

IN THE MATTER

of the Sale and Supply of
Alcohol Act 2012

AND

IN THE MATTER

of an application by HV
Hospitality Limited pursuant to
s.138 of the Act for a special
licence in respect of premises
situated at 696 Wainui Road
RAGLAN known as "HV
Hospitality".

BEFORE THE WAIKATO DISTRICT LICENSING COMMITTEE

Quorum: Chairperson Andrew Baker
 Members: Barry Smedts
 Jason Howarth

HEARING online on 1st May 2026

PARTIES

Ms Fiona Gates – representing applicant company
Mr Steve McGough – witness for the applicant representing World Surf League (WSL)
Dr Grant Hewison – legal counsel representing and assisting public objectors
Mr Jeff Lim – public objector
Dr Victoria Egli – public objector
Ms Shelly Hanifan – public objector

Reporting Agencies

Mr Sudhir Kumar –Waikato District Council Licensing Inspector

DECISION

Introduction

[1] We have before us an application by HV Hospitality Limited for the granting of a special licence in respect of premises situated at 696 Wainui Road, Raglan known as "Manu Bay Reserve".

[2] The event is a surf event part of a world tour with projected daily crowds of 6500. The days and hours applied for are as an event window between 15 and 25 May 2026. Hours sought are 11.00am to 6.00pm with sale and supply of alcohol to cease at 5.00pm each licensed day to allow for "drink up time" until 6.00pm. The application sets out that due to the reliance on surf conditions being conducive to the event being able to be held, they have applied for an event date window to mitigate days when conditions are not suitable. The committee accepts this as a pragmatic approach.

[3] It is proposed within the application to have two separate licensed areas namely a bar open to the public and a "VIP" bar to cater to invited guests and corporate partners.

[4] Comprehensive management plans namely: Event Management, draft Security Operations and Alcohol Management have been provided with updated versions within the application.

[5] The Inspector, Police and Medical Officer of Health (MOoH) have reported without opposition. We note the MOoH had initially raised issues in opposition based on lack of information regarding type and size of alcohol, drinking water and food however upon receipt of further information, withdrew that opposition stating they were supportive of the recommended serve limits.

[6] The application was lodged on 16th March 2026 which meets the requirements of s.137(1) of the Act. Due to the nature and location of the event, in accordance with s.139(2) of the Act, the secretary of the licensing committee determined that the application should be publicly notified with the timeframe for lodging objections being 15 working days.

[7] It is reported that the applicant, in compliance with that direction, displayed a public notice at four locations at Manu Bay Reserve (the premises) on 27 March 2026. The initial notices contained proposed licensed hours to 5.00pm and not the “drink up time” to 6.00pm. Accordingly the applicant replaced the notices with the correct time showing the extra hour following a discussion with the Inspector.

[8] S.140(2) of the Act sets down that an objection must be in writing and filed with the licensing committee within any period the secretary requires after the applicant has complied with the requirement under section 139(b). The 15 working day period for this application ended on 21 April 2026.

[9] Nine public objections were lodged within the required time frame and a further objection lodged on 23 April. S.202 (3)(b) of the Act notes where an objection is filed within the prescribed time, the committee must convene a public hearing to consider the application, unless having considered the application, the authority or committee believes that the objection is vexatious or based on grounds outside the scope of this Act. Furthermore, s.140(3) sets down that no objection may be made in relation to a matter other than a matter specified in s.142.

[10] Having considered all the objections and assessed them against the Act, the Committee Chair determined that 3 objections received on time were based on grounds outside the scope of the Act and 1 was received outside the required timeframe. Those four objections were struck out and all parties advised of this in a minute dated 27th April 2026.

[11] The Committee agreed that for the hearing, the objectors would be heard first.

Opening Submissions for the Objectors

[12] Dr Hewison made opening submissions on behalf of Mr Lim, Dr Egli, Ms Hanifan and Raglan Medical Centre that had been circulated prior to the commencement of the hearing.

[13] He raised a procedural matter whereby s.202(4) of the Act had not been complied with due to the constrained timeframe brought about through the relatively late lodging of the application. He stated that some of the objectors were prejudiced by not being able to attend the hearing at such late notice.

[14] In the submission, Dr Hewison covered at length the criteria the committee must consider in an application of this type, speaking to the concerns of the objectors. He concluded by reaffirming “the Objectors ask the DLC to decline the application or if it is minded to grant the Licence, to impose the conditions suggested.”.

Evidence of the Objectors

Mr Jeff Lim

[15] Mr Lim was sworn in and asked if he could display a presentation to assist himself stay on track. The request was declined and he asked that his brief of evidence be taken as read and that he would make further comments.

[16] He stated that the whole application was “undercooked” and that he did not believe throughout the process, the applicant had put their best foot forward.

[17] He went on to describe what he believed were a number of inconsistencies within the application including within the various plans provided by the applicant. He talked of how having an alcohol ban was “incongruous” with allowing licensed areas in the reserve and that there has never been an event in the reserve where an alcohol licence has been approved.

[18] He believed granting a licence for this event would be seen as being unjust for those who would normally like to have a drink in the area but are unable to due to the alcohol ban. He challenged the applicant to prove that a licence is needed to make the event a success and ended by saying the community feels it is wrong and it will set a precedent for more licensed events in the reserve.

Dr Victoria Egli

[19] Dr Egli was sworn in. She advised that her husband was a GP at the Raglan Medical Centre.

[20] Dr Egli spoke about her concerns of the harm that can be caused by alcohol and this event in particular which is targeted at families which created significant risk for children who may attend with their family.

[21] She acknowledged that Raglan is a surfing town and that having the event is important for the community and described a local competitor. However, having alcohol available normalised it within the community which is working hard to reduce alcohol related harm. She said the short timeframe brought about by the relatively late application had meant they had not been able to gather evidence from within the community.

[22] Dr Egli spent some time talking about her research and the historical link between sport and alcohol and that there was “overwhelming” community support for the event going ahead without alcohol being available. She added that the tide is changing with alcohol and sports being linked and that the Committee has the opportunity to honour the object of the Act.

[23] She spoke about how low and no alcohol products are still harmful to children in a similar way to vaping describing those types of alcohol as a gateway to higher alcohol volume products. She talked of her desire to see all promotion of alcohol products including low and no alcohol types removed from the event and how the Corona zero

alcohol product that is the brand behind the event used a foreign word for zero that people here would not understand so all they would see is Corona.

[24] Dr Egli referenced various medical and science-based publications in support of her evidence.

Ms Shelley Hanifan

[25] Ms Hanifan was sworn in and outlined her personal connection to Raglan whilst currently living in Wellington talking of her family's connection to the community and need for a safe environment.

[26] She spoke of the impacts of alcohol generally and focussed on the object of the Act.

[27] Ms Hanifan spent time talking of her concerns about transport related issues associated with the event, concerned that there was insufficient planning for transporting people to and from the event. She talked about what she felt was likely to happen with people ignoring the parking areas; which she believed would quickly be full; and choosing to park on roads around the reserve causing congestion and safety risks for other road users and pedestrians.

[28] She spoke about her concerns regarding on-site medical care as well as how the congestion would create issues for ambulances required to attend calls within the community. She also spoke of disappointment that the local Medical Centre had not been engaged with by the applicant.

[29] Ms Hanifan was asked a series of questions about whether the transport issues she spoke of had a direct relationship with whether alcohol was available. Her responses were that there was no need for alcohol at the event and reiterated her objections.

[30] She was asked if there was any comparison to Sound Splash and other large events held in the area to which she replied the difference was that Sound Splash was a ticketed event where transport and other things were included as part of ticket packages. The event was a public event. When asked about comments regarding issues at Sound Splash and other events and how she knew about them, she replied that she had read about them in the media and that lessons needed to be learned.

Evidence of the Inspector

[31] Mr Sudhir Kumar was sworn in and asked that his report be taken as read, requesting to correct some things in his report. He advised that the most recent Alcohol Management Plan contained the correct agreed drink limits and that he had used the wrong date when discussing the Local Alcohol Policy saying it should have been 2025.

[32] He added that since hearing the evidence earlier he had checked with Council staff and advised that a building consent exemption to allow the construction of structures needed for the event had been granted this morning (1 May 2026) subject to 8 conditions and that the Traffic Management Plan was approved on 29 April 2026 subject to 8 general and 8 local conditions.

[33] Mr Kumar was asked if, having heard the objectors give evidence, he had anything he would like to comment on. He explained his experience with events such as Sound Splash from both an alcohol and food licensing perspective and believes this applicant has

provided safe and sufficient plans for the event but added he was open to some of the conditions used at Sound Splash as suggested by Dr Hewison being included if the application is granted.

[34] When asked, Mr Kumar explained what and when agencies including himself will be in attendance at the event. He explained how they will be monitoring the event, checking against any conditions within the licence and that there will be resource consent compliance staff also monitoring consent conditions. He also provided the name of the Council staff member who is acting in an overall liaison role and that there is a broad team of Council staff involved overseeing the event.

Evidence of the Applicant

Ms Fiona Gates

[35] Ms Gates was sworn in explaining that she will be calling WSL official Steve McGough as a witness to explain event operations in more detail.

[36] She stated that her company was contacted early this year by WSL following the cancellation of an event in South Africa and an approach to hold it here in New Zealand had been made. This was the reason she said for the compact timeframe as decisions about the event took some time to be made. She assured the Committee any future applications should the event return to NZ would be made much earlier.

[37] Ms Gates described her experience, which she later expanded on during questioning, with large events and how she accepted getting a licence was not a right, going on to talk about how hard she had worked with respective agencies to get the application lodged as soon as she could.

[38] She gave evidence of the two licensed areas and that the licensed hours of 11.00am to 5.00pm were relatively modest when compared to other events granted licenses with greater access or focus on the supply of alcohol. She went on to explain the mistake in the first public notices and how they did not include the one-hour extension to 6.00pm to allow people to consume their drinks responsibly after the bars closed.

[39] She clarified that there will be 8 water stations available, described the different types of drinks including alcoholic, low and no alcohol products like Corona zero and non-alcoholic drinks before talking about how the Police had discussed with her the original drink limit strategy and convinced her to adopt the two moving to one approach as more responsible. This resulted in the amended alcohol management plan (AMP).

[40] In response to the evidence of the objectors, Ms Gates advised that the security company providing services is SecureCorp who have significant experience with large events of this type. She also described the wristband process queried earlier, staff training and rosters explaining that they had a larger than normal workforce to ensure staff do not get fatigued going on to say they were a local provider who wanted to deliver to the highest standard possible.

[41] When questioned Ms Gates said they had originally considered having a restricted designation as an option in the bars but that being a family friendly event it was not the best option however they could live with a restricted designation if they had to. She also talked about how the AMP described in detail how supervision would be undertaken.

[42] She responded to questions about courtesy vans by saying that they would use the hotel van for staff transfer but that it could be used for transporting members of the public who needed assistance if required. She said that there was a noise plan written as part of the resource consent and that most of the conditions suggested earlier were in line with the AMP other than the CCTV condition which is not easily achievable.

Mr Steve McGough

[43] Mr McGough was sworn in and explained his position and the reason the event was confirmed earlier this year for Raglan including the need to obtain a resource consent amongst other things, saying this was the reason the licence application was so late in being lodged.

[44] He spoke about the different approach for licensing being taken here in Raglan where there are only two licensed areas as opposed to getting a licence for the whole area. He said this was through recognition of how important the reserve is to the community and that it allowed for licensed areas that can be controlled more easily.

[45] He went on to talk about the international and successful nature of these events around the world and referenced the letter of support from the Western Australia Police which had been provided. He said in his years involved with these events he had never had cause to involve the Police through alcohol related incidents. He said there would be a police presence in the reserve and on the water.

[46] Mr McGough said that the VIP area entry is by invitation only and is to host corporate sponsors and other guests however if there was demand and space, they would consider selling passes to enter. He requested that if the Committee was considering changing the designation to restricted, that only the public bar area be changed as many of their invited guests brought children with them. He said that his preference was for both areas to remain as supervised.

[47] He stated that he had made contact himself with the Raglan Medical Centre in February and that he spoke to a person named Michelle, advising her about the nature of the event, leaving his contact details with her and asking for him to be contacted should there be anything they wished to discuss. He stated that he did not receive any contact from anyone at the medical centre.

[48] Mr McGough was asked if there was any way to reduce the advertising of alcoholic products within the public area. He said that Corona Zero is the brand sponsor of the event internationally and there is a requirement to provide them with opportunity to promote their zero alcohol beer. He added that under 21 competitors will not wear any Corona branded clothing whilst older ones will and there will be things like Corona branded umbrellas in the licensed areas.

[49] When asked, he explained that the on-site medical services for the event generally will be provided by St John under their event contract set up whilst there will also be a minimum of one physician including an emergency department doctor from Waikato Hospital on site.

[50] He also spent some time explaining why there was flexibility needed with the days due to the reliance on acceptable surfing conditions hence the request for an event window. Experience shows that some days there will be good conditions all day and on other days there might be only a couple of hours or no action at all.

Closing Statements.

Dr Hewison

[51] After a break enabling Dr Hewison to speak to all the objectors present, he made closing statements on their behalf.

[52] He thanked the applicants for their approach and willingness to address concerns, however the objectors retained their opposition to the granting of the licence due to concerns discussed in evidence namely medical personnel focus on athletes and not the public.

[53] He said that if the Committee was minded to grant the licence, he requested inclusion of several discretionary conditions that included requiring as a condition the need to adhere to the conditions of the resource consent, transport management plan and noise management plan. He also requested that the licensed hours for the bars be linked to the day's competition was taking place and a requirement that bars closed 1 hour after the end of the competition on any given day.

[54] He submitted several other discretionary conditions and referenced the most recent decision for the Sound Splash event that included several conditions that were suitable for this event. He requested that minors who accompanied others into the licensed areas be included in the head count for those areas.

[55] Dr Hewison concluded saying the concerns of the objectors had not been thoroughly addressed but some discretionary conditions as he had suggested could mitigate some concerns.

The Applicant

[56] Ms Gates asked that both she and Mr McGough be permitted to make closing statements which was agreed to by the Committee.

[57] She acknowledged everyone present and who had taken part in the hearing and said she believed they had mitigated the concerns of the objectors and that both her and WSL were committed to safe and responsible sale and supply of alcohol.

[58] She confirmed that the security company employed is Securecorp who are very experienced and will ensure compliance. She added that the AMP was thorough and that minors would be included in the head count for the licensed areas as requested by Dr Hewison.

[59] Mr McGough stated that Securecorp and Tour Security are part of the same company but that Securecorp were responsible for the security. He advised that the medical planning was consistent with the approach used at the other events they hold around the world that has proven to be adequate.

[60] He said he is comfortable to have a condition included that the licensed areas can only be open on days when the competition is occurring and for a 1-hour wrap following the completion of the competition. Regarding the designation his preference was to maintain the supervised designation but if the Committee was thinking of applying a restricted designation, that it be only for the public bar.

Committee's Considerations and Decision

Legislation the Committee must have and have had regard to in this matter:

[61] Sections 3 and 4 of the Act describe the purpose and object of the Act.

[62] Sections 137 to 150 of the Act set out the processes for special licenses. In particular s.142 sets out the matters the committee must have regard to when deciding whether to issue a special licence. S.143 deals with large scale events and s.147 with discretionary and compulsory conditions.

[63] A significant number of previous cases as contained within the submissions on behalf of the objectors were presented by the counsel for the objectors which have been considered.

[64] We deal firstly with the submission of Dr Hewison regarding s.202(4) which requires the licensing committee concerned must give at least 10 working days' notice of the public hearing. It is acknowledged by all parties that this application created knock on issues across several areas due to the very compacted timeframe. We accept the evidence that the event only came about when another event was cancelled and an approach was made by the NZ Government to relocate that event to Raglan.

[65] As written in paragraph [6] above, the application was lodged within the required timeframe and publicly notified. The objections considered by the Committee were received in accordance with the Act by the Waikato District Council. Upon receipt of the individual objections, Council staff generated a standard receipt sent to the objector acknowledging receipt of the objection and advising them that the matter would be determined by public hearing at a date to be set.

[66] Of the objectors who appeared at this hearing, Mr Lim lodged his objection on 13 April 2026 and the others on 21 April 2026. The date of the hearing was set after the District Licensing Office determined the availability of a committee whilst also considering the ability for parties to appeal a decision under s.155(2) of the Act. The first available date for a hearing was 1 May 2026. This situation is a direct result of the pressure created by the relatively late lodging of the licence for a large-scale event and it being publicly notified. It is reported that the first opportunity to advise all parties was 28 April 2026.

[67] It is important that the Committee considers if there has been any party unreasonably or unfairly impacted through this compact time frame. We acknowledge the comments of the objectors through Dr Hewison and their own evidence and written objections, which we have considered, that some objectors were unable to attend the hearing and similarly other members of the community could not submit objections.

[68] We acknowledge this is a unique situation and believe our duty is to take a balanced approach. We note that 9 objections were able to be submitted within the timeframe and that the District Licensing Office and DLC Secretary have worked hard to create a level playing field for all parties. We accept that some objectors were unable to attend the hearing due to other commitments, but we are satisfied that their views were well articulated by other objectors, Dr Hewison and through their written objections.

[69] S.208 of the Act says where any person has neglected or omitted to do any act or thing in the precise manner or within the precise time prescribed by this Act, the licensing committee or the chairperson, if satisfied that the neglect or omission was not wilful, may

waive the same on such terms as they think equitable. We are satisfied that the fact the timeframes required within s.202(4) of the Act could not be met by the District Licensing Office was not wilful and accordingly we grant a waiver to that requirement.

[70] We have carefully listened to the evidence of the objectors and the submissions of their legal counsel Dr Hewison. It is clear there is strong sentiment around the fact that this valued public reserve is to host an event that wishes to have alcohol available and that the reserve is normally subject to a full alcohol ban.

[71] The event has been granted a resource consent under the Resource Management Act. The purpose of that Act is to promote the sustainable management of natural and physical resources. In this instance many of the concerns raised by objectors are matters that should have been dealt with by the Waikato District Council when considering the consent application and are based on grounds outside the scope of this Act.

[72] We take the same approach to the matters raised regarding transport and traffic concerns which are more suited to being dealt with by way of the traffic management plan (TMP). Whilst Dr Hewison submitted that transport concerns do fall within the criteria set down in s.142(1) of the Act, we disagree as the concerns raised generally are not directly related to the sale and supply of alcohol, a TMP has been approved by the appropriate department within Council and the applicant has provided sufficient evidence to demonstrate they have appropriate systems, staff and training to comply with the law.

[73] We note too that a noise plan has been created for this event and are satisfied the source of the noise as described within the application will be from the operation of the event and not specifically attributable to the licensed areas. Again, we believe the applicant has appropriate systems, staff and training to comply with the law.

[74] Dr Hewison requested the Committee consider including a condition that the applicant must comply with the conditions of the resource consent, traffic management plan and noise plan. We have considered that request and having heard evidence that suitably qualified Council compliance staff in those areas will be present at the event we do not believe it is appropriate or required.

[75] We note the concerns regarding alcohol branding and have considered the evidence of Dr Egli. We acknowledge her statements regarding exposure of alcohol products to children and her suggestion that the Committee has the opportunity to "honour the object of the Act". The object of the Act sets down that "the sale, supply, and consumption of alcohol should be undertaken safely and responsibly"; and "the harm caused by the excessive or inappropriate consumption of alcohol should be minimised".

[76] We also acknowledge the concerns of the Raglan Medical Centre, however there is conflicting evidence as to whether the applicant contacted the Centre with Mr McGough stating under oath that he spoke to a staff member himself in February 2026. We are satisfied the applicant has complied with s.138, 139 and 143 of the Act and note there is no legal requirement for them to notify the Medical Centre. We accept the evidence of the applicant regarding the systems in place that deal with the safety and medical support relative to this special licence.

[77] The committee considered the requests of objectors for the designation of the licensed areas to be restricted to prevent minors being able to be present where alcohol was being sold or supplied. Ultimately, having also considered the AMP and evidence of the applicant, we determine that supervised designation for both is more appropriate for

this type of event. However, for clarity the maximum headcount in each licensed area, must include those under 18 years of age present under the supervision of an adult.

[78] As previously mentioned, this has been challenging for all parties due to the compact time frames. There is no evidence to support the idea that this world class event is not wanted in Raglan. The issue is clearly around whether the sale and supply of alcohol at the event and within a public reserve that is normally alcohol free and had significance for the community across a wide spectrum is needed to make the event a success.

[79] S.142(1) of the Act sets down what we as a committee must have regard to. When considering the criteria in s.142(1) (a) to (l) we are satisfied overall that the application meets the object of the Act. We do though want to acknowledge the passion, considered and well-articulated objections and submissions on behalf of the objectors.

[80] Accordingly we **GRANT** the special licence with the following conditions:

- a) Alcohol may be sold under the licence only during the following event window and during the following hours:
Public Bar
Friday, 15 May to Monday 25 May 2026 from 11:00 am to 6:00 pm (sale and supply of alcohol to cease at 5.00pm each day)
VIP Bar
Friday, 15 May to Monday 25 May 2026 from 11:00 am to 6:00 pm (sale and supply of alcohol to cease at 5.00pm each day)
- b) To enable the flexibility requested by the applicant relative to acceptable surf conditions, the sale and supply of alcohol within the event window can only occur within the hours in paragraph [78] a) when competition surfing is being undertaken.
Should the competition cease on any day before 5pm, the sale and supply of alcohol is to cease no later than 1 hour after the cessation of the competition.
- c) A reasonable range of food appropriate to the event as specified within the application and shall be available during the hours of this licence.
- d) The licensee shall have available for consumption on the premises, at all times when alcohol may be sold and supplied under the licence, a reasonable range of non-alcoholic refreshments and low alcoholic beverages.
- e) Drinking water is to be freely available to customers at all bars while the premises are open for business and signage directing people to drinking water must be prominently displayed on the premises.
- f) The following steps must be taken to ensure that the provisions of the Act relating to the sale of alcohol to prohibited persons are observed:
 - i. Ensure that no intoxicated persons are allowed to enter or to remain on the premises.
 - ii. Ensure that appropriate signs are prominently displayed detailing the statutory restrictions on the supply of liquor to minors and intoxicated persons adjacent to every point of sale.
 - iii. Ensure that appropriate signs are prominently displayed detailing information about alternative forms of transport from the premises including provision of a courtesy vehicle to transport patrons from the premises.

- g) For the purposes of the licence Valentina Pigozzo and Kristina Ashley McNicoll have been nominated to manage the conduct of the sale of alcohol as certified managers. Should that person be unable to fulfill that duty, a replacement with clear understanding of their responsibilities shall be appointed with details provided to the senior member of Police and or Alcohol Licensing Inspector who may be on site or by way of email and or phone call.
- h) A minimum of one certificate holding manager is required to be on site and on duty in each of the licensed areas to manage the conduct of the sale and supply of alcohol during the hours of this licence.
- i) The Public Bar and VIP Bar are designated as supervised areas at all times.
- j) The following conditions apply to the sale and supply of alcohol:
 - i. Before 4.00pm – Maximum two drinks per person per transaction.
 - ii. Between 4.00pm and 5.00pm – Maximum one drink per person per transaction.
 - iii. No BYO beverages permitted.
 - iv. All cans containing alcohol are to be depressurised when sold or supplied.
 - v. No alcoholic drinks are allowed to be taken outside the licensed areas.
- k) The sale and supply of alcohol must cease if directed by an Alcohol Licensing Inspector or Senior Police Officer monitoring the event.
- l) The Alcohol Management and Security Plans as submitted and agreed to by reporting agencies and applicant are to be strictly adhered to at all times.
- m) Current Certificates of Approval (COA) for all security staff are to be held and displayed.

[81] We refer any party who wishes to appeal this decision or part of this decision to sections 154 through to 158 of the Act.

[82] A copy of the licence is to be publicly displayed at every bar.

DATED at Auckland this 4th day of May 2026.



Andrew Baker
Commissioner
Waikato District Licensing Committee

On behalf of: Barry Smedts
Jason Howarth