

2017

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

**UTILITIES (STREETLIGHT NETWORK) LEGISLATION
AMENDMENT BILL 2017**

SUPPLEMENTARY EXPLANATORY STATEMENT

**Presented by
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Treasurer**

UTILITIES (STREETLIGHT NETWORK) LEGISLATION AMENDMENT BILL 2017

INTRODUCTION

This supplementary explanatory statement relates to a minor technical amendment to the Utilities (Streetlight Network) Legislation Amendment Bill 2017 (the Bill), as presented to the Legislative Assembly on 11 May 2017. It has been prepared to assist the reader of the Bill and to inform debate on it. It does not form part of the Bill and has not been endorsed by the Assembly.

The statement is to be read in conjunction with the Bill and the explanatory statement. It is not, and is not meant to be, a comprehensive description of the Bill.

OVERVIEW OF THE BILL

This Bill makes amendments to ensure a regulatory structure that enables the safe, efficient operation and maintenance of the Streetlight Network. The Bill regulates entities engaged by the Territory for functions in relation to the Streetlight network to approved authorisation systems. To eliminate doubt, the Bill also establishes the arrangements for accessing streetlighting facilities within structures not owned by the Territory. The purpose of the Streetlight Network Code is clarified by including further examples of what it may contain. The Bill also makes some additional minor amendments and clarifications.

The Bill seeks to amend the following Acts:

- *Utilities Act 2000* (Utilities Act); and
- *Electrical Safety Act 1971* (ES Act).

PURPOSE OF AMENDMENT

The proposed amendment relates to the definition of streetlight network contained within the Bill, which seeks to amend section 229(1) of the Utilities Act to clarify the definition of the streetlight network.

The amendment is of a technical nature and is required to ensure the streetlight network definition captures ‘infrastructure for the provision of services in relation to streetlighting’, which is outlined in the explanatory statement for the Bill.

HUMAN RIGHTS CONSIDERATIONS

The amendment does not engage the *Human Rights Act 2004*.

CLAUSES NOTES

Amendment 1

This amendment substitutes Clause 9 of the Bill with a revised definition to remove any doubt in relation to what may constitute as infrastructure for the streetlight network. The amendment achieves this by outlining that streetlight network is the infrastructure used, or for use, in relation to –

- (a) the provision of streetlighting; and
- (b) services provided in relation to the provision of streetlighting.

The explicit inclusion of ‘the provision of streetlighting’ within the definition is to ensure the current definition within the Utilities Act is retained, and that the definition is only extended to include ‘services provided in relation to the provision of streetlighting’. This is designed to remove any doubt, in that the Bill only seeks to extend and clarify the current definition, rather than remove the current definition as contained within in the Utilities Act.