



Statement of Proposal

Draft Local Easter Sunday Shop Trading Policy

For Consultation 14 March to 19 April 2022



Background

This is a proposal by the Matamata-Piako District Council to review the Local Easter Sunday Shop Trading Policy (Policy). Consultation is being undertaken with the public so we can assess public support for the proposal and can consider alterations to policy as a result of the public submissions received.

This document includes a summary of the proposal. The Draft policy and information on how you can have your say is available at Council offices and on Council's website, www.mpdcc.govt.nz.

Purpose

The purpose of the Local Easter Sunday Shop Trading Policy is to enable shops to trade on Easter Sunday if they wish to.

Reasons for the proposal

MPDC first adopted the Local Easter Sunday Shop Trading Policy in 2017. The Policy must be reviewed at least every five years. Council has now reviewed the Policy. When reviewing the Policy, Council is required to consult with its communities using the Special Consultative Procedure set out in the Local Government Act 2002 section 83.

Council has approved a draft policy for consultation which continues to allow trading on Easter Sunday throughout the entire district. Council considered a number of options, including revoking the Policy and only allowing Easter Sunday trading in parts of the district, but is proposing to maintain status quo with a consistent approach across the district.

MPDC recognises the importance of the retail sector to the district, particularly during peak holiday periods such as Easter. It is important that not only our local community has a choice as to whether to shop on Easter Sunday, but that retail businesses in our main holiday destinations and along our state highways can benefit from trade from visitors and passing traffic if desired.

MPDC recognises the potential economic benefit to the district in allowing all shops in the district the opportunity to open if they choose.

This consultation is an opportunity for the community to have their say. We would like to hear from you as to whether:

- you agree with having a policy which allows shops across the whole district to open on Easter Sunday; or
- you support a policy which allows shops in permitted areas of the district to open on Easter Sunday; or
- you support a revocation of the Policy meaning shops will no longer be allowed to open on Easter Sunday unless exempted from the Shop Trading Hours Act.

Analysis of reasonably practicable options

In reviewing this policy, we have considered three options and we would like your thoughts on what we should do.

Option 1 – Adopt the policy as proposed

Under Option 1 the policy would be adopted as proposed where the policy permits trading across the district:

Advantages	Disadvantages
<i>Impacts on businesses/employers</i> – Retail business in our District have been able to open on Easter Sunday since Easter 2018. This has provided businesses a choice whether to open or not, and provides opportunities for increased trading for those who choose to open.	
<i>Impacts on employees</i> - For many workers it has had a positive impact because they have the ability to work and be paid on Easter Sunday, essentially allowing them to be paid for an additional day than they would be otherwise. Under current legislation, workers who would otherwise work on an Easter Sunday, but do not because of shop trading restrictions, are only entitled to be paid where they take annual leave. Employees can also refuse to work on Easter Sunday without being required to give a reason.	Although employees have the right to refuse work, they may not refuse, both out of loyalty to work colleagues and the concern that they would be disadvantaged in performance reviews. Further, the legal expenses to bring a personal grievance case against an employer would be a deterrent.
A district wide policy would reduce the frustration and confusion on the part of businesses between those who can and cannot trade on Easter Sunday. It will also diminish enforcement costs as a district wide approach would require no monitoring of areas which are not in the permitted area.	May not take into account that some communities may prefer not to provide for Easter Sunday trading by applying a blanket approach as proposed.

Option 2 –

Under Option 2 we would allow trading only in a permitted area(s) rather than district-wide.

Advantages	Disadvantages
The policy would enable Council to target areas which cater for the needs of the community such to cater for tourist trade in Matamata over the Easter Weekend.	Inconsistent approach to Easter Trading in Matamata-Piako. May create confusion for local residents and tourists.

Option 3 – Revoke the Local Easter Sunday Trading policy

Under this option Council would revoke the Local Easter Sunday Trading Policy.

Advantages	Disadvantages
Easter Sunday is an important day in the Christian religion. Easter Sunday alongside Good Friday is of spiritual importance for a proportion of the population.	Will not provide for an increase retail trade to benefit the business community or create more opportunity to shop for consumers.

Christianity is the predominant religious affiliation within Matamata-Piako with a range of other religious affiliations being held as per the 2018 census.

It is also important to many people for other reasons (such as a day off work to spend time with family and friends).

Statutory requirements

The Act was amended in 2016 to enable Councils to decide whether retailers in their districts can open on Easter Sunday by adopting a local policy. Previously the Act only allowed shops selling certain types of goods (for example dairies, service stations and garden centres) to remain open on Easter Sunday.

A Local Easter Sunday Trading Policy (policy) cannot:

- permit shops to open only for some purposes
- permit only some types of shops to open
- specify times at which shops may or may not open
- include any other conditions as to the circumstances in which shops in the area may open
- override shop trading provisions in other legislation, such as alcohol licensing provisions.

MPDC will not be responsible for the enforcement of this policy. Enforcement will be undertaken by the central government department responsible for the administration of the Act.

The submission process

The views of the community are vital to this process. Anyone can make a submission about the draft Local Easter Sunday Shop Trading Policy. Therefore, we would like to invite the community to give us feedback on the draft policy to assist us in the decision making process. In considering this policy, Council must use the Special Consultative Procedure set out in section 83 of the Local Government Act 2002.

Process	Date
Council approve statement of proposal and draft policy for public consultation	8 December 2021
Consult the community	14 March – 19 April
Council Hearing	11/12 May 2022
Adopt policy (if desired)	30 June 2022

Where can I find more information?

You can download a copy of the draft policy at www.mpdc.govt.nz and you can view a copy of the document at Council offices and libraries.

How can I have my say?

We actively encourage the community to contribute to the formation of this important document and it is easy to have your say. Simply make a submission on the draft policy and return it to us by 19 April. You can make a submission online through our website at www.mpdc.govt.nz. Written submissions can also be made, forms are available at any of our

offices or libraries, or you can simply write your submission as a letter and either drop it off at one of our offices or libraries or post it to:

Have your say
PO Box 266
Te Aroha 3342

Office and library locations

Te Aroha Council Office: Kenrick Street Te Aroha
Te Aroha Library: Rewi Street, Te Aroha
Morrinsville Area Office or Library: Canada Street, Morrinsville
Matamata Civic and Memorial Centre: Tainui Street, Matamata

Any questions?

We are here to help. If you have any questions about the draft policy or the submission process, please let us know. Just call us on 07 884 0060 and let our friendly Customer Services staff know you have a question about the draft policy.

You must have your submissions back to Council by 5pm 19 April 2022.