

NSW Independent Liquor & Gaming Authority

Our ref: DF25/068870

Mr Justin Sammit
LAS Lawyers

12 November 2025

Dear Mr Sammit

Application No.	APP-0014560352
Applicant	MEERLEN PTY. LIMITED
Application for	New hotel (full) licence with minors' area authorisation
Application date	11 March 2025
Decision date	15 October 2025
Licence name	Red Lantern Hotel
Proposed trading hours	<u>Consumption on premises</u> Monday to Saturday 10:00 AM – 12:00 AM Sunday 10:00 AM – 10:00 PM <u>Takeaway</u> Monday to Saturday 10:00 AM – 12:00 AM Sunday 10:00 AM – 10:00 PM
Proposed premises	111 Rowe Street Eastwood NSW 2122
Legislation	Sections 3, 40, 44 and 45, of the <i>Liquor Act 2007</i>

Decision of the Independent Liquor & Gaming Authority

Application for a new hotel (full) licence with minors' area authorisation – Red Lantern Hotel

We **refuse** the application above under section 45(3)(c) of the *Liquor Act 2007* (**the Act**).

Statement of reasons

We refuse the requested liquor licence as we are not satisfied that a development consent is in force in respect of the premises to which the proposed licence relates.

Our main findings

The local community for the purposes of this decision is the suburb of Eastwood. The broader community is the Local Government Area (**LGA**) of Ryde.

The applicant is seeking to operate a new hotel (full) licence with associated minors' area authorisation in Eastwood. The proposed premises would be located at Rowe Street, which is the main commercial thoroughfare in the suburb for vehicles and pedestrians. The application relates to a site adjacent to the Eastwood Hotel which is owned by the same proprietor.

Section 45(3)(c) of the Act prevents us from granting a licence unless we are satisfied that a development consent is in force in relation to the proposed site. Ryde Council (**Council**), the consent authority, objects to the application on the basis that the previous consent is no longer in force. The applicant disputes this. The Authority is not in a position to override the consent authority on this matter. Accordingly, we are unable to approve the grant of the new licence.

Though the reason for our decision is as stated above, we have turned our mind to the substance of your application. We note that even if we were of the view that a development consent is in force, we would not be inclined to approve the application for the following reasons.

We refused a similar application submitted in 2017 on harm minimisation grounds. Whilst the suburb has undergone significant development since then, on the information provided we were not convinced that the circumstances which led to the refusal then have materially changed. Although the current submission claims enhanced operational controls (predominantly increased security presence) and a 'food-led service model', they do not appear to make this application significantly different from the 2017 application.

We considered objections from:

- Council, noting the consent the applicant is relying on is not valid and a new consent is required.
- NSW Police (**Police**) due to safety, planning and compliance issues noting:
 - that the site lies within Eastwood CBD's Alcohol-Free Zone (**AFZ**) and the high saturation of licenced venues in the area increases the risk of harm
 - their concerns about the shared ownership with the Eastwood Hotel and responsible service of alcohol enforcement and accountability for liquor related harm due to the proximity to other venues
 - an assault occurred at Eastwood Hotel in May 2025 involving intoxicated patrons, suggesting the risk of poor venue management
 - that Eastwood has 79 gaming machines and argues that Eastwood has changed significantly since 2016 and warrants a fresh impact assessment
 - that the applicant did not engage with Ryde Licencing Police during planning.
- NSW Health:
 - citing the Authority's decision refusing the licence due to anticipated harm to Eastwood's community wellbeing in 2017 and assert that the concerns remain
 - highlighting high rates of alcohol-related hospitalisations and emergency department visits in the LGA and that Eastwood in particular is a hotspot for non-domestic assaults and property damage
 - emphasising that residents of Eastwood have a 57% Asian background, a group shown to have higher vulnerability to gambling harm

- noting their observation that the proposed hotel design allocates 28% of its floor space to gaming and that the LGA already exceeds state averages in electronic gaming machine numbers, indicating elevated financial and social harm risks.
- McGirr Lawyers, on behalf of their client Rowe Street Investments Pty Ltd
- A member of the public.

We had regard to the following points by the applicant:

- the AFZ status is not grounds for refusal and the applicant commits to enhanced operational controls, increasing security presence, and a ‘food-led service model’ making it significantly different from the 2017 application
- contests that NSW Health relies on general and historical data without presenting current, localised, or venue-specific evidence
- disputes that the previous development consent is no longer in force.

Therefore, even if we had been satisfied that a development consent was in force, we would not have approved the application. On the basis of the application and the material before us we considered that approval would have been unlikely to facilitate the balanced development of the industry in the public interest because it would not contribute to, and could detract from, the amenity of community life.

The material we considered

We considered the following material when making our decision:

- the application material – including evidence that stakeholders and the community were notified about the application
- the legislation
- certificate of advertising
- a Statement of Risks and Potential Effects
- the plan of the licensed premises and any authorisations
- a plan of management for the licensed business
- a plan of management from the 2017 application
- a development consent for the premises
- harm minimisation and community impact data report
- 2016 Statement of Reasons - Application for a new full hotel licence – Red Lantern, Eastwood
- statistics from Liquor & Gaming NSW, Bureau of Crime Statistics and Research, NSW Health and Australian Bureau of Statistics on the socio-economic status, liquor licence density, alcohol-related crimes rates and health issues in the local and broader communities
- Mills Oakley Legal Advice – validity of development consent
- L&GNSW compliance materials
- stakeholder submissions and the applicant’s response to them.

We also considered [Guideline 6](#) to assess the likely overall impact to the local and broader community.

This decision will be published in accordance with section 36C of the *Gaming and Liquor Administration Act 2007*.

Opportunity for review

The applicant and anyone who was notified of the application and made a submission, may apply to [NCAT](#) for a review of the decision.

An application for review must be made no later 28 days after the decision is published on the website. There is a fee to lodge the application.

For more information, please contact the NCAT Registry at Level 10 John Maddison Tower, 86-90 Goulburn Street Sydney or visit the NCAT website.

If you have any questions

Please contact Liquor & Gaming NSW at: new.applications@liquorandgaming.nsw.gov.au if you have any questions.

Yours sincerely



Caroline Lamb

Chairperson

NSW Independent Liquor & Gaming Authority