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Australian Government  
Department of Industry, Science,  
Energy and Resources

# Commercial Building Disclosure Program Regulator Performance Framework

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Self-Assessment Report

Commercial Building Program Team

26 October 2020

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## Executive Summary

The Commercial Building Disclosure (CBD) Program is a legislated program that requires the disclosure of energy efficiency information to the market when commercial office space 1000 m<sup>2</sup> and above is offered for sale or lease. The CBD Program is aimed at improving the energy efficiency of Australia's large office buildings, ensuring prospective buyers and tenants are informed of the building's energy efficiency.

The program has been effective in driving positive behaviour change in relation to commercial building energy efficiency. A draft review of the CBD Program in 2019 found savings to business of over \$82.6 million in reduced energy bills and a reduction in emissions of 600,000 tonnes CO<sub>2</sub>-e. CBD is the principal Commonwealth Government program for driving energy efficiency improvements in the office building sector.

The CBD Regulator Performance Framework (RPF) Self-Assessment Report is a summary of the key activities the CBD Program delivered in 2019–20 to fulfil its obligations under the *Building Energy Efficiency Disclosure Act 2010* (BEED Act), and to meet the requirements of the Australian Government's Regulator Performance Framework.

Over the 12-month reporting period, 1,435 Building Energy Efficiency Certificates (BEECs) were processed and 48 assessors obtained accreditation, bringing the total number of trained National Australian Built Environment Rating System (NABERS) and CBD-accredited assessors for office buildings in Australia to 138. Processing times for BEECs remained well within the service standard timeframes. The average NABERS rating for office buildings captured under the program sits at 4.53 stars, and the Nominal Lighting Power Density remains low at 7.93 W/m<sup>2</sup>.

During 2019–20, the sector faced considerable challenges due to COVID-19, which presented risk of disruption to the delivery of the program where CBD Assessors had difficulties accessing buildings due to border controls and lockdown restrictions. The Program Administrator worked with the sector to provide a series of flexible options, which enabled the continuation of building assessments and applications of BEECs. As a result, the CBD Program continued to experience a high level of industry compliance through the year.

In October 2019, The Centre for International Economics (The CIE) finalised the draft report on the review of the CBD Program. Release of the final report has been delayed due to COVID-19 but the draft report found that the program has been effective in promoting energy efficiency and emissions abatement for base office buildings. The draft report is available at [CBD 2019 Review](#).

On 1 February 2020, the Program Administrator moved from the Department of the Environment and Energy to the Department of Industry, Science, Energy and Resources under Machinery of Government (MoG) changes announced by the Prime Minister on 5 December 2019. The challenges associated with transitioning the ICT platform underpinning the delivery of the program to a new department was managed effectively and efficiently with only one working-day of system downtime.

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. This aims to minimise unnecessary burden on regulated entities complying with the BEED Act.

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Throughout 2019–20, the CBD Program actively consulted and worked with assessors, industry associations, non-government organisations (NGOs), government bodies and other internal and external stakeholders to improve the delivery of the program. No official complaints were received and several stakeholder compliments were recorded.

The CBD Forum (CBDF) (see [Attachment C](#)) reviewed the 2019/20 Commercial Program Regulatory Performance Framework Self-Assessment Report and on 16 November 2020, the CBDF agreed that it provides a true and accurate assessment of the program's activities during 2019/20.

## Introduction

### About the Regulator

The CBD Program is an initiative of the former Council of Australian Governments (COAG) and is managed by the Australian Government Department of Industry, Science, Energy and Resources (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 administrator is a small regulator with 5 full-time equivalent staff in 2019-20.

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.

The CBD Program requires most sellers and lessors of large office spaces (above 1000m<sup>2</sup>) 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 2019–20 are set out at [cbd.gov.au](http://cbd.gov.au) and in this Regulator Self-Assessment Report.

It is estimated that almost 10,000 BEECs have been issued since 2010, with 1,435 buildings obtaining a BEEC in 2019–20, usually as they come up for sale or lease. The Property Council of Australia has estimated the value of property captured by the program annually at approximately \$600 billion. This 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 Tenancy Lighting Assessment (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](http://cbd.gov.au).

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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.

## 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.

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.

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>

## 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 CBDF was approved as the stakeholder consultation mechanism for the RPF in 2015. It provides feedback on the CBD Program's proposed performance measures. The performance measures for the CBD Program were approved by the then Minister for Industry and Science on 21 July 2015.

# 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 2019–20.

RPF Measures against KPIs	Agreed CBD Program Output	2019–20 Results
<h2>KPI 1 – Regulators do not unnecessarily impede the efficient operation of regulated entities</h2>		
<p>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.</p>	<p>Participate in relevant industry forums.</p>	<p>Yes. Officers attended 27 industry forums in 2019–20 (see <a href="#">Attachment A</a> for details).</p>
	<p>Meet with CBDF at least twice a year.</p>	<p>The CBDF held meetings on:</p> <ul style="list-style-type: none"> <li>• 22 October 2019 – to discuss the contents of the draft CBD Review; and,</li> <li>• 6 April 2020 – to discuss a new ruling to allow flexibility due to COVID-19.</li> </ul> <p>In addition, given the overlap of stakeholders and discussion topics, the Program has engaged with stakeholders through the NABERS Steering Committee, which held meeting on:</p> <ul style="list-style-type: none"> <li>• 2 July 2019</li> <li>• 3 September 2019</li> <li>• 4 December 2019</li> <li>• 5 May 2020</li> </ul> <p>At these meetings updates were provided on key initiatives, such as updating the program ICT systems and the work of the Administrator to actively manage risks to the Program due to COVID-19 (see page 12).</p> <p>A full list of industry forum participation is at <a href="#">Attachment A</a>.</p>
<p>Regulators take actions to minimise the potential for unintended negative impacts of regulatory activities on regulated entities or affected supplier industries and supply chains.</p>	<p>Provide quality technical support to CBD assessors and building owners.</p>	<p>Yes. TLA Rules, guidance notes and FAQs are published on <a href="http://cbd.gov.au">cbd.gov.au</a>. Technical support is also provided through <a href="mailto:info@cbd.gov.au">info@cbd.gov.au</a> and the CBD Enquiry Line. This information is regularly reviewed for continuous improvement.</p>
	<p>Maintain relationship with NSW Department of Planning, Industry and Environment (DPIE), the NABERS National Administrator, to resolve issues promptly and</p>	<p>Yes. The directors of the CBD and NABERS programs meet regularly via Skype and as part of the National Steering Committee. The teams met on 3 July 2019, 3 September 2019, 4 December 2019 and 5 May 2020 to resolve issues and streamline processes. Other face-to-face meetings were scheduled but cancelled due to COVID-19.</p>

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RPF Measures against KPIs	Agreed CBD Program Output	2019–20 Results
	streamline common elements.	
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 2019–20, application processes and IT systems were streamlined to improve the efficiency of processing and provide additional information to assessors on their accreditation status. A full update to IT systems is due for completion in June 2021.
	Review and assess the CBD Program effectiveness at least once every 3 years.	Yes. The Centre for International Economics (The CIE) undertook a comprehensive review of the CBD Program in 2019. The draft report was released in October 2019. Release of the final report has been delayed by COVID-19 but the draft report finds that the program has been effective in promoting energy efficiency and emissions abatement for base office buildings. To date the program has saved businesses over \$82.6 million in energy bills and reduced emissions by 600,000 tonnes CO <sub>2</sub> -e. The draft report is available at <a href="#">CBD 2019 Review</a> . The next review is scheduled for 2022.
<b>KPI 2 – Communication with regulated entities is clear, targeted and effective</b>		
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. A copy of the service charter is at - <a href="https://www.cbd.gov.au/sites/default/files/2020-09/cbd_service_charter.pdf">https://www.cbd.gov.au/sites/default/files/2020-09/cbd_service_charter.pdf</a>
	Regularly review CBD Website content (at least twice annually).	Yes. The information on the CBD website was reviewed twice last year. The content was audited and reviewed for currency and relevance in preparation of the launch of a new CBD website that will be reported on 2020–21 financial year.
Regulators consider the impact on regulated entities and engage with industry groups	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.



RPF Measures against KPIs	Agreed CBD Program Output	2019–20 Results
and representatives of the affected stakeholders before changing policies, practices or service standards.	Consult with CBDF and/or affected parties prior to introducing or changing legislation, rules or policies.	Yes. The CBDF was consulted a TLA rule amendment that was made on 7 April 2020. The rule allows flexibility in undertaking ratings during the COVID-19 pandemic.
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 <a href="#">Attachment B</a> ). It 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 2019–20, the percentage of applications processed within the prescribed timeframes was: <ul style="list-style-type: none"> <li>• TLAs – 99%</li> <li>• BEECs – 100%</li> <li>• Exemptions – 59%<sup>1</sup></li> <li>• Assessor Accreditations – 100%</li> </ul> The majority of enquiries were answered within 5 working days. See <a href="#">Attachment B</a> for details.
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.
<b>KPI 3 – Actions undertaken by regulators are proportionate to the regulatory risk being managed</b>		
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	Review compliance and audit strategies and policies annually in light of audit outcomes and compliance action.	Yes, all policies and procedures are updated annually following consultation with affected stakeholders and results presented from program activities.  New policies are due to be released in 2021.

<sup>1</sup> This includes cases where further information was required or payment had not been received

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RPF Measures against KPIs	Agreed CBD Program Output	2019–20 Results
changing priorities that result from new and evolving regulatory threats, without diminishing regulatory certainty or impact.		
<b>KPI 4 – Compliance and monitoring approaches are streamlined and coordinated</b>		
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"> <li>• Phone calls to regulated entities</li> <li>• Emails sent to regulated entities</li> <li>• Formal letters sent to regulated entities</li> <li>• Infringement notices issued</li> <li>• Court enforced civil penalties.</li> </ul>	Yes. In 2019–20, 100 per cent of compliance issues were resolved through phone calls and emails to regulated entities. No formal letters, infringement notices or court-enforced civil penalties were required.
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.
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.
<b>KPI 5 – Regulators are open and transparent in their dealings with regulated entities</b>		
Regulators’ risk-based frameworks are publicly available in a format	Publish the CBD Education, Compliance and	Yes. The CBD Education, Compliance and Enforcement Policy is published at <a href="https://www.cbd.gov.au/sites/default/files/20">https://www.cbd.gov.au/sites/default/files/20</a>

RPF Measures against KPIs	Agreed CBD Program Output	2019–20 Results
which is clear, understandable and accessible.	Enforcement Policy on the CBD website.	<a href="#">20-09/education compliance and enforcement policy.pdf</a>
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. The CBD Team met its timelines as set out in the CBD Customer Service Charter: <ul style="list-style-type: none"> <li>• Assessor Accreditation applications – 28 days</li> <li>• Exemption Applications –15 days</li> <li>• Unsolicited Offer Exemption Applications – 15 days</li> <li>• TLA only applications – 15 days</li> <li>• Single TLA BEEC applications –15 days</li> <li>• BEEC only applications – 28 days</li> </ul>
Regulators’ performance measurement results are published in a timely manner to ensure accountability to the public.	Provide an annual self-assessment report on CBD performance to CBDF and publish on the CBD website.	The self-assessment report was validated by the CBDF on 16 November 2020 and published by the end of 2020.
<b>KPI 6 – Regulators actively contribute to the continuous improvement of regulatory frameworks</b>		
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 Review was provided through the CBD Review reference group and industry feedback workshops at preliminary draft and draft stages of the review.  Face-to-face CBD Assessor Workshops were delivered in October 2019 in QLD, NSW, Victoria, the ACT and SA. Online workshops were delivered for WA, NT and Tas. Feedback from these workshops has resulted in revised guidance material and provided input for the development of the new CBD customer relations management IT system (CRM ITC).
Regulators engage stakeholders in the development of options	Provide opportunities for stakeholders to participate in the development and/or	Yes. During the 2019 review process stakeholders were consulted on proposed changes to the CBD Program, which included

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<b>RPF Measures against KPIs</b>	<b>Agreed CBD Program Output</b>	<b>2019–20 Results</b>
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.	amendment of regulatory frameworks.	expanding the program to other building classes.

# Key Achievements and Future Challenges

## COVID-19 Response

Under the CBD Program, CBD Program Accredited Assessors (Assessors) must assess a building in person and meet with building managers and tenants on-site. Many Assessors also travel around Australia to assess whole portfolios of buildings on behalf of building owners. Since the beginning of COVID-19, some assessors have been prevented from accessing buildings because of lockdown and social-distancing measures, and cross-border travel restrictions.

In response to this, the Department implemented actions to facilitate lighter touch arrangements to support assessments and compliance:

- The compliance section of the CBD website was updated on 5 March 2020 to inform stakeholders that the Department would take a pragmatic and understanding approach to building access issues and Assessors were encouraged to contact the hotline immediately with any concerns or challenges; and
- The NABERS Rules were amended to remove the site visit requirement when a rating was undertaken between 26 March 2020 and 30 April 2020 [and later extended to 30 September 2020]. This was done administratively by a Ruling through the NSW Department of Planning, Industry and Environment, the agency responsible for managing the NABERS scheme.
- The CBD Administrator made a temporary Tenancy Lighting Assessment (TLA) Ruling to provide various options for Assessors to meet the requirements outlined in the TLA Rules for assessing buildings. This ruling was initially valid from 7 April 2020 to 30 September 2020.

The TLA Ruling allows:

1. Where Assessors are unable to travel or attend a building due to restrictions or concerns, a site visit will not be required. Building managers will be requested to provide the necessary site information to the Assessor.
2. Where Assessors are still unable to obtain the necessary information for a TLA they will be able to tag all spaces in a building as 'non-assessable'. TLAs approved in this instance will be valid for six months, rather than the current five years.
3. Where Assessors are still unable to obtain the necessary information to generate a BEEC, the CBD Program Compliance and Operations Sections will take a pragmatic and understanding approach to support Assessors and building owners to return to compliance when COVID-19 subsides.

## CBD Review and Regulatory Impact Statement

In December 2018, the Hon Angus Taylor MP, Minister for Energy and Emissions Reduction, announced an independent review into the Commercial Building Disclosure (CBD) Program. The terms of reference included an assessment on the effectiveness of the CBD Program, as well as the case for expansion to other high-energy-using classes of buildings.

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The Centre for International Economics provided the draft report of the review in October 2019. The draft report found that to date, the program has saved businesses over \$82.6 million in energy bills and reduced emissions by 600,000 tonnes CO<sub>2</sub>-e. The report contained recommendations supported by detailed cost benefit analysis for the CBD Program to continue with mandatory disclosure of energy efficiency ratings for office buildings and recommended expanding the program.

Extensive consultation was undertaken with stakeholders as part of the review process. A number of recommendations in the report came directly from stakeholder feedback.

Release of the final report has been delayed by COVID-19. A copy of the draft report can be found at [cbd.gov.au](http://cbd.gov.au).

## Machinery of Government change

On 1 February 2020, the CBD Program's administration moved from the Department of the Environment and Energy (DoEE) to the Department of Industry, Science, Energy and Resources (DISER) under Machinery of Government (MoG) changes announced by the Prime Minister on 5 December 2019.

The MoG required the CBD Program ICT processing system (that underpins the delivery of the CBD Program) to be transferred to the new department's IT platform. Project 'lift and shift' to transfer the CBD Program's ICT infrastructure was completed in early July 2020. Testing and verification of the system transfer was completed over a three-day period, with stakeholder access being down for only one business day.

## CBD and NABERS Conference

The annual CBD and NABERS Conference (jointly hosted by the Department of Industry, Science, Energy and Resources (DISER) and New South Wales Department of Planning, Industry and Environment) was to be held in Sydney on 22 May 2020. With the introduction of COVID-19 travel restrictions and limits on public gatherings, the decision was made to postpone the event to July 2020 and move it to an online forum. The conference will be reported on in the 2020–21 Regulator Performance Framework Report.

## Future challenges

The CBD Program administrators were quick to adapt to the challenges arising from COVID-19 and able to support affected stakeholders. Over the next year, there is an increased expectation of a slowdown in the economy and the CBD Program administrator will continue to monitor how this will impact the Australian commercial office property market. The CBD Program observed demand for BEECs in March to June 2020 remained fairly consistent with numbers in the same period last year (595 BEECs for 1 January 2020 to 30 June 2020 compared to 625 BEECs for 1 January 2020 to 30 June 2019).

It is expected demand for training will remain stable as more buildings are captured under the BEED Act. The training of CBD Program Assessors will continue to be delivered online for the foreseeable future.

## Continuous Improvement Plan

The Department looks for ongoing opportunities to improve the CBD program. Mechanisms currently in place and projects active during 2019–20 include:

- The development of a new ICT CRM processing system (to be delivered in 2020–21)
- The development of a new website that will include updated guidance material and case studies
- The extension of the COVID Ruling to support assessors
- Monitoring and incorporating feedback on the program from stakeholder forums and assessor conferences
- Ongoing continuous improvement and monitoring of the IT system to improve application processes for assessors
- Incorporating any advice of auditors who periodically review the program
- Maintaining a legal regulation issues register to support improvements to the regulatory framework
- Managing a program issues register, which will be referenced when the program is next reviewed
- Continuous monitoring of [cbd.gov.au](http://cbd.gov.au) to keep information current and relevant
- Hosting conferences for assessors and stakeholders, and incorporating their feedback (from workshop and questionnaires) into the program where appropriate.

## Stakeholder validation activities

### External Validation – Consideration by the CBDF

The CBDF has reviewed the 2019/20 Commercial Program Regulatory Performance Framework Self-Assessment Report and on 16 November 2020, the CBDF agreed that it provides a true and accurate assessment of the program's activities during 2019/20.

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

## Attachment A – Overview of industry forums participation 2019–20

Date	Event/Conference/ Forum	Relevance to CBD Program
2 July 2019	NABERS Steering Committee	NABERS committee meeting with key stakeholders.
3 July 2019	Meeting with NABERS Compliance team	Meeting to align compliance policies and processes to minimise burden on stakeholders.
3 September 2019	NABERS Steering Committee	NABERS committee meeting with key stakeholders.
17 July 2019	Compliance meeting with States in Melbourne, attended with NATHERS team	Theme: How compliance activities in the CBD Program could assist the NATHERS program and affected stakeholders.
24 July 2019	Meet with CBRE Agency	Stakeholder engagement to discuss aspects of CBD Program and how the team can work with these stakeholders to assist their clients.
15 August 2019	CBD Q&A Session Canberra	Stakeholder engagement with assessors
16 August 2019	CBD Q&A Session Brisbane	Stakeholder engagement with assessors
17 August 2019	CBD Q&A Session Sydney	Stakeholder engagement with assessors
24 August 2019	CBD Q&A Session Melbourne	Stakeholder engagement with assessors plus meeting with agencies
25 August 2019	CBD Q&A Session Adelaide	Stakeholder engagement with assessors plus meeting and presentation with CBRE
15 October 2019	CBD assessor workshop – Canberra	Refreshed and updated ACT CBD assessors on rules and compliance requirements and gathered feedback on issues.
16 October 2019	CBD assessor workshop – Brisbane	Refreshed and updated QLD CBD assessors on rules and compliance requirements and gathered feedback on issues.
17 October 2019	CBD assessor workshop – Sydney	Refreshed and updated NSW CBD assessors on rules and compliance requirements and gathered feedback on issues.
17 October 2019	CBD assessor training – Sydney	Attended CBD assessor training to support trainer and inform about potential changes to the CBD portal.
22 October 2019	CBD Review Stakeholder Consultation	Stakeholder consultation on the draft CBD Program Review report
23 October 2019	Energy Efficiency Council Conference	This conference is attended by mostly CBD and NABERS assessors, energy efficiency consultants and other program stakeholders.



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Date	Event/Conference/ Forum	Relevance to CBD Program
24 October 2019	AIRAH Building Physics Forum	AIRAHs membership includes several CBD assessors and energy efficiency consultants with a stake in the progress of the CBD Program.
24 October 2019	CBD assessor workshop – Melbourne	Refreshed and updated Victorian CBD assessors on and compliance requirements and gathered feedback on issues.
25 October 2019	CBD assessor workshop – Adelaide	Refreshed and updated SA CBD assessors on rules and compliance requirements and gathered feedback on issues.
28–30 October 2019	CBD Review Stakeholder Consultation sessions	Industry feedback on the draft CBD Review, which examined the business case for expanding the program into the hotel, data centre, shopping centre and office tenancy sectors.
12 November 2019	CBD Session North Sydney	Meeting with agencies and presentation about CBD Program
4 December 2019	NABERS Steering Committee	NABERS committee meeting with key stakeholders.
22 January 2020	Meeting with NABERS	Discuss CBD Review workshop
24–5 March 2020	Green Building Council Australia Transform Conference	Many CBD and NABERS assessors, and energy efficiency consultants with a stake in the CBD Program attend this conference.
6 April 2020	CBDF meeting	Discussed draft COVID-19 Ruling.
5 May 2020	NABERS Steering Committee	NABERS committee meeting with key stakeholders.
2 June 2020	Facility Management Association of Australia (FMA) annual conference	FMA are a key stakeholder in the CBD Program and sit on the CBDF. FMA invited a CBD team member to present to the conference
Ongoing	AIRAH Special Technical Group – Commissioning	DISER Commercial Buildings Policy Officer sits on Special Technical Group as Government representative

## Attachment B – CBD Statistics 2019–20

The CBD team measure and collect data on how the CBD Program is performing:

### Program statistics (captured at 30 June 2020)

- Active BEECs – 1,379
- Total Building NLA from active BEECs – 17,675,322.8 m<sup>2</sup>
- Simple average NABERS star rating on active BEECs – 3.95
- Area weighted average star rating on active BEECs – 4.53
- Active Exemptions – 116
- Active Unsolicited Offer Exemptions – 10
- Active Assessors – 136
- Number of BEECs certified (during 2019–20) – 1,435

### Communication Measures

- Number of calls received through the CBD Hotline – 947
- Number of emails received into the CBD Inbox – 3,995
- Number of emails sent from the CBD Inbox – 2,023
- Average number of subscribers to the CBD newsletters – 514
- Number of email alerts sent out to subscribers – 35

### Average Processing Times [Prescribed timeframes]

- Assessor Accreditation applications – 17.45 working days [28 days]
- Exemption Applications – 1.7 working days [15 days]
- Unsolicited Offer Exemption Applications – 5.74 working days [15 days]
- TLA only applications – 2.2 working days [15 days]
- Single TLA BEEC applications – 2 working days [15 days]
- BEEC only applications – 1.3 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 – 58 (17.7% of TLAs submitted, exceeds the 5% target)
- Number of Level 2 audits compliant – 37
- Number of online advertisements investigated – 2500
- Number of potential online advertisement breaches – 161
- Number of site inspections investigated – 380
- Number of site Inspections with potential breaches – 194
- 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 calls, emails, BEEC applications, exemption applications and CBD Assessor accreditation applications. Average processing times during 2019–20 well exceeded the target processing times outlined in the CBD Customer Service Charter.

## Attachment C – CBD Forum members

Australian Institute of Refrigeration, Air Conditioning and Heating (AIRAH)

Australian Property Institute (API)

Australian Sustainable Built Environment Committee (ASBEC)

Chartered Institute of Building Services Engineers (CIBSE)

City of Melbourne

City of Sydney: CitySwitch

Energy Efficiency Council (EEC)

Facility Management Association of Australia (FMA)

Green Building Council of Australia (GBCA)

Lexia Wilson Lawyers

National Australian Built Environment Rating System (NABERS) – DPIE, NSW

Piper Alderman

Property Council of Australia (PCA)

Property Funds Association

## From CBD Review

Accommodation Association of Australia (AAoA)

AFCOM (Data Centre Sector representative)

Council of Capital City Lord Mayors

New South Wales Government

Queensland Government

Tourism Accommodation Australia (TAA)

Victoria Government

## Attachment D – Glossary

Acronym	Definition
ASBEC	Australian Sustainable Built Environment Committee
AIRAH	Australian Institute of Refrigeration, Air Conditioning and Heating
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
DISER	Department of Industry, Science, Energy and Resources
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 DPIE	New South Wales Department of Planning, Industry and Environment
RIS	Regulatory Impact Statement
RPF	Regulator Performance Framework
TLA	Tenancy Lighting Assessment