

Port of Melbourne



Privacy Policy

Classification: Public

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1 Policy scope

At Port of Melbourne ('we', 'us') we are committed to protecting the privacy of individuals with whom we deal with and whose personal information we collect, hold, use and disclose in accordance with all relevant privacy laws, including the *Privacy Act 1988* (Cth) (**Privacy Act**) and the Australian Privacy Principles (**APPs**) in the Privacy Act.

This Privacy Policy explains how we collect, hold, use and disclose personal information while carrying out our functions and activities of managing, operating and developing the port of Melbourne (the **Port**). It also explains what personal information we may collect from you and why, how you may access and seek correction of the personal information we hold about you, how to contact us if you have a complaint about how we deal with your personal information, and how we will assist with your complaint.

This Policy may be amended from time to time if our practices change. The latest version of this Policy will appear on the Port of Melbourne's website at: <https://www.portofmelbourne.com/legal-information/privacy/>.

This Policy does not apply to the personal information in any Port of Melbourne employee records.

2 What kinds of personal information do we collect and hold?

The type of personal information we collect depends upon the nature of our relationship with you and your dealings with us. We collect personal information from customers, clients, port users, tenants, contractors, service providers, job applicants, stakeholders, and any other people who access the Port as well as the wider community in order to perform our functions and activities.

Personal information is information or an opinion about an identified individual, or an individual who is reasonably identifiable to us, whether the information or opinion is true or not, and whether the information or opinion is recorded in a material form or not.

Personal information that we collect from you may include:

- a. your contact details (such as name and title, address, email address, phone number, date of birth);
- b. information about your presence, conduct and activities in the Port precinct, surrounding areas or at our offices which may include photographs and videos of you or your vehicle;
- c. information about your participation in Port events or competitions;
- d. information about your involvement in any incident that occurs in the Port precinct;
- e. information about a complaint or any feedback you submit;
- f. information about input or feedback you provide through our stakeholder engagement programs;
- g. your employment history and professional and educational qualifications if you apply for a job or an individual contract role with us;
- h. information captured on the CCTV cameras located at the Port;
- i. your driver's licence details, passport information or Maritime Security Identification Card number; or
- j. information you provide when you access certain IT systems.

We may also collect sensitive information about you. Sensitive information is a subset of personal information and includes information about your health, race or ethnic origin, membership of a professional or trade organisation and criminal record. We may collect your sensitive information in certain circumstances, including if you are involved in an incident at the Port, you submit a job application or apply for an individual contract role with us or you are captured on closed circuit television (**CCTV**) cameras installed in the Port precinct, surrounding areas and our offices and your sensitive information is apparent from your appearance or activities.

3 When do we collect your personal information?

We collect your personal information when you provide it to us, you use our facilities or services, you visit the Port precinct, surrounding areas or our offices, or from third parties. For example, we collect your personal information when:

- a. you contact us;
- b. you register with our website;
- c. you register for an event, including activities conducted as part of our stakeholder engagement programs.
- d. you contribute to one of our social media pages;
- e. you apply for a job or an individual contract role with us, including from any referees that you provide;
- f. if you are involved in an incident and/or an incident investigation;
- g. you interact with us as a customer, client, port user, tenant, contractor, service provider, stakeholder or member of the community; or
- h. you (or a company or other entity that you work for) submit a tender for the provision of goods or services;
- i. you visit or access the Port precinct, surrounding areas or our offices and are recorded by CCTV; or
- j. references or background checks are obtained about you.

4 How do we collect your personal information?

We collect your information in a fair and non-intrusive way. Wherever possible, we collect your personal information directly from you. However we may also collect personal information about you from someone else in the following circumstances:

- a. if you are a job applicant or apply for an individual contract role with us, from job referees, academic institutions you attended, and through police checks; or
- b. public sources (such as LinkedIn) or service providers (such as ASIC).

5 CCTV

Personal information (including sensitive information) may be collected by CCTV cameras installed in various places to provide visual coverage of the Port precinct, surrounding areas and our offices.

The purpose of the collection, use and disclosure of CCTV footage is for operational and security purposes of the Ports. For example, we may collect, use and disclose CCTV footage to:

- a. ensure safety and security of Port operations;
- b. detect and deter unauthorised access to the Port;
- c. prevention, management and investigations of hazards, incidents and emergencies;
- d. manage, maintain and remediate property, equipment, facilities, assets, infrastructure of the Port;
- e. assist with enforcement related activities of enforcement bodies; or
- f. as required or permitted by law.

We may disclose or give access to CCTV footage to third parties for the above purposes, including to enforcement bodies or our service providers. We retain, store and dispose of the captured CCTV footage as required by applicable document retention laws and regulations.

6 Cookies

We use cookies on our website to collect anonymised analytical data and the cookie is deleted from the browser once you have closed the browser.

7 Why do we collect your personal information?

We collect personal information if it is necessary to carry our functions and activities in managing, operating and developing the Port and its precinct, delivering its facilities and services and achieving integrated freight transport outcomes, including:

- a. managing and ensuring the safety and security of the Port precinct;
- b. maintaining, constructing and/or remediating land and marine port infrastructure;
- c. ensuring safe landside maritime transport;
- d. supporting port customers by delivering workshops and seminars and conducting business development to support global trade opportunities;
- e. communicating with the government, community, industry, and other stakeholders about our work and port projects;
- f. responding to and investigating any complaints about activities at the Port;
- g. complying with our reporting requirements or any other legal requirements under applicable laws including the *Maritime Transport and Offshore Facilities Security Act 2003* (Cth), the *Customs Act 1901* (Cth), *Port Management Act 1995* (Vic) and the *Delivering Victorian Infrastructure (Port of Melbourne Lease Transaction) Act 2016* (Vic); or
- h. carrying out recruitment activities.

8 Can you choose to remain anonymous when dealing with us?

You may elect not to identify yourself or you may use a pseudonym in your dealings with us, except where it is impracticable for us to interact with you on this basis. We will always allow you to remain anonymous where it is practicable and lawful to do so.

However, there will be circumstances in which it may not be possible for us to interact with you anonymously, such as in complying with our legal obligations, when investigating incidents at the Port, investigating complaints, or considering your application for employment.

9 Who do we disclose your personal information to?

We may disclose your personal information (including, in certain limited circumstances, your sensitive information) to:

- a. our third party service providers, agents, and contractors who provide financial, legal, administrative or other services in connection with the operation our business. This may include mailing houses, software developers, IT maintenance providers, and solicitors;
- b. Commonwealth and Victorian government departments, agencies and regulators or enforcement agencies; or
- c. as required or permitted by law.

We may also disclose photographs and video footage captured by the CCTV cameras in accordance with section 5 above. Information provided to the above parties will typically be disclosed on a confidential basis.

10 Do we use and disclose your personal information for direct marketing activities?

We may use and disclose your personal information to contact you about port services and projects that we think may be relevant to you.

We may do this by phone, email, post, SMS or a combination of these.

If you do not wish to receive direct marketing from us please email us at community.relations@portofmelbourne.com, or call us on 1300 857 662 to opt out.

11 How do we hold your personal information and how do we keep it secure?

We hold your personal information in a combination of electronic and hard copy files. We may combine personal information we receive about you with other information we hold about you. This includes information received from third parties. Photographs and video footage captured by the CCTV cameras installed in and around the Port and our offices will be held and stored in accordance with section 5 above.

We take all reasonable steps to ensure that the personal information we hold is protected from misuse, interference and loss, and unauthorised access, modification or disclosure by the use of various methods, including password protection and secure storage.

Please contact us immediately if you become aware, or have reason to otherwise believe, that there has been any unauthorised access, modification or disclosure of your personal data that we may hold.

In the event of a data breach, such as the unauthorised loss, use or disclosure of personal information, we will assess and respond in line with the requirements contained in the Privacy Act.

12 Will your personal information be disclosed outside Australia?

Generally, we only disclose personal information overseas if it is necessary to carry out our functions and activities. Personal information that you provide to us via online survey tools (such as Google Forms) is stored by the relevant third party survey provider who may hold your personal information overseas. We may disclose personal information to third party service providers, agents, consultants and contractors located overseas in the United States of America, Canada and Ireland so that they can provide us with services in connection with the operation of our business.

13 How can you seek access to, and correct of your personal information?

You may request access to your personal information by contacting us at any time on the details below. We will need to verify your identity before we can give you access. We will promptly acknowledge receipt (and may need to verify your identity before we respond), and we will endeavour to respond to your request within a reasonable time (typically within 30 days).

In certain circumstances, we are permitted by law to refuse access to your personal information, such as where providing access would have an unreasonable impact upon the privacy of other individuals.

If we refuse you access to your personal information, we will provide you with a written explanation for our decision, and how you can complain if you are not satisfied with our decision.

You will not be charged for making a request to access your personal information. However, we may charge you a fee to provide you with your information to cover any administrative costs. We will inform you of any fee at the time your request is made.

If you think that any personal information we hold about you is inaccurate, incomplete, out-of-date or irrelevant, you may ask us to correct it. We will take reasonable steps to correct it unless we disagree with your reasons. If we refuse to correct your personal information, we will provide you with a written explanation for our decision.

14 How do I make a privacy complaint?

If you are concerned that we may have handled your personal information in a manner that is inconsistent with this Policy, you can submit a complaint by contacting us on the details below. We will acknowledge receipt of your complaint promptly, may need to verify your identity, and may ask you to provide further information to enable us to investigate your complaint.

We will investigate your complaint, notify you of our decision and offer any resolution that we consider appropriate within a reasonable time (typically within 30 days).

If we are unable to satisfactorily resolve your concerns about our handling of your personal information, you can contact the:

Office of the Australian Information Commissioner
GPO Box 5218

Sydney NSW 2001

Telephone: 1300 363 992

Email: enquiries@oaic.gov.au

Online: www.oaic.gov.au/privacy/privacy-complaints

15 Port of Melbourne contact details

If you have any questions or comments about this Privacy Policy or how we have dealt with your personal information, you can contact us at:

Privacy Officer

Port of Melbourne Operations Pty Ltd
GPO Box 2149

Melbourne VIC 3001

Telephone: 1300 857 662

Email: pomprivacy@portofmelbourne.com

16 Definitions

Port of Melbourne comprises the following entities:

- a. Lonsdale Operations Hold Pty Limited as trustee for Lonsdale Operations Hold Trust;
- b. Port of Melbourne Operations Pty Ltd as trustee for the Port of Melbourne Unit Trust;
- c. Lonsdale Asset Hold Pty Limited as trustee for the Lonsdale Asset Hold Trust;
- d. Lonsdale Asset Property Pty Limited as trustee for Lonsdale Asset Property Trust;
- e. Lonsdale Finance Hold Pty Limited; and
- f. Lonsdale Finance Pty Limited.

Author:	General Counsel
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