

Benchmark Rating Activity Guide

Project-Based Activities

26 August 2025



Acknowledgement

We acknowledge the Traditional Owners of the lands and waterways on which we work and live.

We acknowledge all Aboriginal and Torres Strait Islander communities, and pay our respects to Elders past and present.

As the First Peoples of this land, belonging to the world's oldest living cultures, we recognise and value their knowledge, and ongoing role in shaping and enriching the story of Victoria.

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1. Introduction

The Victorian Energy Upgrades program is a Victorian Government initiative that commenced on 1 January 2009. The program was established under the *Victorian Energy Efficiency Target Act 2007* (the VEET Act) and is administered by the Essential Services Commission in accordance with the Victorian Energy Efficiency Target Regulations 2018 (the VEET Regulations) and the Victorian Energy Efficiency Target (Project-Based Activities) Regulations 2017 (the PBA Regulations).

The VEU program is designed to make energy efficiency improvements more affordable, contribute to the reduction of greenhouse gases, and encourage investment, employment and innovation in industries that supply energy efficiency goods and services.

Under the program, accredited businesses can offer discounts and special offers on selected energy saving products, appliances and other energy efficiency improvements in homes, businesses or other non-residential premises. The greater the greenhouse gas reduction, the greater the potential saving.

There are many abatement methods or 'prescribed activities' in the VEU program. Undertaking project-based activities (PBA) using the benchmark rating method is an eligible prescribed activity under the PBA Regulations.

1.1. Purpose of this document

The purpose of this document is to help participants and accredited persons (APs) understand the benchmark rating method and provide important information about their obligations when undertaking them.

This document explains how to participate in the PBA benchmark rating method under the VEU program. This method is administratively more complex than some other activities available under the program.

1.2. How this document is structured

This activity guide begins by explaining key concepts and issues – see Section 3 of this document. You will need to understand this section before reading the other sections of this document. Sections 3 to 6 of this document explain the process for participating in the benchmark rating method. Section 3.5 provides an introduction to the technical concepts used in the benchmark rating method and explains what information you will need to gather, and how to use it to calculate the number of Victorian energy efficiency certificates (VEECs) that the project can create. Section 5 details the end-to-end process, starting with becoming accredited and finishing with the registration of VEECs. It is one example of how you might engage with the program. Every business is different, and the specifics of your arrangements may differ, but Section 5 should provide an easy way to find the information you need quickly. Section 6 provides additional

information which may also be useful when carrying out a PBA benchmark rating project, including what to do when something about the project changes.

1.3. Legal context for this document

The commission has prepared this activity guide to assist with the interpretation of relevant parts of the:

- Victorian Energy Efficiency Target Act 2007 (the VEET Act)
- Victorian Energy Efficiency Target Regulations 2018 (the VEET Regulations)
- Victorian Energy Efficiency Target (Project-Based Activities) Regulations 2017 (the PBA Regulations)
- Benchmark rating in Victorian Energy Upgrades – Specifications 2025 (the benchmark rating specifications)
- Victorian Energy Efficiency Target Scheme Guidelines (the VEET Guidelines)

These documents can be accessed at www.esc.vic.gov.au/veu-legislation

This guide should not be relied upon as substitute for legal advice and should be read in conjunction with the above source documents. While the commission has made every effort to provide current and accurate information, you should obtain professional advice if you have any specific concern, before relying on the accuracy, currency or completeness of this information. In the event of inconsistency between this guide and the source documents, the content in the source documents apply.

2. Before you begin

This is not the only document you will need to understand how to participate in this activity. The following documents referred to in this document will be important throughout your involvement in the VEU program in addition to the legal documents listed in the previous section.

- Application Guide for Accredited Persons – available at [How to become a VEU accredited person webpage](#)
- Obligations and Program Guide for Accredited Persons – available at [Accredited persons webpage](#)
- Lighting Product Application Guide – available at [VEU product applicants webpage](#)

Understand your compliance obligations

Participating in VEU can be challenging, especially at the start. Make sure you understand how the program works before engaging in any projects, including all relevant program guidance documentation and the end-to-end process described in Section 5 of this document.

3. Key concepts and issues

There are a range of concepts and terminologies specific to undertaking benchmark rating projects in the VEU program.

While some key concepts have been used in other activities in the VEU program, there are many new concepts in this document specific to undertaking benchmark rating projects.

To participate in the program you should familiarise yourself with all the key concepts and issues, even if you're an experienced energy efficiency practitioner. The use of these concepts to design and carry out benchmark rating projects are described in greater detail in Section 3.5, and the process used to carry out a project is described in Section 5.

If you are unsure about any of these concepts, in the first instance please refer to the resources listed in Section 2 of this document. If you have further questions, please contact VEU Support on (03) 9032 1310 or veu@esc.vic.gov.au

Project-based activities

The PBA Regulations provide for project-based activities in the VEU program.

Prior to the introduction of PBA, prescribed activities under the VEU program used deeming methods only. Deeming estimates an activity's abatement of electricity or gas based on average values for all activities across Victoria. PBA currently uses one of two options for quantifying abatement, either measurement and verification (M&V) or benchmark rating. Both options rely on site specific measurements to determine a project's baseline and post-activity energy consumption.

The benchmark rating method has been designed to use National Australian Built Environment Rating System (NABERS) ratings to calculate abatement in eligible buildings. It relies on using a building's rating before and after the upgrade to determine energy savings, and in turn greenhouse gas savings.

PBA methods such as benchmark rating are technology neutral: they potentially allow multiple technologies, techniques, upgrades and abatement methods to be combined in one project. This was not possible under previous prescribed activities in the VEU program.

Only projects at single sites are allowed (e.g. the 'site' must have the same street address or be geographically continuous over a defined location).

3.2. Relationship with other prescribed activities

There are many types of prescribed activities which can generate VEECs in the VEU program.

A benchmark rating project undertaken using PBA is a stand-alone activity. You (as the AP) do not have to refer to other activities in the program, except for lighting upgrades. All lighting upgrades under the VEU program, including those carried out using PBA methods, require any lighting

equipment installed to be on the [VEU Register of Products](#), and the old lighting equipment and control gear must be decommissioned in accordance with the VEET Regulations.

3.3. Ineligible activities

The following activities are ineligible to create VEECs under project-based activities:

- activities that must be done to meet mandatory statutory or regulatory requirements
- activities that have negative effects on production or service levels (including safety levels)
- activities that also create Renewable Energy Certificates (RECs) under the Commonwealth Renewable Energy Target (RET) for the same abatement, except for some hot water systems that can create small-scale technology certificates (STCs) under the Small-scale Renewable Energy Scheme in addition to VEECs
- activities that also claim benefits for the same abatement under the scheme established under the Commonwealth's *Carbon Credits (Carbon Farming Initiative) Act 2011* for the issue of Australian Carbon Credit Units (ACCUs) in relation to eligible offset projects
- activities that will cause a net increase in greenhouse gas emissions.

3.4. Eligible activities

There are six eligibility criteria a project must satisfy to take part under project-based activities. They are:

- Who is the project owner?
- What type of energy is saved?
- Are the premises eligible?
- Is the activity eligible?
- Is the activity additional and does it result in genuine abatement?
- Do you have the appropriate accreditations and approvals at the time of the project?

The eligibility conditions of each test are described in subsequent sections.

3.4.1. Project ownership

Project ownership focuses on who is responsible for the project, and the entity entitled to the certificates. To establish project ownership, you need to substantiate your right to undertake the project and identify affected stakeholders. Elements of project ownership are:

- owner
- energy consumer.

Owner

You must establish site ownership. This site-owning entity may be an individual or organisation which may or may not be you (the AP).

Energy consumer

The energy consumer may be the site owner, or they may be a tenant, an operator, or some other entity. You as the AP may also be the energy consumer in respect to a project site.

Section 16(1) of the VEET Act states that the right to create certificates is held by the entity who consumes the electricity or gas. You must therefore establish the entity who consumes the electricity or gas and obtain permission from them to undertake the project.

You are also required to provide evidence of the energy consumer's knowledge and interest in the project activities progressing. Where you are not the energy consumer, you must provide a **Registration of Interest Form** signed by the site energy consumer. This document provides assurance to us that the energy consumer is aware of the project and is interested in you submitting an application but does not give you the right to create certificates with respect to the abatement, however. Assignment of rights occurs following completion of the project using a **VEEC Assignment Form for Project-Based Activities**. Both these forms are available to download from: [Measurement and verification s webpage](#)

If you have multiple projects with the same client, you only need the client to sign a single Registration of Interest Form where the following criteria are met:

- the projects are going to be undertaken or submitted to the commission within the same twelve month period
- each relevant project site address is listed on the form.

Each scoping plan application you make to the commission should include a copy of this form.

If you have a project with multiple clients, then each client (where they are individual energy consumers with a separate NMI) will need to sign a Registration of Interest Form. These show that all clients involved are aware of and are interested in the project activities progressing. Each client will also need to sign separate VEEC Assignment Forms which must be included when you are submitting the first impact report for the project.

In the event the energy consumer is not the site or equipment owner, such as in a tenancy situation, we may require proof that both parties are aware of and agree to the project. This may involve the energy consumer countersigning the Registration of Interest Form and VEEC Assignment Form.

Note that obtaining permission to undertake the project may also include obtaining licences or planning and development approvals from local, state and/or federal regulatory or other bodies where applicable.

Once these requirements are met, you (the AP) are then the project owner for the purposes of the VEU program.

Transfer of project ownership

If the energy consumer wishes to transfer a project from one AP to another, they can apply to have ownership of the project transferred. The new AP must not be listed in the approved scoping plan for the project. A transfer of project ownership application must be submitted with nominating the new AP to take ownership of the project, including the following documents:

- A written request to the ESC to transfer the project to an incoming AP
- Written consent by the incoming AP for the project to be transferred to them
- Written consent from the current AP for the project to be transferred to a new AP, or if this is not possible, evidence that the energy consumer has provided the current AP listed in the scoping plan notice that they intend to transfer the project to another AP and a 30-day period in which to provide a response

To apply for a transfer of project ownership, please contact us by email: veu@esc.vic.gov.au or via the 'Contact Us' form in the [VEU Registry](#)

3.4.2. Energy sources affected

The energy sources affected are those within the project boundary. These will generally be fixed electricity and mains gas utilities. Where other energy types are affected, or where the project involves fuel switching, the AP must provide details of each energy source, including:

- the type of renewable energy source
- average energy content of the new fuel
- difference in emissions factors between the original and new fuel.

For clarity, projects that save coal, oil, and petroleum based products are not eligible.

3.4.3. Eligible premises

To be an eligible premises, sites must fulfil three essential criteria:

- it must be in Victoria
- it must **not** be a new building¹
- it must either be a business or non-residential premises, unless it meets eligibility criteria for residential premises².

¹ Since a benchmark rating used to calculate VEECs must be based on measured energy consumption, commitment agreements or other such arrangements cannot be used to establish the baseline energy consumption. As such, new buildings which have not been occupied are not eligible under PBA benchmark rating.

² A residential premises may be eligible provided the project relates to common services within the building. For example, a project can involve the upgrade of residential common area services such as the car park of an apartment building, but it cannot involve the upgrade of services to a single apartment within the building.

In addition to this, there must be a benchmarking instrument for that premises type available from an approved benchmarking administrator. Please refer to Section 4.1 for further detail.

If you have a building which is a multipurpose premises and different activities and businesses are in place, then you can conduct energy efficiency projects for each part of the building separately (or simultaneously) and claim VEECs. You will need to have an accredited assessor to provide a certified rating for each separately tenanted area, or for the whole building.

3.4.4. Eligible projects

There is no limitation regarding the type of technology that could be used for PBA projects as long as abatement is achieved. PBA projects are technology neutral.

For a benchmark rating project to be eligible, it must meet the following conditions:

- you must be able to source all documentation to verify the pre- and post-activity conditions.
- the project must not commence until after we have received an application for scoping plan approval
- any lighting products installed as part of the activity must have been listed on the VEU Register of Products before you lodge your first application for impact report approval for the project, and meet all other product requirements as detailed in Section 6.3 of this document.
- project applicants must be approved to undertake PBA benchmark rating activities by the commission. Therefore, projects cannot commence prior to becoming accredited.

Contact us if you need further clarification regarding how to determine whether your project is eligible.

A project which involves fuel switching from bottled LPG to a lower emission energy source could be potentially eligible. In general, greenhouse gas reductions as a result of reducing the use of bottled gas (either natural gas or LPG) can be eligible under PBA.

3.4.5. Additionality and genuine abatement

To ensure that the VEU program is encouraging projects that would not have otherwise occurred, we, as the commission, are required to assess the additionality of activities under the program. You are required to satisfy us that your project is additional and will likely produce genuine abatement.

To satisfy us that a project is additional, you must demonstrate that the project is:

- not required by law
- not also claiming benefits under a prescribed greenhouse gas scheme for the same abatement

- not underway prior to scoping plan submission³.

Not required by law

Projects that are required by law are those that have a qualitative or quantitative requirement for the energy consumer, the AP, the site owner or other affected stakeholders to undertake all or part of an activity. Certain projects may be considered not additional if external requirements compel the project to take place. This includes complying with energy efficiency or greenhouse gas emissions requirements in any minimum standard or mandatory requirement under legislation.

You will need to provide a signed declaration that undertaking the project is not required by law.

Not also claiming benefits under a prescribed greenhouse gas scheme for the same abatement

Benefits cannot be claimed for the project under both the VEU program and another prescribed greenhouse gas scheme for the same abatement, with the exception of some hot water systems. You may elect to design a benchmark rating project's measurement boundary such that aspects of the project which are claiming benefits under a prescribed greenhouse gas scheme are metered and separated from the aspects that are claiming VEECs. In the case of benchmark rating, energy generated by renewable energy systems which are also claiming benefits under another prescribed scheme must be metered and included as unaccounted energy consumption. For further details on how to treat these systems, please refer to Section 4.7. For clarity, prescribed greenhouse gas schemes are the Commonwealth's *Carbon Credits (Carbon Farming Initiative) Act 2011*, and the *Renewable Energy (Electricity) Act 2000*, excluding the hot water systems listed under Part 2, Division 4B of that act.

To satisfy the commission that the project is not claiming benefits for the same abatement under a prescribed greenhouse gas scheme, both the AP and the energy consumer are required to sign a declaration, and consent under s10 of the VEET Act to allow the commission to disclose the details of the project to prescribed schemes to verify their statement. The energy consumer provides this consent in signing the Registration of Interest Form.

Not underway prior to scoping plan submission

No work for the project can have commenced prior to submitting the application for scoping plan approval, except activities described as exempt in regulation 6(6) of the PBA Regulations. For details of scoping plan approval, refer to Section 5.3 of this document.

³ You cannot apply for scoping approval until you are approved for PBA as an AP

This rule only applies to work undertaken on-site in-situ. However, you can start work on a project before submitting the scoping plan application if it is just building part of the equipment such as a frame off-site.

Prior to submitting a scoping plan application you can reasonably undertake procurement, off-site work, or even on-site work as long as that work is not in-situ and it does not affect any other equipment within the measurement boundary in any way.

3.4.6. Appropriate commission accreditation and approvals

To be eligible to participate in the VEU program and create VEECs, a project must have:

- an AP approved by the commission to participate in PBA benchmark rating activities. This process is described in Section 5.2
- a scoping plan and impact report(s) lodged and approved by the commission. These are described in Sections 5.3, and 5.9 respectively.

3.5. VEU program activity requirements

All activities under the VEU program must be undertaken in accordance with the provisions of the Australian Consumer Law (Victoria), *the Electricity Safety Act 1998*, *the Gas Safety Act 1997*, *the Occupational Health and Safety Act 2004* or the *Building Act 1993*, or the regulations under any of those Acts.

Marketing and lead generation requirements

Accredited persons and scheme participants (such as lead generators) must comply with all relevant laws when undertaking lead generation and marketing activities under the program including:

- the VEU code of conduct provisions in Schedule 6 of the [VEET Regulations](#), including the ban on 'cold-call' telemarketing and doorknocking lead generation or marketing practices under the VEU program.
- Australian Consumer Law (Victoria) when engaging in lead generation and marketing practices permitted under the program.
- [Telecommunications \(Telemarketing and Research Calls\) Industry Standard 2017](#) when engaging in telemarketing practices permitted under the program.
- [Spam Act 2003](#) and the [Spam Regulations 2021](#) when sending email or sms text messages for lead generation or marketing under the program. A [summary of obligations](#) is provided by the Australian Communications and Media Authority.

For further information on meeting your obligations under the VEU code of conduct, please review the code of conduct guideline and various supporting resources (including fact sheets and consumer resources) which are published on the [commission website](#).

4. The benchmark rating method

The benchmark rating method allows VEECs to be created based on improvements in a building's energy performance following upgrade activities. It is designed to be technology neutral and as such a wide variety of activities can be used to create abatement. This method depends on using a process specified by an approved benchmark administrator to obtain a benchmark rating for a twelve month period prior to the upgrade (known as the **baseline period**), completing an eligible upgrade (refer to Section 3.4) and then obtaining a second rating for the twelve month period directly following the implementation start time (known as the **reporting period**).

Incentives are provided based on the difference between the reporting rating and the baseline rating. A building may provide a reporting rating directly after the implementation start time. Benchmark rating projects are eligible for forward creation of VEECs for a maximum time period of 10 years from the implementation start time. The methodology for determining the abatement and the number of VEECs that can be created by a benchmark rating project is explained in further detail throughout this section.

Benchmark rating programs develop methods to account for the variation between buildings and changes in the use of a building over time. A list of the approved benchmark administrators is published by the Secretary in the benchmark rating specifications (also referred to in Section 4.1 of this document). At the time of publication of this activity guide, the only approved benchmark administrator is the National Australian Built Environment Rating System (NABERS).

4.1. Approved benchmarking administrators

Benchmarking administrators are approved by the Secretary under regulation 17A of the PBA Regulations. These are published in the benchmark rating specifications, found at www.esc.vic.gov.au/veu-legislation.

4.2. Services affected by the upgrade

Benchmark rating projects may involve a range of different technologies and service types. A service type, for the purposes of PBA, means an output or amenity, such as heating ventilation and air conditioning (HVAC), steam, transportation, compressed air, lifts, water pumping, and lighting that is produced by an energy-consuming system. This list is required as part of the application for scoping plan approval (refer to Section 5.3 for further details).

The nominated service types can be upgraded throughout the project's life. Please refer to Section 6.2 for details on what changes can be made to this list of nominated service types after the scoping plan is approved.

If the project involves lighting equipment, you must provide details of any lighting products that are to be replaced (including zones, number of lamps, wattages, use hours and details of lighting control devices such as sensors if applicable)

4.3. How to calculate VEECs using benchmark rating

The calculation method and the equations are defined in the benchmark rating specifications.

The number of VEECs available for a reporting period is determined using Equation 1, which converts electricity and gas savings to tonnes of carbon dioxide equivalent, accounting for the location in Victoria and the emission factor of each energy type.

Equation 1

$$VEECs = \sum_i [electricity\ savings \times electricity\ emissions\ factor \times regional\ factor + gas\ savings \times gas\ emissions\ factor] \times DF_i - counted\ savings + negative\ savings$$

where:

- *electricity savings* is calculated in MWh using Equation 2
- *gas savings* is calculated in gigajoules (GJ) using Equation 2
- *counted savings* are described in Section 4.9
- *negative savings* is the negative carbon dioxide equivalent from the previous reporting period (if any), which should be carried through reporting periods until the difference has become zero.
- The *regional factors* for metropolitan and regional Victoria, and the *emissions factors* for electricity, gas and liquefied petroleum gas are listed in the benchmark rating specifications.
- DF_i is the decay factor for that measurement boundary in year i .
- i is a year of the maximum time period, 10 years, for forward creation for the project.

The energy savings for each energy type (electricity in kWh and gas in GJ) are determined using Equation 2 below.

Equation 2

$$energy\ savings = baseline\ energy\ consumption - reporting\ energy\ consumption$$

where:

- *baseline energy consumption* is calculated using Equation 4
- *reporting energy consumption* is calculated using Equation 3

Baseline energy consumption and *reporting energy consumption* must be calculated for a premises with a *similar configuration* (refer to Section 4.6 for an explanation of similar configuration).

The reporting energy consumption is calculated using Equation 3 below.

Equation 3

$$\text{Reporting energy consumption} = E_R + E_U$$

where:

- E_R is the *energy* consumption specified in the NABERS Energy Rating Report (explained in Section 4.4.2 of this document)
- E_U is the *unaccounted energy consumption* during the reporting period, at the building where the project is undertaken, that is not included in E_R for reasons explained in Section 4.8.

The baseline energy consumption is calculated using Equation 4 below.

Equation 4

$$\text{Baseline energy consumption} = E_B$$

where:

- E_B is the energy consumption for the baseline period calculated using the NABERS Prediction Tool approved by the benchmark administrator, explained in further detail in Section 4.5.

4.4. Rating reports and measurement periods

Benchmark rating programs determine improvements in the energy efficiency of a building by measuring changes in its energy rating. The performance of a building is rated for a twelve month period before the start of project upgrade activities. It is then rated for a twelve month period directly following the implementation start time. To rate the performance of a building, measured energy consumption and other variables relating to operating conditions must be determined for the rating period. This information must then be reported in a NABERS Energy Rating Report for the reporting period. Incentives can be awarded based on the difference between the reporting period and baseline rating.

The rating report(s) must show the rating of the building with no purchase of energy under the GreenPower⁴ Program (i.e. 0% GreenPower). The rating report may also display the rating achieved with a proportion of energy purchased under the GreenPower Program, shown as a percentage, however this rating cannot be used to calculate savings under the benchmark rating method.

⁴ The GreenPower Program is government scheme which allows energy consumers to purchase certified renewable energy from the grid

The requirements for which variables need to be measured and the length those measurements are set by the approved benchmark administrator for the relevant benchmark process. For some building types, such as data centres, the administrator may allow a rating to be based on a shorter billing period, such as one month. However, all ratings used to calculate VEECs must cover a 12 month period. An example of where this might apply is if the benchmark administrator allows it, you may use one month of data to build a 12 month rating period.

4.4.1. Baseline rating – before the upgrade

The rating carried out before project works (upgrade activities) commence is called the **baseline rating**. The baseline rating determines the energy performance of the building for a 12 month period before the project activities start, known as the baseline period. All measurements of energy consumption and other variables showing operating conditions before the upgrade activities, used to determine the baseline rating, must be conducted during the baseline period and in accordance with the rules of the nominated benchmark rating process.

The baseline period, in relation to a project, is a 12 month period, ending:

- before project works commence – the PBA Regulations includes a list of activities related to the project which may occur before scoping plan submission under Regulation 6(6)
- no more than 18 months before project works commence.

The benchmark rating from this report is used in the NABERS Prediction Tool, using the rules specified in Section 4.5.1.

4.4.2. Reporting rating – after the upgrade

The reporting period takes place at the end of the 12 month period commencing directly following the completion of the project works (i.e. the implementation start time). This is called the **reporting rating** for the project. If the project has been completed in stages, the implementation start time is the date, and optionally the time, at which equipment affected by the upgrade was brought back into service following completion of the first stage of works. All measurements of energy consumption and other variables showing operating conditions after the upgrade activities must be conducted during the reporting period. This rating shows the performance of the building after the upgrade activities have been completed.

The reporting period, in relation to a project, is a 12 month period commencing:

- directly following the implementation start time for the project (i.e. immediately after equipment is brought back on line after the upgrade has occurred), or
- directly following another reporting period but not later than two years after the implementation start time.

The energy consumption for the reporting period E_R is published on the NABERS Energy Rating Report for the reporting period. Where energy is taken to mean gas, (E_R) must take on a value in GJ. Where energy is taken to mean electricity, E_R must take on a value in MWh.

4.5. NABERS Prediction Tool

The operation and use of a building may change over the lifetime of the project. These changes are accounted for in the benchmark rating method by using the **NABERS Prediction Tool** where applicable. The prediction tool is an electronic mechanism for calculating the maximum energy that a premises can consume for a given benchmark rating.

The prediction tool should be published on the benchmark administrator's website, and it determines what the energy consumption of the building would have been if the project had not occurred. Details regarding the usage and operation of the building during the reporting period (the **other variables** as described in Section 4.5.1) and the rating from the baseline rating report are entered into the prediction tool to determine the maximum allowable baseline energy consumption (E_B). This is the maximum energy consumption that a building may have in order to achieve a given benchmark rating, under the specified operating conditions. In such a way, the prediction tool adjusts the baseline energy consumption to account for the reporting period conditions. Equation 4 then determines the **baseline energy consumption**.

Note that the baseline rating which is used in the prediction tool must not take into account any GreenPower purchased.

When a building undergoes a major renovation or expansion, the planning requirements may trigger the building code, which requires certain energy efficiency activities. VEECs cannot be claimed for completing these activities to achieve a minimum requirement, under the relevant planning approval. To account for this, activities that occur after the start of the baseline period which require planning approval must use a different baseline rating in the prediction tool, as specified in Section 4.5.1.

4.5.1. NABERS prediction tool requirements and inputs

The requirements for using the prediction tool are listed below:

- The inputs for the prediction tool must be equal to the conditions and variables published on the reporting rating report, known as the **other variables** published in the reporting rating report. This includes any information used by a benchmark administrator's process to calculate a benchmark rating, other than the premises' measured energy consumption.
- The baseline rating input into the prediction tool is the rating determined for the building before undertaking the upgrade activities, with zero per cent GreenPower. This rating is published on the baseline period rating report.
- The percentage breakdown of fuels used in the building where the project is undertaken, which is input into the prediction tool, must be determined by converting into MWh any measurement

of energy consumed at the building that is not measured in MWh. This must include all fuels in the rating.

- If the fuel has not been measured in terms of energy, the energy content factor for that fuel type must be used in the conversion, as specified in section (7) of the benchmark rating specifications.
- The rating input into the NABERS prediction tool must use the same emissions factors as the reported energy consumption in the NABERS Energy Rating Report.
- If after the start of the baseline period the building undergoes a renovation or upgrade that requires planning approval, then the baseline rating input into the prediction tool is the greater of the following:
 - the rating published on the NABERS Energy Rating Report for the reporting period, that ends prior to the issue of the planning approval
 - the minimum rating (if any) the building is required to meet under the planning scheme of the Local Government Area that applies to the building
 - if the building is not required to meet a minimum rating, the ratings listed in Table 1 below.
- Where a NABERS prediction tool is not suitable for a specific premises, the NABERS Reverse Calculator is permitted to be used.

4.1 Table 1: Minimum ratings where no minimum rating is specified under a planning approval

Building type	Baseline rating
Office buildings	4
Hotels	4
Shopping centres	4
Data centres	4.5
Hospitals	4
Apartment buildings	4
Residential Aged Care	4
Retirement Living	4
Warehouses and Cold Stores	4
Schools	4
Retail Stores	4

4.6. The measurement boundary and how to manage changes in a building's configuration

The measurement boundary is the limit of a project. It defines what activities are inside and outside of a project. For benchmark rating projects, the measurement boundary is defined by the metered part of a building that is rated for the purposes of a NABERS Energy Rating Report.

The baseline energy consumption and reporting energy consumption must have a similar configuration for the premises, meaning that either:

- the metering arrangements (i.e. the measurement boundary) are the same during both rating periods; or
- any changes to the measurement boundary have been considered using unaccounted energy consumption (E_U).

This condition is satisfied if, at the time a building was rated under the baseline rating and reporting rating, the sub-metering arrangements (if any) covered the same space as determined by the assessor for each rating, using the evidence required by the benchmark administrator that is relevant to the nominated benchmark process.

There may be some situations where the sub-metering arrangements are not the same for the baseline rating and the reporting rating. For example if there is a change in the way that a part of the building is used, the rules set by the nominated benchmark administrator may require that the affected part of the building is excluded from the reporting rating. If there are any changes in the sub-metering arrangements which result in an exclusion, then the excluded part of the building must be metered and its energy consumption recorded during the reporting period along with any other relevant variables. That energy consumption must then be discounted from energy savings as unaccounted energy consumption (refer to Section 4.8). Please note this applies to both electricity and gas consumption. This is then used in Equation 3 (refer to Section 4.3).

All exclusions must be metered and recorded over the rating period.

4.7. Renewable energy

Renewable energy systems are eligible to be used in benchmark rating projects to create VEECs only if they do not receive incentives under other prescribed greenhouse gas schemes, as detailed in Section 3.3 of this document. Eligible renewable energy sources include those defined as 'renewable energy' in the PBA Regulations.

4.7.1. Claiming benefits for renewable energy systems in benchmark rating

Benefits can be claimed for generation from on-site renewable energy systems either under the VEU program or another prescribed greenhouse gas scheme but not both for the same abatement, except for some solar water heaters. Any electricity generated by an on-site renewable energy

system that also receives incentives under another prescribed greenhouse gas scheme, which are installed after the start of the baseline period and before the end of the reporting period, must be included as unaccounted energy consumption in the energy saving calculations, as explained in Section 4.8.

If benefits are not being claimed under another greenhouse gas scheme and the energy generated is consumed on-site, it will be accounted for as reduced grid consumption on the reporting period rating report.

4.7.2. Metering requirements for renewable energy systems

If benefits are being claimed for a renewable energy system under another greenhouse gas scheme, then the amount of energy generated by these systems must be metered and reported. The commission may require evidence of the metering arrangements and metering data.

4.8. Unaccounted energy consumption

Unaccounted energy consumption (E_U) includes any energy consumption during the baseline period which is not included in the reporting period ratings report. The two sources of unaccounted energy consumption that must be included in savings calculations are as follows:

1. reduced energy consumption, both electricity (measured in MWh) and gas (measured in GJ), because of changes in the building's sub-metering arrangements between the baseline period and reporting period, i.e. where the configuration is not similar as defined in Section 4.6
2. electricity generated from renewable energy systems installed between the start date of the baseline period and the end date of the reporting period for which incentives have been received under a prescribed greenhouse gas scheme. Any installations that occur outside of this timeframe do not need to be included under unaccounted energy consumption. For further detail on how to treat renewable energy systems, please refer to Section 4.7.

If either of these two conditions apply then the unaccounted energy consumption must be added to the reporting period energy consumption using Equation 3, as specified in Section 4.3.

4.9. Counted savings

The counted savings represent the reduction of greenhouse gases which is shown in terms of carbon dioxide equivalent (in tonnes). Counted savings are represented by certificates (VEECs and those created under other prescribed schemes) created as a result of the activities after the start of the baseline period.

- An adjustment might be required for the counted savings for the adjustment is required for compliance with Regulation 14(b) of the PBA Regulations.

If the energy consumer has undertaken an additional energy saving project after the start of the baseline period, and this additional abatement cannot be considered to be a part of the approved project scope, then the abatement relating to this cannot be claimed as VEECs. These additional savings must be accounted for as 'counted savings' in Equation 1.

5. How to apply for a PBA benchmark rating project

5.1. Introduction

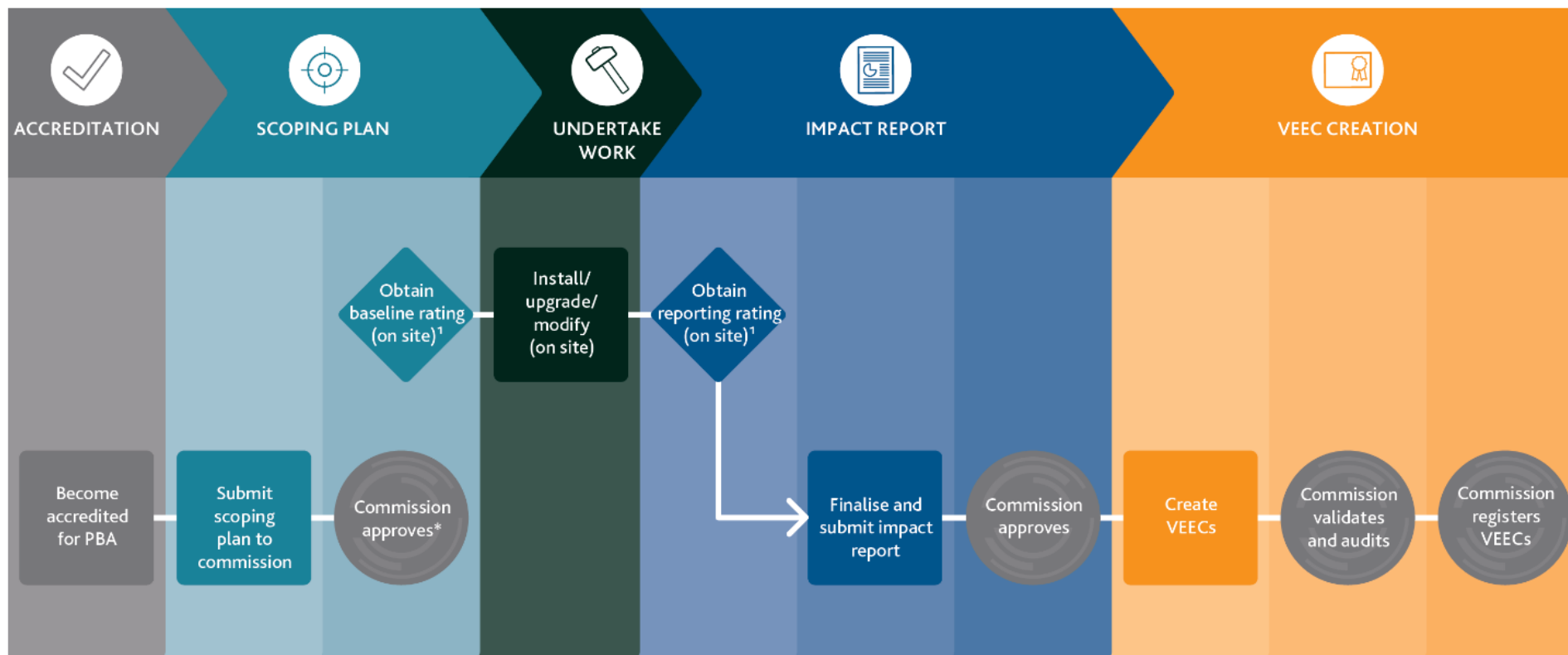
The key steps for carrying out a project and creating VEECs for benchmark rating projects are:

- apply to be an AP for PBA
- submit scoping plan
- obtain baseline rating
- undertake project activities
- obtain reporting rating
- determine abatement
- assign rights to VEEC creation
- submit impact report to the commission
- VEEC creation and registration.

Each step is described in the following sections.

5.2. Apply to be an accredited person/approval to undertake PBA projects

A project proponent must be accredited/approved to undertake PBA benchmark rating activities under the PBA Regulations before you can create VEECs from these types of projects. You will need to apply for accreditation/approval via your account in the VEU Registry. Visit <http://www.esc.vic.gov.au/become-veu-accredited> for information on how to become accredited/approved to create VEECs under PBA.



¹ To obtain a rating, you must generally measure for a total of twelve months. You must complete the baseline measurement within the 18 months before the project works start. The commencement of reporting measurement must directly follow the implementation start time or directly follow another reporting period but not later than 2 years after the implementation start time.

* You can start undertaking work on site before this stage is complete

5.1 Figure 1: Process map – project-based activities – benchmark rating

This process map shows the steps businesses must follow in order to create Victorian energy efficiency certificates (VEECs) from benchmark rating projects.

5.3. Submit scoping plan

This section explains how to prepare and submit an application for scoping plan approval. Further details of scoping plan requirements are found in Section 5.3.1. Scoping plan applications are made using your VEU Registry account at <https://veu.esc.vic.gov.au/>

The scoping plan covers a range of elements of the benchmark rating project. The purpose of the scoping plan is to provide us with an understanding of what you plan to do, without requiring details that may not be able to be provided at this early stage of the project's development. You can start work as soon as we have acknowledged receipt of a scoping plan application.

You can submit your scoping application using your [VEU Registry](#) account.

For an application for scoping plan approval, the primary document is the **Scoping Plan Approval Form**. We must have received your submission of an application for scoping plan approval before physical works commence for the purposes of a benchmark rating project⁵.

This document is available at www.esc.vic.gov.au/benchmark-rating

Before you begin you may need to estimate the number of VEECs a project will generate, in order to fulfil project activities such as providing a quote for a job, developing a business case, and other related scenarios.

As benchmark rating allows many different types of abatement technologies and energy reduction techniques, we do not provide a VEEC calculator for this purpose. It is a requirement of participation in the benchmark rating method that you have the requisite qualifications, or access to an accredited assessor with the requisite qualifications, in order to obtain the benchmark ratings necessary for these activities. Section 3.5 of this document is then used to calculate the number of VEECs which can be created for a project.

5.3.1. Scoping plan – detailed requirements

The scoping plan covers the following:

- project ownership, including providing evidence of the energy consumer's agreement to the project via a **Registration of Interest Form** (described in Section 3.4.1 of this document)
- additionality (described in Section 3.4.5 of this document)

⁵ There are some exceptions to this, such as the installation of metering. A full list of these exceptions can be found in Regulation 6 (6) of the PBA Regulations.

- project purpose (described below).

We require the Registration of Interest Form as evidence that the energy consumer knows about the project and agrees to you submitting a scoping plan for approval. This stops speculative applications being submitted to us. However, please note that this document **does not** bind the energy consumer to any agreement with the AP or guarantee that the project will be undertaken. The project will not be publicly listed until later in the process when the project has received impact report approval.

The application for scoping plan approval requires you to explain what the project involves and how this aligns with the activity's eligibility requirements. The project purpose should establish:

- project name
- location
- project works end date
- description
- energy sources affected and introduced
- a nominated benchmark rating administrator.

Each is described in more detail below. The scoping plan is also used to assess additionality, as described in Section 3.4.5 of this document.

Project name

The project name is the public reference and identifier for the project, and will be shown in the [Register of Approved Projects](#). You should nominate your preferred name for the project. That name:

- must be unique
- must not mislead about the project's ownership or purpose
- must not contain language inappropriate for a publicly listed project.

The name should use the following convention: [company name]_[site]_[project purpose]_[start date] e.g. FinanceCompany_Ballarat_HVAC Upgrade_Dec 2018.

If you or the energy consumer are concerned about having certain details publicly listed, such as the name of the company, you do not need to have this explicitly stated in the project name. However project names that do not give the correct purpose and start date cannot be used.

Location

The location should be an address, where available. A lot number or equivalent or GIS coordinate can be used where no other location identifying reference is available.

The project's location is required in the scoping plan. It must be one geographically continuous site. Multi-site projects will not be accepted at this time.

Project works end date

The project works end date sets the date and optionally the time at which the project works are expected to be completed and the project is brought back into service (after any commissioning). The project works end date is also known as the implementation start time in the PBA Regulations.

Description

The description is your explanation of the project. Use this section to describe the activities being undertaken, including how the project addresses the eligibility criteria set out in the PBA Regulations, the benchmark rating specifications, the VEET Guidelines and guides published on www.esc.vic.gov.au/veu.

This is a high level description and should provide us with a basic understanding of everything that is being proposed, and whether this falls within the general scope of the relevant benchmark rating project.

Energy sources affected and introduced

The energy sources affected and introduced are the electricity and gas sources within the project boundary. These will generally be fixed utilities in the form of grid electricity or piped natural gas. Where other energy types are affected, or where the project involves fuel switching, provide details of each energy source. Refer also to Section 3.4.2 of this document for further details.

Nominated benchmark administrator

The nominated benchmark administrator must be one of the approved benchmark administrators published in the benchmark rating specifications. Please refer to Section 4.1 of this document for further information.

You do not need to have obtained a baseline rating report before submitting a scoping plan application for your project.

5.4. Obtain baseline benchmark rating

The baseline benchmark rating is the main piece of evidence that you will need to collect in order to show site conditions before any project activity is undertaken. You may already have this before submitting the application for scoping plan approval.

You can obtain a baseline rating for the premises by engaging an accredited assessor to provide a certified rating in line with the requirements of the benchmark administrator for the nominated benchmark process for that building type. Specific requirements are set out in Section 4.4.1 of this document, the PBA Regulations, the benchmark rating specifications, the VEET Guidelines and the guides published on the commission website (www.esc.vic.gov.au/benchmark-rating).

To create VEECs, you may be required to provide any relevant information that the assessor has used to provide the baseline rating. Thus, this information should be collected and stored according to the requirements of the VEET Act.

There are a number of other types of information you will need to gather for your records, beyond the data you need to create VEECs using the online VEU Registry. Contact the VEU support team if you are unsure of your obligations.

5.5. Undertake project activities

‘Project activities’ is the carrying out of projects and control measures that result in electricity and/or fossil fuel gas savings (abatement). The project works start date is the date at which project works commence, and this cannot occur before the project’s scoping plan application has been approved. The PBA Regulations includes a list of activities related to the project which may occur before scoping plan submission under Regulation 6(6). ‘Project works end date’ (referred to in the regulations as the ‘implementation start time’), in relation to a project, means the date, and optionally the time, normal operations are capable of commencing after all changes to be implemented by the project, including any testing and commissioning, are completed. Determination of the impact cannot happen before this date.

For an installation to be eligible under VEU, it must comply with all relevant laws and regulations, including those relating to OH&S and product safety. This applies to all projects – including where you subcontract any work to a third party.

As an AP you can use subcontractors to undertake project work on your behalf. However, the AP remains responsible for ensuring the certificates created comply with the VEET Act and regulations.

As the use of subcontractors is a compliance risk, you may be required to provide information about the contractual arrangements for each project you undertake. This information is recorded on the VEEC Assignment Form for Project-Based Activities and may be requested when you create the VEECs associated with each project.

The highest priority during the project works is that all relevant OH&S laws, standards and precautions are observed. You will also need to ensure that your staff and/or subcontractors collect any relevant compliance information about the project processes.

5.6. Obtain reporting benchmark rating

The reporting period benchmark rating is the main piece of evidence that you will need to collect in order to show site conditions after project activities are undertaken.

You can obtain a reporting rating for the premises by engaging an accredited assessor to provide a certified rating in line with the requirements of the approved benchmark administrator for the

nominated benchmark process for that building type. Specific requirements are set out in Section 4.4.2 of this document, the PBA Regulations, the benchmark rating specifications, the VEET Guidelines, commission guides published on the commission website, and any relevant standards.

To create VEECs, you may be required to provide any relevant information that the assessor has used to provide the reporting rating. This information should be collected and stored according to the requirements of the VEET Act. There are a number of other types of information you will need to gather for your records, beyond the data you need to create VEECs using the online VEU Registry. Contact the VEU support team if you are still unsure of your obligations.

5.7. Determine abatement

The impact assessment determines the abatement that has been achieved by the project and therefore how many VEECs can be created, using information stated on the benchmark rating reports for both the baseline and reporting periods. It is communicated using the application for impact report approval. The impact report quantifies and reports the difference in energy use between the correct adjusted baseline and the measured energy consumption from the reporting period after completion of project works, as determined using information from the baseline and reporting rating report(s) and the approved benchmark rating administrator's prediction tool. Specific requirements for calculating the number of VEECs which can be created are set out in Section 4.3 of this document, the PBA Regulations, the benchmark rating specifications, the VEET Guidelines, guides published on the commission website, and any relevant standards.

Whilst the two rating reports are the primary sources of information to determine the number of VEECs available for a project, they are not the only documents required, depending on the specific project. You must be familiar with all the concepts in Section 3.5 of this document in order to collect and provide all the information necessary for your project.

5.8. Assignment of VEEC creation rights

The relevant energy consumer for a project holds the right to any VEECs that can be created.

Before VEECs can be created, there must be an assignment of rights between the energy consumer and the AP in accordance with Section 8 of the VEET Guidelines.

Once the project has been carried out, the energy consumer must complete and sign a VEEC Assignment Form for Project-Based Activities when assigning their right to create VEECs to a third-party AP, which is submitted along with the first impact report. This form collects the information necessary for you to create certificates and demonstrate compliance with the legislation.

You must ensure that the person signing on behalf of the client, the 'authorised signatory', does indeed bear legal authority to sign on the behalf of that entity.

Where you (the AP) are also the energy consumer and are carrying out a project at your own site, you must still assign the rights to create VEECs to yourself. Therefore, even in this case a VEEC Assignment Form for Project-Based Activities must still be filled out by the energy consumer, which in this case is you (the AP). You must provide both the declaration for the upgrade manager representing the AP and the declaration for the authorised signatory representing the energy consumer.

You may customise the coversheet for your own VEEC Assignment Form to incorporate additional explanatory text, company logos and other features. When applying for accreditation, you will need to provide a copy of your proposed form for our review as part of your accreditation application process. No other changes to the form will be allowed.

You must give a copy of the form to consumers at the time of signing. Additionally, you must ensure that all personal information collected in this form is held in accordance with the Information Privacy Principles (IPPs) under the *Privacy and Data Protection Act 2014* (Vic). Details of how to comply can be found at www.ovic.vic.gov.au.

5.9. Supply impact report to the commission

This section explains how to prepare and submit an application for project impact report approval. Further details of impact report requirements are found in Sections 5.9.1 and 5.9.2. The application must be submitted using your [VEU Registry](#) account.

After the project has been implemented (i.e. project works are complete and first brought back into service), and savings have been determined, an impact report can be lodged with the commission. The impact report must be submitted to us using the Impact Report Approval Form.

The primary document required for this application is the **Impact Report Approval Form**. This document is available at www.esc.vic.gov.au/benchmark-rating

In order to submit an impact report application, your project must have received approval in principle, such that your scoping plan application has been approved by the commission.

The impact report quantifies and reports the difference in energy use between the baseline period and the reporting period. The impact report must include:

- baseline rating report
- reporting rating report

Begin by completing the Impact Report Approval Form. You must provide an answer to all applicable questions. The approval form also prompts for the attachment of several documents.

You are only able to create VEECs once an impact report has been approved. If you have applied for impact report approval, you are unable to submit an additional application for impact report approval until the commission has approved your existing application, and you have created

VEECs corresponding to that report. Please refer to Section 5.9.1 for further details on the timing of impact report submission.

The impact report's content is described in Regulation 11 of the PBA Regulations and the benchmark rating specifications issued under Regulation 18 of the PBA Regulations.

5.9.1. When an application for impact report approval is required

VEECs can be forward created based on the difference between the reporting period and the baseline period. APs need to lodge an impact report following the end of the reporting period.

5.9.2. Project impact report – detailed requirements

The following sections will explain the requirements of each section of the impact report approval form.

Applicant details

This section simply asks to confirm the details of the AP, and the project's name, address and contact details.

Project details

This section asks several high level questions about the outcomes of the project. You are asked to confirm that no changes have been made to the project and its team without applying for a variation (refer to Section 6.2 for details on project variations).

If the project involved a lighting upgrade, you are asked to confirm that the lighting products used are listed on the [VEU Register of Products](#) and that all old lighting equipment was properly decommissioned. Evidence of this must be provided.

You must also confirm which energy sources were affected by the project and that the reduction in greenhouse gas emissions was completed in accordance with the requirements of the PBA Regulations. Where the project included a reduction in service levels to correct over-servicing, a full justification must be included in this section. Finally, this section also asks for the total cost of the project.

Project completion

This section asks for key project dates and evidence of project completion, which occurs on the **project works end date**. The date, and optionally the time, at which this occurs is referred to as the project works end date. In the PBA Regulations, this is referred to as the implementation start time.

You will be asked to confirm the baseline period start and end dates (refer to Section 4.4.1 for more detail about the baseline period), as well as the start and end dates of the project works.

Project impact report

This section of the form prompts for the attachment of key documents including rating reports for the baseline and reporting periods, prediction tool, rating data summary, hospital rating spreadsheet or any other documents required which include details of information used to determine the benchmark ratings for the site. This section also asks for details of the abatement achieved due to the project. The calculation must include details of counted savings, negative savings and unaccounted energy. All these requirements must be provided as described in Section 3.5 of this document.

Where the VEEC calculation includes unaccounted energy, you may need to provide evidence of metering arrangements, metering data and any exclusions from the measurement period between the baseline and reporting periods. If the building has undergone a planning approval which requires a minimum rating to be achieved, this must also be reported in this section of the form. Please refer to Section 3.5 of this document

Benchmark process accredited assessor

Each benchmark rating must be provided by an accredited assessor for the nominated benchmark process. The accredited assessor is required to provide a rating using the rules of the nominated benchmark administrator, and this rating must be objective and must not be biased by any conflict of interest, either real or perceived.

A **Conflict of Interest Declaration** is required for each benchmark rating report. This document is available at www.esc.vic.gov.au/benchmark-rating. If the accredited assessor who completed the baseline rating report is different to the one who has provided the reporting period report, then the AP must declare that the baseline rating report assessor was independent of the project. A further form must be provided each subsequent year of the project.

For clarity, the accredited assessor can be an employee of the AP or the site owner, however they must adhere by all of the rules of the benchmark administrator, including conflict of interest requirements. In addition, they are required to declare to the commission any conflict of interest, either perceived or real, on the Conflict of Interest Declaration. If the accredited assessor has another involvement in the project, they must demonstrate that any conflicts are appropriately managed. This situation may result in a greater risk rating being applied to the project. If a benchmark rating is found to have been manipulated in favour of VEEC creation, this may result in penalties being applied under the VEET Act.

Evidence of assignment of VEEC creation rights

The first time an impact report is submitted it must be accompanied by a VEEC Assignment Form for Project-Based Activities. This process only occurs once. After the first impact report has been approved, an assignment form is **not** required for any subsequent impact report. Section 5.8 explains the concept of assigning rights to create VEECs.

5.10. VEEC creation and registration

5.10.1. How to create VEECs

For PBA, VEECs can only be created with respect to an approved impact report. For details on how to apply for impact report approval, please refer to Section 5.9.

Once an impact report is approved through the VEU Registry, the VEECs associated with the project will be created and processed through the system. The AP must be approved to undertake benchmark rating projects.

A certificate creation fee of \$2.33 per certificate applies to all VEECs created by an accredited person. We issue invoices on Tuesdays and Thursdays each week for VEECs created by accredited persons. If you identify an issue with activities you have submitted for creation, to avoid being charged a creation fee for VEECs you have created, you will need to withdraw the VEECs before 6am on Tuesday and Thursdays. You will be able to reconcile invoices with your created activities in the VEU Registry.

5.10.2. The commission registers VEECs

Once you have paid your certificate creation fees, we will process those certificates and decide whether to register them or not. You should initially expect every project to be audited before VEECs are registered. Audit frequency and timing may change as you participate in PBA, decreasing with low risk rating or increasing with high risk rating. The audit and risk assessment parts of the validation process are described in Section 6.1.

Registered VEECs are available to be traded and/or surrendered to us.

6. Other important points to consider

6.1. Your project may be subject to an audit

6.1.1. Auditing of projects

The commission is responsible for monitoring compliance with the VEET Act, the principal VEET Regulations and PBA Regulations (the regulations made under the VEET Act), the VEET guidelines, and the benchmark rating specifications. This includes undertaking periodic audits of the VEU-related operations of program participants.

Under Section 7(2)(d) of the VEET Act, the commission may audit the creation of certificates by APs. The commission may appoint one or more members of staff of the commission or another appropriately qualified or experienced person or firm to investigate compliance with the VEET Act, the regulations made under the VEET Act, and the VEET guidelines. Please refer to Section 15 of the VEET guidelines for further information on audits undertaken by the commission.

If required, the commission must issue an audit report under ASAE 3000 Assurance Engagements Other than Audits or Reviews of Historical Information which provides for reasonable assurance. The report requirements are described in Section 15.2 of the VEET Guidelines.

We have developed a number of guides to help you understand and fulfil your audit and compliance obligations. These guides can be accessed at www.esc.vic.gov.au/benchmark-rating

For PBA benchmark rating, the commission may elect to audit a project between the VEEC creation stage and the registration stage. The commission will determine a risk rating for each project. The likelihood, scope and timing of an audit may depend on that risk rating.

If a project is subject to an audit, this is expected to occur between VEEC creation and registration. This audit is not an additional assessment process, but a standard audit process (which may or may not be carried out) after impact report approval. The project has been approved in principle, but all projects will be subject to a potential audit, the same as any other VEU activity.

We understand that this adds more time before you can receive a financial return for VEECs created. However this will be carried out on a risk-based approach, so better performing APs (rated as lower risk) who are participating regularly in VEU program may have their audits undertaken less often, or at a later stage in the process.

6.1.2. Enforcement

Where investigation has shown unintentional non-compliance with the VEET Act, regulations made under the VEET Act, the VEET Guidelines and other commission documents and requirements, the commission may:

- warn the AP

- reprimand the AP and/or
- impose a condition or restriction on the accreditation of the AP.

Where an AP without reasonable excuse does not comply with a direction to produce documents, or provides false or misleading information, the penalty is 60 penalty units for an individual, and 240 penalty units for a body corporate. The value of a penalty unit is set annually by the Department of Treasury and Finance and is updated on 1 July each year.

If the commission considers that an AP has breached undertakings given under the VEU program or improperly created VEECs, the commission may suspend or revoke their accreditation and issue a certificate surrender notice to that person.

The penalty for failing to comply is 600 penalty units and an additional penalty unit for each certificate that the person fails to surrender in accordance with the order.

6.2. Submit a variation if something changes

A variation is any change to an approved or conditionally approved benchmark rating project and/or the project team running it. Changes can be expected in any large project, especially in the early stages.

Once a scoping plan has been submitted, we will assess any proposed change(s). An application for variation, for which the relevant change has already been made in practice, may not be approved, depending on the nature of the variation. We therefore strongly encourage applicants to await our decision before making any changes.

Please note – it is not a requirement that you seek a variation before making a change, however the commission **strongly** advises seeking approval first. It is in your interest to inform us of any changes as early as possible, to confirm that the variation will be eligible before proceeding. This may also result in faster processing times.

Unapproved changes that affect the result of impact reports could result in VEECs not being created for the project. In addition, a project cannot create VEECs while a variation request is being processed.

Some project details can be changed readily after approval. These include changes to site ownership, changes to project scope and timing. Other conditions cannot be changed readily and may warrant a new project application. These include a change of location or change of purpose. Table 2 lists the types of variations that can and cannot be made.

6.1 Table 2: Acceptable and unacceptable variations for benchmark rating projects

The commission will consider variations for	The commission will not consider variations for
Site ownership	Requests not made on the standard Variation Approval Form
Increasing the scope of the project, providing work on the additional scope has not commenced	Any addition of activities outside of the site boundary
Reducing the scope of the project (e.g. removing a service from the list of nominated affected services)	Any change that makes genuine abatement unlikely
Impact reports that significantly over-create VEECs	Any change that introduces unacceptable risk to the project
Changes to the benchmark rating process being used to calculate the abatement ⁶	Any change that removes additionality
Other factors, if compelling reasons exist	Projects that are still processing another variation, i.e. one variation is allowed at a time
	Unreasonably frequent changes
	Multiple revisions of previously made changes
	Any change that fails requirements set out in the VEET Act, Regulations made under the VEET Act, the VEET guidelines and guides published on the commission website
	Changing the project type to or from the benchmark rating method to calculate abatement – for example, changing from benchmark rating to a M&V method

A simple process has been put in place to enable variation applications. A Variation Approval Form (available at www.esc.vic.gov.au/benchmark-rating) should be submitted using your VEU Registry account along with any updated scoping applications (and any other relevant documents). The variation is submitted by creating a 'New Variation' on the parent application record of the relevant project listing. The variation approval form is a relatively short form which allows you to communicate the proposed variation quickly. It enables us to quickly assess if we will consider the variation. Larger variations are likely to be bespoke, and in such cases we will issue a request for further information following receipt of the short variation application. Table 3 outlines what changes require you to submit a variation application for approval.

6.2 Table 3: What changes require an application for variation – benchmark rating projects

⁶ Depending on the nominated benchmark rating process. Some changes cannot be accepted – please discuss any potential changes with the commission for further guidance.

Matters that require a variation	Matters that do not require a variation
Reducing or increasing the scope of the project	Changes to the project works start and end dates indicated in the application for scoping plan approval
Changes to fuel sources, if applicable	
Changes to the project's participation in other prescribed greenhouse gas schemes	
	Changes to lighting products and their configuration including lamps, luminaires and any lighting control devices such as sensors to be used, where this was indicated in the application for scoping plan approval
	Changes to the implementation model

Should you wish to vary your project, you should discuss it with us as soon as possible. If the variation will be considered, you can lodge more details and seek approval.

A variation must be submitted before the next stage of the process can be approved. For example, if you are applying for a variation to the scoping plan after the works are completed, the commission will need to approve this variation before the impact report can be approved.

If the variation will not be considered, you can either proceed with the original plan or lodge a new project.

For clarity, a decision to not consider a variation is a rejection of the variation. Note also that a decision to consider a variation is not an approval; any approval requires a full assessment of a larger application. We can approve small variations on the basis of the initial brief application if warranted.

6.3. How to use products under PBA benchmark rating

To use products in a benchmark rating project, you must ensure the following criteria are met:

- any lighting product(s) installed are listed on the [VEU Register of Products](#) prior to submitting the impact report for the project
- any lighting product(s) removed as part of the project must be decommissioned in accordance with the VEET Act, regulations made under the VEET Act, and the VEET Guidelines
- any mercury containing lighting product(s) replaced as part of the installation has been disposed of in a class of waste disposal facility as determined by the commission
- any lighting product(s) replaced as part of the installation were not installed for the purposes of being decommissioned as part of the project (i.e. the baseline environment is not altered prior to the installation).

You only need to use a registered product and decommission if you are doing a lighting upgrade. Non-lighting equipment does not need to be decommissioned.

Lighting products that can be used in M&V projects are those listed in the VEU Register of Products under product categories 27, 34 and 35. Alternatively, there may be other type of lighting products which would not ordinarily be listed under any of these product categories.

Any project that involves a lighting upgrade must provide us with details about what products are removed, what products they are replaced with, any additional products that are installed (including details of any sensors that any of these products use) and an explanation of the zoning for the APs and VEU Registry account holders (including manufacturers) seeking to add a new lighting product to the VEU Register of Products for use in an M&V project must submit an application under the appropriate product category to the commission using the product application tool via your VEU Registry account. For example, product category 34 is likely to be the most appropriate product category if you wish to use a highbay lamp in an M&V project. The commission can then verify that the product can meet the minimum criteria required by the principal VEET Regulations for that activity.

For more information about the product application and assessment process, please refer to the Lighting Product Application Guide (found at www.esc.vic.gov.au/veu-product-applicants), which contains a detailed step-by-step guide to getting a product listed for each prescribed activity category on the VEU Register of Products.

If the installation environment is unusual and the lighting product may therefore not normally fit under product categories 27, 34 or 35, or if you are unsure how to proceed, please contact the VEU support team for further information on how to apply for the product to be listed on the register. It is recommended that this is done as early as possible (prior to submission of your scoping plan).

Decommissioning requirements do not apply to projects which do not involve lighting equipment removal. It is understood that in many cases, some equipment needs to be left in situ – for example as a backup, or for maintenance purposes. This is acceptable as it is understood that the old equipment is unlikely to be used, except in less frequent maintenance or less likely equipment failure situations.

We therefore do not need to see decommissioning records for this old equipment (except for lighting equipment).

6.4. How and why the commission may cancel a project

We, the commission, may move to cancel projects for which scoping plan approval has been awarded if we are satisfied that there has been an unreasonable delay in the work commencing to undertake the activities specified in the application for scoping plan approval.

Should we have grounds to believe that such a delay has occurred, it will investigate the project. If the investigation results in us deciding to cancel the project, a cancellation report will be compiled, and you will receive a notice of intent to cancel. This notice will ask you to provide reasons why they believe the project should not be cancelled. You then have 28 days to respond. If an adequate response is not received, we will send a notice of cancellation, and remove the project from the Register of Approved Projects so that VEECs cannot be created for that project.

6.5. How and why an AP may relinquish a project

Relinquishment is a means by which to end a project early. This is an option if circumstances change and it is clear that the project will not succeed as planned. As the AP, you have the option to request relinquishment of a project at any stage by applying to the commission in writing and receiving confirmation from the commission. You may request for your projects to be relinquished by selecting the appropriate option on the specific project page within the VEU Registry. If you are considering relinquishing a project, you should discuss it with us as soon as possible.

6.6. Time limits for creating certificates

Section 17(2) of the VEET Act states that a certificate must be created not later than six months after the end of the year in which the reduction in greenhouse gas emissions that results from the prescribed activity occurs. Refer to Table 4 below for further clarity on the timing of certificate creation.

6.1 Table 4: Timing of greenhouse gas reduction and certificate creation

Reporting period ends on	Certificates must be created by	Total time allowance (to the nearest month)
1 July 2024	30 June 2026	24 months
31 December 2024	30 June 2026	18 months
1 January 2025	30 June 2026	18 months
30 June 2025	30 June 2026	12 months
1 July 2025	30 June 2027	24 months
31 December 2025	30 June 2027	18 months
1 January 2026	30 June 2027	18 months
30 June 2026	30 June 2027	12 months

6.7. Record-keeping requirements

In addition to the requirements set out in Section 72 of the VEET Act, you must keep records and documents which provide evidence of the following, to the extent applicable:

- the records referred to in Section 5.8 of this activity guide in relation to assignments of rights to create certificates
- sales, purchase and/or service records of each product or service which constitutes a prescribed activity for which certificates have been created, including make and model number, if applicable the street address and postcode of the consumer (if in a residential premises) or the ABN, business name, address and postcode (if in a business or non-residential premises)
- any relevant raw data, metering accuracy and calibration information and equipment specifications
- any additional record keeping requirement set out by the commission, including decommissioning requirements described in Section 6.3.

Records should be kept in case of audit by the commission, for a period of six years from the date on which the final certificate for the project has been registered.

7. Roles and responsibilities

7.1. Commission powers

The PBA Regulations give the commission powers to administer PBA that APs should be aware of. They include:

- The commission may grant or refuse a scoping approval.
- The commission may publish approved projects on a public register, naming the project, the AP, the project's location, the method intended to calculate energy savings and any other non-commercially-sensitive information as the commission requires.
- The commission must not approve a scoping plan if the commission is not satisfied that the project is likely to reduce greenhouse gas emissions.
- The commission may grant or refuse a variation to a scoping plan approval.
- The commission may grant or refuse an impact report approval.
- The commission may decide a VEEC is not eligible for registration, if the commission is not satisfied that the activity meets the requirements of the VEET Act and regulations.
- Role of the accredited person (AP).

7.2. Role of the accredited person (AP)

Each project must have a nominated project owner to be responsible for the project. This organisation or natural person is required to apply to us for accreditation as the AP. For clarity, the AP can be an organisation; it does not have to be a natural person.

The commission may approve an organisation or natural person as an AP once all requested information has been lodged and assessed, and all necessary fees have been paid within a specified time frame.

Where the AP is a natural person, it is not necessary for them to be directly employed by the project owner, but they must have the authority to sign on the project owner's behalf. Where the AP is an organisation, the roles of the AP on VEU program documentation must be completed by one natural person.

You as the AP must ensure that the VEECs created with respect to a project are compliant with the VEET Act, regulations made under the VEET Act, and the VEET Guidelines. If you feel unsure about the obligations and risks associated with being an AP, you should seek independent legal advice.

As the AP you are required to identify what the key roles in a project are, provide a suitable explanation of each of these roles, and record who is filling them.

You can use subcontractors to undertake project work on your behalf. However you remain responsible for ensuring the VEECs created comply with the VEET Act, Regulations made under

the VEET Act, and the VEET Guidelines. You may be required to provide information about the contractual arrangements for each contractor for each activity you undertake.

For an installation to be eligible under the VEU program, you, as the AP, must ensure you comply with all relevant laws and regulations, including those relating to occupational (OH&S) and product safety, among others. This applies to all installations – including where you subcontract the installation work to a third party.

The AP must also keep all records relevant to all project activities in the manner and for the period specified in the VEET Act. For clarity, this means for six years from the date on which the final certificate for the project has been registered.

7.3. Role of the upgrade manager

All projects must have, as a minimum, an upgrade manager for the purposes of assignment of rights to create VEECs. For smaller projects, this may be you (the AP) alone.

It is not necessary for the upgrade manager to be directly employed by the AP, but they must have the authority to sign on the AP's behalf. The roles of the upgrade manager on program documentation must also be completed by one person.

7.4. Role of the accredited assessor

For each project, you must obtain a rating report for the baseline period and any reporting period in respect of which an impact report is submitted. These rating reports must be completed by an accredited assessor for the approved benchmark process which has been nominated.

The accredited assessor may be employed by the AP or have some other connection to the site, however any conflicts of interest must be appropriately managed. Refer to Section 5.9.2 for further details on managing conflicts of interest.

7.5. Expert advisors

An expert advisor is a third party advisor engaged by you to assist in development of the project. The expert advisor is an individual with relevant expertise in the methodology or technology being used and generally will have industry experience and/or relevant tertiary qualifications.

Expert advisors are optional, but if they are also used as an accredited assessor for the project this must be declared as a conflict of interest, and the conflict managed. Refer to Section 5.9.2 for further details on managing conflicts of interest.

7.6. Using subcontractors and agents

As an AP, you can use subcontractors to undertake installations on your behalf. However, all responsibility for the compliance of the PBA project with the VEET Act, regulations made under the VEET Act, and the VEET Guidelines rests with you. Non-compliant projects will not be tolerated

and may be subject to enforcement action. As the use of subcontractors is a compliance risk, you may be required to provide information about the contractual arrangements for each project you undertake.

APs and energy consumers may also nominate an agent or agents that will represent them for the purposes of aspects of the project. An agent is someone nominated by the AP to engage with the commission, on their behalf. An agent may be engaged to perform a variety of tasks, from administrative and program participation tasks, to operating elements of the project.

If you nominate an agent, the agent is not responsible for delivery of the project. As the AP you continue to be responsible for any action undertaken during participation in VEU.

The specific responsibility and function of the agent will govern what evidence needs to be provided to satisfy the commission that the agent can perform their function safely and effectively.

If you decide to use an agent, you need to provide the agent written authority to act on your behalf. You will also need to let us know if and when we can expect to deal with the agent on your behalf.

Where you have nominated an agent, you must indicate what that agent will be doing for the project, when we should contact the agent instead of you, and provide a summary of the agent's experience with similar types of projects.

You may also be acting solely as a certificate aggregator. As an aggregator you are responsible to ensure any certificate you create complies with the VEET Act, regulations made under the VEET Act and VEET Guidelines.

8. Risk management

8.1. Insurance

PBA projects will generally be larger scale, with higher costs and larger risks than other activities carried out under the VEU program. As the AP you are encouraged to seek guidance on the appropriate type and level of insurance for your project.

You are required to have public liability cover of at least \$5 million, product liability cover of at least \$5 million (where applicable) and professional indemnity cover of at least \$5 million (where applicable) to undertake PBA. Evidence of insurance cover is generally provided at the accreditation stage. This must include cover for rectification.

However, you can apply for a waiver of these requirements if you are undertaking projects on your own site. The Insurance Waiver Declaration form is available at www.esc.vic.gov.au/benchmark-rating. If you are undertaking projects on your own sites you are advised to seek guidance and apply your own judgement on the appropriate type and level of insurance for the project. For clarity, the commission is not mandating the level of insurance needed for APs running projects on their own sites; the commission expects these APs to determine their own insurance needs.

Other expert advisors to any project are also encouraged to have professional indemnity insurance, and you are encouraged to consider this when contracting expert advisors.

The commission encourages APs and experts to consider increasing the value of all types of insurance coverage in line with the value of the project, the risks involved and the consequences of any flow-on effects.

For projects not undertaken at your own site, if you provided all of the requested insurance details as part of your application for PBA benchmark rating accreditation and it is in date and valid, then you do not need to provide this again as part of a project application other than declaring that you have sufficient cover for insurance. If you did not provide some of this information with your application for accreditation or you held less than the minimum required level approval, then you will be prompted to provide evidence of this with your first Scoping Plan Approval Form. If your insurance has expired you will be prompted to provide an updated record when you next submit an application to us.

8.2. Product safety and occupational health and safety (OH&S)

It is a requirement that all product installers participating in the VEU program are fully licensed and have completed appropriate safety training.

Further, for an installation to be eligible under VEU, it must comply with all relevant laws and regulations, including those relating to OH&S and product safety. This applies to all project activities, including where you or the energy consumer subcontracts the installation (or modification) work to a third party. For APs who are solely undertaking certificate aggregation for the project, you will still need to satisfy yourselves that the energy consumer is capable of carrying out (or engaging someone to carry out) the project in a safe manner.

Under 10(c) of the VEET Regulations, VEECs cannot be created if the AP knew, or ought to have known, that the prescribed activity was not undertaken in accordance with the provisions of the *Electricity Safety Act 1998*, the *Gas Safety Act 1997*, the *Occupational Health and Safety Act 2004*, the *Building Act 1993* or their respective regulations.

If the commission becomes aware that a PBA project does not meet these provisions, the commission may not register VEECs, and may refer the matter to the relevant regulator to investigate.

8.2.1. Installing or modifying equipment – important information

If you are planning on installing new equipment or modifying/adjusting existing ones as part of a project, you should ensure that you thoroughly understand the OH&S, compliance and warranty implications. You should also satisfy yourself that the equipment you plan to install or modify do not pose any unreasonable risks to your staff, sub-contractors or to your client and the public, either during the activities or after them.

Importantly, you should understand that ‘modifying’ existing equipment may effectively create a ‘new’ product from a legal viewpoint. This means that you could become responsible for that equipment’s compliance with relevant safety and compatibility laws and standards. Further, the modification may void the warranty provided by the original manufacturer, meaning you may be considered liable should the equipment malfunction after the activity date.

The *Electricity Safety Act 1998* and Electricity Safety (Installations) Regulations 2009 requires a Certificate of Electrical Safety (or an agreed exemption) for all electrical installation work. In Victoria, this is overseen by Energy Safe Victoria (ESV). This document, where required, must be retained on file by the AP should the commission require an audit. This document must detail the modification work performed on each equipment type modified. ESV also oversees gas installation regulations, while plumbing standards are overseen by the Victorian Building Authority (VBA).

If you feel unsure about the obligations and risks associated with your planned activities, you should seek independent legal and/or other expert advice.

8.3. Approvals and permits

You should ensure that you clearly understand the approvals and permits required for any project activity you engage in. Failure to apply for and comply with all relevant approvals and permits may lead to enforcement action being taken against you by the relevant body.

If you feel unsure about the approvals and permits required for an upgrade project, you should seek independent legal and expert advice.

9. Where to get help

If you encounter difficulties when participating in this activity, you should in the first instance consult the guidance material listed in Section 2 of this document.

If you are unable to resolve your issue using the publicly available material, please contact the VEU Support on (03) 9032 1310, by email: veu@esc.vic.gov.au or via the 'Contact Us' form in the [VEU Registry](#).

Glossary

The following abbreviations and terms are used throughout this activity guide.

Term or abbreviation	
Activity 34	VEU program building based lighting upgrade
ABN	Australian Business Number
AIP	Approval in principle
AP	Accredited person
Benchmark rating specifications	Benchmark Rating in Victorian Energy Upgrades – Specifications
ESC	Essential Services Commission
ESV	Energy Safe Victoria
HVAC	Heating, ventilation and air conditioning
IPPs	Information privacy principles
NABERS	National Australian Built Environment Rating System
OH&S	Occupational health and safety
PBA	Project-based activities
PBA Regulations	Victorian Energy Efficiency Target (Project-Based Activities) Regulations 2017
RECs	Renewable energy certificates
STCs	Small-scale technology certificates
VBA	Victorian Building Authority
VEECs	Victorian energy efficiency certificates
VEET	Victorian Energy Efficiency Target
VEET Act	Victorian Energy Efficiency Target Act 2007
VEET Guidelines	Victorian Energy Efficiency Target Guidelines
VEET Regulations	Victorian Energy Efficiency Target Regulations 2018

Key Terms

The following key terms are used throughout this activity guide.

Key term	Definition
Project works start date	In relation to a project, the date, and optionally the time, at which physical works commence. This does not include any activities described in PBA Regulation 6(6).
Project works end date	Takes the same meaning as implementation start time in the PBA Regulations.
Implementation start time	In relation to a project is the date, and optionally the time, normal operations are capable of commencing after all changes to be implemented by the project, including any testing and commissioning, are completed. This is the same as the project works end date for a benchmark rating project.
Scoping plan	Provides information to the commission about the intended project, without needing to provide details that may not be available at the early stage of project development.
Project impact report	Submitted to the commission after a project has been implemented and the savings have been determined. Must be approved before VEECs can be created.
Variation	Required when certain details of the project change, after the scoping plan has been approved. Some changes are unacceptable and may require a new project application.
Baseline period	A 12-month period ending no more than 18 months before works commence.
Reporting period	A 12-month period that commences directly following the implementation start time for the project or directly following another reporting period, but not later than 2 years after the implementation start time.
Baseline rating report	A document issued by an approved benchmark administrator nominated at scoping approval which states the rating for a premises for the baseline period, the variables used to calculate that rating and any other requirements stated in 11A(3) and 11A(4) of the PBA Regulations.
Baseline period start date	The date the 12-month period for determining a baseline period commences.
Baseline period end date	The date the 12-month period for determining a baseline period finishes.
Reporting period start date	The date the 12-month period for determining a reporting period commences.
Reporting period end date	The date the 12-month period for determining a reporting period finishes.
Reporting rating report	A document issued by an approved benchmark administrator nominated at scoping approval which states the rating for a premises for the reporting period, the variables used to calculate that rating and any other requirements stated in 11A(3) and 11A(4) of the PBA Regulations.

Benchmark rating certificate	The certificate issued by the accredited assessor for the approved benchmark administrator who has performed the benchmark rating assessment used for the PBA benchmark rating project.
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Document version control

Version	Amendments made	Date published
1.0	Creation of new Benchmark Rating Method Activity Guide.	11 December 2018
1.1	Added clarification on project eligibility, lighting equipment requirements, variations, registration of interest, insurance, and audits. Minor corrections made.	12 September 2019
1.2	Updated conflict of interest requirements. Replaced 'activity start date' and 'activity end date' with 'project works start date' and 'project works end date', respectively.	11 February 2021
1.3	Revision to reflect changes to VEEC creation fee process.	1 November 2023
1.4	Revision to reflect amendment to VEET regulations banning cold-call telemarketing and doorknocking under the program.	1 May 2024
1.5	Revision to guide to reflect release of Benchmark Rating Specifications v 2.0	20 June 2025
2.0	Revision to align with VEET (PBA) Amendment Regulations 2025, change to reporting requirements - project plan approval no longer required, changes to allowable scope variations and other minor changes	26 August 2025

