



CUMBERLAND
CITY COUNCIL



Sydney Cherry Blossom Festival

Auburn Botanic Gardens

**STALLHOLDER EXPRESSION OF INTEREST
INFORMATION AND APPLICATION PACK**

EVENT INFORMATION

Cumberland City Council is one of the most culturally diverse Local Government Areas in NSW.

Our *Sydney Cherry Blossom Festival* returns this year bring together art, music and the Japanese tradition of *Hanami* (outdoor picnics). Every year for only 10 short days, the world's most famous, natural phenomenon and Japan's unofficial flower, the Cherry Blossom (Sakura) burst into bloom in a spectacular display of pink cotton candy goodness.

Capturing the hearts of Sydneysiders, the festival now attracts over 100,000 visitors from all over Sydney to walk down the Cherry Blossom Trail and experience a mix of traditional and pop Japanese culture including, food, music, and entertainment.

This festival has a media reach of 2.5 million Sydneywide and continues to grow in number each year. The festival is a favourite of foodie bloggers such as The Urban List and not to mention Sydney Media Staples, Time Out, Broadsheet, Concrete Playground and The Daily Telegraph.

Council is seeking suitable food stallholders and mobile food vehicles to participate. Stallholders who can theme their menu items with the event will be highly considered.

We request that you also provide high-quality images of these menu items to be considered.

TRADING FULL FESTIVAL

- You must be available to trade for the entire duration of the festival
- Event trading hours are 9am to 5pm for each day
- Traders who do not have a mobile food vehicle/trailer will be provided with a Council-supplied Event Chalet (2.5m x 3.5m). The chalet is enclosed and lockable to ensure goods are safe overnight. A Council staff member will ensure the chalets are unlocked and locked each day. No stallholders will be permitted to use their own stall at this event. *Chalet image provided on next page.*
- Due to current government and health restrictions, we expect approximately 3,000 attendees per event day.



Image of Event Chalet

IMPORTANT INFORMATION

- Due to the nature of this event, food vendors who require power overnight are encouraged to use their own generators. Where a food vendor does not have their own generator, Council can provide the required quantity of power outlets as indicated in the stallholder application for the event trading hours only.
- Please be advised that power will only run to site positions (stall/mobile vehicle) during trading hours of the event (9am to 5pm). There will be NO power available overnight.
- Council's Environmental Health Officers will conduct inspections each day to ensure compliance and food safety standards are maintained. Each stall space should be neat and tidy. Food vendors will be able to leave heavier items in their stall space. However, no food products and/or any other items that may be affected by weather conditions, surrounding wildlife and temperature constraints should be stored in stalls overnight.
- Vendors who require refrigeration overnight are recommended to hire a mobile cool room and provide dimensions and power requirements in their stallholder application. Please note that mobile cool rooms *may* be in a separate location from your site position and for security purposes you will be required to keep these locked overnight. Bump-in for mobile cool rooms will be one week before the festival commences.
- Mobile vehicles may be permitted to drive offsite each day.

HOW TO APPLY

Cumberland City Council runs an *Expression of Interest* (EOI) period for food vendors interested in participating.

All applicants must read the EOI information pack in detail, including the selection criteria and the stallholder terms and conditions of trade. Once satisfied that you meet the criteria, please complete the application form and return to stallholders@cumberland.nsw.gov.au before the closing date.

APPLICATIONS CLOSE FRIDAY, 25 June 2021

If you have queries about your application or eligibility, please contact Council's Events Officer on 02 8757 9211 or email stallholders@cumberland.nsw.gov.au

STALLHOLDER FEES

The below fees are inclusive of GST:

Food Stallholders	
Council-provided 3.5m x 2.5m Event Chalet with flooring, walls, roller-door for service	\$474.00 per day
Additional 3m x 3m space for OWN structure (back of house)*	N/A
Mobile Food Vehicles/Trailers	
3m x 3m space only (vehicles only)	\$268.00 per day
6m x 3m space only (vehicles only)	\$361.00 per day
9m x 3m space only (vehicles only)	\$402.00 per day
Health Inspections	
Low Risk Health Inspection Fee	\$63.50 per inspection
Medium-High Risk Inspection Fee	\$107.50 per inspection
Power	
Per 10AMP Power Outlet	\$82.50
Per 15AMP Power outlet	\$82.50

*Pending available on site space

STALLHOLDER SELECTION CRITERIA

Selection of stallholders is at the discretion of Cumberland City Council. Preference will be provided to applicants who can meet the selection criteria below:

FOOD STALLHOLDERS AND MOBILE FOOD VEHICLES

- Professionally presented
- Suitable for the target audience
- Good value for money
- Unique selling point
- Ability to theme menu items with the event – Japanese food, Japanese fusion food, Cherry Blossom or anything pink
- Vendors that can provide innovative menus to include the required theming and provide high resolution images of these menu items will be given preference
- Catering for various dietary requirements where possible (i.e. vegetarian, vegan, gluten free and/or culturally appropriate)

SELECTION OF STALLHOLDERS

Cumberland City Council assesses the following considerations throughout the selection process:

- The number of vendors providing a particular product or menu item that may be similar
- Uniqueness and quality of products/activities provided by stallholders
- Logistical requirements that may be restricted due to the venue
- Food safety, hygiene and compliance
- Other factors including the amount of information provided in an application, quality of images supplied

PROHIBITED PRODUCTS AND STALL ACTIVITIES

Sales of the following items and/or activities are not permitted:

- Objects and publications containing offensive language
- Real or replica weapons and laser pointers
- Animals or live produce
- Adults only products
- Helium and foiled balloons, silly string and air horns
- Articles that could be dangerous to event patrons
- Any other items Council considers banned and/or inappropriate

OTHER CONSIDERATIONS

- Cumberland City Council has the intention of providing a diverse selection of stalls that provide a unique, exciting experience for our patrons and do not compete or conflict with each other's potential sales on site.
- Council reserves the right to refuse stallholder applications based on prior infringements of public health and event safety standards. A stallholder will be notified in the instance an infringement has occurred.
- Reasons for non-acceptance are mainly due to stallholder duplication, lack of sites available and inability to meet appropriate regulations.
- Stall name, description and any images submitted as part of your application may be utilised for the purposes of event promotion. Personal contact information will not be published.
- Canvassing of Elected Members will disqualify potential stallholders.

STALLHOLDER TERMS AND CONDITIONS OF TRADE

The following Terms and conditions apply to all stallholders who have received approval from Cumberland City Council to participate in the Event.

1. INSPECTION OF SITES

It is the responsibility of the stallholder to trade in accordance with any applicable Federal, State and Local Government laws, and where applicable, comply with the provisions of the *Food Act 2003* and the Australia New Zealand Food Standards Code. Council Environmental Health Officers will inspect stalls prior to and during the event, where considered necessary. If you are found to not be complying with legislative requirements during the event, please keep in mind that our team are within their rights to shut down your operations and/or seize food which is considered unsafe/unsuitable. Other enforcement action such as the issue of Penalty Notices (fines) may also be taken.

2. STRUCTURAL SAFETY

Stallholders using their own structures are required to secure such infrastructure to Australian Safety Standards and ensure structures are weighted. No pegging will be permitted at the venue. Stallholders may be asked to submit certification by a suitable qualified person (rigger or installer with sufficient experience) for any structure that does not require a building permit. The Events Team will inspect sites to ensure structures are safe and secure. Council is within its rights to reject a stallholder's involvement in an event due unsafe or inappropriate infrastructure.

3. ELECTRICAL SAFETY

Stallholders using power are required to bring their own electrical cables which must be tagged, tested and within date. Council will only supply the number of outlets as requested in the completed application. Electrical cords should not cross public access ways and must be fully secured. A qualified electrician will be on site to inspect electricals prior to event commencement. Double adaptors are prohibited. Stallholders may only use power boards with an overload cut-out switch. Any damage caused by electrical misuse or overconsumption will attract additional charges. Cumberland City Council are not responsible for any stallholder's faulty equipment.

4. SALE OF FOOD

Food vendors are required to conform to minimum safety standards. All food stallholders are required to register with Council as a Temporary Food Premises, and obtain a reference number, prior to applying to trade at Council events. The registration form can be found on Council's website. Food stall holders are required to pay a health inspection fee, and must ensure that the stall complies with:

- NSW Food Authority's [Guidelines for Businesses at Temporary Events](#);
- Council's [Guide for the design and operation of a food premises \(stall\)](#);
- *Food Act 2003* (NSW); and
- AS/NZS Electrical Standards.

Council also requires a copy of a recent inspection report from the relevant LGA. Food Trucks must include a copy of their local vehicle registration and most recent Council Health Inspection report (within the last 12 months) or a health inspection fee is applicable. Food vendors are required to pass an inspection on site to ensure operation meets Council's standards.

5. OTHER SALES

Sales of the following items are not permitted:

- Objects and publications containing offensive language
- Real or replica weapons and laser pointers
- Animals or live produce
- Adults only products
- Helium and foiled balloons, silly string and air horns
- Articles that could be dangerous to event patrons

6. APPROVED PRODUCTS AND/OR STALL ACTIVITIES

Stallholders are only permitted to provide stall activities and/or sell goods as approved in the stallholder acceptance letter. Any stallholder selling a restricted product during the event will be asked to cease selling and remove the product or they will be removed from site.

Postal Address: 16 Memorial Avenue
PO Box 42 Merrylands NSW 2160

Email: stallholders@cumberland.nsw.gov.au
Phone: (02) 8757 9211

7. FOOD SAFETY

To help reduce the risk of food contamination, bacteria and prevent food poisoning and/or viruses spreading at the event, please ensure that you adhere to requirements and follow these practices:

- Wash hands before starting work and handling cooked or ready-to-eat food
- Wash hands after handling raw food and money, coughing/sneezing, removing waste
- Regular use of food grade sanitiser is required on food contact surfaces
- Use tongs and clean disposable gloves – do not use your hands to handle ready-to-eat food (we recommend you change gloves frequently between processes such as handling cooked or raw foods and when handling money)
- Ensure appropriate facilities are set up within your stall or mobile premises such as handwashing and sanitisation to enable food handlers to practice good hygiene. You must have warm running water and waste water container within your stall.
- Ensure you have safety barriers within your stall space when using heating facilities. i.e sneeze guards
- Food handlers are appropriately trained in food hygiene practices and Food Safety Supervisors must reinforce hygienic practices. The Food Safety Supervisor certificate must be available during the health inspection.
- No smoking is permitted in your temporary food stall or mobile vehicle where food is being prepared and sold. Please refer to the *Smoke-free Environment Act 2000* and the *Smoke-free Environment Regulation 2016*.
- Food vendors should keep vigilant and ensure that food handlers within your stall or mobile food premises are fit for work and not ill.
- All foods are to be stored in conditions that protect it from deterioration and contamination. Cold food is to be stored at less than 5°C and hot food to be stored at above 60°C. It is a legal requirement for food vendors to have a digital thermometer in your temporary food premises to monitor temperatures for food deliveries, production, display and storage temperatures.
- You must provide adequate hot or cold storage facilities for potentially hazardous foods (for example: portable cool rooms, adequate supply of hot boxes and/or ice)
- Ensure all foods are appropriately labelled
- It is recommended that each stall/mobile vehicle has a fire extinguisher and blanket

8. USE OF LPGAS

Food vendors using LPG at Council events should always read the manufacturer's operating instructions and ensure gas cylinders are:

- Not damaged or rusty
- Secured on a level, non-combustible surface
- Stored externally and not blocking and exits or accessible by the public
- Not used where wind conditions exceed 10km per hour
- Have supply hoses, joints and other connections in good condition
- Placed away from heat and flames

9. USE OF CHARCOAL

Food vendors using charcoal at Council events should ensure:

- Smoke from cooking is able to sufficiently dissipate so as not to cause an accumulation of smoke or odour within the stall/vehicle, or within high use customer/public areas
- Used coal is disposed of in allocated bins as directed by Council staff
- The *Smoke Free Environment Act 2000* requires enclosed public places in NSW to be smoke free. Food vendors need to take reasonable steps to prevent smoke in outdoor areas do not drift into smoke-free areas including outdoor dining areas.

10. ACCIDENTS, INCIDENTS AND RISKMANAGEMENT

It is the responsibility of each stallholder to promptly report any incident to the on-site supervisor outlined in your event induction, including but not limited to:

- Property damage
- Illness, accident or injury
- Anti-social behaviour
- Lost children
- Any observed disruptive behaviour
- Any other issues raising concern for the health, safety or security of food vendors or the public

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- Hazards and near misses

11. PERSONAL SAFETY AND SECURITY

Stallholders are required to maintain an appropriate level of personal safety and security. Council will not be liable for the loss of goods, cash or personal items, merchandise or damage to any goods including loss or damage as a result of on-site power failure. Stallholders must ensure that, at all times, their stall/mobile vehicles complies with all relevant work, health and safety legislation and the regulations and codes under those Acts; including but not limited to:

- *Work Health and Safety Act 2011*
- *Work Health and Safety Regulation 2017*
- *Workers Compensation Act 1987*
- *Workplace Injury Management and Workers Compensation Act 1998*

All stallholders are responsible for their own staff, equipment, supplies and materials and must ensure that all equipment including but not limited to gas appliances and cylinders are compliant with current and all relevant standards.

Stallholders must comply with emergency evacuation procedures as directed by Council, security and any other authority.

12. TRADE REQUIREMENTS AND CONSIDERATIONS

- Payment of stallholder fees constitutes agreement by the stallholder to attend the event on the agreed dates. If unable to attend, stallholders must notify Council's Events Team a minimum of two weeks prior to the event day.
- All stallholders are responsible for any equipment, displays, publications and catering equipment.
- All stalls must be set up and ready to trade by no later than 30 minutes prior to the commencement of the event. Stallholders must trade for the duration of the event.
- Pack down is not permitted until the event has concluded and the site has been cleared.
- Stalls must be supervised by an adult at all times for the duration of the event.
- Stallholders must confine their equipment, displays and signs to the site area and keep all pathways and thoroughfares clear and unobstructed.
- All signage must directly relate to the products being sold. No commercial signs will be permitted.
- Stallholders are not permitted to share, sub-lease or assign site position without prior written approval from Council.
- No stallholder should refuse or fail to comply with any reasonable directive provided by Council's Events Team.
- Political parties are not eligible for participation as a stallholder
- Council may ask you to incorporate event theming into your retail operations
- No stallholder should behave in an improper manner or use language that is threatening or abusive to any other person.
- Stallholders must conduct business and stall activities with the Terms and Conditions outlined in this contract at all times. Cumberland City Council reserves the right to terminate this contract at any time if the stallholder breaches any of these terms and conditions. No refunds will be issued and all site fees paid will be forfeited.

13. SITE LOCATION

Applicants will be assigned infrastructure and/or power requirements as per completed application. Stallholders will be advised of their site positioning one week before the event. Positioning is determined by Council's Events Team and cannot be changed.

Stallholders with genuine practical or logistical reasons for requesting a particular location may contact Council to discuss their request, however, please be advised that there is no guarantee of the position being allocated.

14. LIGHTING

Stallholders who have requested a Council-provided structure in their completed application will also be provided with a stall light where the event is held during the evening. Stallholders using their own infrastructure will be required to bring lighting where required.

15. WASTE MANAGEMENT AND SUSTAINABILITY

Stallholders are required to use vendor bins supplied at the event for all rubbish. A cleaning fee will be issued

to stallholders who leave waste in stalls or beside bins as per Council's Fees and Charges. This includes oil spills, food scraps and any general waste. Cumberland City Council encourages all stallholders to be environmentally aware when planning their stalls and to purchase and use recyclable products.

16. PETS AND LIVESTOCK

No pets and/or livestock are permitted onsite.

17. AMPLIFIED MUSIC AND SOUND

Public address systems, amplified music or sound will not be permitted without written approval from Cumberland Council prior to the event being held.

18. COMPETITIONS

Raffle and competitions may not be run at the Event without written consent from Cumberland City Council.

19. TRAFFIC

Traffic management measures, such as road closures or reduced speed limits will be implemented at the discretion of Council. Stallholders are required to comply with requests and instructions as per direction from Council event staff and traffic marshals.

20. EVENT SET-UP AND PACK-DOWN

Successful applicants will be provided with detailed bump in/out instructions which must be adhered to. Failure to arrive later than your allocated bump-in time may result in changed location of site position or your position being cancelled. Stallholders must trade until the advertised closing time of the event. Early pack-up is not permitted and no vehicle movement can occur until the site has been cleared of patrons. Vehicles used for set up and pack down are not permitted on site unless they have permission to do so from Cumberland City Council.

21. PROMOTION

Council may engage event photographers to record activities at the event. Event stallholders consent to the use of any photos/videos taken to be used for promotional purposes.

22. SALES

Council is committed to the successful promotion and delivery of all event days. Cumberland City Council does not take responsibility for the level of sales that a stallholder may or may not achieve.

23. LIABILITY AND INDEMNITY

Cumberland City Council requires all stallholders to hold a current public liability insurance policy with a minimum of \$20,000,000 cover. Council is not liable for any injury, loss or damage incurred by a stallholder who trades at an event unless such injury, loss or damage is caused by negligence of Cumberland City Council. The stallholder agrees to indemnify Council against any liability for injury, loss or damage which may be incurred as a result of the stallholder trading at an event day. Stallholders must also have Worker's Compensation Insurance in accordance with the *Worker's Compensation Act 1987*. Applications will not be considered if a Public Liability Insurance certificate is not attached.

24. STALLHOLDER FEES

On notification of a successful application, stallholders will be provided with a tax invoice inclusive of GST. Payment will be required from successful stallholders and is due two weeks prior to the event to confirm your stall. Failure to make payment by the due dates will result in cancellation of your site position. Please refer to your invoice for payment methods and note that no payment will be accepted on site. Payment of stallholder fees constitutes agreement by the stallholder to attend the event on the agreed date(s). Council fees are set each financial year and may vary per event.

25. EVENT CANCELLATION

Council reserves the right to cancel the event in case of inclement weather and event safety conditions. Such cancellation is at Council's discretion. Proactive cancellation would occur 8 hours prior to the event being held in which case stallholders would receive relevant refund of fees. Reactive cancellation may occur under extenuating circumstances during the event as a risk mitigation measure. No financial compensation is offered or negotiable under these circumstances.

26. REFUND POLICY

The stallholder agrees that they participate in the event at their own financial risk. Council's estimate on

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attendance is provided based on previous events. Any loss of income due to poor sales is not a basis for refund on fees. All cancellations by stallholders must be made in writing to Council's Senior Events Coordinator. Council will not issue refunds where notice has not been provided two weeks prior to the event. An exemption may be possible in an emergency. However, this will be at the discretion of Cumberland City Council.

27. AMENDMENTS

Council reserves the right to amend the Terms and Conditions and will notify stallholders of changes prior to them coming into effect.

STALLHOLDER APPLICATION

IMPORTANT INFORMATION

- SUBMISSION OF A STALLHOLDER EXPRESSION OF INTEREST DOES NOT GUARANTEE SELECTION.
- YOU WILL BE NOTIFIED ON THE OUTCOME OF YOUR APPLICATION AT LEAST TWO WEEKS AFTER THE CLOSING DATE.
- THE APPLICATION FORM IS FINAL ONCE SUBMITTED AND CHANGES TO STALL REQUIREMENTS WILL NOT BE ACCEPTED.
- PRIOR TO SUBMITTING AN APPLICATION ALL STALLHOLDERS MUST READ THE EXPRESSION OF INTEREST PACK IN DETAIL, INCLUDING STALLHOLDER TERMS AND CONDITIONS OF TRADE. ONCE SATISFIED YOU MEET THE CRITERIA PLEASE COMPLETE AN APPLICATION FORM.
- PAYMENT IS ONLY REQUIRED FROM STALLHOLDERS WHO HAVE BEEN ACCEPTED TO TRADE AT THE COUNCIL EVENT

STALLHOLDER DETAILS

Business Trading Name:			
ABN:			
Contact Name:			
Onsite Contact Name:			
Postal Address:			
Suburb:		Post Code:	
Phone:		Onsite Contact Mobile:	
Email Address:			
Facebook Link:			
Description of vendor activities: (List any specific retail products or food/drink items being prepared and/or sold)			
Does your business have Public Liability Insurance?	YES	NO	
Please provide your temporary or mobile food registration number provided by Council (TFP or MFV reference number)*:			
*You must be notified to Council as a temporary or mobile food business before applying for a stallholder position at the event. If you haven't yet notified, please complete and submit the relevant form on Council's website.			

Please select most appropriate category:

Food Stallholder	Food Truck/Van	Food Trailer
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STALLHOLDER REQUIREMENTS

INFRASTRUCTURE	PRICE (INCL. GST)		QUANTITY REQUIRED	
Council-provided 3.5m x 2.5m event chalet (for food stallholders) NOTE: This facility is lockable, and no handwashing facility is provided.	Full Festival \$4,266.00			
Food vendor 3m x 3m space only	Full Festival \$2,412.00			
Food vendor 6m x 3m space only	Full Festival \$3,249.00			
Food vendor 9m x 3m space only	Full Festival \$3,618.00			
If you have selected a 'space only fee', please provide the <u>exact</u> dimensions for setup:				
Please advise the side your service window is located:	Stall Only	Rear Side	Passenger Side	Driver's Side
Power outlet (per 10 or 15AMP power outlet)	\$82.50			
Please list the appliances you will be using and if they require a 10 or 15AMP outlet:				
Low Risk Health Inspection Fee	\$63.50 per inspection			
Medium-High Risk Health Inspection Fee	\$107.00 per inspection			
Please advise ALL cooking methods that apply:	LPG	Charcoal	Use of Electrical Appliances	No cooking

VEHICLE INFORMATION		
Please advise details of the vehicle(s) you will be bringing to the event.	REGISTRATION NO:	
	VEHICLE MAKE:	
	VEHICLE SIZE:	
Additional Vehicle Information:	ADDITIONAL REGISTRATION NO:	
	ADDITIONAL VEHICLE MAKE:	
	ADDITIONAL VEHICLE SIZE:	

COOL ROOM INFORMATION		
If you are bringing a cool room to site, please provide required information:	COOL ROOM DIMENSIONS (please provide in metres Height, Length and Width):	
	POWER REQUIREMENTS:	10AMP 15AMP

STALLHOLDER APPLICATION CHECKLIST

- Completed Application
- Copy of Public Liability Insurance
- Copy of Food Safety Supervisor Certificate (food vendors only)
- Menu or Products List and cost of items (food and market vendors)
- Copy of most recent Council Health Inspection Report (food vendors only)
- Image of setup (vendors applying for space only)
- Charity or not-for-profit Certificate (community stallholders only)

STALLHOLDER APPLICATIONS CLOSE **FRIDAY, 25 JUNE 2021** AND SHOULD BE RETURNED VIA EMAIL TO: STALLHOLDERS@CUMBERLAND.NSW.GOV.AU

DISCLAIMER

- I DECLARE THAT ALL THE INFORMATION IN THE APPLICATION IS TO THE BEST OF MY KNOWLEDGE, TRUE AND CORRECT.
- I ALSO UNDERSTAND THAT IF THE INFORMATION IS INCOMPLETE, THE APPLICATION MAY BE DELAYED OR REJECTED.
- I ACKNOWLEDGE THAT IF THE INFORMATION PROVIDED IS MISLEADING, ANY APPROVAL GRANTED BY BE VOID.
- I ACCEPT DELAYS IN PROCESSING WILL ARISE OUT OF ANY INADEQUENCIES IN THE MATERIAL SUBMITTED IN SUPPORT OF THE APPLICATION.
- I UNDERSTAND THAT ONCE THE STALLHOLDER APPLICATION IS SIGNED, DATED AND SUBMITTED TO CUMBERLAND CITY COUNCIL IT BECOMES A LEGALLY BINDING CONTRACT.

I have read and understood the Stallholder Terms and Conditions and agree to comply with all regulations.

Applicant Name: _____

Applicant Signature: _____ Date: _____

The details provided in this form may contain information that is personal information; for the purposes of the *Privacy and Personal Information Protection Act 1998*.

The purpose of collecting this information is to enable Cumberland City Council to consider matters under related legislation, issue related legislation, issue related documentation, where required associated matters as provided by law and will be utilised by Council Officers when assessing the proposal and other associated activities.

The information may also be made available to other persons where such access is in accordance with the relevant regulations and requirements in this regards. The submission of personal information in this case is required by law and if not provided (wholly or in part) may affect or prevent consideration of the matter by Council. The information will ultimately be stored in Council's record system.