

QLDC PROPOSED DISTRICT PLAN TOPIC 15

B P KREFT SUBMISSION

Books & Toys (Wanaka) Limited, trading as "Paper Plus Wanaka" is a member of the Paper Plus Co-operative Group which operates on a franchise type basis, the same as the Food Stuffs organisation. Paper Plus Wanaka holds shares in the Paper Plus Group and, in turn, has a franchise for the operation of the business.

As franchisee's we are required to comply with the franchisor's reasonable requests and requirements and if we are unable to do so it places the business in jeopardy. Hence our concern at the lack of clarity around the matters we are submitting on.

Our position is also materially influenced by an incident that took place approximately eight years ago when we were rebranding the store, in accordance with the Paper Plus requirements upgrading to "Concept 6," which required a colour change and also a change to the signage wording.

We duly made application to the Queenstown Lakes District Council in Wanaka and received verbal approval to the colour change and also the rewording of the exterior signage. These approvals were subsequently confirmed in writing.

Subsequent to that a Planner at the Queenstown Lakes District Council took exception to the green colour of the shop front façade describing it as "jarring and lurid" and commenced rigorous enforcement action including eliciting the support of the Council's Enforcement Officer, a Mr Francis.

While there was no changes to the size of the exterior signage the wording on the existing signage was also to be changed. While not disputing that the size of the existing signage both the Planner and Mr Francis drew our attention to the window display posters and advised that in accordance with the Rules we were in breach of same as the interior window posters formed part of the exterior signage area.

Suffice to say the threat of abatement notices were made and other direct enforcement threats to not only ourselves as tenants of the building but also the Landlord despite the fact that the matter was being handled by our solicitors.

The outcome of this sorry saga was that, immediately prior to going to the Environment Court the then Head Planning Officer for the QLDC, a Mr Fitzpatrick, on reviewing the matter conceded that we were entitled to undertake what we had submitted to do and that we should ignore the threat of the inclusion of the interior poster window displays.

As a consequence we incurred legal and expert report costs of some \$35,000 for which we received no recovery of costs and we also lost faith in the ability of the Council Officers to correctly interpret and enforce their signage rules.

Hence our very real concerns as are being expressed to you in these Submissions.

Brian Kreft
26 September 2018

(Mr Kreft's Family interests are the owners of Books & Toys (Wanaka) Limited)