



Public Consultation Document

Telstra Reference No.	34151
Payphone ID.	07494604X1
Address	South Molle Island Resort Staff Bar, South Molle Island Boulevard, South Molle Qld 4741

It is proposed that a payphone be removed from:

Inside the South Molle Island Resort Staff Bar, South Molle Island Boulevard,
South Molle Qld 4741
Payphone ID: 07494604X1

The next nearest payphone is located on the mainland at the Shute Harbour Jetty approximately 5 kilometres from this site.

Telstra intends making a final decision on this proposal by **1st July 2017**.

Table 3: Legislative requirement Paragraph 13 (1) (b) of the Payphone Public Consultation Determination	Public Consultation Document—when Telstra cannot continue to reasonably operate the payphone at the site
i) Telstra's reasons for the payphone removal proposal including facts upon which the proposal is based	<p>Why we are proposing to remove this payphone</p> <p><i>ACMA guideline</i></p> <p>For the payphone concerned, Telstra must clearly state why it cannot reasonably operate the payphone at the site. It must also include the facts upon which the proposal is based—for example, these could include:</p> <ul style="list-style-type: none"> > reference to any of the applicable criteria in subsection 20 (4) of the Payphone Location Determination: <ul style="list-style-type: none"> a. Telstra has taken all reasonable steps required to obtain the relevant approvals and does not continue to hold, or is unable to obtain, relevant approvals for the operation of a payphone at the payphone site; b. Telstra has taken all reasonable steps required to obtain the relevant approvals and does not continue to hold, or is unable to obtain, relevant approvals for access to the payphone site; or c. Telstra is concerned for the safety of the public, users of the payphone and the provider's employees and agents. <p>Telstra response:</p> <p>Telstra does not continue to hold the relevant approvals for the operation of a payphone at this site. Telstra has been requested by the owners of South Molle Island Resort , China Capital Investment Group (CCIG), to remove the Telstra payphone as the Resort is now closed to the public and is no longer in operation.</p> <p>Due to the damage caused by the recent natural disaster, access to the Resort is restricted and Telstra is concerned for the safety of the public and potential users of the payphone as well as our employees and agents.</p>
ii) to the extent that it is available, and it is reasonable for Telstra to disclose it, evidence proving those facts	<p>Evidence to prove the facts upon which this proposal is based</p> <p><i>ACMA guideline</i></p> <p>If Telstra has nominated criterion (a) above, to the extent that it is available, and it is reasonable for Telstra to disclose it, the evidence that it may provide includes:</p> <ul style="list-style-type: none"> > the reasonable steps it has taken to obtain the relevant approvals to operate the payphone at the site; and > why it does not continue to hold, or is unable to obtain, the relevant approvals to operate a payphone at the site. <p>Telstra response:</p> <p>Written correspondence from the Director of Operations for South Molle Island Resort on behalf of the China Capital Investment Group has provided the relevant information requesting this removal.</p> <p><i>ACMA guideline</i></p> <p>If Telstra has nominated criterion (b) above, to the extent that it is available, and it is reasonable for Telstra to disclose it, the evidence that it may provide includes:</p> <ul style="list-style-type: none"> > the reasonable steps it has taken to obtain the relevant approvals to access the payphone site; and

	<ul style="list-style-type: none"> > why it does not continue to hold, or is unable to obtain, the relevant approvals for access to the payphone site. <p>Telstra response:</p> <p>China Capital Investment Group (CCIG) has notified Telstra via email of the closure of this resort and that it is no longer open to the public.</p>
	<p><i>ACMA guideline</i></p> <p>If Telstra has nominated criterion (c) above, to the extent that it is available, and it is reasonable for Telstra to disclose it, the evidence that it may provide includes:</p> <ul style="list-style-type: none"> > why Telstra is concerned for the safety of the public, users of the payphone and/or its employees and agents. <p>Telstra response:</p> <p>N/A</p>
iii) a statement about which criteria under paragraph 20 (1) (b) of the Payphone Location Determination are considered to apply to the proposed payphone removal	<p>The criterion that applies to this proposed payphone removal</p> <p><i>ACMA guideline</i></p> <p>The format for this statement should be as follows:</p> <ul style="list-style-type: none"> > ‘Telstra cannot continue to reasonably operate the payphone at the site.’ <p>Telstra response:</p> <p>China Capital Investment Group (CCIG) has notified Telstra of the closure of this resort and that it is no longer open to the public.</p>
iv) details of the means by which a complaint may be made by a person who wishes to make a complaint about the proposed removal of the payphone	<p>How a complaint (or a request for further information) may be made</p> <p><i>ACMA guideline</i></p> <p>In this section, Telstra must include¹ details about how a complaint (or a request for further information) may be made to Telstra about the proposed payphone removal.</p> <p>Telstra must provide contact details of its complaints-handling section including a phone number and details of the method by which a person may make a written complaint (such as an email address, or link to an online complaints form).</p> <p>This section should also include information (including time frames) about how a person may make a written objection to the ACMA if they are not satisfied with Telstra’s response to their complaint.</p> <p>Telstra response:</p> <p><i>Should you wish to make a complaint regarding the decision, it must be made within 20 working days of the final decision which will be communicated in writing to all stakeholders, parties that have made submissions and posted on the Telstra Payphone website. Complaints can be made through the Telstra Payphone Siting Manager Locked Bag 4850 Melbourne Vic 3001 or by calling us on 1800 011 433 selection Option 2 or email Payphone.Solutions@team.telstra.com</i></p> <p><i>To make a written objection to the ACMA regarding a Telstra payphone complaint, it must be within 10 working days from when the primary universal service provider provided its written response to the complaint</i></p> <p>http://www.acma.gov.au/~/media/Networks/Form/pdf/Payphone%20Complaints%20Form.pdf</p>

- v) notification, for the purposes of the *Privacy Act 1988*, that should a person make a complaint, Telstra may be required to disclose the complainant's personal information (as contained in the complaint), to the ACMA

Notification for the purposes of the *Privacy Act 1988*

ACMA guideline

In addition to complying with the requirements of the *Privacy Act 1988*, Telstra must include a notification that if a complaint is made to Telstra, the personal information of the complainant may be disclosed to the ACMA for the purposes of resolving the complaint.

Telstra response:

Telstra advises that the personal information of the complainant may be disclosed to the ACMA for the purpose of resolving the objection.

¹ Telstra is also required to comply with the Payphone Complaint Rules Determination.