

RIALTO TOWERS 525 COLLINS STREET MELBOURNE
GPO BOX 769G MELBOURNE VIC 3001 AUSTRALIA
DX 204 MELBOURNE www.minterellison.com
TELEPHONE +61 3 8608 2000 FACSIMILE +61 3 8608 1000

Application for Review No. P424/2003

11 Esplanade & 6 Victoria Street, St Kilda

Becton Corporation Pty Ltd
(Applicant for Review)

v

Port Phillip City Council
(Planning Authority)

EXPERT REPORTS FOR BECTON CORPORATION PTY LTD

EXPERT WITNESS STATEMENT

Name: BRUCE MILNE

Address: PO Box 196, East Melbourne, Victoria, 3002

Expert's Qualifications & Experience:

1. The Expert has released original recordings by Victorian independent acts from since on or about 1978 to on or about 1995 in his capacity as Founder of AuGoGo Records Pty Ltd.
2. Well known independent acts released by the Expert and his label have included, inter alia:
 - Dave Graney
 - Spiderbait
 - Magic Dirt
3. The Expert has released original sound recordings from well over 150 independent Victorian acts on his label.
4. The Expert also worked for Missing Link Records (a leading independent record label in the early 1980's) from in or about 1978 to 1982 as Label Manager.
5. Since in or about the mid 1970's the Expert has been involved with over 500 independent Melbourne based acts either in his capacity as record label executive or manager.
6. The Expert has also contributed to "The Age" on issues in relation to the independent music industry.
7. The Expert is often referred to as the "Godfather of Independent Music". He was referred in such a manner by Clinton Walker in his well known work "Stranded".
8. From on or about 1999 to 2002 the Expert worked for EMI Records in his role as Artist and Repertoire Manager.
9. The Expert is currently the Director of Infidelity Records Pty Ltd, an independent record label releasing sound recordings by Victorian artists.
10. The Expert is on the Vic Music Board of Directors.

Instructions Defining the Scope of the Report

11. Oral instructions have been given by Stuart Gibson, Partner and Solicitor at Middletons Lawyers, Melbourne. Expert's instructions were to comment on the following matters:
- The importance of live music to the Victorian music industry
 - The current situation concerning suitable live venues in Melbourne
 - The importance of The Esplanade Hotel to the live music scene in Victoria
 - The importance of The Esplanade Hotel to the music industry in Victoria and the cultural significance of The Esplanade Hotel

Summary of the Expert's Opinions

Value of Victorian Live Music to the Victorian Music Industry

12. Victoria has a fragile but unique music industry (fragile in terms of its existence due to the vicarious nature of the live music scene).
13. The Victorian live music scene is the envy of every other State. Melbourne's music scene in particular is the hub towards which everyone in the industry gravitates.
14. 50% of independent acts playing in Melbourne come from interstate which indicates the importance of Melbourne's live music scene.
15. In addition, over the years many international acts have gravitated to the Melbourne music scene in order to establish their careers. For instance, Whistestripes, a leading US act.
16. Melbourne's live music scene is also noted for its ability to break acts due to the strength of the live scene and independent radio.
17. Whilst operating AuGoGo Records the Expert travelled worldwide each year, on at least five trips each year visiting live music scenes around the world. He has never seen a city with as large and vibrant a live music scene as Melbourne's.
18. Melbourne is fast becoming internationally a leading live music city. It is breeding a number of young acts who are on the verge of international success. For instance, Jet.
19. There is no doubt the independent live music scene is a breeding ground for the mainstream industry and, on its own, forms a formidable alternative music scene.

20. The reason Victoria produces such a plethora of successful acts that have gone on to national and international success is that it provides the ability for acts to play live in various situations and to various crowds. That gives Australian acts an edge overseas talent does not have.

The Importance of The Esplanade Hotel to the Victorian Music Industry

21. It is critically important because of the number of acts that play there week to week.
22. The Esplanade Hotel has three stages that are often utilised at the one time. In addition, bands play there from the afternoon right through to late at night.
23. There is no comparable venue Australia wide and possibly worldwide.
24. There is no venue that devotes as much time to the promotion of independent live music.
25. The Esplanade is also unique because it has a sense of community for the local music industry in general.
26. Importantly, The Esplanade Hotel attracts international tourists and backpackers who gravitate to St Kilda, particularly for its live music.
27. The Esplanade Hotel is also important because it provides a "generational" platform for young bands. By this I mean that it can provide a venue for new acts starting out and then a platform for them to play to significant crowds and mature throughout the venue.
28. The Esplanade Hotel is a cornerstone venue for the Victorian music industry. I cannot see any other venue that could step up and take its place.
29. There are no other venues that may open in the short term for the promotion of live music.
30. Of critical importance is that the live music industry operates in cycles. We are now in a new cycle where rock music is hitting a new era so it is critically important that The Esplanade Hotel remain in its current form. This was cited in a recent UK edition of New Music Express which contributed a 4-5 page spread on the "New Rock" scene claiming Melbourne as being the hot bed.
31. The Esplanade is an incubator for the signing of acts by artists and repertoire managers Australia wide.
32. The Esplanade has no equal. It has the most varied forms of music playing there.

- 33. The Melbourne music scene is a major international tourist attraction largely attributable to The Esplanade Hotel.
- 34. The music industry certainly cannot do without The Esplanade Hotel operating in its current form.

DATED:

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Bruce Milne

EXPERT WITNESS STATEMENT

Name: CATHERINE HARIDY

Address: 6/205 Johnston Street, Fitzroy, Victoria, 3065

Expert's Qualifications & Experience:

1. The Expert holds a Degree in Journalism from RMIT, Victoria.
2. As to the Expert's experience, she is an Artist and Repertoire ("A&R") Manager at Festival Mushroom Records ("FMR"), a position she has held for approximately 2 ½ years. Prior to that the Expert was in a similar role at Warner Music for approximately six months. From approximately 1996 to 2000 the Expert acted as a volunteer for Radio RRR whilst also a contributor for Inpress Magazine.

The Expert's area of expertise:

3. The Expert's expertise is in the sourcing and identification of talent and repertoire for the purposes of promotion and sale of music and in particular sound recordings. The Expert is also involved in the development, marketing and general directional role of Artists on the FMR label(s).
4. In her role as A&R Manager, the Expert spends a significant amount of her time (at least 5 nights per week) attending live music venues in and around Melbourne and Australia. In her role, she is eminently qualified to comment on the role of The Esplanade Hotel and its significance to the Victorian Music Industry and in particular its role in relation to nurturing of live talent.

Instructions Defining the Scope of the Report

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Summary of the Expert's Opinions

Value of Victorian Live Music to the Victorian Music Industry

6. Live music provides the very foundation for the music industry. It is where young artists are able to test their talent and get the opportunity to perform live, therefore honing not only their performance but also song writing skills.
7. Live performance also enables artists to build requisite levels of responsibility and maturity in their careers.
8. If the industry in general cannot see artists perform live then they most likely not see them at all. This is the only opportunity that members of the industry get to see young talent.
9. Over the years the Melbourne live music scene has produced many internationally successful acts such as Nick Cave, The Birthday Party, The Living End, 28 Days, MotoRace Paul Kelly and Rock Science.
10. The Victorian live music scene is also important from an employment perspective. It employs not only performing acts but mixing staff, lighting staff, security staff, stage technicians, "roadies", booking agents, tour personnel and other "back line people" like the providers of PA's, monitoring personnel and technology suppliers.
11. Clearly, the live music industry is important to the industry's infrastructure.
12. The Victorian live music industry is important because it is from there where talent is signed.

The Importance of The Esplanade Hotel to the Victorian Music Industry

13. The Esplanade Hotel is a legendary Victorian music venue, known worldwide. It exists in the psyche of this State, country and overseas.
14. The Esplanade Hotel is the leading Australian venue promoting live acts. It is the only venue in Australia where you can see 6 live acts on a given night.
15. It is therefore unequalled in terms of through-put.
16. The Esplanade Hotel not only draws local clientele but also international clientele who flock to Melbourne and The Esplanade Hotel as a focal point for local music.
17. The Esplanade Hotel is an important A&R venue where artists and repertoire from the various labels often meet and congregate in order to view prospective acts.

18. The Esplanade Hotel is also an important place for the industry in general to meet.
19. The Esplanade Hotel is an important meeting place for the leading industry organisations including, but not limited to, the Music Managers Forum and Vic Music which all hold their regular and annual meetings there.
20. The Esplanade Hotel is important because of its direct access facilities, in particular the facilities emanating from the Gershwin and Front Bar Rooms.
21. Victoria, and in particular, The Esplanade Hotel has a nationwide reputation for its live scene.
22. If The Esplanade Hotel ceases to operate as a live venue in its current form, that would take away Victoria's premier live venue.
23. The implications would be that it would be loss for an opportunity for many young musicians in the industry who "cut their teeth" and perform hopefully to make careers in the industry.
24. Recently Victoria has lost some of its more important venues, including The Continental and Punter's Club hotels. It has been able to survive with the loss of those, however, I do not believe that it can afford any further diminution of live venues, in particular, the loss of The Esplanade Hotel.
25. In addition, Victoria would lose its "home" for the industry.
26. Finally, Victoria would lose a place of local, Australia and International cultural significance.

DATED:

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Catherine Haridy