



Order Paper for a meeting

**HEARING OF SUBMISSIONS:**

**Draft Easter Sunday Shop Trading Policy 2025**

to be held on

Tuesday 11 February 2024

commencing at 1.30pm

in the

Council Chambers

10 Gorge Road, Queenstown

### **9.12 Items of business not on the agenda which cannot be delayed | Ngā take kāore i runga i te rārangi take e kore e taea te whakaroa**

*A meeting may deal with an item of business that is not on the agenda where the meeting resolves to deal with the item and the Chairperson provides the following information during the public part of the meeting:*

*(a) the reason the item is not on the agenda; and*

*(b) the reason why the discussion of the item cannot be delayed until a subsequent meeting.*

*s. 46A (7), LGOIMA*

*Items not on the agenda may be brought before the meeting through a report from either the chief executive or the Chairperson.*

*Please note that nothing in this standing order removes the requirement to meet the provisions of Part 6, LGA 2002 with regard to consultation and decision-making.*

### **9.13 Discussion of minor matters not on the agenda | Te kōreorero i ngā take iti kāore i runga i te rārangi take**

*A meeting may discuss an item that is not on the agenda only if it is a minor matter relating to the general business of the meeting and the Chairperson explains at the beginning of the public part of the meeting that the item will be discussed. However, the meeting may not make a resolution, decision or recommendation about the item, except to refer it to a subsequent meeting for further discussion.*

#### **REFERENCE:**

*Queenstown Lakes District Council Standing Orders adopted on 17 November 2022.*

**QUEENSTOWN LAKES DISTRICT COUNCIL**

**HEARING OF SUBMISSIONS ON:**

**DRAFT EASTER SUNDAY SHOP TRADING POLICY 2025**

**PANEL MEMBERS**

**Councillor L Cocks**

**Councillor N Gladding**

**Councillor M Wong**

**Chair of hearing panel to be determined at beginning of hearing.**

**HEARING OF SUBMISSIONS:  
Draft Easter Sunday Shop Trading Policy 2025**



Agenda for a hearing of submissions on the Draft Easter Sunday Shop Trading Policy 2025 to be held in the Council Chambers, 10 Gorge Road, Queenstown on Tuesday, 11 February 2025 beginning at 11.30am.

<b>Item</b>	<b>Page Number</b>	<b>Report Title</b>
		<b>Election of Chairperson</b>
		<b>Apologies</b>
		<b>Declarations of Conflict of Interest</b>
		<b>Confirmation of Agenda</b>
1	5	<b>Hearing panel report: Draft Easter Sunday Shop Trading Policy 2025</b>
	15	<b>Attachment A:</b> Draft Easter Sunday Shop Trading Policy 2025
	18	<b>Attachment B:</b> Statement of proposal - draft Easter Sunday Shop Trading Policy 2025
	23	<b>Attachment C:</b> Easter Sunday Shop Trading Policy 2017
	25	<b>Attachment D:</b> Submission pack - draft Easter Sunday Shop Trading Policy 2025

## Hearing Panel

11 February 2025

### Report for Agenda Item | Rīpoata moto e Rāraki take

**Department: Strategy & Policy**

**Title | Taitara: Hearing panel report - draft Easter Sunday Shop Trading Policy 2025**

#### Purpose of the Report | Te Take mō te Pūroko

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The purpose of this report is to present the written submissions received by the Queenstown Lakes District Council (QLDC) on the draft Easter Sunday Shop Trading Policy 2025 (the draft policy, **Attachment A**) to provide members of the public the opportunity to be heard, and to outline options to the hearing panel.

#### Executive Summary | Whakarāpopototaka Matua

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On 24 October 2024, Council endorsed a statement of proposal (**Attachment B**), which included the draft policy for public consultation. Submissions were received between from 31 October 2024 to 30 November 2024.

No significant changes are proposed to the 2017 policy (**Attachment C**), with only the style and structure being updated.

Council received eight submissions on the draft policy, and these are included with this report in **Attachment D**. One submitter requested to be heard on this matter but has since withdrawn and will not be speaking at the meeting.

The hearing panel is currently being asked to receive written submissions and recommend to Council a final form of the draft Easter Sunday Shop Trading Policy 2025. At the Council meeting on 20 March 2025, officers are proposing to present the final draft policy to Council for it to consider and adopt.

#### Recommendation | Kā Tūtohuka

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That the Hearing Panel:

1. **Note** the contents of this report;
2. **Receive** all written submissions to the draft Easter Sunday Shop Trading Policy 2025; and
3. **Recommend** to Council a final form of the Easter Sunday Shop Trading Policy 2025 to be adopted, following consideration of public feedback from the submissions.

**Prepared by:**



**Name:** Carrie Williams  
**Title:** Policy Manager  
10 January 2025

**Reviewed and Authorised by:**



**Name:** Michelle Morss  
**Title:** GM Strategy and Policy  
17 January 2025

Context | Horopaki

**Easter Sunday trading context**

1. Easter Sunday is a restricted trading day under the Shop Trading Hours Act 1990 ('Act'). All shops are to remain closed, except for certain shops under certain conditions. These include dairies, cafes, service stations, garden centres, pharmacies, souvenir and duty-free shops.
2. In 2016, amendments to the Act enabled councils to adopt a policy which permits all shops to open on Easter Sunday in the whole or part of their district. Councils cannot specify what type of shops can open or times that shops can open.
3. Council adopted an Easter Sunday Shop Trading Policy on 9 March 2017 in consultation with the community. This policy allowed all shops in the Queenstown Lakes District (QLD) to open if they wished to. The policy supported local businesses that benefit from tourist trade in particular, and provided greater retail options for the large volume of visitors to the district over this time period. It also eliminated any confusion about which shops can open on Easter Sunday.
4. Note that an Easter Sunday Trading 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. Additionally, monitoring and enforcement of an Easter Sunday shop trading policy is the responsibility of the Ministry for Business, Innovation and Employment (MBIE), not QLDC.
5. The Act requires councils to review an Easter Sunday trading policy using the special consultative procedure no later than seven years after adoption, therefore the QLDC policy was automatically revoked on 9 March 2024.

**Timeline**

6. The process and key milestones for this policy are summarised below.

Date	Milestone
24 October 2024	Council resolved to consult on a draft Easter Sunday Shop Trading Policy 2025 in accordance with the special consultative procedure and appointed a hearing panel to receive submissions.
31 October 31 - 30 November 2024	Formal consultation period.
13 February 2025	Hearings and consideration of options by the hearing panel.
20 March 2025	Council to deliberate and adopt the policy.

### **Central government reform to holiday trading is unlikely**

7. Shortly after the automatic revocation of Council's policy in March 2024, a private members bill (the Repeal of Good Friday and Easter Sunday as Restricted Trading Days (Shop Trading and Sale of Alcohol) Amendment Bill) to reform the laws around Easter trading and remove the need for individual councils to have a policy to enable shops to be open on Easter Sunday was introduced to Parliament.
8. The Bill was defeated at first reading on a conscience vote on 17 December 2024 (74 against, 49 in favour). Accordingly, councils will continue to need a policy to enable trading on Easter Sunday.

### **Analysis and Advice | Tatāritaka me kā Tohutohu**

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#### **Submissions received**

9. Council received eight submissions on the draft bylaw. Copies of the submissions are included at **Attachment C**.
10. Of the eight submissions, six were made through the Let's Talk survey platform and two were via email. One person had indicated that they wish to be heard in support of their submission but has since withdrawn and will not be speaking at the meeting.
11. Seven submitters supported the draft policy, and one submitter opposed it. When the 2017 policy was consulted on with the community, of 33 submissions received, 76% (25) were in support of the proposed policy, 3% (one) was neutral and 21% (seven) disagreed with the proposed policy.
12. At 88% support, the 2024 consultation had a greater percentage in support of Easter Sunday trading. However, the number of submissions received is relatively low. This could indicate that the expired policy was working effectively, and that the community is amenable to the draft policy. The opportunity and process for participation followed the special consultative procedure and was consistent with QLDC's approach for such consultations.

#### **Response to submission points**

13. Five text responses were received in relation to the draft policy. These are addressed below.

#### Employee right to refuse to work

14. The submitter who opposed the draft policy was not opposed to trading on Easter Sunday, but viewed that the draft policy does not put sufficient weight on an employee's right to refuse to work. The submitter views that the wording in the draft policy "disadvantages the less well-informed, young, lower paid and casual employees" and requests that if Council amends the wording of this clause, they would no longer be opposed to the draft policy.
15. As stated in the 24 October 2024 report to Council, under the Act, employees are entitled to refuse to work on Easter Sunday, and they don't have to give a reason for the refusal. For



situations where the employee feels undue pressure to work, there are mechanisms in place within the Employment Relations Act 2000. It is possible that not all employees feel comfortable pursuing a grievance, but Council is not aware of any complaints about local employees being pressured to work since this policy was adopted. Council does not have the jurisdiction to monitor or enforce the Employment Relations Act 2000.

16. It is open to the hearing panel to recommend changes to the draft policy in relation to this point. The reason for the wording in the draft policy is not intended to shift the focus of employees right to refuse to work, but to emphasise the legislative requirements of the Employment Relations Act 2000 in this regard, that sit above a council policy. A change of wording in this regard would not alter the responsibilities or obligations described in the draft policy, therefore officers are neutral on this point.
17. The current wording in the draft policy is, “Employers must comply with the provisions relating to a Shop employees right to refuse to work, as is set out in the Act and in the Employment Relations Act 2000. Employers and Shop employees must also give notice in accordance with the time provisions set out in the Act.”
18. If the hearing panel wishes to recommend to Council that it amend the draft policy, suggested additional wording to the above is,

“The Act and the Employment Relations Act 2000 allows Shop employees to decide not to work on Easter Sunday, without any implications to their employment relationship, and also places certain obligations on employers. The Act sets out the requirements and timing for the written notices an employer who proposes to trade on Easter Sunday must give to affected employees, and which affected employees who decide not to work on Easter Sunday must give to their Employer.”

#### Sale of alcohol

19. Another submitter provided feedback that alcohol should be able to be sold as well as all shops being able to open over the entire Easter period. As stated at paragraph 4 above, an Easter Sunday Trading Policy under the Act only applies to Easter Sunday, and does not apply to the sale or supply of alcohol, as this is regulated under the Sale and Supply of Alcohol Act 2012. Reform would be required by central government to both the Act and the Sale and Supply of Alcohol Act 2012 to enable the sale of alcohol on certain holidays<sup>1</sup>, therefore no change to the draft policy is recommended in relation to this point.

#### Exemption orders from the Act

20. Two submitters mentioned the Queenstown exemptions from the application of the Act. Section 4(2)(a) of the Act provides that shops within the area of an exemption order made under the now repealed 1977 Act can open at the time and day stated on the order.

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<sup>1</sup> Anzac Day morning, Good Friday, Easter Sunday, and Christmas Day (ss. 47 and 48 of the Sale and Supply of Alcohol Act 2012).

21. There is an exemption order for Queenstown that allows shops within a 35km radius from the corner of Camp Street and Ballarat Street, but excluding Kingston, to open on Good Friday and after 12pm on Anzac Day<sup>2</sup>. One submitter suggested that the current exemption for Queenstown allows shops to open Christmas Day, which is not the case.<sup>3</sup> There is also an exemption for Pembroke Village Mall, in Wānaka allowing it to open on Anzac Day only<sup>4</sup>. It is noted that the Wānaka exemption is potentially obsolete as buildings in this block of Wānaka have changed significantly since the order was issued.
22. The Act does not enable further exemption orders to be made that would allow shops to open across the district (and include Easter Sunday) to enable consistency, it only gives effect to those that were in place prior to 1990. The existence of these exemption orders therefore does not affect the need for Council to have a policy should it want to enable shops to open on Easter Sunday if they wish to. No changes are recommended to the draft policy as an outcome of this feedback.

#### Support for the draft policy

23. Other feedback referred to the high number of visitors to the district, the need for consistency across the district as well providing shops with the option to choose whether to open, as reasons to retain the policy. The draft policy responds to these comments in relation to Easter Sunday, and no changes are recommended as response to this feedback.

#### **Options and analysis**

24. This hearing panel is being asked to receive written and oral submissions and recommend to Council a final form of the draft Easter Sunday Shop Trading Policy 2025.
25. At the Council meeting on 20 March 2025, officers are proposing to present the final draft policy to Council for it to consider and adopt. When reporting to Council, the officer's report will incorporate a summary from this hearing panel. The officer report will address the requirements set out in section 77 of the Local Government Act 2002 (LGA) that local authorities must satisfy through its decision-making process and will identify and assess the reasonably practicable options for assessing the matter as required by section 77 of the Local Government Act 2002.
26. This report below identifies and assesses the following reasonably practicable options for assessing this matter as required by section 77 of the LGA.
27. Note that Council is able to make changes to the draft policy as an outcome of formal consultation in response to feedback received, as long as the changes are within the scope of what is contemplated in the statement of proposal. Material changes to the draft policy proposed after

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<sup>2</sup> [Employment NZ - Valid exemptions granted](#) at page 12.

<sup>3</sup> Ibid at page 12 states, "that the shops in the area may open at any time on any day except for Christmas Day...".

<sup>4</sup> Ibid at page 18 and described as, "the complex of four buildings ... within the boundaries of Ardmore and Helwick Streets and the lakefront."

consultation that are not contemplated in the statement of proposal may require Council to consult again.

28. **Option 1:** That the hearing panel receive all submissions and recommend that Council adopt the draft Easter Sunday Shop Trading Policy 2025 with no changes to the draft policy that went out for consultation.

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>• Council would have fulfilled its obligations under the Act and the LGA to consult on the draft policy and to hear submissions received.</li> <li>• If adopted by Council, the draft policy that went out for consultation provides a sound basis for allowing Easter Sunding trading in the district.</li> </ul>	<ul style="list-style-type: none"> <li>• The draft policy may not align or address all community views.</li> </ul>

29. **Option 2:** That the hearing panel receive all submissions and recommend that Council endorse the draft Easter Sunday Shop Trading Policy 2025 with changes as an outcome of the consultation process.

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>• Council would have fulfilled its obligations under the Act and the LGA to consult on the draft policy and to hear submissions received.</li> <li>• If adopted by Council, the draft policy that went out for consultation provides a sound basis for allowing Easter Sunding trading in the district.</li> </ul>	<ul style="list-style-type: none"> <li>• The draft policy may not align or address all community views.</li> </ul>

30. **Option 3:** That the hearing panel receive all submissions and recommend that Council not endorse the draft Easter Sunday Shop Trading Policy 2025.

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>• Council would have fulfilled its obligations under the Act and the LGA</li> </ul>	<ul style="list-style-type: none"> <li>• Council could still choose to adopt the draft policy as the hearing panel's</li> </ul>

<p>to consult on the draft policy and to hear submissions received.</p>	<p>delegation is limited to making a recommendation.</p> <ul style="list-style-type: none"> <li>• If Council chooses to not to adopt a draft policy, and as the 2017 policy has lapsed, it will be unlawful for shops to open on Easter Sunday in the district until such time that a new policy is endorsed.</li> </ul>
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31. This report recommends that the hearing panel proceed with option 1 or 2 for addressing the matter and receive the written submissions and hear the submitters who wish to be heard on the draft bylaw. Both option 1 and 2 enable Council to:
- continue to enable stores to open on Easter Sunday in the district if they wish to
  - comply with the special consultative procedure requirements in the LGA.

#### **Next steps**

32. The hearing panel is being asked to receive written and oral submissions on 13 February and recommend to Council a final form of the draft Easter Sunday Shop Trading Policy 2025.
33. It is intended that Council will consider and adopt the final policy at its meeting on 20 March 2025. If adopted by Council, the policy will come into effect from that date.

#### **Consultation Process | Hātepe Matapaki**

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#### **Significance and Engagement | Te Whakamahi I kā Whakaaro Hiraka**

34. This matter is of low significance, as determined by reference to the Council’s Significance and Engagement Policy 2024 because:
- the matters have minimal to moderate impact on the community, although parts of the community will have interest in this issue
  - while there is interest in this issue, this report is not requesting adoption of the draft policy at this time
  - the proposal is consistent with Council’s 2017 policy
  - the proposal will not change the level of services provided by Council, or Council’s capacity
  - there is a low level of financial consequence as a result of adopting the recommended option.
35. The persons who are affected by or interested in this matter are residents/ratepayers of the Queenstown Lakes District community, business owners and operators and visitors to the district.
36. Council has consulted on the matter in line with the special consultative procedure, which enables it to better understand community views on the draft policy. Feedback was sought from the

community and industry stakeholders<sup>5</sup>. Council will give consideration to the views and preferences of persons likely to be affected by, or to have an interest in, the matter, as required by the LGA (s.78(1)).

### **Māori Consultation | Iwi Rūnaka**

37. Council has not undertaken direct consultation with Iwi, but the opportunity to make a submission during the consultation period was available to Iwi and Rūnaka.

### **Risk and Mitigations | Kā Raru Tūpono me kā Whakamaurutaka**

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38. This matter relates to the Regulatory/Legal/Compliance risk category. It is associated with RISK10020 Ineffective communication and the tier 2 RISK20149 Ineffective and/or incomprehensive consultation processes within the QLDC Risk Register. This risk has been assessed as having a moderate residual risk rating.

39. The approval of the recommended option will allow Council to avoid the risk. This will be achieved by effectively consulting with the community regarding a draft policy for Easter Sunday trading in the district, by receiving all submissions and hearing those who wish to present their submission in person.

### **Financial Implications | Kā Riteka ā-Pūtea**

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40. Costs associated with consultation and adoption of a policy will be met within current Council budgets. Costs include staff time and advertising.

### **Council Effects and Views | Kā Whakaaweawe me kā Tirohaka a te Kaunihera**

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41. The following Council policies, strategies and bylaws were considered:

- the outcomes and principles of Vision Beyond 2050: [Our Vision and Mission - QLDC](#)
- the QLDC Annual Plan
- the QLDC Long Term Plan 2024-2034.

42. The recommended option is consistent with the principles set out in the named policies.

43. Provision for review of policies is included in the Long Term Plan/Annual Plan.

### **Legal Considerations and Statutory Responsibilities | Ka Ture Whaiwhakaaro me kā Takohaka Waeture**

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44. Section 5B of the Shop Trading Hours Act 1990 requires that consultation on a draft policy be done via the special consultative procedure outlined in sections 83 and 86 of the LGA. The special consultative procedure requires that Council adopts a formal statement of proposal, has a consultation period of not less than one month, and allows people to present their views to

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<sup>5</sup> Queenstown and Wānaka chambers of commerce, Destination Queenstown, Lake Wānaka Tourism.

Council in a manner that enables spoken interaction, such as by having a hearing. In accordance with s.83 of the LGA, Council has encouraged people to give feedback, by:

- placing advertisements in local newspapers
- promoting the consultation on Council’s social media pages
- the draft policy, the statement of proposal and other supporting documents were made available on Council’s Let’s Talk website, at the Council offices at 10 Gorge Road, Queenstown, and 47 Ardmore Street, Wānaka.

#### Local Government Act 2002 Purpose Provisions | Te Whakatureture 2002 o te Kāwanataka ā-Kiaka

45. Section 10 of the Local Government Act 2002 states the purpose of local government is (a) to enable democratic local decision-making and action by, and on behalf of, communities; and (b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future. The issues that the draft policy addresses relate to ensuring that shops are able open on Easter Sunday if they choose to do so. As such, the recommendation in this report is appropriate and within the ambit of Section 10 of the Act.

46. The recommended option:

- Can be implemented through current funding under the Long Term Plan and Annual Plan;
- Is consistent with the Council's plans and policies; and
- Would not significantly alter the intended level of service provision for any significant activity undertaken by or on behalf of the Council or transfer the ownership or control of a strategic asset to or from the Council.

#### Attachments | Kā Tāpirihaka

A	Draft Easter Sunday Shop Trading Policy 2025
B	Statement of proposal - draft Easter Sunday Shop Trading Policy 2025
C	Easter Sunday Shop Trading Policy 2017
D	Submission pack - draft Easter Sunday Shop Trading Policy 2025



## DRAFT Easter Sunday Shop Trading Policy 2025

<b>Team   Directorate</b>	Monitoring, Enforcement and Environment   Assurance, Finance and Risk
<b>Adopted by</b>	Council resolution on 20 March 2025
<b>Effective date</b>	March 2025
<b>Next review</b>	March 2028

### Purpose

The purpose of this policy is to allow all shops in the Queenstown Lakes District to open on Easter Sunday. This policy will:

- promote ease of business
- recognise the needs of the retail and tourism sectors to be able to choose to open on Easter Sunday if they wish to
- apply a consistent and simple approach to Easter Sunday shop trading.

### 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 certain shops under certain conditions. In 2016, the Act was amended to enable Councils to introduce a policy permitting all shops to trade on Easter Sunday. Councils can apply their policy to the whole of its district, or any part or parts of its district. A policy cannot specify opening hours, types of shops that may open, or for what purposes a shop may open.

In 2017, Council adopted their first Local Easter Sunday Shop Trading Policy which allowed all shops in the Queenstown Lakes District to open if they chose to.

### Policy details

This policy is made under the Act and continues to allow all shops in the whole of the Queenstown Lakes District to open on Easter Sunday. A map outlining the boundary of the Queenstown Lakes District is at Attachment A, as is legally required by the Act.

### Right to refuse to work

Employers must comply with the provisions relating to a Shop employees right to refuse to work, as is set out in the Act and in the Employment Relations Act 2000. Employers and Shop employees must also give notice in accordance with the time provisions set out in the Act.

## Sale and supply of alcohol

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.

## Definitions

Term	Meaning
<b>Shop</b>	<p>Is 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 –</p> <ul style="list-style-type: none"><li>a) a private home where the owner or occupier's effects are being sold (by auction or otherwise); or</li><li>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</li><li>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.</li></ul>
<b>Employer</b>	<p>Has the same meaning as in Section 5 of the Employment Relations Act 2000 - <i>means a person employing any employee or employees; and includes a person engaging or employing a homemaker.</i></p>
<b>Shop employee</b>	<p>Means an employee within the meaning of Section 6 of the Employment Relations Act 2000 who works in or from a shop - <i>means any person of any age employed by an employer to do any work for hire or reward under a contract of service.</i></p>



# Attachment A



# Statement of Proposal

## Draft Easter Sunday Shop Trading Policy 2025

## 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 in the Queenstown Lakes District (district or QLD) on Easter Sunday.

## Background

Easter Sunday is a restricted trading day under the Shop Trading Hours Act 1990 ('Act'). All shops are 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, amendments to the Act enabled councils to adopt a policy which permits all shops to open on Easter Sunday in the whole or a part of their district. This provision is only applicable to Easter Sunday and does not include Good Friday and Easter Monday (which are also public holidays). Councils can not specify what type of shops can open or times that shops can open.

Council adopted an Easter Sunday Shop Trading Policy in 2017 in consultation with the community. This policy allowed all shops in the district to open if they wished to. The policy supported local businesses who benefit from tourist trade, in particular, and provided greater options for the large volume of visitors to the district over this time period. It also eliminated any confusion on what shops can open on Easter Sunday.

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

The 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.

This statement of proposal is prepared under sections 83 and 86 of the Local Government Act 2002 (LGA) and contains:

- the reasons and options for the proposal
- a copy of the draft policy
- how you can have your say
- timetable for consultation.

## The reasons for the proposal

The reasons for this proposal are:

- the review requirements of the Act mean that the current policy is no longer in effect. Council is consulting with the community as part of this review.
- to seek community views on the draft
- to encourage people to give feedback on the draft bylaw
- to let people know how they can give feedback.

The 24 October 2024 Council report contains more detailed information on these points:

<https://www.qldc.govt.nz/your-council/council-documents/agendas-minutes/full-council>

### Options

Council considers that the current policy is working well for the district 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** – Adopt the draft policy so all shops in the district can open on Easter Sunday, as has been the case since 2017.

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

**Option 3** – Elect not to have a policy, so only those shops specified in the Act can open on Easter Sunday. These include dairies, cafes, service stations, garden centres, pharmacies, souvenir and duty-free shops.

**Option 1 – Adopt the draft policy so all shops in the district can open on Easter Sunday, as has been the case since 2017.**

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>• All shops in the district will be able to open on Easter Sunday if they wish.</li> <li>• There is no confusion about what type of shop can open.</li> <li>• Visitors to the QLD have the option to shop on Easter Sunday.</li> <li>• Workers can choose to work or not to work on Easter Sunday.</li> <li>• This approach has been in place since 2017 and will therefore represent continuation of the status quo, which may reduce the risk of confusion.</li> </ul>	<ul style="list-style-type: none"> <li>• Workers are able to opt out of working on Easter Sunday, but they may feel pressured to work.</li> <li>• Easter Sunday is an important day on the Christian calendar and parts of the community may not agree with the draft policy.</li> </ul>

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

Advantages	Disadvantages

# Statement of Proposal

## Draft Easter Sunday Shop Trading Policy 2025

<ul style="list-style-type: none"> <li>• The communities that wish to have this policy in place can do so.</li> <li>• Businesses in certain communities would be able to benefit from the high visitor numbers during this time of year.</li> <li>• Workers in certain communities could work if they wished to.</li> <li>• Visitors to the district would have the option to shop in certain communities.</li> </ul>	<ul style="list-style-type: none"> <li>• Visitors may be unclear about which communities are able to open their shops.</li> <li>• Workers in the communities that the policy doesn't apply to cannot work, even if they wish to.</li> <li>• Workers in the towns that the policy applies to may feel pressured to work.</li> <li>• Businesses in parts of the district that cannot open on Easter Sunday cannot benefit from the high visitor numbers during this time of year.</li> <li>• Easter Sunday is an important day on the Christian calendar and parts of the community may not agree with the draft policy.</li> <li>• This changes the approach that has been in place since 2017 and may cause confusion.</li> </ul>
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**Option 3 – Elect not to have a policy, so only those shops specified in the Act can open on Easter Sunday. These include dairies, cafes, service stations, garden centres, pharmacies, souvenir and duty-free shops.**

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>• Although workers can opt not to work, this ensures there is no pressure for them to work.</li> <li>• Respects Christian traditions for those who celebrate Easter Sunday for religious reasons.</li> </ul>	<ul style="list-style-type: none"> <li>• Businesses not specified in the Act do not have the choice to open.</li> <li>• There remains confusion about what type of shop can open.</li> <li>• Businesses cannot benefit from the high visitor numbers during this time of year.</li> <li>• Workers cannot work, even if they wish to.</li> </ul>

# Statement of Proposal

## Draft Easter Sunday Shop Trading Policy 2025

	<ul style="list-style-type: none"><li>• Visitors to the district do not have the option to shop.</li><li>• This changes the approach that has been in place since 2017 and may cause confusion.</li></ul>
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### How you can have your say

Anyone can make a submission online at <https://letstalk.qldc.govt.nz>. Submissions will be accepted from 8am on 31 October 2024 and must be received by 5pm on 30 November 2024.

All submissions should state:

- the submitter's name<sup>1</sup>
- the submitter's contact details
- whether or not the submitter would like to speak to Council about this matter.

Copies of this statement of proposal and draft policy may be obtained at no cost from either of the Council offices at 10 Gorge Road, Queenstown, 47 Ardmore Street, Wānaka, any Council library within the Queenstown Lakes District or the Council website at <https://letstalk.qldc.govt.nz>. If you need help submitting, please contact Council at 03 441 0499, 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 February 2024. This is when anyone who has made a submission and who has said they would like to speak to Council, can do so. 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 either in person or via audio-visual link. 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.

Date	Activity
24 October 2024	Council adopted the proposal for consultation

<sup>1</sup> Note: if you do not feel comfortable providing your name or contact details in a submission, please contact Council, who can facilitate an anonymous submission.

# Statement of Proposal

## Draft Easter Sunday Shop Trading Policy 2025

31 October 2024	Consultation period begins (8am)
30 November 2024	Consultation period ends (5pm)
February 2025	Hearing panel meeting (date to be confirmed after submission period ends)
20 March 2025	Deliberations and adoption by Council



### Queenstown Lakes District Council

## Local Easter Sunday Shop Trading Policy

### Introduction

This policy is made under Shop Trading Hours Act 1990 ("Act"), regarding the opening of shops on Easter Sunday.

The Act was amended in 2016 to allow councils to have a policy to allow shops to open on Easter Sunday.

The restrictions applying to Anzac Day morning, Good Friday and Christmas Day remain unchanged.

Currently most shops in most districts around New Zealand are unable to open for trade on Easter Sunday because of the day's status as a restricted trading day under the Act.

### Definition

A **shop** is 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 private home where the owner or occupier's effects are being sold (by auction or otherwise); or
- 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
- 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.

### Strategic Alignment

This policy assists in the delivery of the following Council outcomes and goals:

- Protects the interests of the District and its community;
- Is cost effective and achieves the regulatory objectives; and
- Enables our community to comply with national and local legislation because they are well understood and easy to comply with.

### Scope of policy

This policy applies to the whole of the Queenstown Lakes District.

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

### Shop trading permitted

Shop trading is permitted on Easter Sundays throughout the Queenstown Lakes District (Appendix A).

### Shop employees' right to refuse to work

Easter Sunday continues to be a day of significance across New Zealand and some people would rather not work on this day.

There are 'right to refuse' provisions that allow employers to negotiate freely, and means that all shop employees will have the ability to refuse to work on Easter Sunday without any repercussions for their employment relationship.

## Appendix A – Map of Queenstown Lakes District







## Draft Easter Sunday Shop Trading Policy

submission pack

February 2025

Name	Organisation (if any)	Speaking to submission	Page #
Amber Wonder		No	2
Steve Moss		No	3
Dave Harding-Shaw		No	4
Kelly Hughes		No	5
Miles Wilson	Rugby Planet	Yes	6
Peter Degerholm		No	7
Mark Sullivan	Foodstuffs South Island	No	8
Jo Learmouth	Wānaka Business Chamber	No	10



**Respondent No:** 1

**Login:** Anonymous

**Email:** n/a

**Responded At:** Nov 04, 2024 11:22:53 am

**Last Seen:** Nov 04, 2024 11:22:53 am

**IP Address:** n/a

**Q1. Name:** Amber Wonder

**Q2. Organisation:** not answered

**Q3. Email address:** [REDACTED]

**Q4. Privacy statement** I understand that all submissions will be treated as public information: I understand

**Q5. What is your position on the draft policy?** Support

**Q6. Do you have any additional feedback you would like to provide about the draft policy?**

Alcohol should also be sold and the shops should be able to open any of the Easter holidays.

**Q7. Would you like to speak to your submission at a hearing?** not answered

**Q8. If you would like to speak at a hearing, please provide a phone number so we can contact you to arrange a time.** not answered



**Respondent No:** 2

**Login:** Anonymous

**Email:** n/a

**Responded At:** Nov 04, 2024 18:39:23 pm

**Last Seen:** Nov 04, 2024 18:39:23 pm

**IP Address:** n/a

- 
- Q1. Name:** Steve Moss
- 
- Q2. Organisation:** not answered
- 
- Q3. Email address:** [REDACTED]
- 
- Q4. Privacy statementI understand that all submissions will be treated as public information:** I understand
- 
- Q5. What is your position on the draft policy?** Support
- 
- Q6. Do you have any additional feedback you would like to provide about the draft policy?**  
No
- 
- Q7. Would you like to speak to your submission at a hearing?** not answered
- 
- Q8. If you would like to speak at a hearing, please provide a phone number so we can contact you to arrange a time.** not answered
-



**Respondent No:** 3

**Login:** Anonymous

**Email:** n/a

**Responded At:** Nov 05, 2024 10:52:32 am

**Last Seen:** Nov 05, 2024 10:52:32 am

**IP Address:** n/a

- Q1. **Name:** Dave Harding-Shaw
- 
- Q2. **Organisation:** not answered
- 
- Q3. **Email address:** [REDACTED]
- 
- Q4. **Privacy statementI understand that all submissions will be treated as public information:** I understand
- 
- Q5. **What is your position on the draft policy?** Support
- 
- Q6. **Do you have any additional feedback you would like to provide about the draft policy?**
- I feel this has been working well. As an area that relies on tourism, and has high visitor numbers at this time of year, the ability to trade is important and should be retained.
- 
- Q7. **Would you like to speak to your submission at a hearing?** not answered
- 
- Q8. **If you would like to speak at a hearing, please provide a phone number so we can contact you to arrange a time.** not answered
-



**Respondent No:** 4

**Login:** Anonymous

**Email:** n/a

**Responded At:** Nov 09, 2024 19:09:37 pm

**Last Seen:** Nov 09, 2024 19:09:37 pm

**IP Address:** n/a

- 
- Q1. Name:** Kelly Hughes
- 
- Q2. Organisation:** not answered
- 
- Q3. Email address:** [REDACTED]
- 
- Q4. Privacy statementI understand that all submissions will be treated as public information:** I understand
- 
- Q5. What is your position on the draft policy?** Support
- 
- Q6. Do you have any additional feedback you would like to provide about the draft policy?**  
not answered
- 
- Q7. Would you like to speak to your submission at a hearing?** not answered
- 
- Q8. If you would like to speak at a hearing, please provide a phone number so we can contact you to arrange a time.** not answered
-



**Respondent No:** 5

**Login:** Anonymous

**Email:** n/a

**Responded At:** Nov 14, 2024 06:56:22 am

**Last Seen:** Nov 14, 2024 06:56:22 am

**IP Address:** n/a

- Q1. **Name:** Miles Wilson
- 
- Q2. **Organisation:** Rugby Planet
- 
- Q3. **Email address:** [REDACTED]
- 
- Q4. **Privacy statementI understand that all submissions will be treated as public information:** I understand
- 
- Q5. **What is your position on the draft policy?** Support
- 
- Q6. **Do you have any additional feedback you would like to provide about the draft policy?**
- Registered retail stores should be permitted to open on Easter Sunday, & all other public holidays, including Christmas Day & Good Friday, as is currently permitted in Queenstown. The only exception should be closure on Anzac Day until 12 noon.
- 
- Q7. **Would you like to speak to your submission at a hearing?** not answered
- 
- Q8. **If you would like to speak at a hearing, please provide a phone number so we can contact you to arrange a time.** not answered
-



**Respondent No:** 6

**Login:** Anonymous

**Email:** n/a

**Responded At:** Nov 28, 2024 18:36:00 pm

**Last Seen:** Nov 28, 2024 18:36:00 pm

**IP Address:** n/a

**Q1. Name:** Peter Degerholm

**Q2. Organisation:** not answered

**Q3. Email address:** [REDACTED]

**Q4. Privacy statement I understand that all submissions will be treated as public information:** I understand

**Q5. What is your position on the draft policy?** Oppose

**Q6. Do you have any additional feedback you would like to provide about the draft policy?**

My reason for opposing the draft is the subtle but significant omission of wording in the 2017 policy, and the removal of "employees" from the "right to refuse to work" paragraph. In my view the shift in emphasis from an employee's inalienable right to refuse to work to a focus on employers disadvantages the less well-informed, young, lower paid and casual employees who form the backbone of our retail workforce. The policy should be self-explanatory to those affected employees and balanced. I am aware of some Filipino employees who are afraid to refuse to work. I recommend a slight change to the wording, substantially reinstating the original wording of the "right to refuse" paragraph in the 2017 policy, and amending the proposed new paragraph along the following lines: "Shop employees' right to refuse to work The Act and the Employment Relations Act 2000 place certain obligations on employers, and allow shop employees to decide not to work on Easter Sunday, without any repercussions for their employment relationship. The Act sets out the requirements and timing for the written notices an employer who proposes to trade on Easter Sunday must give to affected employees, and which affected employees who decide not to work on Easter Sunday must give to their employer." If changes are made along the above lines I would withdraw my opposition.

**Q7. Would you like to speak to your submission at a hearing?** No

**Q8. If you would like to speak at a hearing, please provide a phone number so we can contact you to arrange a time.** not answered

27 November 2024

Queenstown Lakes District Council,  
Private Bag 50072,  
Queenstown 9348

### **Submission on the Draft Easter Sunday Shop Trading Policy 2025**

Foodstuffs South Island Limited is a cooperative whose members trade in the Queenstown Lakes District as New World, PAK'nSAVE, Four Square and On the Spot grocery or convenience stores.

We write in support of the Draft Easter Sunday Shop Trading Policy 2025 proposed by the Queenstown Lakes District Council.

We believe the policy recognises and respects the unique and diverse interests of retail, tourism, and the local workforce in the Queenstown lakes District.

In particular:

- (a) The Wanaka district relies heavily on tourism and retail. Allowing shops to open on Easter Sunday provides businesses with an opportunity to capitalise on the influx of tourists during the long weekend and allows the Wanaka district to compete with Queenstown which enjoys an exemption from trading restrictions over the Easter period.
- (b) We support giving businesses the freedom to decide whether they want to open and workers the right as to whether they wish to work, ensuring that participation is entirely voluntary. This respects the autonomy of shop owners to make decisions based on their unique circumstances, customer demand, and operational capacity and strikes a balance between business flexibility and employee welfare.
- (c) As a region that attracts international and domestic visitors, keeping some shops closed on Easter Sunday can create a mismatch between visitor expectations and available services. This policy allows visitors enjoy a seamless experience, enhancing the district's reputation as a tourist-friendly destination.
- (d) By allowing all shops in the Queenstown Lakes District to open without restrictions on the types of businesses or opening hours, the policy applies a clear and uniform approach. This reduces administrative confusion and ensures that businesses and employees can easily understand and comply with the regulations.
- (e) Since the introduction of the Local Easter Sunday Shop Trading Policy in 2017, the district has benefited from the ability of businesses to operate on Easter Sunday. Renewing this policy sustains these benefits and aligns with community and economic expectations established over the past seven years.



In conclusion we believe the Draft Easter Sunday Shop Trading Policy 2025 provides a pragmatic and balanced approach to meet the diverse needs of the Queenstown Lakes District. The continuation of this policy will benefit residents, businesses, and visitors alike.

Yours faithfully  
**Foodstuffs South Island Limited**

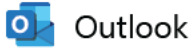


**Mark Sullivan**  
Legal Counsel and Company Secretary

P: [REDACTED]

[REDACTED]

E: [REDACTED]



Outlook

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## Easter Sunday Shop Trading Policy 2025

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**From** Jo Learmonth [REDACTED]  
**Date** Fri 29/11/2024 10:35 AM  
**To** Let's Talk <letstalk@qldc.govt.nz>  
**Cc** Glenn Peat [REDACTED]

To the QLDC,

The Wānaka Business Chamber would like to submit that **we are in support** of the Easter Sunday Shop Trading Policy 2025, currently out for consultation.

Tourism and holidaymakers are a significant contributor to the Upper Clutha economy and as such it is important that we support our business community to utilise the opportunities that holiday seasons present. The current economic challenges faced by many businesses mean that any trading restrictions can have a negative impact on viability.

I understand that all submissions will be treated as public information.

We do not wish to speak to our submission at a hearing.

Kind regards  
JO

**Jo Learmonth**  
BOARD CHAIR

*Empowering the  
Wānaka business  
community.*

~~chair@ignitewanaka.co.nz~~  
ignitewanaka.co.nz

