

Wider protection zones for submarine cables off NSW coast

ACMA has been made aware of likely industry plans for new high capacity submarine cables into Sydney and is proposing to widen the current proposed protection zones off the New South Wales coast in deeper waters beyond nine nautical miles offshore. Widening the proposed zones in deeper water will better allow for future cables to be co-located within the zones.

Having undertaken preliminary consultation, ACMA believes enlarging each protection zone to include the area between the existing cable branches is unlikely to impact on many marine users. ACMA is keen to test this view and consult with all parties about the revised proposals. All views will be considered before ACMA finally declares the protection zones.

Within protection zones, activities that could damage the cables will be prohibited and heavy criminal penalties will apply for breaches of the legislation.

Details of the proposed changes, including maps and coordinates, and background information about the submarine protection zone regime are on the ACMA website at www.acma.gov.au/subcables or email ACMA's Submarine Cable Protection Project Section on subcablesenquiries@acma.gov.au. The closing date for public comment on the variation to ACMA's proposals for NSW protection zones is Friday 23 March 2007.

WHAT ARE SUBMARINE TELECOMMUNICATIONS CABLES?

Submarine telecommunications cables are the underwater infrastructure that links Australia with other countries.

Disruption or damage to major submarine cables can have serious consequences, dramatically impeding

the flow of information to and from Australia. Any sustained outage further slows information flow, which can cause lost data, significant delays, and severe financial loss, not only to cable owners but also to people and businesses that rely on communication links outside Australia.

Optical fibre submarine cables are susceptible to damage and breakage from external impact. Repairing a broken or damaged cable is an expensive and time consuming exercise. While the locations of existing cables are well-known, and are marked on most maritime maps, accidental damage of cables has occurred several times in recent years in Australian waters. Activities that pose the greatest threat to undersea cables are sea-bottom trawl fishing, anchoring sand-dredging, and dumping.

SUBMARINE CABLES OF NATIONAL SIGNIFICANCE

The *Telecommunications and Other Legislation Amendment (Protection of Submarine Cables and Other Measures) Act 2005* came into effect in September 2005. The provisions set out a comprehensive regime for the protection of submarine cables in Australian waters, making ACMA responsible for declaring protection zones over cables of 'national significance' and issuing permits to install submarine cables in Australian waters (both in

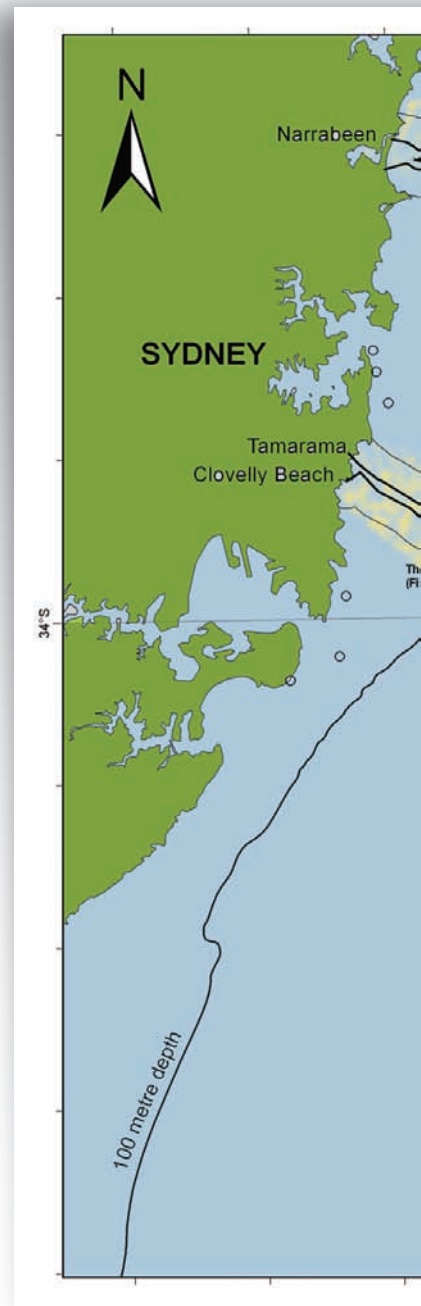
and outside protection zone). The explanatory memorandum to the legislation states that 'submarine cables of national significance are generally high capacity cables that link Australia to global communications systems and are vital to the national interest'.

PROTECTION ZONE PROPOSALS FOR NEW SOUTH WALES

ACMA published proposals for two protection zones off New South Wales on 9 August 2006 and the closing date for public comments was 10 November 2006. More than 50 submissions were received and are being considered by ACMA. At the same time, the proposals have been referred to an advisory committee of key stakeholders who are separately due to make recommendations to ACMA shortly. ACMA will consider any submissions on this variation as part of its existing process for declaring the protection zones.

1. NORTHERN PROTECTION ZONE PROPOSAL

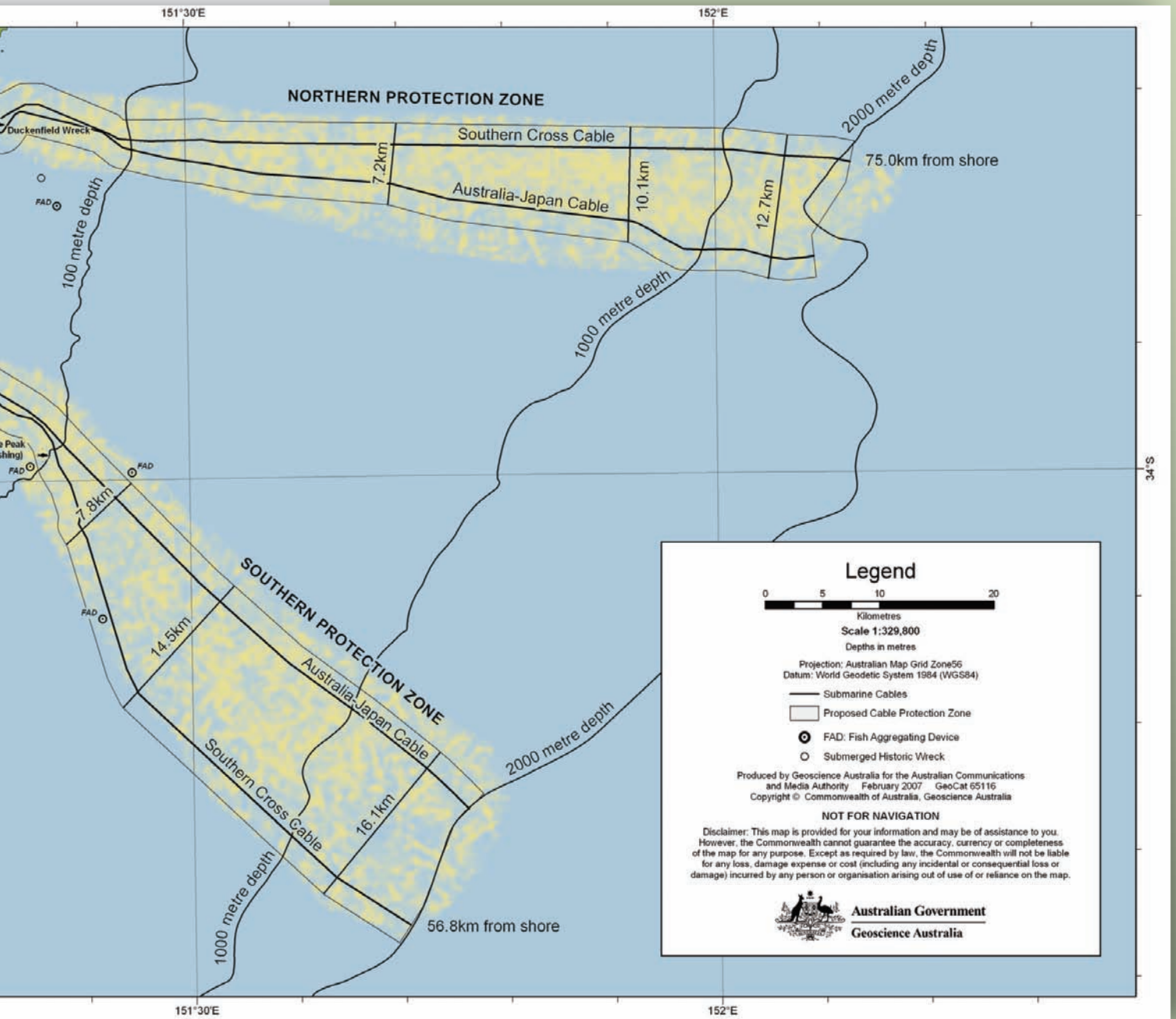
It is proposed that the northern protection zone extend from the low-water mark at Narrabeen beach to an outermost limit of 2,000 metres (40 nautical miles offshore). This is unchanged from the original proposal. ACMA is varying the proposal to include the area in between the two northern cables.



The rationale for this approach is that it allows co-location of new cables into the protection zone in deeper water where a maintenance separation of two times water depth is recommended.

2. SOUTHERN PROTECTION ZONE PROPOSAL

It is proposed that the southern



protection zone extend from the low-water mark at Tamarama Beach and Clovelly Beach to an outermost point of 2,000 metres water depth (30 nautical miles offshore). This is unchanged from the original proposal. ACMA is varying the proposal to include the area in between the two southern cables. The rationale for this approach is that it allows co-location

of new cables into the protection zone in deeper water where a maintenance separation of two times water depth is recommended.

ESTABLISHING PROTECTION ZONES

Before formally declaring a protection zone, ACMA is required to develop a proposal for the protection zone, consult about the proposal and:

- establish an advisory committee composed of key stakeholders and consisting of no more than twelve members
- seek and consider the advisory committee’s advice on the proposal
- consult with the Environment Secretary and
- consider all submissions. ACMA may then formally declare

protection zones over cables of national significance and detail the activities that are prohibited or restricted within each protection zone. When deciding about the final protection zones, ACMA will seek to maintain an appropriate level of protection for the cables while minimising the impact on affected marine users.