



**EASTER
TRADING**
POLICY 2022

STATEMENT OF PROPOSAL

HAVE YOUR SAY BY 16 JANUARY 2022

waikatodistrict.govt.nz

0800 492 452



This Statement of Proposal is made
for the purposes of Section 83
of the Local Government Act 2002.

IT INCLUDES:

- Background to the proposal
- Reasons for the proposal
- Proposed options
- Consultation and submissions
- Privacy Act Information
- Submissions
- What happens next

BACKGROUND

In 2016, the Shop Trading Hours Amendment Act 2016 enabled local councils to develop and adopt a policy to allow shops to open on Easter Sunday. In 2017, Waikato District Council adopted an Easter Trading Policy (Policy).

The Easter Trading Policy allows shops to trade on Easter Sunday if they wish to. Without a policy,

shops in the Waikato district would not be allowed to open unless they fit the criteria set out in section 4 of the Shop Trading Hours Act 1990.

The Policy is now due for review, and we would like your feedback on whether we continue to permit shops to trade on Easter Sunday from 2022.

REASONS FOR THE POLICY

- The Shop Trading Hours Amendment Act 2016 allows councils to develop a policy to allow shops to open on Easter Sunday.
- A Policy provides clarity on whether shops can open on Easter Sunday.
- The Policy enables shops in the Waikato district to open if they wish to.
- The Policy is enforced by Ministry of Business, Innovation and Employment.



PROPOSED OPTIONS

Three options are outlined below.

Note: Under any option, alcohol cannot be sold through an off-license on Easter Sunday. Shops described in Schedule One of this Statement of Proposal may open as per the Shop Trading Hours Act 1990 regardless of whether or not Council develops a policy.

Option 1 – Status quo

Council adopts a policy that allows shops to open on Easter Sunday.

Option 2 – Restricted areas

Council could adopt a policy to enable shops to open in parts of the district. This option is not recommended due to the make-up of our district (short distances between retail centres) and would create confusion on areas that are permitted to open versus those that are not permitted to open.

Option 3 – Revoke Policy

Council could revoke the Policy. This would mean only those shops specified in section 4 of the Shop Trading Hours Act 1990 would be able to open. The type of shops included in section 4 are:

- A. garden centres
- B. small scale supermarket i.e. dairy
- C. shops selling souvenirs
- D. shops selling duty free goods
- E. restaurants
- F. shops at transport terminals selling souvenirs, duty free goods, restaurants and books or magazines etc.
- G. pharmacy
- H. shops at an exhibition or show



CONSULTATION AND SUBMISSIONS

Anyone can make a submission to the review of the Waikato District Council Easter Trading Policy and we encourage you to let us know your views. This feedback will be used during the decision making process.

A submission form is included in Schedule Two of this Statement of Proposal. Instructions on how to make a submission can be found on page 6 of this document.

PRIVACY ACT INFORMATION

The Local Government Act 2002 requires submissions to be made available to the public.

Your contact details are collected:

- So the Council can write and inform you of the decision(s) on your submission(s)
- To arrange a hearing date and time for you to speak (if you choose to).

Your name will be publicly available. If you would like your name kept confidential you need to inform us when you send in your submission.

You have the right to correct any errors in personal details contained in your submission. If you do not supply your name and address the Council will formally receive your submission but will not be able to inform you of the outcome.

SCHEDULE ONE: WHAT SHOPS CAN OPEN

The table below is an extract of information (available from www.employment.govt.nz) shows those shops that are able to open regardless of whether Council adopts a policy or not. The shops below are exempt under the Shops Trading Hours Act 1990.

Is the shop a...	Then they can open so long as...	Conditions
Service station or dairy	<p>The only goods they sell are:</p> <ul style="list-style-type: none"> • Food • Drink • Household items • Personal items • Petrol, oil, car parts and accessories. 	The goods they sell are items people can't put off buying until the next day, such as baby formula or pet food, and the number of goods for sale is no more than needed to meet the needs of people in the area.
Take away bar, restaurant, cafe	They only sell prepared or cooked food ready to be eaten immediately in the form that it is sold.	
Duty free store	They are only selling duty free items.	
Shop providing services, rather than selling goods, such as a video rental store or hairdresser	They only provide a service, such as renting videos or cutting hair.	They don't sell any goods, such as videos or hair products.
Real Estate Agency	No conditions. Real estate does not fit within the definition of goods as defined by the Act.	
Pharmacies	No conditions.	
Garden centres	The only restricted trading day they can open on is Easter Sunday.	
Shop in premises where an exhibition or show is taking place. This includes markets, craft shows and stalls at these exhibitions and shows	They only sell books, magazines and newspapers, or duty free items/souvenirs, or food that has been cooked/prepared and is ready to be eaten.	
Shop selling only souvenirs	The shop/stall must be within the building/location of an actual exhibition or show.	The exhibition or show must be devoted entirely or primarily to agriculture, art, industry, and science, or any of these. This is quite a strict requirement, and to be considered 'devoted' to a show or exhibition a shop must be selling goods that are connected in some way with the show. For example, arts and crafts at an art and craft show, or farming supplies at an agriculture show, rather than general goods.
Shop at any public transport terminal or station	The criteria for whether or not an item is considered a souvenir is quite strict. Items must be connected to a place or culture in New Zealand.	

SUBMISSIONS CAN BE:

ONLINE:

www.waikatodistrict.govt.nz/sayit



POSTED:

Waikato District Council
Private Bag 544
Ngaruawahia 3742

DELIVERED:

Waikato District Council

Attn: Corporate Planner
15 Galileo Street, Ngaruawahia 3742



EMAILED:

consult@waidc.govt.nz

Subject heading should read:
'Easter Trading Policy Submission'

Huntly Office

142 Main Street, Huntly 3700

Raglan Office

7 Bow Street, Raglan 3225

Tuakau Office

2 Dominion Rd, Tuakau 2121

Te Kauwhata Office

1 Main Road, Te Kauwhata 3710

WHAT HAPPENS NEXT?

**Council will acknowledge each submission
received in writing, either by letter or email.**

Following the closing of submissions on 14 January, all submissions will be reviewed. Verbal submissions will be heard, and all submissions will be formally considered at a meeting of the Policy & Regulatory Committee in February 2022.

This meeting will be open to both submitters and the public to attend.

IMPORTANT DATES TO REMEMBER:

CONSULTATION OPENS – 1 December 2021

CONSULTATION CLOSES – 16 January 2022

HEARING OF SUBMISSIONS – February 2022.

If you have any further queries, or would like
further copies of the Easter Trading Policy,
please contact Leisa.Hood via email
at Leisa.Hood@waidc.govt.nz.

SCHEDULE ONE – What shops can open on Easter Sunday

SCHEDULE TWO – Submission form