

Healey & Co Privacy Policy

Updated 5 April 2022

1. Background

Protecting your privacy is important to Healey & Co. References to '**Healey & Co**', '**we**', '**us**' or '**our**' are references to 10 Devorgilla Pty Ltd (ACN 650 975 198) and its related bodies corporate (as defined in the *Corporations Act 2001* (Cth)).

Healey & Co is committed to protecting your privacy, in accordance with applicable Australian privacy laws, including the *Privacy Act 1988* (Cth) (**Privacy Act**) and the Australian Privacy Principles (**APPs**).

This policy ('**Privacy Policy**') is designed to give you a greater understanding of how we collect, use, disclose and otherwise handle personal information.

2. What is personal information?

Under this privacy policy the term "personal information" has the meaning given to it in the Privacy Act.

The Privacy Act defines 'personal information' as information or an opinion about an individual or an individual who is reasonably identifiable, whether the information is true or not and whether the information or opinion is recorded in a material form or not.

Personal information can include your name, address, telephone number, email address and profession or occupation.

3. What we collect

General

The type of personal information that we collect about you depends on the type of dealings you have with us. For example, if you:

- **are a purchaser or prospective purchaser of a property**, we will collect your name, contact details (such as address, telephone number and email address), date of birth, gender, employment details, details of the property that you are interested in or have agreed to purchase, confirm whether you are an Australian resident, and information relating to your financing arrangements.
- **are a supplier to us**, we will collect your name and contact details, details about the goods or services you supply and payment details.
- **send us an enquiry, complete a registration of interest or provide us with feedback**, we may collect your name, contact details, details of your enquiry or feedback and information about our response.
- **fill in a contact form at one of our sales offices or attend one of our events**, we will collect your name, age, address, contact details, details of the properties you are interested in (including price ranges), what prompted you to inspect the project, whether you are an owner occupier or investor and how you heard about us or the relevant property development.
- **ask us to send you information about our developments or other products and services**, we will collect your name, address, contact details, details of the properties you are interested in and how you heard about us or the relevant property development.
- **apply for a job with us**, we will collect the information you include in your job application, including your cover letter, resume, contact details and referee reports
- **enter into any promotions, competitions or special offers**, we will collect the information you provide when submitting your entry.

In addition to the above, if you interact with Healey & Co generally, Healey & Co will collect your details (e.g. name, telephone number, email address), details of the properties you are interested in, how you heard about us or the relevant property development and details of your dealings with us. Other information may be collected from other sources but those sources should provide you with details of what personal information is being collected and why.

Sensitive information

Sensitive information is a subset of personal information that is generally afforded a higher level of privacy protection, such as health information. We only collect sensitive information where it is reasonably necessary for our functions or activities and either the individual has consented or we are required or authorised by or under law (including applicable privacy legislation) to do so.

Collection of information other than personal information through our website

When you visit our website, some of the information that is collected about your visit is not personal information.

Site visit information

For example, we record your server address, the date and time of your visit, the pages you visited, any documents you downloaded, the previous site you visited and the type of device, browser and operating system you used.

We use and disclose this information in anonymous, aggregated form only, for purposes including statistical analysis and to assist us to improve the functionality and usability of our website. You are not individually identified, however we reserve the right to use or disclose this information to try to locate an individual where we reasonably believe that the individual may have engaged in any unlawful or inappropriate activity in connection with our website, or where we are otherwise required or authorised by law to do so.

Cookies

A cookie is a small string of information that a website transfers to your browser for identification purposes. The cookies we use do not identify individual users, although they do identify the user's internet browser.

We use cookies to hold anonymous session information. This information is used to personalise your current visit to the website, for example to allow the website to remember who you are by keeping server variables linked to your session. We only use non-persistent cookies. That is, they are held on your browser's memory only for the duration of your session.

Most internet browsers are set to accept cookies. If you prefer not to receive them, you can adjust your internet browser to reject cookies, or to notify you when they are being used. There are also software products available that can manage cookies for you. Rejecting cookies can, however, limit the functionality of our website.

Online Behavioural Advertising

We use advertising programs that place cookies on your computer to collect information about your browsing history (including on external websites). This information, which does not identify you personally, is collected in order to improve your online experience by customising the advertising you see to your interests (including the display of more relevant ads on external websites). You can opt out of these programs by turning off the cookie setting in your own internet browser.

What if you don't provide us with your personal information?

We will provide individuals with the option of not identifying themselves, or of using a pseudonym, when dealing with us if it is lawful and practicable to do so. A pseudonym is a name or other descriptor that is different to an individual's actual name.

In some cases however, if you don't provide us with your personal information when requested, we may not be able to provide you with the product or service that you are seeking. For example, you must identify yourself to register your interest in our developments.

4. How we collect personal information

We collect personal information in a number of ways, including:

- directly from you in person (for example, if you visit our sales office or development, or at events or at conferences)
- through our website (for example, by making an online enquiry)
- through our social media pages (for example, through Twitter, Instagram or our Facebook page)
- over the telephone
- through written correspondence (such as letters, faxes and emails)
- during conversations between you and our representatives
- by contracting with us
- on hard copy forms (for example, competition and promotion entry forms and surveys)
- from third parties, including:
 - your representatives, including your lawyers, accountants, financiers and other authorised agents and advisers
 - your employer
 - credit reporting agencies, law enforcement agencies and government entities
 - the Land Titles Office and relevant State and Territory Valuers General
 - our sales agents and other real estate agents
 - the Australian Securities and Investment Commission
 - mortgage brokers and/or financial service providers
 - publicly available sources of information or any other organisations where you have given your consent

5. Why we collect personal information

We collect personal information about you so that we can perform our business activities and functions and to provide best possible quality of customer service.

The main purposes for which we collect, hold, use and disclose personal information are set out below:

- to provide products and services to you and to send communications/information requested by you;
- to answer enquiries and provide information or advice about existing and new developments to prospective and existing purchasers;
- to conduct business processing functions including providing personal information to our related bodies corporate, contractors, service providers or other third parties;
- for the administrative, marketing (including direct marketing), planning, product or service development, quality control, survey and research purposes of Healey & Co, its related bodies corporate, contractors or service providers;
- designing, engineering, constructing and delivering our developments;
- to provide your updated personal information to our related bodies corporate, contractors or service providers;
- to process and respond to any complaint made by you; and to comply with any law, rule, regulation, lawful and binding determination, decision or direction of a regulator, or in co-operation with any governmental authority of any country (or political sub-division of a country);

- to verify your identity;
- obtaining finance for our developments;
- processing transactions for the sale of land and/or apartments and any applicable payments and for our billing and account purposes;
- to assess the performance and administer our website and for internal operations, including troubleshooting, data analysis, testing, research, statistical and survey purposes;
- performing research and statistical analysis, including for customer satisfaction and service improvement purposes;
- recruiting staff and contractors; or
- to carry out our obligations arising from any contracts entered into between you and to enforce the terms of any agreement that you enter into relating to our products and services.

We may also collect, hold, use and disclose personal information for other purposes explained at the time of collection or:

- which are required or authorised by or under law (including, without limitation, privacy legislation); and
- for which you have provided your consent.

Your personal information will not be shared, sold, rented or disclosed other than as described in this Privacy Policy.

6. Direct marketing

You consent (until such time as you opt out, as described below) that we may use your personal information to let you know about us and our products and services (including promotions, special offers and events) and our third party products and services, either where we have your express or implied consent, or where we are otherwise permitted by law to do so. We may contact you for these purposes in a variety of ways, including by mail, email, SMS, telephone and online advertising.

Opting out

Where you have consented to receiving marketing communications from us, your consent will remain current until you advise us otherwise. However, you can opt out at any time, by contacting us (details under heading 14 below) or using the unsubscribe facility that we include in our commercial electronic messages (such as emails and SMSes). Stopping marketing messages will not stop service communications (such as contract updates).

Third-party marketing

We will get your express opt-in consent before we share your personal data with any company outside the Healey & Co entities for marketing purposes.

7. Who we may share your personal information with

Healey & Co may disclose your personal information, and you consent to Healey & Co disclosing your personal information, to Healey & Co's related bodies corporate and associated entities (as those terms are defined in the *Corporations Act 2001* (Cth)).

Healey & Co may also disclose your personal information, and you consent to Healey & Co disclosing your personal information, to the following third parties:

- responsible authorities, such as local councils and water authorities
- builders and their consultants
- sub-contractors
- the Land Titles Office

- relevant State and Territory Valuers General
- Australian Securities and Investment Commission
- financiers, prospective financiers and financial institutions for payment processing
- real estate agents including an individual's agent or authorised representative
- referees whose details are provided to us by job applicants
- third parties who support our information technology or handle mailings on our behalf
- our contracted service providers (including payment processors)
- law enforcement agencies, other governmental agencies or third parties if we are required by law to do so, or in other limited circumstances
- our professional advisers

In each case, we may disclose personal information to the service provider and the service provider may in turn provide us with personal information collected from you in the course of providing the relevant services.

We may also disclose information to provide our products and services, to respond to legal requirements, enforce our policies, and protect our rights and property.

8. Cross border disclosure of personal information

We do not currently disclose personal information to third parties located overseas. If this changes at some time in the future, we will comply with the requirements of the Privacy Act that apply to cross border disclosures of personal information and this Privacy Policy will be amended accordingly.

9. Use of government related identifiers

We will not:

- use a government related identifier of an individual (such as a passport number or driver's licence number) as our own identifier of individuals; or
- otherwise use or disclose such a government related identifier,

unless this is permitted by the Privacy Act (for example, use of an identifier to verify an individual's identity or uses or disclosures required or authorised by or under an Australian law).

10. Data quality and security

General

Healey & Co is committed to keeping your personal information secure and confidential. All reasonable precautions will be taken to protect personal information from loss, misuse, unauthorised access or alteration. We take reasonable steps to:

- make sure that the personal information that we collect, use and disclose is accurate, up to date and complete and (in the case of use and disclosure) relevant;
- protect the personal information that we hold from misuse, interference and loss and from unauthorised access, modification or disclosure; and
- destroy or permanently de-identify personal information that is no longer needed for any purpose that is permitted by the APPs.

You can help us keep your information up to date, by letting us know about any changes to your details, such as your address, email address or phone number.

You acknowledge that the security of online transactions you conduct using the website cannot be guaranteed. To the fullest extent permitted at law, Healey & Co does not accept responsibility for

misuse of or loss of, or unauthorised access to, your personal information where the security of that information is not within Healey & Co's control.

Security

The steps we take to secure the personal information we hold include website protection measures (such as firewalls and anti-virus software) and security restrictions on access to our computer systems (such as login and password protection).

While we strive to protect the personal information and privacy of users of our website, we cannot guarantee the security of any information that you disclose online, and you disclose that information at your own risk. If you are concerned about sending your information over the internet, you can contact us by telephone or post (details under heading 14 below).

An IP (internet protocol) address is a number that is automatically assigned to your computer by your internet service provider when you log on. Your IP address is not linked to your personal information, but we do preserve the right to use IP addresses to identify individuals who may threaten our site, services or clients. IP addresses may also be used to help diagnose problems with our website and to gather broad demographic information.

Data breaches

If there is any breach of your personal information, Healey & Co will deal with such breach and notify you in accordance with its obligations under the Privacy Act.

11. How long we keep your information

We will only keep the information we collect about you for as long as required for the purposes set out above or as required to comply with any legal obligations to which we are subject. If you decide not to go ahead with purchasing a property for which you have registered, we may still keep your information.

12. Mail and email information

If you wish to stop receiving any e-mails or other communications from Healey & Co which may be sent to you in the future, or if you have submitted personal information through the website and would like to have that information deleted from our records, please notify us at info@healeyandco.com.au.

Healey & Co will preserve the contents of any e-mail message that you send if we believe that we have a legal requirement to do so.

13. Access and correction

Please contact our Privacy Officer (details under heading 14 below) if you would like to access or correct the personal information that we hold about you. We may require you to verify your identity before processing any access or correction requests, to make sure that the personal information we hold is properly protected.

We will generally provide you with access to your personal information, subject to some exceptions permitted by law. We will also generally provide access in the manner that you have requested, provided it is reasonable and practicable for us to do so. We may however charge a fee to cover our reasonable costs of locating the information and providing it to you.

If you ask us to correct personal information that we hold about you, or if we are satisfied that the personal information we hold is inaccurate, out of date, incomplete, irrelevant or misleading, we will take reasonable steps to correct that information to ensure that, having regard to the purpose for which it is held, the information is accurate, up-to-date, complete, relevant and not misleading.

If we correct personal information about you, and we have previously disclosed that information to another agency or organisation that is subject to the Privacy Act, you may ask us to notify that other entity. If so, we will take reasonable steps to do so, unless this would be impracticable or unlawful.

Except in the case of more complicated requests, we will endeavour to respond to access and correction requests within 30 days.

There may be instances where we cannot grant you access to the personal information we hold. If that happens, we will give you written reasons for any refusal.

14. Complaints

If you have a complaint about how we have collected or handled your personal information, please contact our Privacy Officer (details under heading 14 below).

We will endeavour in the first instance to deal with your complaint and take any steps necessary to resolve the matter within a week. If your complaint can't be resolved at the first instance, we will ask you to submit your complaint in writing.

In most cases, we expect to investigate written complaints will be investigated and a response provided within 30 days of receipt. If the matter is more complex and our investigation may take longer, we will write and let you know, and tell you when we expect to provide our response.

If you are not satisfied with our response, you can refer your complaint to the Office of the Australian Information Commissioner (see here for further information).

15. Our contact details

Please contact us if you have any queries about the personal information that we hold about you or the way we handle that personal information. Our contact details are set out below.

Mail: Privacy Officer, PO Box 532 Toorak VIC 3142

Email: richard@healeyandco.com.au

Telephone: 0419 991 904

Further general information about privacy is available on the website of the Office of the Australian Information Commissioner at www.oaic.gov.au or by calling the OAIC's enquiry line at 1300 363 992.

16. Changes to this policy

We may amend this Privacy Policy from time to time. The current version will be posted on our website and a copy may be obtained by contacting our Privacy Officer (details above). All amended terms will automatically take effect immediately on posting. Please check this Privacy Policy periodically to inform yourself of any changes. If you do not accept the changes made to this Privacy Policy, you should immediately stop using the website and our products and services.