

Privacy Policy of Port of Melbourne

1 Policy scope

At the Port of Melbourne ('we', 'us') we are committed to protecting the privacy of individuals with whom we deal with and handling 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, in carrying out our functions and activities managing, operating and developing the port of Melbourne (the **Port**), collect, hold, use and disclose personal information. It also explains what 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 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 about you depends upon the nature of our relationship with you and your dealings with us. We collect personal information from customers, clients, tenants (lessees and licensees), contractors, service providers, job applicants, stakeholders and 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 personal and/or professional contact details (such as name and title, address, email address, phone number, date of birth)
- b information about your presence in the Port precinct or our offices which may include photographs and videos
- 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 your employment history and professional and educational qualifications if you apply for a job with us
- g your driver licence details, passport or Maritime Security Identification Card number 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 when you submit our COVID-19 Health Declaration to enter a site managed by us, if you are involved in an incident at the Port or you submit a job application. We will only collect sensitive information from you or about you with your consent unless otherwise required or authorised by law.

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, when you visit the Port precinct 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
- d you contribute to one of our social media pages
- e you apply for a job with us and if referees are obtained
- f if you are involved in an incident and/or an incident investigation
- g you interact with us as a customer, client, tenant (lessee and licensee), contractor, service provider, stakeholder or member of the community
- h submit a tender for the provision of goods or services and if referees are obtained.

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, from job referees, academic institutions you attended and through police checks
- b public sources, such as LinkedIn or service providers such as ASIC.

5 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.

6 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 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 community, government and other stakeholders about its work and Port projects
- f responding to and investigating any complaints about activities at the Port
- g complying with our reporting requirements or other legal requirements under applicable laws including the *Port Management Act 1995* (Vic) and the *Delivering Victorian Infrastructure (Port of Melbourne Lease Transaction) Act 2016* (Vic)
- h carrying out recruitment activities.

7 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 deal 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

or complaints or considering your application for employment.

8 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, contractors who provide financial, legal, administrative or other services in connection with the operation our business, for example mailing houses, software developers, IT maintenance providers and solicitors
- b Commonwealth and Victorian government departments, agencies and regulators
- c as required or permitted by law.

Information provided to the above parties will be done on a confidential basis.

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 Surveys is stored by the relevant third party survey provider who may hold your personal information overseas.

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

We may use and disclose your personal information in order 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 use the "Contact us" section of our website www.portofmelbourne.com or call us on 1300 857 662 to opt out.

10 How do we hold your personal information and 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.

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 Amendment (Notifiable Data Breaches) Act 2017* (Cth).

11 How can you seek access to, and correction of your personal information?

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

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

If we refuse you access to your to your personal information, we will provide you with a written explanation for our decision and how you 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 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.

12 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 and may need to verify your identity and we may ask you to provide further information to enable us to investigate your complaint.

We will investigate your complaint and notify you of our decision and offer any resolution that we consider appropriate within a reasonable time.

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

13 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 Australia
pomprivacy@portofmelbourne.com
1300 857 662

14 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
- f Lonsdale Finance Pty Limited.

Last updated 20 November 2020