

Ref: PANSW25 101

The Manager  
Infrastructure & Equipment Safeguards Section  
Australian Communications and media Authority  
PO Box 13112  
Melbourne VIC 3000

**Re: *Proposal to vary the Submarine Cable (Southern Sydney Protection Zone) Declaration 2007***

Thank you for the opportunity for Port Authority of New South Wales (Port Authority) to provide feedback regarding the *Proposal to vary the Submarine Cable (Southern Sydney Protection Zone) Declaration 2007*

**Background**

Port Authority is a state-owned corporation managing the navigation, security and operational safety needs of commercial shipping in NSW. From land to water, our teams of maritime professionals provide port users with safe, efficient and sustainable marine services; harbour master directions; marine pilotage; vessel traffic services (VTS); aids to navigation; emergency response; hydrographic surveying; and port and terminal operations.

Port Authority has three Australian Maritime Safety Authority (AMSA) accredited VTS centres located in Newcastle, Port Botany and Port Kembla, which provide a 24/7 service to manage the safe movements of ships into the ports of NSW.

Port Authority's highly trained emergency response teams are available 24/7 and cover an extensive area of NSW coastal waters, including our ports of Sydney Harbour, Port Botany, Newcastle Harbour, Port Kembla, Eden and Yamba and are the lead emergency response agency in coastal waters from Fingal Head, Port Stephens to Gerroa, south of Port Kembla.

Port Authority's comments on the Proposal are limited to question 1 from the Consultation paper.

***Question 1: Do you have any comments on the proposed changes to the area of the Southern Sydney***

The proposed variation to the Southern Sydney Protection Zone would result in the Protection Zone overlapping with the port boundaries of Botany Bay as provided by the *Ports and Maritime Administration Regulation 2021*. Normally, the permission of the Harbour Master is required prior to the disturbance of the seabed within port boundaries and then must be in accordance with the conditions of the permission (ref: clause 110). This is the formal process by which Port Authority would ensure that any cable laying works are managed appropriately within port waters from a navigation safety perspective.

**YAMBA**

PO Box 143  
Yamba NSW 2464  
T: 61 2 6646 2002

**NEWCASTLE**

PO Box 663  
Newcastle NSW 2300  
T: 61 2 4985 8222

**SYDNEY**

PO Box 25  
Millers Point NSW 2000  
T: 61 2 9296 4999

**PORT KEMBLA**

PO Box 89  
Port Kembla NSW 2505  
T: 61 2 4275 0100

**EDEN**

PO Box 137  
Eden NSW 2551  
T: 61 2 66461596

Port Authority has been informed by the Department of Planning, Housing and Infrastructure that submarine cables installed within a cable protection zone do not require a planning approval (e.g. SSI) under the *Environmental Planning and Assessment Act 1979*. If the legislative mechanism that 'turns off' State planning approval requirements within a designated cable protection zone also has the effect of turning off other State approvals or permissions, such as the permission required to disturb the bed of a port, then Port Authority seeks assurance of an appropriate mechanism by which any future cable laying operations within a Protection Zone that are also within port waters, are appropriately coordinated with the Harbour Master and managed in a way that does not introduce safety or navigation concerns.

For additional information or clarification, please contact Myron Fernandes, Harbour Master Sydney ([harbourmasterapprovals@portauthoritynsw.com.au](mailto:harbourmasterapprovals@portauthoritynsw.com.au)).

Yours sincerely,

A handwritten signature in black ink, appearing to be 'J McKenna', with a long horizontal line extending to the right.

**John McKenna**  
Chief Executive Officer

13 June 2025