



W A V E R L E Y
C O U N C I L

EXTRAORDINARY COUNCIL MEETING

A meeting of WAVERLEY COUNCIL will be held at Waverley Council Chambers,
Cnr Paul Street and Bondi Road, Bondi Junction at:

7.00 PM, THURSDAY 5 JANUARY 2023

A handwritten signature in black ink that reads "Sharon Cassidy".

Sharon Cassidy
Acting General Manager

Waverley Council
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Statement of Ethical Obligations

Councillors are reminded of their oath or affirmation of office made under section 233A of the Act and their obligations under Council's code of conduct to disclose and appropriately manage conflicts of interest.

Live Streaming of Meetings

This meeting is streamed live via the internet and an audio-visual recording of the meeting will be publicly available on Council's website.

By attending this meeting, you consent to your image and/or voice being live streamed and publicly available.

AGENDA

PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE

The General Manager will read the following Opening Prayer:

God, we pray for wisdom to govern with justice and equity. That we may see clearly and speak the truth and that we work together in harmony and mutual respect. May our actions demonstrate courage and leadership so that in all our works thy will be done. Amen.

The Mayor will read the following Acknowledgement of Indigenous Heritage:

Waverley Council respectfully acknowledges our Indigenous heritage and recognises the ongoing Aboriginal traditional custodianship of the land which forms our Local Government Area.

1. **Apologies/Leaves of Absence**
2. **Declarations of Pecuniary and Non-Pecuniary Interests**
3. **Addresses by Members of the Public**
4. **Reports**
CM/4.1/23.01E Flickerfest 2023 - Financial Assistance - Consultation Outcomes.....4
5. **Meeting Closure**

REPORT
CM/4.1/23.01E

Subject: Flickerfest 2023 - Financial Assistance - Consultation Outcomes

TRIM No: A22/0540

Author: Alistair Graham, Executive Manager, Community, Library and Recreation Venues
Tanya Goldberg, Executive Manager, Arts, Culture and Events

Director: Annette Trubenbach, Acting Director, Community, Culture and Customer Experience

RECOMMENDATION:

That Council:

1. Notes the two public submissions on Council's proposal to grant financial assistance to Flickerfest 2023, as set out in the report.
2. In accordance with section 356 of the *Local Government Act 1993*, grants \$139,185 (including GST) in financial assistance to Flickerfest Pty Ltd to support the cost of Flickerfest 2023.
3. Authorises the General Manager or delegate to execute a memorandum of understanding with Flickerfest Pty Ltd to deliver Flickerfest 2023.

1. Executive Summary

Flickerfest is proposed to return to Bondi Pavilion for 10 days in January 2023. Discussions have progressed between Flickerfest and Council for a memorandum of understanding (MOU) to govern the implementation of this festival.

As Flickerfest is a registered private company entity, Council is required to publicly exhibit its proposal to grant financial assistance for 28 days under section 356(2) of the *Local Government Act 1993*, and authorised officers to do so at its extraordinary meeting on 6 December 2022.

That public exhibition period from 5 December 2022 to 4 January 2023 has now concluded and, as per Council's resolution, this report outlines the two submissions received: one in favour of the proposal and one against.

2. Introduction/Background

Bondi Pavilion hosts several annual events and cultural programs including theatre productions, film festivals and screenings, music events and community festivals. Events are a mix of Council-run programs and events organised by community groups, arts organisations, private companies/organisations and cultural groups.

The Flickerfest International Short Film Festival has taken place at Bondi for over 20 years. It features Academy-qualifying and BAFTA-recognised programs, including seven Australian Competitive Programs, five International Competitive Programs and two Documentary Competitive Programs (with Australian and

international films). In 2022, Flickerfest's competitive programs included 130 films in competition and a further 70 in showcases, with 212 films screening across 27 sessions over 10 days.

Flickerfest is proposed to return to the Pavilion in January 2023, bringing that diversity to Waverley through its ongoing annual festival presence. Discussions have taken place between Flickerfest and Council for an MOU to govern the implementation of this festival.

As Flickerfest is a registered private company entity, Council is required to publicly exhibit its proposal to grant financial assistance for 28 days under section 356(2) of the *Local Government Act 1993*.

The public exhibition period has now concluded. Council received two brief submissions: one in favour of the proposal and one against. Council must consider the submissions before granting the financial assistance.

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 6 December 2022	CM/4.1/22.12E	<p>That Council:</p> <ol style="list-style-type: none"> 1. In accordance with section 356(2) of the <i>Local Government Act 1993</i>, publicly exhibits for a minimum of 28 days the proposal to grant \$139,185 (including GST) in financial assistance to Flickerfest Pty Ltd to support the cost of Flickerfest 2023, noting the new figure includes the installation and deinstallation cost of Flickerfest-provided banners. 2. Officers prepare a report to Council following the exhibition period should any submissions of substance against the proposal be received, to be considered at an extraordinary Council meeting on 5 January 2023 at 6.30 pm. 3. Subject to no submissions of substance against the proposal being received by the end of the exhibition period: <ol style="list-style-type: none"> (a) Grants the financial assistance to Flickerfest Pty Ltd. (b) Authorises the General Manager or delegate to execute a memorandum of understanding with Flickerfest Pty Ltd to deliver Flickerfest 2023.
Council 17 May 2022	CM/7.6/22.05	<p>That Council:</p> <ol style="list-style-type: none"> 1. Approves the following program of High Impact 2 events scheduled for the period 1 July 2022 to 30 June 2023: <ol style="list-style-type: none"> (a) Bondi Festival (including extended tenure of Ferris wheel). (b) City2Surf and Council Marquee Program.

		<ul style="list-style-type: none"> (c) Festival of the Winds. (d) The Drop Live. (e) Sculpture by the Sea. (f) Head On Photo Festival. (g) Diner en Blanc. (h) Dudley Page New Year's Eve. (i) Summer of Surf Series. (j) Nutri Grain Ironperson Series (subject to confirmation). (k) Outdoor Cinema (venue to be confirmed). (l) Latin American Festival. (m) Sydney WorldPride Bondi Beach Party (2023 only). (n) Ocean Lovers Festival. (o) North Bondi RSL ANZAC Day Dawn Service Ceremony. <p>2. Notes the following High Impact 1 and Medium Impact events that are included in the annual calendar of events:</p> <ul style="list-style-type: none"> (a) Flickerfest (previously High Impact 2, now High Impact 1). (b) Bondi Blitz (previously High Impact 2, now Medium Impact 1). (c) Carols by the Sea (previously High Impact 2, now Medium Impact 1). (d) Bondi to Bronte Swim (previously High Impact 2, now Medium Impact 1). (e) Global Table (previously High Impact 2, now Medium Impact 1). <p>3. Notes that all scheduled High Impact events outlined in Attachment 1 of the report are required to submit a COVID-19 Safety Plan and comply with Council's Events Policy and Event Management Guidelines.</p>
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		4. Authorises the General Manager, or delegated representative, to finalise and execute licence agreements with event organisers as necessary and as noted in the 2022–23 program.
Council 17 March 2020	CM/7.7/20.03	That Council endorses the option outlined in the report to provide a short-term temporary facility in North Bondi Park to accommodate the Flickerfest Short Film Festival in January 2021 and 2022 with the budget to be allocated from the 2020/21 and 2021/22 financial years.

4. Discussion

Prior to the Bondi Pavilion Restoration and Conservation Project, Flickerfest made use of Bondi Pavilion Theatre and Bondi Pavilion Amphitheatre to run screenings for its festival. Flickerfest paid venue hire fees for the use of the theatre and the amphitheatre that totalled \$8,000.

For the 2023 festival, in addition to use of the Theatre, Flickerfest requires Council to install a screen, projector tower and seating area in the Bondi Pavilion Garu Courtyard for outdoor screenings. Officers anticipated this hard cost and there is provision in the 2022–23 budget allocation to provide this at Council's expense. Additional financial support is provided through venue hire, as well as other miscellaneous costs.

The assistance is recommended in recognition of the significant community benefits that the festival provides for residents and visitors. The proposed MOU requires Flickerfest to provide Council with ticketing data to assist with ongoing evaluation/impact of Council's significant financial contribution.

Council officers have outlined the full extent of support that can be provided to Flickerfest in the financial impact statement below.

As noted in the 6 December 2022 report to Council, officers defined submissions of substance as those material to the direct question of granting financial assistance to Flickerfest as outlined in that report. Council received a total of two brief submissions during the exhibition period, and these are detailed in the consultation statement below.

5. Financial impact statement/Time frame/Consultation

Financial impact statement

It is proposed that Council engages in the following financial arrangement with Flickerfest to deliver its International Short Film Festival 2023:

- Total value of Council financial assistance to Flickerfest for 2023 festival: \$139,185 (including GST). The value of Council-provided items is \$167,185 less \$8,000 cash and \$20,00 in-kind contribution from Flickerfest.
- Flickerfest provides Council with a \$20,000 in-kind contribution comprising 200 tickets across the 2023 festival to be distributed as determined by Council (value \$5,000), and up to five short film programs to be screened at times determined by Council (value \$15,000). The 200 tickets provided by Flickerfest will be distributed to residents via Council's social media platforms to promote opportunities for local residents to enjoy the festival.
- All other costs related to the festival, including box office management, ticketing, insurance, public liability and their installation and removal are the responsibility of Flickerfest Pty Ltd.

Time frame

The Flickerfest Short Film Festival 2023 is proposed to run from Friday, 20 January, to Sunday, 29 January 2023.

Consultation

Two submissions were received during the public exhibition period from 5 December 2022 to 4 January 2023.

One submission is supportive of Council's proposal to grant financial assistance to Flickerfest for the delivery of the 2023 festival.

One submission objects to the proposal on the basis that ratepayers funded a temporary venue for Flickerfest during the two-year closure of Bondi Pavilion for its restoration, and that Flickerfest is a private company that collects filmmaker entrance, ticketing and sponsorship fees.

In considering this feedback, Council officers have noted the long standing contribution made by Flickerfest to artistic excellence and community activation as part of Waverley's January events calendar and the significant community benefits that the festival provides for both residents and visitors. Event organisers are keen to ensure the program is accessible, affordable and reaches a broad audience. Ticketing data provided by Flickerfest will be used to assist with ongoing evaluation/impact of Council's financial contribution.

6. Conclusion

This report provides a summary of the feedback received during the exhibition period on the proposal to grant financial assistance to Flickerfest for the delivery of the 2023 festival. With one submission for and one submission against the proposal, this report recommends that Council grants \$139,185 (including GST) in financial assistance to Flickerfest Pty Ltd to support the 2023 event.

7. Attachments

Nil.