

**Chairperson and Committee Members**  
STRATEGY AND POLICY COMMITTEE

31 AUGUST 2017

Meeting Status: **Public**

Purpose of Report: For Decision

## **PROPOSED EASTER SUNDAY SHOP TRADING POLICY**

### **PURPOSE OF REPORT**

- 1 A Draft Local Easter Sunday Shop Trading Policy, Statement of Proposal and Summary are presented for approval to enable consultation with the community as prescribed by the Special Consultative Procedure. After consultation, the Council will consider whether to adopt a policy or retain the status quo on 23 November 2017.

### **DELEGATION**

- 2 The Committee has the delegation to consider this matter under Section B.1 of the Governance Structure and Delegations *'This Committee will deal with all strategy and policy decision-making that is not the responsibility of the Council. Key responsibilities will include:*
  - *Setting and approving the policy and strategy work programme'.*

### **BACKGROUND**

- 3 Following an amendment in 2016 to the Shop Trading Hours Act 1990, there is an opportunity for councils to develop and consult on a Local Easter Sunday Shop Trading Policy. This legislation enables councils to adopt a local policy which provides an opportunity for more shops to trade on Easter Sunday in their area. The Ministry of Business, Innovation and Employment (MBIE) has responsibility for implementation of the Act.
- 4 There is no legal requirement to have an Easter Sunday Shop Trading Policy, and what can be achieved with a policy is tightly defined. The policy can only enable trading. The Act does not allow a policy to:
  - permit shops to open only for some purposes; or
  - permit only some types of shop to open; or
  - specify times at which shops may or may not open; or
  - include any other conditions as the circumstances in which shops in the area may open.
- 5 The Council can decide to have a policy which enables Easter Sunday shop trading for the whole or part(s) of the District. The shop trading policy must include a map of the area to which the policy applies and a clear description of the boundaries of the area so that they are easily identifiable in practice.

- 6 The Council does not have an enforcement role for Easter Sunday trading; this role remains with MBIE.
- 7 If the Council decides not to enable trading, the policy would not be adopted and the status quo would continue; meaning that limited types of shops, such as dairies and service stations are able to open.
- 8 There have been two requests from national bodies representing retail and a request from the Chamber of Commerce for the development of a policy to enable Easter Sunday Trading. The Council also received enquiries from businesses, churches and community members prior to Easter this year. There is no legal requirement to have a policy and there are a range of views in the community. Letters received concerning Easter Sunday Shop Trading have been made in writing are included in Appendix One.
- 9 To give certainty for the public and businesses about Easter Sunday shop trading, this Committee resolved to add the development of a Local Easter Sunday Shop Trading Policy to the Policy Work Programme (SP-17-202) at its July meeting.

## **ISSUES AND OPTIONS**

- 10 A Draft Local Easter Sunday Shop Trading Policy, Statement of Proposal and Summary have now been drafted for consultation with the public. These documents are attached as Appendix Two. In the proposal, three options have been identified, and the advantages and disadvantages of these options outlined. The three options are:
  - Option one: Status quo - not adopting a policy would keep the status quo but leave the decision to have a policy open at a further date;
  - Option two – Limited Local Easter Sunday Shop Trading – a policy would limit shop trading to part(s) of Kāpiti, and
  - Option three – District-wide Local Easter Sunday Shop Trading – a policy would allow trading throughout Kāpiti.
- 11 Option three is recommended and included in the draft policy which is part of the Statement of Proposal (Appendix Two). Option three is preferred as it gives certainty to businesses and the public throughout the District. Option two is not preferred as the District is not large and limiting Easter Sunday Shop Trading to a part or parts of the District could cause confusion. Other Councils such as Horowhenua and Porirua have also chosen to consider applying the policy to their whole districts to reduce possible confusion. Option one is not preferred as it does not give certainty to businesses and the public and, as Local Government New Zealand advised in its guidance (14 October 2016), there is a risk that considerable amounts of governance and staff time will be taken up responding to random requests for these policies .
- 12 A decision on the adoption of a policy would optimally be made this calendar year if Easter Sunday trading is to be enabled for next year. A decision this year would ensure plenty of time for business planning and for discussions with employees. Easter Sunday is a significant day in the religious calendar for many New Zealanders and as a consequence some workers will choose not to work on this day.
- 13 The proposed key consultation and decision dates are as follows:

Draft policy adopted for consultation	31 August 2017
Submissions period opens	4 September 2017
Submission period closes	8 October 2017
Hearing	9 November 2017
Committee decision	23 November 2017
Adoption by Council	7 December 2017

## CONSIDERATIONS

### Policy considerations

- 14 The adoption of a Local Easter Sunday Shop Trading Policy would support the following Council Outcomes:
  - Thriving economy – support the unique character of the various geographic communities and communities of interest while encouraging greater district integration
  - Democracy through community participation – create easy opportunities throughout the council decision making process for the community to contribute.
- 15 A policy would also support the implementation of the Economic Development Strategies and compliment the Council's focus on being open for business.

### Legal considerations

- 16 Legal advice was sought to ensure that the draft policy is fit for purpose.

### Financial considerations

- 17 There are no financial implications from the adoption of a Local Easter Sunday Shop Trading Policy. The cost of preparing this policy will be met from existing budgets.

### Tāngata whenua considerations

- 18 No tāngata whenua considerations for the development of this policy has been identified at this stage.

## SIGNIFICANCE AND ENGAGEMENT

### Significance policy

- 19 This matter has a low degree of significance under the Council's Significance and Engagement Policy. As noted in this report, parts of the community feel very strongly about this matter.

### Consultation already undertaken

- 20 Church networks and the Chamber of Commerce have been provided with information about the policy development and consultation process. After the decision to include the development of the policy in the Policy Work Programme the public was been notified through a media advisory, Facebook post and the Council's e-newsletter that there will be an opportunity to make submissions.

## Engagement planning

- 21 Consultation on this policy will take place through the statutory consultation procedure defined by the Local Government Act 2002. A full Engagement and Communications Plan has been developed to ensure that the public and particularly business and church communities will understand the purpose of the policy. The opportunity to submit on the policy will be promoted through Facebook, the Council's e-newsletter, by public notice and local radio.

## Publicity

- 22 The implementation of the Engagement and Communications Plan will ensure that the public has the opportunity to express their views during the consultation process. The Council's full suite of engagement tools including Facebook, the E-newsletter and public notices will be used, as well as some radio to encourage submissions and also to notify the public of the outcome.

## RECOMMENDATIONS

- 23 That the Strategy and Policy Committee approves the Draft Local Easter Sunday Shop Trading Policy, Statement of Proposal and Summary for consultation with the community.

### Report prepared by

### Approved for submission

Sam Hutcheson  
**Principal Policy Advisor**

Nicola Tutt  
**Legal Counsel**

### Approved for submission

### Approved for submission

Kevin Currie  
**Group Manager  
Regulatory Services**

Sarah Stevenson  
**Group Manager  
Strategy and Planning**

**ATTACHMENT**

Appendix One: Letters concerning Easter Sunday Shop Trading

Appendix Two: Draft Local Easter Sunday Shop Trading Statement of Proposal,  
Summary and Policy

## Appendix One

**FOODSTUFFS**  
NORTH ISLAND

P: +64 9 621 0600  
W: foodstuffs.co.nz

FOODSTUFFS  
NORTH ISLAND LIMITED  
60 Roma Road, Mt Roskill  
DX Box CX 15021  
Auckland 1440  
New Zealand



7 September 2016

Patrick Dougherty  
Kapiti Coast District Council  
Private Bag 60601  
Paraparaumu 5254

Dear Patrick

**Request that Council Initiate a Policy on Easter Sunday Trading**

With passage of the Shop Trading Hours Amendment Act 2016, territorial authorities now have authority to develop local policies on Easter Sunday Trading. We are writing to request that Kapiti Coast District Council now initiate public consultation on this issue.

Foodstuffs had hoped that the Government would amend the Shop Trading Hours Act to introduce Easter Sunday trading on a national basis. However, Parliament determined that the issue should be decided at a local community level. It is now time for councils to give their communities the chance to have their say.

For its part, the majority of Foodstuffs members would welcome the opportunity to open their stores on Easter Sunday. The current restriction is inconvenient for the many family holiday-makers that travel away from home for holidays and require provisions for their stay. It is also inconvenient for the many international tourists that visit New Zealand at Easter time, and all our other customers who would simply like more days to buy groceries over the long-weekend.

We note that, if the Council were to introduce a policy allowing Easter Sunday trading, individual retailers within the district would be free to choose whether or not to open, retail employees would be free to choose whether or not to work (with statutory protections if they elect not to), and members of the public could choose, individually, whether they wanted to shop or not. In this sense permitting Easter Sunday trading would enable individuals to exercise personal choices.

The Amendment Act requires councils to consult their communities using the special consultative process. This process cannot be undertaken quickly. Accordingly, we urge the Council to start the process as soon as possible and before we lose the window of opportunity for Easter Sunday trading to commence in 2017.

Yours faithfully

Mike Brooker  
General Counsel

DD: 09 621 1239 | M: 027 255 5744 | E: mike.brooker@foodstuffs.co.nz

**100%**  
NZ OWNED



31 May 2017

K Gurunathan  
Kapiti Coast District Council  
Private Bag 60601  
Paraparaumu 5254



Dear Guru,

#### Easter Shop Trading Hours Policy

I am writing to ask that your Council takes urgent steps to begin considering the need for a Local Shop Trading Hours Policy to permit retailers in Kapiti Coast a choice about whether or not they open on Easter Sunday. We ask that you consider this issue, and adopt a policy before the end of this year, 2017.

Until recently, the Shop Trading Hours Repeal Act tried to ban shops from opening on Easter Sunday. However, a complicated set of exemptions meant that many (but not all) stores were allowed to open. This created a significant confusion for customers, employers and staff, and gave some retailers (and in some cases, whole towns) an advantage over others. For example, garden centres are exempt from the shopping ban, but hardware stores that incorporate a large garden centre are not. As you will be aware, the national picture has not changed, but the Shop Trading Hours Amendment Act 2016 granted power to territorial authorities to put in place local policies that would allow shops within their districts to open on Easter Sunday.

In the 21<sup>st</sup> century, we operate in a globalised 24/7 shopping market. The average Kiwi consumer now can shop from just about anywhere, and at any time. Not only does this allow access to Kiwi shoppers at the touch of a button, but also provides the consumer with a substantial opportunity for choice. We ask that your council adopt a local shop trading policy to allow businesses a choice as to whether they seek to serve customers on Easter Sunday.

Retail NZ is a not for profit organisation representing the interests of the retail sector. We have around 4,200 members nationally, including retailers located in Kapiti Coast. Not all our members wish to open their stores on Easter Sunday, but many do. Therefore, a decision as to whether they do open is best made by the businesses concerned in discussion with its employees and customers.

Momentum is on the side of change. So far 25 councils throughout New Zealand have implemented policies that allow shops in their districts a choice as to whether they open on Easter Sunday. We also know that despite the supposed ban on shopping in other parts of the country, a majority of New Zealanders undertake some retail activity on Easter Sunday. A recent ACNielsen survey shows that 51 per cent of all New Zealanders did some form of shopping on Easter Sunday, whether online, in-person at a store, or in a café.

In a globalised 24/7 world, the ban on shops opening is increasingly archaic. There are strong protections built into the legislation governing this to protect employees and small business owners so that nobody is forced to work, open their store or shop if they do not wish to do so.

**RETAIL NZ // HQ**  
Level 6, 56 Victoria Street, Wellington 6011  
PO Box 12-086, Wellington 6144

**P //** 0800 472 472  
**E //** info@retail.kiwi  
**W //** retail.kiwi

Connect with us:



Supported by:





We ask that you complete a policy process over the next few months, with a view to completion by 31 December 2017, or at the absolute latest February 1, 2018. This date is important because it relates to the notice periods that employers need to give to workers who may be asked to work in a shop that day.

I am attaching a short fact sheet for our information. I would appreciate if you could please keep us up to date on your process, and I look forward to hearing from you soon.

Best regards  
A handwritten signature in blue ink, appearing to read "Greg Harford".

Greg Harford  
General Manager, Public Affairs  
027 243 2842  
greg.harford@retail.kiwi





## Easter Sunday Trade- Fact Sheet

### 1. What are the advantages of adopting a local shop trading hours policy?

Such a policy will support businesses in Kapiti Coast by allowing them to open one additional day, and potentially benefit from spending by people who might be travelling over Easter.

### 2. Is it best to have a single rule across the district?

Yes, and all Councils that have so far adopted a policy have adopted a single rule across their districts. This prevents confusion, and removes the possibility that any business is advantaged or disadvantaged.

### 3. How many Councils have adopted a policy so far?

25 Councils throughout New Zealand have adopted a policy allowing all shops to choose whether they open on Easter Sunday.

### 4. Do customers really want to shop on Easter Sunday?

A recent ACNielsen survey shows that 51 per cent of all New Zealanders participated in some form of shopping on Easter Sunday in this year, despite restriction in many council districts.

### 5. Is Easter Sunday a public holiday?

No, Easter Sunday is not a public holiday. Therefore, there is no legal obligation to pay time and a half and/or offer a day in lieu for employees.

### 6. How are the rights of employees protected?

Under the Act, all shop employees have the explicit right to refuse to work for any reason on Easter Sunday.

### 7. How are the rights of small retail business owners protected?

Under the Act, no business can be forced to open on Easter Sunday, even if they are located within a shopping mall. It's entirely a matter of choice from the business owner.

### 8. Isn't it important to protect the religious nature of Easter Sunday?

Easter Sunday is still considered a day of significance for many throughout New Zealand, and it is understood that some Kiwis might choose not to shop or to open their business on this day.

### 9. If we adopt a policy, does it mean all shops must open?

No, it will be entirely the choice of individual businesses, based on customer demand and employee availability.

### 10. What timelines do we need to work to?

We are urging Councils to implement a policy by the end of 2017, with the latest date being February 1, 2018. This timeline allows employers to meet their special obligations around notifying their employees about working on Easter Sunday.

### 11. What if we don't adopt a policy?

If your Council does not implement a local Shop Trading Hours Policy, then businesses in within Kapiti Coast will continue to be disadvantaged by being denied a choice to open. It may also mean that customers will choose to shop elsewhere on Easter Sunday, either online or in person.



Chief Executive  
Kapiti Coast District Council  
Private Bag 60601  
Paraparaumu 5254

24 April 2017

**Request for Easter Trading policy review**

The Kapiti Coast Chamber of Commerce requests that the Kapiti Coast District Council schedule a review the local policy for Shop Trading Hours in time for Easter 2018.

The Chamber would like to offer the Council its support in consulting local business for this important decision. Please feel free to contact me directly at [julene@consultbrightspot.co.nz](mailto:julene@consultbrightspot.co.nz) or on 021 500 709 in this regard.

Yours faithfully,

A handwritten signature in black ink that reads "Julene Hope".

Julene Hope,  
Deputy Chair and Chair of the Advocacy Committee,  
Kapiti Chamber of Commerce

Kapiti Coast Chamber of Commerce  
P O Box 510  
Paraparaumu 5254  
[info@kapitchamber.org.nz](mailto:info@kapitchamber.org.nz)  
[www.kapitchamber.org.nz](http://www.kapitchamber.org.nz)

20 February 2017

Mayor and Councillors  
Kapiti Coast District Council  
Private Bag 60601  
Paraparaumu 5254

Dear Mayor and Councillors,

I am writing because we are aware there is a new law which allows local bodies to decide on Easter Sunday trading in their area, and we have not seen any news about what KCDC is thinking. Before a decision is made to change the existing set-up we think there should be consultation with the wider Kapiti community as it is an important issue for families, churches and others, as well as businesses. We think it would be good if no changes were made this year so there is time for the community's input before a decision is made - and maybe that's what you are already planning, but we would like to be reassured that this is the case.

Sincerely,

Erice Carley

(Convenor, Social Issues Group  
Kapiti Uniting Parish)

Appendix Two

**Statement of Proposal - Proposed Kapiti Coast Easter Sunday  
Shop Trading Policy**

**An Easter Sunday trading policy for Kāpiti?**

**August 2017**

## Proposed Local Easter Sunday Shop Trading Policy

1. A Draft Local Easter Sunday Shop Trading Policy has been developed for consultation with the Kāpiti Coast community. If adopted, this policy will enable more shops to open on Easter Sunday. If the policy is not adopted, the current situation of a small number of shops being able to open will remain.

### Background

2. The Shop Trading Hours Amendment Act 2016 modified the Shop Trading Hours Act 1990 (the Act), providing an opportunity for the council to consider whether to draft and adopt a Local Easter Sunday Shop Trading Policy to enable more shops to open on Easter Sunday, or whether to retain the status quo.
3. Before this legislation change, most shops had to remain closed on three and a half days of the year – Good Friday, Easter Sunday, Anzac Day (until 1pm) and Christmas Day. Limited types of shops, such as dairies and service stations, were able to open and some areas, such as Tāupo, which were seen as tourist destinations and had exemptions that allowed trade.
4. The Ministry of Business, Innovation and Employment (MBIE) has responsibility for the implementation of the Act. More information can be accessed from the MBIE website, including:
  - [Legislation – The Shop Trading Hours Act 1990 \(amended 2016\)](#)
  - [Q&A on the Easter Sunday Shop Trading law change](#) (including advice to employers and employees)
  - [Additional information from MBIE](#)

### Community views

5. Across the country, communities have been considering whether to adopt a policy to enable Easter Sunday trading. During consultation on the adoption of an Easter Sunday Shop Trading Policy in other communities a variety of viewpoints have been expressed by businesses, churches, families and workers.
6. Around the region, councils have approached this decision differently. Currently, only the Wairarapa councils have adopted a policy. Earlier this year, Porirua City Council voted against the adoption of a policy after community consultation found that 66% of submitters did not want to see shops open on Easter Sunday. Similarly, Hutt City Council decided to not progress a policy after their pre-consultation found that 64% of submitters were not supportive of such a change. Horowhenua is considering the adoption of a district-wide policy at their 30 August meeting, and Upper Hutt is currently doing some informal consultation. Wellington City Council is likely to consider a policy later this year.
7. Kapiti Coast District Council recognises the important contribution our business community makes to the economy of the District and is responding to requests from that community to explore the development of a local policy. The Chamber of Commerce has asked for a policy to enable Easter Sunday trading and there

have also been two requests from national bodies representing retail. Adopting a policy will give certainty to businesses and the public.

8. Easter Sunday is a significant day in the religious calendar for many Kāpiti residents. A significant proportion of District identify as Christian (2013 Census data).
9. Feedback from the community has included other reasons for opposing the adoption of a policy, such as the desire to keep it a family day and/or to retain the day as a holiday.

#### What a policy can and can't do

10. There is no legal requirement to have an Easter Sunday Shop Trading Policy, and what can be achieved with a policy is tightly defined. The policy can only enable trading. The Act does not allow a policy to:
  - permit shops to open only for some purposes; or
  - permit only some types of shop to open; or
  - specify times at which shops may or may not open; or
  - include any other conditions as the circumstances in which shops in the area may open.
11. The Council can decide to have a policy which enables Easter Sunday shop trading for the whole or part(s) of the District. The shop trading policy must include a map of the area to which the policy applies and a clear description of the boundaries of the area so that they are easily identifiable in practice.
12. The Council does not have an enforcement role for Easter Sunday trading; this role remains with MBIE. Information on this role is also provided in the above links.
13. If the Council decides not to enable trading, the policy would not be adopted and the status quo would continue; meaning that limited types of shops, such as dairies and service stations are able to open.

#### Timing

14. A decision on the adoption of a policy would optimally be made this calendar year if Easter Sunday trading was to be enabled for next year. This would ensure plenty of time for business planning and for discussions with employees. It is possible, however, to adopt a policy early next year and still enable trading for Easter Sunday 2018 given the notice period to employees required under the Act.
15. There are provisions in the Shop Trading Act to support the negotiation between employers and employees about working on Easter Sunday and a provision which seeks to protect the employee should they choose not to work. Under the Act, employers need to provide their employees with a written notice of their right to refuse to work on Easter Sunday. The notice can be provided in the period between eight weeks and four weeks before Easter Sunday (which is on 1 April in 2018). Employees also have this notice period to notify their employers of their

refusal to work on Easter Sunday (note – employees do not have to provide a reason for not working on Easter Sunday).

### **Should the Kapiti Coast District Easter Sunday Shop Trading Policy cover the whole or part(s) of the District?**

16. Whether the policy should cover the whole or part(s) of the District has been considered, and the following options are possible:

#### ***Option 1 - Keep the status quo***

The Council could choose not to have a policy. There is no legal requirement to have a policy and there are likely to be a range of views in the community. However, the Council has decided to draft a policy to promote community debate and give certainty to businesses and the public. If the decision is made not to have a policy, this decision could be revisited at any time.

#### ***Option 2 - Limit shop trading to part(s) of Kāpiti***

This option could include limiting the policy to only allow shops to open in particular towns or village centres. One benefit of this approach is that Council could respond to differing community opinions if, for example, one community had a majority in favour of the policy while another community had a majority against the policy. However, considering the small size of the Kāpiti Coast and the spread of beachside and inland retail nodes, this option is not recommended as it could cause confusion and dilute the opportunity to promote the District as an attraction to visitors.

#### ***Option 3 - Allow trading throughout the District***

This option would allow shops throughout the District to trade on Easter Sunday. It would be up to individual retailers to choose whether to trade.

17. Having considered the three options, Option 3 is recommended as it gives certainty to businesses and the public throughout the District.

### **Decision process**

18. The Council has drafted a policy that covers the whole District and is beginning a formal consultation process to give the community a chance to give their views. The Council must use the special consultative procedure, as detailed in section 83 of the Local Government Act 2002.

19. The key dates in this consultation process are provided below:

#### ***Key Dates***

Draft policy adopted for consultation	31 August 2017
Submissions period opens	4 September 2017
Submission period closes	8 October 2017
Hearing	9 November 2017
Committee decision	23 November 2017
Potential adoption by Council	7 December 2017

#### ***Making a submission***

Submissions can be made online, in writing or via the submission form. Copies of the Statement of Proposal are available online and from Council Libraries and Service Centres, or by request through our Call Centre on (04) 296 4700

Submissions can be made online from Council's web page ([link](#)).

Written submissions need to be marked 'Proposed Local Easter Sunday Shop Trading Policy'. Please use the submission form attached to the Statement of Proposal or on the web page. Submissions can be lodged via one of the following methods of delivery:

- Emailed to [submissions@kapiticoast.govt.nz](mailto:submissions@kapiticoast.govt.nz) and marked: Proposed Local Easter Sunday Shop Trading Policy
- Dropped into Paraparaumu, Waikanae, or Otaki Libraries or any Council service centre
- Sent to Kāpiti Coast District Council, 175 Rimu Road, Private Bag 60601, Paraparaumu 5254

#### ***Submission period***

Submissions open on Monday 4 September and close at 4pm on Sunday 8 October 2017.

#### ***Opportunity to be heard***

There will be an opportunity for the public to speak directly to the Mayor and Councillors at an oral hearing on 9 November 2017. If you indicate that you wish to speak to your submission, you will be advised of a time.





## Summary of Information

### Proposed Kapiti Coast Easter Sunday Shop Trading Policy

#### Summary

1. A Draft Local Easter Sunday Shop Trading Policy has been drafted for consultation with the Kāpiti Coast community. If adopted, this policy will enable more shops to open on Easter Sunday. If the policy is not adopted, the current situation of a small number of shops being able to open will remain.
2. The Council wants to make a decision this year to ensure plenty of time for business planning and for discussions with employees for Easter 2018. If a policy is adopted, then retailers can choose whether to open on Easter Sunday and employees have the right to refuse to work on Easter Sunday.
3. Copies of the Statement of Proposal are available *online* and from Council Libraries and Service Centres, or by request through our Call Centre on (04) 296 4700.
4. The Council wants to hear your views and must follow the statutory consultation process. Here are the key consultation dates:

Draft policy adopted for consultation	31 August 2017
Submissions period opens	4 September 2017
Submission period closes	8 October 2017
Hearing	9 November 2017
Committee decision	23 November 2017
Potential adoption by Council	7 December 2017

You are invited to make a submission on the draft **Proposed Local Easter Sunday Shop Trading Policy**.

### *Making a submission*

Submissions can be made online, in writing or via the submission form. Copies of the Statement of Proposal are available online and from Council Libraries and Service Centres, or by request through our Call Centre on (04) 296 4700

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**Proposed Local Easter Shop Trading Policy 2017**

**31 August 2017**

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### REVISION HISTORY

*Revision*

*Policy Sponsor*

*Approval date and  
date of next  
scheduled review*

*Decision*

Group Manager,  
Strategy &  
Planning

Council

## 1. INTRODUCTION

The purpose of this policy is to enable shops to trade on Easter Sunday if they wish. This policy is made under Part 2 (subpart 1) of the Shop Trading Hours Act 1990 (the Act). Easter Sunday is a significant day in the religious calendar for many New Zealanders. Some businesses will choose not to open and some workers will choose not to work on this day.

## 2. POLICY OBJECTIVES AND SCOPE

The objective of this policy is to enable Easter Sunday Trading and support a vibrant, diverse and thriving Kāpiti.

This policy applies to the whole of the Kāpiti Coast District (see Schedule 1 Map) and does not apply to the sale and supply of alcohol, which is regulated under the Sale and Supply of Alcohol Act 2012.

## 3. STRATEGIC ALIGNMENT

This policy supports the vision for the Kapiti Coast as vibrant, diverse and thriving and contributes to the following Council Outcomes:

- Thriving economy – support the unique character of the various geographic communities and communities of interest while encouraging greater district integration
- Democracy through community participation – create easy opportunities throughout the council decision making process for the community to contribute.

## 4. DEFINITIONS

For the purposes of this policy, the meaning of a shop is the same as defined in section 2 of the Act:

‘a building, place, or part of a building or place, where goods are kept, sold, or offered for sale, by retail; and includes an auction mart, and a barrow, stall, or other subdivision of a market; but does not include:

- (a) a private home where the owner or occupier’s effects are being sold (by auction or otherwise); or
- (b) a building or place where the only business carried on is that of selling by auction agricultural products, pastoral products, and livestock, or any of them; or

- (c) a building or place where the only business carried on is that of selling goods to people who are dealers, and buy the goods to sell them again'

## **5. POLICY**

The Policy of the Kapiti Coast District Council is as follows:

**Shop trading is permitted on Easter Sundays throughout the whole of the Kapiti Coast District as defined by the map in Schedule 1**

**Individual retailers will choose whether to open on Easter Sunday. This policy does not require shops to open on Easter Sunday, nor does it require individuals to shop on Easter Sunday or require employees to work on Easter Sunday. The workers choice provision in Part 2 (subpart 2) of the Shop Trading Hours Act 1990 that outlines a shop employee's right to refuse to work on Easter Sunday supports this right.**

## **6. MONITORING**

The Ministry of Business, Innovation and Employment is responsible for enforcement of breaches of shop trading hours on Easter Sundays and the imposition of penalties.

## **7. REVIEW**

This policy is required to be reviewed at least every five years from the date of adoption.

## **8. REFERENCES**

Shop Trading Hours Act 1990

*Schedule 1 Kapiti Coast District*

