



Guide to Environmental Performance Clauses

Commercial Property Leases
Australia



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Foreword

This is the first time a guide to Environmental Performance Clauses in Australian commercial property leases has been presented to the market. RICS is keen to lead the way in developing guidance on Environmental Performance for buildings in the property industry, and is also aware that this is an area that has developed rapidly over the last few years, and will continue to do so. This guide is not comprehensive, but it is an initiation of a much needed process. RICS intend to develop it further and welcomes industry feedback to enable an updated edition in the near future.

Please send any comments and suggestions to info@rics.org.au

John Goddard FRICS
Chairman, RICS Oceania Sustainable Steering Group

RICS gratefully acknowledges the work of the RICS Oceania Green Lease working party in the drafting of this guide:

John Goddard FRICS, J Goddard & Co
Judith Knott MRICS, JCK Consulting
Melinda Graham, Thomson Playford Cutlers
Tony D'Agostino, Herbert Geer
Simon Harrison, Herbert Geer

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Disclaimer

This document is a guide only. It is not intended to be an instruction manual, nor a detailed step by step process which must be followed, but rather a guide to the principles of Environmental Performance in respect of the management and occupation of buildings. This guide does not provide legal advice and is general in nature. You are advised to take legal advice from a professionally qualified legal advisor.



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1. Purpose

RICS recognises the impact of buildings and their use on the environment and on their occupants.

The built environment is one of the most critical areas in which we can reduce man's impact on our environment. RICS, being the world's largest property and construction organisation, has the opportunity and obligation of using its reach and influence to bring about some of the changes that are needed.



The agreement of a lease between a landlord and tenant provides both parties with the opportunity to set standards and achieve their environmental goals and aspirations; from the landlord's point of view in ensuring that the tenant uses the building the way it has been set up; and from the tenant's point of view ensuring that the building is run to maintain good standards of resource efficiency and indoor health, and from the environment's point of view by encouraging the parties to work together to reduce their impact.

The expression 'Green Lease' has been used to cover a range of topics from prescriptive energy standards to guidance in achieving better standards of environmental performance when scoping and managing a fit out. In preparing this document we have focused on the clauses in a lease that affect the broad environmental performance of the leased premises as part of the whole building in which it operates. Hence we refer to these as Environmental Performance Clauses.

This guide seeks to address some of the asymmetry of the different drivers the landlord and tenant have by providing guidance on some of the tools and measures available. It also seeks to provide some education in the scope of environmental measures that can be addressed in commercial buildings.

Due to the environmental performance of buildings constantly changing and evolving, this guide is not to be perceived as a complete guide, nor is it designed to be used in a prescriptive manner. All buildings are different, all landlords and tenants have different needs. In each case the parties will need to assess their needs, likely future requirements and the physical restraints of the building in which they will operate to arrive at an optimal outcome. Not all clauses will be appropriate in all cases, other measures may be required for some buildings.

Environmental standards will evolve. Landlords and tenants should understand that they must take responsibility for their environmental performance and continue to raise their standards.

This document has been prepared in parallel with the RICS Guide to Greening Make Good. The RICS Guide to Greening Make Good has been prepared to address and reduce the waste that so often occurs at the end of a lease when the tenant's fit out is demolished and dumped, together with the implications of its embodied energy and any chance of its potential reuse. The Guide to Greening Make Good not only contains advice on how the waste may be reduced, but also advice on fit out reuse, when it is to be removed and how to minimise the impact of the process.

2. Preamble

Landlord's are increasingly making "green buildings" available to the market.

A landlord's commitment to good environmental performance of a building provides a platform from which a tenant can also achieve a good environmental performance of its fit out and in turn positively impact its wider business operations.



Similarly, a lack of commitment by a tenant to achieving a good environmental performance from its fit out and operations, can negatively impact a landlord's ability to achieve a good environmental performance of a building and importantly other occupiers, to whom it may or may not have made commitments.

Where the interests of the landlord and the tenant are aligned to achieve a good environmental performance for a building, this mutual interest and shared goal are best served by negotiations around the lease, and inserting appropriate provisions in the lease itself, to provide a structure and framework to manage the parties' interests and obligations.

The unique requirements of each tenant and the unique characteristics of each building mean that the industry is not well served by a prescriptive approach to the drafting of the relevant clauses, either in a heads of agreement or the lease itself. Preferably, the landlord and the tenant should be seen to openly disclose their offering (in the case of the landlord) and the needs or desires (in the case of the tenant), and to acknowledge that the ability of each party to achieve and maintain its goal is dependent to some extent upon the actions of the other.

The areas in which buildings need to control or reduce their environmental impact generally include the following:

- Energy
- Water
- Waste
 - Reduction
 - Separation
- Indoor Environment Quality
 - Air Quality and control
 - Light - Daylight and Artificial
 - Pollutant control
- Use of materials
 - To avoid introducing pollutants into the building
 - To reduce the environmental impact of the materials used in the building
- Management
 - In the maintenance of the building
 - In the cleaning of the building
 - In the choice of consumables it uses

2.

In support of this idea, the Green Building Council of Australia (GBCA) in its Green Star Office Interiors Tool, encourages the landlord to manage the building to good environmental standards and awards [3 unweighted] credit points towards the tenant's rating if there is a base building commitment to good environmental management. There are then a further [3 unweighted] credit points available towards the tenant's rating if they also make a commitment to good building performance. (See the GBCA's Office Interiors Tool for more explanation).

The first step should be to include obligations on the tenant to comply with a specific set of rules to enhance the environmental performance of the building. This could be in the lease or in the building rules that form part of the lease, or are attached to it. If this complies with the GBCA Interiors tool, then the tenant will be awarded credit points towards its interiors rating.

For an existing building, which is looking to improve its environmental performance, there may initially be different provisions/building rules for tenants who are committed to achieving good environmental performance, compared with tenants who signed earlier leases. As other existing tenants go "Green" and new ones come to the building, the new Environmental Performance Clauses would be used.

Landlords could invite prospective (or existing) tenants to subscribe to these green provisions/building rules and include them in their leases.

Having lease terms or building rules that meet the Green Star Office Interiors Tool requirements may enhance the marketability of a building, as they could assist prospective tenants to achieve a Green Star rating for their fit out, as well as providing tenants with a further step along the road to their own good corporate governance and sustainability.

The Green Star standard provides a straightforward process. Ratings do not have to be obtained to achieve the benefits, but the achievement of an environmental rating is a demonstration of an organisations commitment to good environmental standards. Setting up a system in a building that assists tenants to achieve Green ratings is a clear sign of the building's commitment to good environmental standards and a bonus to the tenant that wants to have a Green rated tenancy.



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Not all sections of this Guide need to be used in every case, the information can be used for general compliance or to highlight where specific performance is required. This Guide contains the following sections:

- The Proposal for Lease Documentation / House Rules
 - This section describes a suggested process for managing and reporting on the building and tenants performance that can also achieve credits towards a tenant's green rating.
- Managing and Monitoring the Building
 - This section suggests a structure for running regular meetings, reporting building and tenant performance and working together for good environmental performance.
- Standards for the Building - Benchmark Targets
 - This section contains an example of building environmental benchmarks that can be incorporated into agreements.
- Environmental Performance Criteria **(EPC)**
- EPCs are used to detail specific standards of environmental performance.
- Examples of Environmental Initiatives.
- Environmental Initiatives are specific obligations or works that will be carried out.
- Energy Performance Adverse Impact Guidelines.

The Energy Performance Adverse Impact Guidelines section is included to assist where buildings are set up to achieve certain environmental standards and as a result, tenants need or would benefit from guidance as to the actions that they might take that could have an adverse impact on the environmental performance of the building.

3 ■ The Proposal for Lease Documentation / House Rules

How the building is to be managed

The following is an example of how we believe the Lease documents could be set up to achieve good environmental standards. The circumstances will differ for all buildings, but the principles are to have, and be able to demonstrate, good environmental management practices agreed between the landlord and tenant.

The Lease, or Building Rules (etc) that form part of the lease documentation, should include a section called “Environmental Management”.

Within the section there should be a sub-section setting out the landlord’s commitment to the environmental management of the building called “Building Environmental Management”.

This section would include a sub-section for tenants “Commitment to Building Performance” which would set out the tenant’s obligations in relation to the environmental performance of the building.

Note: By setting up the building’s standards to meet those required by an environmental rating system, credit points could be available by complying to the building’s standards.

For example, the Green Building Council of Australia’s Office Interiors rating tool sets standards for:

- Building Environmental Management for a base building; and
- Commitment to Building Performance for occupiers.

If their standards are met, credit points may be available towards the environmental rating standard for the tenancy.



Under Green Star Office Interiors, the obligations on both parties should reflect the Credit Criteria, this is set out in Eco-3 (Landlord's Commitment) and Eco-4 (Requirements of the Tenant). The landlord should show they had entered into binding contracts with third party service providers for these services, the tenant would be bound by the Lease and associated documents.

The following is extracted from the Green Building Council of Australia Green Star Office Interiors v1.1 (please see Green Star – Office Interiors Technical Manual and other GBCA information for full details).

For the tenant to achieve maximum credit points from Eco-3, the landlord would be required to undertake:

- energy monitoring (minimum quarterly) and energy consumption reduction targets;
- waste reduction/recycling monitoring (minimum quarterly) and landfill disposal reduction targets;
- water monitoring (minimum quarterly) and water consumption reduction targets;
- regular maintenance of HVAC&R systems in accordance with AIRAH DA19 HVAC&R Maintenance Guideline;
- use of cleaning products that have a low environmental impact;
- the future procurement of consumables (i.e. paints, light fittings, ceiling tiles, flooring, etc) that have a low environmental impact.

For the tenant to achieve maximum credit points from Eco-4, the tenant would be required to undertake:

- energy monitoring (minimum quarterly) and energy consumption reduction targets;
- waste reduction/recycling monitoring (minimum quarterly) and landfill disposal reduction targets;
- water monitoring (minimum quarterly) and water consumption reduction targets;
- use of cleaning products that have a low environmental impact;
- the future procurement of consumables (i.e. paints, light fittings, ceiling tiles, flooring, etc) that have a low environmental impact.

If the tenant arranged the cleaning of their own premises they would need to provide a copy of a written agreement with the cleaners that they will use products with low environmental impact.

4 ■ Managing and Monitoring the Building

Landlords, property managers and tenants are increasingly aware that by working together their joint efforts can produce greater environmental impact reduction than by working individually.

In this section we provide suggestions on how landlords and their tenants can work together using their greater combined leverage.



However, achievement of these shared goals usually requires greater transparency on both sides so that the achievements can be used as good examples of what works, and the less successful initiatives can be reviewed and improved upon.

In most instances it will be the landlords or their agents who set up the systems, but it will be the tenants who use them and will be most affected by them.

There should be agreement in the Lease documentation for regular meetings of an Environmental Management Committee, the agenda and intervals for the meetings should be agreed. The tenant and the landlord should commit to forming this committee and providing representatives to it.

These meetings should be held at regular intervals (say, quarterly) and the parties should agree to commit to an agenda which covers discussion on:

- the environmental performance of the building in accordance with Environmental Performance Criteria and benchmark targets;
- assistance and guidance to improve the environmental performance of client's operations within the building;
- ways the landlord and tenant can optimise the building's and their combined environmental performance through collaboration;
- initiate improvement in environmental performance as standards change;
- review upgrades and improvements planned, faults, occupational health and safety and other requirements.

Environmental Performance Criteria or measures can include (but may not be limited to):

- energy efficiency;
- water efficiency;
- waste efficiency;
- indoor Environmental Quality;
- transport;
- emissions;
- management systems;
- materials;
- building efficiency;
- temperature and comfort conditions.

5 ■ Standards for the Building Benchmark Targets

This section may be completed where specific targets are required for the performance of the building. It is suggested that targets are only included where there is a specific requirement, in which case there should be reciprocal obligations on each party thereby ensuring that there is a real need for specific performance in that area.

Use the design specification where the building is either not complete or being upgraded to new standards. RICS suggest that this should be a Green Star standard or similar aspirational rating. The Green Star environmental rating system for buildings was developed by the Green Building Council of Australia. The Green Star suite of rating tools includes tools for rating base buildings and for rating office interiors.

www.gbca.org.au

The standard to which the building is to be maintained should be entered in the second column on page 13. We suggest that this should be a NABERS standard or similar performance rating. *(NABERS is a voluntary national program for existing buildings that is designed to enable building owners, managers and tenants to benchmark the environmental impacts of operational performance and get market recognition for their performance. It currently covers energy, water, waste and IEQ (Indoor Environment Quality)), it is administered by the Department of Environment and Climate Change NSW.*

www.nabers.com.au



Other required environmental performance criteria;

Example as follows, the points or ratings should be included to suit each particular circumstance:

Category	Design		Ongoing
Energy	Green Star Office Design and As-Built tool: Ene	19 points	NABERS Energy 4.5 star
Water	Green Star Office Design and As-Built tool: Wat	9 points	NABERS Water 2.5 star
IEQ	Green Star Office Design and As-Built tool: IEQ	16 points	NABERS Indoor Environment Quality
Waste Management			NABERS Waste 3.5 star
Make Good	Refer RICS Greening Make Good Guide (2009)		
Management Systems	Green Star Man	5 points	
Building Green Rating	5 Star Green Star		

The benchmarks set the overall standards.

Ratings however are made up of performance across a range of criteria, for example the Green Star system contains the following categories; Emissions, Management, Indoor Environment Quality, Energy, Water, Transport, Materials, Land Use & Ecology and Innovation.

At the time of writing there is no environmental rating system for existing buildings in Australia.

For technical building performance standards you may also wish to refer to the Property Council of Australia's - A Guide to Office Building Quality (2006).

6 ■ Environmental Performance Criteria

This concept is for preparation and inclusion of a checklist and examples of initiatives that could be agreed for the ongoing environmental performance of the building.

In all cases environmental performance clauses need to be drafted to meet the particular requirements and circumstances set by the building, the owner and the lessee.

Tenants may have specific performance requirements that are taken from a range of environmental rating tools. This section is not designed to replace the tenant's check list for the technical performance of a building but should be read in conjunction with a technical guide, such as the Property Council of Australia's - A Guide to Office Building Quality (2006). These can be used to assess the performance of a building under review and also to set standards required from a building's performance.

Tenants should familiarise themselves with the way the rating system works and how credit points are achieved. They should pay particular attention to the categories that concern them to ensure that the building performs, or will perform, appropriately for their requirements in those particular categories. Similarly, landlords may require tenants to achieve certain standards when carrying out their fit out or alteration work, so that the incoming tenant will not reduce the performance of the building or affect the amenity for other tenants.

Minimum standards or hurdles may be set in certain areas. Note, these should not necessarily be restricted to the categories within the various rating systems, but should be chosen to suit the specific performance requirements or standards of each party.

The following examples are intended to be considered by the parties to set the standards for the way the building is managed to achieve the benefits that a building with good environmental and sustainable standards should provide and the topics on which the parties would report on their performance to each other. They should be seen as being additional to the initiatives and measures contained in the rating systems, and used to address the specific requirements of a particular user. It would be unlikely that buildings would achieve high performance in all areas.



Environment Performance Categories	Elements to Consider
Management	Requirement for base building documentation to meet Green Star Interiors v1.1 Eco-3 standards. ^{NOTE} Quarterly building owner / tenant environmental management meetings to be held. Management meeting agenda to be set as per RICS Guide to Environmental Performance.
Energy	Requirement for landlord to (achieve and) maintain a certain NABERS Energy rating for the base building. Requirement for tenant to (achieve and) maintain a certain NABERS Energy rating for their tenancy. Requirement for landlord to install energy efficient lighting. Requirement for landlords ability to provide zoned lighting.
Water	Requirement for landlord to (achieve and) maintain Water rating under NABERS, agreed between landlord and tenant. Landlords base building facilities and tenant fit out to have set levels of water usage e.g. flow regulators on taps.
Transport	Landlord to provide facilities to meet Green Star Office Interiors Tra-3 (Cyclist facilities) to achieve 1 or 2 points. ^{NOTE}

6.

Environment Performance Categories	Elements to Consider
Materials	<p>All base building works to be carried out to achieve <i>(insert number of points here)</i> points for IEQ and <i>(insert number of points here)</i> points for Materials category of Green Star Design and As-Built v3. ^{NOTE}</p> <p>To be in general accordance with Green Star Office Design and As-Built v3 2008 IEQ-13 ie. all new carpets, paints, finishes, adhesives, sealants and other floor coverings shall be of low VOC type in accordance with GBCA limits. ^{NOTE}</p> <p>Reuse of existing internal structures e.g. maintain set percentage of existing walls, floors and roofs.</p> <p>Use of regionally sourced materials for set percentage of refit value.</p>
Emissions	<p>All base building works to be carried out to achieve <i>(insert number of points here)</i> points for Emissions category of Green Star Design and As-Built v3. ^{NOTE}</p>
Waste	<p>Waste streams covered;</p> <ul style="list-style-type: none"> - solid waste sent to landfill - total paper & cardboard waste collected for recycling - total other recyclables (e.g. commingled containers) <p>Ability to separate waste.</p> <p>Tenant to promote agreed waste management outcomes e.g. by separated / commingled waste streams.</p> <p>Ability to weigh waste by category (See NABERS Waste)</p> <p>Fit out to minimise construction waste.</p> <p>Provide e-waste collections every 6 months.</p> <p>Landlord to incorporate recycling strategies in waste collection contracts to meet outcomes agreed with tenant.</p> <p>Provision of space for storage and collection of recyclables.</p>



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Environment Performance Categories	Elements to Consider
Indoor Environment Quality	<p>Quality of air filtering.</p> <p>Standards of air flow.</p> <p>Establishment of air quality monitoring and reporting.</p> <p>Establishment of CO₂ monitoring and reporting.</p> <p>Reporting on Air Testing (or NABERS IEQ testing) and reporting of results at regular meetings.</p> <p>Quality of artificial lighting.</p> <p>Control of potential pollutants introduced through cleaning.</p> <p>Control of potential pollutants introduced through pest control.</p> <p>Control of VOCs and other pollutants in other tenants' fit outs.</p> <p>Use of environmentally sound cleaning methods.</p> <p>Agree vacuum cleaner standards, maintenance procedures and filter maintenance standards.</p> <p>Maintain a list of all proposed cleaning chemicals and regimes used.</p> <p>Setting of standards for cleaning equipment and management of its maintenance.</p> <p>Certified wood products.</p> <p>Best management practices for controlling indoor air quality during fit out.</p>
NOTE	The building may not be able to achieve a Green Star rating, but the Green Star tool can be used to set the standards for the works and choices of materials to be used.

7 ■ Examples of Environmental Initiatives

The following is an example of environmental performance targets and initiatives that can be included in Green Lease provisions:

Key Performance indicators for the landlord	Key Performance indicators for the tenant
Energy	
Improve Base Building to be 4.5 NABERS Energy by year 2 of the lease.	Must achieve and maintain during the Term a 5 Star Tenancy NABERS Rating.
Energy Management Plan.	Participate in the Building's Energy Management Plan that would be prepared by the landlord.
<p>Undertake continual monitoring of energy consumption of the Premises and provide the Lessee with reports of the energy consumption at each Environmental Management Committee meeting.</p> <p>Establishment of in-house training for Environmental Management Committee to ensure dissemination of emerging developments in 'green building'.</p>	Undertake (as a minimum) quarterly monitoring of energy consumption for the Premises and provide the landlord with reports of the energy consumption at each Environmental Management Committee meeting.
Wherever possible ensure that the Building has energy efficient lighting installed.	Join and participate in the CitySwitch Program.
Install and maintain a building maintenance control system (BMCS), upgrade during the term of the Lease.	
The BMCS must be set to turn lighting off in the Building at 6pm with the ability for the landlord or tenant to override the default switch for lighting in the Building.	
The landlord must provide the tenant with quarterly reports of the Environmental Performance of the Building.	



Key Performance indicators for the landlord	Key Performance indicators for the tenant
Provide adequate metering/sub-metering.	<p>The following energy conservation initiatives are to be incorporated into the tenancy:</p> <ul style="list-style-type: none"> ■ The tenant must not use or install incandescent, halogen or energy intensive lighting. ■ The tenancy must have movement sensors in meeting rooms, store rooms, etc to control the lighting and to trigger the lighting switch when required. ■ Install and use adequate metering/sub-metering for energy consumption. ■ The tenant must encourage energy efficiency practices among their staff. ■ Separate light switches should be installed for individual work spaces.
Install and use energy efficient lighting.	
Landlord to ensure the lighting system has the capability to provide individually switched lighting zones that do not exceed 100 square metres.	
Base building lighting level to be set at particular Lux or light level, eg. lighting power density of less than 7W/m ² for 320 Lux and fit out to set lighting at particular Lux level.	

7.

Key Performance indicators for the landlord	Key Performance indicators for the tenant
Water	
<p>Improve Base Building to be 2.5 NABERS Water by year 2 of the lease.</p> <p>Base building to have set levels of water usage in toilets (e.g. waterless urinals, dual flush etc).</p> <p>Base building to have set levels of water usage in showers e.g. AAA rating heads.</p>	<p>Installation and use of water efficient devices and equipment.</p> <p>Fit out appointments to have set levels of water usage in toilets (e.g. waterless urinals, dual flush etc).</p> <p>Fit out appointments to have set levels of water usage in showers e.g. AAA rating heads.</p>
<p>Undertake continual monitoring and provide the tenant with reports of the water consumption at each Environmental Management Committee meeting.</p>	
Waste	
<p>The landlord is to achieve and maintain a waste reduction that is greater than 70% diverted from landfill by using appropriate waste services and applying appropriate waste separation facilities in the Building and Premises.</p>	<p>Follow landlord's waste strategy and educate staff of the waste reduction requirements and obligations. Provide Waste facilities for the separation of Waste into Paper, Recyclables, Wet Food and General Waste.</p>
<p>Monitor waste every quarter and Audit Waste system every year, Improve Base Building waste to be 2.5 NABERS Waste by year 2 of the lease.</p>	<p>Wherever possible, avoid the use of materials that are not recyclable, cannot be reused or diverted from landfill.</p>
<p>Implement a Waste Management Plan and provide the tenant with reports of the Waste performance at each Environmental Management Committee meeting.</p>	<p>Work with the landlord, participating in programs and initiatives for Waste reduction.</p>



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Key Performance indicators for the landlord	Key Performance indicators for the tenant
Cleaning Products	
Use cleaning products that have a low environmental impact.	Use cleaning products that have a low environmental impact with a phase into neutral over a set period.
Pesticides	
In the event that pests need to be removed, exhaust non-toxic methods of pest treatment before toxins and poisons are introduced to the building.	In the event that pests need to be removed, exhaust non-toxic or neutral impact methods of pest treatment before toxins and poisons are introduced to the building.
Building Works	
Any future Landlord works to be carried out to good standard as prescribed in Green Star Office Design and As-Built current at that time, particularly in relation to the materials and IEQ categories.	VOCs (Volatile Organic Compounds) Any works by tenant to be specified to minimise the introduction of VOCs, to be in general accordance with Green Star Office v3 2008 IEQ-13 ie. all new carpets, paints, finishes, adhesives, sealants and other floor coverings shall be of low VOC type in accordance with GBCA limits.
	The procurement of materials used for fit out, alteration or maintenance work must have low environmental impact. Fit out to minimise / exclude use of non-plantation timber.
	When refurbishing the tenancy reuse materials whenever possible.
Green Star	
Even if an existing building, buildings are to be managed to achieve a minimum of 13 points in the section IEQ in Green Star Office V3.	Achieve minimum of 5 Star Green Star tenancy rating during the course of the lease.

8 ■ Energy Performance Adverse Impact Guidelines

This section sets out the information of areas where the landlord believes the tenant could affect the base building's environmental performance. This will be part of the landlord's approval of the tenant's proposed fit out and an ongoing obligation on the part of the tenant.

The guidelines and standards will be based on the design and performance levels of the building. This document will normally be set up with guidance from the building's design engineers and Environmentally Sustainable Development consultants.

Guidelines and Standards Required	Tenant Responsibility
Tenancy (NABERS Energy)	
The tenancy must achieve a minimum NABERS Energy rating of 4.5 stars.	<p>Tenant to issue drawings, specifications and NABERS Energy design assessment for review by owner.</p> <p>Tenant to issue 'as built' documentation including O&M manual, commissioning plans and commissioning report signed by mechanical and electrical engineer for review by owner as well as an appropriate green occupational health and safety report.</p> <p>Tenant shall allow access to Owner to walk through finished fit out and observe system operation.</p>
Lighting Load	
Average lighting load for each tenancy including ballast losses shall not exceed 10 w/m ² .	<p>Tenant to confirm to owner that this criteria has been achieved.</p> <p>Tenant to confirm how lighting is controlled and commissioned to turn off when not in use.</p> <p>Lighting power use shall be metered independently of small power on a typical floor and information shall be made available to owner.</p> <p>All floors without full control by movement detectors shall have a cleaner switch that turns all lights off simultaneously.</p>
Occupant Density	
Occupant density shall not exceed 10m ² per person.	Tenant to confirm occupant density and typical working hours and to advise as to impact of flexible working hours and weighting of such working regimes over the week e.g. advice as to when, over a period of time, occupancy appears to peak.



Guidelines and Standards Required	Tenant Responsibility
Equipment Load	
<p>Average peak small power load shall not exceed 20w/m² on average, as calculated in accordance with NABERS Energy protocol.</p>	<p>Tenant to confirm to owner using NABERS Energy fit out protocol and schedules that this requirement is achieved.</p> <p>Each floor of tenancy shall meter energy consumption and trend log consumption. Information to be made available to owner.</p> <p>If the combined metered energy use of lights and small power exceeds the total maximum allowance in operation, further measurements and reporting may be requested to identify key energy users.</p>
Building Operation Hours	
<p>The base building shall operate between 55 and 60 hours per week as defined in the lease.</p>	<p>Notwithstanding hours of operation of air-conditioning requirements, the tenant should be aware that to improve energy rating the plant may be turned off earlier or later to meet energy requirements. Under these conditions fresh air will still be provided that will ensure reasonable level of conditioning.</p>
Operation and Maintenance	
<p>Tenancy systems will be operated and maintained in accordance and consistent with how systems were commissioned.</p>	<p>In event of not achieving NABERS Energy rating in operation tenant shall ensure a re-commissioning is performed and the report forwarded to the owner.</p>
Commissioning	
<p>Tenant shall ensure all tenant systems are properly commissioned.</p>	<p>Tenant shall provide a copy of as built commissioning report identifying commissioning dates, the tests carried out and the outcomes and changes made as a result of the commissioning process.</p> <p>Tenant shall ensure systems are re-commissioned after 6 months to ensure they are operating correctly in response to tenant fit out.</p> <p>Tenant shall allow for ongoing building tuning on a quarterly basis post refurbishment.</p>

8.

Guidelines and Standards Required	Tenant Responsibility
<h3>Supplementary Air Conditioning</h3>	
<p>In areas that exceed the combined load of lighting and small power or occupancy density, a supplementary air conditioning unit shall be installed.</p> <p>In areas where tenant will consistently use building out of operation hours (defined in lease) density, a supplementary air conditioning unit shall be installed.</p>	<p>Tenant to confirm areas in fit out that require supplementary conditioning and hours of operation of these units.</p> <p>Supplementary units whose combined installed capacity exceed 50Kw shall be metered separately.</p> <p>All supplementary units are to be connected to supplementary condenser water loop and tenant to inform owner of likely load in the operation of these systems, in accordance with NABERS Energy protocol.</p> <p>All supplementary units shall have isolation valves installed, these valves are to remain shut when unit is not in operation.</p> <p>All supplementary units serving areas other than server rooms shall have wall mounted timer switches to a maximum of up to 1.5 hours to turn units off. Notwithstanding this requirement each unit must allow occupant to override operation and turn unit on or off. Occupancy sensors are recommended. Where deemed appropriate these units will also be switched off when the lights are switched off.</p> <p>Consideration should be given to installing a pressure sensor at base building condenser water connection that reports to base building BMS.</p>
<h3>Out of hours operation</h3>	
<p>Out of hours operation shall be limited to XX hours per week (<i>to be agreed</i>). This is a particularly critical issue as running the base building to serve a small part of the building is very inefficient.</p>	<p>Tenant shall supply landlord with an estimate of likely out of hours operation profile.</p> <p>Tenant shall log any requirements for out of hours air-conditioning. Request to be made 1 hour prior to when service is required.</p> <p>If areas of the floor plate will consistently require out of hours, a supplementary unit supplying these areas is recommended. See Section on Supplementary Air Conditioning.</p> <p>Notwithstanding hours of out of hours air-conditioning requirements, the tenant should be aware that to improve energy rating plant may be turned off earlier or later to meet energy requirements. Under these conditions fresh air will still be provided that will ensure a degree of temperature control.</p>

9. References



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RICS Oceania
Suite 2, Level 16
1 Castlereagh Street
Sydney, NSW 2000 Australia
(T)+61 (0)2 9216 2333
(F)+61 (0)2 9232 5591
info@rics.org.au
www.rics.org.au



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