



Information Statement



Revised July 2019 (Record 1498516)

Table of Contents

1.	INTRODUCTION	1
2.	PORT PROFILE	1
	2.1 Corporate governance.....	1
3.	OUR ORGANISATION	1
4.	CORPORATE SNAPSHOT	2
	4.1 Our role and operations.....	2
	4.2 Stakeholders	3
	4.3 Culture and values.....	3
5.	COMMUNITY CONSULTATION	4
6.	DOCUMENTS	4
	6.1 What is a document?.....	4
	6.2 Documents held by Fremantle Ports and available free of charge and without an FOI application	5
	6.3 Documents held by Fremantle Ports and available only through an FOI application	5
7.	FREEDOM OF INFORMATION PROCEDURES AND ACCESS ARRANGEMENTS	6
	7.1 FOI operations.....	6
	7.2 Freedom of Information applications	6
	7.3 Freedom of Information charges.....	6
	7.4 Personal information.....	7
	7.5 Amendment of personal information.....	7
	7.6 Access arrangements.....	8
	7.7 Notice of decision	8
	7.8 Right of review.....	8
	7.9 External review	9

1. INTRODUCTION

In accordance with the requirements of Sections 94 to 97 of the *Freedom of Information Act 1992* (the Act), Fremantle Ports is required to prepare an Information Statement and include details of:

- (a) our structure
- (b) our functions
- (c) community consultation
- (d) a description of the kinds of documents that we usually hold and
- (e) Freedom of Information procedures and access arrangements.

As a commitment to facilitating the provision of information in an easily accessible manner, our Information Statement is published on the Fremantle Ports website (www.fremantleports.com.au).

2. PORT PROFILE

The Port of Fremantle is the principal general cargo port for Western Australia, operating from two locations, Fremantle and Kwinana.

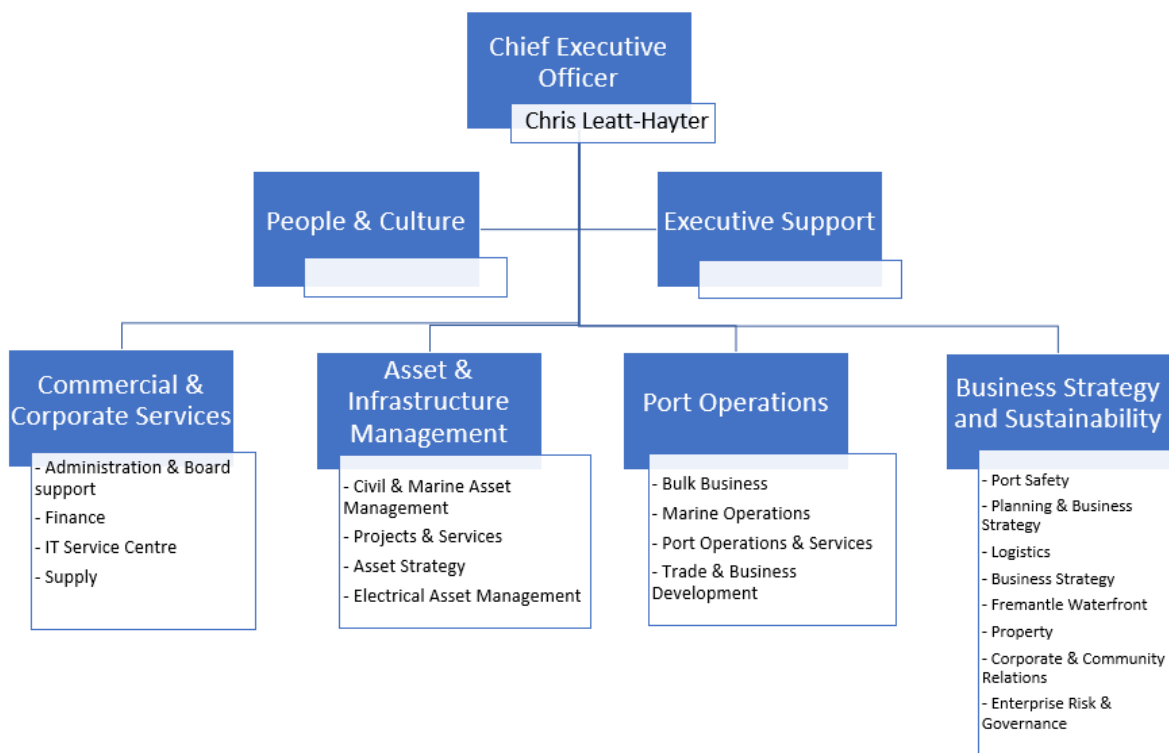
2.1 Corporate governance

Fremantle Port Authority, operating under its registered business name, Fremantle Ports, is a Government Trading Enterprise under the *Port Authorities Act 1999* and Port Authorities Regulations 2001.

3. OUR ORGANISATION

Fremantle Ports' governing body is a board of seven directors appointed by and responsible to the Minister for Transport; Planning; Lands. The Board sets the strategic direction of Fremantle Ports, agrees on goals for management and monitors the achievement of those goals.

The Chief Executive Officer is appointed by the Board and is responsible for the day-to-day management:



4. CORPORATE SNAPSHOT

4.1 Our role and operations

Fremantle Ports operates successfully as a Western Australian Government Trading Enterprise, with a primary role of facilitating trade through the State's largest general cargo port.

From the Inner Harbour at the mouth of the Swan River, the Port of Fremantle handles almost all of Western Australia's container trade as well as non-containerised cargo such as motor vehicles, steel and machinery imports and livestock exports. Cruise ships berth at the Fremantle Passenger Terminal on Victoria Quay.

Bulk commodities such as petroleum, grain, alumina, iron ore, coal, mineral sands, fertilisers and sulphur are handled through the Outer Harbour at Kwinana, about 20 kilometres to the south. Fremantle Ports owns and operates the Kwinana Bulk Terminal and the Kwinana Bulk Jetty.

The three other port facilities at Kwinana are privately operated by Alcoa, BP Refinery and Cooperative Bulk Handling.

Fremantle Ports provides and maintains shipping channels, navigation aids, cargo wharves, seawalls, roads and rail infrastructure within the port area. Other services include ship scheduling and berth allocation, port communication, pilot transport over water, mooring, stevedoring at the Kwinana Bulk Terminal, security services, emergency response, hazardous cargo services over common-user berths, trade advisory services, property management and quarantine and waste disposal.

Fremantle Ports has the ability under the *Port Authorities Act 1999* to license a range of port services. Non-exclusive licence agreements for towage services are in place. Marine pilotage is provided by the private sector under contract to Fremantle Ports.

4.2 Stakeholders

Fremantle Ports has a diverse range of stakeholders, including relevant national, State and local government agencies, customers, tenants, port service providers, suppliers, industry peak bodies and recreation users as well as local and wider communities.

4.3 Culture and values

Our **vision** is to be Australia's best maritime gateway.

- Best place to do business
- Best place to invest
- Best neighbour
- Best place to work

Our **mission** is to create value by connecting Western Australia to global markets.

Values

- Respect and Integrity
- Safety and Wellbeing
- Responsiveness and Delivery
- Continuous Improvement and Innovation
- Sustainability

Business principles

- Minimising or reducing adverse land transport impacts
- Building synergies with customers' and others' plans
- Protecting the environment
- Ensuring commercially sound and justifiable outcomes
- Continuing to improve port safety and security
- Supporting local communities
- Complying with legal requirements
- Ensuring efficiency and continuity of all port services
- Contributing to the aspirations and growth of our people, our customers and the port community
- Capitalising on opportunities and managing risks.

Aligned with Fremantle Ports' corporate values, our business principles have a strong focus on understanding the needs and expectations of our customers and our other stakeholders. The principles, each with a nominated champion, continued to be applied to guide strategic and project planning, risk management and decision making, particularly in terms of policy development and testing the options.

5. COMMUNITY CONSULTATION

In keeping with its commitment to sustainability, Fremantle Ports continues to implement an extensive program of community consultation. The aims are to ensure that the needs and strategic priorities of the working port are well understood, that Fremantle Ports understands the needs of the community and that it is able to maintain and build community and stakeholder support.

The Inner Harbour Community Liaison Group established by Fremantle Ports meets quarterly. Fremantle Ports also consults with local authorities in the port area on a regular basis, with industry bodies and with relevant State and Federal Government agencies.

6. DOCUMENTS

6.1 What is a document?

The glossary contained in the *Freedom of Information Act 1992* (FOI Act) defines a 'document' as:

- (i) any record
- (ii) any part of a record

- (iii) any copy, reproduction or duplicate of a record, or
- (iv) any part of a copy, reproduction or duplicate of a record.

6.2 Documents held by Fremantle Ports and available free of charge and without an FOI application

Fremantle Ports publishes a number of pamphlets, information booklets, brochures and other printed material regarding various issues on port matters affecting the port and wider community. These publications are available to the general public either from our website at www.fremantleports.com.au or upon request to the Corporate & Community Relations Branch, contactable by telephone (08) 9430 3555 or by email to CorporateCommunityRelations@fremantleports.com.au.

6.3 Documents held by Fremantle Ports and available only through an FOI application

The types of documents held by Fremantle Ports include both administrative and operational policy, procedural, accounting, human resource and other documents that come into being as a result of or arise in connection with doing our business.

These documents may be subject to the FOI Act and may be accessible by submitting an FOI application to Fremantle Ports. An optional form, to assist you with your FOI application, is available for printing at the back of this Information Statement.

Due to the number and complexity of documents that we maintain it is not practicable to identify what would be located on a typical file. The variation between the content of each file is dependant on time, place, circumstance and event. However, examples may include hard copy and electronically stored information including, but not limited to:

- (a) email communications
- (b) notebook entries
- (c) letters
- (d) minutes and agendas of meetings
- (e) internal memorandums
- (f) maps, diagrams and plans
- (g) photographs
- (h) business reports including reports written by consultants on behalf of Fremantle Ports
- (i) tenders
- (j) anything on which information has been stored or recorded, either mechanically, magnetically or electronically such as audio tapes

- (k) computer records, and
- (l) CCTV or other recorded video footage.

7. FREEDOM OF INFORMATION PROCEDURES AND ACCESS ARRANGEMENTS

7.1 FOI operations

It is Fremantle Ports' aim to make information available promptly and at the least possible cost. Whenever possible, documents will be provided outside the FOI process.

If information is not routinely available, the *Freedom of Information Act 1992* provides the right to apply for documents held by the agency.

7.2 Freedom of Information applications

Access applications should:

- (a) be in writing
- (b) give enough information so that the documents requested can be identified easily without delay and without diverting resources away from Fremantle Ports' other operations
- (c) give an Australian address to which notices can be sent and
- (d) be lodged at the agency with the relevant application fee payable.

An FOI application form, which is optional, is attached to this Information Statement for your use and reference. Applications should be addressed to the Freedom of Information Coordinator at PO Box 95, Fremantle, WA 6959. The Freedom of Information Coordinator can be contacted on (08) 9430 3555 for any enquiries.

7.3 Freedom of Information charges

A scale of fees and charges is set under the FOI Act Regulations. Apart from the application fee for non-personal information (information that is not personal information about the applicant) all charges are discretionary. The fees and charges are as follows:

Request Details	Charge
Personal information about the applicant	<i>No fee and charges</i>
Application fee (for non-personal information)	\$30.00
Charge for time dealing with the application (per hour or pro rata)	\$30.00
Access time supervised by staff (per hour or pro rata)	\$30.00
Photocopying staff time (per hour or pro rata)	\$30.00
Per photocopy	\$0.20

Transcribing from tape, film or computer (per hour or pro rata)	\$30.00
Duplicating a tape, film or computer information	<i>Actual cost</i>
Delivery, package and postage	<i>Actual cost</i>

7.4 Personal information

The term “personal information” is defined in the FOI Act as information or opinion about an identifiable person, whether living or dead.

The kind of information about a person that is “personal information” under the FOI Act includes, for example, a name, address and telephone number, medical information, financial information, marital status and information about personal relationships and other sensitive, private information.

Other information such as the location, date or time a complaint was made to a regulatory body may be “personal information” if the information identifies individuals by linking the individuals to that information.

When an applicant seeks access to personal information about themselves, the fact that it is personal information about them is a factor in favour of disclosure. Frequently, personal information about an applicant appears in context with non-personal information. It is not a requirement that the non-personal information be deleted before access is given unless that information is exempt under the FOI Act. In some instances, this type of information puts the personal information into context and should be released to an applicant so that the information contained in the document is meaningful.

Non-personal information may be deleted if, for example, it is irrelevant to a request or if it deals with a totally different subject matter rendering the information out of scope. Non-personal information that is personal information about a third party should always be deleted unless consent is given for its disclosure to the applicant. If a third party knows the identity of an applicant, they may consent.

7.5 Amendment of personal information

Applicants can apply to the FOI Coordinator, under Section 46 of the FOI Act, to request a correction or amendment to any document(s) which contain(s) their personal information. The application for amendment has to:

- (a) be in writing
- (b) give enough details to enable the document that contains the information to be identified
- (c) give details of the matters in relation to which the person believes the information is inaccurate, incomplete, out of date or misleading
- (d) give the applicant’s reasons for holding that belief

- (e) give details of the amendment that the applicant wishes to have made, and
- (f) give an address in Australia to which notices under the FOI Act can be sent.
- (g) state whether the applicant wishes the amendment to be made by:
 - (i) altering information
 - (ii) striking out or deleting information
 - (iii) inserting information
 - (iv) inserting a note in relation to information or
 - (v) in two or more of the above ways.

As with an FOI application, Fremantle Ports will inform the applicant of its decision and reasoning, via a Notice of Decision. If Fremantle Ports decides to amend the applicant's personal information, it will usually be done via altering the record, or adding a further note in relation to the record. The FOI Act also provides applicants with the right to appeal an amendment decision made by Fremantle Ports through the FOI review process outlined in 7.8 below.

7.6 Access arrangements

Access to documents can be granted by way of inspection, a copy of a document, a copy of an audio or video tape, a computer disk, a transcript of a recorded, shorthand or enclosed document from which words can be reproduced.

7.7 Notice of decision

As soon as possible, but in any case, within 45 days of receipt of an FOI application, the applicant will be provided with a decision, which will include such details as:

- (a) the date the decision was made
- (b) the name and designation of the officer who made the decision
- (c) if access is refused, the reasons for claiming the document is exempt
- (d) information on the rights and the procedures to be followed to exercise those rights.

7.8 Right of review

An applicant has a right to apply for an internal review of a Notice of Decision. Any application for internal review must be lodged with Fremantle Ports within 30 days after being given a written notice of decision. Any application for internal review must be in writing, give particulars of the decision to be reviewed and give an address in Australia to which notices can be sent. No charge or fee is payable in respect of an application for internal review.

Any application for internal review will not be dealt with by the person who made the initial decision, or by a person who is subordinate to the original decision maker. On receipt of an application for review, Fremantle Ports may decide to confirm, vary or reverse the decision under review. The applicant will be advised of the outcome within 15 days.

7.9 External review

If the applicant still disagrees with the result, the applicant may then apply to the Information Commissioner for an external review. Any application for external review should be made within 60 days of receiving notice of the internal review decision.

Freedom of Information Act 1992
Application to Access Documents held by Fremantle Ports

Applicant Details

Name/Business Name: _____

Postal Address (in Australia): _____

State: _____

Post Code: _____

Telephone: _____ (W) _____ (H) _____ (M)

Email Address: _____

Details of Request

Describe clearly the documents you wish to access including whether the documents contain personal information relating to you. Include dates/date range, location, subject matter or any other information which would help identify specific documents rather than entire files. Your reason for access (optional) may assist in the accurate capture of documents. Attach additional pages if necessary.

Form of Access (please tick)

I wish to inspect the document(s) Yes No

I require a copy of the document(s) Yes No

Access to personal information about other individuals including third parties and officers of an agency*:

I **do not require** access to any "personal information" about other individuals, third parties or officers of an agency as part of my request and understand that such information will be deleted from any documents released.

I wish to apply for access to the following documents containing the following information:

* Third party information means:

- Personal information about officers of an agency consisting of names, titles, signatures and contact details including addresses, email addresses and telephone numbers.
- All personal information about individuals who are not officers of an agency.
- Personal information concerning the commercial or business affairs of persons other than the applicant's company

The FOI Act allows a person to have access to personal information about themselves, subject to some limitations. However, the FOI Act protects the privacy of other individuals by providing an exemption for personal information about other individuals or third parties (other than the access applicant). This imposes a duty upon the agency to consult with any other individual or third parties prior to considering disclosing such personal information to the applicant.

Third party consultation can be a lengthy and time-consuming process unless such information can be excluded from the scope of the FOI application. Excluding such information removes the necessity to consult with the third parties and reduces the amount of time required to deal with the application.

Note: Consultation with third parties may still be necessary in relation to any commercial / business information contained in documents.

Fees and Charges

An application fee is not payable if the request is for access to personal information about the applicant. A fee of \$30 is payable via Visa or MasterCard as part of submitting this form and should be lodged with your application. Cash will only be accepted with hand-delivered applications.

Payment by Credit Card

Please fill out your details below.	
<input type="checkbox"/> MasterCard	
<input type="checkbox"/> Visa	
Card number	
Expiry date	
Total amount	\$
Card holder's name	
Signature	Date

Lodgement of Application

Applications should be addressed to the FOI Coordinator and either hand delivered to Fremantle Ports at 1 Cliff Street, Fremantle or posted to PO Box 95, Fremantle, WA, 6959.

SIGNATURE OF APPLICANT

DATE

NOTE: This application form is provided for convenience and is not a mandatory requirement. Applications will be accepted in any form that meets the requirements of Section 12 of the *Freedom of Information Act 1992*. If you require assistance, please contact Fremantle Ports' FOI Coordinator on 9430 3555.