

Liquor Commission of Western Australia
(Liquor Control Act 1988)

Appellant: Tocoan Pty Ltd T/A Zelda's Nightclub
(represented by Mr Ashley Wilson of Frichot & Frichot Lawyers)

Respondents: Commissioner of Police
(represented by Ms Leanne Atkins of WA Police)

City of Rockingham
(represented by Mr Gavin Crocket of GD Crocket & Co)

Commission: Mr Jim Freemantle (Chairperson)
Mr Greg Joyce
Ms Helen Cogan

Matter: Appeal of the following orders made at the Directions Hearing on 26 October 2010 in the matters of section 95 complaints lodged by the Commissioner of Police and City of Rockingham against Tocoan Pty Ltd trading as Zelda's Nightclub:

- No witnesses will be required to attend the hearing for the purpose of providing oral evidence or be subject to cross examination.
- Mr Gavin Crocket representing the City of Rockingham shall provide to the Liquor Commission and Mr Ashley Wilson, solicitor representing the licensee, Zelda's Nightclub details of the survey respondents by close of business Friday, 5 November 2010. Mr Wilson is prohibited from disclosing this material to any third party including his client or any person associated with his client. Prior approval of the Liquor Commission is required for any disclosure of this information.

Date of Determination: 25 November 2010

Determination:

1. The hearing of the substantive complaint set down for 19-20 January 2011 along with the submission lodgment dates are vacated for a date to be fixed.
2. Each party is to file and serve written submissions within 21 days of the date of this order. Responsive submission to be lodged 14 days before hearing.
3. All parties to the proceeding are required to provide their available dates to hear this application in January or February 2011 by close of business Monday, 29 November 2010.

A handwritten signature in black ink, appearing to be 'J. Freemantle', written over a horizontal line.

JIM FREEMANTLE
CHAIRPERSON