

THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT DIRECTORATE ANSWERS QUESTIONS ABOUT THE AUDITING OF THE ENERGY EFFICIENCY RATING SCHEME

In the 2011-2012 budget there was \$351,000 set aside for the Improved Regulation of Building Efficiency (as part of 1.4 mill over 4 years). *Background Briefing* asked the Environment and Sustainable Development Directorate the following questions about the auditing of the assessments done by Environment Efficiency Ratings assessors on residential homes in the ACT.

Have those audits of the assessment begun yet?

Under this program a limited number of audits have been conducted to test the operation of the scheme and address any problems that might arise. The past 12 months were always intended to enable the setting up of the scheme including the acquisition of equipment, and the running of industry information and education programs. Notwithstanding, additional audits have been routinely undertaken on energy ratings compliance for both existing properties (for sale or lease disclosure) and new properties used for compliance with building regulations. These audits have been underway since before the 2011-12 budget funding.

If so how many have been completed?

In 2010-11 there were audits on 211 building approval EERs and 46 on sale of properties EER's. From the commencement of additional funding, the Directorate will target of 5% of all ratings for the 2011-12 financial year. The Directorate will also be auditing for compliance of other building work that has not used an energy rating to demonstrate compliance, such as for smaller renovations.

Of the completed audits, how many of the original assessments have been found to be in error.

Over the last 12 months the audits undertaken by ESDD showed many assessments contained errors of varying degrees, noting that not all errors or discrepancies in an assessment will affect the overall rating. For example, a small discrepancy in some dimensions may make no difference in the actual rating. Some errors also led to an underestimation of the rating.

What happens when the assessment is found to be incorrect?

It depends on where the liability falls and the severity of the breach. During the last 12 months the emphasis has been on identifying problems and working with industry to improve the performance of assessors. When all assessors are fully transitioned into the licensing scheme, penalties available will include issuing demerit points, requiring retraining, and suspending or cancelling a licence. It should be noted that licensing of the new building assessors will not be starting until May, so time will be required to determine their effectiveness in the field and the nature of the issues arising that would merit some form of regulatory action on the Directorate's part.

If a new home is found to fall short of the six star rating who is responsible for bringing the house up to the higher standard?

Again, it depends on where the liability falls and whether the building is still compliant with the building code. (It is not mandatory to use an energy rating to show compliance with building standards: there are a number of ways people can demonstrate compliance). Variables could include an error in the original assessment, that the builder may not have built in accordance with the approved plans, the plans may have been altered during construction, and that occupants may have made alterations to the building post-occupancy. If the building is not compliant ESDD would determine the extent of work needed to bring the building up to compliance and may issue a rectification order or refuse to issue a certificate of occupancy.