

# Freedom of Information Statement

## 1 October 2024

Record 1659729

# Table of Contents

<b>1</b>	<b><i>Introduction.....</i></b>	<b><i>3</i></b>
<b>2</b>	<b><i>Port Profile.....</i></b>	<b><i>3</i></b>
	2.1 Corporate governance .....	3
<b>3</b>	<b><i>Our Organisation.....</i></b>	<b><i>3</i></b>
<b>4</b>	<b><i>Corporate Snapshot.....</i></b>	<b><i>4</i></b>
	4.1 Infrastructure Services and Trade .....	4
	4.2 Stakeholders .....	5
	4.3 Our purpose, values and goals .....	5
<b>5</b>	<b><i>Community Engagement and Consultation.....</i></b>	<b><i>7</i></b>
<b>6</b>	<b><i>Documents.....</i></b>	<b><i>7</i></b>
	6.1 What is a document? .....	7
	6.2 Documents held by Fremantle Ports and available free of charge and without an FOI application.....	7
	6.3 Documents held by Fremantle Ports and available only through an FOI application.....	7
<b>7</b>	<b><i>Freedom of Information Procedures and Access Arrangements.....</i></b>	<b><i>8</i></b>
	7.1 FOI operations.....	8
	7.2 Freedom of Information applications.....	8
	7.3 Freedom of Information charges .....	9
	7.4 Amendment of personal information.....	9
	7.5 Access arrangements.....	10
	7.6 Notice of decision .....	10
	7.7 Right of review.....	11
	7.8 External review.....	11

## 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](http://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 *Government Trading Enterprises Act 2023* and operates under the *Port Authorities Act 1999*.

## 3 Our Organisation

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

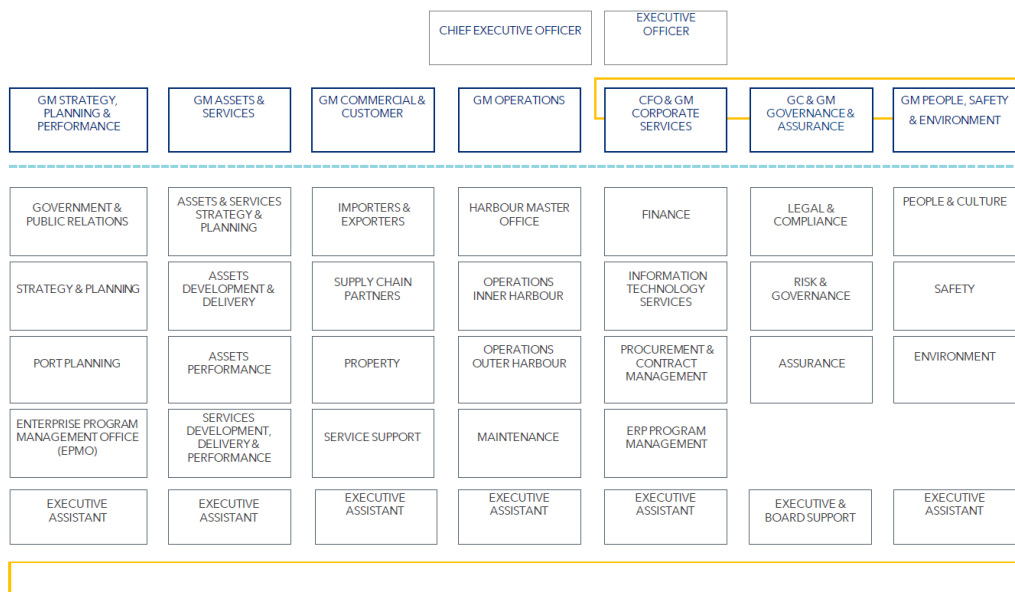
The Chief Executive Officer is appointed by the Board and is responsible for the day-to-day management of Fremantle Port. The Freedom of Information function rests with the Governance and Assurance Section of the organisation.

The executive and management structure as of October 2024 is as follows:



### EXECUTIVE & MANAGEMENT LEVEL STRUCTURE

October 2024



## 4 Corporate Snapshot

### 4.1 Infrastructure Services and Trade

Fremantle Ports’ Inner Harbour has served Western Australia’s maritime trade needs effectively since 1897 and continues today as the fourth-largest container port in Australia and its most efficient by a number of measures (Waterline report, BITRE, Government of Australia).

Aside from its container trade, it also handles vehicle imports and non-containerised cargo such as machinery, steel, heavy equipment, livestock and scrap metal. The heritage-listed and renovated Fremantle Passenger Terminal - Australia’s largest - can handle two ships simultaneously and is owned and operated by Fremantle Ports.

The Outer Harbour at Kwinana, comprising Kwinana Bulk Jetty (KBJ) and Kwinana Bulk Terminal (KBT), handles bulk commodities including bauxite, alumina, grains, petroleum products, mineral sands, bitumen, fertilisers and sulphur. KBT and KBJ are owned and operated by Fremantle Ports, while separate facilities in Cockburn Sound are privately operated by Alcoa, bp and CBH Group.

Fremantle Ports provides and maintains shipping channels, navigation aids, seawalls, road and rail infrastructure within the port environs and the full complement of supporting infrastructure to allow the port, its users and its tenants to conduct their operations.

Other services provided include ship monitoring and scheduling, berth allocation, mooring, port communications, security, pilot transport over water, hazardous cargo services, quarantine, waste disposal, property management services, stevedoring, and bulk terminal receipt and dispatch.

The private sector partners with Fremantle Port in the provision of overall port services, by delivering container stevedoring, non-containerised and bulk cargo stevedoring, towage, line boats, bunkering, shipping agencies, ship provisioning, road and rail transport, freight forwarding, customs clearance and fumigation.

Under the Port Authorities Act 1999 and in line with recent practice, Fremantle Ports licenses a range of port services, including non-exclusive contracts with the private sector for towage and pilotage.

Fremantle Ports' revenue is, in part, derived from more than 100 tenancies, most of which are located on North Quay and on reclaimed land at Rous Head.

## 4.2 Stakeholders

Fremantle Ports has an extensive range of stakeholders in government, business and the community. It works with, and alongside, relevant local governments, the WA Government and its agencies, the Australian Government, customers, tenants, port service providers, shipping companies, industry peak bodies, educational institutions, unions, special interest groups, recreational users of its waters and land, as well as the public.

## 4.3 Our purpose, values and goals

### **Purpose**

Our purpose is to facilitate trade for a more prosperous Western Australia. Our aims are:

- To enable importers and exporters
- To not limit ourselves to ports
- To link to our function under the *Port Authorities Act 1999*
- To drive trade growth through our investments
- To support Western Australia's economic growth and development
- To serve the people of Western Australia
- To connect Western Australia to the world
- To be responsible land custodians, including bringing property not required for port use into productive use for the good of Western Australia

### **Values**

Our values are our minimum standards of behaviour that are expected of everyone, all of the time. To be part of our organisation, we must each commit to always adhering to these values and using them to guide our decisions.

- Collaboration
  - Accountability
  - Respect, and
  - Excellence
-



**Our values**

- Collaboration**
- Accountability**
- Respect**
- Excellence**



**Achieving together:** We work together, building trusting relationships, and consider the impact of our actions. We look for ways to contribute to a better future for our people, our communities and the environment.

**Owning it:** No matter where we work, our role or where we are from, we have standards to which we hold ourselves and each other accountable. We strive to make the right choices every time. We do what we say we are going to do and take responsibility for our actions.

**Valuing everyone, always:** We value each other and create an environment where everyone's voice is heard and respected.

**Delivering our best:** We strive for excellence in everything we do, to optimise performance and productivity. In doing so, we deliver for our teams, our customers, our organisation and ourselves. We learn from the past while embracing innovation and change.

## Our goals

Our strategy focuses on five goal areas:

### Safety

Delivering a step-change improvement in safety outcomes for our people and stakeholders.

### Sustainability

Ensuring we have a sustainable port and supply chain; delivering economic, environmental and social returns over the long term.

### Efficiency and reliability

Meeting our customer and stakeholder needs and building a strong reputation for delivery.

### Capacity

Building the capacity to facilitate growth in trade and meet industry requirements at any point in time.

### Engagement

Ensuring we have the customer and employee engagement we need to achieve our goals

## 5 Community Engagement and Consultation

In keeping with its commitment to sustainability, Fremantle Ports continues to implement an extensive program of community engagement and 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 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](http://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](mailto: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 dependent 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 or [foi@fremantleports.com.au](mailto:foi@fremantleports.com.au) . The Freedom of Information Coordinator can be contacted on (08) 9430 3555 for any enquiries.

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### 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>

#### 1.1 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.

#### 7.4 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 must:

- (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 7.7 below.

## **7.5 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.

## **7.6 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.
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### **7.7 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.

### **7.8 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: \_\_\_\_\_

Postcode: \_\_\_\_\_

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  NoI 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	
CCV Number	
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



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Western Australia 6160  
Tel: +61 8 9430 3555  
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[www.fremantleports.com.au](http://www.fremantleports.com.au)