



**NAPIER**  
CITY COUNCIL  
*Te Kaunihera o Ahuriri*

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# EXTRAORDINARY MEETING OF COUNCIL

## Open Agenda

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Meeting Date:	Friday 30 November 2018
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Time:	9.00am
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Venue:	Council Chamber Hawke's Bay Regional Council 159 Dalton Street Napier
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Council Members	Mayor Dalton (In the Chair), Councillors Boag, Brosnan, Dallimore, Hague, Jeffery, McGrath, Price, Tapine, Taylor, White, Wise and Wright
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Officer Responsible	Chief Executive
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Administrator	Governance Team
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**Next Council Meeting**  
**Tuesday 11 December 2018**

# ORDER OF BUSINESS

## Apologies

Councillors Jeffery and Wright

## Conflicts of interest

## Public forum

Nil

## Announcements by the Mayor

## Announcements by the management

## Hearing of Submissions – Easter Sunday Trading Policy

- 9.00am Steph Kennard - *Napier City Business Inc*
- 9.10am David Day
- 9.20am Gese/Arthur Talaga - *Congregational Christian Church of Samoa*
- 9.30am Salvatore Rigione-Pisone
- 9.40am Matt Edwards
- 9.50am Mike McNabb - *First Union*
- 10.00am *Break*
- 10.30am Ruth Smithies
- 10.40am Robin Gwynn
- 10.50am Trinity Methodist Church
- 11.00am Tina Lea
- 11.10am Greg Harford – *Retail NZ*
- 11.20am Kay Craig
- 11.30am Maurice Craig
- 11.40am Wayne Church

## Agenda items

- 1 Easter Sunday Trading Policy - Summary of Submissions Report .....3

# AGENDA ITEMS

## 1. EASTER SUNDAY TRADING POLICY - SUMMARY OF SUBMISSIONS REPORT

<i>Type of Report:</i>	Legal and Operational
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	667671
<i>Reporting Officer/s &amp; Unit:</i>	Paulina Wilhelm, Manager City Development

### 1.1 Purpose of Report

To report on the submissions received on Council's proposed Local Easter Sunday Trading Policy and once having heard and considered those submissions, for Council to make a decision on whether to adopt the Local Easter Sunday Trading Policy.

#### Officer's Recommendation

That Council:

- a. Receive, consider and hear (where requested) submissions on the proposed Easter Sunday Trading Policy
- b. Following consideration of submissions, Council adopts the Easter Sunday Trading Policy 2018 to allow shops to trade on Easter Sunday in the Napier District.

#### Chairperson's Recommendation

That the Council resolve that the officer's recommendation be adopted.

### 1.2 Background Summary

#### Legislative Background

Changes to the Shop Trading Hours Act has given local Councils the option to adopt a policy that allows shops to trade on Easter Sunday. The policy can stipulate whether trading on Easter Sunday can occur in the whole of the district or parts of the district. The policy cannot:

- a) Permit shops to open for only some purposes; or
- b) Permit only some types of shops to open; or
- c) Specify times at which shops may or may not open; or
- d) Include any other conditions as to the circumstances in which shops may open

A Council can either have a policy that gives shops the option to open, or not have a policy. If a Council does not have a policy, retailers would remain bound by the legislation that stipulates shops must be closed on Easter Sunday (unless there is another exemption in place under the Shop Trading Hours Act, which allows them to open i.e. dairies, cafes, service stations, garden centres, pharmacies, souvenir and duty

free shops. If a Council does decide to adopt a policy, the policy is required to be reviewed through the special consultative procedure every five years.

#### Napier's previous Easter Sunday Trading Policy

Council previously voted to adopt an Easter Sunday Trading Policy on 22 February 2017 that allowed shops to trade on Easter Sunday in 2017 and 2018. However, the policy was overturned in August by a High Court decision that deemed consultation on the policy was inadequate.

On 2 October 2018, Council approved to re-consult on an Easter Sunday Trading Policy and public consultation was open from 3 October 2018 – 9 November 2018. During this time 177 formal submissions were received.

### **1.3 Significance and Engagement**

The decision and matters in this report are considered to be of high significance based on the high level of community interest in this policy. In addition, Council is required to use the special consultative procedure as prescribed in the Local Government Act 2002. The following consultation methods were used:

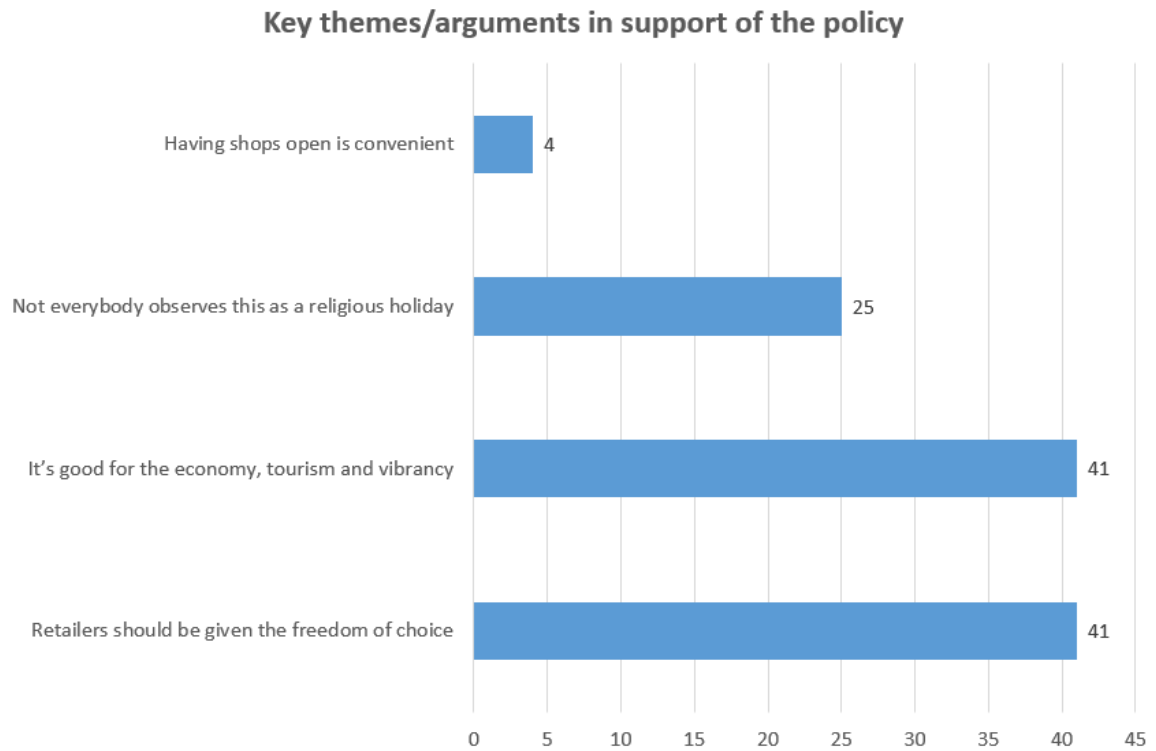
- A public notice was placed in the Napier Courier.
- The following identified stakeholders were notified by email or letter:
  - The Napier Community Network
  - Napier Christian Churches (39)
  - First Union and NZ Council of Trade Unions
  - Hawkes Bay Chamber of Commerce
  - Taradale Marketing Association
  - Napier City Business Incorporated
  - Ahuriri Business Association
  - Iwi/hapu
- A news item was posted on our website and the Napier City Council facebook page.
- A webpage has been created that details the proposal and consultation process.
- A media release at the opening of consultation and another to advise on the closing date for submissions.

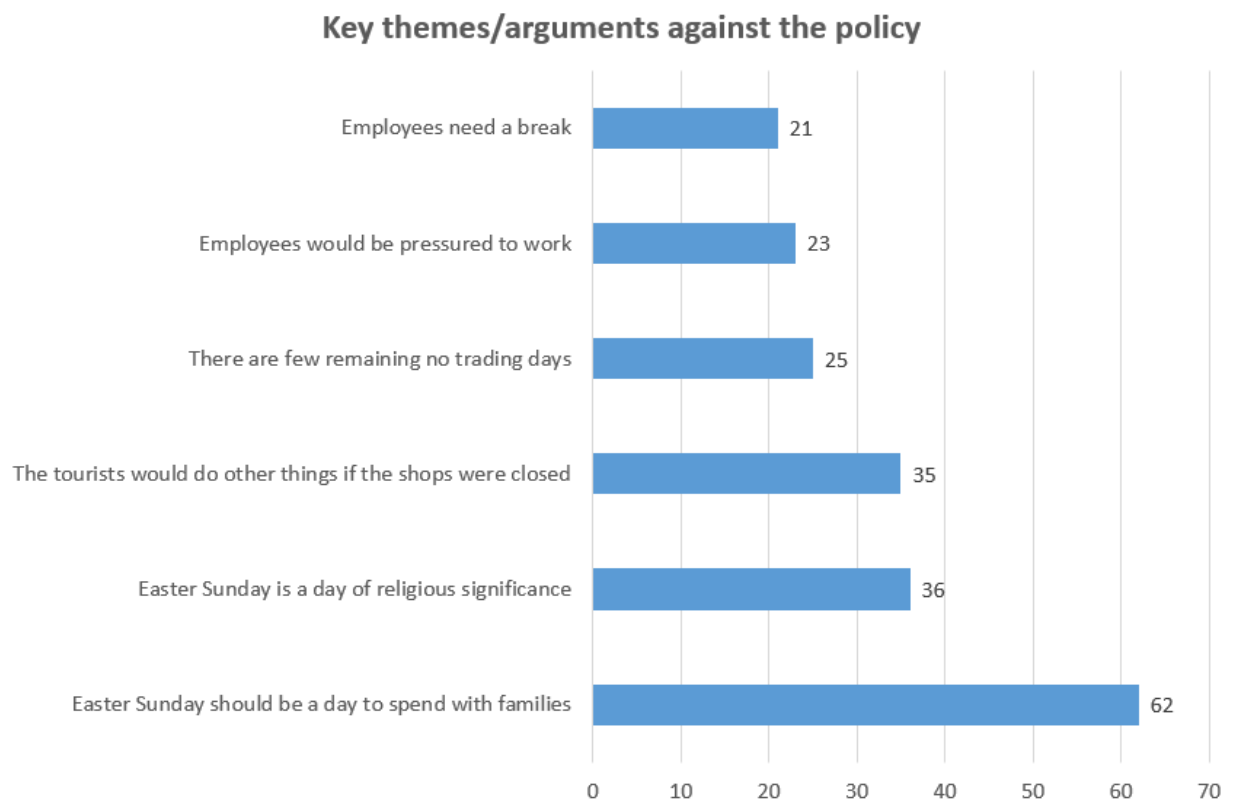
#### **Submission Analysis**

Response Type	Total Number	Percentage
Submissions supporting the policy	75	42%
Submissions opposing the policy	102	58%
Total Submissions	177	100%



There were a number of key themes identified in the submissions both for and against the policy. The following graphs represent the key arguments made:





Napier Business Inc commissioned an independent survey of retailers to inform their submission. The results of this survey can be seen in Attachment A which is a full summary of all submissions.

### 1.3 Implications

#### Financial

If Council decide to adopt this policy, the financial implications of maintaining and reviewing the policy every five years would sit within existing operational budgets.

If businesses choose to open, there is the potential for economic benefits to be realised for trading on that day. While the benefits are difficult to quantify, they would be likely to increase over time as tourism and the region grows. The economic benefits of Easter Sunday trading will cement Napier's reputation as a desirable and vibrant tourist destination at this time of the year.

#### Social & Policy

The feedback received show divergent opinions within the community on permitting shops to trade on Easter Sunday.

Easter Sunday is an important day in the Christian Church calendar because it celebrates the resurrection of Jesus, according to Christian belief. At the 2013 Census, 26,379 Napier people (46% of the population) reported as having a Christian based religious affiliation. All Christian churches in Napier were notified of the proposed policy

and we received 10 submissions from Church Organisations that were all opposed allowing shops to trade on this day.

Council's City Vision principle 'open for business' provides the foundation of Council's commitment to support and encourage a thriving Napier economy, including supporting the retail sector. Facilitating the option of providing for an increase in retail trade opportunities on Easter Sunday aligns with the economic development priorities of Council and Council's commitment to support Napier's tourism and retail sectors.

### **Risk**

There is a high level of public interest and divergent opinions in the community on Easter Sunday Trading. The risk in not adopting a policy is that Council may be lobbied each year to reconsider its decision. The risk of adopting a policy is that Council may be viewed unfavourably by the sector of the community that has expressed opposition to this policy.

## **1.4 Options**

The following options are available to Council:

**Option 1:** Adopt a policy to allow shops to open on Easter Sunday

**Option 2:** Adopt a policy to only allow shops to open in part of the Napier District on Easter Sunday

**Option 3:** Do not adopt a policy. Only shops with exemptions under the shop trading hours Act will be allowed to open. i.e. dairies, cafes, service stations, garden centres, pharmacies, souvenir and duty free shops.

## **1.5 Development of Preferred Option**

*Option 1: Adopt a policy to allow all shops in the Napier District to trade on Easter Sunday*

The following advantages and disadvantages can be considered in evaluating whether or not Council should adopt a policy allowing all shops to trade on Easter Sunday:

<b>Advantages</b>	<b>Disadvantages</b>
<ul style="list-style-type: none"> <li>• The policy aligns with Council's strategic plans and priorities for economic growth and city vibrancy.</li> <li>• The possibility of positive economic impacts associated with increasing opportunities to trade.</li> <li>• Provides Napier residents and tourists with a choice of whether or not to shop on this day.</li> </ul>	<ul style="list-style-type: none"> <li>• Will be viewed unfavourably by the sector of the community who are opposed to trading on this day.</li> <li>• Employees may feel pressured to work on this day, despite the worker's choice provision.</li> <li>• There is concern within the community that the policy will impact on family time and trading should not be allowed on a day of significance to the Christian community.</li> </ul>

*Option 2: Adopt a policy to only allow shops to open in part of the Napier District on Easter Sunday*

The legislation allows for the adoption of a policy that allows shops to open in only part of the district. Of the 77 submissions that supported having a policy to open, only four recommended that it should apply to only part of the district. Considering the small size of the Napier District and spread of other shopping areas outside of the CBD, this is not considered a preferred option.

*Option 3: Do not adopt a policy.*

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>Retail employees will not feel pressured to work.</li> </ul>	<ul style="list-style-type: none"> <li>Is contrary to Council's strategic plans and priorities for economic growth and city vibrancy.</li> <li>Missed economic benefit from those shops who may wish to open</li> <li>The choice to shop on this day would be removed.</li> </ul>

Council officers have no opinion about the religious merits of trading or not trading on Easter Sunday. The recommendation to adopt the policy is solely based on the fact that Napier is a tourist city and that allowing shops to open on Easter Sunday aligns with the "Open for Business" Principle of the City Vision Document.

## 1.6 Attachments

A Easter Sunday Trading Submissions [↓](#)

Submissions that Support an Easter Sunday Trading Policy		
Sub ID	Name	Comments
3	Gay Owen	Many visitors in town over Easter. Businesses should be able to open if they wish.
4	Helen Francis	The majority of people are not church going Christians and whether they choose to shop or not on Easter Sunday should not be dictated by a very small vocal minority. If that group do not wish to shop on Easter Sunday, they do not have to.
5	Colin Francis	It should be up to the individual retailer whether to open and up to individuals whether to shop. Not a very few people living in the 1950's to choose for us.
8	Debra Chalmers	Not everyone is religious. Retailers deserve the opportunity to trade if they wish
9	Rick McKee	It's a busy time for tourism which the region should support via trading. It is a law based on religious and outdated rules that no longer reflect society make up or public views.
13	Ivan Aplin	We are a tourism city- both local and to outsiders. The retailers make the choice to open or not. Good for the economy of Napier. It adds vibrancy to the City. Residents can make their own choice if they wish to stay home or shop.
14	Paul Siddles	Very few of us go to church anymore and plenty of us do or have been in service industry jobs that required working through holidays. Give retail business owners and their staff the choice. Don't impose the views of one religion on the rest of us even if it is the most common religion, there are plenty of us for whom it is 'just another holiday'.
16	Rebecca Greaney	I feel that in a modern society it should be up to the business owner if they would like to open. Obviously if they don't have staff to work often the business owner will work themselves especially in a small business. It could be one of their best trading days of the year! Also in a modern society I think that "Christian Values" should not be mandatorily imposed on society. If 43% of the population recognised themselves as Christian how many were children whose parents have imposed that religion on them. These children didn't fill out the census form themselves their parents did. It's like same sex marriage - if you oppose it don't get one. Same with shopping on Easter Sunday - if you are Christian and oppose it don't go shopping. But there are others out there who don't oppose it and our rights shouldn't be taken away because of someone else wanting to impose their opinion on us. Also the people saying retail staff deserve a day off with their families. No - if hospitals, police, fire, paramedics etc don't get to spend the day with their families what makes retailers so special that they do? Especially when society uses the hospital for little things they shouldn't be going there for so that the staff can't take any time off.
17	Philippa Smith	Shops should be able to open if they have staff willing to work. It is an outdated, Christian holiday that is not celebrated by all families so giving employers and employees the choice makes sense and is needed. Also as a tourist destination it makes it necessary, I believe, to allow all businesses big and small the chance to remain open to make traveling to Hawkes Bay over the long Christmas weekend even more appealing.
19	Karl Goodchild	Easter is a religious holiday for a small majority of people . If they wish to observe this religious event they can do so but should not force others to do the same. Otherwise in fairness every religious holiday of every religion should be observed with a holiday .
24	Raymond Gempton	It's one of the busiest weekends and with Napier been a holiday destination why would we have no shops open for them to visit. I was a retailer for many years in Napier and saw the people/visitors in the inner city and no where for them to go. Please think of the future of our inner city
25	Sam Harvey	As a pastor of a church in Napier (Bay Vineyard Church) I understand the desire for Christian's to respect this day. However I do not believe the church has any right to tell the rest of society what they should do on this day. My advice to my fellow pastors will be to encourage their congregations to not shop on this day if they feel it would be disrespectful, and the rest of the Hawkes Bay can do as they please! If it's good for business, and Christian's are free to politely decline to work this day for religious reasons, then open the doors!
26	Todd Goggin	Easter is a good time for visitors and the town will benefit from having those visitors be able shop
27	Kat Robinson	It's a religious day, not a public holiday. Business owners should be free to make their own decision whether or not to open.
29	Nicola O'Keeffe	I am an atheist and wish not to have the religious beliefs of others forced upon me, impacting on my leisure time or any other parts of my life. I would like my lack of religious belief to be respected. I work hard all year and wish to take my leisure.
32	Craig Jones	Believe the opportunity to trade should be at the business owners decision. The Easter period is a very busy time for retailers and allows them to generate revenues prior to winter. I am a ex retailer /service business owner.
33	Graham Bell	For many years Napier City has invested in promoting Napier as a holiday destination with a unique point of difference. Our visitor experience is becoming more discerning,sophisticated and full of expectation. Our airport is booming with bringing in increasing numbers, our cruise ship industry is booming and our Art Deco experience is now recognised internationally. We invite all these people into our city and the last thing that we want to do is close the city door in their faces!!
34	Kelvyn Marshall	I have no religious affiliation and have no issue with Easter trading. Major tourism area, but shops closed on Easter?.



Submissions that Support an Easter Sunday Trading Policy		
Sub ID	Name	Comments
35	Tracey Wogan	Easter is a peak tourism time for Napier. Retailers should be allowed to maximise their opportunity to trade with these visitors. It may be the difference between staying solvent and having to close during the slower winter months.
36	Circe Hoffman	Allow retailers to make their own decisions about opening or not
42	Trent Wakefield	It should be a choice.
43	Carol & Garry Brunton	We are a tourist city and long weekends we get a lot of visitors. Cruise ships and holiday makers expect shops to be open particularly Cruise Ships.. Get up to modern times Council
45	Annette Barnard	Retailers should be able to decide whether they open or not, legally employees can decline to work anyway so a fair employer would accept that. We're no longer a Christian majority and although Easter is a great break, it should not be forced on other religions/non-religious who do not observe this period.
50	Janeen Kydd-Smith	It is important that retailers and their staff can choose whether or not to open. Given Napier's importance as a tourist destination, for NZers and overseas visitors, having retailers and businesses open adds to the City's vibrancy and gives visitors more to do over the long weekend. I strongly disagree with a small group in the community (i.e. some Christians) dictating what should happen. They do not speak for everyone and they should have no more day than any of the other religions or groups in our community.
52	Johan Du Plessis	Good for business.
54	Bevin Eagle	Why shouldn't retailers open if they wish? Previous laws were based around christian rules and are outdated.
55	Leeanne Hooper	I believe that shop owners should be able to decide for themselves whether they open and that citizens should be able to choose for themselves what they do on Easter Sunday as with any other day of the year.
62	Brendan White	Good for employers to have choice to open.
63	Tina Lea	We are a tourist town and should be open and also because not everyone is Christian. We are a multi cultural city and we should cater to all.
68	Rodney Earnshaw	Napier is a booming destination at Easter. Accommodation is at a premium. The city has a vitality about it. Easter Sunday trading would help make the visitor experience more complete. There would also be bonuses for retailers who chose to open on that day.
71	Paul Sweeney	Most residents and retail workers are not practising Christians so should not be prevented by law from working and/or shopping if they wish to do so. Practising Christians are free to abstain if they wish, but their preferences and beliefs should not be forced onto those who have different views and beliefs.
74	Chris Nicoll	Every opportunity to enhance Napier as a holiday destination should be taken. The days of religious beliefs overcoming the community good are in demise are should be shelved.
77	Paul Trass	Important for the visitor industry
78	Larissa Aberhart	I believe it is great for individuals to have the right to decide if they are willing to work on Easter Sunday, with businesses not having authority over this. It is important to note that employees deserve to be informed of the option to not work on Easter Sunday. It is also great that shops are allowed to make the decision to be open or not.
83	Kelly McKenzie	Shops should be allowed to open if they want to at their choice
86	Stephen Ricketts (Scott and Ricketts Mitre 10 Mega)	The Easter period is a very busy time for home improvement and garden maintenance. As a key retailer in this category, we have always traded on Easter Sunday. Why? Because our customers demand it of us. We literally serve thousands of customers every Easter Sunday, clear evidence that people are heavily engaged in home maintenance on this day.
90	Ian Condon	To service the many visitor visiting Napier over the Easter period.
91	Greagh Coleman	I believe businesses should have the opportunity to open their doors over the busy weekend if they wish. They should be able to speak on their own behalf rather than someone who is not in their field of work tell them what they can and cannot do.
92	Jody Condin	The new policy would mean locals and visitors can shop if they want to.
93	Jeanette Harris	To have all visitors come and enjoy Napier as a destination over the Easter period.
94	Kevin Baker	So all business can prosper from the visitors to Napier.
104	David Murray	Religious Holiday's are less relevant in our now multicultural society. For those who do not have to or choose not to work, there is expectation retail will be available during holiday periods. Napier and Hawkes Bay is also a full time Tourist destination and as such needs to be open for business at all times not part time.
106	Delwyn Wilson	We are a tourist town. Tourists expect the shops to be open for them.
113	Adam Johnson	I agree it's too good an opportunity to be missed for our retailers on a long weekend
114	Corrina Heke-Mayes	It's a great time for business and shoppers, everyone benefits





Submissions that Support an Easter Sunday Trading Policy		
Sub ID	Name	Comments
115	John Kent	Having previously been a business owner I found trading on all public holidays was well worth while and the staff enjoyed being able to pick their own days off
117	Chris Sullivan	We are a tourism city and our shops should be open to service our visitors
119	Iain Cameron	There is no valid reason not to trade on Easter Sunday.
121	Jane Milne	The world has changed and we are living in a secular, multicultural society. Easter does not have religious significance to most in our community (Christian numbers are declining sharply) and people can still choose to take the day off to attend church if they want. Give people the option to have time off whenever it is important to them over the year, instead of saying it has to be Easter Sunday.
124	Mae Smith	Napier is a haven for tourists at Easter. Many want to shop, eat and stroll around the city. However individual retailers should be given the choice not to open if they don't wish to.
128	Jennie Corbett	People should be able to decide for themselves if they wish to open.
129	Julie Mitchell	Up to individual businesses whether they open or not.
130	Jackson Graham	Napier thrives when it accommodates tourists, and our economy relies on businesses being open to serve those tourists. Stores should be allowed to stay open on Easter to accommodate said tourists. It is the right of that business and makes more economic sense than keeping them closed. The government should not dictate what days stores need to open or close.
131	Tracy Jack	We are a Tourism city and should provide the opportunity for shops to be open.
132	Steve Holyer	Businesses and their staff should have the right to decide for themselves if they open or close or are available for work on that day or not. Clearly there is a demand for goods and services on that day let those that want to, satisfy that demand. Napier is a growing, vibrant, seasonal visitor destination for both domestic and international visitors- when the demand is there we need to be open to satisfy it.
134	Frances Jones	Given that a large part of the Napier economy is based on tourism, preventing trading to everyone (including non-Christians) seems to be nonsensical.
136	Mel Grant	Because weekends and public holidays is the only time I get to go into town for items to run my house etc
137	Sally Holyer	By enforcing closure on Easter Sunday, you will be removing choice from the. Insubstantial and visitor market. Those who don't believe in shops being open can stay at home ! There's definitely a demand for shops to be open on Easter Sunday and as a tourist destination we cannot risk being the town that closes as visitor numbers will dwindle and the knock on effect is huge. So stay open and let the consumer decide if he/she wants to shop or not. The opposite of prohibition after all is not compulsion !
139	John Lane	The Easter Sunday "holiday" is one religion's holiday. It should not be forced on everyone regardless of their beliefs.
140	Michel de Vos	This will give individual retailers a choice to open or not. This is particularly important for retailers that rely on tourism dollars from the cruise ships. I note in 2019 there is a cruise ship scheduled for Easter Sunday. Easter is also a busy time in general for Napier and surrounds.
141	Stephanie Kennard (Napier City Business Inc.)	See Appendix 1
142	Janice Larrington	Napier is a popular tourist resort, and visitors expect to be able to enjoy the shopping during the long weekend. Local people, including many families enjoy having the opportunity to shop together during the long weekend. Shopping is regarded as being a very popular source of entertainment and outings for many families. If shops are forced to close then I believe that restaurants, bars and all forms of entertainment should also be closed.
143	Yvonne Condon	So shops are open for the many visitors to Napier over Easter
146	John Stapley	Tourism is important to Napier Businesses. I think that they should be allowed to open if they wish too.
148	Julene Morgan	Physical shops are disadvantaged with the advent of e-commerce. Full time workers who get the long weekend off are negatively impacted by closed local retail. Forcing them to squeeze shopping etc. into the trading days only. Tourists suffer and in turn Napier suffers both in the immediate sense and in a longer term reputational sense as tourist's memories of Napier may be adversely affected.
151	Jay Lamburn	I believe ratepayers, should be able to make their own choice about whether they go to the shops or open their shop on any particular day. I do not believe that any religious group should be able to impose their own minority views on the majority.
152	Derek Miller	Shop owners should be free to choose which days they are open for business and employees should be able to choose whether to work or not on days that might be sacred to them based on religious beliefs.
156	Matt Edwards	See Appendix 2
157	Wayne Church	See Appendix 3



Submissions that Support an Easter Sunday Trading Policy		
Sub ID	Name	Comments
158	Robert Magill	In industrialised Europe, on most Sundays, they encourage businesses to give families rest time. Easter Sunday should see big businesses closed with only garden centres and cafes so I agree that Napier supports the staff wanting to work or not
159	Kerri Sullivan	Shops need to be open to service the many visitors that visit Napier over the Easter weekend
162	John Sumner	I agree with shop trading on Easter Sunday throughout the whole of the Napier District. I support the proposal as I don't believe religion should tell us what we can and cannot do. Reduce the effect of religion on our lives here in NZ and around the world.
167	David Day	I'm a Church Minister, I don't feel that I should impose my Easter tradition upon the general community regarding retail trading on Easter Sunday. So, I give my support to Easter Sunday Trading in Napier City (as on any other Sunday of the year). Of course, the only reservation I would have would be the thought of any trading on Anzac Day morning. However, I do have concern (along with many others) that some employers may pressure staff to work on Easter Sunday, perhaps, even at normal weekday pay rates. If such pressure was ever found to being imposed such retail outlets should be banned from trading for the following year (or some other penalty).
172	Sally Rudzevecuis	Only open for Easter Morning—treat it as we do for Anzac Day. Open at 1pm after close in the morning for chance for people to go to worship. As we-Napier, have a lot of visitors over Easter, would make sense to keep it to part of the district.
176	Greg Harford (Retail NZ)	See Appendix 4



Submissions that oppose an Easter Sunday Trading Policy		
Sub ID	Name	Comments
1	Melanie Davy	The working shop assistants/staff should be able to spend time with their families on Easter Sunday. Whats next open Good Friday/Christmas day all of anzac day...retailer owners are Greedy...maybe all of council(mayor) included should have to work it to....
2	Megan Combrinck	Retail deserve a break with their families!! Managers and council members make this decision and they aren't the ones who actually have to work! Don't be greedy!! It's one day!
6	Aaron Oneill	There are precious few days where everyone can just switch off and relax. This is one of them. Even retailers need a break.
7	Bruce Collingwood (The Oasis Church )	Families need this time together. The social and community costs of allowing The loss of one of our few common break days are so high that they far outweigh The economic benefits for businesses. Churches are often The ones that pick up The pieces when Families fall apart.
10	Emma George	The trading restrictions should stay in place. There are very few days left that are required to be non trade days. Losing even one day is ground that will never be recovered, a backward step for our rights to have either family or religious observance days.
11	Ina MacGillivray	Leave it as it is.
12	Marisa Mous	As well as the Christian significance of Easter Sunday, there are 3.5 days of the year that everyone including retailers can have off at the same time. Retailers being open on Easter Sunday removes one of those days that families can spend time together without hoping that they can both get leave at the same time. Other, bigger, tourist cities around the world do not make concessions to their way of life for tourists, including shops being shut every Sunday.
15	Pauline Waghorn	No these days with both parents often working full time need family time. People are already working harder than ever and so give them easter Sunday for all those in retail know that all public holidays are work days. Where are all the family values gone. Look after the workers and their families. It will pay off in the long run as staff get the well deserved break. Theres value in respecting people and time off.
18	Lydia Mueller	Shops are open often enough, staff deserve time off. Retailers should understand this and value their often already underpaid staff.
20	Michelle Fright	As a retail worker I only get 2 days off a year with my family. Easter and xmas. Every other day I have to work. Give us a break please!
21	Lesley Upfold	Would just love to see family time and not having shops open to tempt people into retail time.
22	Loretta Taukamo	If your going to open stores then just call it Sunday not Easter Sunday. Easter Sunday allows for those who work those days to have time off too. Some may celebrate Easter as a religious holiday. It's not like the world will end if you buy your pot plants on Saturday or not go to the supermarket. Your not going to die if you can't go to Sunday brunch on the waterfront.
23	Lauren Treagus	I think it should stay closed. Don't change it. Keep it as a day off.
28	Minnie Ratima	Religious beliefs
30	Donna Missen	Because contrary to the policy people will be made to work a holiday that is holy.
31	Salvatore Rigione-Pisone	This is a day that to for family and as family values are been slow consumed by work is time to stop and take stock of what is left for family's .we need to stop taking time from the people and think of this a stepping stone to the work rights to said no.
37	Chanita Hanara	I work in retail and must work every public holiday, Christmas included! I too would like a public holiday with my family where I can go on a holiday with my kids and partner. Since this is not ideal to do within the school term, but ideal to take a holiday with family during an actual holiday and not having to keep my kids from their education in school. Let us live for and with our families! Not for work!
38	Kath Meek	Easter Sunday is a sacred day, and there are so few of them left, that we should hold onto any excuse to keep the shops shut, and give the staff a chance to observe their traditions.
39	Lisa Pearse	Family/whanau time is much more needed than shopping. Give retail workers the day off like the rest of us. The community should be able to cope with the shops closed for only one day. We should treasure the fact our city is able to have a quiet peace.
40	Shirley Kerr	Family is almost a forgotten thing. Shopping shouldn't replace it. A few days a year to stop the clock is healthy. Workers. Need a holiday too. Let's respect that.
41	Mana Hazel	As outlined retail is closed only 3.5 days per year only 3.5 days per year. I am opposed to opening Easter Sunday as this gives the employee time to spend and enjoy with their whanau. I'd like to think Napier is family centred and not just financially centred. That's my thoughts anyway.
44	Samantha Millar	Community and whanau needs to be a priority and Easter is a good opportunity to prioritize it over business and money making ventures. It's time as a society we value community and family over individual gain. Hard working struggling families deserve a break to and many don't feel they can take a break if hours are available. Keep some non trading public holidays it's good for the health and well-being of people. Too much stress and mental illness these days and enforced rest is a good way to combat this. Really hope NCC do the right thing.
46	Tracey MacDonald	Family time is important.
47	Sarah Simkin	It gives those workers a right to have their special time of for their religion as a lot of bosses will not give it off even when requested



Submissions that oppose an Easter Sunday Trading Policy		
Sub ID	Name	Comments
48	Ang Mills	Give families a day together
49	Junior Tuakana	Whether you are religious or not it is all about family time together. Easter Sunday is not a stat day so employees will be working on an ordinary hourly rate not time and a half with time in lieu. Tourist activities are still permitted to open during Easter Sunday for example cafes, takeaways, petrol stations, dairies pharmacies which tourist and locals tend to use these services. Bars are different as this has to do with their liquor license in what they are permitted to do. There is only three and a half days in the calendar year where retailers are required to close unless exempt by the act. When in Rome you do what the romans do (tourist understand this and will know if it is a custom here you accept and get on with it).
51	Deborah Burnside	Shopping is not so important that it has to happen on this day. We need to have days that celebrate family time only, real down time, not someone unable to be there because they're sitting at work or leaving early. The pressure upon an employee to work this day is unfair. Yes we're a tourist town but I've travelled all over the world and been faced with 'we're closed' today and you run with it. Cruise ships will simply advise passengers of this and they're more likely to book a day tour then instead. Even though it's contrary to our own business interests... stay closed Easter Sunday, there are plenty of other days to shop.
53	Margaret Gwynn	One argument put forward in favour of Easter Sunday trading here is that Napier is a tourist city. However the services tourists want are already provided in our present policy, i.e. cafes and souvenir shops. Tourists do not want clothing shops or supermarkets. When travelling overseas I have been struck by the tourist cities which do not open on days important to their local communities. Everything in Athens closes for May 1st. In Cologne all shops close for the whole of Easter. In other words these places put their local community and families first. I want Napier to do the same.
56	Christine Durham	We need more family time, not less. Surely we can manage without shops being open for one day.
57	Rachel O'connell	I work retail and the only days I get off (aside from voluntary days and my rostered days off) is Christmas Day, Easter Sunday and part of Anzac day. Those who are saying yes either do not work in retail or it doesn't impact them in anyway. If their argument is that they do home renovations etc during that time then I query what they do on their days off. It's unfair on those who work retail to have to work Sunday so if it does get approved then it should have rules e.g if it is a team members rostered day they have the right to decline working it, if all team members in that company refuse to work then the store should have to close for that day.
58	Nicola Madden	Retailers have enough trading days. Let easter Sunday, xmas and Anzac remain. You can't loose easter Sunday and expect to keep xmas day as a public holiday. People can cope for a day..family time.
59	Michael Kelly	I am totally against retail trading on Easter Sunday as it is just one more attack on family life. Most workers in this nation of ours already work too many hours on low wages. Families are constantly being undermined as economic units.
60	Bruce Collingwood (Napier Ministers Network)	Families are already under too much pressure and this is one of the most significant days of the christian calendar that our country was founded on and Easter is about families getting together and for many of us to remember Jesus death and resurrection. Easter is not about easter bunnies and materialism and greed.
61	Marianne Gilbert	I used to work in retail, it's important for staff to get a break. Having a couple of days a year where people can't shop won't kill them.
64	Alison Wallis	Easter Sunday is important to christians and non- christians alike as a time to connect with beliefs and families. It can be a time to reflect on our leisure activities at a time when we are being urged to reduce our consumer habits.
65	Trish Orme	Religious reasons
66	Mr. Chard	I beleive that Easter and Christmas are the oly days where poeple involved in retail get family time without having to be rostered on for work. To say that employees will be able to opt out of the work on Easter is niave. I you are a part time worker or a casual in reality if they say no to to working these days will not get offered more work. In this era or exteneded and online retail option . the proposed change is not needed at the expense of family time.
67	Talia Blake	As a Nurse, a large portion of my client base are low income earners and retailers. They will be the employees most affected by a change- and I believe they have so FEW breaks as it is, that as a society we owe it to the population who work in the 'coal face', who recieve little to no perks in their work, to have these rare breaks that whanau around the country look forward to. They are sacred days whether it be because of their faith OR simply one of the few days a year when the works stops for a moment so people can breathe. Secondly I believe that retailers opening for 362 days a year- is sufficient for business. The only motication for opening is profit for business However I want to see a society where the wellbeing of PEOPLE come before profit.
69	Fred Robinson	Our society is based on families. Easter is one of the few times that families can be guaranteed time off work and be together as a family for 4 days. Please retain this is a public holiday.





Submissions that oppose an Easter Sunday Trading Policy		
Sub ID	Name	Comments
70	Sone Moriarty	No thanks. Family time is much more needed in our community than shopping. Let's all stop, rest and enjoy time hanging with our tamariki and whanau. Our consumerism culture is killing valuable time that could be spend with loved ones or just being able to rest. Let's celebrate rest for a change rather than celebrating being busy.
72	Yoka Knox	Let people have a day off with they're families. These special days are times to keep families together. There are only 3 per year. Please keep then sacred
73	Robert Bird	Good Friday is NOT about gaining Lucre or chasing Money It's about Honouring God for His Blessings
75	Therese Coats (Spex Eyewear)	After a hugely busy summer season a compulsory day off is a godsend
76	Denise Gore	Having worked in Retail previously, I hated having to go to work when other people got to enjoy days off. The owners took the day off and left us to do the work. I do put my money where my mouth is. I do my food, plant and DIY shopping before any public holiday so I do not need to go to the shops. I think takeaways, cafes and restaurants should be allowed to open as tourists do need to eat.
79	Megan Landon	As a retailer it is one of the only days that we have to spend with our families
80	James Landon	Allowing others to trade will result in me being forced to do the same and to work those hours personally as I will not impose this on my staff. The Easter Weekend is one of only two weekends per year that we can have family time without being 'on call'. Businesses already exempted will ensure that visitors are catered for with their needs.
81	Val Chapman	1. Whilst I recognize Napier is a tourist area, there are cafes, pharmacies, souvenir shops legally open. Having been on cruises ships, excursions are more important than meals etc. 2. Statistics say 46% in Napier are Christians. Easter is the major celebration in the Christian calendar so spiritual very important. 3. My experience as a counsellor, frequently I am involved with people under stress, in sages of burn out, mentally, physically and spiritually from pressures in their life. Recognized therapy in self-care needs to include relaxation, rest, time with family, and breaks away from work. Family time is important to build closer relationships to learn values, love, behaviour from each other. Lack of family support can produce dysfunctional behaviour, lack of compassion, and respect for others, and is detrimental to the community at large.
82	Neil Eagles	Easter Sunday is a special day both for Christians and for all families whether religious or not. Those that work in shops can have a family day rather than finding their employers ask them to ork. Difficult to say no. The morning at least should have all non essential shops closed so people can exercise their right to worship. There are few times now when there is space to meet together as a family, travel to renew friendships. Shops are open on the Monday and Saturday so there is plenty of opportunity to get food etc. A little planning goes a long way. My wife and I are opposed to Easter Sunday being taken off the list of days which are for families to meet and share.
84	Jess Wiig	It's one of the few days a year that shops aren't open. I think retailers should get the day off and it doesn't bother me that shops are closed on Easter Sunday. It's nice just to do other things
85	David van Oeveren	Easter is traditionally a family time, it often falls into School Holidays, making the whanau aspect even more relevant. Many cultural, sporting, family and whanau events happen around the country at Easter. I believe it is a social justice issue and is unjust to deprive workers of this guaranteed freedom from work. To have three and a half days a year (Good Friday, Easter Day, Christmas Day and Anzac morning) when commercialism and consumerism is not a priority is not unreasonable. I do not believe that the new law will protect workers who do not want to work. A number of councils have chosen to remain closed on Easter Day, and more, such as Manawatu District Council, are currently consulting on this issue. There seems no obvious reason for Napier to change the current situation. Tourists will be well catered for under the current system. I support the status quo strongly. I oppose the proposed change.
87	Janice Bird	Too many to list



Submissions that oppose an Easter Sunday Trading Policy		
Sub ID	Name	Comments
88	Ian Russell	Easter as a holiday is based on a Christian event. If people are wanting to have a holiday due to the Christian event, they should respect all aspects of that Christian event. This already happens for Christmas Day and Good Friday. This would be the same approach for a Jewish or Muslim holiday. Show the respect it deserves, have the holiday. If no respect, no holiday. There is also a feeling that the shops need to be open for the tourists. Tourists accept the customs of the country they are holidaying in. Does a New Zealander expect the shops of Mecca to be open during Ramadan? Australian and American shops close on national holidays. Why do Napier shops have to be open?
89	Ruth Smithies	1. Bad for building/maintaining social capital: families and community/sports/cultural groups traditionally meet over the Easter break, especially Maori and Pacific groups. 2. Bad for retail and service workers, as for many of them being available for work on that day is not a genuine free choice, esp. if they work for small businesses or are casually employed. 3. Bad for the life-style change needed to respond to the environmental crisis. We need less, not more consumption and the NCC has a duty to encourage more sustainable lifestyles, not go in exactly the opposite direction of pretending there's limitless growth. 4. Bad for Church attendance. Nearly half of all residents profess to be Christians and on high feast day also non-regular church goers like to go to a church service. 5. No Council is an island; what you decide here will pressure Hastings to follow suit. Sure they have free choice, but your decisions impact them.
95	Rhys Thurston	This take people away from their whānau, we need to say no to the consumerism habits of overseas. I am not religious, but I support those who are during this time as it's a time from their whānau to get together for their cause. Business have taken away the people power, we need to stand up to them.
96	Ian Render (Waiapu Cathedral, Napier)	The Vestry of St. John's Cathedral, Napier, being the elected body of governance and speaking on behalf of the Cathedral is unanimously of the view that broadened trading provisions are detrimental to the fabric of our society regardless of people's religious persuasion.  There are scant opportunities to plan for reunions and family get-togethers, sporting tournaments as well as the opportunity to be free to participate in worship. If we lose these opportunities and normalise the expectation to work on these holidays a small minority might be financially richer but our society becomes poorer through the lack of a commonly held holiday practice. Aside from essential services there is no need for more days for consumption. We believe that the benefits of more leisure and opportunity to celebrate together far outweigh commercial considerations. We respectfully submit that the long tradition of public holidays at Easter should be maintained and safeguarded.
97	Lauris Roberts	Easter Sunday like Christmas day should be a family day regardless of whether you are a Christian or not. Every other Sunday we are able to shop. Please consider families in this.
98	Leo Te Kira	I implore the Council to keep Easter Sunday as a day when firstly message of the Christian faith is respected: and furthermore when the workers cannot be compelled to work - as discussed in my submission attached (Appendix 5).
99	Faith Marshall	Easter Sunday is important to the Christian Community and many see this as the thin edge of the wedge and next will be Good Friday. It is not essential to have trading every day and a holiday on Easter Sunday allows most people to spend extra time with family which is sorely needed in today's busy world.
100	Robyn Clayton	Employers do not acknowledge employees "right of choice"
101	Stephen Sinnott	As stated in your Statement of Proposal: "Easter Sunday is an important day in the Christian church calendar because it celebrates Jesus. Christ's resurrection, ... 46% of the population reported as having a Christian based religious affiliation. ... Council received feedback from parts of the community that demonstrated concerns with having a policy that removed one of the few remaining days where shops were not legally able to trade". With essentially half the population identifying as having a Christian affiliation, removing one of the two most significant days in the Christian calendar for specific acknowledgment does seem to be snubbing ones nose to those people. In this age of inclusiveness and diversity, failing to respect and acknowledge the cultural importance of this day for such a large part of the community would seem insensitive at best, prejudiced at worse. I therefore support the status quo with respect to Easter Sunday Trading in that shops should not be allowed to open and trade on that day.
102	Kevin Layton	This has always been a "No Shops Open" day in respect of Our Creator. Why does it need changing and removing our respect.



Submissions that oppose an Easter Sunday Trading Policy		
Sub ID	Name	Comments
103	Kathryn Ryan	<p>This replaces my former submission which had a mistake. Please destroy my earlier submission.</p> <p>I do not think the right to trade at Easter should be voluntary. Even though there is "a right to choose" law for retail employees the weight of power still resides with the employer and the weight of obligation with the employee. Most retail employees are paid low wages and work rotational rosters. Many will have minimal regular hours written into their contract. They rely on discretionary employer roster selection of staff to maximise their hours and earning potential over and above those minimal hours. If an employee refuses to work when requested on a public holiday - they are easily "not selected" for other extra hours, so are placed in a position where they feel obligated to say "yes". There are often clauses placed into retail contracts to ensure workers are available for major public holidays (eg boxing day) that you are under "strong advice" to sign if you want the job. Retail workers often work on days that limit their social time with family and friends who work more traditional hours. Children also tend to be at home during weekends and public holidays. Public holidays are some of the few days when retail workers can enjoy time off with friends and whanau, when those people are also on holiday. It is also a time to be able to focus on participating in community events. These times with family or close friends/loved ones are very important for social well-being, mental health and are also offer opportunities to participate in social sports.</p> <p>How can our people have the time to do these valuable things together if opening our retail shops is seen and encouraged as more important?</p> <p>There are larger numbers of tourists coming to Napier, but the public holidays of Easter do not cover the whole Easter weekend. There is time for shopping as well as time to participate in other activities. Not trading on Easter public holidays gives Napier an opportunity to put forth it's other events and tourism activities - or develop new ones. Why should there be this great reliance on the retail industry to provide a constant source of activity for our tourists when the district can offer so much more?</p> <p>Perhaps if tourist activities and events are developed further - such as concerts and arts festivals, some food/drink/craft activities could run on special licences with them?</p> <p>Easter is also a time for religious significance for many. Our laws are still based on the precepts of the Church Of England and Christian law and have strong traditions in New Zealand. About half of the population describe themselves as Christian, so whilst acceptance of diversity might be argued to be reason not to have a public holiday on a day related to Christianity. It can also be used as an argument to have a public holiday. We are accepting diversity by acknowledging the Christian public holiday. If The city council cancels the public holiday of Easter for people working in retail, what will you do with Christmas? And what would retailer companies do if the reason for the "Christmas sale" and "Easter sale" was taken away from them by not formally acknowledging these days in our society? I think the long term benefit to Retail Companies in maintaining recognition of these public holidays is much greater than the short term benefit of an extra day of trading. These public holidays have a strong cultural history in New Zealand. Promoting opening shops on these days threatens to undermine that culture and take away one of the few true public holiday retail workers have access to in a working year.</p>
105	Melanie Jackson	I think retailers should have the opportunity to enjoy a day with their families and friends and not have to work.
107	Janine Melville	There are already too few days when all non-essential services are not available. This results in Families, friends, sports, cultural and faith groups having very limited opportunities to gather together, undermining the health of our community. I would not support Easter Sunday trading until a substantial increase in other full public holidays with no trading are in place. These could include, for example, Matariki, Suffrage, Armistice Day, Parihaka, and Nuclear Free New Zealand Commemoration).
108	Ruth Smithies (Care of Creation group, Catholic Parish)	<p>1. People get easily caught up in the whirlwind of needless buying and spending. To have yet another day to do so counters the need, from an environmental point of view, to reduce our carbon foot print for the sake of the planet.</p> <p>2. For people and communities to flourish we need more days of rest, not another day where some people will have to work, many of whom in effect are not in the position to refuse to work that day.</p>
109	John Wuts	I feel shop employees are entitled to have at least three and a half day off without being pressured to work by their employer
110	Ruth Ogilvie	Respect to Religious Festival and Christianity
111	Diane Fairley	Easter is the most sacred time on the Christian calendar. Those working during this time would be denied the ability to attend services. Also Easter is a family time with many members getting together without the pressure of work commitments.



Submissions that oppose an Easter Sunday Trading Policy		
Sub ID	Name	Comments
112	Kay Craig	<p>1. Napier is already a tourist destination. People flock here at Easter anyway. They are able to shop on Saturday and Monday during Easter. Surely they do not come here principally for the shopping! Napier has many other things to offer its visitors.</p> <p>2. It would be impossible to be sure that an employee's choice not to work on Easter Sunday would not impact his/her prospects in that employment situation.</p> <p>3. Time for the family to spend together is constantly being eroded. This is just another example of making family time harder.</p> <p>4. This country was built on a Christian foundation. Easter Sunday is one of the most significant days on the Christian Calendar. To allow all retail outlets to open on Easter Sunday would be just the thin edge of the wedge. I believe that the decision to do this would then open the way for the same thing to happen on Good Friday.</p>
116	Phoebe Murphy	As someone who works in retail/hospitality, public holidays where I am not required to work are few and far between. Easter Sunday provided a chance to see my family on the long weekend and a holiday in which I didn't feel the pressure to work the statutory holiday because of my financial need. As someone who has also worked for local owned businesses, the Easter Sunday Trading Policy also put pressure on my bosses who felt that they had to open or lose out to their competitors, though they would have rather been with their family enjoying a rare day off.
118	Helen Wenley	It should be up to retailers.
120	Sheron MacGregor	Shop assistants & employees etc should not be forced to spend a rare holiday - Easter Sunday - away from their families or friends would be yet another ordinary working day & not a break in routine & time for reflection as originally intended!
122	Steph Lee	Essential services should operate, doctor's, pharmacy, petrol station. Bars and restaurants can open under tourism clause's.
123	Carolyn Frame	Easter is a significant event in the Christian calendar and shouldn't have to give way to commercialism. There are enough shops able to open to meet people's needs (cafes, dairies, petrol stations etc).
125	Nathan Monk	The people MOST affected by this change are the retail workers. They will have little choice but to accept contracts that eat into the precious little time we as a community just stop and be together. This is purely a chance for businesses to make more money while doing additional damage to one of the few days we do not have of shopping. Are we that driven by rampant consumerism that we can't afford this small time away from the pressures of spending?
126	Jenny Baker	See Appendix 6
127	Fiona Burt	People work too much and need to have a break.
133	Robbie Gurney (Fire & Water Ltd)	Retail workers work to many public holidays already, let them have guaranteed time off to be with their families.
135	Daniel Mcsweeney	Don't support Easter trading
138	Phil Henderson (Onekawa Bible Church)	Easter Sunday is a sacred day for the Christian Community and many members of Onekawa Bible Church believe it is a national holiday that should be honoured in view of our historical Christian roots in NZ.
144	steve beckham	workers deserve the right to have the weekend off if people can't do their shopping on any other day that's tough luck easter is family time not work time, essential services only
145	Ronel Vorster	I am a Christian and Easter Friday and Easter Sunday are sacred days in the Christian calendar.
147	Murray Mullins	It's not all about retail, many countries overseas have shops closed on public holidays and for cultural reasons, we are talking one day here, what a greedy retail sector here in Napier!
149	Pippa Sebileau	The four day Easter weekend has long been a time for families to be together, for sports tournaments, for Christian celebrations, for time at home, for rest. All these things benefit our communities, our families and children more than an extra day of income from tourists ever could. People don't need one more day of shopping to accumulate more things. We need time together, time for each other, time for hobbies and relaxation and the 4 day weekend at Easter is a precious chance for this. Please don't change it!
150	Lucy McDonald	Workers need family time
153	Ross Haliburton	Easter is the most significant Christian Festival. Not trading honours the event of Christ rising from death to life. An important holiday when families meet together. Visitors can be welcomed into homes.





Submissions that oppose an Easter Sunday Trading Policy		
Sub ID	Name	Comments
154	Sharon Russell	There are 3.5 days of a year - less than 1 percent of the whole year where you DON'T have to work. Saying businesses have to open for tourists, they expect it - rubbish - do businesses stay open during siesta time for tourists? - NO. Do the Islands stay open on Sunday's for tourists? (they really need the \$) - NO. Tourists understand & accept that business's/towns/countries close down for holidays - religious or country. Also businesses saying they they have to open to function - if you cant run your business for 99% of the year & make income - you shouldn't be in business. Easter may not be as religious for most as it use to be but if the community is wanting to be stronger & to encourage families to get together - maybe this is a time to do it, after all, its only for 0.3% of the whole year.
155	Beverley Layton	Easter Sunday is about the Lord and about Families.
160	Helen Morgan	Totally unnecessary, everyone has plenty of time throughout the year to shop. Visitors to the Bay over Easter have Friday, Saturday plus Monday to have/do their retail therapy.  Shop owners, managers plus staff should have Easter Sunday off. 3 and half days per year when retailing it not permitted, isn't very much!
161	Julie Collingwood	1. Shopping is already available 361.5 days out of 365. It's unnecessary and means that again families are undermined as people are expected to be at work (other than spending time with their families). 2. As a person of faith, I see a lot of people who would love to be at church, with their church families, but are required to work. This is a very important time I celebration for Christians who are just as much as part of the Napier community as everyone else. 3. Tourism is a cop out. Other counties retain their cultural practices-days off, siestas-taking care of their community rather than succumbing to the dollar and it won't be an employee's choice regardless of what the "law" says.
163	Noel Hendery (St Andrew's Anglican Parish Westshore)	Our reasons focus on social justice. Easter is traditionally a family time. Many things happen at Easter. We believe it is unjust to deprive vulnerable workers of this guaranteed freedom from work. To have 3.5 days a year (Good Friday, Easter Day, Christmas Day and Anzac morning) when money-making is not a priority is not unreasonable.  The new law is said to protect workers who do not want to work. That is very questionable. With the best will in the world, pressure is subtle, strong and inevitable, especially for insecure and casual staff.  We understand that Hastings, Auckland and Wellington have chosen to remain closed on Easter Day. There seems no obvious reason for Napier to be different?  Given that all tourist-related services and essential commodities are available from businesses allowed to open, and given that all shops are open on Easter Saturday, visitors and locals are unlikely to be significantly inconvenienced by retaining the status quo, as shown by the historical influx of visitors to Napier at Easter.
164	Gese Leiatua Talaga (Pelega O Matua Fanau Aoga Amata, Pre-School)	It is important to reserve this day for families to spend time together. We have 20 plus families that attend our school.
165	Arthur Talaga (Congregational Christian Church of Samoa)	Over hundred parishioners, members of our church attend our church. Easter is very important to acknowledge and it is part of our Christian believe. We have all of our families participate in our Easter programme from Easter Friday through to Easter Monday. So it is very important that families attend and spend time together.
166	Rosemary Severinsen	See Appendix 7
168	Isabel Morgan	I understand the difficulties retailers are having in competing with online trading. However, that is not a valid reason to allow general retailing on Easter Sunday. NZ has only 3 and half days in each year when general retailing is not permitted. Cafes, and restaurant will be open. Visitors to HB will have ample time to shop, if that is what they wish. Store owners/managers and their staff should have Easter Sunday as a day off.
169	Robin Gwynn	See Appendix 8
170	Mike McNab (F1st Union)	Families need time together, please refer to the attached submissions (Appendix 9). The whole district needs to be able to plan time together, this underpins the fabric of our society to continue to take away family time leads to more crime and disfunction.



Submissions that oppose an Easter Sunday Trading Policy		
Sub ID	Name	Comments
171	Algy Rudzevecuis	Even though NCC say "workers choice provision" applies, I feel the workers may feel obligated or, even pressured by company to work. Please give people time to relax on this special day. Leave as status quo!!
173	Barry Pam Thrupp	1. We believe Easter is a time of reflection and celebration for all Christians. Trading on Easter Sunday takes away the significance of the day. 2. Family life has been deeply evaded by the need for retailers to be open for most of the year. We believe that it is very important for families to spend more time together, especially for the children's sake.
174	Margaret Haliburton	<ul style="list-style-type: none"> <li>Easter is at the heart of the year for Christian who seek to honour God and celebrate by attending worship on both Good Friday and Easter Day. To have Easter trading on either day would impact their ability to do so.</li> <li>The Easter break is welcomed by many as a public holiday, many gathering at families, or for recreation before the approach of winter. Easter trading would mean those employed in retail would be prevented from enjoying this, or would be under pressure to work.</li> </ul>
175	Rev Tony Franklin-Ross (Trinity Methodist Church)	See Appendix 10
177	Maurice Craig	<p>As a community, and a nation, we have been told that Sunday trading is normal in the western world. Yet many European countries have very limited Sunday trading. Napier has enjoyed visits by cruise ships for years, none refuse to come because, apart from those with exemptions, shops are not open. I suggest that the majority of tourists have very limited interest in shopping at supermarkets, the larger outlet stores and any of the big retailers outside of the inner city. Why would a tourist shop at "Mitre 10 Mega" or Big Save Furniture?"</p> <p>The majority of larger retail stores, who employ a lot of staff, hold minimal interest to tourists. This staff, we are told, will not be at all disadvantaged if they refuse to work on Easter Sunday. This policy sounds nice by there is no way that it can be enforced.</p> <p>We have a society where opportunities for whole family time is increasingly difficult to carve out as many families have parents working different shifts and juggling care of the children around work. The days off together are precious and rare. We need to value our families and I believe Easter Sunday trading will be another hurdle that makes family time difficult.</p> <p>Most importantly for me, as a Christian leader, is the increasing eroding of the place of faith and Spiritual health in our community. Our country is built on Christian values and ethics. God is vitally interested in us. Just as ANZAC points us to the sacrifice so many made so that we could be free, Easter points us to the sacrificial death of Jesus Christ. Retaining the special place of Easter Sunday acknowledges the amazing, and undeniable Christian heritage we enjoy in this great country.</p> <p>Thank you for the opportunity to make this submission.</p>

## Appendix 1

**NAPIER CITY BUSINESS  
EASTER TRADING SUBMISSION 2018****1 WHO IS NAPIER CITY BUSINESS INC?**

Napier City Business Inc. is the CBD Business Association for Napier. We represent all of the businesses situated within the boundary of Marine Parade, Clive Square, Station Street and Waiapu Cathedral.

There are over 2,000 staff working within this geography. Our mission is to create a vibrant CBD and focus on 3 pillars – advocacy, communication and events.

**2 BACKGROUND**

50% of our businesses are retailers with the second largest sector being hospitality. With a number of national chains present in the City, we also have a number of independent, owner-operated businesses.

Napier's CBD has a heavy reliance on the tourism industry which will start October and go through to late April. This is made up of domestic and international tourists. Over the winter months, it is much quieter in the city.

Hospitality continues to increase with steady growth within the City at large and also within our CBD boundary.

IN 2016, Napier City Business Inc surveyed its members and asked "Would you support a policy that allows Easter Trading in the Napier CBD?" 66% of respondents answered yes, with a total of 70 responses.

In October of this year, NCBI commissioned a 3<sup>rd</sup> party research company (SIL Research) to survey the businesses within our membership.

The survey was completed across online, phone and in person.

**3 SURVEY RESULTS:**

The survey was worded as per below:

*Napier City Business Inc. is seeking your feedback regarding Easter Sunday Trading next year (21<sup>st</sup> April 2019)*

*Do you support being given the option to open? (yes / no)*

**2<sup>nd</sup> question:**

*Will you consider opening on Easter Sunday next year?*

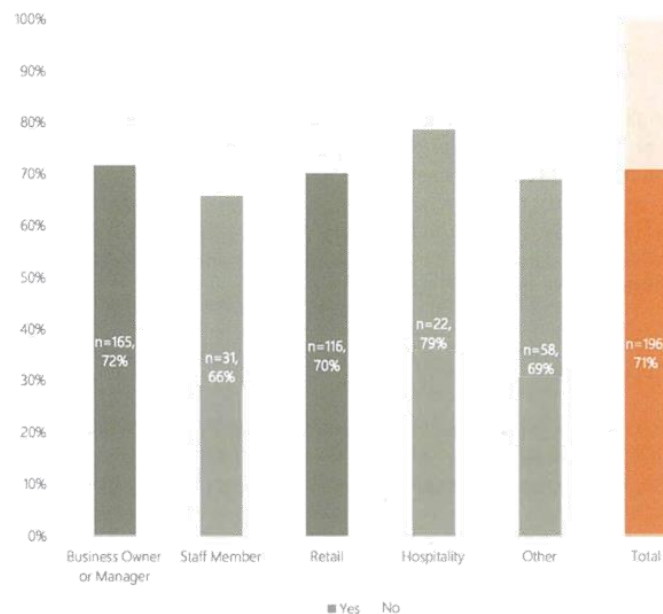
Each of the respondents was also asked whether they were happy for their staff to be contacted to complete the survey.

**i) Findings:**

- 251 respondents
- Overall, 7 in 10 respondents supports being given the to open on Easter Sunday (71%).

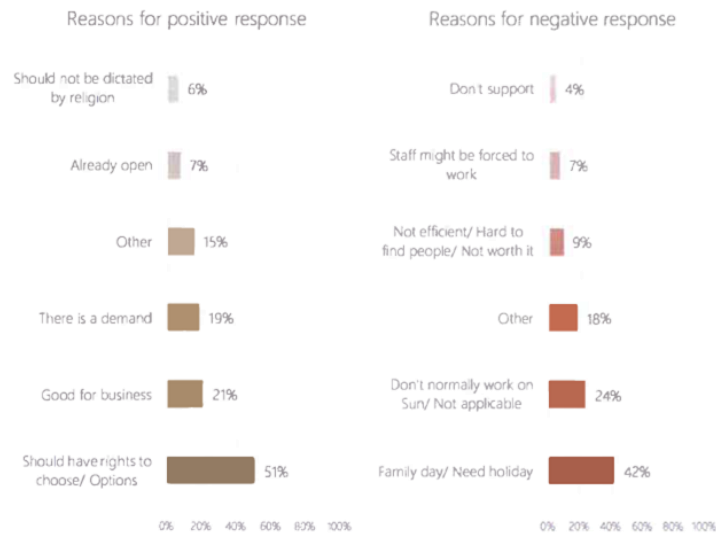
**Supporting the option**

All respondents were asked if they support being given the option to open on 2019 Easter Sunday.



- All respondents were also given the opportunity to explain why they answered either "yes" or "no".
- Total of 259 respondents provided a reason to explain their choice for or against the option (182 comments for and 77 against).
- Just over half of all positive comments referred to "should have rights to choose / options (515%), "Good for Business" (21%) and "there is a demand" (19%) were also influencing factors.

- 42% of comments against being given the option open on Easter Sunday were about "Family day / Need Holiday".
- Less than one-quarter of responses against the option came from businesses that do not normally operate on Sundays or it wasn't applicable to their type of business (24%)



#### Consider opening?

- All respondents who support Easter Sunday trading were asked if they would consider opening on Easter Sunday next year.
- Out of the 196 respondents who supported being given the option to open on Easter Sunday, 59% (116) would also consider opening on that day.

#### 4 LETS RETAIN OUR CHOICE:

Napier City Business Inc represents a membership of in excess of 400 businesses and 2000 staff.

Through an independent research company named SIL Research based in Napier's CBD, we found that the majority of respondents were in favour of retaining the choice to stay open on Easter Sunday (71%).

In 2016, we surveyed the same membership via email with 66% supporting being given the option to open. This number has grown two years later to 71% showing there is an increased desire to be able to make their own choices about the businesses they operate.

Easter 2019 will also coincide with school holidays, which we know increases the foot traffic and visitor numbers to the city centre. Easter is due to fall in April for at least the next three years which will also mean school holidays have the same timing. Easter is a popular time for our hospitality providers, and with retailers potentially also being open, both sectors can benefit from the busy period and make the city more accessible across the weekend.

Giving Napier businesses the option of staying open means that they will have a unique opportunity to offer shopping and hospitality to the wider region of Hawke's Bay.

Annie Dundas from Hawke's Bay Tourism also adds, "Hawke's Bay Tourism supports Napier retailers retaining the option of staying open on Easter Sunday. Easter is traditionally a very busy time in Hawke's Bay for both domestic and international tourism. Next year, Easter also happens to fall within the School Holidays, which will add to our total visitor numbers. Hawke's Bay Tourism actually promotes visitors to the region over the Easter period including the "Big Easy" event and we would be encouraged to know that some retailers may choose to open to support these events and higher visitor numbers".

There are currently 24 districts who have given their shops the choice to open including in Taupo town centre and Rotorua. Many of these districts are tourist towns and cities similar to Napier who wish to stay open for visitors.

Where the law does not preclude cafes, restaurants and many other business types opening, retail seems to be singled out. This is only relevant to bricks and mortar retailers too with online shopping still available.

Having the right to choose was the top reason for a positive response to retaining the option of opening. Napier City Business Inc. supports the results of the survey and asks that Napier City Council continue to allow the choice to remain with the businesses this decision ultimately affects.

## Appendix 2

ATTACHMENT TO SUBMISSION ON EASTER SUNDAY TRADING POLICY

Thank you for the opportunity to make a submission on this issue. The background to the legislative restrictions on trading on certain days at Easter time and Christmas arose out of a desire to have all observe these days at a time when most members of the community had a strong affiliation with Christianity. At that time church attendance was a normal Sunday activity for many in the community and conducting normal business activities on these special days was frowned on by the majority. Subsequently amendments have been made to the original legislation to allow for the changes that have occurred over time in society in both the level of spiritual belief and activity on Sundays.

My position on this issue is governed by what God actually instructed as set out in the Bible. Unfortunately our forebears made two major mistakes in their actions these being:

- a) They got the day wrong in that we are commanded to cease from work and rest on the Sabbath Day which is Saturday which according to Bible time runs from sunset Friday to sunset Saturday. The Sabbath time is correctly observed in Israel today but the day was commanded in the beginning long before the Jewish people existed and it was re-established at Mount Sinai as recorded in the 10 Commandments in Exodus Chapt. 20.
- b) More importantly, God does not compel our obedience and neither should well intentioned Christians via the power of the civil authorities legislate on any matter of faith or belief in spiritual matters. " (Amendment I. Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof;.....).".

So to conclude. There should never have been any man made legislation pertaining to the observance of any religious day or activity in the first place. Coercion is a tool of the Devil but God is love and works through reason allowing full free will to render or reject obedience. Therefore my position is that all citizens should be free to conduct trading on any day they wish to do so providing their activity does not interfere with the right of others to also choose to do as they wish on the day. On this basis I support your proposed policy and it's application districtwise. Note though that society suffers greatly through the people not observing a regular day of rest. Most do not realise the tremendous blessing that comes from observing the Sabbath in terms of their physical and mental health. In the near future, just before the end of the age, the day of rest and worship will become a very contentious issue.



**Appendix 3**

2 Millar Street  
Hospital Hill  
Napier 4110

**Submission**

Name: Wayne Church

Subject: Relaxation (repeal) of Easter Trading Act (ETA)

Purpose: I am in favour of all restrictions, in respect of ETA being repealed as authorised by parliamentary amendment.

I wish to submit a verbal submission to council. Please confirm in writing.

The impetus to insist upon the present Easter shop trading restrictions enforcement is driven by pure selfishness. As a society, NZ is becoming increasingly secular. The decision to adopt a religion is, as ought to be one of the utmost privacy. The Human Rights Act 1993 expressly precludes any person, group, Council or Government from the enforcement of any specified creed upon another party. Indeed NZ citizens are entitled to adopt any or no religious creed at all, including the right to adopt nothing whatsoever. At present, when the existing law is invoked, atheists - for example are required to forfeit all those rights, including that to move about freely and to conduct ones' business as one sees fit, whilst those of a religious bent enjoy themselves independently. This is extremely unfair, affects the majority of the community, and is no longer acceptable, mainly because such discrimination is easily avoided, without any inconvenience to either party, religious or not. Neither does the purpose upon which the restrictions are still premised have a reasonable basis from which to act. It is no longer acceptable to conceal these facts as in the past, due mainly to advancements in education and knowledge through science. Citizens are free to make fools of themselves if they so wish, but neither Government nor Council have the lawful right to protect them any longer from their own delusions, when free citizens rights are threatened. Ratepayers already are required to subsidize the rates on their privately-owned premises. There are no financial concessions for the non-religious. Why not? Perhaps pro-restriction Councillors might deem to settle that question before moving to reinforce the imposition of another disempowerment. From a purely personal position, if a god, spirit, creature, alien or whatever being, is the true reason for the curtailment of my right to conduct my lawful business as I see fit, then it seems to me to be an ideal opportunity for the pro-restriction lobby to produce said being, to present the community with the chance to resolve the matter face to face. In the event said complainant can make a sensible case for the continuation of the restrictions, instead of the nonsense presently offered, then a ready resolution seems inevitable. If not, Why not? If the lobbyist are genuine, I cannot imagine a single objection.

Thank you  
Sincerely yours  
WA Church

Ps A return acknowledgement will be appreciated. All further communication in hard copy.

## Appendix 4



14 November 2018

Easter Sunday Trading Policy  
Napier City Council  
Private Bag 6010  
Napier, 4142

By email: [info@napier.govt.nz](mailto:info@napier.govt.nz)

#### Retail NZ Submission on Easter Sunday Shop Trading Hours Consultation

Retail NZ has previously submitted on Napier City Council's consultation on Easter Sunday Shop Trading Hours in 2016. Retail NZ supported the introduction of a policy that allowed any shop to open, in all parts of Napier, on Easter Sunday should they choose to do so.

Retail NZ is a not for profit organisation representing the retail sector. We have around 4,000 members nationally, who collectively account for two-thirds of total retail turnover in New Zealand. Our members operate all around the country and have a presence in Napier, and Hawkes Bay more broadly. We are writing once again to make a formal submission requesting the Council adopt a Local Shop Trading Hours Policy for the Napier City.

#### We strongly support a Local Shop Trading Hours Policy

Retail NZ was a strong supporter of the Council's previous adoption of a Local Shop Trading Hours Policy, which showed Napier was open for business and keen to welcome visitors over the Easter weekend. The experience of being able to open at Easter in 2018 was positive for many businesses and good for the local economy.

Retail NZ continues to support a policy that permits any shop to open on Easter Sunday, should it choose to do so. While not all retailers wish to open for trade on Easter Sunday, there are many that do. We note that the law does not force businesses to open, and equally protects the rights of retail employees not to work, should they choose not to.

#### Adopting a policy will benefit businesses and make Napier a more attractive tourist destination

As of Easter 2018, two-thirds of Councils had adopted policies allowing shops to choose to open on Easter Sunday. Research conducted by Nielsen showed that 50 per cent of all New Zealanders (and 62 per cent of people aged 25-39) undertook some form of commercial activity on Easter Sunday 2018. This demonstrates that there is a strong demand for shopping on Easter Sunday. Marketview data showed a 23 per cent increase in spending on Easter Sunday (excluding fuel), compared to the previous year. This was largely driven by purchases in discretionary categories such as appliances, apparel and department stores.

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Supported by:



## Retail <sup>NZ</sup>

Easter is a significant period for Kiwi tourists to explore the country, as well as international tourists. Many people travel through, to and within Napier City (and the wider Hawke's Bay) at Easter. It would benefit the retail businesses throughout the city if they had the choice as to whether they open or not to serve that tourist market. There is an opportunity for economic growth in Napier, and with around 4 million international tourists a year visiting New Zealand it is very beneficial, and potentially crucial, for businesses to be able to serve this influx of tourists each year.

### Adopting a policy will benefit businesses

Not having a policy creates anomalies and confusion, and the current law which tries to ban shopping on Easter Sunday (but not other forms of commercial activity) is outdated for the 21<sup>st</sup> century. The law allows for certain businesses or locations to be open, while not permitting others. For example, a garden centre may open, yet a hardware store that includes a garden centre is not permitted to open. Cafés that sell goods and small grocery stores may open, but not supermarkets. This creates significant confusion for customers, employers and staff, and gives some retailers an advantage over others.

Should the Council adopt a policy, it is likely not all retailers will choose to open their doors on Easter Sunday. However, we believe that the decision is best made by the businesses concerned, (taking into account their employees' views), not the Council. This is a great opportunity for the Napier City Council to create opportunities for retailers in Napier to benefit from those visiting, or passing through, over Easter.

### The rights of small retail businesses are protected

If the Council adopts a policy that allows shops to open, the rights of small businesses are firmly protected. Under the law, businesses cannot be forced to open by the Council's adoption of a policy. Shops will likely not choose to open if there is no customer demand for them to do so.

### The rights of employees are also protected under the law

Easter Sunday is not a public holiday and retailers are under no legal obligation to compensate employees if their shop is closed. While it does depend on the details of employment contracts, in most cases, employees are required to take a day's annual leave, or a day's unpaid leave, to cover the day the store is closed. This will suit some employees, but not all.

Shop employees are the only group of workers with a legal right to turn down work on Easter Sunday, and research shows they are happy and willing to exercise their right to choose. In 2018, eight per cent of retailers that sought to open had employees which declined to do so. This shows that shop workers are able to choose to take Easter Sunday off if it has significance to them.



#### Customers also have the right to choose

If the council maintains a policy that allows shops to choose to open, it is important to note that customers will also continue to have a choice. Customers who do not wish to shop on Easter Sunday are not compelled to do so. If there is insufficient customer demand for stores to open, they will not do so. Commercial behaviour will be regulated by customers; it is not an issue which the Council needs to regulate.

#### Additional information

Retail NZ's research team has prepared a report on the success of Easter trading in 2018. A copy of that report is attached as Annex A for the information of Councillors.

#### Conclusion

While we are pleased to have the chance to provide feedback on this issue again on behalf of retailers in Napier City, we hope the Council will uphold its previous decision and adopt the proposed Local Shop Trading Hours Policy.

We wish to appear to present this submission in person. In the meantime, please don't hesitate to contact me should you require further information.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Greg Harford", written over a horizontal line.

Greg Harford  
GM Public Affairs  
[greg.harford@retail.kiwi](mailto:greg.harford@retail.kiwi)  
027 243 2842



## EASTER SUNDAY 2018

### The new law in action

In 2016 the law was changed to allow Councils to decide whether shops could open on Easter Sunday. This report looks back at Easter Sunday 2018 and considers how well the new rules work. While the new regime has been successful at guaranteeing the right of workers to a day off, it is still confusing for everyone.

#### SHOP WORKERS HAVE SPECIAL RIGHTS

Shop employees are the only group of workers with a legal right to turn down work on Easter Sunday. Research shows that they are able and willing to exercise that right.

In 2018, eight per cent of retailers that sought to open had employees which declined to do so. This shows that shop workers are able to choose to take Easter Sunday off if it has importance to them.

#### EASTER SUNDAY TRADING BY COUNCIL

Just 9,771 of the 35,358 shops in New Zealand had the choice to open

- Allowed to choose
- Not allowed to choose

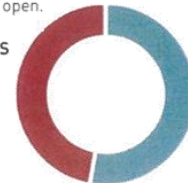


Retail NZ

Delegating decision-making to local Councils, while maintaining a host of exemptions has created commercial unfairness, and has led to significant confusion. A survey of Retail NZ members held in the lead up to Easter 2018 showed that 47 per cent of business owners did not understand whether they were allowed to open.

#### DO YOU KNOW WHETHER YOUR STORES ARE ALLOWED TO OPEN THIS EASTER SUNDAY UNDER THE NEW RULES?

- Yes (53%)
- No (47%)



There is strong demand for shopping, either online or in those stores that were open. Research by Nielsen\* showed that 50 per cent of all New Zealanders (and 62 per cent of people aged 25-39) undertook some form of commercial activity on Easter Sunday 2018.

#### HOW MANY SHOPPED ON EASTER SUNDAY 2018?

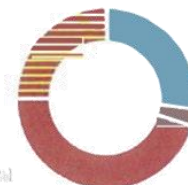
- Engaged in at least one commercial activity (27%)
- Engaged in two or more commercial activity (23%)
- Did not shop on Easter Sunday (50%)



Nielsen research\* also shows that 69 per cent of New Zealanders either think the Government should not require shops to close on religious holidays, or don't care either way. The small proportion of the population that doesn't want to shop or work on Easter Sunday is fully able to exercise that right under the new law.

#### DO YOU THINK THE GOVERNMENT SHOULD REQUIRE SHOPS TO BE CLOSED ON RELIGIOUS HOLIDAYS?

- No (45%)
- Yes (27%)
- Don't care (24%)
- Don't know (4%)



By Easter Sunday 2018, around 60 per cent of Councils had allowed shops to choose to open, but this impacted just 27 per cent of shops. This is because, aside from Dunedin, major cities wanted to continue a ban on shopping on Easter Sunday. In total, just under 9,800 stores could choose to open their doors this Easter Sunday. Anecdotal evidence suggests many did, but also that many chose to remain closed. This is the law working as it should.

#### PROPORTION OF STORES ALLOWED TO OPEN

- Yes (27%)
- No (73%)



Marketview data showed a **23 per cent increase in spending on Easter Sunday 2018** (excluding fuel), compared to the previous year. This was largely driven by discretionary categories such as appliances, department stores & apparel.



## BACKGROUND

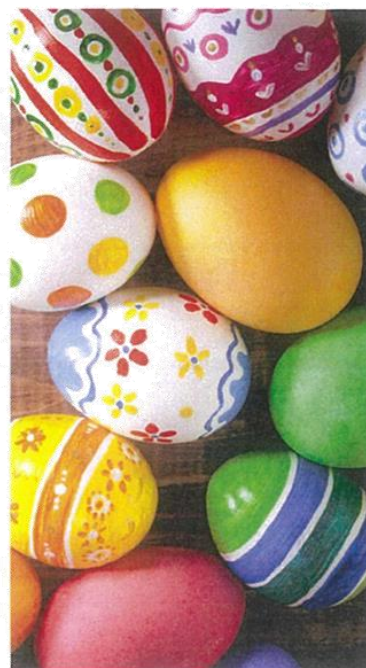
Easter Sunday is not a public holiday. Historically however, the Government has tried to ban shopping on this day, while creating all sorts of exemptions to allow some stores to open.

This led to absurdities and inequities: certain shops within the Carnegie Centre in Dunedin were able to open yet it is no longer a retail destination, shops in Queenstown and Taupo could open, but not shops in Wanaka or Rotorua. Shops on Parnell Road in Auckland could open, but not on Queen Street. Garden centres were allowed to open, but not hardware shops that had a garden centre inside them. There were never any restrictions on the opening hours of online retail stores or businesses in other sectors.

In 2016, the Government delegated decision-making to local Councils. Unfortunately, the new law is just as confusing. The existing exemptions remain, but now our 67 local Councils have their own rules about whether shops can open: **we still lack a simple nationwide solution on Easter Sunday shopping.**

What's more, requiring every Council to consult and create a policy has been costly for retailers and Councils - the Auckland Council alone spent close to \$60,000 not counting staff time deciding that it wouldn't even go out and consult on the issue. Across the country, we estimate this issue has consumed hundreds of thousands of ratepayer dollars. The policies are required to be reviewed within five years of being adopted, which will incur another round of time and expense for all involved.

Retail NZ strongly supports the right of retailers, shoppers and workers to make their own decisions - in the 21st century, the Government and Councils should not be trying to regulate shopping.



## THE ARGUMENTS AGAINST SHOPPING ON EASTER SUNDAY DON'T STACK UP:

ARGUMENT	COMMENT
<b>Workers need a day off</b>	<p>Shop workers (but only shop workers) have special rights under the law and are guaranteed Easter Sunday off if they want to.</p> <p>However, most workers in the economy aren't affected by the requirement for shops to close because shop workers account for just 10 per cent of New Zealand's workforce. The ban on shops opening doesn't affect workers from other sectors. Swimming pools, cinemas, theatres, hairdressers, beauticians, communications companies, broadcasters and local Councils are just some of the businesses that are all allowed to be open on Easter Sunday - and workers in these industries have no legal right to a day off on Easter Sunday.</p>
<b>Easter Sunday has religious significance</b>	<p>While Easter Sunday is an important religious day for our Christian community, Nielsen research* shows that just 27 per cent of New Zealanders think that the Government should require shops to close on religious holidays.</p> <p>New Zealand is a diverse and multicultural society, individuals choose to celebrate religious and cultural events that have significance to them. Events such as Hannukah, Diwali, Ramadan and Chinese New Year are celebrated without the Government banning physical shops from opening; individuals choose to keep their shops closed, or to refrain from shopping themselves.</p>
<b>Too much consumerism</b>	<p>Shopping is an essential activity for those needing to purchase food or other essential items and, for many, it is an important social activity, providing an opportunity to engage with friends and family. Nielsen research* shows that 50 per cent of New Zealanders chose to undertake commercial activity on Easter Sunday 2018.</p> <p>Allowing shops to open on a nationwide basis simply provides choice, and does not require anyone to go shopping, open their shop or to work in a shop.</p>
<b>Small business owners will be forced to open</b>	<p>Under the law, the owners of small businesses have special protections that mean they can't be forced to open their doors on Easter Sunday. Businesses are free to remain closed, if they wish to do so.</p>

\* Source: Nielsen Online Omnibus survey conducted in April 2018, n=700 representative nationwide sample aged 15 years and over.

## Appendix 5

**Rev Leo Te Kira**

BA, Dip Teaching, Cert Theology

**Priest Missioner****Southern Napier Anglican Parish****"In community with Jesus Christ"****Cell/txt 021 108 4065      southernnapier-missioner@hotmail.co.nz**

Based at St Luke's, 194 Vigor Brown St and St Augustine's Hall, 46 Riverbend Rd

PO Box 4356 Marewa 4143, Ph 843 7823

[staugustines@waiapu.com](mailto:staugustines@waiapu.com), Website: [southernnapierparish.webs.com](http://southernnapierparish.webs.com), Facebook SOUTH NAPIERSunday 4<sup>th</sup> November 2018

Dear Napier City Council

Despite huge opposition from Unions, Churches and thousands of individuals the National Government changed the Shop Trading Hours Act in September 2016 to allow each Local Authority to decide whether or not to allow all retailers in its district to trade on Easter Sunday.

I as an Anglican Priest in suburban Napier implore the Council to keep Easter Sunday as a day when firstly message of the Christian faith is respected: and furthermore when the workers cannot be compelled to work. Counting Easter Sunday, shop workers only have 3-½ days a year when most shops are closed.

Although the governance of my parish is not in a space to submit a letter to you of one mind on this issue, myself as Charge Priest and 17 of my parish are of an opinion that Easter Sunday should not be open to commercialisation in Napier: those parishioners being Rosemary Russell, Val Beattie, Algy Rudzevecuis, Margaret Clayton, Charles Clayton, Sam Talbot, Beth Mott, Cara Watson, Doreen Boden, Doris Day, Ruth Dymond, Noel Dymond, Glenys Crawford, Gerry Wells, Kay White, JC Talbot and Greg Hawke.

The opinion that **"Our warm temperatures often extend into March/April making Napier a popular Easter weekend destination for both domestic tourists and foreign visitors alike. Easter also falls within the cruise ship season, so there is a high probability of a cruise ship being in Port on Easter Sunday"** feels incredibly contrived and materialistic. The opinion is totally dismissive of the Easter Weekend holidays being Holy Days.

Respecting both Easter Sunday and the rights of workers has already been successful in a number of areas – the most high profile being Auckland where the council voted overwhelmingly in favour of shop workers retaining the day to spend with family, friends and whanau.

Yours sincerely

Rev Leo Te Kira  
**Priest Missioner**

Page 1  
of 1

## Appendix 6

*Submission to the Napier City Council*

### **Local Easter Sunday Trading Policy**

All submissions must be in writing. You may attach a more detailed submission if you wish. Name: Jenny Baker

Organisation:

(if on behalf of an organisation)

Email: [pjkr.baker@xtra.co.nz](mailto:pjkr.baker@xtra.co.nz)

Daytime contact no: 835 3862

Postal address: 35 Goldsmith Road , Napier

Postcode: 4110

I am not a retailer.

I do not wish to speak to my submission as I will be away.

I do not support trading on Easter Sunday

I think this should apply to the whole district.

Reasons:

There are so few days in our year when our community can be free of shopping.

The lack of these sorts of opportunities for a break from commercial activity affects retailers, their families, and employees as well as wider society.

Many retailers will feel the pressure to remain open even if they do not wish to. This also puts pressure on their staff.

The argument that it is necessary for tourism is unproven. There are many other reasons tourists come to this region and I argue that it would highlight other aspects of our beautiful region and reflect a positive message that there are more important things in life than shopping in our society.

There are enough demands on family life now without taking away one of our few national opportunities for community rest, reconnection and recreation and enjoyment of our natural environment at what is often a most lovely season. What is unique about Easter is the opportunity to have several consecutive days available for family or community activities.

Thank you,  
Jenny Baker



## Appendix 7

Submission to the Napier City Council on the  
Easter Sunday Trading Policy

I am not a retailer.

I do not support the proposed Easter Sunday Trading Policy.

Submission:


If Easter Sunday trading is not permitted, then those 'shops' exempted may still be open. Tourists/ Locals can still buy an ice-cream from a dairy, a coffee from a café, petrol from service stations. According to Council's proposal: garden centres, pharmacies, souvenir and duty-free shops (as per the Shop Trading Hours Act 1990) may also trade; so, we do not need to take away a precious holiday from all the other retail workers. Families benefit from this holiday, and our society should value that. 361 and a half days per year should be sufficient in which to value commercial activity.

Easter and Christmas are those few precious days when people can expect to be free at the same time. The Easter weekend is very special with two days (Good Friday and Easter Sunday) in tandem making it a great time for people to get together. Easter is often used for family weddings, reunions, by Sports' Clubs, Music Competitions; a common time for people of any religion or none. We need more of these common-break days, not less.

Tourists / Visitors to Napier seem to be the major reason for Council wanting Easter Sunday trading. Yet when I was in Munich, Germany for Mariä Himmelfahrt, the reduced shopping did not dim my tourist experience, but rather made it more special. We were still able to buy for our needs such as food; also, to enjoy tourist activities just as Napier has always been able to offer on previous Easter Sunday holidays. I suspect Germany allows its populace many more days when normal commercial activities are restricted than the 3½ days currently given to New Zealanders (2½ days if this proposal is passed).

Looking at the 'Workers Choice Provision' in the Council Statement of Proposal for Easter Sunday Trading: Council cannot truly believe this. If a person does not want to work on Easter Sunday (or indeed on any Sunday) then the boss will say that there are plenty of others just waiting to take their place/ job. New workers on trial periods (up to 90 days) can be dismissed without reason. If a competitor's shop is open, then your freedom of choice not to open business-wise is severely curtailed.

Yes, Easter Sunday is a religious holiday in a largely secular society, though Christianity (46% of the Napier population in census 2013) is still the major religion and those from other religions are not averse to the Easter Sunday holiday. For believers Easter is the most important time of the year. Many who identify as Christians may go to church at Christmas and Easter even though they may not do so regularly (weekly) throughout the year.



Rosemary Severinsen  
379 Westminster Ave., Napier 4112

This Easter Sunday Trading Policy submission is endorsed by the following, who are not retailers:

GARY SEVERINSEN	379 WESTMINSTER AVE NAPIER	PH 06 844 8005
Pamela O'Donnell	82 Flaylog Ave Tamateā Napier	844 4412
John O'Donnell		
Elaine Brown	34/421 Gloucester St Taradale	
Yvonne Bayford	10/79 Allert Drive Greenmeadows	
Bridget Cogh	2/5 Railey Place Greenmeadows	
Betty Rang	271 Westminster Ave, Tamateā.	
Dianne Wootton	1 Lichfield Crescent Tamateā.	
Lesley Kellon	2 Kaurah Rd Napier	
Deborah Greenwood	12 Ewan Place, Taradale.	
David Kellon	22/11 Oxford St. Taradale	
Lyn Lewis	481 Apley Rd, Puketapu	
Emma Russell	20 Shetland St, Tangata, Napier	

## Appendix 8

## SUBMISSION ON LOCAL EASTER SUNDAY TRADING POLICY

Dr Robin Gwynn (835-2122; gwynn@nowmail.co.nz)

October 2018

This submission opposes Council's proposed policy to allow unrestricted trading on Easter Sundays.

The single most important fact underlying this issue is that, even including Easter, there are now only three and a half days out of three hundred and sixty five – less than one per cent - when normal daily commercial pursuits are restricted. That means New Zealand has too few days in the year when our society can take a common break. It has already gone far further than most other countries in Europe, Asia, and other continents around the world in removing virtually all barriers to trading activities at all times.

It is fundamentally important to our society that there be occasional, regular days when all New Zealanders can plan their lives in the reasonable expectation that the great majority of their families and friends across the country, as well as their immediate neighbours, will be free at the same time. It is equally important that we share common occasions when we take a joint break from the consistent grind of daily existence. Individuals, families and communities are all helped by keeping some days which are not like every other day, by a 'corporate pause'. The few days we have left, have become more and more precious. They are necessary for reunions, weddings and other gatherings. It is essential for the fabric of our society that they be preserved.

Especially important is the pairing of two of the three special days in one particular weekend. It means that the Easter break becomes the natural time of the year to organize family get-togethers and other special occasions. It is unique. To undermine it is to undermine our mission statement "to make Napier the best city in New Zealand in which to live, work, raise a family, and enjoy a safe and satisfying life".

The recent meeting of Council's Strategy and Infrastructure Committee on 2 October was a generally balanced and progressive meeting in discussing how to proceed with this issue in the aftermath of the High Court judgement striking out your previous decision. One thing, though, was deeply concerning: your deliberate vote to exclude anything in what went out to the Napier public about the significance of this issue for families. What Council chose to omit from the draft in front of it was that feedback from earlier consultation processes

demonstrated concerns with having a policy that removed one of the few remaining days where shops were not legally able to trade, [because]... the Easter weekend provided a unique opportunity for families to be able to gather and spend quality time together free from commercial considerations. Council is keen to understand the Napier community's views on this.

The argument advanced to exclude these sentences suggested they might somehow "lead"

opinion. But how can Council staying silent on a key issue – to me, *the* central issue – result in good submissions? The Auckland Council, as you will see from its 2017 News item (attached), took a diametrically opposite approach because it wanted to make sure it struck ‘the right balance’. It was right to do so. What you did was to say, in effect, it is fine to “lead” people towards more retail trading hours, but families don’t really matter. That’s repeating and compounding the same error of judgement which began the process that ended up in Court last time round.

The original Napier Council proposal was devised and advanced solely on the grounds of the economic interest of retailers, without any consideration of wider social costs and impact – a totally *un*balanced approach. But the social and community costs of allowing the loss of one of our very few remaining common break days far outweigh any economic benefits that might ensue for our local businesses. Perhaps it was because the Auckland Council took the issue of finding the right balance seriously, that it ended up with a 20-1 vote against open slather Easter Sunday trading. This submission urges you to follow Auckland’s example and look for the ‘right balance’. If you do so, surely you can only end up making the same decision as its Council did.

You should also take into account that

- The proposed Napier policy did not emerge in response to any overwhelming public demand, but was simply thought up in-house. As late as mid-January last year, I was informed by Council staff that ‘there have been no complaints to Council on any inconveniences placed on visitors, residents or businesses from having shops closed on Easter Sunday’. At the time its policy was originally conceived, Council had not received one single letter from anyone urging action on the matter.
- The only survey conducted last time round, although run by business associations, showed the high figure of 35% of respondents opposed to Easter Sunday trading.
- That fact highlights some of the problems with supposed greater ‘freedom’. For many retailers freedom of choice would be eroded, not enhanced. That’s because competitive pressure would be likely to cause many reluctant traders to open for extended hours. I leave it to Union advocates to explain how employees too may well face unwanted pressures.
- It takes only one member of a family to work on Easter Sunday to disrupt it getting together. The needs of broader families or whanau, normally dispersed, also need special consideration.
- Shops may already open for 361½ days of the year - including both Easter Saturday and Easter Monday.
- Since food outlets, service stations, garden centres, pharmacies etc can and will trade regardless of Council’s decision, every kind of social emergency is already well covered on Easter Day, and we can all enjoy meals out in cafés and restaurants without losing a holiday.
- Tourists don’t come to Napier primarily to shop. The last specific survey of which I am aware on tourists’ demand for Sunday trading, conducted by the Department of Labour in the late 1980s, found there was hardly any such demand at all (just one per cent). Tourists come to enjoy our sea, our Art Deco, our wineries, our unspoilt countryside and our

friendliness - and many would positively appreciate the peace of the one New Zealand Sunday devoid of the commercial imprimatur.

- It is significant that the one letter Council did receive in 2016-17 came not from a tourist operator, but from a large supermarket. Historically that quarter is where the pressure to erode holidays has always come from. That's not surprising, it's in their self-interest. It enables them to drive their competitors to the wall, and to build (now ordinary) shopping days into standard agreements with workers and so drive down wages. But the self-interest of large supermarkets has nothing whatever to do with tourism.
- In the past two years, many shops even in the most obvious tourist areas like the Napier CBD have not opened; and many places which did open were previously exempted anyway. There is simply no justification for robbing our community at large of its Easter holiday.

Let's return to the question of balance. Your job as councillors is to balance the rights of the individual against the rights of the community as a whole. In this case, the freedom of a few individuals to do as they please is not as important as the public's freedom and interest in retaining the one Sunday in the year that is currently free from commercial pressures. So the current special status of Easter Sunday, its freedom from ordinary commercial activity, must be preserved. Three hundred and sixty-one and a half days of the year are plenty on which retailers can make their money. Economic policies must have a human face. In this instance, that means keeping the Easter holiday weekend as it is.

I wish to speak to this submission. My oral comments will include explaining my personal motivation on this issue, further thoughts on the issue of 'freedom', and challenging the arguments used by some Councillors in February last year.

In conclusion: on any balanced and holistic view, it is far more important for us all to retain one of our very few remaining commercial-free days, and our one significant holiday weekend, than that our retailers should have a three hundred and sixty-second day in the year in which to make money.

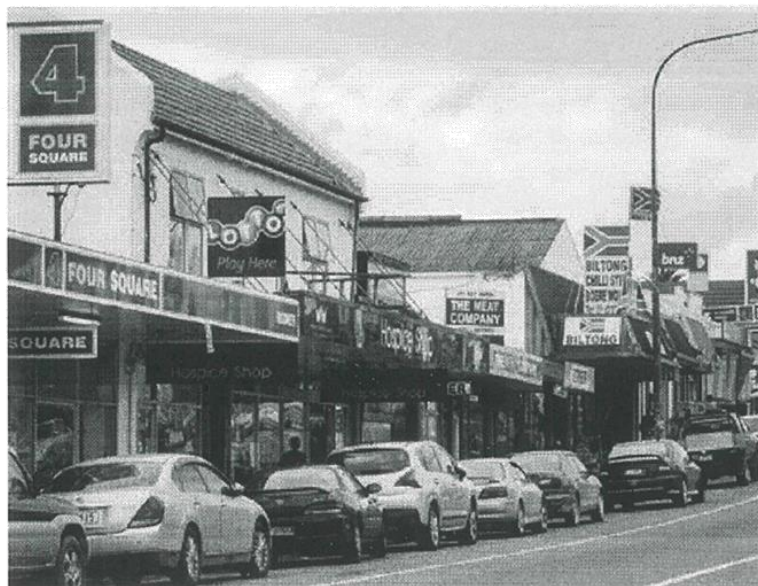
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## Council to consult Aucklanders over Easter Sunday trading

Published: 23 March 2017

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Auckland Council's governing body has decided to ask Aucklanders what they think about expanding shop trading to Easter Sunday.

Mayor Phil Goff said Easter Sunday trading is an important matter that people are passionate about and consulting Aucklanders on whether to keep the status quo or establish a policy allowing trading was the council's unanimous decision.

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“Considering Easter Sunday trading is not simply about religious observance,” the mayor said.

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“There are only three and a half days each year set aside purely for family time or when most people are not expected to work. We must consider whether we want that opportunity retained and we will listen to what our communities are saying before we make a decision.”

#### **About Easter trading**

The Shop Trading Amendment Act 2016 came into force in August 2016. Under the act, councils can now adopt a policy to allow shops in all or parts of their district to trade on Easter Sunday. Currently only some shops can legally trade on Easter Sunday.

Since August 2016, Auckland Council has been approached by some major retailers and individuals in relation to expanding Easter Sunday trading.

#### **Elected members support community engagement**

Angela Dalton, chair of Manurewa Local Board, and Lemauga Lydia Sosene, chair of Mangere-Ōtāhuhu Local Board, spoke strongly in opposition to the introduction of Easter Sunday trading (and on behalf of Lotu Fuli, chair of Ōtara-Papatoetoe Local Board). They supported council engaging with the community before any decision is made because they placed a high value on community input.

#### **Aucklanders to have a say in decision**

The governing body decided to provide Aucklanders with the opportunity to have their say on whether Easter Sunday trading hours should be expanded before any change is made.

The council wants to make sure it strikes the right balance between opportunities for additional money to businesses and workers, and opportunities for people to spend time on other recreational and leisure activities.



Community engagement will start in April 2017 with findings reported back to the governing body in August.

If the governing body decides to pursue a policy, a proposed policy would be adopted by October 2017 for public notification and consultation carried out by December 2017. A final decision would be expected in February 2018.

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**Appendix 9**



**Submission of FIRST Union to Napier City Council re: the  
Proposed Local Easter Sunday Trading Policy**

FIRST Union wishes to speak to our submission

Contact: Mike McNab

[mike.mcnab@firstunion.org.nz](mailto:mike.mcnab@firstunion.org.nz)

028 25805165

**Background**

1. FIRST Union is a private sector union with more than 28,000 members across several sectors including retail, finance, textile, clothing, baking, wood, transport and logistics. We are the primary union for retail workers. In Napier we represent over 250 workers in the supermarkets (all brands), Countdowns, Pak n Saves Napier and Tamatea, Farmers, the Cotton On group, The Warehouse, and some of the smaller retail outlets. We also represent members in the major trading banks many of whom are local. The proposed policy will have a major impact on retail workers, bank workers of branches, and their families and whanau.
2. We oppose the opening of shops on Easter Sunday in Napier.
3. Currently retail workers in Napier are only guaranteed three and a half days off each year. These days must be protected, not reduced.
4. Families, whanau and communities should come before commerce at Easter. For some retail workers Easter is an important time to take part in religious observance. For others, it is a time to be part of family or whanau gatherings, sports tournaments and other community activities.
5. We note that there has been no call from the community for Napier City Council to open shops on Easter Sunday. The proposed policy is in response to a request by Foodstuffs North Island Limited. We are concerned that the council is acting to satisfy the needs of one company and a minority of business owners, rather than the needs of the community.

**Workers Choice**

6. Much is made of workers having the absolute right to refuse to work if their workplace is open on Easter Sunday. It does establish the right for workers to raise a personal grievance where they have been compelled to work on Easter Sunday or suffer a disadvantage for refusing to work on that day. However in the real world it is not so easy to refuse to work the day when requested by the employer, nor is it that easy for an employee to take a personal grievance against his/her employer. For example:

- Some decades ago retail workers were given the same 'rights' when shops were opened for Sunday shopping and workers were told that they would never have to work on a Sunday if they did not want to. Of course today almost all retail workers are required to work either a Saturday or a Sunday and some are required to work both days.
  - Pressure will be exerted on individual workers to work on Easter Sunday. Workers will be told that she/he is not a team player, they may be passed over for promotion and may not get performance based pay rises. The pressure to conform will overcome the 'right' to refuse for many workers.
  - Many retail and bank workers report difficulties with their employer, when they request a day off on a public holiday or other busy trading days. The union has no confidence in businesses complying with the Act and respecting a worker's right to refuse to work on Easter Sunday.
  - The raising of a personal grievance is not as easy as it seems. For someone employed under the 90 day trial period there is no right to take a personal grievance against the employer. Only a very brave worker would refuse the employer's request to work on Easter Sunday while under a 90 day trial.
  - Taking a personal grievance is a legal process and most workers need advice and representation as they go through the process. It is also a fairly slow process that can take months, or in some cases years, to resolve. For those workers who are union members, their union will support them, however for most other workers they will be forced to seek legal advice at significant cost, if they want to pursue a personal grievance. The reality is that most workers will not have the ability to take a personal grievance therefore it is unlikely that the threat of a personal grievance will act as a disincentive to employers from requiring workers to work on Easter Sunday.
7. Easter Sunday is not a public holiday. Workers who work on Easter Sunday are not entitled to time and a half, nor are they entitled to a day

in lieu. If this policy is passed those workers who do work on Easter Sunday will see it treated like any other Sunday.

8. This is what our members who work in retail and banking, who will be affected by the adoption of a policy which would allow trading on Easter Sunday, have to say;

*"In our supermarket we value the days off at Easter to spend with whanau and go to church with the whole family. If I was rostered to work Easter Sunday it would be hard to say no."* (Countdown worker)

*"The managers at our place have a climate of fear running the place, I know there would be hell to pay if we refused to work".* (Shop worker, Napier)

*"I'm not a church goer but Easter is a weekend when we can plan a family BBQ or something and we know everyone can make it."* (Home DIY store worker, Napier)

### Conclusion

9. Currently there are only 3 ½ days that shops and banks are required to close so to cut this down to 2 ½ days is significant. Retail and bank workers and their families and whanau are the ones who will suffer if this policy is passed. For those who work Monday to Friday little changes except that there is one more day to go shopping. It is retail and bank workers who will be pressured to work on Easter Sunday and there will be many who won't be able to refuse their employer's request to work. It is these workers who will bear the brunt of Easter Sunday trading if this policy is passed.
10. FIRST Union strongly opposes this recommendation and argues that the status quo should be maintained. Napier is a family friendly city so let's keep Easter Sunday as a day when families and whanau can spend time together free of commerce.

Mike McNab  
First Union Inc  
PO Box 3343  
Onekawa  
Napier 4142

## Appendix 10



## The Methodist Church of New Zealand Te Hāhi Weteriana o Aotearoa

Napier Parish

9 November 2018

Trinity Methodist Church  
P O Box 4088  
Marewa  
NAPIER

Contact: Rev Tony Franklin-Ross  
021-481816  
[tonyfr@methodist.org.nz](mailto:tonyfr@methodist.org.nz)

To whom it may concern at Napier City Council

Re: SUBMISSION for Easter Sunday trading in Napier

The Parish of Trinity Methodist Church I AGAINST the proposal by Napier City Council regarding trading on Easter Sunday.

In summary we oppose the following grounds:

- The proposal exhibits that a primary value for our society is commercial activity and generating income. We are more than being a consumerist society.
- When Sunday trading was introduced, the intent was by Parliament to leave these remaining 3 and a half days free from Trading. Parliament in its wisdom has rescinded this undertaking.
- The intent for trading on Easter Sunday seems driven mostly by commercial interest rather than community interests. Is it really a community interest to reduce the few non-commercial days in the year? Is it really an inconvenience to the public, or more of an inconvenience to commercial retailers when otherwise the driver is for commercial reasons?
- It is pointed out that this is a religious holiday remaining in a largely secular society. It is true that the Census data indicates Christian adherents is now less than 50% of the population. Nevertheless Christianity remains the main religion whether in active participation in churches or as a subtext to belief systems for many people. From my interaction in interfaith dialogue, Easter and Christmas are not seen as an affront to other religions in New Zealand.
- Tourists is often given as an example for why there needs to be Easter Sunday trading. Many tourist destinations globally exercise public holidays and restricted trading. For example, Greece, Germany, France, Spain – amongst the largest international tourist destinations, observe shop closures not just for religious holidays, but secular too (May Day in Europe particularly). Indeed, are we seeing tourists only for their commercial spending power in our

shops, or could we rather work with tourism operators, or event producers, to produce a range of activities on Easter Sunday that are not revolving around shopping but rather enjoying Napier in a special non-commercial way. We could rather use Easter Sunday as a way to develop non-commercial ways to celebrate and enjoy the Hawkes Bay. Would that not be more unique than adding yet another shopping day? Will cruise ship operators really chose for or against Napier because of Easter Sunday Trading?

A Parish presentative would be happy to make a submission in person to a hearing.

Yours faithfully

A handwritten signature in cursive script, appearing to read 'Franklin-Ross', written in black ink.

Rev Tony Franklin-Ross  
Minister, Methodist Church of New Zealand