BONDI PAVILION THEATRE TERMS AND CONDITIONS OF HIRE

Please note: These are standard terms and conditions of hire. Some points in this agreement may not be applicable to all hirers and users of the Bondi Pavilion Theatre.

BOOKINGS AND PAYMENT STRUCTURE

- The hire and use of the Bondi Pavilion theatre is for the purpose of agreed performances only in accordance with the instructions in the general information and in the agreement.

- Details of the length of hire and the production to be discussed and approved by the Theatre Manager at time of booking.

- To pay hire fees (including GST) in advance of the season. A deposit of one-third of the full fee at time of booking. A second payment 1/3 of cost, two months out from booking, third instalment one day before bump in and subject to the following conditions. Fees and Charges below.

- In some instances, a security bond of $500 to be paid at time of bump in. This bond will cover the theatre and associated areas, equipment and keys. Subject to the satisfactory condition of the premises and equipment and return of the keys, the bond will be available 7 working days after bump out, after the technician and Theatre Manager have approved its release.

- There are no refunds for cancellation of bookings for any part or full payments received by Waverley Council.

CAPACITY

- The theatre seats 230 at any time. Ticket sales must not exceed 230 and audience numbers over 230 are not permitted. The licensed capacity of 250 includes all cast, crew and associated staff. No standing room, additionally seating or sitting in the aisles is permitted at any time.

- Film screenings do not accommodate 230 capacity due to sight line restrictions. Hirers are encouraged to check sight lines before booking the theatre or selling tickets to screenings.

THEATRE HIRE INCLUSION

- Standard lighting and audio equipment (tech specs available) and basic gels. Any additional equipment is to be provided by the hirer with Bondi Pavilion Theatre Manager approval.

- Bondi Pavilion Theatre Technician must be used for all bookings. Technician fees apply.

- One Front of House usher will be provided. Usher fees apply. Additional ushers must be provided by the hirer.

- Dressing Rooms with access to toilets and showers.
• Bar services is included in hire costs dependent on type of booking. In some instances bar costs will be the responsibility of the hirer.

• Bar opening times, half an hour-one hour before and after each performance. Opening hours at the discretion of the Bar Manager depending on booking.

• Hirers are not permitted to supply their own alcohol under any circumstances.

• As a licenced venue, rules to the consumption of alcohol in the theatre and back stage areas apply.

NOT INCLUDED IN HIRE

• Hirer will provide own ticketing, box office and marketing.

• All bar takings will remain with Waverley Council.

• NOTE: Theatre bar and foyer area is a shared service area with the Beach View Rooms Venue and cannot be used for additional activities beyond standard bar services. Any additional activities proposed for this area must be in writing for approval and must not impinge upon, or in any way interfere with any other function or event occurring in the Beach View Rooms Venue area. This includes catering, performances, site decorations and sound levels.

• Waverley Council is not responsible for and does not accept any responsibility for any claim for infringement for use of any copyrighted or royalty protected performance rights material, whether physical, intellectual, printed or spoken word, trade mark, logo or other vehicle. The Hirer/Producer warrants that the proposed performances will not be in breach of any copyright held by any other person or group and must ensure they have permission to use any copyrighted materials whether by grace or by payment of monies and further, indemnifies Waverley Council against any costs and damages which may be made against for breach of copyright by the hirer.

• You agree that you may require APRA/AMCOS licensing for your production which is the responsibility of the hirer. For details on your production please check http://apraamcos.com.au/music-customers/licence-types/theatre/ and take the necessary steps if your production falls into the category requiring a licence.

• It is the Hirer/Producer’s responsibility to ensure any material used complies with Commonwealth and State Censorship Laws.

• It is the responsibility of the hirer to place content advice notification (Trigger Warning notice) on booking sites, and at theatre door/box office that reflects the content of the production if certain themes or effects are present.
BUMP IN

- All set and lighting designs to be submitted to the Bondi Pavilion one month before bump in, including lighting equipment required, how sets will be constructed and all other information regarding the physical staging of the production, including additional equipment that may be brought into the venue by the theatre hirer.

- No Nailing and/or drilling into stage floor or any walls of the theatre is permitted.

- All productions will be required to provide plans and details of their productions together with a Risk Assessment of any potential problems.

- All productions must hire the services of The Bondi Pavilion Theatre Technician.

- Any changes to the Standard Lighting Rig will need to be submitted for approval prior to the commencement of bump in.

- Keys to the theatre will be, in some instances signed over to hirer who must nominate one person to take responsibility for the keys for the duration of the production. The keys may not be permitted to be given to other persons without notification to Theatre Management.

- All electrical equipment used in the production that has been brought in by the hirer, must be tested and tagged appropriately. The Bondi Pavilion Theatre Technician must approve all equipment brought into the theatre.

- All flammable material with set builds must be fire retardant at hirer’s expense - this includes draping, cardboard, paper, materials.

- Only a fully qualified lighting and audio operator/technicians will be permitted into the bio box with the Bondi Pavilion Theatre Technician. If personnel are deemed to be insufficiently competent or unqualified, they will not be permitted to operate any equipment. Operation of any equipment will be at the discretion of the Bondi Pavilion Theatre Technician.

- The producer or production manager and any technical personnel must be present at the bump in.

- Fire Exits and all Theatre Aisles must be kept free of any obstructions at all times.

- No additions or alterations to the premises without the prior consent of the Theatre Co-ordinator and/or Theatre Technician.

- To ensure there is no interference with hirers using other areas of the Pavilion during the above period.

- To ensure that amplified sound or noise may not be heard beyond the theatre.
**BUMP OUT**

- To ensure that when vacating the theatre, the proscenium arch and all stage areas have been returned to “theatre black” (Rosco flat matt black house paint only) and that all black curtains have been re-hung.

- The Theatre is made available with a standard Lighting Rig. The lighting rig must be returned to its standard configuration at the conclusion of a production at the expense of the hirer.

- All theatre spaces must be left clean and tidy.

- All equipment and props must be removed at time of Bump Out.

- Bondi Pavilion takes no responsibility for any equipment or props left behind. Removal costs for any props left behind will be charged to the hirer.

- To note that Council will not accept liability for any damage or loss of goods or equipment owned by the hirer.

- To accept full responsibility for any damages to the premises during the above mentioned period of booking, arising from the use by the hirer.

- All Pavilion equipment (including all keys) must be returned immediately to the Theatre Technician on departure.

- To ensure that all persons connected with the above mentioned production will vacate the premises at the end of the booked period.

- Productions must ensure that no damage is made to the venue or the building fabric.

- All rubbish is to be loaded into the big green bins at the base of rear balcony stairs at the end of each evening and all large rubbish items must be removed by the hirer.

**WORKPLACE SAFETY**

- To indemnify Waverley Council and the Minister for Lands in respect of claims of proceedings arising in respect of personal injury or damage to any property arising out of the rights granted by this Agreement. Insurance shall be affected pursuant to this Clause as to injury to persons on the property for the sum of $10,000,000. Insurance policy to note the interests of the Waverley Council. A copy of the theatre hirers Public Liability Insurance must be forwarded to the Theatre Manager at time of signed contract.

• You must hold Workers Compensation insurance for all workers, both paid and volunteer on your production. Waverley Council accept no liability for injury of workers both paid and volunteer.

• All productions will be required to provide plans and details of their productions together with a Risk Assessment of any potential problems.

• All contractors to the Hirer/Producer are to have public liability insurance and SWMS paperwork to be held by Hirer/producer on site throughout the production.

• You may not alter or interfere with doors, ceilings, air conditioning or fire protection installations in the building.

• The hanging of any set, lighting or sound from the ceiling or fire equipment fixtures is strictly prohibited.

• All flammable material with set builds must be fire retardant at hirer’s expense - this includes draping, cardboard, paper, materials.

• Bondi Pavilion Theatre Technician to be employed for all productions.

• If technical persons unqualified/unsuitable or unsafe, bump in will not proceed. Inducted technician only will be permitted to work equipment throughout the booking period. Lighting and audio operators must be competent in operating the theatre lighting and sound systems and will be permitted to work in the theatre at the Bondi Pavilion Theatre Technician’s discretion.

• SAFETY INSPECTION. Prior to a public performance, Waverley Council staff may carry out a Safety Inspection of the production in the venue and may require the producers to remedy any problems.

• After induction into the Bondi Pavilion Theatre, if all cast and crew are not present at the initial induction, a chosen member of the production team must induct all cast and crew members in Bondi Pavilion WHS policy and emergency evacuation procedures.

• To ensure that all persons using the premises in association with or attendance at the above mentioned production and or performance at the above mentioned production conduct themselves in a proper manner in accordance with Council by-laws.

• Aisle Lighting and other Safety Lighting must be used in conformance with the Theatre licence.

• Air Conditioning must be in operation whenever the public are in attendance.
• Exterior Doors should be secured during all performances and ushers at doors at all times during the performance.

• All electrical equipment brought into the theatre to be checked in with theatre technician on bump in and all items to be appropriately tested and tagged.

• No person is permitted on the cat walk at any time.

• Fire escapes to be clear at all times.

• No smoking in the theatre or related areas.

• No open flames permitted in the theatre.

• No smoke machines, hazers or pyrotechnics are permitted in the theatre.

• Any provision of food or catering for audience must be supplied by a licenced catering business that has Food Safety Supervision certificates.

• The Bondi Pavilion Theatre is a licenced foyer area. All audience members under 18 must be accompanied by an adult.

• The Bondi Pavilion Theatre is part of the Licensed Venue. Rules apply to the consumption of alcohol in the theatre and back stage areas. As such, no alcohol may be brought on site other than that supplied by the bar. If you require further information regarding the provision of alcohol, this must be discussed in detail 2 weeks before bump in.

• No food is allowed in the theatre. In some instances, drinks are permitted in the theatre if served in recycled or bio degradable, non-glass containers.

• No vehicle or animals within the Pavilion or in areas surrounding the Pavilion allowed without the consent of Waverley Council.

• Content advice notification (Trigger Warning notice) must be present on booking site and at theatre door/box office that reflects the content of the production if certain themes, behaviours, audience interaction or effects are present.

**PROVISIONS**

An application to hire the venue may be declined on the following grounds:

• That may clash with other types of programs proposed. In order to keep faith with other hirers who have already booked a production, an application may be declined from a hirer who is presenting a similar production within a certain timeframe.
• That will offend the general public. This may include productions with gratuitous sex, violence or offensive language without contextual relevance.

• A presentation with obvious low production qualities if it is likely to cause damage to the reputation of the Bondi Pavilion or not reflect the standard of productions at the Bondi Pavilion Theatre.

• That may clash or conflict with Waverley Council curated or presented programs, including with programming intent or scheduling.

THEATRE SECURITY

• In some instances, theatre keys will be allotted to the hirer. All keys are on a master system, cannot be copied and any lost keys will be charged at cost of replacing whole key master system. It is crucial keys are not lost or stolen. Keys will be signed off with payment of the theatre bond, and their return are considered criteria for refund of the bond.

• There have been incidences of theft and vandalism in and around the Pavilion at all hours of the day, therefore no area should be left unattended whilst not locked, even for a short period. Attention should especially be given to back balcony area.

• Waverley Council and Bondi Pavilion is not responsible for any lost or damaged property.

• Any loss of equipment will be charged at the full cost of replacement for the item.

PARKING

• Waverley Council offers limited parking permits to Bondi Pavilion hirers and stakeholders to assist in the delivery of functions, events, cultural projects and programming. Application for parking permits must be made 2 weeks prior to bump in. Conditions apply.

• At times, some access may be given to the courtyard for 1 vehicle for the purpose of unloading or loading equipment, dress and props on the day of bump in and bump out.

• Vehicles that are making multiple trips can use the loading zones. Note: Loading zone standing is for 15 minutes only and only for loading vans or station wagons.

CLEANING

• Theatre area to be kept clean at all times. All rubbish to be placed in green Otto bins & recycling bins at back of Pavilion daily.

• After each performance all seating areas and aisles must be checked and rubbish removed.
To be responsible for cleaning during occupancy and to ensure the premises are left in good order. To ensure removal of all litter and personal property by the bump out period, otherwise removal costs will be deducted from your security bond.

BONDI PAVILION CONTACT

- Monday to Friday 9am-5pm, Saturday and Sundays 10am-5pm
  Phone: 9083 8400. Venue Assistant from 5pm each evening - Phone: 0425 288 165
  (PLEASE NOTE VENUE ASSISTANT ON BREAK 8.30-9pm EACH EVENING)

FEES AND CHARGES – BONDI PAVILION THEATRE  2019/2020

Weekly Fees

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<td>Community/Not for Profit Groups</td>
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*In order to receive the music / theatre / film rate, hirers must be able to demonstrate they are undertaking the proposed activity primarily for the creation and dissemination of cultural material as the purposed hire. Activities that are skewed predominantly towards commercial outcomes will attract the standard fees.

Daily Fees

Daily fees include bookings that includes any technical set up/production. 10am-10pm

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Half Day Fees

Half Day bookings include rehearsals, meetings, and other bookings not requiring technical set up and equipment. 10am-4pm / 5pm-10pm

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Additional Hourly Rates

Additional hourly rates apply after the half day hours have been exceeded. This does not include bookings that require technical set up and production, which are subject to daily hire rates.
Standard Hire half day add hour  Per hour  $180  Taxable
Theatre/Music/Film half day add hour  Per Hour  $90  Taxable
Community/NFP half day add hour  Per Hour  $90  Taxable

Rehearsal Fees – 4 hour minimum bookings  Per hour  $45.00  Taxable

STAFFING

AV Technician (min 3 hour)  Per Hour  $55.00  Taxable
Front of House Staff (min 3 hours)  Per Hour  $45.00  Taxable
Production Coordinator  Per Hour  $55.00  Taxable
Staging staff (min 3 hours)  Per Hour  $30.00  Taxable
Cross hired technical requirement and services  Variable  Actual cost +30%  Taxable

Bar Staff (Manager) (min 4 hours)*  Per Hour  $75.00  Taxable
Bar Staff (min 4 hours)  Per Hour  $55.00  Taxable

* The use of the Bondi Pavilion Bar included in hire is for ticketed theatre/music/film bookings that are open to the general public. With smaller events, activities and personal hires not ticketed and open to the general public, bar costs may not be included but may be at the expense of the hirer.

OTHER FEES

Ticket service fees  Per Ticket  $0-10  Taxable
Merchandise commission  Per item  25%  Taxable

For any further information please email theatre@waverley.nsw.gov.au