

Plain English Explainer

# NABERS Commitment Agreement

February 2023



NABERS is administered by the New South Wales Government.

Cover photo: International Towers owned and managed by Lendlease.

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# Summary of your contractual rights and obligations

Note: Points in **blue** in the table below highlight information you need to send to NABERS throughout your Commitment Agreement.

Stage of Commitment Agreement	Obligations	Rights
Before signing	<ul style="list-style-type: none"> <li>• Read the contract and understand your obligations at each stage</li> <li>• Send this summary to anyone working on the project to advise them of their role in fulfilling these obligations</li> </ul>	
After signing (in 'Target Rating' stage)	<p>Model and estimate your rating:</p> <ul style="list-style-type: none"> <li>• As soon as possible and within 8 months of signing your contract, contract a professional to act as the 'Estimator' for the project. This person will create an energy model of the project in line with the most recent Handbook for Estimating NABERS Ratings</li> <li>• <b>Email NABERS outlining the date you contracted your Estimator, along with their name, company and email address</b></li> <li>• <b>Once the Estimator has created their Estimate Report in line with the Handbook for Estimating NABERS Ratings, email this report to NABERS</b></li> </ul>	<ul style="list-style-type: none"> <li>• Advertise your Target Rating using text only, specifying that it is a Target Rating</li> <li>• Have your project listed on the NABERS Commitment Agreement register</li> </ul>
	<p>Get your model and Estimate reviewed <b>before a Construction Certificate</b> (or equivalent) is granted:</p> <ul style="list-style-type: none"> <li>• Contract an Independent Design Reviewer, who must be from <a href="#">our approved NABERS Panel</a>, to review the Estimate Report</li> <li>• <b>Email NABERS outlining the date you contracted your Reviewer, along with their name, company and email address</b></li> <li>• Work with the Independent Design Reviewer to confirm your target is appropriate and address any issues with the energy model</li> <li>• <b>Email the Independent Design Review Report to NABERS for sign-off</b></li> </ul>	

<p>After your Independent Design Review has been approved by NABERS (in 'Design Reviewed Target Rating' stage)</p>	<ul style="list-style-type: none"> <li>• <b>Email NABERS to advise the date your Construction Certificate (or equivalent) was granted</b></li> <li>• <b>Email NABERS to advise the date your Certificate of Occupancy (or equivalent) was granted</b></li> <li>• <b>Email NABERS to advise the date you start collecting energy and occupancy data ('data collection start date') – see below to see when this should be for your project</b></li> </ul>	<ul style="list-style-type: none"> <li>• Receive an initial 3 year licencing period to advertise your Target Rating using NABERS branding and a certificate</li> <li>• Apply for a further 2 year extension to the licencing period if required</li> </ul>
<p>After your first performance rating</p>	<ul style="list-style-type: none"> <li>• <b>Email NABERS with your first performance rating certificate and rating number</b></li> <li>• If required, submit Schedule 5 of the contract to request a second performance rating to achieve your Target Rating</li> </ul>	<ul style="list-style-type: none"> <li>• Advertise your NABERS performance rating</li> </ul>

**Data collection start dates by project type:**

<b>Office Energy</b>	<p>The earlier of:</p> <ul style="list-style-type: none"> <li>• The day minimum criteria to rate office for the relevant Rating Scope are met according to the Rules for offices; or</li> <li>• The date that is 2 years after the certificate of occupancy is issued for the Project.</li> </ul>
<b>Hotel Energy</b>	<ul style="list-style-type: none"> <li>• 15 months after the hotel opens or is re-opened to the public.</li> </ul>
<b>Shopping centre Energy</b>	<ul style="list-style-type: none"> <li>• 15 months after the shopping centre is opened or re-opened to the general public.</li> </ul>
<b>Data centre Energy</b>	<ul style="list-style-type: none"> <li>• The day minimum criteria to rate data centre for the relevant Rating Scope are met according to the Rules for data centre.</li> <li>• For IT equipment Rating Scope only: performance rating to be achieved within six months of commissioning date as per the Rules.</li> </ul>
<b>Apartment building Energy</b>	<p>The earlier of:</p> <ul style="list-style-type: none"> <li>• The day minimum criteria to rate apartment building for the relevant Rating Scope are met according to the Rules for apartment buildings; or</li> <li>• The date that is 2 years after the certificate of occupancy is issued for the Project.</li> </ul>
<b>Residential aged care and retirement living Energy</b>	<p>The earlier of:</p> <ul style="list-style-type: none"> <li>• The day minimum criteria to rate residential aged care or retirement living for the relevant Rating Scope are met according to the Rules for residential aged care and retirement living; or</li> <li>• 75% occupancy has achieved (For residential aged care, this means that 75% of the rated premise’s aged care places capacity is occupied. For retirement living, this means that 75% of dwellings are occupied).</li> </ul>
<b>Warehouses and cold stores Energy</b>	<p>The earlier of:</p> <ul style="list-style-type: none"> <li>• The day minimum criteria to rate warehouses and cold stores for the relevant Rating Scope are met according to the Rules for warehouses and cold stores; or</li> <li>• The date that is 12 months after the certificate of occupancy is issued for the Project.</li> </ul>



# Contact us

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