

BETWEEN **PLAYAZ VOLLEYBALL**

Appellant

AND **VOLLEYBALL NEW ZEALAND**

Respondent

**MINUTE OF PRE-HEARING CONFERENCE
16 SEPTEMBER 2026**

Hearing Pre-hearing conference held by Microsoft Teams

Present Justin Lambert for Appellant
Debbie Hyland (Acting Chief Executive) for Respondent
Crispin Phelan (Board Chair) for Respondent

Tribunal John Macdonald (Chair)

Registrar Luke Macris

Summary of pre-hearing conference

1. I began the conference by clarifying to Mr Lambert that the Playaz Volleyball (Playaz) appeal concerns the Volleyball NZ (VNZ) Board's decision dated 11 September 2026 not to proceed further with his complaint pursuant to s 18.11(e) of the VNZ Constitution, rather than being a direct appeal against the earlier VNZ decision made by Ms Hyland dated 4 September 2026. The 4 September VNZ decision concerns the eligibility of Harbour Raiders Volleyball Club (Harbour Raiders) and whether they had either paid their team entry fees by the original due date or otherwise received an extension of time from VNZ to participate in the 2026 Northern Zone Competition. I emphasised that, for this Tribunal to have jurisdiction to hear an appeal, there must be valid appeal grounds, such as a breach of natural justice or that VNZ acted outside of its powers and/or jurisdiction, connected to the VNZ Board decision from which there is a right of appeal to the Tribunal.
2. Mr Lambert submitted that the VNZ Board improperly supported Ms Hyland's 4 September decision and that the eligibility of Harbour Raiders should have proceeded through the Northern Zone Committee (and not been bypassed direct to VNZ). He argued that Playaz were denied a meaningful opportunity to have the eligibility issue considered through the prescribed Northern Zone Committee process.
3. Ms Hyland asserted that VNZ approved a payment arrangement with Harbour Raiders to allow them to pay after the 20 June deadline following grant-funding confirmation. She indicated that VNZ receives numerous requests for payment arrangements and reviews each on its own merits, based on a range of factors such as a general desire to allow and encourage participation, hardship considerations, grant-funding circumstances, and prior payment history.
4. Mr Lambert argued that the Northern Zone's stated requirement was payment by 20 June and that clubs unable to meet it were treated as ineligible or forfeited matches. He contended that Harbour Raiders received an exception without the Northern Zone Committee being informed or given the opportunity to determine eligibility.
5. Ms Hyland indicated that VNZ could provide an affidavit from its finance staff member confirming that the arrangement existed before the competition and could identify supporting records, subject to confidentiality limits. Mr Lambert maintained that the Northern Zone Committee had requested these relevant details and VNZ had not supplied them.
6. The parties debated the correct interpretation and application of the 'no pay, no play' policy. Mr Lambert relied on the policy and competition communications as requiring

payment before the deadline to enable participation. Ms Hyland observed that the policy language describes a risk of exclusion and that VNZ has administrative discretion to approve extended payment arrangements.

7. Mr Lambert maintained that the Northern Zone Committee was responsible for determining competition eligibility and that VNZ's direct communication to the zone effectively predetermined Harbour Raiders' eligibility. Ms Hyland said VNZ's finance team communicated payment information to the zone convener through established channels.
8. The potential Interested Parties specified by Mr Lambert included:
 - a. Harbour Raiders;
 - b. Dragons Volleyball Club;
 - c. Sparta Volleyball Club; and
 - d. Northern Zone Committee representatives and the Northern Zone Convenor (Grant Harrison).
9. I noted that an Interested Party would need sufficient time to be invited and consider joining the proceeding as well as time to review the evidence and then be heard.
10. The Registrar noted the urgency associated with this appeal and the potential practical impact it may have on the National Volleyball Championships, which are due to start on 7 October 2026. Mr Lambert confirmed the remedy sought by Playaz is for the Tribunal to rule that Harbour Raiders were ineligible to compete in the 2026 Northern Zone Competition. The parties agreed that the remedy sought by Playaz, if made by the Tribunal following a successful appeal, would have a cascading effect of changes to the placings of Volleyball clubs throughout the Northern Zone and also impact upcoming national-level tournaments. This would mean clubs throughout the country would have to change the tournaments that they need to attend and any associated arrangements and costs (e.g., travel and accommodation).
11. To conclude, I **directed**, and Mr Lambert agreed, that Playaz are to file an Appeal Brief (Form 4) and an indication of whether they would be willing to limit the remedy sought to a declaration only (i.e., so as to not disturb upcoming national tournaments) **by 5pm on Friday, 18 September 2026**.
12. In the meantime, I indicated that I would communicate the Tribunal's proposed procedure to the parties as soon as possible.

Tribunal procedure directions following the conference

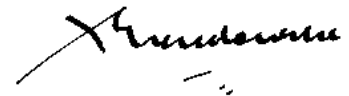
13. Following the conference, I have considered the urgency and practicalities of this appeal, including potential interested parties.
14. Much of the pre-hearing conference related to debate about the merits of the 4 September decision. However, I consider there is a significant preliminary issue that must be dealt with before this matter can proceed. That issue is whether the Tribunal has jurisdiction to hear the appeal and/or whether Playaz have sufficient standing based on the circumstances and grounds of appeal set out in the Form 3. In short, the grounds of appeal, as currently laid out by Mr Lambert, appear to be an attempt to have this Tribunal investigate and overturn the merits of the 4 September decision which, with all due respect, is not the proper role of this Tribunal.
15. Even if Mr Lambert can establish that natural justice was denied or that VNZ acted outside of its powers and/or jurisdiction, Ms Hyland has indicated that VNZ provided Harbour Raiders with confirmation of an approved extension for payment of their late fees prior to the 20 June deadline. If that is in fact the case, then it would be quite unfair as a matter of equity for this Tribunal to declare Harbour Raiders as having been ineligible in circumstances where they relied on an agreement with VNZ, irrespective of whether VNZ were in error in making that agreement.
16. Furthermore, I note in the material already filed that both Playaz and Dragons Volleyball Club (Dragons) themselves indicate similar sentiments where they state they would withdraw their protests upon receipt of certain evidence:
 - a. In an email from Mr Lambert to VNZ dated 31 August 2026, Playaz stated:

“Should the Committee prove Harbour Raiders eligibility through bank receipt, we will withdraw our protest”
 - b. In an email from the Club Director of Dragons to the Northern Zone Convenor dated 31 August 2026, Dragons stated:

“If Raiders can provide evidence of a valid written agreement, executed between Raiders and the Northern Zone Committee and/or Volleyball New Zealand, which authorised the arrangement in question and applied to the above matches, Dragons will withdraw its protest.”
17. Accordingly, I **direct** that VNZ provide to the Tribunal all correspondence, including any statement from its staff, relating to the agreement reached with Harbour Raiders for late payment of team entry **by 5pm on Friday, 18 September 2026.**

18. VNZ are to provide this **to the Tribunal only** in the first instance. After reviewing the material, I will then determine whether the information is confidential or should be shared with Playaz (or any other protesting club).
19. Once I have received the material directed above, from both Playaz (Form 4 and confirmation of remedy sought) and VNZ (any agreement with Harbour Raiders), I will make a determination on the Tribunal procedure to be adopted.

Dated: 16 September 2026

A handwritten signature in black ink, appearing to read 'John Macdonald', with a long horizontal stroke extending to the left.

John Macdonald
Tribunal Chair