



## **EXTRAORDINARY COUNCIL MEETING**

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

**8.00 PM, TUESDAY 6 DECEMBER 2022**

A handwritten signature in black ink, appearing to read 'Emily Scott', is positioned above the printed name.

Emily Scott  
**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**

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**5. Meeting Closure**

**REPORT**  
**CM/4.1/22.12E****Subject:** Flickerfest 2023 - Financial Assistance**TRIM No:** A22/0540**Author:** Tanya Goldberg, Executive Manager, Arts, Culture and Events  
Alistair Graham, Executive Manager, Community, Library and Recreation Venues**Director:** Ben Thompson, Director, Community, Culture and Customer Experience

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**RECOMMENDATION:**

That Council:

1. In accordance with section 356(2) of the *Local Government Act 1993*, publicly exhibits for a minimum of 28 days the proposal to grant \$135,825 (including GST) in financial assistance to Flickerfest Pty Ltd to support the cost of Flickerfest 2023.
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:
  - (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.

**1. Executive Summary**

The Flickerfest International Short Film Festival is one of the longest running high profile events conducted at the Bondi Pavilion. The event supports and gives a platform to Australian short filmmakers across multiple program streams and alongside international short films.

During the two years of the Bondi Pavilion Restoration and Conservation Project, Council undertook to construct a temporary cultural facility in North Bondi Park at Council's expense in January of 2021 and 2022 so that the festival could continue to remain in Bondi.

Flickerfest is proposed to return to the Pavilion once again in January 2023. Discussions have taken place 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*.

## 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 screens films made by filmmakers from all Australian states and territories, and from metropolitan, regional and remote communities, embracing the breadth and depth of filmmaking communities across the country. Flickerfest screenings support a diverse range of voices across the Australian program including films from creators of non-binary, LGBTQI, First Nations and culturally diverse filmmaking backgrounds.

The Australian competition showcases the range of domestic short films and encourages a strong Australian screen industry by supporting emerging Australian filmmakers. In 2022, four prizes in the Australian competition were awarded to NSW filmmakers including female and First Nations filmmakers.

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*.

Following the next festival, discussions will take place for a proposed longer-term agreement with Flickerfest which will follow the same process.

## 3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 17 May 2022	CM/7.6/22.05	<p>That Council:</p> <ol style="list-style-type: none"> <li>Approves the following program of High Impact 2 events scheduled for the period 1 July 2022 to 30 June 2023: <ul style="list-style-type: none"> <li>(a) Bondi Festival (including extended tenure of Ferris wheel).</li> <li>(b) City2Surf and Council Marquee Program.</li> <li>(c) Festival of the Winds.</li> <li>(d) The Drop Live.</li> <li>(e) Sculpture by the Sea.</li> <li>(f) Head On Photo Festival.</li> </ul> </li> </ol>

		<ul style="list-style-type: none"> <li>(g) Diner en Blanc.</li> <li>(h) Dudley Page New Year's Eve.</li> <li>(i) Summer of Surf Series.</li> <li>(j) Nutri Grain Ironperson Series (subject to confirmation).</li> <li>(k) Outdoor Cinema (venue to be confirmed).</li> <li>(l) Latin American Festival.</li> <li>(m) Sydney WorldPride Bondi Beach Party (2023 only).</li> <li>(n) Ocean Lovers Festival.</li> <li>(o) North Bondi RSL ANZAC Day Dawn Service Ceremony.</li> </ul> <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"> <li>(a) Flickerfest (previously High Impact 2, now High Impact 1).</li> <li>(b) Bondi Blitz (previously High Impact 2, now Medium Impact 1).</li> <li>(c) Carols by the Sea (previously High Impact 2, now Medium Impact 1).</li> <li>(d) Bondi to Bronte Swim (previously High Impact 2, now Medium Impact 1).</li> <li>(e) Global Table (previously High Impact 2, now Medium Impact 1).</li> </ul> <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> <p>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.</p>
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.

As well as use of the Theatre, Flickerfest requires Council to install an outdoor screen to be constructed 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. Significant financial support is also required for the hire of the venues, as well as other miscellaneous costs.

Flickerfest is not a registered not-for-profit organisation. Consequently, it is not possible to waive fees for Bondi Pavilion venue hire and associated costs under Council's current Fees and Charges. As an alternative, Council can provide financial assistance under s 356 of the *Local Government Act 1993*. However, because Flickerfest Pty Ltd is a registered private company entity, Council must publicly exhibit the proposal to grant financial assistance.

Given the timing of Flickerfest's advertised dates, officers are seeking to amend the usual process for reporting back to Council following this 28-day public exhibition. Typically, officers report back on all submissions following the end of the public notification period. Since there is insufficient time to apply the standard process in this case, officers will only prepare a report to Council following the closure of the public exhibition should any submissions of substance against the proposal to grant Flickerfest financial assistance be received.

Submissions of substance are those material to the direct question of granting financial assistance to Flickerfest as outlined in this report.

All submissions received will be circulated to Councillors following the exhibition period. In the absence of submissions of substance opposing the granting of the financial assistance, and pending endorsement of the recommendations in this report, officers will proceed to grant Flickerfest the financial assistance and execute the agreed MOU.

The assistance is recommended because the festival will provide significant community benefits for residents and visitors. The proposed MOU provides for Council to receive ticketing data from this year's festival to provide 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.

#### 5. Financial impact statement/Time frame/Consultation

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: \$135,825 (including GST). Refer to Table 1: value of items is \$163,825 less \$8,000 cash and \$20,00 in-kind contribution from Flickerfest.
- Total amount payable by Flickerfest to Council for 2023 festival: \$8,000 cash with optional additional payment of \$3,360 for installation/deinstallation of promotional banners on Campbell Parade.
- 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).

- 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.

The breakdown of financial assistance is set out in the table below.

*Table 1. Breakdown of financial assistance*

<b>Item</b>	<b>Value (incl GST)</b>
Projector tower, outdoor screen and seating	\$21,760
Site supervisor \$116 per hour. 8 hr/day for bump in and bump out days only (17–19 January and 30–31 January 2023)	\$4,640
Daily event venue cleaning \$66.50 per clean. One clean per screening site per day	\$1,330
Remediation of Bondi Pavilion Garu Courtyard grass post-event	\$5,100
Use of Pavilion forecourt to shoot Flickerfest trailer \$340 per hour, maximum 4 hours	\$1,360
Film permit to shoot Flickerfest trailer. Medium impact permit	\$300
Use of Seagull Room to shoot Flickerfest trailer \$380 per day	\$380
Use of Theatre to shoot Flickerfest trailer \$1,300 per half day	\$1,300
Parking passes to shoot Flickerfest trailer \$95 per day, 6 vehicles	\$570
Parking passes for festival \$95 per day x 2 x parking passes for 5 days	\$950
Resetting timers for courtyard lighting at start and end of festival \$40 per hour, 3 hours	\$120
Liaising and coordinating with commercial tenants to modify their daily waste management plans to ensure evening screenings are not adversely affected. \$40 per hour, 3 hours	\$120
Promotional banner site rental fee 32 sites x \$105 x 3 weeks	\$10,080
Promotional banner site application fee	\$135
Venue hire fee	\$115,680
<b>Total</b>	<b>\$163,825</b>

## 6. Conclusion

It is proposed that Council provides Flickerfest with financial assistance to deliver Flickerfest International Short Film Festival 2023 at Bondi Pavilion to the value of \$135,825 (including GST). This includes an \$8,000 cash and \$20,000 in-kind contribution to Council from Flickerfest.

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

## 7. Attachments

Nil.