

Director of Liquor Licensing

Decision Notice

MATTER:	Material alteration application – The Hot Box Darwin
APPLICANT:	The Stone House NT Pty Ltd
PREMISES:	The Hot Box Darwin and The Stone House Wine Bar and Kitchen
LEGISLATION:	<i>Liquor Act 2019</i>
DECISION OF:	Greg Jarvis, Delegate of the Director of Liquor Licensing
DATE OF DECISION:	10 September 2026

DECISION

1. Pursuant to section 97(2)(a) of the *Liquor Act 2019* (the Act), I approve the application by The Stone House NT Pty Ltd for a material alteration to the licensed premises for liquor licence FLL2610, The Hot Box Darwin, to incorporate into that licence the area presently known as Stone House Wine Bar & Kitchen.
2. This approval is subject to the conditions set out below, including the requirement that liquor not be sold under licence FLL2610 until the pre-conditions imposed by the Northern Territory Liquor Commission on 21 October 2024 have been satisfied and the Director of Liquor Licensing has given written approval for liquor to be sold.
3. To avoid doubt, the approval granted by this decision is limited to the material alteration of the licensed premises and the incorporation of the area known as The Stone House Wine Bar and Kitchen into liquor licence FLL2610. Although the material alteration application is approved and both premises will form part of the licensed premises for FLL2610, neither premises may trade in liquor under FLL2610 until the requirements imposed by the Commission in paragraph 7 of its Decision Notice have been satisfied and the Director has subsequently provided the written approval required by that decision.
4. The conditions prescribed under the *Liquor Regulations 2019* (the Regulations) for the respective authorities will apply to the area to which each authority relates. Accordingly, public bar authority conditions will apply to the area operating as The Hot Box Darwin, and restaurant bar authority conditions will apply to the area operating as The Stone House Wine Bar and Kitchen. Both areas will retain late-night authorities.

BACKGROUND

5. On 21 October 2024, the Northern Territory Liquor Commission (the Commission) issued liquor licence FLL2610 in respect of The Hot Box Darwin, authorising trade under a public bar authority and a late-night authority. The premises is situated in the rear carpark area of 33 Cavenagh street, Darwin.
6. At the time of issue, licence FLL2610 was held by Montes Lounge Darwin Pty Ltd, with

Mr Matt Mulga recorded as the nominee.

7. The liquor licence currently issued in respect of The Stone House Wine Bar and Kitchen is held by Northern Wines Pty Ltd, with Ms Rebecca Maree Bullen and Mr Julien Borel recorded as the nominees. That premises is situated at 33 Cavenagh street, Darwin.
8. The business operating as The Stone House Wine Bar and Kitchen, together with its associated liquor licence, recently sold to a Coolalinga based business. An application to transfer the liquor licence to the purchaser is currently before the Commission for determination.
9. The business operating as The Hot Box Darwin has been sold by Mr Matt Mulga to Mr Stewart Forrest. Following that sale, an application was made to transfer liquor licence FLL2610 from Montes Lounge Darwin Pty Ltd to The Stone House NT Pty Ltd. That transfer application was approved and the transfer has been actioned.
10. The intended arrangement is for Mr Stewart Forrest, through The Stone House NT Pty Ltd, to operate both The Hot Box Darwin and the area presently known as The Stone House Wine Bar and Kitchen under liquor licence FLL2610, subject to the approval of this material alteration and compliance with all conditions and requirements applicable to that licence.
11. In issuing liquor licence FLL2610 in October 2024, the Commission expressly required that liquor must not be sold under the licence until the Director of Liquor Licensing (the Director) gives the licensee written approval to do so following the provision of documentary evidence, to the satisfaction of the Director, that the applicant has met the requirements specified at paragraph 7 of that Decision Notice.
12. Those requirements are that the licensee has:
 - (a) confirmed that no pending strike-off action is afoot for the licensee;
 - (b) provided a revised site plan that includes tables and seating;
 - (c) obtained the necessary planning, fire safety and building approvals, including a certificate of occupancy, in respect of the premises;
 - (d) provided and implemented a smoking plan;
 - (e) installed and is operating a CCTV surveillance system compliant with the Code of Practice for CCTV system in licensed premises; and
 - (f) provided and implemented a security officer plan compliant with regulation 59 of the *Liquor Regulations 2019*.
13. The Commission stated that these requirements were matters that the licensee was required to satisfy the Director about before trading would be permitted to commence under the licence. The Commission's decision therefore considered that the licence could be issued, but that liquor trading at The Hot Box Darwin could not commence until the specified matters had been addressed and written approval had been given by the Director.
14. The Hot Box Darwin has not commenced trade and, as at the date of this decision, the paragraph 7 requirements have not been satisfied.

CURRENT SITUATION

15. On 25 August 2026, The Stone House NT Pty Ltd lodged an application seeking approval for a material alteration to the licensed premises of The Hot Box Darwin. The substance of the application is to subsume the area presently known as Stone House Wine Bar & Kitchen into licence FLL2610.
16. The application states that, for operational purposes, the two areas will remain separate and continue to be known by their existing names, though patrons may move freely between the two areas as they will form part of the same licensed premises.
17. The Stone House Wine Bar & Kitchen area is currently licensed and trading. The application indicates that the proposed arrangement does not materially change its existing business model, other than the removal of the takeaway authority through the separate substitution of its existing licence to premises at Coolalinga as part of the sale of the business.
18. The application identifies that no works are required for the proposed material alteration and that no development consent or other approval is required for the alteration itself. It also acknowledges that planning, fire safety and building approvals remain an outstanding pre-condition to commencement of trade within the area known as The Hot Box Darwin.
19. The application has been considered by Mark Wood, Senior Region Manager Liquor – Licensing and Compliance who in turn referred the matter to myself for a decision.

CONSULTATION

20. Mr Wood determined that public notice of the application was not required, having regard to the circumstances of the application and the fact that the Stone House Wine Bar & Kitchen area is currently licensed and operating. His referral considered there was insufficient public interest to warrant publication and I agree with that position.
21. Notification of the application was provided to the prescribed parties on 1 September 2026 as per the requirements of section 96 (6A) of the Act. The referral records that no objections or adverse comments were received.

ASSESSMENT OF THE MATTER

22. I have considered the material accompanying the referral and accept the assessment that the proposed alteration does not materially change the existing manner of operation of the Stone House Wine Bar & Kitchen area. The application principally provides for its incorporation into licence FLL2610.
23. I have considered the existing use of the Stone House Wine Bar and Kitchen area and the proposed continuation of its existing operating model. I am satisfied that approval of the material alteration is reasonable and that the approval will not result in an adverse public interest or community impact.
24. I have also considered the status of the requirements imposed by the Commission on 21 October 2024. Those requirements have remained in place since the Commission's decision and have not been satisfied. The application itself acknowledges that the requirements remain outstanding.
25. The material alteration application does not seek to remove, cancel or vary those

requirements. The Commission's conditions expressly provides that liquor must not be sold under the licence until the Director gives written approval following documentary evidence satisfying the Director that the specified requirements have been met.

26. The approval of the material alteration therefore does not override the Commission's earlier decision or provide authority for liquor to be sold in the area known as The Hot Box Darwin before the requirements have been satisfied. This is particularly relevant given that the proposed alteration will bring the Stone House Wine Bar and Kitchen area and the Hot Box Darwin area within the one licence.
27. As the application seeks to include the Stone House Wine Bar and Kitchen area under the licence issued to The Hot Box Darwin, it follows that restrictions imposed by the Commission in issuing that licence apply to that venue as well.
28. I note that the licence issued to The Hot Box Darwin includes public bar and late-night trade authorities, while the licence currently in place for The Stone House Wine Bar and Kitchen includes restaurant bar and late-night authorities.
29. Although the public bar and restaurant bar authorities are materially similar, the Regulations prescribe different conditions for each authority. To ensure that the approval of this material alteration does not result in an unintended regulatory advantage for either premises, the conditions prescribed for the respective authorities will apply to the area to which each authority relates. Accordingly, the public bar authority conditions will apply to the area operating as The Hot Box Darwin, and the restaurant bar authority conditions will apply to the area operating as The Stone House Wine Bar and Kitchen. Both remain subject to conditions imposed by late-night authorities.

CONDITIONS OF APPROVAL

30. The approval granted by this decision is limited to the material alteration of the licensed premises and the incorporation of the area known as The Stone House Wine Bar and Kitchen into liquor licence FLL2610.
31. Although the material alteration application is approved and both premises will form part of the licensed premises for FLL2610, neither premises may trade in liquor under FLL2610 until the requirements imposed by the Commission in paragraph 7 of its Decision Notice dated 21 October 2024 have been satisfied and the Director has provided the written approval required by that decision.
32. The conditions of the licence were established at the time of issuance by the Liquor Commission in October 2024 and are those authority conditions set out in Part 4 Divisions 1, 10 and 14 of the Regulations.
33. The following additional conditions were fixed at that time and remain;
 - a. Subject to the restrictions on trading on Good Friday and Christmas Day prescribed by regulation 75 of the Regulations, the trading hours of the licence shall be between:
 - Monday: 10:00 and 24:00
 - Tuesday: 10:00 and 24:00
 - Wednesday: 10:00 and 24:00
 - Thursday: 10:00 and 24:00
 - Friday: 10:00 and 02:00 the following day

Saturday: 10:00 and 02:00 the following day

Sunday: 10:00 and 24:00

Public holiday: 00:00 and 02:00

- b. Patrons must not be permitted to enter the premises after 00:30 on days when trading is permitted until 02:00.
- c. Noise:
 - i. No more than two loudspeakers may be used, and they must be located as close as possible to the wall on the north-western boundary of the premises.
 - ii. Before 24:00, the maximum permitted sound pressure level from each speaker shall be 94dB(C) when measured at 1 metre from the front of the speaker.
 - iii. After 24:00, no live entertainment is permitted and noise levels must be reduced so that on the premises ordinary conversation can be conducted unimpeded.
 - iv. The Director of Liquor Licensing (the Director) on their own initiative may review noise issues pertaining to the licensed premises, and notwithstanding compliance by the licensee with the foregoing, the licensee shall implement such sound attenuation and noise mitigation measures as the Director in their discretion may notify to the licensee in writing at any time as having become in the Director's view a reasonable requirement in the circumstances then prevailing.

REVIEW OF DECISION

- 34. This decision has been made by a delegate of the Director under the *Liquor Act 2019*.
- 35. Under section 27 of the *Liquor Act 2019*, a person affected by a decision of a delegate may apply to the Director for a review of the decision. An application for review must be made within 28 days after written notice of the decision is given to the person, unless the Director allows a later date.
- 36. An application for review must be in the form approved by the Director and state the grounds for review and the facts relied upon.
- 37. A decision of a delegate that is reviewable by the Director under the *Liquor Act 2019* is not reviewable by the Liquor Commission under section 29 of the *Liquor Commission Act 2018*.



Greg Jarvis

Senior Director, Liquor

10 September 2026