

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

- Applicant:** Lano (WA) Pty Ltd  
*(represented by Mr Dan Mossenson and Ms Jessica Patterson of Lavan Legal)*
- Respondent:** Director of Liquor Licensing  
*(represented by Mr David Leigh of State Solicitor's Office)*
- Other Parties:** Mr W.G Stacey  
*(Lano (WA) Pty Ltd)*
- Commission:** Mr Jim Freemantle (Chairperson)  
Ms H Cogan  
Mr G Joyce
- Date of Hearing:** 14 December 2009
- Date of Determination:** 18 December 2009
- Premises:** Lancelin Liquor (proposed)
- Matter:** Application for review under section 25 of the *Liquor Control Act 1988*.
- Legislation:** *Liquor Control Act 1998*
- Determination:** The decision of the Director dated 29 September 2009 be quashed and the Application by Lano (WA) Pty Ltd be remitted to the Director to determine on its merits subject to:
- (a) such conditions as the Director sees fit particularly as to the time any approval granted shall remain extant pending gazetting of the required amendment to the relevant Town Planning Scheme (Amendment 8) and the time permitted to obtain a certificate pursuant to

section 40(1) of the *Liquor Control Act 1998* in place of the Certificate currently held pursuant to section 40(2).

(b) the time allowed by the Director to effect the planning requirements in (a) above shall be reasonable in the circumstances.

**Reasons:**

Detailed reasons for the determination will be published in due course.

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**JIM FREEMANTLE  
CHAIRPERSON**