



Public Consultation Document

Telstra Reference No: 39743
Payphone ID: 08917660Y2
**Address: Outside Telephone Exchange Munjina Road,
Wittenoom WA 6751**

It is proposed that a card only payphone be removed from: Outside Telephone Exchange, Munjina Road, Wittenoom WA 6751. (Payphone ID: 08917660Y2)

The next nearest card only payphone is located at: YOUNGALEENA BUNJIMA COMMUNITY, Approximately 20 Kms East of Wittenoom, WA 6751 (Payphone ID: 08917661Y2)

Telstra intends making a final decision on this proposal by **31st August 2018.**

**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

Why we are proposing to remove this payphone

ACMA guideline

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:

- > reference to any of the applicable criteria in subsection 20 (4) of the Payphone Location Determination:
 - 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.

Telstra response:

Telstra received advice (AS.WI.5 or EMP02) from The Shire of Ashburton that the Wittenoom Asbestos Hazard Zone has been revised and now includes the location of the payphone site. Telstra is concerned for the safety of the public, users of the payphone and the provider’s employees and agents.

ii) to the extent that it is available, and it is reasonable for Telstra to disclose it, evidence proving those facts

Evidence to prove the facts upon which this proposal is based

ACMA guideline

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:

- > 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.

Telstra response:

ACMA guideline

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:

- > the reasonable steps it has taken to obtain the relevant approvals to access the payphone site; and
- > why it does not continue to hold, or is unable to obtain, the relevant approvals for access to the payphone site.

Telstra response:

ACMA guideline

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:

- > why Telstra is concerned for the safety of the public, users of the payphone and/or its employees and agents.

Telstra response:
The payphone is now in an extended exclusion zone due to asbestos contamination in the area. Asbestos is a hazardous material, which poses a health risk when airborne fibres are inhaled. Asbestos exposure is known to cause mesothelioma, asbestosis and lung cancer. Telstra has no plans to recover the physical equipment.

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

The criterion that applies to this proposed payphone removal

ACMA guideline

The format for this statement should be as follows:

- > ‘Telstra cannot continue to reasonably operate the payphone at the site.’

Telstra response:
Telstra cannot continue to reasonably operate the payphone at the site as the payphone is located within the Wittenoom Asbestos Hazard Zone.

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

<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>	<p style="text-align: center;">How a complaint (or a request for further information) may be made</p> <p style="text-align: center;"><i>ACMA guideline</i></p> <p>In this section, Telstra must include 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> <div style="border: 1px solid black; padding: 10px; text-align: center;"><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</i></p><p>Telstra Payphone Siting Manager Locked Bag 4850 Melbourne Vic 3001 or by calling us on 1800 011 433 selection Option 2 or email Payphones@team.telstra.com</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>https://www.acma.gov.au/theACMA/payphone-complaints</p></div>
<p>iii) 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</p>	<p style="text-align: center;">Notification for the purposes of the Privacy Act 1988</p> <p style="text-align: center;"><i>ACMA guideline</i></p> <p>In addition to complying with the requirements of the <i>Privacy Act 1988</i>, 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.</p> <div style="border: 1px solid black; padding: 10px; text-align: center;"><p>Telstra response:</p><p>Telstra advises that the personal information of the complainant may be disclosed to the ACMA for the purpose of resolving the objection.</p></div>