Public Lighting Code of Practice Review

Consultation Paper

20 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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# Summary

The Essential Services Commission is reviewing the Public Lighting Code of Practice (the code). We consider the code to be no longer fit-for-purpose and propose to revoke it.

The relevant obligations related to public lighting services are covered in the:

* National Electricity Rules (NER)
* Electricity Distribution Code of Practice (EDCoP).

### Seeking feedback

We seek your feedback:

* on our proposal to revoke the Public Lighting Code of Practice
* on the obligations we propose to retain and transfer to the Electricity Distribution Code of Practice
* to identify any other obligations in the Public Lighting Code of Practice that the industry may rely on which could be retained.

Retained obligations would be civil penalty requirements and subject to the relevant suite of our enforcement powers.

Your feedback will inform our final decision. We intend to publish our final decision in November 2025.

# Introduction

The Public Lighting Code of Practice contains obligations that relate to public lighting activities in Victoria.

This paper details our proposal to revoke the [Public Lighting Code of Practice](https://www.esc.vic.gov.au/electricity-and-gas/codes-guidelines-policies-and-manuals/public-lighting-code).

The Public Lighting Code of Practice (the code) was published in the early 2000s by the Office of the Regulator General. The code predates Victoria’s adoption of the national electricity regulatory framework.[[1]](#footnote-1) ​

It was last reviewed in 2015 when the Guaranteed Service Level (GSL) framework was updated. The Public Lighting Code of Practice was deemed to be a code of practice for the purposes of the Essential Services Commission Act 2001 on 1 December 2021.[[2]](#footnote-2)

## Public lighting framework

The Public Lighting Code of Practice framework covers the provision of public lighting activities by electricity distribution businesses.

The code focuses on:

* asset management
* service standards
* information provision
* dispute resolution
* negotiation of the public lighting connection process.

### Connection to the national regulations

Parts of the Public Lighting Code of Practice (such as asset management requirements) interact with the National Electricity Rules’ distribution network economic regulatory framework (administered by the Australian Energy Regulator). Put differently, the Public Lighting Code of Practice requires electricity distribution businesses to deliver public lighting services but in accordance with the national economic regulatory framework.

### Obligations under the code

The Public Lighting Code of Practice obligations apply to electricity distribution businesses in their interactions and negotiations with large public lighting customers such as:

* local councils
* VicRoads
* estate developers
* other relevant parties in the provision of public lighting services.

In addition, electricity distribution businesses have ongoing obligations under the Public Lighting Code of Practice to manage and maintain public lighting service standards. These obligations will continue under our proposal to transfer some relevant obligations to the Electricity Distribution Code of Practice.

# The Public Lighting Code of Practice review

* We consider the Public Lighting Code of Practice to be no longer fit for purpose.
* We propose to revoke the code, retaining and transferring some relevant obligations to the Electricity Distribution Code of Practice (EDCoP).

## Reducing regulatory overlap and duplication

We consider key obligations (such as the connection framework) under the Public Lighting Code of Practice are duplicated in the national rules’ connection framework. This is governed by the Australian Energy Regulator (AER) through the National Electricity Rules (NER).

Other Victorian-specific obligations are either already duplicated or where gaps exist, we propose to transfer those obligations to the Electricity Distribution Code of Practice. For duplicated obligations, this includes obligations to record, assess, monitor and develop plans to manage public lighting and processes for handling complaints and dispute resolution.

Appendix A provides a clause-by-clause analysis of the Public Lighting Code of Practice. It details why we consider obligations within the code are:

* duplicated in the national framework or other codes of practice
* outdated
* not relevant

Interested parties should consult Appendix A to help inform their feedback. We also highlight Table 1 which outlines the obligations we propose to retain and transfer to the Electricity Distribution Code of Practice.

## The code is largely duplicated with the national connection framework (National Electricity Rules chapter 5A)

The key parts of the Public Lighting Code of Practice relate to supporting the customisation, negotiation and connection of public lighting services between electricity distribution businesses and public lighting customers (code of practice, sections 3 and 4).[[3]](#footnote-3) It sets the requirement relating to design briefs and documentation, light fitting types and other information provided to public lighting customers.

The national connection framework, although differently framed, also provides for the negotiation and customisation of connection services between electricity distribution businesses and public lighting customers. Importantly, in 2016, Victoria adopted the National Electricity Rules (NER) connection framework (chapter 5A), through amendments to Victorian legislation.[[4]](#footnote-4) This duplicate and supersede the connection framework set out in the Public Lighting Code of Practice.

Further, the national connection framework and the economic regulatory framework adopted by Victoria (under chapter 6 of the NER)[[5]](#footnote-5) can also work together without the need for the Public Lighting Code of Practice connection framework. The Australian Energy Regulator (AER) regulates electricity distribution businesses’ public lighting activities under these national frameworks.[[6]](#footnote-6) Chapter 6 also requires electricity distribution business to publish their charges for public lighting services it provides.

## Transferring relevant obligations to the Electricity Distribution Code of Practice

## The Public Lighting Code of Practice was designed to operate as a standalone instrument separate to the Electricity Distribution Code of Practice. This means the Electricity Distribution Code of Practice does not include many obligations related to public lighting activities.

Not all Public Lighting Code of Practice obligations are duplicated in the national framework. Following assessment, we propose to address any gaps by transferring relevant obligations from the Public Lighting Code of Practice to the Electricity Distribution Code of Practice. These are briefly described in Table 1, with further analysis set out in Appendix A.

We have not proposed any new obligations for electricity distribution businesses as part of this review. We invite interested parties to provide feedback on the transferring obligations.

Appendix Bsets outthe proposed draft amendments to the Electricity Distribution Code of Practice regarding the transferring obligations.

## Proposed starting date

We propose any obligations transferred from the Public Lighting Code of Practice to the Electricity Distribution Code of Practice would take effect from 1 January 2026.

Table 1: Proposed obligations to be transferred from the Public Lighting Code of Practice to the Electricity Distribution Code of Practice

| Obligation | Description | Public Lighting Code of Practice clauses | Proposed new clauses to be transferredto the Electricity Distribution Code of Practice |
| --- | --- | --- | --- |
| Guaranteed Service Levels | Electricity distributors are required to provide a payment to individuals who report faults in public lighting infrastructure. We propose to retain this obligation. | Clause 2.5, (a) and (b) | Clause 14.5.1, (d) and (e) |
| Public lighting minimum standards and use of distribution system | Electricity distributors must operate public lighting at a certain standard – this includes how often lamps should be replaced, or the time required to repair or replace it.Because public lighting customers are often organisations (such as local councils), distributors must negotiate specific performance targets with them in good faith.We propose to retain these obligations, with some minor amendments. This is to account for innovations in technology, which have improved the longevity of lamps. Lamp technology also continues to improve, with metering and remote monitoring of lamps expected.We propose the following specific changes:* removing references to the 4 and 8 years lamp or photo-electric cells replacement cycle respectively, and instead requiring distributors to replace these ‘in accordance with industry best practice or as otherwise required by the public lighting standards’
* amending references to patrol major roads to inspect lights at least 3 times per year, to be ‘in accordance with industry best practice as agreed to with the public lighting customer or at least 3 times per year’
 | Clause 2.3.1, (a) – (g) Clause 2.3.2Clause 2.2 | Clause 19.7.1, (a) – (g) Clause 19.7.2Clause 19.8 |
| Information and reporting obligations | These obligations require distributors to provide information, data and reports to a public lighting customer. This includes standard information such as:* quarterly and annual maintenance progress reports
* quarterly reports of performance
 | Clause 5.1.1Clause 5.2.1, (a) – (g) Clauses 5.2.2, 5.3 and 5.4 | Clause 25.3.4, (a) – (l)  |
| Definitions  | Key definitions that support the obligations to be transferred into the Electricity Distribution Code of Practice. | Definition section | Definition section |

# We want your feedback

## Submissions

Submissions can be made to us through Engage Victoria by **5:00 pm on Friday, 26 September 2025**.

We request that stakeholders abide by our [Submissions Policy](https://www.esc.vic.gov.au/about-us/our-policies/our-submissions-policy) and clearly identify which information is sensitive or confidential.

We seek your feedback on our proposal to revoke the Public Lighting Code of Practice and whether we should consider retaining any obligation beyond those we are proposing. Our aim is to ensure that relevant obligations in Victoria are not adversely affected by revoking the Public Lighting Code of Practice while also removing duplications and clarifying ambiguity.

If there are compelling reasons for us to retain certain obligations, we propose to move these obligations into the Electricity Distribution Code of Practice. Retained obligations would be subject to the applicable suite of our enforcement powers.

We encourage you to reach out to us to discuss any feedback. If you have any questions or would like to arrange a meeting, please contact us at energyreform@esc.vic.gov.au.

## What is outside the scope of this review

We will not remake the Public Lighting Code of Practice or introduce any new obligations. Any existing obligations being retained are proposed to be transferred to the Electricity Distribution Code of Practice.

## Indicative timelines

The key dates related to revoking the Public Lighting Code of Practice are:

* Friday, 26 September before 5:00 pm – Last date to submit your feedback
* November 2025 – Final Decision published
* 1 January 2026 – Proposed start date for the transferring obligations to the Electricity Distribution Code of Practice

## Questions for interested parties

We welcome feedback in response to the following questions:

* Q1. Do you have any concerns regarding the proposed revocation of the Public Lighting Code of Practice? Please elaborate.
* Q2. Are there any other obligations in the Public Lighting Code of Practice we should consider retaining and transferring (other than those already proposed to be)? Please elaborate.
* Q3. Would public lighting customers prefer only negotiating specific service standards with distributors, rather than having minimum obligations for distributors (by transferring service standards to the Electricity Distribution Code of Practice)? Please elaborate.
* Q4. Do you have any concerns regarding the transferred obligations to the Electricity Distribution Code of Practice starting from 1 January 2026? Please elaborate.

## Engage Victoria

Submissions can be made via the Engage Victoria website by Friday, 26 September 2025 at 5:00 pm.

We request that stakeholders abide by our [Submissions Policy](https://www.esc.vic.gov.au/about-us/our-policies/our-submissions-policy) and clearly identify which information is sensitive or confidential.

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# Glossary

|  |  |
| --- | --- |
| Acronym | Meaning |
| AER | Australian Energy Regulator |
| EDCOP | Electricity Distribution Code of Practice |
| GSL | Guaranteed Service Level |
| NER | National Electricity Rules |
| PLCOP | Public Lighting Code of Practice |

1. [National Electricity Rules](https://energy-rules.aemc.gov.au/ner/656) [↑](#footnote-ref-1)
2. SeeSection 76(1)(h) *Essential Services Commission (Compliance and Enforcement Powers) Act 2021*. [↑](#footnote-ref-2)
3. [Public Lighting Code (version 2)](https://www.esc.vic.gov.au/sites/default/files/documents/Public-Lighting-Code-Version-2.pdf)  [↑](#footnote-ref-3)
4. See Section 6, *National Electricity (Victoria) Further Amendment Act 2016*, (No 24 of 2016). [↑](#footnote-ref-4)
5. [National Electricity Rules, chapter 6 – Economic Regulation of Distribution Services](https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Faemc-dra-production-s3.s3.ap-southeast-2.amazonaws.com%2Fpublic%2Frules%2F0d4f134385075c7be48ffc6b7e0883c40879ef27%2Fassets%2Ffiles%2FNER%2520-%2520v230%2520-%2520Chapter%25206.docx&wdOrigin=BROWSELINK) [↑](#footnote-ref-5)
6. [AER Framework and approach – Victorian electricity distribution determinations 2026-31](https://www.aer.gov.au/system/files/2024-07/AER%20-%20Final%20Framework%20and%20Approach%20-%20Victorian%20electricity%20distribution%20determinations%202026-31%20-%20July%202024.pdf) [↑](#footnote-ref-6)