

COUNCIL POLICY



Palais Theatre Community Purpose Reservation Policy	TRIM folder:	
	Approval date:	
	Approved by:	Council
	Review Date	
Responsible Officer: Manager Vibrant and Creative City	Expiry Date	
	Version No	1
Authorising Officer: General Manager Community Development		

1. PURPOSE

To facilitate community access to hire the Palais Theatre, as provided for in the Lease agreement between the City of Port Phillip (Council) and Live Nation (the Tenant)¹.

2. INTRODUCTION

In 2016, the City of Port Phillip entered into a 30 year Lease commencing 1 April 2017 with Live Nation to operate the Palais Theatre, securing the historic venue's long term future.

The Lease agreement provides for eight annual 'Community Purpose Reservation'; days on which the Palais can be hired and utilised for community purposes, with the cost of venue hire reduced to \$1, plus operating costs incurred by the Tenant by agreement.

3. BENEFITS OF COMMUNITY PURPOSE RESERVATIONS

The Palais Theatre is an iconic venue with a rich history as a key part of the cultural heritage of St Kilda, Melbourne and beyond. The venue has hosted some of Melbourne's most renowned events, and continuously attracts national and international artists and promoters for performances ranging from all genres of music, through to opera and dance, comedy, gala events and more.

The theatre is a highly sought after venue for artists, community groups and event producers, however venue size and associated expenses can make it cost prohibitive for non-commercial operators.

The Community Purpose Reservation Policy is a Council initiative to increase access to hire of the Palais Theatre to groups that may not otherwise be able to utilise the venue due to hire costs.

The aims of the Community Purpose Reservation initiative are:

- To increase access to the Palais for community groups, artists and event organisers that may not otherwise be able to hire the venue for financial reasons

¹ Further detail on the lease agreement can be found in Appendix One

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- To increase access to the Palais for the wider community as audience members, through ensuring a diverse range of events is programmed that caters to broad audiences
- To maintain and grow the sense of community ownership of, and engagement with, the Palais theatre
- To provide opportunities to local organisations within the City of Port Phillip, and attract or retain events locally to ensure a balanced events calendar year round
- To encourage programming of low ticket-cost events within the Palais, to increase audience access

4. BOOKING COMMUNITY PURPOSE RESERVATIONS

Allocation of Community Purpose Reservations is to be determined by the Council, with interested parties expected to submit an expression of interest in advance to secure their booking. An EOI will be held annually, providing groups the opportunity to secure their bookings more than 12 months in advance.

Per the Lease Agreement included as Appendix One, while some dates are able to be specified by applicants, the majority of dates will be determined in advance and outlined in the EOI details.

Where the annual EOI process does not result in 8 confirmed bookings for the forthcoming year, any remaining reservations or specific dates may be made available to event organisers who require a shorter lead time for an event, subject to availability of the venue and at the discretion of Council.

Once a reservation has been allocated to an event organiser, the Council will not participate in negotiations. All terms and conditions related to the booking are completed directly between Live Nation and the event organiser. All costs related to the booking additional to the prescribed venue hire of \$1 are to be negotiated between Live Nation and the event organiser.

Assessment of EOI shall be conducted by Council Officers against the selection criteria listed in this policy. Approval of community purpose reservations can be given by the Manager Vibrant & Creative City as delegated by Council.

Council may allocate one or more Community Purpose Reservations to Council events (produced by the City of Port Phillip) at its own discretion.

Community groups who are hiring the venue via the Council or the Tenant nominated reservation days should initially approach Council to Apply. Once the reservation date is confirmed the group may engage directly with Live Nation to negotiate operational terms and conditions.

5. CRITERIA FOR COMMUNITY PURPOSE RESERVATIONS

Applications for Community Purpose Reservations must meet and demonstrate a minimum of one eligibility criteria, and respond to all applicable selection criteria as outlined below:

ELIGIBILITY CRITERIA

Applicants must meet and demonstrate at least one of the following would be achieved by being granted a Community Purpose Reservation:

- (i) The event is produced by an organisation based within the City of Port Phillip;

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- (ii) The event can show a history or strong connection with the City of Port Phillip, its residents or businesses;
- (iii) The event will be able to provide low cost tickets for the audience;
- (iv) The event will enable access to the City of Port Phillip community as a priority.

SELECTION CRITERIA

Applicants must respond to all applicable selection criteria:

- The event can demonstrate community development, arts or social benefit;
- The event can demonstrated ability / opportunity to engage, include and connect the local City of Port Phillip community;
- The event would contribute to key initiatives within the City of Port Phillip Events Strategy, including priority event types or timings;
- The event has programming of or partnerships with City of Port Phillip artists, businesses and/or community groups as part of the event or its planning;
- The event's target market is demonstrably diverse and caters to audiences who would not necessarily traditionally attend events at the Palais;
- If a charity event, proceeds from the event are committed to be sent to a charity or community group via fundraising at or from the event (please specify charity/community group);
- If the hirer is a commercial operator, the hire should aim to increase the likelihood of future large scale bookings between the operator and the Tenant.

LIMITATIONS

This policy allocates hire of the Palais Theatre at a reduced rate for the purposes of community benefit only. Applications will not be accepted by commercial events that would otherwise be able to book the Palais Theatre through the standard booking process, unless direct community benefit can be shown according to the criteria in this policy. Applications will not be accepted by events that are seeking to reduce venue hire costs in order to make a profit from the running of the event.

6. SCOPE

This policy will apply on an annual basis to the following venue:

- Palais Theatre
Lower Esplanade,
St Kilda VIC 3182

And relates to the hire of any part of the theatre that can be used for performance or community use, including the theatre and/or the foyer spaces.

Details of the Palais itself, associated fees and charges and technical specs are available directly from the venue at <http://palaistheatre.com.au/venue/venue-booking>

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Appendix One

Section 11 (a) and (b) of the Lease Agreement between the Council and Live Nation (the Tenant) for the Palais Theatre relating to community purposes:

Subject to entering into a standard hiring agreement with either the Landlord or the Landlord's nominee, the Tenant agrees to hire the use of the Palais Theatre to the Landlord at a one-off charge of \$1 (including GST) plus the operating costs incurred by the Tenant in making the Palais Theatre available for use by the Landlord as agreed between the Parties from time to time, for each day (excluding 'bump-in' and 'bump-out' periods) in which a function takes place under this clause 11(a), for the following times and periods, including reasonable 'bump-in' and 'bump-out' periods before and after such times and periods:

Date	Time	Function
<i>3 days during each year of the Term, as nominated in writing by the Landlord to the Tenant at least 12 months' in advance</i>	<i>8am — 12 midnight</i>	<i>Community purposes as nominated by the Landlord from time to time Venue to be charged to the Landlord at cost</i>
<i>5 days during each year of the Term, as nominated in writing by the Tenant to the Landlord at least 12 months' in advance</i>	<i>8am — 12 midnight</i>	<i>General community purposes as nominated by the Landlord from time to time Venue to be charged to the Landlord at cost</i>
<i>In the absence of the 8 days being booked 12 months in advance, remaining dates may be made available subject to availability of the venue and at the discretion of Council.</i>	<i>8am — 12 midnight</i>	<i>General community purposes as nominated by the Landlord from time to time Venue to be charged to the Landlord at cost</i>

The *Palais Theatre Community Purpose Reservation Policy* (this policy) has been developed to ensure fair and appropriate allocation of Community Purpose Reservations of the Palais Theatre. This includes:

- Providing a responsible, consistent and transparent process for the booking of the theatre within the conditions of the Lease Agreement.
- Providing a policy that is consistent with Council's policies, Local Law and other relevant legislation.