

Application for a permit to install a submarine cable in a protection zone



Australian Government
Australian Communications
and Media Authority

Instructions for completion

Carriers may apply to the Australian Communications and Media Authority (ACMA) for a permit to install one or more submarine cables in a protection zone. Installing a submarine cable without a permit is an offence attracting heavy penalties.

Note: This is intended as a guide only. ACMA recommends that, before applicants make application for an installation permit, they contact the Department of Environment and Water Resources. ACMA also recommends that applicants seek independent advice on the applicability of any State or Territory legislation before making an application.

Applicants should note that the *Environment Protection and Biodiversity Conservation Act 1999* will apply.

Applicants are required to complete **all** sections of the attached application form.

For your information

Carriers are advised to familiarise themselves with the requirements of Schedule 3A of the *Telecommunications Act 1997* before completing their application. In addition, it is recommended carriers refer to ACMA's *Guide to applying for a permit to install a submarine cable in a protection zone* when preparing an application. Incomplete or illegible applications may be returned to the applicant.

Return your completed application to:

Submarine Cable Section
Regulation & Compliance Branch
Australian Communications and Media Authority
PO Box 13112 Law Courts
Melbourne Vic 8010
Facsimile: (03) 9963 6979

Application fee

An application fee of \$2,215 is required before the application can be processed. The fee must be paid by cheque or direct deposit to

ACMA. Please indicate the payment method on the application form, where requested.

Payment must be made before the permit application can be processed.

Cheque

Cheques should be made payable to: Collector of Public Monies, Australian Communications and Media Authority, then forwarded with the application (see **Application submission** below).

Direct deposit

Contact the Australian Communications and Media Authority's Finance Section via email at zfinance@acma.gov.au or phone 02 6219 5521 **prior to lodging the application submission** to arrange for a Tax Invoice to be sent to you. Payments can then be made by EFT, Locked Bag, BPay or Credit Card by following the instructions on the Tax Invoice.

Additional information

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

Privacy and use of information

In the event that ACMA needs to engage with third parties such as other government agencies as part of its consideration of an application, information will not be disclosed to such parties without the applicant's prior consent unless required by law.

More information

For more information about the submarine cable installation permit process, contact ACMA by email: subcableenquiries@acma.gov.au.

PART A: Applicant details

Please complete the requested information in the fields below.

Note: Only licensed carriers may apply for a permit. See Clause 51 of Schedule 3A of the *Telecommunications Act 1997*.

Australian Company number (ACN) or Australian Registered Body number (ARBN)

ACN - 123 898 215

Registered business name of applicant

PIPE INTERNATIONAL (AUSTRALIA) PTY LTD

Trading name of applicant

AS ABOVE

Is the applicant to be the:



sole owner or operator?



joint owner or operator? (if YES, PLEASE PROVIDE DETAILS)



installing the cable on behalf of another person? (if YES, PLEASE PROVIDE IDENTITY OF OTHER PERSON)



other?

Contact name

SURNAME

GIVEN NAMES

Registered address

Postal address

AS ABOVE

POSTCODE

Contact details

WORK

MOBILE

FACSIMILE

For more information about carrier licensing, including how to apply for a carrier licence, see the ACMA website at

http://www.acma.gov.au/WEB/STANDARD/pc=PC_300112

PART B: Proposed installation information

Applicants are requested to provide the following information to assist ACMA's assessment of applications. Please address each question on a separate document marked 'Part B submission'. For more information about completing this section, refer to ACMA's *Guide to applying for a permit to install a submarine cable in a protection zone*, which is on the ACMA website.

1. What is the nominal location of the proposed submarine cable? (Include geographic coordinates/geodetic data; information regarding the point at which the proposed cable will land onshore; and where the proposed installation will interconnect with another carrier onshore. Please attach an A3/A4 desktop or hydrographic survey of the proposed submarine cable route.)

NOTE: SHOULD A CARRIER COME ACROSS A PREVIOUSLY UNCHARTED SHIPWRECK IN THE PROTECTION ZONE AS PART OF THE SURVEY PROCESS, IT IS RECOMMENDED THAT DETAILS BE PROVIDED TO RELEVANT STATE AND COMMONWEALTH HERITAGE AGENCIES, THE HYDROGRAPHIC OFFICE AND ACMA.

2. What is the date of the proposed installation of the cable? (Include anticipated start and completion dates.)

3. Please provide relevant technical and associated economic aspects in relation to the proposed submarine cable. (Matters may include but are not limited to: name of party installing the cable; responsibility for maintenance and repair; design capacity of proposed installation; proposed method of installation, including depth and burial, width of trench surrounding installation; any action taken to minimise damage to the cable; compliance with technical standards, including ICPC recommendations.)

4. How does the proposed installation optimise the use of the protection zone? (Please specify how the proposed installation is

co-located to the greatest extent practicable with other cables, having regard to good engineering practice for cable separation and cable crossings. If not, please give reasons.)

5. Has the applicant consulted with other cable owners in the protection zone about the proposed installation in terms of co-location or any cable crossings? Please provide details of which parties have been consulted and their response.

NOTE: IT IS RECOMMENDED THAT CARRIERS CONSULT WITH AND OBTAIN AGREEMENT ON CO-LOCATION AND CABLE CROSSINGS FROM OTHER CABLE OWNERS LOCATED IN THE PROTECTION ZONE.

6. Has the applicant referred the proposed installation under the *Environment Protection and Biodiversity Conservation Act 1999*? (If not, please give reasons.)

NOTE: THE REQUIREMENTS OF THE *ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION ACT 1999* APPLY INDEPENDENTLY OF SCHEDULE 3A. IT IS RECOMMENDED CARRIERS OBTAIN SUCH APPROVALS BEFORE APPLYING TO ACMA FOR A PERMIT.

7. Is the proposed installation to be installed at or near an area or thing that is of particular significance to the cultural heritage of Aboriginal persons or Torres Strait Islanders?

NOTE: THE REQUIREMENTS OF CERTAIN STATE OR TERRITORY LEGISLATION MAY APPLY INDEPENDENTLY OF SCHEDULE 3A. THIS INCLUDES LEGISLATION ON PROTECTION OF PLACES OR ITEMS OF SIGNIFICANCE TO THE CULTURAL HERITAGE OF ABORIGINAL PERSONS OR TORRES STRAIT ISLANDERS. IT IS RECOMMENDED CARRIERS OBTAIN ANY REQUIRED STATE OR TERRITORY APPROVALS BEFORE APPLYING TO ACMA FOR A PERMIT.

8. Are there any other matters that may be relevant to ACMA's consideration of the proposed installation?

NOTE: THE INFORMATION PROVIDED ON THIS FORM WILL ONLY BE USED FOR THE PURPOSES OF PERFORMING ACMA'S FUNCTIONS AND POWERS UNDER THE *TELECOMMUNICATIONS ACT 1997*.

PART C: Conditions applicable to the installation of submarine cables

These conditions apply to the installation of a submarine cable in a protection zone consistent with Clauses 79 to 83 of Schedule 3A to the *Telecommunications Act 1997*.

Carriers may wish to seek their own legal advice concerning their obligations.

Carriers should note that the installation of telecommunications facilities on land is subject to the requirements detailed in Schedule 3 of the *Telecommunications Act 1997*.

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

☒ **A. 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.**

☒ **B. The carrier must ensure that all reasonable steps are taken:**

- (a) to act in accordance with good engineering practice; and
- (b) to protect the safety of persons and property; and
- (c) to protect the environment.

☒ **C. The carrier must ensure that the installation is done in accordance with any standard that:**

- (a) relates to installation; and
- (b) is recognised by ACMA as a standard for use in the telecommunications industry; and
- (c) is likely to reduce a risk to the safety of the public if the carrier complies with the standard.

☒ **D. 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.**

☒ **E. A carrier must ensure that the installation complies with any conditions that are specified in the regulations.**

PART D: 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 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 ACMA.

Signed for by and on behalf of the applicant

SIGNATURE	
PRINT NAME	
POSITION IN COMPANY	



WorleyParsons

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Incorporating

**Patterson Britton
& Partners Pty Ltd**

Infrastructure

Telephone:
Facsimile:

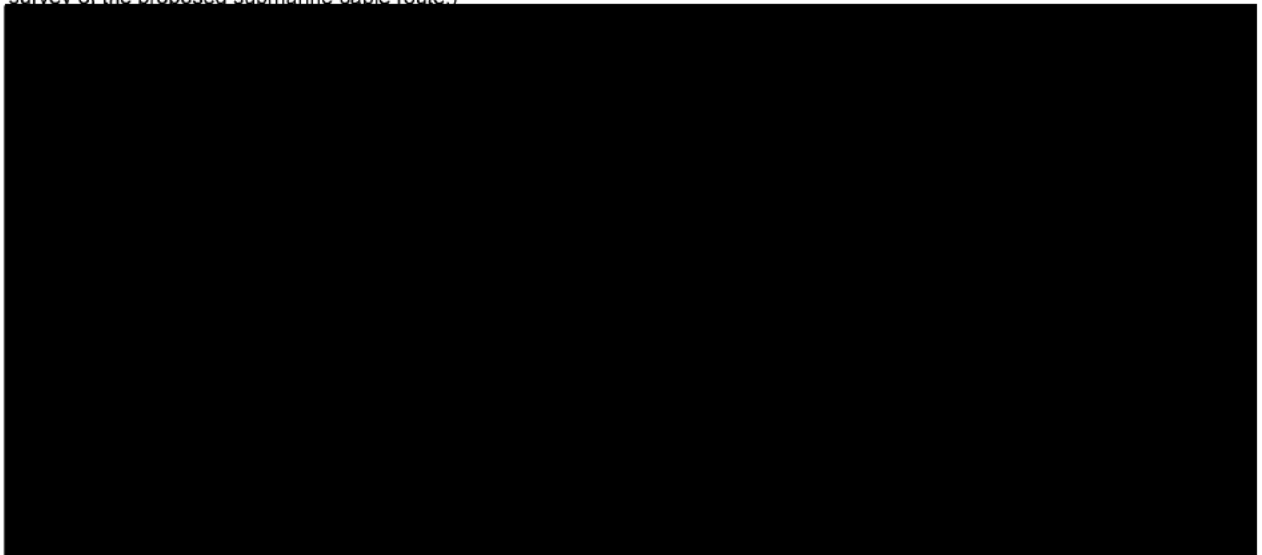
Australia

WorleyParsons Services Pty Ltd

PROTECTION ZONE - PART B SUBMISSION

1. What is the nominal location of the proposed submarine cable?

(Include geographic coordinates/geodetic data; information regarding the point at which the proposed cable will land onshore; and where the proposed installation will interconnect with another carrier onshore. Please attach an A3/A4 desktop or hydrographic survey of the proposed submarine cable route.)



2. What is the date of the proposed installation of the cable?

(Include anticipated start and completion dates.)

Overall, the duration of the project would be expected to be approximately 600 days. Key parts of the project timescale are:

- survey - 80 days (April to end June 2008);
- Cable Station fit-outs - 8 months (March to October 2008);
- marine laying and installation - 114 days (February to June 2009); and
- final network testing - 70 days (June - July 2009).

The duration for placement of the cable from MLWM to 200 nm (i.e. Australian waters) would be about 3 weeks.

The directional drilling activity would be expected to take a total of approximately 8 weeks, based on:

- mobilisation and drilling set up - 6 days;

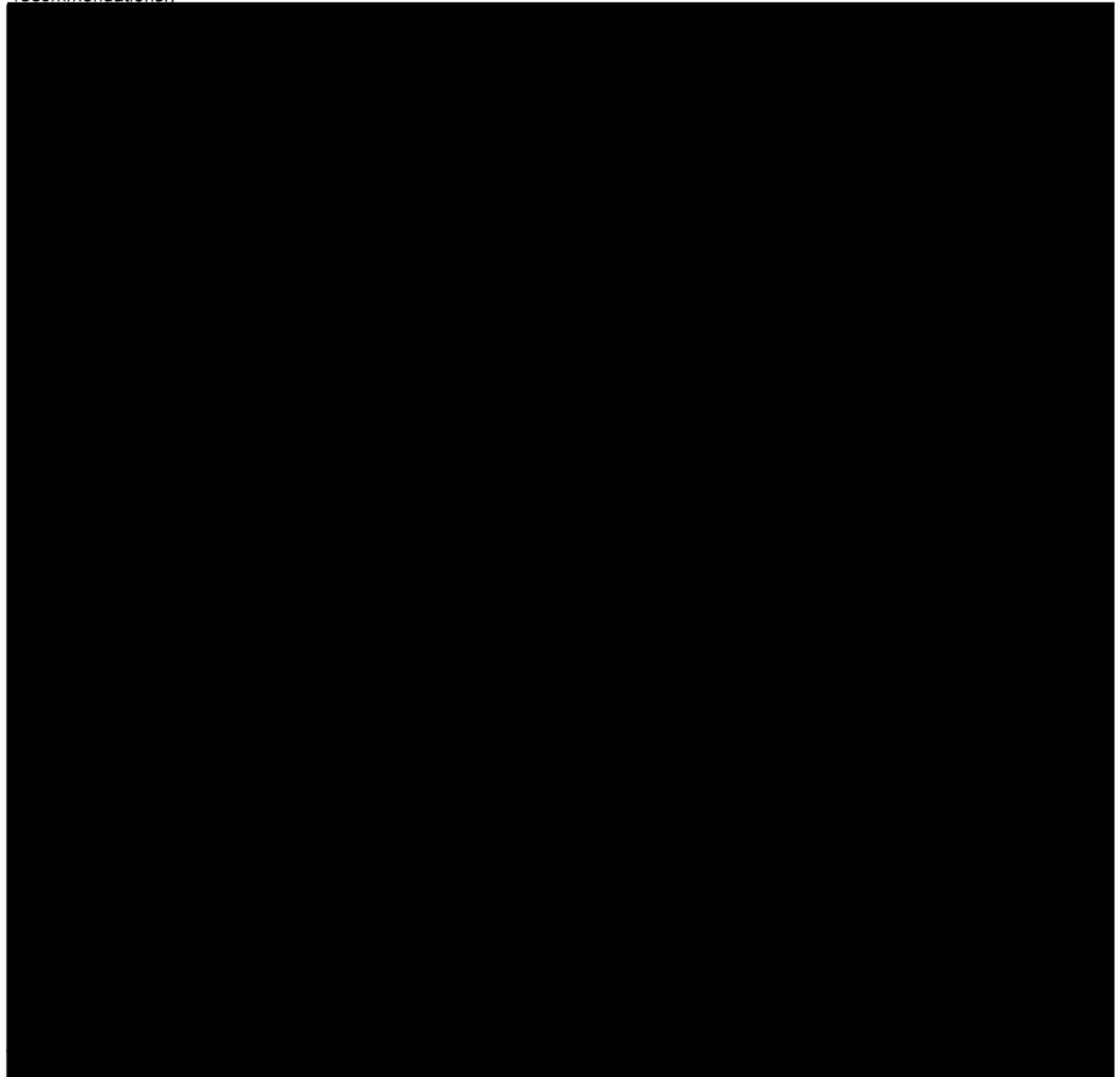


- drilling (conduits) - 40 days; and
- clean up and demobilisation - 10 days.

Early indications suggest hours of operation will be between 7am and 7pm, however this is subject to Council approval.

3. Please provide relevant technical and economic aspects in relation to the proposed submarine cable.

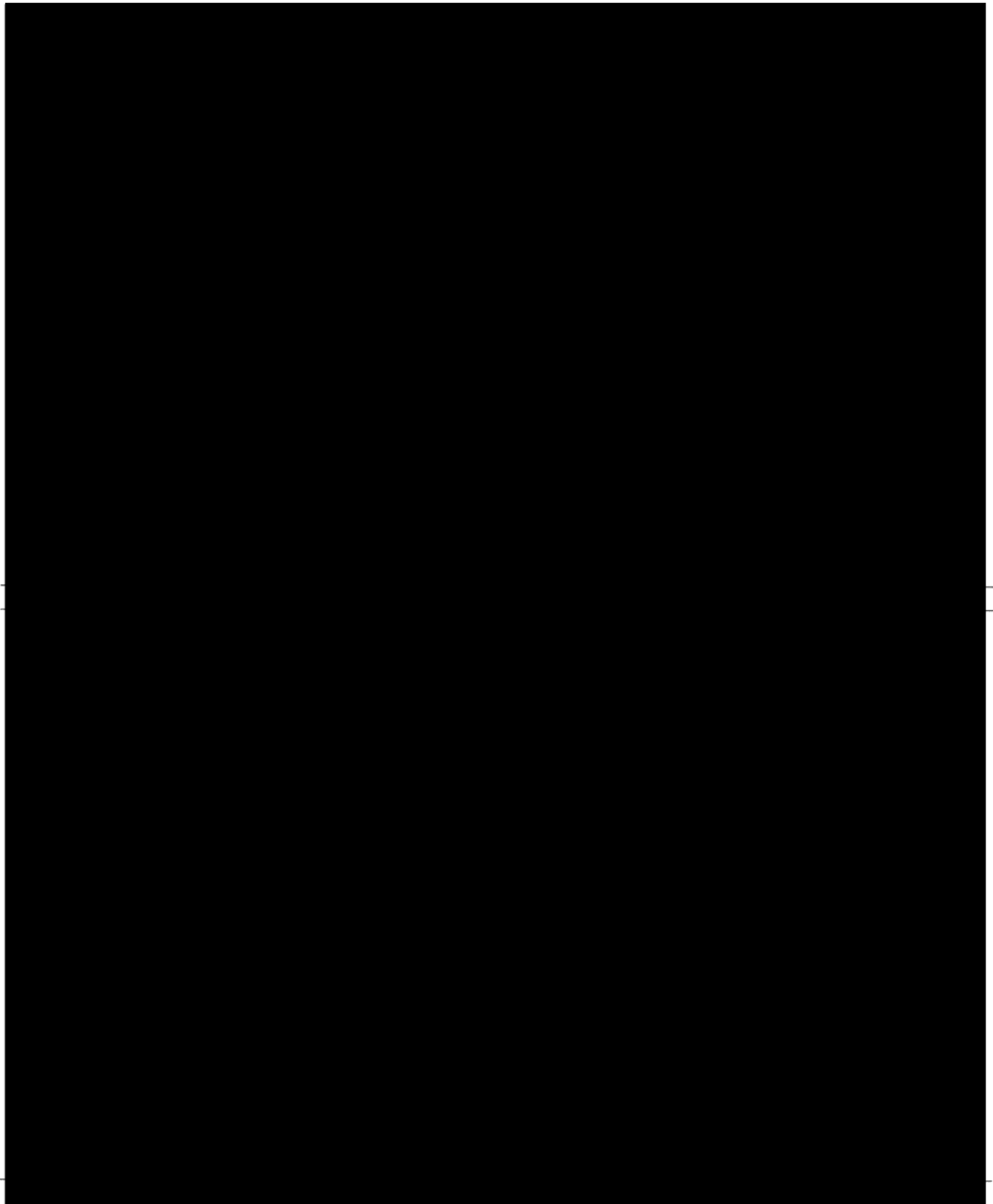
(Matters may include but are not limited to: name of party installing the cable; responsibility for maintenance and repair; design capacity of proposed installation; proposed method of installation, including depth and burial, width of trench surrounding installation; any action taken to minimise damage to the cable; compliance with technical standards, including ICPC recommendations.)





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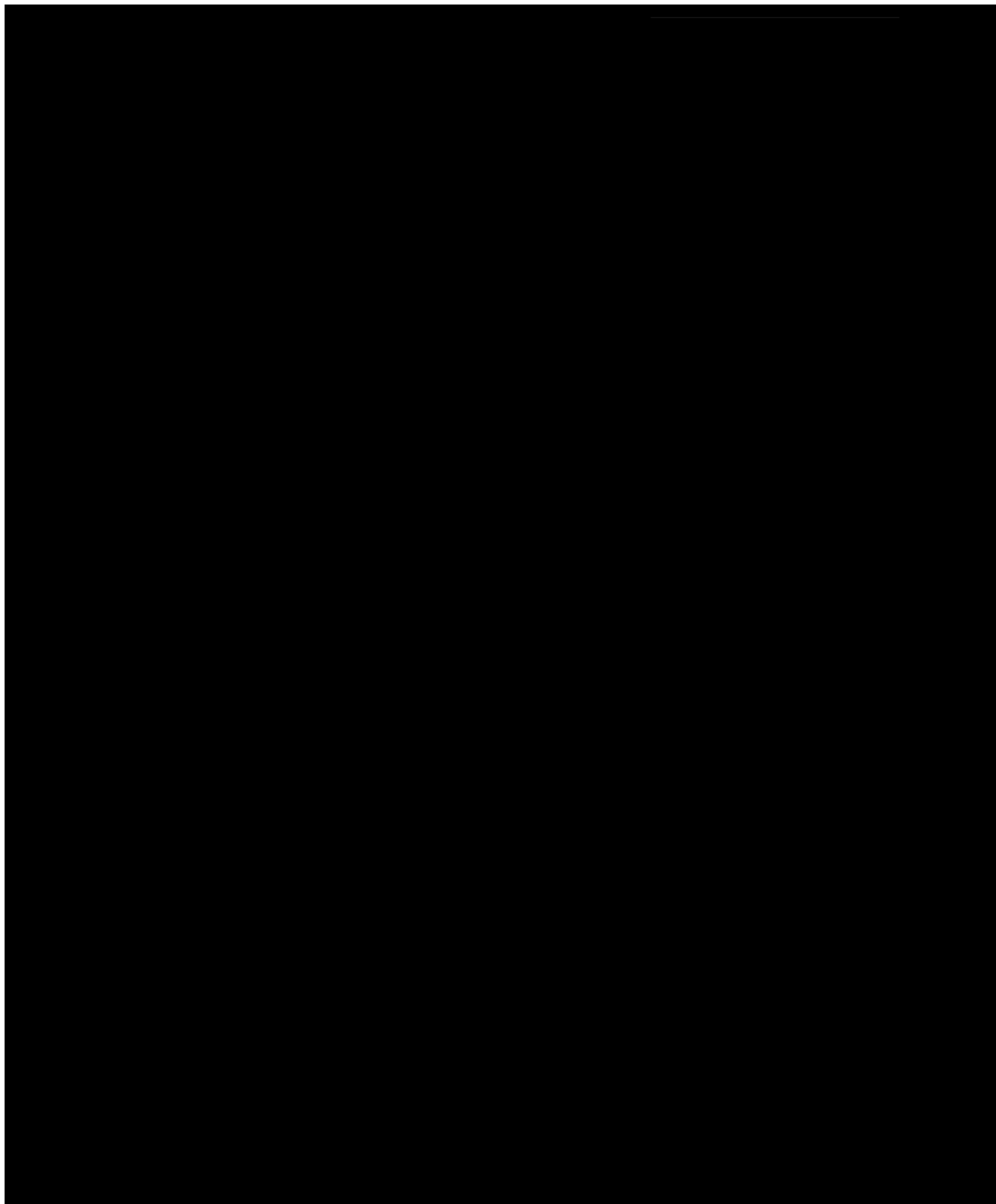
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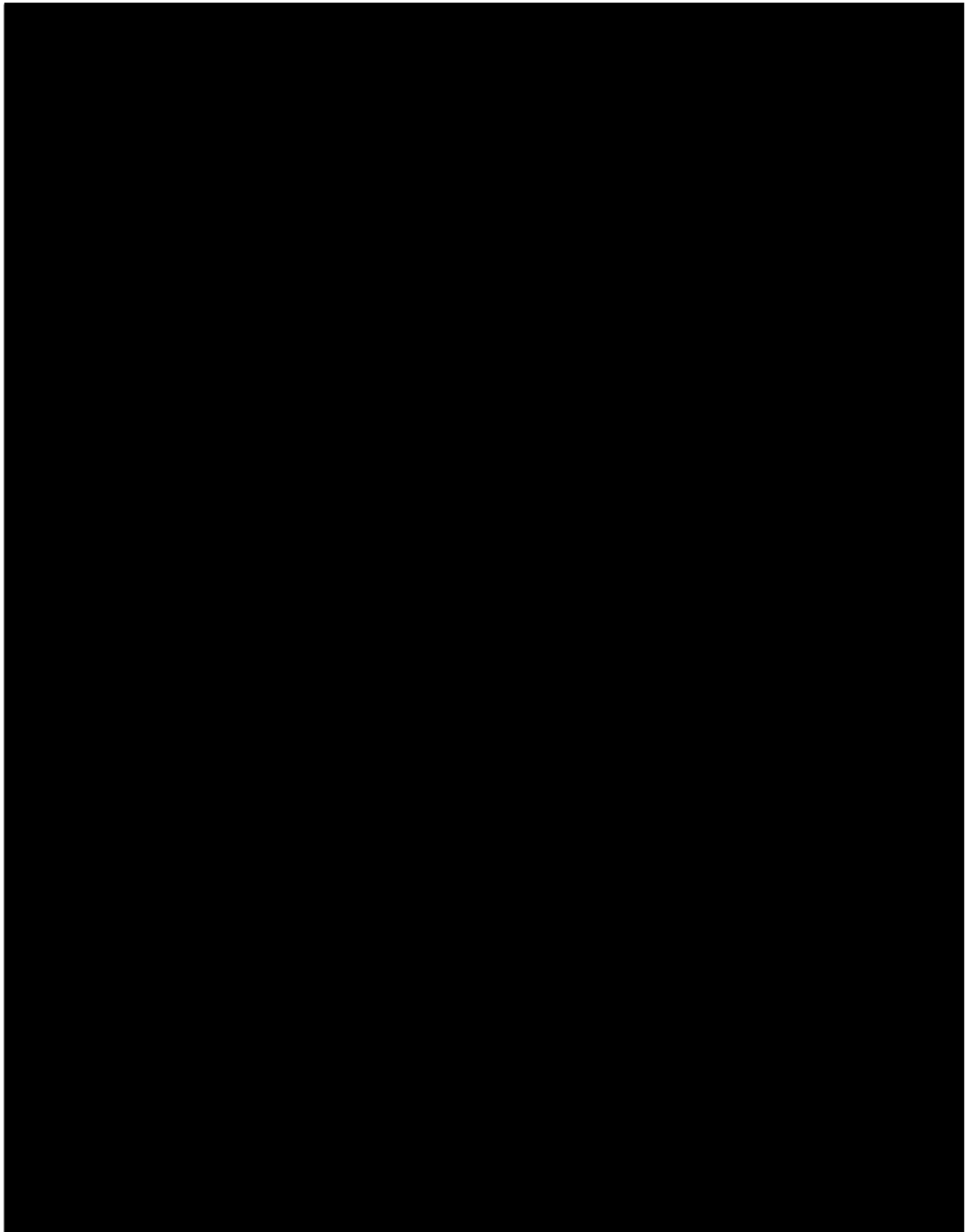
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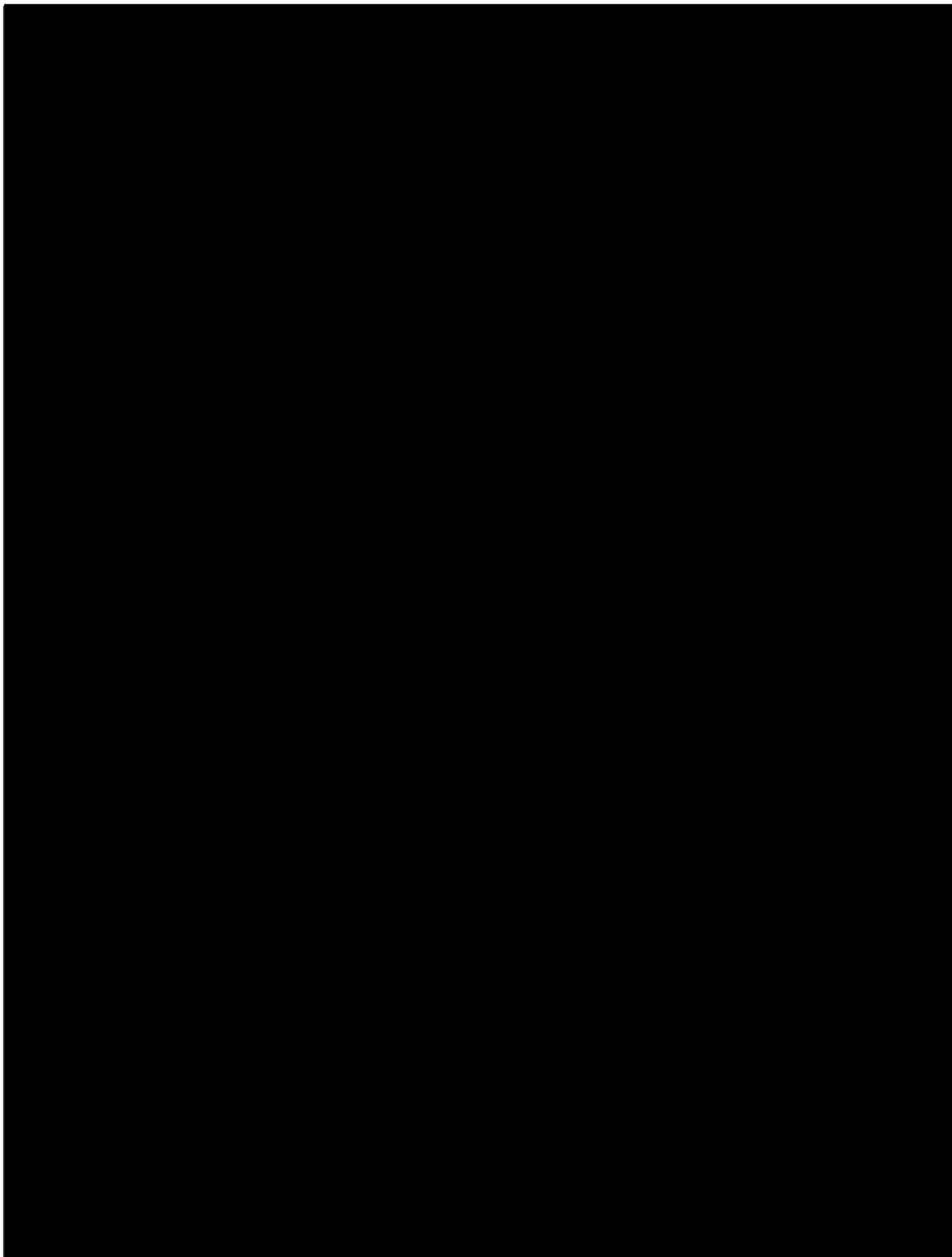
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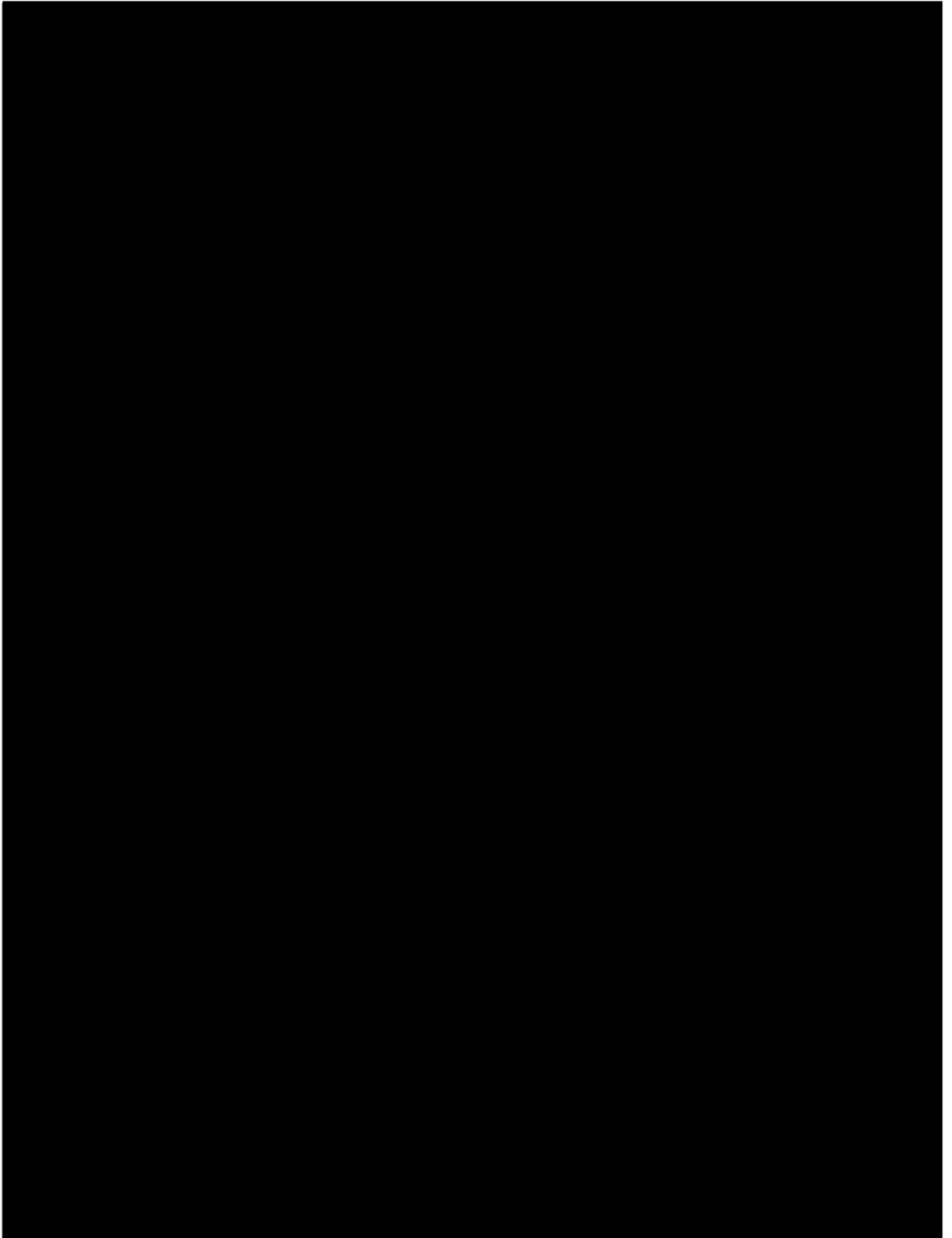
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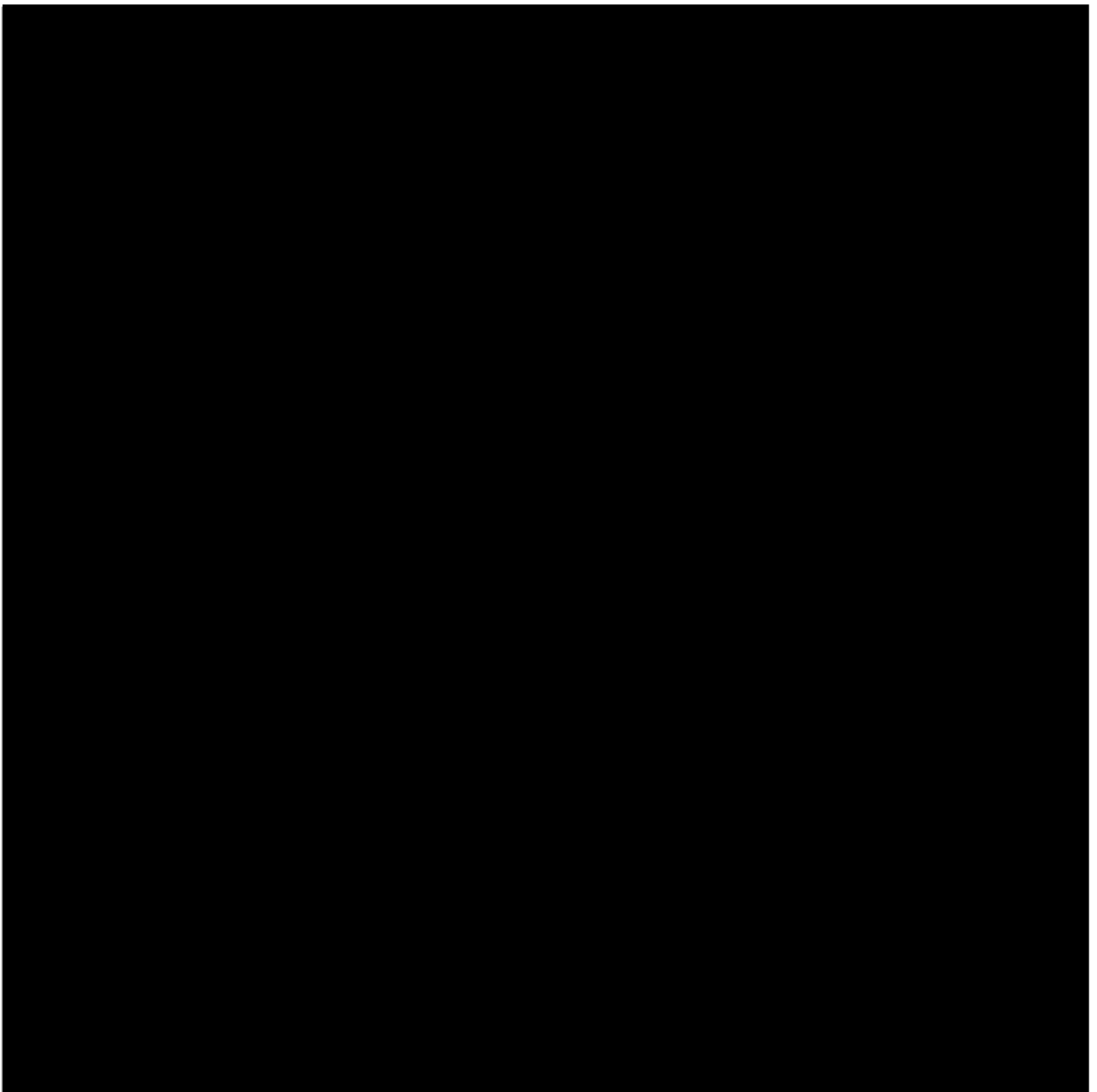
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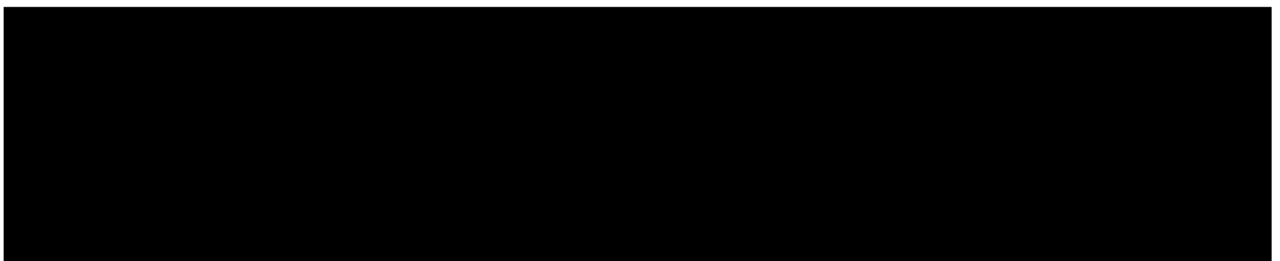
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4. How does the proposed installation optimise the use of the protection zone?

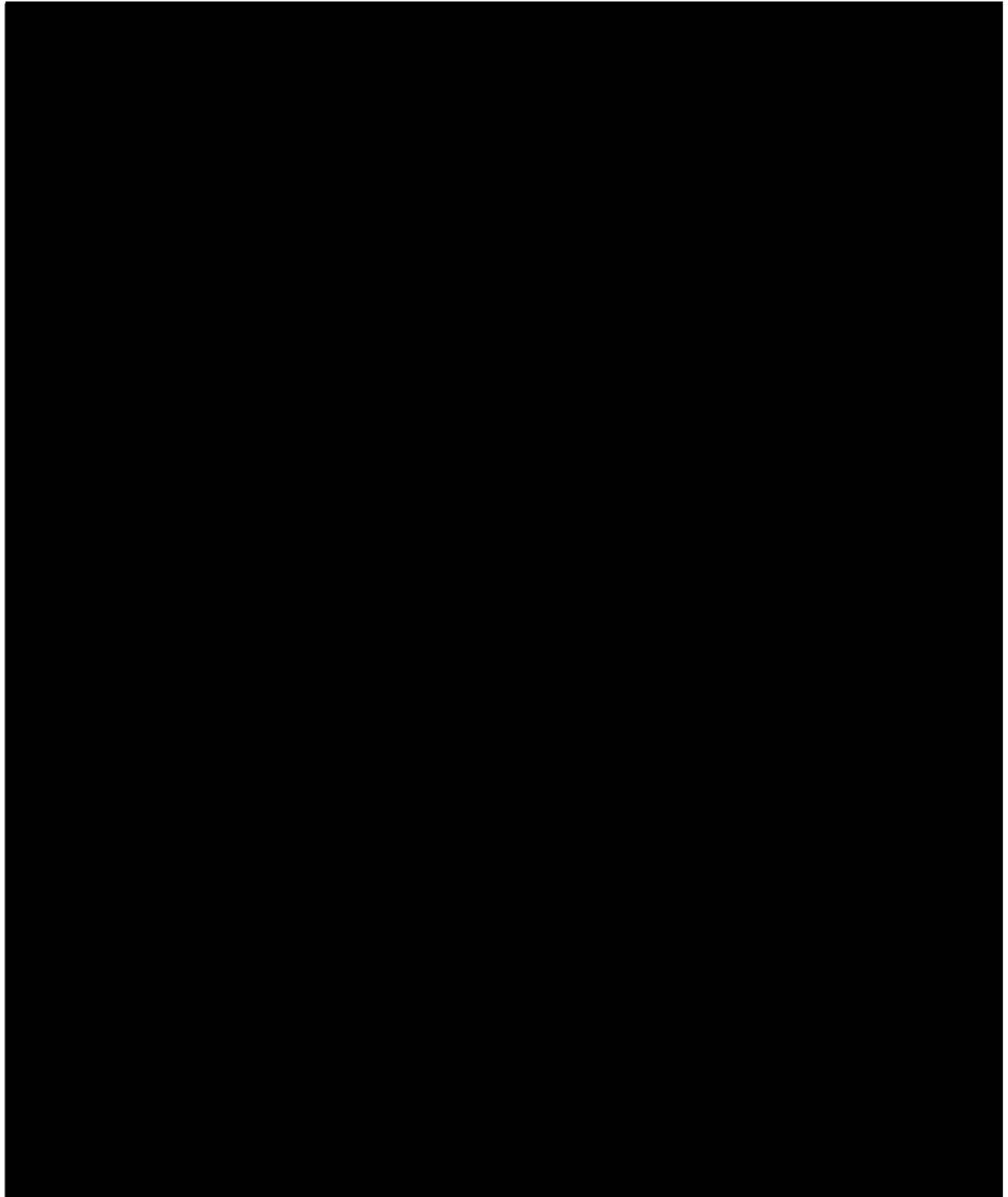
(Please specify how the proposed installation is co-located to the greatest extent practicable with other cables having regard to good engineering practice for cable separation and cable crossings. If no, please give reasons.)





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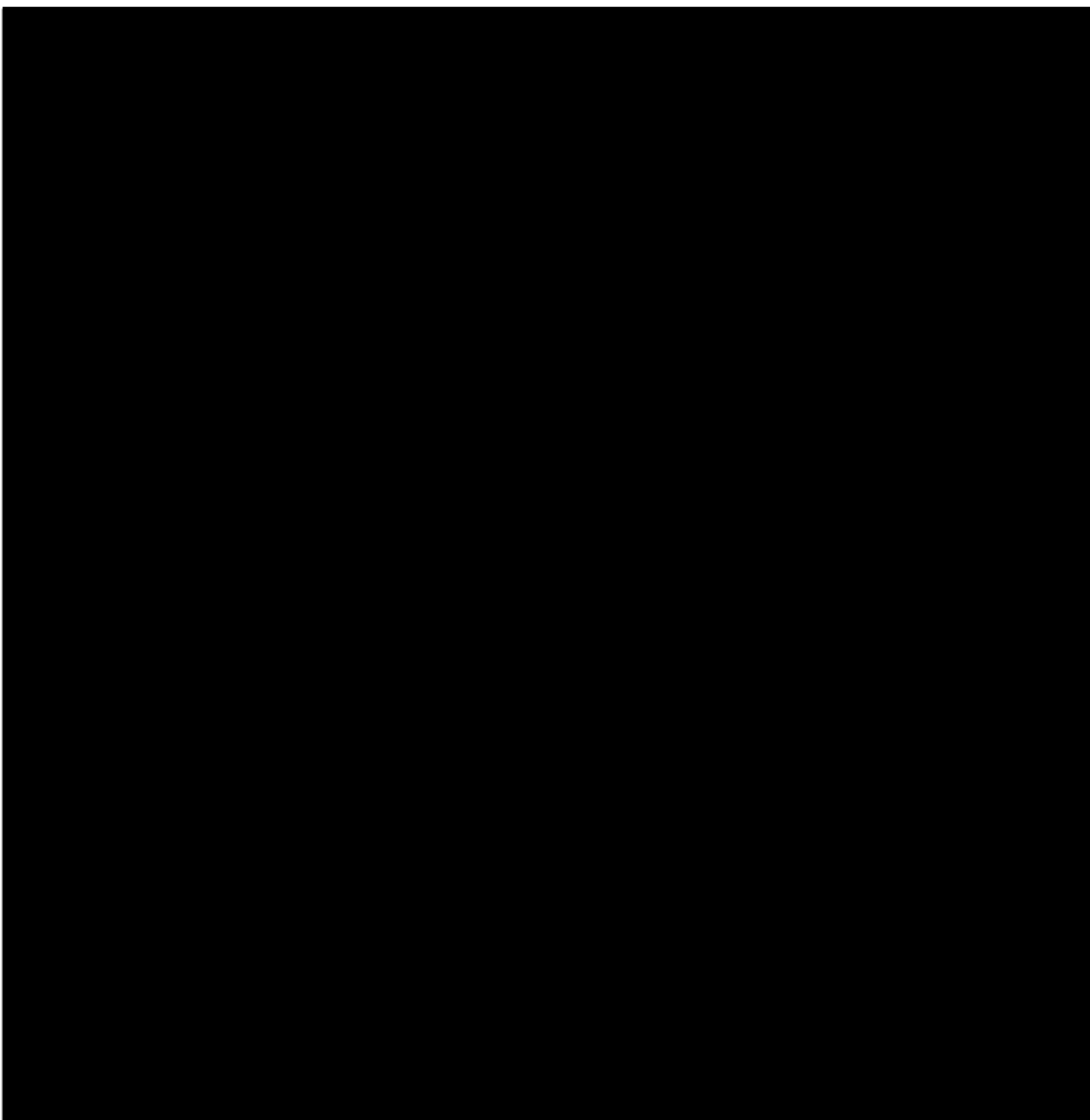
5. Has the applicant consulted with other cable owners in the protection zone about the proposed installation in terms of co-location or any cable crossing?

Please provide details of which parties have been consulted and their response.



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6. Has the applicant referred the proposed installation under the *Environment Protection and Biodiversity Conservation Act 1999*?

(If not, please give reasons.)

Yes, an EPBC referral form was submitted for the project on 8 November 2007. On 13 December 2007 it was determined that the proposed action is not a controlled action and, as such, does not require assessment and approval by the Minister for the Environment, Heritage and the Arts before it can proceed. A copy of the letter of approval is enclosed.



7. Is the proposed installation to be installed at or near an area or thing that is of particular significance to the cultural heritage of Aboriginal persons or Torres Strait Islanders?

The proposed installation will not be installed at or near any known area or thing that is of particular significance to Aboriginal persons or Torres Strait Islanders, in accordance with their traditions.

8. Are there any other matters that may be relevant to ACMA's consideration of the proposed installation?

No