

Privacy Policy

We are committed to the protection of your personal information and we are bound by the Australian Privacy Principles (**APPs**) set out in the *Privacy Act 1988 (Cth)* (**Privacy Act**).

This policy sets out how we collect, use, manage and store your personal information, as well as our obligations and your rights in relation to your personal information. By providing us with your personal information, you consent to our collection, storage and use of your information as set out in this policy.

1. Terminology

In this Policy:

personal information means any information or opinion about a natural person (whether or not true) which is reasonably identifiable;

sensitive information means (without limitation) information about an individual's race, political opinions, religious beliefs, philosophical beliefs, membership of a trade union, sexual preference, criminal record, or health, genetic or biometric information;

"we" "us" and "our" are reference to APD Projects Pty Ltd and APD Capital Pty Ltd and APD Real Estate Pty Ltd;

"you" and "your" means a natural person whose personal information we have knowingly collected.

2. What information we collect

2.1 Personal information is information that can reasonably be used to identify a specific person. Personal information we collect or hold may include your name, telephone or mobile phone number, addresses, banking details, driver's licence number, tax file number, and any other personal information you or a person ostensibly authorised by you submits to us, as well as any other information that we consider is necessary (such as information about your opinions) to perform our functions and activities.

2.2 We also collect information that does not personally identify you through technology embedded in our websites, emails and third-party sites or platforms, which includes applications known as 'cookies' that follow your interactions with our websites. While cookies allow a computer to be identified, they do not permit any reference to a specific individual. The information we collect includes usage, viewing and technical data including your device identifier, IP address and the length of time you spend on our website. Your web browser should allow you to refuse cookies if you desire, although you may not be able to use some features of our websites if you choose to do so.

3. How we collect personal information

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

- (a) where you provide information directly to us on a hardcopy form;
- (b) where you interact directly with our employees and such other persons acting for us or on our behalf, such as our customer service team, including from electronic queries sent to us;
- (c) where you provide information directly to us during a recruitment process;
- (d) from third parties, such as our service providers;
- (e) through referrals from individuals or other entities;
- (f) through marketing and business development events;
- (g) where you provide feedback to us;
- (h) from related entities in our corporate group; and

(i) from publicly available sources of information.

3.2 We do not knowingly collect sensitive information about individuals. Where we collect, use and disclose sensitive information about you, we will only do so where it is reasonably necessary to conduct our business and we have either obtained your consent or it is permitted by law.

3.3 If you do not wish for your personal information to be collected in a way anticipated by our Privacy Policy, we will use reasonable endeavours to accommodate your request. If we do comply with your request, or you provide us with inaccurate or incorrect information, we may not have sufficient information to conduct our business and we may be limited:

(a) in our ability to keep you informed of company updates and services information;

(b) in our ability to properly conduct our operations, including managing investments and property developments;

(c) in considering your application to invest with us;

(d) in considering your application for employment with us; and

(e) in our ability to respond to your inquiry or request.

3.4 In limited circumstances, such as for prospective clients or investors, it may be possible for you to use a pseudonym or remain anonymous when initially dealing with us. If you wish to use a pseudonym or remain anonymous you should notify us when making first enquiries. We will use our best endeavours to deal with your request, subject to our ability to provide you with the requested services without using your name.

4. Purpose of collection, use and disclosure

4.1 We collect, use and disclose personal information for the primary purpose for which it was collected or to which you consented, which includes:

(a) providing and managing the delivery of our services;

(b) evaluating your application for an investment with us;

(c) delivering service and company update notices to you to inform you about future or existing investment opportunities;

(d) investing and managing property development projects;

(e) responding to an inquiry or request;

(f) researching and assessing our services to identify possible improvements;

(g) compiling and maintaining mailing lists and communicating with persons on those lists;

(h) collecting and disclosing personal information to our related entities in connection with our operations;

(i) fulfilling obligations to, and cooperating with, government authorities;

(j) doing something that one would reasonably expect us to do using the information;

(k) resolving disputes;

(l) in the case of potential employees, assessing a person's application for employment with us;

(m) where you otherwise provide your consent, whether express or implied; and

(n) where otherwise required by law.

4.2 We may also use your information for any other purpose related to the primary purpose where you would reasonably expect us to do so. In conducting our operations, we may share some of your personal

information with third parties such as outsourced service providers and contractors. Unless you have agreed, these parties are not allowed to use your personal information for any other purpose except to assist in conducting our business. In particular, we may disclose your personal information to:

- (a) third parties such as investment consultants and project managers;
- (b) real estate and sales agents and referees;
- (c) tradespeople, property inspection consultants and bodies corporate;
- (d) third party technology providers;
- (e) any other third parties incidental to us carrying out our functions as a funds manager or property developer;
- (f) other service providers or referral partners in order to provide our services to you, or to assist our functions or activities (such as law firms);
- (g) persons mentioned in your investment application submitted to us;
- (h) where you otherwise provide your consent, whether express or implied; and
- (i) where otherwise required by law.

4.3 We do not sell, licence or rent your personal information to others.

5. Overseas disclosure

5.1 From time to time, we may disclose your personal information to overseas recipients if it is necessary to provide our services. We also use software providers that store personal information securely, primarily in the United States of America.

5.2 We take reasonable steps to ensure that the overseas recipient provides commitments to privacy and confidentiality which are at least equal to the APPs or the recipient is subject to privacy protection laws that offer at least the same level of protection as required under the Privacy Act.

5.3 By providing us with your personal information, you consent to the storage of such information on overseas servers and acknowledge that APP 8.1 will not apply to such disclosures. For the avoidance of doubt, in the event that an overseas recipient breaches the APPs, that entity will not be bound by, and you will not be able to seek redress under, the Privacy Act.

6. Storage and security of personal information

6.1 Our staff are subject to obligations of confidentiality with respect to your personal information and we take reasonable measures to protect your personal information and to delete it when it is no longer required.

6.2 Where we hold your personal information, we will take reasonable steps to ensure that the information is secure and may only be accessed by authorised persons. When we store your personal information electronically on our database, we use secure servers and there are restrictions as to who has access to that information through password protection. All hardcopies of personal information are stored in lockable rooms.

6.3 Although we take all reasonable measures, we are not responsible for third party circumvention of security measures on our electronic databases or at any of our premises. Please note that third party recipients of personal information may have their own privacy policies and we are not responsible for their actions, including their handling of personal information.

6.4 We cannot control the actions of other users with whom you share your information. Further, we cannot guarantee that only authorised persons will access your personal information. Please notify us immediately if you believe there has been any unauthorised access to your information. To the extent permitted by law, we exclude any liability for loss or damage caused by unauthorised access or use of your personal information.

6.5 If any personal information that we hold is no longer required for the purpose for which it was collected and no applicable law requires us to retain that information, we will take reasonable steps to de-identify or destroy the information.

7. Access and correction

- 7.1 We will use reasonable steps to ensure the personal information we hold is complete, up to date and accurate, so far as it is practicable for us to do so.
- 7.2 You may request access to the personal information we hold about you by contacting our Privacy Officer. We may, at our discretion, provide you with access to your personal information and we reserve the right to charge you a reasonable fee for giving access.
- 7.3 Subject to paragraph 7.4, if personal information we hold about you is incorrect, we will, upon your request to correct it or where we are satisfied that the information is inaccurate, out of date, incomplete, irrelevant or misleading, take reasonable steps in the circumstances to ensure that the information is corrected.
- 7.4 If you request us to correct personal information that we hold about you and we refuse to do so, you may provide ask us to provide a written response as to our reasons.

8. Direct marketing

- 8.1 From time to time, we may use your personal information for direct marketing purposes (for an indefinite period). This includes sending you updates about new investment opportunities. When we contact you, it may be by mail, telephone, email or SMS. Where we use or disclose your personal information for the purpose of direct marketing, we will:
- (a) allow you to 'opt out' or in other words, allow you to request not to receive direct marketing communications; and
 - (b) comply with a request by you to 'opt-out' of receiving further communications within a reasonable time frame.
- 8.2 You may ask to be removed from our marketing lists at any time by directly contacting us. If you don't wish to receive direct marketing materials, contact our Privacy Officer.

9. Contact us

- 9.1 If you have a question about how we handle personal information, or wish to lodge a complaint about our management of personal information, you may contact our Privacy Officer:

Attention: Privacy Officer
APD Projects
Level 3, 468 St Kilda Road,
Melbourne VIC 3004

- 9.2 The Privacy Officer will co-ordinate the investigation of any complaint and any potential resolution of a complaint. We will aim to resolve all complaints as soon as practicable for us to do so.
- 9.3 Additional general information about privacy legislation and your rights and obligations can be found by visiting the Australian Information Commissioner and Privacy Commissioner's website at www.oaic.gov.au.
- 9.4 Alternatively, you can contact the Office of the Australian Information Commissioner by:
- Telephone:* 1300 363 992
Email: enquiries@oaic.gov.au
Post: GPO Box 5218, Sydney NSW 2001

10. Changes to this Privacy Policy

We reserve the right to change terms of this Privacy Policy from time to time. An up-to-date copy of the Privacy Policy will be available notify you by publication on our websites, which will be effective at the time we post it.

11. Date of this Privacy Policy

This policy was last updated January 2020.