams on future collaborations that relate to the CBD Program.
26 November 2015	Low Carbon Living CRC annual conference	The Low Carbon Living Cooperative Research Centre (CRC) is a national research and innovation program that matches research and industry partners to facilitate lower emissions in the built environment. Particular relevance for CBD Program is a project by CSIRO that models the diffusion/impact of energy efficiency policies in the commercial building sector.
9 February 2016	Buildings Committee	Meeting between Commonwealth and jurisdictions to provide update on CBD and NatHERS programs.
18 February 2016	CBD Forum	Stakeholder forum on the CBD Program.
21 March 2016	ASBEC Meeting, Sydney	Participate in the Australian Sustainable Built Environment Committee.
22 March 2016	Mid-Tier Office Buildings Working Group	Participate in working group aimed at improving energy efficiency in mid-tier office buildings.
22–23 March 2016	Green Cities Conference	Engaged with a number of members of the property industry to hear about the latest developments in energy efficiency other environmental technologies emerging in the sector. Included the growth in building rating tools that take occupant well-being and productivity into account and examples of how overseas governments engage with their property sectors to promote green buildings.
24–26 April 2016	2016 Australian Summer Study on Energy Productivity	Presented on CBD Program.
27 April 2016	CBD/NABERS Assessor Conference	A Conference with presentations by CBD and NABERS teams as well as Industry representatives. The conference was designed to provide an opportunity for assessors, administrators, owners and other industry stakeholders to exchange information and ideas in a two-way conversation.
6–8 June 2016	Facility Management Association of Australia (FMA) annual conference	FMA are a key stakeholder in the CBD Program and sit on the CBD Forum. FMA invited a CBD team member to present to the conference on the planned changes to the program including the five year TLA validity and 1000m ² disclosure threshold.

14 June 2016	NABERS SAC/NSC Committee meeting	NABERS committee meeting with key stakeholders.
15–16 June 2016	National Energy Productivity Plan (NEPP) Major Implementation Projects Team Workshop	Two day workshop between the Commonwealth and jurisdictions to agree on NEPP Implementation Plans and budget for 2016–17. This includes Measure 9.1 on the expanding the CBD Program.
21 June 2016	Australian Energy Week 2016	Minister Frydenberg's announcement of CBD changes at Australian Energy Week speech.
21 June 2016	ASBEC Council Meeting	Participate in the Australian Sustainable Built Environment Committee, CBD Announcement.
24 June 2016	Meeting with Department of Environment	Meeting with Department of Environment to discuss synergies between programs.
24 June 2016	Mid-tier working group	Mid-tier working group committee meeting.

Attachment B - CBD Statistics 2015–16

The CBD team measures and collects data about how the CBD Program is performing:

Program statistics (captured at 30 June 2016)

- Active BEECs – 873
- Total Building NLA from active BEECs – 13,524,492m²
- Average NABERS star rating on active BEECs – 3.66
- Active Exemptions – 97
- Active Unsolicited Offer Exemptions – 12
- Active Assessors - 194
- Number of BEECs certified (during 2015–16) – 1,065

Communication Measures

- Number of calls received through the CBD Hotline – 1,141
- Number of emails received into the CBD Inbox – 1,271
- Number of emails sent from the CBD Inbox – 1,978
- Average number of subscribers to the CBD newsletters - 583
- Number of email alerts sent out to subscribers - 37
- Number of newsletters sent out to subscribers – 15

Average Processing Times [Prescribed timeframes]

- Assessor Accreditation applications – 3 working days [28 days]
- Exemption Applications – 15 working days [15 days]
- Unsolicited Offer Exemption Applications – 5 working days [15 days]
- TLA only applications – 4 working days [15 days]
- Single TLA BEEC applications – 3 working days [15 days]
- BEEC only applications – 2 working days [28 days]

Note: The processing days for Assessor Accreditation Applications are based on the time taken to process applications once all required information is received.

Compliance Measures

- Number of Level 2 TLA audits – 75 (7.5%, exceeds the 5% target)
- Number of Level 2 audits compliant - 49
- Number of advertisements investigated - 387
- Number of compliant advertisements - 369
- Number of potential advertisement breaches - 18
- Number of formal breach letters issued – 0
- Number of infringement notices issued – 0
- Number of court enforced penalties – 0

The CBD team responds quickly to all calls, emails, BEEC applications, exemption applications and CBD Assessor accreditation applications. Average processing times during 2015–16 were all below the target processing times outlined in the CBD Customer Service Charter.

Monthly statistics are available on request.

Attachment C - CBD Forum members

Property Council of Australia

Green Building Council of Australia

Facility Management Association of Australia

The Energy Efficiency Council

Chartered Institution of Building Services Engineering

CitySwitch

The Australian Property Institute

Property Funds Association

Piper Alderman

Attachment D – Glossary

ASBEC	Australian Sustainable Built Environment Committee
BEEC	Building Energy Efficiency Certificate
BEED Act	Building Energy Efficiency Disclosure Act
CBD	Commercial Building Disclosure
CBDF	Commercial Building Disclosure Forum
COAG	Council of Australian Governments
CRC	Cooperative Research Centre
DIIS	Department of Industry, Innovation and Science
FMA	Facility Management Association of Australia
KPI	Key Performance Indicator
NABERS	National Australian Built Environment Rating System
NEPP	National Energy Productivity Plan
NGO	Non-Government Organisation
NLA	Net Lettable Area
NSW OEH	New South Wales Office of Environment and Heritage
RIS	Regulatory Impact Statement
RPF	Regulator Performance Framework
TLA	Tenancy Lighting Assessment