It is proposed that a payphone be removed as part of the redevelopment of the level crossing and Railway Station.

Outside Railway Station, 8 Heatherdale Rd, Mitcham, 3132.
Coin/Card Payphone ID: 03987406X2

The next nearest Coin/Card Payphone is located at:

46 Maroondah Hwy, Ringwood Victoria 3134. Approximately 600 metres away from the proposed location (Payphone ID: 03987014X2)

Telstra intends making a final decision on this proposal by 9th January 2016.
### Table 3: Legislative requirement
Paragraph 13 (1) (b) of the Payphone Public Consultation Determination

<table>
<thead>
<tr>
<th>i</th>
<th>Telstra’s reasons for the payphone removal proposal including facts upon which the proposal is based</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Public Consultation Document—when Telstra cannot continue to reasonably operate the payphone at the site</td>
</tr>
</tbody>
</table>

#### 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:**

A Vic Track Rail Project has planned major works for the location where the payphone is situated. It is planned for a large area around the railway station and level crossing be barricaded off and a construction zone. The redevelopment will deliver a new railway station and remove the level crossing.

Telstra is concerned for the safety of the public, users of the payphone and the provider’s employees and agents during this construction.

No suitable location was able to be found to relocate the payphone nearby.

Telstra has formal approval to re-install a payphone on the Railway station at the conclusion of the redevelopment in approximately 12 months.
ii) **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:**

Telstra has received formal notification from Leighton Group Pty Ltd undertaking works on the railway station and level crossing project that the payphone will be inaccessible to the public for use and unsafe for employees or agents to service.

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. The payphone is located within the construction zone.
Telstra is also required to comply with the Payphone Complaint Rules Determination.

**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**

**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.

**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**

**How a complaint (or a request for further information) may be made**

*ACMA guideline*

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.

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).

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.

*Telstra response:*

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

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.