

Liquor Commission of Western Australia
(*Liquor Control Act 1988*)

- Applicant:** Tocoan Pty Ltd
(represented by Mr Ashley Wilson of Frichot & Frichot Lawyers)
- Intervener:** Commissioner of Police
(represented by Mr Sam Nunn of State Solicitor's Office)
- Commission:** Mr Jim Freemantle (Chairperson)
Mr Eddie Watling (Member)
Mr Greg Joyce (Member)
- Date of Hearing:** 16 May 2012
- Date of Determination:** 16 May 2012
- Premises:** Zelda's Nightclub, 2 Kent Street, Rockingham
- Matter:** Pursuant to section 25 of the *Liquor Control Act 1988*, an application for review of a decision of the Director of Liquor Licensing dated 3 May 2012 to suspend the licence pending determination of the section 95 complaint lodged with the Commission.
- Determination:** The Commission has considered the submissions by the applicant and the intervention of the Commissioner of Police. Whilst issues concerning the accuracy of the specific police data lodged with the section 95 complaint are yet to be effectively tested before the Commission, there has been sufficient evidence presented to the Commission over a long period of time, involving several complaints, to reach the conclusion that the suspension of the licence pending the

determination of the section 95 complaint listed for a hearing on 7 June 2012 is in public interest.

Accordingly, the application for review is refused.

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**JIM FREEMANTLE
CHAIRPERSON**