

# Application for a permit to install a submarine cable in Australian waters



The ACMA has published a [Guide to Applying for a Submarine Cable Installation Permit](#) which contains information about how to apply for a permit including an explanation of terminology that is used in this application form. Applicants for a submarine cable installation permit are advised to refer to the Guide when completing this form.

A licensed carrier may apply to the ACMA for a permit to install a submarine cable in Australian waters.

All international submarine cables that are connected to a place in Australia require an installation permit. A domestic submarine cable requires a permit if it is to be installed within a declared submarine cable protection zone. Installing a submarine cable without an installation permit granted by the ACMA is an offence under Division 5 of Schedule 3A to the *Telecommunications Act 1997*.

## Important information

Carrier representatives are advised to contact the Networks Section of the ACMA by telephone on (03) 9963 6800 to discuss a new cable proposal early in the planning phase of the project. This will enable ACMA staff to provide relevant advice about the permit process and check whether the proposed cable route is in conflict with routes already permitted by the ACMA. If required, the ACMA will provide the contact details of other permitted cable proponents in the vicinity of a new cable proposal to enable liaison in relation to the cable route.

## Permit charges

An application for a submarine cable installation permit must be accompanied by payment of the relevant charge per cable and the consultancy deposit (if applicable). Applicants should refer to the [Guide to Applying for a Submarine Cable Installation Permit](#) to determine the amount of charge payable. Contact ACMA staff to request an invoice by telephone on (03) 9963 6800 or by email at [subcablesenquiries@acma.gov.au](mailto:subcablesenquiries@acma.gov.au) before lodging a permit application.

## Consultation and information

In accordance with clause 55A of Schedule 3A to the Act, the ACMA will provide a copy of each application for a submarine cable installation permit to the Secretary of the Attorney-General's Department.

Applicants are requested to provide any information they consider may be relevant to consideration of their application. The ACMA may also request additional information about a proposed installation.

If an applicant becomes aware of a change of circumstances relating to the information set out in the application, the applicant must notify the ACMA of the change as soon as practicable.

## Part A: Type of permit

Applicants should refer to the [Guide to Applying for a Submarine Cable Installation Permit](#) for information about the type of permit required. Please tick a box below to indicate the type of submarine cable installation permit that you are applying for.

- ☐ A protection zone permit to authorise the installation of one or more submarine cables in a protection zone
- ☒ A protection zone permit to authorise the installation of a single international submarine cable in both: a protection zone and Australian waters that are not in a protection zone and that are not coastal waters of a State or the Northern Territory
- ☐ A protection zone permit to authorise the installation of two or more international submarine cables in both a protection zone and Australian waters that are not in a protection zone and that are not coastal waters of a State or the Northern Territory

☐ A non-protection zone installation permit to authorise installation of one or more international submarine cables(s) in Australian waters that are not in a protection zone and that are not coastal waters of a State or the Northern Territory

## Part B: Applicant details

Australian Company Number (ACN) or Australian Registered Business Number (ARBN) of the applicant

602 310 743

Registered business name of the applicant

HAWAIIKI SUBMARINE CABLE AUSTRALIA PTY LTD

Trading name of the applicant

HAWAIIKI SUBMARINE CABLE

Is the applicant:

- ☒ the sole owner or operator of the cable?
- ☐ a joint owner or operator of the cable (provide details below)?
- ☐ installing the cable on behalf of another person (provide details below including the identity of the other person)?
- ☐ other (provide details below)?

N.A.

Registered address of the applicant

[REDACTED]

Postal address of the applicant

[REDACTED]  
[REDACTED]

Contact name of the applicant representative

[REDACTED]

Contact details of the applicant representative (telephone, mobile and email)

[REDACTED]

## Part C: Required information *(Please provide this information in a separate submission marked 'Part C')*

- Provide the following information about the proposed route(s), in Australian waters, of the submarine cable(s) specified in the application:
  - the geographic coordinates/geodetic data;
  - an electronic ESRI ArcGIS Shapefile (.shp);
  - location of the beach manhole and cable landing station; and
  - An A3 or A4 desktop or hydrographic survey of the proposed submarine cable route.
- Details about the ownership and control of the submarine cable(s) specified in the application. Please refer to the [Guide to Applying for a Submarine Cable Installation Permit](#) for information about the meaning of 'control' for the purpose of this information request.

3. Provide the scheduled commencement and completion dates for installation of the cable.
4. Provide information about the relevant technical and economic aspects of the installation.  
(Technical aspects may include but are not limited to: the name of party installing the cable; responsibility for maintenance and repair; design capacity of proposed installation; proposed method of installation, including depth and burial; any action taken to minimise damage to the cable; cable crossing agreements and compliance with **International Cable Protection Committee (ICPC)** guidelines).
5. Describe how the installation of the proposed cable meets the objective facilitating the supply of efficient, modern and cost-effective carriage services to the public.
6. Provide a brief summary of the status of regulatory approvals from relevant Commonwealth bodies that are required to install the cable.
7. If relevant, provide information about the co-location of the submarine cable or cables with one or more other submarine cables.  
(Co-location information may include but is not limited to information about agreements with other cable operators on installation, repair and maintenance and crossings).
8. Provide any additional information that may be relevant to the ACMA's consideration of the application.

#### **Part D: Conditions applicable to the installation of submarine cables in Australian waters**

A submarine cable installation permit is subject to conditions that are set out in Schedule 3A to the *Telecommunications Act 1997*. Further information about the conditions that apply to permits is set out in the [Guide to Applying for a Submarine Cable Installation Permit](#).

Carriers are requested to tick boxes A to E below to acknowledge that they have read and are aware of the following requirements:

- ☒ The carrier must ensure that all reasonable steps are taken to ensure that the installation causes as little detriment and inconvenience, and as little damage, as practicable.
- ☒ The carrier must ensure that all reasonable steps are taken to:
  - (a) act in accordance with good engineering practice; and
  - (b) protect the safety of persons and property; and
  - (c) protect the environment.
- ☒ The carrier must ensure that installation is done in accordance with any standard that:
  - (a) relates to installation; and
  - (a) is recognised by the ACMA for use in the telecommunications industry; and
  - (b) is likely to reduce a risk to the safety of the public if the carrier complies with the standard.
- ☒ The carrier must ensure that the installation is done in a manner that is consistent with Australia's obligations under a listed international agreement that is relevant to the installation.
- ☒ The carrier must ensure that the installation complies with any conditions that are specified in the regulations.

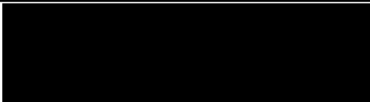

#### **Part E: Carrier Declaration**

I declare that:

- (a) The applicant is a licensed carrier within the meaning of the *Telecommunications Act 1997*; and
- (b) The applicant is not disqualified within the meaning of section 58 of the *Telecommunications Act 1997*; and
- (c) the applicant has not ceased to be a constitutional corporation, an eligible partnership or a public body; and
- (d) the contents of this application and any enclosures are true and correct; and
- (e) I have the authority to sign this application on behalf of the applicant; and

- (f) I am aware that under section 136.1 of the *Criminal Code Act 1995* it may be an offence to make a false or misleading statement to the ACMA in connection with an application for a permit, and that under section 137.1 of the Criminal Code it may be an offence to provide false or misleading information to the ACMA.

Signed for by and on behalf of the applicant:

SIGNATURE	
PRINT NAME	
POSITION IN COMPANY	Director
01 June 2017	

### Additional information

For more information about the submarine cable installation permit process, contact the ACMA by telephone on (03) 9963 6800 or by email at [subcablesenquiries@acma.gov.au](mailto:subcablesenquiries@acma.gov.au).

### Privacy

The information that must be provided on this form is being sought for the purpose of considering an application for a submarine cable installation permit under the *Telecommunications Act 1997* and to enable the ACMA to perform a number of its telecommunications functions under section 8 of the *Australian Communications and Media Authority Act 2005*, in particular those under paragraphs 8(1)(a), (c), (f) and (j). The ACMA may also make the information provided in this application available to other Government agencies and departments in accordance with Part 7A of the *Australian Communications and Media Authority Act 2005*. Further information on the Privacy Act and the ACMA's Privacy Policy is available at <http://www.acma.gov.au/privacypolicy>.

### Important notes

The information that must be provided on or with this form is being sought for the purpose of considering applications for a permit to install a submarine cable in Australian waters under the *Telecommunications Act 1997* and to enable the ACMA to perform a number of its telecommunications functions under section 8 of the *Australian Communications and Media Authority Act 2005*, in particular those under paragraphs 8(1)(a), (c), (f) and (j).

In accordance with clause 70 of Schedule 3A to the *Telecommunications Act 1997*, the ACMA must provide the Secretary of the Attorney-General's Department with a copy of each application received. The ACMA may also make the information provided in this application available to other Government agencies and departments in accordance with Part 7A of the *Australian Communications and Media Authority Act 2005*.

Any application provided to the ACMA may be released under the *Freedom of Information Act 1982*. The ACMA may also be required to release applications for other reasons, including for the purpose of parliamentary processes or where otherwise required by law.

Where consent has been given by the applicant in accordance with this form, and a permit has been granted, the ACMA may publish the relevant carrier's registered business name and a copy of the permit on the ACMA website.