

NSW Public Lighting Code – Consultation Paper, June 2018

(RMS Specific Comments)

General:

Provision of effective public lighting is vital public safety function that is normally the responsibility of councils but one in which RMS, as the primary NSW road safety authority, also has a jurisdictional interest. This is particularly the case on designated traffic routes which are vital road corridors across the state and also, locations where road safety risks are most acute because of the higher speeds and traffic volumes. RMS has overtime taken up direct responsibility for some lighting such as motorways, tunnels and bridges from safety, security and sensitivity point of view.

In summary, RMS manages or has a jurisdictional interest in road lighting in the following categories:

1. 100% RMS-owned Lights: RMS installed, commissioned, maintained and electricity paid
2. Lights for which RMS pays capital, maintenance and energy charge for via utility accounts or separate electricity accounts under different ownership arrangements and tariff categories
3. Lights mainly on public roads for which RMS provides a subsidy to councils for maintaining, primarily Category V1-V5 lights on Public roads. These lights are typically installed owned and maintained by DNSPs for councils and councils pay off their capital costs, maintenance costs and electricity costs to the DNSPs. RMS pays broadly 50% of these costs to councils under the Traffic Route Lighting Subsidy Scheme (TRLSS).

We have about 13,000 lights under category 1 and 2 and administer the TRLSS for about 100,000 lights under category 3.

The Transportation Administration Act 1988 provides RMS with the authority to recommend a certain quality and capacity of lights across NSW roads including where the lights are owned and maintained by the DNSPs. The relevant section of the Act is produced below:

***Transport Administration Act 1988 No 109
Part 6 - Division 1C Section 53B***

RMS may, for the purpose of promoting traffic safety, make recommendations to a public authority in relation to the public authority's functions in connection with the lighting of roads or road related areas, including recommendations in relation to the following:

- (a) general principles relating to the provision of lighting on roads or road related areas,***
- (b) the need for lighting on any particular road or road related area or part of a road or road related area,***

(c) the need for the improvement of lighting on any particular road or road related area or part of a road or road related area.

(d) It is the duty of a public authority to which recommendations are made under this section to give them proper consideration and, as far as may be reasonably practicable, to carry them into effect.

Para (d) above emphasise the duty of the public authority to give proper consideration to the recommendations by RMS for a better quality of light and as far as reasonably practicable, to carry them into effect. Unfortunately, there is a growing misalignment in technology choices between what RMS is deciding for its own lighting and those provided by the utilities. This is leading to a disparity in lighting outcomes over the highly trafficked state and regional roads. It is important to assert that neither RMS (nor councils acting at RMS request) can reasonably discharge their obligations under the Transportation Administration Act 1988 unless they have meaningful control of technology choice under the Public Lighting Code. This should include the ability to set things like:

1. Minimum efficiency
2. Colour temperature and quality
3. Optical distribution including things like uniformity, glare limits and obtrusive light requirements over and above those in AS/NZS 1158 or AS/NZS 4282.
4. Power supply capability (e.g. controllability and asset management data retention capability)
5. Smart controls requirements (including interoperability with any proposed RMS management systems, the automated provision of asset management information, automated fault reporting)
6. Additional smart city sensor capabilities reasonably required by RMS on or associated with the lights (e.g. vehicle counting, video analytics)

On top of this, improved lighting may be needed due to additional considerations for road safety on traffic corridors, public amenity and security of precincts.

Consistency in service levels is as significant as making the right choices in procurement of the technology. It is pertinent to note that the service levels provided for in the draft Code are lower in key respects than that required of RMS service providers. Disparity in service levels can also result in poorer quality of lighting over time.

RMS is closely looking at the developments in the smart control technologies and the benefits that can accrue. In addition to lighting-specific benefits such as; monitoring, dimming and control of timing, the lighting control point is also able to support asset management functions (e.g. automated download of asset data embedded in power supplies as well as GPS and metering data) and sensors offering monitoring of traffic, traffic counting and vehicle classification purposes. RMS is also involved in developing the road infrastructure for supporting Connected Autonomous Vehicles (CAV), Internet of Things (IoT) and increasing Smart City requirements. It is therefore imperative that rights of access to poles to install specific devices, collecting and maintaining data from these devices and ownership issues be clarified in the Code.

In addition to the above, RMS has already submitted its detailed comments on the draft Public Lighting Code as part of a joint submission with SSROC. Answers to key questions in the discussion paper are included in this submission.

KEY QUESTIONS RAISED IN THE DISCUSSION PAPER

A. The role of Customers in the selection of lights for the Standard Luminaire List. (Section 11 of the updated Code)

1. *“Which of the below options for customer involvement in selecting luminaires for the Standard Luminaire List do you support and why? Alternatively, would you prefer a different approach to selecting luminaires and why?”*
 - a. *Service Provider must consult with Customer’s (or Customer representatives) on changes to the Standard Luminaire List.*
 - b. *Service Provider and Customer (or Customer representative) must agree on the technical specifications used for changes to the Standard Luminaire List.*
 - c. *Service Provider and Customer (or Customer representative) must agree on changes to the Standard Luminaire List”*

RMS Response: a, b and c and agree with SSROC Comment in this respect.

“How should service standards be defined – in terms of average times for repair or maximum times for repair?”

RMS Response: Agree with SSROC Comment in this respect.

B. Setting amended minimum service standards for the repair of light faults. (Section 10 of the updated Code)

2. **“What are the costs and benefits of changing from the current Code’s average day target for repairs to a target based on the maximum number of days to repair?”**

RMS Response: Agree with SSROC Comment in this respect.

“What are reasonable times for the repair of light faults, including for the repair of lights faults associated with higher road safety risks?”

RMS Response: Agree with SSROC Comment in this respect.

“Can the framework for minimum service standards be structured in a way that prioritises the repair of faults associated with higher road safety risks?”

RMS Response: Agree with SSROC Comment in this respect.

3. **“What is an appropriate level of compensation for failure to comply with the minimum service standards for fault repair?”**

RMS Response: Agree with SSROC Comment in this respect.

4. **“Should the system for compensation involve a one-off credit, a recurrent system of compensation, or a sliding scale linked to the time for repairs? Please give reasons for your view.”**

RMS Response: Agree with SSROC Comment in this respect.

5. “Can the framework for minimum service standards be structured in a way that prioritises the repair of faults associated with higher road safety risks?”

RMS Response: Agree with SSROC Comment in this respect.

C. Determining the compensation for a Service Provider’s failure to meet minimum service standards for the repair of light faults (Section 10 of the new Code).

6. “What is an appropriate level of compensation for failure to comply with the minimum service standards for fault repair?”

RMS Response: Agree with SSROC Comment in this respect.

7. “Should the system for compensation involve a one-off credit, a recurrent system of compensation, or a sliding scale linked to the time for repairs? Please give reasons for your view.”

RMS Response: Agree with SSROC Comment in this respect.

OTHER ISSUES RAISED IN THE DISCUSSION PAPER

Code Section 14 Dispute Resolution:

RMS Response: Agree with SSROC Comment in this respect.

9 *Minor Capital Works*

RMS Response: Agree with SSROC Comment in this respect

17 Definitions:

RMS Response: Agree with SSROC Comment in this respect

Code Section 15 Review of the Code:

RMS Response: Agree with SSROC Comment in this respect

Code Section 10 Minimum service standards for repairs in remote locations:

RMS Response: Agree with SSROC Comment in this respect

SSROC Comment:

RMS Response: Agree with SSROC Comment in this respect

OTHER SUBSTANTIVE ISSUES NOT RAISED IN CONSULTATION PAPER

Code Foreword:

RMS Response: Agree with SSROC Comment in this respect

Code Section 8 Reporting:

RMS Response: Agree with SSROC Comment in this respect

Code Section 12 Non-Standard luminaires:

RMS Response: Agree with SSROC Comment in this respect

Code Section 17 Definitions:

RMS Response: Agree with SSROC Comment in this respect