

Liquor Commission of Western Australia
(Liquor Control Act 1988)

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

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

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

Commission: Mr Eddie Watling (Deputy Chairperson)

Matters: Directions hearing in respect of complaints for disciplinary action pursuant to section 95 of the *Liquor Control Act 1988*

Date of Directions Hearing: 26 October 2010

Date of Determination: 26 October 2010

Determination:

1. The individual section 95 complaints from the Commissioner of Police and the City of Rockingham in respect of the licensee of Zelda's Nightclub will be heard consecutively in the following order:
 - Commissioner of Police
 - Respondent
 - City of Rockingham
 - Respondent
2. Only those parties directly involved in the particular segment of each hearing will be eligible to attend that hearing i.e. the City of Rockingham and appointed officers will not attend the Commissioner of Police compliant hearing and vice versa.
3. No witnesses will be required to attend the hearing for the purpose of providing oral evidence or be subject to cross examination.

4. 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.
5. Each party will file and serve all evidence, including witness statements, that it intends to rely upon in response to the complaints by no later than Friday, 12 November 2010.
6. Each party will file and serve responsive evidence and further submissions by no later than Friday 26 November 2010.
7. Each party will file and serve responsive submissions no later than Tuesday, 30 November 2010.
8. Each party is required to provide their available dates for December 2010 and January 2011 to the Liquor Commission by close of business Wednesday, 27 October 2010.



EDDIE WATLING
DEPUTY CHAIRPERSON