

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

Applicant: AJ and CA Hague-Smith and JH and TN Naera
(represented by Mr Dan Mossenson of Lavan Legal)

Respondent: Director of Liquor Licensing
(represented by Ms Lana White of State Solicitor's Office)

Premises: Darling Range Drive In Liquor Centre

Commission: Mr Jim Freemantle (Chairperson)

Date of Determination: 1 July 2009

Application:

This is an application lodged with the Liquor Commission ("the Commission") on 3 June 2009, seeking a review of Decision No A193809 by the Director of Liquor Licensing ("the Director") under section 25 of the *Liquor Control Act 1988* ("the Act") relating to the conditional grant of a liquor store licence to AJ and CA Hague-Smith and JH and TM Naera for premises known as Darling Range Drive In Liquor Centre.

The grantees of the Darling Range Drive In Liquor Centre liquor store licence sought a review of the decision to impose the following 'proprietorship' condition:

"The licensee of this liquor store licence, must at all times, also be the licensee of the tavern licence known as The Ranges Inn."

Determination (by consent):

In accordance with the Minute of Consent Orders filed by the parties to this proceeding, the review application is allowed and pursuant to the provisions of section 25(4)(a) of the Act, the determination of the Director is varied as follows:

The proprietorship condition imposed on the licence is quashed.

Costs:

There is no order as to costs.

A handwritten signature in black ink, consisting of a cursive 'J' followed by 'F', 'R', 'E', 'E', 'M', 'A', 'N', 'T', 'L', 'E'.

**MR JIM FREEMANTLE
CHAIRPERSON**