

Liquor Commission of Western Australia
(Liquor Control Act 1988)

Applicant: Palmerville Pty Ltd trading as Utakarra Liquor Barn
(represented by Mr Gavin Crocket of GD Crocket & Co)

Other Parties: Colin Wilson Findlay and Deborah Sue Findlay,
Respondents
(represented by Mr John Robertson and Mr Digby
Robinson of Williams & Hughes Lawyers)

Director of Liquor Licensing, Intervener
(represented by Mr Sam Nunn of State Solicitor's
Office)

Commission: Mr Jim Freemantle (Chairperson)
Ms Helen Cogan
Ms Karen Lang

**Date of Preliminary
Hearing:** 25 November 2009

Date of Determination: 25 November 2009

Premises: Utakarra Liquor Barn

Matter: Application seeking review of the decision by the
Director of Liquor Licensing dated
24 September 2009 to approve the transfer to the
Respondents of the liquor store licence no.
6030003897 under section 25 of the *Liquor Control
Act 1988*.

Determination:

Having heard the Applicant, the Respondent and the Director of Liquor Licensing ("the Director") at the preliminary hearing on 25 November 2009, the Liquor Commission determines:

1. The Applicant has ceased to occupy the licensed premises and its interest in the licence has terminated pursuant to section 37(5)(b) of the *Liquor Control Act 1988*.

2. The Applicant is not a party to the relevant proceedings before the Director and has no standing to make an application for review of the Director's decision dated 24 September 2009 to approve the Respondent's application to transfer the licence.
3. The application for review is therefore refused for want of legal standing of the Applicant.

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

MR JIM FREEMANTLE
CHAIRPERSON