



Mr Warwick Caisley
Lands Legal
Level 8, 131 York Street
SYDNEY NSW 2000
wcaisley@landslegal.com.au

23 August 2017

Dear Mr Caisley,

Application No.	1-5333899873
Applicant	Redcape Hotel Group Pty Limited
Licensed premises name	Red Lantern
Premises	Part 115 Rowe Street EASTWOOD, NSW, 2122
Issue	Whether to grant or refuse a new full hotel licence
Legislation	Sections 3, 11A, 14, 15, 15A, 17, 40, 45, 48 of the <i>Liquor Act 2007</i>

**Decision of the Independent Liquor and Gaming Authority – Application for a new full
hotel licence – Red Lantern, Eastwood**

The Independent Liquor and Gaming Authority has considered application number 1-5333899873 seeking the grant of a new full hotel licence (“Application”) and, pursuant to section 45 of the *Liquor Act 2007* (“Act”), has decided to **refuse** the Application.

The attached statement of reasons has been prepared in the context of a high-volume jurisdiction, which requires the publication of reasons as soon as practicable. If you have any advice or enquiries about this letter, please contact the case manager via email to santina.causa@justice.nsw.gov.au

Yours faithfully

Philip Crawford
Chairperson
For and on behalf of the Independent Liquor & Gaming Authority

Statement of reasons

Decision

1. On 22 November 2016 the Independent Liquor and Gaming Authority (“Authority”) received from the Applicant, through Liquor and Gaming NSW (“LGNSW”), an application for a new full hotel liquor licence (“Application”).
2. The Application is refused pursuant to section 45 of the *Liquor Act 2007* (“Act”).
3. In reaching this decision, the Authority has had regard to all material before it, the relevant legislative requirements under sections 3, 11A, 14, 15, 15A, 17, 40, 45 and 48 of the Act, and relevant provisions of the *Liquor Regulation 2008* (“Regulation”).

Material considered by the Authority

4. The Authority has considered the Application, Community Impact Statement (“CIS”) and all submissions received in relation to the Application.
5. The Authority is satisfied that procedural fairness was afforded to the Applicant and interested parties regarding this decision, as all parties required to be notified of the Application were provided with the opportunity to make submissions.
6. As foreshadowed in the Authority’s *Guideline 6*, the Authority has also had regard to relevant LGNSW liquor licensing records, Bureau of Crime Statistics and Research (“BOCSAR”) crime data, HealthStats NSW data, and Australian Bureau of Statistics (“ABS”) socio-demographic data pertaining to the local and broader communities, obtained by LGNSW staff from publicly available sources.
7. The material considered by the Authority is listed in the Schedule, with a summary where appropriate.

Legislative framework

8. The Authority has considered the Application in accordance with the following legislative provisions.

Objects of the Act

9. The objects of the Act, as set out in section 3(1), are to regulate the supply of liquor in line with the expectations needs and aspirations of the community, facilitate the balanced development in the public interest of the liquor industry and contribute to the responsible development of related industries such as the live music, entertainment, tourism and hospitality industries.
10. In the pursuit of these objectives, section 3(2) requires the Authority to have due regard to the need to minimise harm associated with the misuse and abuse of liquor (including harm from violence and anti-social behaviour), the need to encourage responsible attitudes and practices towards the promotion, sale, supply, service and consumption of liquor and the need to ensure that the sale, supply and consumption of liquor contributes to and does not detract from the amenity of community life.

Minimum procedural requirements

11. Section 40 of the Act and clauses 6-12 of the Regulation prescribe the minimum procedural requirements for a liquor licence to be validly made to the Authority.

Fit and proper person, responsible service of alcohol, and development consent

12. Section 45 of the Act provides that the Authority may only grant a licence if it is satisfied that:
 - the applicant is a fit and proper person to carry on the proposed business,
 - practices will be in place to ensure the responsible service of alcohol and to prevent intoxication on the premises, and
 - if any applicable development consent is required to use the premises for the business or activity to which the licence relates, such consent is in force.

Community Impact Statement

13. Section 48 of the Act requires certain applications, including an application for a new hotel licence, to be accompanied by a CIS that must be prepared in accordance with the relevant requirements prescribed by the Regulation.
14. Section 48(5) provides that the Authority may only grant the licence, authorisation or approval if it is satisfied that the overall social impact of doing so will not be detrimental to the well-being of the local or broader community, having regard to the CIS and any other matter the Authority becomes aware of during the application process.

Provisions specific to hotel liquor licence

15. Further legislative provisions specific to hotel liquor licences are set out in sections 14, 15, 15A, 16 and 17 of the Act and in the Regulation.

Key findings

16. Having regard to the information before it and the relevant legislative requirements, the Authority makes the following findings in relation to the Application.
17. Pursuant to section 40 of the Act, the Authority is satisfied that the Application has been validly made and meets the minimum procedural requirements. This finding is made on the basis of the Application and CIS material before the Authority and the declaration dated 24 November 2016 signed by or on behalf of the Applicant and verifies that advertising requirements have been complied with.
18. The Authority is satisfied, for the purposes of section 45(3)(a) of the Act, that the Applicant is a fit and proper person to carry on the proposed business. This finding is made on the basis that (save for the adverse events below) no issues of concern were raised with respect to the probity of the Applicant following consultation with relevant law enforcement agencies, including Police and LGNSW.
19. The Application is accompanied by a list of premises indicating that the Applicant company is the business owner of 26 full hotel licensed venues. Relevantly to the discussion of negative social impacts below, a regulatory compliance check performed by licensing staff indicates that since 2013 a number of adverse incidents have been

recorded against the Eastwood Hotel, located immediately adjacent to the proposed Premises that is operated by the Applicant business owner, Redcape Hotel Group Pty Ltd. They include the following matters:

- 7 July 2013 – Assault common
 - 2 November 2013 – Actual Bodily Harm
 - 21 December 2013 – Actual Bodily Harm
 - 30 January 2014 – Assault Common
 - 31 October 2014 – Assault Common
 - 1 November 2014 Assault Common
 - 25 February 2016 – Assault Common.
20. The Authority is satisfied, for the purposes of section 45(3)(b) of the Act, that practices will be in place to ensure the responsible serving of alcohol and prevent intoxication, having regard to the Applicant's Plan of Management ("POM") dated 21 June 2017.
21. The Authority is satisfied, for the purposes of section 45(3)(c) of the Act, that the requisite development consent permitting use of the Premises as a hotel is in force, pursuant to the development approval issued by the NSW Land and Environment Court on 28 October 2016 LDA2015/263 ("DA") which permits *construction of a new building containing a hotel on the ground level comprising bar, dining and gaming areas, with three levels of parking over for 45 cars and a rear loading area to be shared by the proposal and the adjoining hotel*. The DA restricts the hours of use of the Premises (for planning purposes) to between 10:00am and 12:00am Monday to Saturday and between 10:00am to 10:00pm Sundays and public holidays. The DA restricts patron capacity on the Premises to 220 persons.
22. The Authority has taken into account the CIS and other available information in making the below findings on the overall social impact of granting the Application upon the local and broader communities for the purposes of section 48(5) of the Act.
23. Consistent with its position in *Guideline 6* and longstanding practice, the Authority is satisfied that the relevant "local community" is the community within the State suburb of Eastwood, while the relevant "broader community" comprises Ryde City Local Government Area ("Ryde LGA").
24. Although the Ryde LGA was subject to a proposal to amalgamate with the Hunter's Hill and Lane Cove local government areas, that proposal remained subject to litigation at the time of the Authority determining this matter. As of the time of issuing this statement of reasons, the NSW Government has indicated that it will no longer be proceeding with this amalgamation.

Positive social impacts

25. After considering all the information before the Authority, the Authority finds that the Applicant has provided little indication or independent analysis as to how this venue will provide liquor or related goods and services that are substantially different to those already provided by the hotels and clubs in the local community of Eastwood and the broader community of the Ryde LGA.

26. The Applicant has not provided a persuasive case that the operation of another full hotel licensed venue of the kind disclosed in the Application and CIS in this location will provide substantial benefits to the local or broader community as a whole. The Authority considers that the nature and scope of relevant benefits that are likely to flow to those communities are quite limited.
27. The Applicant submits that the proposal is to establish one of the first and few “Korean style hotels” within the area, offering a Korean dining service to match the primary purpose of the supply of liquor. The Applicant contends that this style of venue will operate differently to a restaurant and is a style of licensed premises that is not currently offered by the existing hotels within the Eastwood CBD. The Applicant submits that the Premises will provide an appropriate and alternate hotel option, catering to the demographics of the local community, which includes a substantial Korean population.
28. The Authority has considered the Applicant’s contentions that the proposed new hotel will be differentiated from other Eastwood venues in décor, food offering and range of beverages; is designed as a premium restaurant and bar offer at a level that is not currently available in the Eastwood CBD. The Authority further notes the information provided by BBC Consulting Planners that the absence of any application for a minors area authorisation flows from the hotel’s focus on an older demographic who would be likely to have adult children, not a family dining market, given the prevalence of family dining options in Eastwood.
29. However, the Applicant’s contentions regarding a proposed “Korean style of hotel” are expressed in general terms. It is not at all clear what this actually means, other than some suggestion that the venue will offer Korean food, with a Korean style of décor. There are no examples of what this décor may entail, and little detail as to the cuisine or what other Korean style services or facilities will be on offer.
30. By contrast, the Authority recently granted a full hotel licence offering a specialist Korean dining experience on 2 October 2015 in respect of a licensed premises known as *Moko – Heather’s Kitchen* located at 75 Rowe Street, Eastwood. The applicant in that case went to some lengths to establish the specialised nature of the dining experience, informed by the expertise of a well-known Korean cuisine chef, to supplement the mainstream liquor and gambling services that are usually provided by numerous other hotels and clubs in the local and broader community.
31. By contrast, the Authority has found it difficult, on the material before it, to gain a practical sense as to how this new hotel will meaningfully develop the local industry or related industries, or how this venue will actually advance community expectations, needs and aspirations to any significant extent beyond the numerous licensed Korean restaurants in Eastwood and the incumbent hotels and clubs providing liquor and gaming services.
32. In the social impact assessment (“SIA”), prepared by BBC Consulting Planners dated March 2015, the Applicant indicates that Eastwood has become well known as an Asian shopping precinct, with specialty Chinese and Korean retailers operating specialist supermarkets and restaurants in the area. The Authority accepts this to be

the case, but it is unclear how the vaguely defined “Korean” style hotel will provide services that are in any way different or supplementary to the liquor, gaming and hospitality services that are widely available across licensed premises in the suburb of Eastwood.

33. The evidence and material before the Authority do not enable the Authority to give weight to the Applicant’s claims as to positive benefits. While another hotel will, by definition increase the choice in hotels, there is little firm evidence or material establishing how the licensed entertainment services provided to the local and broader community will be substantially different to those already on offer in those communities
34. The Authority finds that apparent community support for the proposal is negligible, with submissions from local Police (“Police”), the responsible Northern Sydney Local Health District (“NSLHD”), a competing local club and a local doctor opposing the proposal. This factor militates against finding that granting the Application will advance the “expectations, needs and aspirations of the community” in respect of the local and broader community and the statutory object in section 3(1)(a) of the Act.
35. The Authority has carefully considered the submissions from BBC Consulting Planners on the survey conducted by Police on 2 July 2015. BBC Consulting Planners submit that caution should be taken when drawing conclusions from these survey results; the survey design and research implementation adopted by NSW Police is concerning and is considered to de-value the strength of the results; no details are provided as to the time of day and length of time the study was undertaken nor how the sample spot was chosen to capture the most representative sample of the community; the questions prepared can be misleading, particularly with the use of capitals which may influence and make it hard for respondents to read and understand the nature of the question; the research methodology adopted by Police is unclear, there is no description of who conducted the surveys presented and no details of the likely influence the interviewer may have over the respondents; of concern is the effect that the presence of uniformed police may have had on the response rate and responses recorded on the day which may have been very different to the results, had plain clothed researchers conducted the survey.
36. The Authority accepts that the Police survey is a very limited one. Its findings cannot be given great weight, but to the extent that there is evidence of local community support or otherwise for this proposal, the survey provides some indication that there is an *absence* of local support. On the other hand, the Applicant has not provided any persuasive evidence of local or broader community support for another hotel with up to 30 gaming machines in this particular location.
37. The Authority has considered the Applicant’s other contended community benefits which include that the design of the premises will activate the street frontage and complement the use of sites nearby; that the business will diversity the night time economy and attract a wider variety of people out in the evening; that the business will increase diversity of employment opportunities and have indirect multiplier effects on the economy through the construction and operation.

38. BBC Consulting Planners contend that consideration should be given to the strategic land use planning intentions of Ryde Council in planning centres for communities. As stated above the Eastwood Town Centre masterplan indicates that the town centre is an ideal location for the promotion of night time activity, through the establishment of well managed hotel premises as it assists in the promotion of sustainable, long term growth of the town centre through the promotion of different land uses that can balance economic, social, cultural and environmental considerations.
39. It is not clear, on the limited material before the Authority, why licensing the Premises as a *hotel* (as distinct from some other form of use) will necessarily provide a benefit to the local or broader community as a whole in respect of improved “street frontage”. In any event, this benefit presents as more of a town planning concern than a liquor related social impact per se.
40. The Authority considers it likely that the new hotel will generate economic activity, and there may well be economic spin offs from the community having another venue of this kind operating in the evening for other service providers, but it is difficult for the Authority to gain a sense of the nature and scope of these broader economic benefits for the communities on the whole. The Applicant discloses very little as to how many jobs this hotel will maintain, let alone whether such persons will be sourced from within the local or broader community. While the submissions are generally credible, it is difficult for the Authority to give these contentions great weight. As noted above, the Authority accepts that another venue will by definition provide some further increase in local choice of licensed premises.
41. In conclusion, the Authority finds that granting one more “full” hotel licence in a location next door to an existing full hotel licence, operated by the same business owner, provides a negligible increase in convenience for the communities, with only a modest increase by way of another choice of venue.
42. Given that there are three hotel licences nearby and further club licences conveniently located elsewhere within Eastwood, the contribution to the development of the liquor and related industries in the local community from granting this type of licence has not been substantiated to any great extent in this matter.
43. The Authority is left with the overwhelming sense that the substantial purpose of this Application is to expand the Applicant’s local *gaming machine* operations, by situating another hotel licensed premises immediately next door to its existing premises. The Authority notes that the Eastwood Hotel is operating at the maximum gaming machine threshold (of 30) that is permitted by section 11 of the *Gaming Machines Act 2001* (“GM Act”) in respect of any individual hotel.
44. LGNSW information indicates that there are already a range of hotels and clubs with the capacity to provide a range of mainstream liquor and gaming/gambling services within the local and broader community. LGNSW licensed premises information indicates that as at 19 June 2017 that the following club and hotel licences are located within the Ryde LGA, several of which are conveniently located to Eastwood:
 - Brush Park Bowling Club Limited
 - Denistone Sports Club Limited

- Eastwood Rugby Club
- Eastwood Club Limited
- Gladesville Bowling and Sports Club Limited
- Gladesville RSL and Community Club Limited
- North Ryde Golf Club
- North Ryde RSL Community Club Ltd
- Ryde X Services Club
- Ryde – Parramatta Golf Club Limited
- Ryde Eastwood Leagues Club Limited
- P.T. Bowling and Community Club Limited
- The Bayview Hotel Gladesville
- The Ranch
- Eastwood Hotel
- The Landmark
- Ryedales Tavern
- Royal Hotel
- West Ryde Hotel
- Sawdust Hotel (which according to Police is not currently trading)
- Moko – Heather’s Kitchen

45. The Authority is also satisfied, on the basis of the Police submission dated 2 February 2016, that there are **45** on-premises licences in the suburb of Eastwood and that of those 45 licences **18** are Korean Restaurants, some of which have a primary service authorisation permitting the sale of liquor without consuming a meal. The Authority is also aware of Karaoke venues in the suburb among the on-premises licences.

46. In conclusion, while the Authority accepts that the Applicant business stands to benefit from the provision of licensed entertainment services should the Application be granted, the site of the proposed Premises, the licence type, nature of this business proposal and apparent lack of community support are factors that greatly reduce the nature and scope of benefits that are likely to flow to the *local and broader community* from granting *this* Application.

Negative social impacts

Liquor related local amenity impacts

47. Having reviewed all the material before it, the Authority considers that over time there is a risk that liquor sold from this hotel licensed Premises will contribute to the prevailing levels of alcohol related crime, disturbance or adverse impact upon amenity in the local and broader communities from a minority of customers who abuse liquor.
48. The licence type that is the subject of this Application is a “full” hotel licence, which has a primary purpose of the sale of liquor by retail for consumption on and off the Premises. The licence type increases the risk profile of the venue and its capacity to contribute to adverse liquor related social impacts over time.

49. The Applicant proposes a full hotel licensed premises of a large physical scale (approximately 823 square metres), with a maximum patron capacity (evident from the development consent LDA2015/0263) of 220 patrons.
50. The scale of the venue objectively increases its capacity to contribute, along with the incumbent licensed premises, to adverse alcohol related impacts in the local and broader communities over time.
51. The licensed trading hours sought by the Applicant are reasonably extensive across the course of the week. The Applicant seeks the full gamut of licensed hours permissible under the Act for the consumption of liquor on premises - between 5:00am to 12 midnight Monday to Saturday and between 10:00am and 10:00pm on Sunday. The Authority notes that this would be subject to the development approval which currently permits use of the premises from 10:00 am daily. The Applicant does not propose to sell takeaway liquor.
52. With regard to licence density, data calculated by licensing staff from the LGNSW licensed premises list as at 19 June 2017 and the ABS *Quickstats* population data derived from the 2011 Census establishes that both the local community of Eastwood (with a rate of **18.52** hotel licences per 100,000 persons) and the broader community of Ryde LGA (with a rate of **7.73** hotel licences per 100,000 persons) have *lower* rates of *hotel* licences compared to New South Wales as a whole (which recorded a rate of **28.47** hotel licences per 100,000 persons).
53. This data records that the local community of Eastwood has **3** hotel licences while the broader community of Ryde LGA has **9** hotels. This data also indicates that the broader community of Ryde LGA has **12** club licences, **9** hotel licences and **40** packaged liquor licences.
54. However, as noted above, the Authority is also satisfied, on the basis of the Police submission dated 2 February 2016, that there are **45** on-premises licences within the suburb of Eastwood alone.
55. Although licence density (in relation to hotel licences) is not a decisive factor, the Authority is concerned, on the basis of the local Police and Club submissions and LGNSW licensed premises information for Eastwood, that granting this Application would contribute to the creation of a cluster of hotel and club licensed premises in the suburb, encouraging patron migration among those types of venues, and among those venues and the numerous on licensed premises in Eastwood.
56. The site selected for this new hotel, on land immediately adjacent to the Eastwood Hotel (a gaming venue with 24-hour licensed trading Monday through Saturday and licensed trading from 8:00 am to Midnight on Sunday) will likely contribute to patron migration in this part of Eastwood.
57. The Applicant concedes that granting the licence will contribute to a cluster of hotel licensed premises in this part of Eastwood, but in a submission dated June 2017 the Applicant contends that this “clustering” will provide a variety of drinking and dining experiences within the Eastwood town centre. This, it is said, serves the aims and objectives of Council’s Development Control Plan to allow for active public uses at the

street level, understanding that these uses will attract higher volumes of pedestrian traffic, contributing to a safer environment, particularly after dark as it allows for public areas to be better utilised. The Applicant further contends that no concern has been identified in preliminary discussions with Police in relation to the management procedures of the existing hotel venues and the Applicant submits that it follows from this consultation that the clustering of hotel venues in this area is not a cause for significant concern.

58. The Authority has also considered the Applicant's contentions, made in the CIS document prepared by BBC Consulting Planners dated November 2016, that The Land and Environment Court concurred with the SIA, noting that "the risk profile of the locality is not cohesively one of disadvantage", "the density of liquor licences is relatively low in the Ryde LGA", and that, "the clustering of four hotels and a club in the Eastwood town centre is primarily a function of the zoning".
59. The Applicant contends that it is considered that "the density of hotels created by the proposal is acceptable and that any increased risk of social impacts caused by the proposal are adequately mitigated by the agreed management strategies proposed in the Plan of Management, including the limited opening hours of the proposal".
60. The Authority has taken these submissions into consideration and accepts that the proposal is consistent with local government planning objectives. It is not in dispute that the proposal has received development consent. Nevertheless, when focusing on alcohol related social impacts, the Authority shares the concerns raised by Police, the Club and the local resident submitter as to the suitability of the location for this type of licensed venue, noting the existing concentration of hotel and club venues providing liquor and gaming services in close proximity to each other.
61. The Authority is satisfied, that *another* substantial hotel licensed premises in *this* location increases the scope for patron migration between licensed venues which will in turn contribute to a range of likely adverse amenity impacts over time.
62. Disturbance from migrating patrons affected by liquor to varying degrees will likely take a number of forms - from patrons congregating outside venues, to smoking near venues, talking in groups, arguing, yelling or getting into private or public transport as they move through neighbouring streets in the CBD or nearby residential areas. This conduct is likely to cause adverse impact upon local residential amenity regardless of whether such conduct rises to the level of criminality.
63. The Applicant does not seek to trade during late hours, but by reason of its location, the venue will be well placed to contribute to the movement of patrons between standard trading and late trading licensed entertainment venues in Eastwood.
64. BOCSAR Crime Maps for the period from April 2016 to March 2017 indicate that the Premises is *not* located within any hotspots for incidents of *alcohol related assault* but it is located within low-density hotspots for the concentration of *domestic assault* and *non-domestic assault* generally and a high-density hotspot for malicious damage to property.

65. BOCSAR crime data for the year to March 2017 indicates that the local community of Eastwood and the broader community of Ryde LGA recorded significantly *lower* rates per 100,000 persons of population than the state of New South Wales for incidents of *alcohol related domestic assault* (**61.8** for Eastwood and **37.6** for Ryde LGA compared to **114.7** for NSW), *alcohol related non-domestic assault* (**33.7** for Eastwood and **40.1** for Ryde LGA compared to **133.9** for NSW) and *malicious damage to property* (**483** for Eastwood and **436.1** for Ryde LGA compared to **816.4** for NSW).
66. Crime rates at the level of the local and broader communities are comparatively low, with some localised concentration of assault events and malicious damage to property in this particular location. There was a significant increase in the count in malicious damage to property evidence for both the suburb and LGA between 2016 and 2017. As noted above, licensing information records that the Applicant's neighbouring venue, the Eastwood Hotel has recorded a modest level of assaults occurring on the premises since 2013, although that data does not record events occurring off licensed premises involving patrons of licensed premises.
67. The localised concentration of crime provides some cause for concern as to the environment in which this new hotel will operate, but the impact upon *local amenity* through patron migration is of greater concern than crime rates per se.
68. Another site-specific issue, raised by Police, which has been given close consideration by the Authority, is the location of the venue next to the existing Eastwood Hotel, an existing hotel with extended trading hours. Police contend that when the proposed new hotel closes at midnight, many patrons from this new venue will walk out of the Premises and directly into the (commonly owned) Eastwood Hotel without having to enter via the street.
69. The Authority notes that there is a shared access pathway between the proposed Red Lantern Hotel and the Eastwood Hotel, this access leads to the shared car park and lift area and provides entrances into both the Eastwood Hotel and the Red Lantern Hotel. It appears from the plan/diagram of the Premises provided by the Applicant showing the location of security guards that patrons can exit the Premises from the Red Lantern Dining Room and Red Lantern Gaming Room directly into the shared access pathway and there appears to be an entry into the Eastwood Hotel also from this shared access area. Patrons could potentially walk out of the Red Lantern Hotel and directly into the Eastwood Hotel.
70. Police contend that this new licensed Premises and adjoining Eastwood Hotel may effectively operate as "one hotel" and raise concerns as to the prospect of patrons entering the Eastwood Hotel (a separate licensed premises) from the proposed Red Lantern Hotel without any responsible service of alcohol ("RSA") checks being completed later in the evening. Police raise concerns as to management of security, and make the practical observation as to which licensed business will have responsibility to monitor the area of intersection between the two hotels.
71. Police also contend that the location of the new venue will give rise to practical difficulties for law enforcement when investigating any alleged licensing breaches or

issues pertaining to the operation or patrons of the licensed venues in that it may be difficult to establish which licensed venue is responsible for which patrons.

72. The Authority agrees with Police that the identification of patrons migrating to and from each hotel may be difficult to discern by reason of the proximity of the two venues, operated by common ownership. Patrons may well come to regard the venues as part of the same operation, moving between each venue over the course of an evening.
73. The Authority has considered provisions in the Applicant's Plan of Management dated 21 June 2017 and letter dated 2 May 2016, but the Authority does not find this information sufficient to allay the reasonable concerns of Police, from a compliance perspective, in having the two commonly owned hotels in such close proximity should negative social impacts arise and require investigation. Discerning, for example, which of the two venues is linked to a patron who is intoxicated or engaging in disturbance in public after moving between the venues is an example of how this legitimate law enforcement concern may arise. This is another negative incident regarding the proposed location of the venue.

Submissions on addition of another gaming venue in this location

74. The community and Police submissions included a focus on the suitability of adding another full hotel licensed venue, with capacity to keep gaming machines, in this location.
75. The Applicant states that it "proposes to have gaming machines" and that a "separate application will be made for an increase in the gaming machine threshold". The Applicant does not specify how many gaming machines it actually proposes to keep. As noted above, the maximum statutory gaming machine threshold for a hotel in New South Wales is 30. Should the Application be granted the Applicant may potentially operate that number of machines if it thinks fit to seek the necessary gaming machine threshold increase and secure the requisite gaming machine entitlements.
76. In the Social Impact Assessment prepared by BBC Consulting Planners dated March 2015, the Applicant contends that it is "understood" that any harms directly relating to the installation, keeping of and operation of gaming machines will be assessed in accordance with the requirements of the GM Act and therefore are not considered appropriate to the current assessment.
77. However, the keeping of gaming machines will require a separate gaming machine threshold application to be considered by the Authority (which may or may not facilitate a social impact assessment of adding more gaming machines) and gaming machine services constitute a relevant "related industry" in respect of the kinds of goods and services that may ordinarily be provided at a *full hotel* licensed venue.
78. Section 3(1)(c) of the Act provides that it is a statutory object of the Act to contribute to the *responsible* development of related industries. The gaming machine related community submissions are relevant in this respect, since this Applicant seeks a hotel licence and makes no secret of its plan to keep gaming machines.

79. The current high level of local availability of gaming machines has also been considered (in the findings above) on what community benefits by way of licensed entertainment services granting this Application may offer.
80. When considering the responsible development of the related gaming machines industry in the local community the Authority gives some credence to the concerns raised by Mr Steven Colquhoun, the General Manager of Eastwood Club (“Club”) dated 28 December 2016 who contends that:
- “the area is over capitalised with gaming machines. We realise that the Eastwood area is known as a well-off suburb but we have found more and more people with noted gambling problems and it is becoming more evident that this is an issue to a lot of people within the area...
- ..the area already has the potential of over 100 gaming machines within 200 metres”.
81. Briefly, Mr Colquhoun, opposes the Application and contends that there is already an over-abundance of licensed premises in Eastwood; that there are 2 hotels and 1 registered club within 500 metres; that a proposed hotel is due to open just 100 metres from this new proposed hotel and one next door; that granting this licence will bring further alcohol related issues; that Eastwood is already sufficiently catered for by licensed and gambling outlets; that if approved more pressure will be placed on existing premises to monitor patrons for unsocial behaviour or financial difficulties; and this venue will just move gambler/drinkers from one venue to another. Mr Colquhoun recommends that the Application be rejected to protect the Eastwood community from bringing in “unsocial” characters to the area.
82. The Authority accepts the Club’s information about the localised concentration of gaming machines in Eastwood provided by the incumbent hotels and clubs in the local community.
83. The Authority is mindful that the Club is a commercial competitor with respect to the provision of licensed entertainment services to the local and broader community. While the Club is likely to be motivated by anti-competitive interests, it is unusual to receive a frank acknowledgement of increased localised problem gambling issues, given that the Club itself is a likely contributor to those social impacts.
84. The Club’s submission provides credible information, from a well- informed industry source as to prevailing gambling related social impacts. It cannot be simply dismissed as a self-serving submission.
85. The Authority accepts the contention made in the Police submission dated 2 February 2016 that there are currently 79 gaming machines within the suburb of Eastwood (30 in the Landmark Hotel, 19 at the Eastwood Club and 30 at the Eastwood Hotel - the premises adjacent to the proposed Premises), that Eastwood Rugby Club (located 2km’s from the Premises) has 29 gaming machines and that Epping Hotel and Epping Club (located 2.4km’s from the Premises) have a total of 267 gaming machines. Police note that their submission is made without knowing how many gaming machines may yet be approved in respect of the previously licensed Moko – Heather’s Kitchen (a hotel situated only 50 metres from the Premises),

86. The Authority finds generally credible the Club's submissions that there are increasing localised problem gambling issues in Eastwood that have become evident to the Club. That submission would have benefited from further specific information about the nature and extent of those problems, but the Authority accepts that those problems are manifest from the Club's perspective. Regardless of the extent of adverse social impact, the number of gaming machines in the locality identified by Police speak for themselves.
87. On this basis, the Authority is satisfied that placing a new full hotel licence in a location close to other hotel and club licensed premises will facilitate a further concentration of gaming machine venues, calling into question whether this would serve the responsible development of this related industry.
88. The fact that the broader community of Ryde is a Band 1 area, with relatively lower social impact does not overcome this *prima facie* concern, which goes to the suitability of the licence type and location in respect of this proposal.
89. As noted by the Applicant's consultant, a further opportunity to assess the social impact of gaming machines *may* arise (depending upon the nature of the gaming machine application(s)) at some future point at which a threshold increase application is made.
90. The Applicant submits that the question of what "need" there is for a new hotel should not be a matter for consideration when considering overall social impact. The Authority agrees that the need for another licence of this kind is not, *per se*, a barrier to the grant of a new licence.
91. However, the prevailing range and type of licenced venues and the services provided by them within Eastwood objectively diminish the benefits offered by granting this Application, while also giving rise to concerns as to the potential for a substantial new hotel to contribute to adverse local amenity impacts.
92. The location of the Premises gives rise to at least a *prima facie* concern as to whether facilitating yet another *full hotel licence* will best serve the balanced development of the liquor industry for the purposes of section 3(1)(b) of the Act and the responsible development of the related gaming machines industry for the purposes of section 3(1)(c) of the Act in respect of the *local* community. Those community concerns have not been squarely addressed by the Applicant.
93. The Authority accepts the submission through BBC Consulting Planners that no minors area authorisation was sought because children do not form part of the business plan. The Authority accepts this, but this also supports the submission made by Police that this proposed hotel will primarily be focused on the sale of liquor and the operation of gaming machines.
94. The decision on this Application does not turn upon an assessment of overall social impact in respect of gaming machines. However, the Authority is satisfied that adding another hotel with the capacity to keep up to 30 gaming machines in this location would not advance the *responsible* development of this *related* industry.

Other socio demographic factors

95. The ABS Socio-Economic Indexes For Areas (“SEIFA”) data establishes that both the broader community of Ryde LGA and local community of Eastwood are relatively very advantaged. Ryde LGA ranked in the 10th decile on the Index of Relative Socio-economic Advantage and Disadvantage (with the 10th decile being the most advantaged) compared to other local government areas in NSW. The suburb of Eastwood is ranked in the 8th decile compared to other suburbs in New South Wales. The SEIFA data does not indicate that socio-economic disadvantage is a compounding factor of concern at the level of either community as a whole.
96. The Authority has considered the adverse Police and community submissions on social impact with the benefit of a response from the Applicant’s planning consultant, BBC Consulting Planners, dated June 2017 in which the consultant discusses liquor licence density, the location of the site next to the existing Eastwood Hotel (in which the Applicant contends is dealt with in the Plan of Management and supporting documentation), crime data, gaming, the proposed premium food offering, minors area authorisation, the question of community demand and the survey conducted by Police on 2 July 2015.
97. The Authority accepts the Applicant’s position that hotel licence density is not, *per se*, at levels of concern across the local or broader communities. However, it is the location and potential to contribute to the clustering of hotels in this part of Eastwood, contributing to adverse amenity impacts, that is of concern to the Authority.
98. The Authority accepts the submission from BBC Consulting Planners that crime rates for Eastwood are below state-wide averages. That much is apparent from the BOCSAR data. As the Authority has noted, there is some localised cause for concern arising from the experience of the Eastwood Hotel and the BOCSAR hotspot data for the Eastwood CBD, but prevailing crime rates for the local and broader community are not at levels to warrant refusal of the Application.
99. The Authority notes that in a letter dated 12 December 2016, NSLHD object to the Application and make a number of relevant submissions including that increasing licence density will increase the likelihood of alcohol-related harm, that BBC Consulting Planners have overstated the Applicant’s position that there will be “no significant risk of adverse effects to the community or social environment”, that there are pockets of social disadvantage in the communities, and that the 2010 and 2013 National Drug Strategy Household Survey Report indicates risky drinking among 18-24 year olds, university students and students aged 15-24 years. NSLHD also refer to the 70-74 age group as vulnerable to alcohol related impacts.
100. The Authority has considered NSLHD’s discussion of the research (including Livingston 2007) on the association between increasing licence density and a range of alcohol related harms noting there are seven registered club licences and six hotel licences within a 2.8km radius of the proposed hotel and these figures exceed the 4 to 5 outlets referred to in the study. As noted above, while licence density is not at community wide levels considered to be problematic *per se*, the Authority does accept the likelihood of another hotel contributing to a cluster of premises and contributing to adverse amenity impacts associated with patron migration.

101. NSLHD include a table of the alcohol attributable hospitalisations for NSW 2013-14 to 2014-15 for Ryde LGA and unincorporated NSW. Ryde LGA recorded a smoothed *rate* of alcohol attributable hospitalisations of **780.5** per 100,000 population compared to the NSW wide rate of **550.7** per 100,000 persons and that Ryde LGA has a smoothed Estimate of Standardised Separation Rate (alcohol attributable hospitalisations) of **110.5** compared to the NSW rate of **78**. NSLHD then contend that longitudinal evidence shows that Ryde LGA generally has a higher rate of alcohol-attributable hospitalisations than the state average.
102. The Authority is satisfied that alcohol attributable hospitalisations for the Ryde LGA are matters of concern on the basis of the data provided by NSLHD. The Alcohol-Attributable Hospitalisations for Ryde LGA compared to the NSW average between 2001 to 2015 highlight the periods since 2001 that the Ryde LGA has had a higher hospitalisation rate than the NSW average. The Authority notes that these periods include 2001-03, 2002-04, 2003-05, 2004-06, 2005-07, 2010-12, 2011-13, 2012-14 and 2013-15.
103. On the issue of the alcohol attributable hospitalisation rate the Applicant has engaged another consultant, Professor Ryan, who contends that the Ryde LGA is at no greater risk than the “broader Sydney community” when compared to New South Wales. Professor Ryan notes that the LGA recorded lower than NSW wide rates of alcohol attributed hospitalisation during 2006-2011 but higher than NSW rates during 2010 - 2015.
104. Professor Ryan also discusses, *inter alia*, long term chronic illness, age-based risk factors and availability of alcohol and supply reduction harm minimisation strategy by reference to the European Commission's Project Vintage: Good Health into Older Age, World Health Organisation studies, Reid et al's systematic literature review of the health effects of alcohol use in older persons and the 2011 and 2008 Livingston studies.
105. The Authority accepts the NSLHD concerns in relation to the rate of alcohol-attributable hospitalisations in the broader community. These rates provide a negative factor of some weight when considering the contribution that this new 220 patron capacity full hotel licensed premises, operating within a cluster of hotels and other licensed premises, may make to the prevailing problems across that broader community over time. However, this decision has turned on the Authority's assessment with regard to the *local* community of Eastwood.
106. The Authority has considered an objection to the Application made by Dr John Beattie (Consultant Physician in General Medicine) whose medical practice is located in Fourth Avenue, Eastwood, within walking distance of the proposed Premises.
107. In this one-page objection, Dr Beattie contends that this is an “inappropriately long-opening” hotel that will be situated in a residential area. The new hotel will only encourage “over-flow” from areas in the City where such hours are no longer permissible (the Authority notes that this is an apparent reference to the lockout operating in Sydney City and Kings Cross) and “transfer” potential alcohol fuelled violence to a suburban area. Dr Beattie does not believe there is public support for the

Application and contends that a similar application for longer trading hours by a similar organisation has already been rejected, perhaps with a slightly different address mentioned on this Application and that the Application is not on the current LGNSW website as of 29 November 2016.

108. In response to Dr Beattie's procedural concern, the Authority is advised by licensing staff that the Application was posted on the LGNSW Liquor Applications Noticeboard on 2 December 2016 due to administrative delays.
109. The Authority finds Dr Beattie's concerns regarding the proliferation of licensed premises in Eastwood to be genuine and credible, in that the writer is well placed to make these observations about the neighbourhood in which his medical practice is situated.
110. There is insufficient evidence before the Authority to discern whether the addition of this licence will cause a noticeable diversion of patronage from Sydney City to Eastwood, as contended by Dr Beattie, given that there are already several hotels and clubs available in the local and broader community and numerous on premises licensed venues.
111. As the Applicant seeks to trade within standard hours, the Authority does not agree that the licensed hours for this hotel will be inappropriately long. The Authority accepts the thrust of Dr Beattie's concerns that the location is problematic, by reference to its proximity to residential areas.
112. Combined with the Police survey, this submission from a local medical practitioner provides some further, albeit modest, evidence of local community opposition to the proposal, in circumstances when there is little positive evidence of community support.
113. Finally, when making this decision, the Authority has had regard to all of the conditions to which the new licence will be subject and the reasonably detailed measures set out in the Applicant's Plan of Management dated 21 June 2017. The Applicant has provided for a number of harm minimisation and management measures including provisions with regard to CCTV, Crime Scene Preservation and Neighbourhood Amenity. Notably, the business will not sell packaged liquor, which reduces the capacity of the venue to contribute to adverse impacts relating to the abuse of packaged liquor consumed off the premises in the relevant communities.
114. The Plan of Management provides a detailed list of responsibilities for security guards including protocols for managing patron movement between the Red Lantern and the Eastwood Hotel, indicating that the Applicant is aware of the potential for patrons to move between the two venues.
115. The Plan mentions that licensed security guards shall be rostered at the hotel from 8:00pm until after close on each night the hotel is open and that on Friday and Saturday evenings, from 7:00pm until 15 minutes after close, two security guards will be responsible for the dedicated monitoring of any patron movement between the Red Lantern and the Eastwood Hotels. The Plan makes provision for security guards to be placed at the entrances of the two neighbouring hotels at the time when patrons leave the Red Lantern Hotel.

116. As noted above, the Authority nevertheless considers that the new hotel in close proximity to incumbent hotel and club venues contributes to the scope for adverse liquor related social impacts through patron migration and also increases the scope for compliance issues to arise when identifying patrons from the respective venues. Hotel security staff will only be in a meaningful position to monitor disturbance occurring at or close to the Premises, not in neighbouring streets where patrons are likely to migrate and contribute to adverse local amenity impacts over time.

Overall social impact

117. Having considered together the positive and negative impacts that are likely to flow from granting the Application, the Authority is ***not*** satisfied for the purposes of section 48(5) of the Act that the overall social impact of granting this new full hotel liquor licence would not be detrimental to the well-being of the local community of Eastwood.

118. The Authority has decided to refuse the Application under section 45 of the Act.



Philip Crawford
Chairperson

Important Information:

In accordance with section 13A of the *Gaming and Liquor Administration Act 2007* a relevant person (the Applicant or a person who was required to be notified of the prescribed Application and who made a submission to the Authority or the Secretary in respect of the prescribed Application) who is aggrieved by this decision may apply to NCAT for an administrative review under the *Administrative Decisions Review Act 1997*.

An application to NCAT must be made within 28 days of notice of this decision being published on the liquor and gaming website <https://www.liquorandgaming.justice.nsw.gov.au/Pages/ilga/decisions-of-interest/decisions-of-interest.aspx> and be accompanied by the fee prescribed by the regulations.

For more information please contact the NCAT Registry at Level 10 John Maddison Tower, 86-90 Goulburn Street Sydney. The NCAT website is at <http://www.ncat.nsw.gov.au/>

Schedule

Material before the Authority

1. ABS SEIFA data sourced from the 2011 Census for the suburb of Eastwood and the Ryde LGA.
2. NSW Department of Health, *Health Stats* data obtained by licensing staff on *alcohol attributable deaths and hospitalisations* for the Ryde LGA for 2012/2013.
3. NSW BOCSAR Crime Statistics for April 2015 to March 2017 for the State suburb of Eastwood, Ryde LGA and the State of New South Wales as a whole.
4. NSW BOCSAR Crime Maps based upon data from April 2016 to March 2017 detailing hotspots for the concentration of offences in Eastwood.
5. The *Compliance Details* for the Eastwood Hotel between 4 July 2012 to 4 July 2017 and a copy of the OneGov liquor licence for the Eastwood Hotel as at 5 July 2017.
6. Letter from Red Lantern Hotel dated 2 May 2016 discussing the shared car parking and rights of way with Red Lantern and Eastwood Hotel. This document attaches a plan/diagram of the Premises depicting the access easements for both hotels to the loading dock and in favour of Eastwood Hotel to all car park levels, lifts and stairs.
7. The decision of the Land and Environment Court New South Wales in *Redcape Hotel Group Pty Ltd v City of Ryde Council* dated 28 October 2016 upholding the appeal and approving DA LDA2015/263. The judgement/order for this decision, which was issued on 23 November 2016, is provided along with the conditions of consent for LDA2015/0263.
8. Certificate of Advertising signed by Mr Ryan Hayes and the Applicant's legal representative Mr Warwick Caisley dated 24 November 2016.
9. Letter from Dr John Beattie (Consultant Physician in General Medicine) of Fourth Avenue, Eastwood dated 29 November 2016 objecting to the Application.
10. Letter from the Applicant's legal representative to the Authority dated 22 November 2016 lodging the Application form, Category B CIS and a plan for the Premises.
11. Application form for new hotel licence lodged on 22 November 2016 and accompanied by: public consultation site notice, local consent authority notice and Police notice all signed and dated by the Applicant on 15 November 2016; Australian Securities and Investments Commission ("ASIC") Current Company Extract for the Applicant REDCAPE HOTEL GROUP PTY LTD as at 15 November 2016; a list of twenty-six licensed hotels, their address and corresponding liquor licence number; Applicant's House Policy for the Premises (undated).
12. Category B CIS signed and dated by the Applicant on 15 November 2016. The following documents accompanied the CIS lodged on 22 November 2016:
 - (a) Additional CIS prepared by BBC Consulting Planners dated November 2016.
 - i) Social Impact Assessment prepared by BBC Consulting Planners dated March 2015 accompanied by the following documents: five geographical maps (the first

map depicts the location of the Premises in relation to the suburbs of Hornsby, Ryde and Parramatta, the second map depicts the location of the Premises in relation to the local government areas of Hornsby, Ryde and Parramatta, the third map depicts the 400 metre and 100 metre radius from the Premises, the fourth map depicts the 400 metre radius and the location of a train station, three shopping centres, eleven recreational parks, three educational institutes and one place of worship and the fifth map depicts the 400 metre radius from the Premises and the location of other clubs, hotels, bottle shops and on-premises licensed venues; a demographic summary (the source of which is not apparent but possibly ABS) comparing the local government areas of Ryde, Parramatta and Hornsby to the state of New South Wales and also for the suburbs of Eastwood (the primary catchment area) and the secondary catchment area of Carlingford, Dundas, Dundas Valley, Denistone, Denistone east, Denistone west, Epping and West Ryde; BOCSAR Crime Maps indicating hotspots near the location of the Premises between October 2013 to September 2014 for incidents of *alcohol related assault*, *assault (domestic assault)*, *assault (non-domestic assault)*; Geographical map depicting the number of incidents for non-alcohol related non-domestic violence assault and alcohol related non-domestic violence assault within the 400 metre radius of the Premises sourced from BOCSAR (undated); Applicant's *POM* (undated); BOCSAR Crime Statistics for October 2009 to September 2014 for incidents of *alcohol related assault* and *alcohol related assault (non-domestic assault)*, *alcohol related assault (domestic assault)*, *alcohol related assault (assault police)*, *alcohol related disorderly conduct* and *alcohol related harassment, threatening behaviour and private nuisance* for October 2012 to September 2014 for Eastwood and various surrounding suburbs and the state of New South Wales.

- ii) Applicant's Approved *POM* dated 17 October 2016
 - iii) BOCSAR Crime Maps indicating hotspots for incidents of alcohol related assault near the Premises from July 2015 to June 2016
 - iv) Crime prevention through environmental design assessment prepared by BBC Consulting Planners dated May 2015 attaching: BOCSAR crime statistics for January 2010 to December 2014 for incidents of *assault (domestic assault)*, *assault (non-domestic assault)*, *incidents of robbery*, *incidents of malicious damage to property*, *theft (steal from dwelling)*, *theft (steal from motor vehicle)* and *theft (break and enter dwelling)* for suburbs of Carlingford, Denistone, Denistone East, Denistone West, Dundas, Dundas Valley, Eastwood, Epping, West Ryde and for New South Wales as a whole; ; BOCSAR Crime Maps from January 2014 to December 2014 highlighting hotspots for incidents of *assault (domestic assault)*, *assault (non-domestic assault)*, *robbery* and *malicious damage to property* near the Premises.
- (b) Letter from Roads and Maritime Services ("RMS") to the Applicant's legal representative dated 19 April 2016 including road crash statistics and recommendations for the operation of the Premises.
 - (c) City of Ryde Alcohol Free Zones last updated on 14 December 2015.

- (d) Geographical aerial map depicting the 100-metre notification radius.
 - (e) List of hospitals and other health facilities, places of worship and special interest groups notified of the Application.
 - (f) Letter from Parramatta City Council to the Applicant's legal representative dated 1 August 2016 raising no objection on the basis that the Premises is not located within the Parramatta LGA.
13. Letter from NSLHD to the Authority dated 12 December 2016 objecting to the Application.
 14. Email from City of Ryde Council to LGNSW dated 23 December 2016 providing a copy of the local consent authority notice signed by Sergio Pillon, Senior Coordinator Building Compliance of City of Ryde Council on 23 December 2016 certifying that the notice was received on 18 November 2016 and that development consent is required and in place and the DA number is LDA2015/263.
 15. Submission from Mr Steve Colquhoun, General Manager of Eastwood Club, Hillview Road Eastwood dated 28 December 2016 (submitted by way of the LGNSW online submission form) opposing the Application.
 16. Email from Sergeant Kerry Barnard of Ryde Local Area Command ("LAC") of Police dated 7 February 2017 attaching a six-page submission dated 2 February 2016 objecting to the Application. Police also provide a list of suburbs within the Ryde LAC and the Ryde LGA.
 17. Email from the Applicant's legal representative, Mr Warwick Caisley to licensing staff dated 23 May 2017 responding to a number of questions from licensing staff and consenting to conditions relating to section 11A of the Act, not operating with a greater overall level of social impact, membership of the local liquor accord, no entertainment to be provided and operating the Premises in accordance with the Plan of Management.
 18. Licensed density data provided by licensing staff calculated on the basis of LGNSW licensed premises information as at 19 June 2017 and ABS *Quickstats* population data for Ryde LGA, the State suburb of Eastwood and the State of New South Wales.
 19. LGNSW records listing all liquor licensed premises with a hotel licence for Eastwood and Ryde LGA together with LGNSW records listing all liquor licensed premises capable of selling packaged liquor in the Ryde LGA sourced by licensing staff on 19 June 2017.
 20. Applicant's Plan of Management dated 21 June 2017.
 21. BBC Consulting Response to Submissions dated June 2017 prepared on behalf of the Applicant.
 22. Document titled Response to Submissions prepared by Roberta Ryan of University of Technology Sydney: Institute For Public Policy and Governance on behalf of the Applicant (undated) attaching a document outlining the expertise, experience and qualifications of Professor Roberta Ryan and addressing the issues raised by NSLHD

in their submission dated 12 December 2016 (relating to licence density, education status and age-based risk factors, alcohol hospitalisation rates, long term illness, age-based risk factors and availability of alcohol, and supply reduction harm minimisation strategy). This document attaches the measures and weightings for the index of relative socio-economic disadvantage, the index of relative socio-economic advantage and disadvantage, the index of economic resources and the index of education and occupation.

23. Plan/diagram of the Premises highlighting the location of the security guards, the protocol for patrons exiting the Premises and the holding area for patrons awaiting entry.
24. Applicant's House Policy (undated).
25. Plan/diagram of the Premises highlighting the proposed licensed area in purple.
26. Email from the Applicant's legal representative, Mr Warwick Caisley to licensing staff dated 22 June 2017 responding to a number of questions from licensing staff and consenting to conditions relating to section 11A of the Act, not operating with a greater overall level of social impact, membership of the local liquor accord, no entertainment to be provided, operating the premises in accordance with the Plan of Management (amending the date to 21 June 2017), CCTV, crime scene preservation and neighbourhood amenity.
27. Google geographical maps (aerial and satellite view) indicating the area surrounding the Premises extracted by licensing staff on 28 June 2017.
28. Email from the Applicant's legal representative, Mr Warwick Caisley to licensing staff dated 11 July 2017 attaching an amended POM dated 21 June 2017 V2.1. This document also includes a plan/diagram of the Premises highlighting the location of security guards, a letter dated 2 May 2016 regarding the shared car parking and rights of way between the Red Lantern and Eastwood Hotel, a plan/diagram highlighting the various access easements, the Applicant's House Policy, the Redcape Hotel Group Barring Policy (including a table to help determine a specific barring period, a copy of the cover page and a sample letter advising of the barring period).
29. Email correspondence between licensing staff and the Applicant's legal representative, Mr Warwick Caisley dated 18 July 2017 clarifying the size in square metres of the licensed area of the Premises.
30. List of premises details (including licence type, licence number, licence status, association start date, association end date and licence name/ID) operated by the Applicant REDCAPE HOTEL GROUP PTY LTD sourced by licensing staff.
31. Details including the trading hours and location for the Eastwood Hotel, sourced by licensing staff from the Eastwood Hotel's website.