

Eligibility of activity 34 J6 lighting upgrades

Information for VEU program participants



9 October 2019

Victorian energy efficiency certificates (VEECs) are only eligible to be created for an activity 34 J6 lighting upgrade if the upgrade is a part of a site refurbishment that is required to comply with Part J6 of the Building Code of Australia.

Building based lighting upgrades (Activity 34)

There are two types of lighting upgrades that can be completed under part 34 of the Victorian Energy Efficiency Target Regulations (the Regulations) within the Victorian Energy Upgrades (VEU) program projects. They are:

- J6 upgrades – a lighting upgrade that is part of a site refurbishment that is required to comply with Part J6 of the Building Code of Australia (BCA). The project will usually require a building permit.
- Non-J6 upgrades – any other activity 34 lighting installation that complies with the Victorian Energy Efficiency Target Act (the Act), the Regulations and the Victorian Energy Upgrades Specifications (the Specifications).

The shorthand terminology used to describe this distinction in this document is 'J6' and 'Non-J6'.

Our position

A J6 site refurbishment must be a renovation or improvement to an existing site that includes the installation of lighting products which are listed on the Register of Products at the time of VEEC creation. If there is no refurbishment of the site, then the lighting upgrade is not an eligible J6 upgrade. Our position is that to meet the criteria of a 'refurbishment', the site must have already been previously used and occupied prior to the upgrade.

Eligible J6 examples:

- A previously tenanted site is altered to accommodate a new tenant and includes building works that are required to comply with Part J6 of the BCA.
- A previously tenanted single warehouse/shop/tenancy site that includes works to reconfigure the existing site layout and lighting installations to incorporate multiple shops/tenancies which is required to comply with Part J6 of the BCA.
 - In a site refurbishment resulting in multiple shops/tenancies, you may be able to claim the certificates for the site as a single VEEC creation claim or multiple VEEC creation claims





depending on the specific nature and timing of the lighting upgrades for the site. You should contact VEU Support for clarification on how best to manage your upgrade, assignment of rights and creation claims for your specific situation.

Non-eligible J6 examples:

- Installation of lighting equipment in a new stand-alone 'shell' building. The building work undertaken is not considered a 'site refurbishment' as a J6 site refurbishment must not involve a new building as it has not been previously occupied.
- Installation of lighting equipment at a site where cosmetic changes have been made, for example, where the building has been painted. The work is not considered a 'site refurbishment' that is required to comply with Part J6 of the BCA.

Given some of the known issues associated with this type of upgrade, we will be undertaking a detailed assessment of J6 upgrade activities submitted for registration to ensure they meet the J6 upgrade requirements.

Stakeholders' queries

We have received several stakeholders' queries and submissions regarding the eligibility of activity 34 J6 upgrades under the VEU program. This program update has been developed to provide clarity to stakeholders on what type of lighting upgrades may meet J6 lighting upgrades for the purpose of the VEU program.

Rationale for our position

The purpose and objectives of the program as set out in the Act is to promote the reduction of greenhouse gas emissions and to encourage the efficient use of electricity and gas. Certificates under the VEU program are created for each whole tonne of carbon dioxide equivalent of greenhouse gases to be reduced by the undertaking of an activity that complies with the Act, the Regulations and the Specifications.

In view of the above, VEECs are only eligible to be created for building based lighting upgrades (activity 34):

- at sites that are existing buildings and involve the replacement of an inefficient lamp (34 Non-J6) or
- at an existing building involving the refurbishment of the site that is required to comply with Part J6 of the BCA and installation of efficient lamps (34 J6).

The National Construction Code BCA Volume One outlines the requirements for compliance with Part J6 and this is subject to change. Stakeholders intending on performing a lighting installation





as part of a site refurbishment required to comply with Part J6 of the BCA must ensure the current requirements for this part are met at the time of the activity.

Updated program document

We have updated our Building Based Lighting Activity Guide to reflect above clarification information, available at www.esc.vic.gov.au/building-based-lighting-upgrades

Further information

Changes to requirements in Part J6 of the BCA come into effect on 1 May 2020, including an increase in the minimum energy efficiency requirements for lighting. Section 15(2) of the Act states that an activity may be prescribed to be a prescribed activity if the activity will result in greenhouse gas emissions that would not otherwise have occurred if the activity was not undertaken.

Given the upcoming BCA changes, the Department of Environment, Land, Water and Planning will be undertaking a review of the Specifications for 34 J6 activities to ensure consistency with Section 15 of the Act. The review and any amendment to the Specifications will be undertaken in accordance with the Guidelines for updating the Victorian Energy Upgrades Specifications, available at www.energy.vic.gov.au/energy-efficiency/victorian-energy-upgrades/specifications

Where to get help

If you are intending on claiming VEECs for a 34 J6 activity and have any questions on its eligibility, we encourage you to contact VEU Support on (03) 9032 1310 or veu@esc.vic.gov.au prior to certificate creation.