

Easter Sunday Shop Trading Policy 2023

Statement of Proposal – July 2023

Introduction

We are reviewing our Easter Sunday Shop Trading Policy (the ‘Policy’) and we would like your feedback on whether we continue to permit shops to trade on Easter Sunday.

This Statement of Proposal has been prepared to fulfil the requirements of section 83 and 87 of the Local Government Act 2002 (LGA).

Background

Easter Sunday is a restricted trading day under the Shop Trading Hours Act 1990 (the ‘Act’) which requires every shop to remain closed, except for certain shops under certain conditions. These include dairies, cafes, service stations, garden centres, pharmacies, souvenir and duty-free shops.

In 2016, the Act was amended to enable Councils to have a policy which permits all shops to open on Easter Sunday. This policy can only determine the areas to which it applies, ie to all of the district or parts of the district. The policy can not specify what type of shops can open or times that shops can open.

Council adopted the current policy on 23 February 2017 in consultation with the community. The Policy allows all shops in the whole of the Southland District to open if they wish to.

Employees have the right to choose not to work on Easter Sunday.

This Policy does not apply to the sale or supply of alcohol. Alcohol sale and supply is regulated under the Sale and Supply of Alcohol Act 2012.

The reasons for the proposal

The review requirements of the Act mean the current policy will automatically revoke on 22 February 2024 unless reviewed. Council are consulting with the community as part of this review.

Options

Council considers that the current policy is working well for the Southland community and proposes that the policy continues with minor amendments to the style and structure of the document. However, the following options show how Council could proceed after it has undertaken the consultation process, along with the advantages and disadvantages of each option.

Option 1 – Continue with the current policy so all shops in the district can open on Easter Sunday

Option 2 – Change the policy so only shops in certain parts of the district can open on Easter Sunday

Option 3 – Revoke the policy so only those shops specified in the Act can open on Easter Sunday

Option 1 – Continue with the current policy so all shops in the district can open on Easter Sunday

Advantages	Disadvantages
<ul style="list-style-type: none"> • All shops in the district have the choice to open. • There is no confusion about what type of shop can open. • Provides support to our local businesses who benefit from tourist trade in particular. • Workers can choose to work or not to work on Easter Sunday. • Visitors to our towns have the option to shop on Easter Sunday. 	<ul style="list-style-type: none"> • Workers are able to opt out of working on Easter Sunday but some may feel pressured to work. • Easter Sunday is an important day on the Christian calendar and parts of the community wish for this day to be for reflection and not commercialised.

Option 2 – Change the policy so only shops in certain parts of the district can open on Easter Sunday

Advantages	Disadvantages
<ul style="list-style-type: none"> • The communities that wish to have this policy in place can continue to do so. 	<ul style="list-style-type: none"> • Visitors may be unclear about which towns are able to open their shops. • Businesses in the towns that the policy doesn't apply to may feel it is unfair to be excluded from the policy. • Workers in the town that the policy doesn't apply to, can not work, even if they wish to. • Workers in the towns that the policy applies to may feel pressured to work. • Easter Sunday is an important day on the Christian calendar and parts of the community (in the towns that have the policy) wish for this day to be for reflection and not commercialised.

Option 3 – Revoke the policy so only those shops specified in the Act can open on Easter Sunday

Advantages	Disadvantages
<ul style="list-style-type: none"> • Although workers can opt not to work, this ensures there is no pressure for them to work. • Respects Christian traditions for those who celebrate Easter Sunday for religious reasons. 	<ul style="list-style-type: none"> • Businesses do not have the choice to open. • There remains confusion about what type of shop can open. • Businesses can not benefit from tourist trade, in particular. • Workers can not work, even if they wish to. • Visitors to our towns do not have the option to shop.

How to have your say

Anyone can make a submission online at www.makeitstick.nz. Submissions will be accepted from 8am on Thursday 13 July 2023 and must be received **by 5pm on Monday 14th August 2023**.

All submissions should state:

- the submitter's name
- the submitter's contact details
- whether or not the submitter would like to speak to Council about this matter.

If you need help submitting please contact Council at 0800 732 732, or call in to one of Council's offices. All written submissions made to Council will be acknowledged and made available to the public.

Council intends to hold a hearing in mid-September 2023. This is when anyone who has made a written submission and who has said they would like to speak to Council, can do so at a yet to be scheduled Council meeting. This meeting will be open to the public. If you indicate you would like to be heard, Council staff will get in touch with you to arrange a time for you to speak at the hearing. If at the hearing you have any requirements, please let us know.

Timetable for consultation

The dates below outline the timetable for the consultation process. Any changes to these dates will be publicly advised on Council's Facebook page and website.

ACTION	DATE
Council resolves to undertake public consultation regarding the draft policy	Wednesday 5 July 2023
Advertisement in Southland Express, Southland Times and Stewart Island News	Between Thursday 13 July 2023 and Wednesday 19 July 2023
Submissions open	Thursday 13 July 2023, 8.00am
Submissions close	Monday 14 August 2023, 5.00pm
Hearing	Date to be confirmed after submissions period ends
Deliberation	Date to be confirmed after Hearing
Public notice of final decision	Date to be confirmed after Hearing