

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

Complainant: The Commissioner of Police
(represented by Mr Peter Slater and Mr Symon Bagley)

Respondents: Outland Asset Pty Ltd
(represented by Mr Ian Curlewis of Lavan Legal)

Premises: Royal Mail Hotel, Meekatharra

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

Matter: Complaint under Section 95 of the *Liquor Control Act 1988* ("the Act")

Others Present: Dr Gitte Heij (Managing Director and Sole Shareholder)
Mr Phillip Rehill (Approved Manager)
Mr Bruce Vague (Chief Financial Officer)

Date of Hearing: 12 August 2009

Date of Determination: 12 August 2009

Determination:

1. Leave is granted to the Commissioner of Police to withdraw the complaint lodged with the Liquor Commission ("the Commission") under Section 95 of the Act against the Licensee.
2. The Commission heard an application by the Licensee pursuant to section 64(1a)(b) of the Act to vary the licence conditions. The Commissioner of Police consented to the application.

3 In accordance with the Minute of Consent Orders lodged with the Commission, the conditions of the Licence are varied as follows:

Substituted Condition 2:

2. This condition does not affect the operation of s. 41(3) of the *Liquor Control Act 1988* either generally, or with respect to the quantity of liquor that may be sold under that section.
 - a) The sale of packaged liquor between the hours of 9:00 pm and 10:00 pm is limited to one transaction per person and cannot exceed any one of the following maximum quantities:-
 - i) Six cans or bottles (not exceeding 375 ml each) of beer (being beer that has an ethanol volume strength of greater than 3.5%), or
 - ii) Twelve cans or bottles (not exceeding 375 ml each) of beer (being beer that has an ethanol volume strength not exceeding 3.5%), or
 - iii) 750 ml of wine or fortified wine, or
 - iv) 4 cans or bottles (not exceeding 375 ml each) of spirit based or wine based pre-mixed liquor products.
 - b) The sale of spirits between the hours of 9:00 pm and 10:00 pm is prohibited.

Substituted Condition 3:

3. The sale of packaged beer in any one container greater than 600 ml is prohibited.



Mr Jim Freemantle
CHAIRPERSON