

**Hon Dr Bruce Flegg MP**  
Member for Moggill



**Queensland  
Government**

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Minister for  
Housing and Public Works

Ref: HPW002572/12  
COM07938-2012

Mr Neil Laurie  
The Clerk of the Parliament  
Parliament House  
Corner of Alice and George Streets  
Brisbane Qld 4000

Dear Mr Laurie

I refer to Petition No. 1891-12 tabled on 19 June 2012 relating to the installation of a new telecommunications facility on State Government property at Dutton Park.

The State of Queensland represented by the Department of Housing and Public Works (the department) is the owner of an apartment complex situated at 228 Gladstone Road, Dutton Park. This apartment complex consists of four multi-unit buildings containing 73 units of accommodation.

On the 18 May 2011 Optus (via its consultants Daly International) wrote to the department indicating that it was intending to develop telecommunications facilities and associated infrastructure on the roof top of the department's housing complex.

Optus advised that the new infrastructure was required to improve mobile telephone and broadband coverage in the Dutton Park area. The facility was to include two communications antennas.

Optus indicated that the proposed infrastructure was, in terms of the *Telecommunications Act 1997* (the Act) and the associated Telecommunications Code of Practice, considered to be a 'low impact' facility. The Act gives a carrier (such as Optus) some immunity to state and territory law (including town planning laws). The Act therefore restricts the ability of Queensland Government departments to launch a successful objection to the proposed installation of a telecommunications facility.

On 24 May 2011, Optus provided a report to the department which stated that the mandatory safety standards for human exposure to electromagnetic emissions (EME's) would be 78 times below safe levels regulated by the Federal Governments – Australian Communication and Media Authority Standards.

In addition the department sought, and was provided by Optus, technical information to ensure that once installed the telecommunications facility would not damage the

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apartments, would be visually unobtrusive and could be inspected and maintained by Optus with limited impact on the public housing tenants who occupied the building.

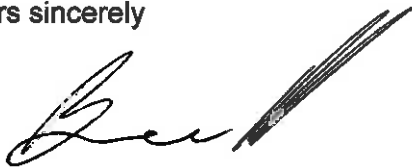
On 2 August 2011, it was agreed that subject to Optus satisfying all legislative requirements, continuing to meet the Federal governments EME safe human exposure limits and undertaking the requisite consultation processes with the local authority, the department, surrounding neighbours and other effected parties, the department would in principle agree to negotiate a lease to allow installation of the telecommunication facility.

The lease negotiations were concluded with Optus on 7 June 2012 however, on 15 June 2012 Optus wrote informing that:

- Optus had identified deficiencies in the consultation process and therefore decided to withdraw from proposed telecommunications development.
- In view of a new joint venture arrangement entered into with opposition carrier Vodafone, Optus had decided to review its network plans and that therefore the current proposal for the Dutton Park property would be placed on hold.
- Optus further indicated that it had decided that it had no plans for the department's premises at this time. If the site was identified in the future by Optus it would recommence its consultation activities with the Dutton Park community.

I trust this information addresses your enquiry. If I can be of assistance with other matters within my portfolio, please do not hesitate to contact my office on telephone 07 3237 1832.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Bruce', with a long, sweeping flourish extending to the right.

Dr Bruce Flegg MP  
**Minister for Housing and Public Works**