

The Palms – Privacy Policy

Last updated: **10 December 2024**

The information below applies to personal information (information about an identifiable individual) we collect about you when you visit and browse our website www.thepalms.co.nz and each of its pages (**Website**) or when you visit The Palms Shopping Centre (**Centre**). References to 'we', 'us' and 'our' refer to Westcity NZ Nominees Pty Ltd and includes Savills (NZ) Ltd as the manager of the Centre.

We are committed to complying with and protecting your personal information in accordance with the privacy principles set out in the Privacy Act 2020 which define the rules pertaining to the collection, storage, security, use and disclosure of personal information. It also encompasses individuals' rights to access and correct their personal information. This means we will:

- use personal information only for the purpose we collect it for;
- retain that information only for so long as necessary to fulfil the purpose for which we have collected it; and
- disclose or release it to a third party only where we are required to or we are permitted by law to do so, if you have authorised the release or disclosure, or where it is the purpose (or a directly related purpose) for which the information was collected.

This Privacy Policy is to be read and applies in conjunction with the terms and conditions of use for the Website (available at <https://thepalms.co.nz/wp-content/uploads/2025/01/The-Palms-Gift-Card-FAQs-TCs-10-December-24.pdf>) and any other terms and conditions you agree to when using or signing up to any of our services or activities.

1. Collection of information

We can collect personal information through or by way of (inclusive but not limited to):

- Website registration, enquiries, and/or through the required fields on our online forms;
- Use of mobile applications and third-party applications within the Centre, including those that utilise the Centre's infrastructure, including Bluetooth beacon networks and Wifi logins;
- Centre competitions where your details are entered into the database as a competition entry requirement;
- Services hire for mobility aids or other equipment from the Centre for records of the hirer;
- The purchase, redemption and online activity from Centre gift cards;
- Our retailers operating within the Centre;
- Carpark information, where the Centre carpark is under video/camera surveillance. Personal information, car licence plate details and images may be collected directly or from third parties relating to the management and security of the Centre and visitors to the Centre;
- Website traffic and behaviour through use of the Website, including content accessed and services utilised, through use of log files or cookies;
- CCTVs used within the Centre; and/or
- Publicly accessible social media and networking posts. This includes any personal information you allow us to collect by linking your account on the Website with a third-party social-networking site including but not limited to Facebook, Twitter, or Google+.

Where CCTV cameras are operational within the Centre, recordings are our property and we retain all rights to record and store camera footage. This is to maintain safety and security of the Centre and its occupants.

Aggregated information is generated automatically by our online systems. This includes statistical tracking information used for analysis to enable us to analyse traffic, behaviour and patterns for the purpose of improving the Website and/or the Centre. Such information is inclusive of, but not limited to the numbers of visitors and visits to the Website, time, date, pages and navigation of visit, location based on IP address country of origin, systems users access to the Website and leads from other sites. It does not individually identify users and is used only for statistical purposes only.

Whilst logged in to our online systems we may also collect other data. This includes data pertaining to/collected from:

- Devices connected to or indefinable by Centre infrastructure (such as Centre WiFi networks or blue tooth transmitter (beacon) infrastructure) where we or third-party providers automatically collect key statistical data from your device across location, usage, type of device, movement around Centre and consented data from signing in to access;
- Measured consumer data (passively collected from Centre technologies to provide visitor information), audience measurement information collected passively using in-Centre technologies such as SmartScreen Advertising Units which utilise image processing software to aggregate data such as shopper numbers and demographics; and/or
- URLs and Mobile Apps which are accessed leading to the Centre website or accessed through the centre WiFi.

These technologies also do not identify individual shoppers, or record or retain images of individual shoppers. Collection and analysis of this information is used for marketing and communications to provide a better service, more desirable activations and promotions for visitors, and statistical visitor information to owners of the Centre, retailer, potential retailers and management teams.

2. Use of personal information

We use your personal information for the purposes of:

- Identifying visitors' use and patterns to understand service requirements, mapping journeys and improving visitors' needs;
- Verifying your use of the Website, to conduct address verification and to enrich your profile and searchability;
- Improving the Website to provide information on the Centre, it's retailers or related companies, that may be of interest;
- Communicating marketing, promotional and publicity activity including direct marketing and marketing research;
- Presenting advertising and information that is most relevant to you and your interests;
- Analysis in aggregate form (identifiable characteristics removed so that you will remain anonymous);
- Enforcing our contractual rights;
- Complying with our financial, regulatory and other legal obligations; and/or
- Any other purpose which is stated to you at the time of collection or that you otherwise authorise.

In all circumstances we will take all reasonable steps to ensure that our use of your personal information is compliant with all applicable New Zealand legislation.

3. Information Security

Customers' personal information provided when purchasing gift cards from the Website or the Centre will not be shared with third parties without customer approval to do so. Payments on the Website are processed through the secure Windcave Payment Express system. Payment Security is managed through Windcave for mutual security. Encryption protection is managed with an SSL (Secure Socket Layer) certificate, industry standard 128bit encryption software. Any credit card details stored for payments are done so on the DPS system. We do not hold customers credit or debit card details on file.

4. Sharing and Disclosure of Information

To the extent permitted by law, we may share your information with third parties relating to the management or security of the Centre, and/or with visitors and guests of the Centre where necessary. If we contract marketing activity, CRM and related services to a third-party, we may also disclose your personal information to them.

This personal information can also be passed on to law enforcement and governing bodies, Centre staff, subcontractors, insurers and retailers.

Personal information will only further be shared, should we:

- Have your permission to do so by agreeing to the disclosure and used for the intended purposes you agreed to;
- Receive a nomination from a friend whereby we send an email on behalf of your friend;
- Respond to a request of information when you enquire about our services (you will be added to receive further information pertaining to this);
- Be required by our contractors to enable them to provide their services so we can complete a transaction on your behalf;
- Receive a lawful request from any law enforcement agency including facilitating court proceedings or to protect our rights, the property or the safety of persons, public or government authorities, courts or regulatory agencies;
- Need to for safety, security and information assurance purposes;
- See fit to disclose for marketing review and improvements for business partners or where necessary for third parties to offer products or services that may be of interest;
- Require functionality and/or SIML; and/or
- For legal and auditing purposes.

In all circumstances we will take all reasonable steps to ensure that where your personal information is disclosed to third parties they only use your personal information to the extent necessary to perform their function and that their use of your personal information is compliant with all applicable New Zealand legislation. However, we are not in any way responsible for the privacy policies of any third parties or the way in which they hold or use personal information.

5. Storage of Information

All personal information is held in a database which we take all reasonable measures and precautions to protect by a firewall and host-based security. This information may be transmitted over the Internet from this database to other locations and may cross international borders, where in doing so is part of



our business practices relating to the storage and transfer of data as permitted by law. Original documentation such as an entry form or any additional information to verify identity, will be destroyed after a reasonable time following collection.

6. Your Rights

We will take all reasonable steps to ensure personal information we hold is accurate.

You have the right to ask for a copy of any personal information we hold about you, and to ask for it to be updated or corrected if you think it is wrong. Following your request, we will consider if the information requires amendment. If we disagree, acting reasonably, that there are grounds for amendment, we will add a note to the personal information stating that you disagree with it.

If you would like a copy of your information, have it corrected or withdrawn, please e-mail the Centre directly at [**info@thepalms.co.nz**](mailto:info@thepalms.co.nz)

Where the use of your personal information is based on consent you have previously given, you have the right to withdraw your consent.

You should contact us immediately if you believe we have breached your privacy or have any concerns so that we can investigate it. We have a formal procedure in place in relation to investigating and dealing with privacy breaches. We aim to ensure that all complaints are investigated and dealt with within a reasonable time and will notify you of the outcome of any investigation.

If there has been a breach, we will endeavour to determine the nature of the breach and how it occurred. In order to conduct the investigation, it may be necessary to contact you to obtain further information or clarification.

If a breach has been found, we will review our processes and policies to prevent similar future breaches occurring.

We take reasonable steps to ensure that the personal information provided is kept securely and comply with all applicable New Zealand law in this regard including having in place various organisational, technical and administrative measures and systems which are designed to protect your personal information. These measures and systems aim to protect your personal information held by us against unauthorised access, destruction, loss, alteration or misuse. Whilst we take every reasonable precaution to protect your information you should contact us immediately if you have any reason to believe that any of your personal information is no longer secure or has been compromised in any way.

7. Cookies

The Website uses cookies (a short piece of data which is sent from a web server to a web browser on your machine when you visit our website). The cookie is stored on your machine but cannot do anything to your machine. A web server sends you a cookie and your browser accepts it. The browser then returns the cookie to the web server, recognising that you have visited the site before and coordinates your access on that website. If you visit the Website again the cookie enables the server to recognise that you have visited before and helps co-ordinate your access to different pages on the Website. We may use cookies to monitor use of the Website and to serve you better when you return to it. We cannot trace your personal information as a result of using cookies.

8. Advertising and Third-Party Links

Should you leave the Website, irrespective of if you have clicked on any advertising from the Website or email communications, our Privacy Policy no longer applies. You are then bound by the privacy policy of the subsequent site. It is in your best interest to review these. Advertisements managed or placed on the Website by third party companies may request or record information from users, use cookies or non-personal information when clicking or activating their banner advertisements. This automated technology and statistical collection may not be obvious to you. We take no responsibility of any consequences arriving from such subsequent sites.



9. Business Transactions

If ownership of the Website or any of its portions changes, your user information may be transferred to the new owner, so the Website can continue operations with the Privacy Policies still applicable.

10. Changes in privacy policy

We reserve the right to amend this Privacy Policy from time to time and alter functionality of the Website to take account of new laws and technology, changes of operations and practices, and the changing business environment. Any changes made will be updated in this Privacy Policy accordingly. We will inform you of any changes by way of publishing an updated policy on the Website, effective from the date of publication.

11. Contact Details

If you have any questions about our Privacy Policy or your personal information, please feel free to contact us at [*info@thepalms.co.nz*](mailto:info@thepalms.co.nz)

12. Protection of your details

While we make every effort to guard your privacy and secure the personal data we receive, however when you provide us with information, you do so at your own risk. Due to the nature of the Internet and email systems, we are unable to guarantee the privacy and confidentiality of your personal information while it is transmitted over the Internet.

Please take measures to protect your information by always closing your browser on completion of sessions and protect your personal information and emails especially when you use a public computer.

Please contact us immediately should you be concerned that someone has gained access to your personal information or we have breached our privacy obligations or your privacy rights. We are happy to discuss any issues with you.