

Delegate of the Director of Liquor Licensing

Decision Notice

MATTER:	Application for substitution of premises
APPLICANT:	Enchanted Moments Events Pty Ltd
PREMISES:	Enchanted Moments Units 1/2 111 Coonawarra Road WINNELLIE NT 0820
Licence Number:	80519153
LEGISLATION:	Section 75 of the <i>Liquor Act 2019</i>
DECISION OF:	Southern Region Manager – Licensing & Compliance
DATE OF DECISION:	25 June 2025

DECISION

1. For the reasons set out below and in accordance with section 75 of the *Liquor Act 2019* (NT) (the Act) as a delegate of the Director of Liquor Licensing (the Director) I have determined to approve the substitution of the premises for Liquor Licence 80519153 from Units 1/2 111 Coonawarra Road, Winnellie NT 0820 to Unit 1/4 College Road, Berrimah.
2. The approval of this application is with reference to the delegations granted by the Liquor Commission to the Director on 11 March 2020 for matters of this nature.

REASONS FOR DECISION

3. Enchanted Moments Events Pty Ltd (the Applicant) hold liquor licence number 80519153 for the premises known as Enchanted Moments Events Pty Ltd, which has operated from their original location at 111 Coonawarra Road, Winnellie since its granting on 16 June 2016 by the former Director-General of Licensing.
4. The nature of the business has always been a wedding and events company conducting and facilitating a range of corporate and private events at various unspecified locations through Darwin.
5. Additionally, the business model includes the sales of pre-ordered gift and balloon baskets which contain alcohol.

6. The licence was originally granted in 2016 under the *Liquor Act 1978* and changes to the Act in 2019 now exempt the sale of liquor as part of a gift basket from the requirement for a liquor licence.
7. For completeness and notwithstanding this change, this application is relation to the substitution of the premises and does not address the potential variation of the historic conditions of the licence relating to the now exempt sales.

The Application

8. An incomplete application was received on 21 January 2025 by the licensee seeking to substitute the premises.
9. As the applicant of this matter is an existing licensee with no adverse compliance issues, no probity materials were sought and it was considered suitable that only those items required by statute be provided.
10. The application is simple in nature and seeks to substitute licence number 80519153 from its original location to Unit 1, 4 College Road, Berrimah.
11. It necessarily follows, no further probity or other materials are necessary for this matter other than those prescribed, as the Director may be satisfied the Applicant is fit and proper, financially stable and otherwise suitable to retain this licence.

PUBLICATION

12. A delegate of the Director exempted the application from public notice pursuant to section 57(2A) of the Act, as the application did not disclose a public interest.

ASSESSMENT OF THE APPLICATION

13. In accordance with section 75(1) of the Act, if a licensee wishes to substitute other premises for the licensed premises, the licensee “must apply for a new licence for those premises”.

14. That section does however go on to provide as follows:

“(2) Despite subsection (1), instead of issuing a new licence the Commission may, on application by the licensee, amend a licence to substitute other premises for the licensed premises if satisfied that the substitution satisfies the public interest and community impact requirements.”

15. On 11 March 2020 the Northern Territory Liquor Commission (the Commission) delegated its power and function under section 75(2) of the Act to amend a licence to substitute other premises, subject to the limitations that the delegation only be exercised if, with reference to this matter, no significant change in the operation of the business will occur as a result of the substitution and it satisfies the public interest and community impact requirements.

16. The licensee has already moved premises without approval, a matter that was discovered through an audit process by an inspector. This issue notwithstanding, it is relevant to the nature of the breach that this licensee is not an on-premises licensee and merely caters to private and corporate clients.
17. This may therefore be accepted by the Director as mitigating the issue of which the licensee submitted, they were not aware it was an issue given the nature of how they operate.
18. The licensee is known to the Director and other than this location issue, there has been no breaches or adverse matters in the many years this licence has been operational.
19. Despite the issues and minimal materials, the nature of this substitution is likewise minimal and the Director may be satisfied it falls within the limitations provided by the Commission to determine this matter.
20. It is also of significance that the business model of this licence is considered at the lowest level of risk in terms of potential harms.
21. The Act requires the decision maker to take account sections 49 to 51 of the Act and other matters as prescribed.
22. With regards to the matters raised in sections 49(2) and 49(3) of the Act and considering the application materials, pre-existing information and previous good compliance of the licensee, I am satisfied this application meets all of the requirements.
23. Having regards to the foregoing, I am satisfied that the granting of substitution of the premises as sought is in the public interest and will not have an adverse effect on the community. It may be considered more administrative in nature than operational.

REVIEW OF DECISION

24. Section 27 of the Act provides for the applicant or a person who made a submission the subject of the decision, to seek a review of a decision made by the delegate of the Director.
25. The Director delegated the determination of applications made under section 52 of the Act by instrument to the person from time to time holding, acting in or performing the duties of the position listed in the Schedule of that instrument. This decision was made by a person referred to in that schedule.
26. An application for review must be lodged with the Director within 28 days after written notice of the decision is given to the person and must be in the form approved by the Director, stating the grounds for the review and the facts relied on to establish the grounds.
27. Accordingly, the affected persons in relation to this decision is Enchanted Moments Events Pty Ltd.



Mark Wood
Southern Region Manager – Licensing & Compliance
Delegate of the Director of Liquor Licensing
25 June 2025