

In the Environment Court  
Christchurch Registry  
I mua i te Kooti Taiao o Aotearoa

Under the Resource Management Act 1991  
In the matter of an application under section 85 and clause 21 of the First  
Schedule of that Act

Between **Redmond Retail Limited**  
**ENV-2018-CHC-198**  
Applicant

And **Ashburton District Council**  
Respondent

And **Nigel Gilkison**  
Interested Party

And **Michael Hanrahan**  
Interested Party

And **Heritage New Zealand Pouhere Taonga**  
Interested Party

And **Julie Luxton/Historic Places Mid-Canterbury**  
Interested Party

And **Maxine Watson**  
Interested Party

## **Evidence of Maxine Watson, Interested Party**

Ashburton, town and county, has grown and prospered from the wealth and hard work of its farming people. The grain and seed industry has been second only to pastoral agriculture in the development of the district – this is still true today, though sheep for meat and wool lately have given way to dairying. The Friedlander Brothers set up in business in the 1870s dealing in both wool, and grain and seeds, and established this building as their seed store shortly thereafter. Although the business has varied somewhat over the intervening years with changing owners and markets, until February 2015 the Friedlander/Cates building continued to play a vital part in this prosperous and important sector, serving the arable industry in Mid Canterbury in an unbroken line for more than 135 years.

Originally one in a line of similar establishments along West Street, the Friedlander/Cates building was one of the last to surrender its direct rail link across West Street to the main trunk line, and is the last bastion of commercial agricultural heritage in central Ashburton. For this reason alone it is worth preserving, as a reminder of the importance of the agricultural sector in the wealth and growth of Ashburton, a visual memorial recognising those early settlers who risked all, in an unknown and not always friendly countryside, to build an industry and way of life which continues to provide the wealth and prosperity the county enjoys today.

Though not an expert in building and architectural matters I appreciate the structure of this building which has stood the test of time, and the Canterbury earthquakes – the heritage part of the building that is. Despite the unsympathetic alterations the building was subjected to over the latter part of the 20<sup>th</sup> century, much of the fabric of the original building remains, albeit somewhat hidden. The work of noted pioneer builder Peter Gourdie, the distinctive barrel roof, the early laminated beams, the pillars and much of the interior timberwork remain. The removal of the front and side offices would likely show much of the original fabric of the building is still in situ – the repair of these areas and restoration of the heritage façade would go a long way to remediating the earthquake risks. And these heritage features could be utilised to advantage in a creative, adaptive re-use of the building. It would, for instance, create a great atmosphere for a restaurant or a Tannery-style development.

It is my contention that Redmonds Retail Limited had only one ambition in the purchase of Cates Grain & Seed Store – to gain the site but demolish the building. They knowingly purchased a heritage-listed building - protected by

the Ashburton District Council's District Plan with a Group A listing, and by a Category 2 listing with Heritage New Zealand Pouhere Taonga - and presumed they could ride rough-shod over these regulations to achieve their purpose. This was clear from the beginning, when they applied to the Council to overturn the non-complying activity clause to demolish, a month *before* their possession date of February 2015.

Ashburton District Council successfully defended its District Plan at the Resource Consent Application hearing before Commissioner Mountfort in February 2017 when the application to demolish was declined. This decision was appealed and led to a Court facilitated mediation on 2<sup>nd</sup> August 2017 at which Redmond Retail introduced the idea of relocation of the building to The Plains museum. This raised several issues not least of which was that Council rules about deconstruction and relocation, both of which are still non-complying activities within the District Plan. Any activity in this direction would need to be done properly with a full recording of the building and appropriate deconstruction, it would not be possible to just 'cut it off at the base, put it in sections on trucks and shift it to Tinwald'. This raised the suggestion that the same statutory roadblock issues that caused Council to decline the application for consent to demolish the building may again come into play.

At the mediation meeting, while Redmond Retail investigated the legality of this proposal, a working party was set up to explore the viability, costs and fundraising possibilities of Redmond's proposal to relocate the Friedlander/Cates building to the Plains Vintage Railway and Historical Museum site at Tinwald. The working party comprised Ian Cullimore (Plains Museum), Barry Redmond (Redmond Retail), Rodger Letham, Brian Lester (former CEO of Ashburton District Council) and myself (representing the S274 parties).

While stating clearly at the beginning of this process that to remove a heritage building from its context was to overwhelmingly diminish its heritage significance, I was prepared to listen and consider their proposal. The proposal was to relocate the building to a site at the Plains Museum to a context which would create a facsimile of 19<sup>th</sup> century 'street'. The Plains Museum people were quite excited by the idea and drew up rough sketches as to how the building might be situated between two existing buildings, the facades of which they would redesign to portray a sympathetic 19<sup>th</sup> century street setting. They also disclosed that they were in possession of the original railway turntable which had linked the Cates building with the main trunk line across West Street, and they proposed that this could be installed in a position reflecting that past set-up, linking it to their vintage railway track. They also proposed that the building could be used for displays of an

agricultural theme. Redmonds had consulted Bradford's as to the efficacy of shifting the building and it was their opinion that it should be possible, but no formal engineering plan had been explored.

In their report back to the Court in December 2017, Redmond Retail informed the Court they were applying to the District Council for a resource consent to relocate the heritage building rather than demolish it. In February 2018 the Council notified the court that the relocation consent application would fail for the same reasons as the demolition consent application. Redmond Retail withdrew from mediation and the appeal process and set about applying to have the heritage listing revoked under Section 85 of the Resource Management Act.

I find it difficult to accept the argument of undue hardship on the part of Redmond Retail – they knowingly bought a heritage building and, from past experience, they knew what that entailed. They obviously felt the heritage status could be as easily disposed of as it was when they managed mysteriously to have the Ashburton Arcade building withdrawn from the District Plan. Their assertion that they have explored every avenue for adaptive re-use is to my mind a gross exaggeration. A few private inquiries as to its potential as a restaurant, shopping precinct or store, and putting up a “For Sale” sign scarcely constitute ‘extensive’ exploration of possibilities. The area at the back and to the side of the heritage part of the building could be used for a commercial operation and access respectively, and could enhance or be enhanced by some adaptive re-use of the heritage building itself – if there was a will to do this.

All too often people don't value heritage until it is under threat or gone. We have seen the demise of many icons of the district in recent years – the Canterbury Roller flour mill to fire, the former Anglican vicarage to liquefaction and the lack of a suitable buyer; Ashburton's historic railway station to the greed of a developer to name but a few recent ones. Now that they are gone people in the community mourn their loss, but these heritage buildings cannot be rebuilt. There is still a chance to save this last vestige of the community's ties with its agricultural past; Redmond Retail was aware when they purchased the Cates Grain & Seed Store that it was a heritage building, protected by the Ashburton District Plan and recognised as a valuable piece of agricultural heritage with its Category 2 listing with Heritage New Zealand Pouhere Taonga.

The distinctive style and architectural features of this building, especially noting the laminated roof trusses, are worth saving; the agricultural heritage the building represents is invaluable; the arrogance of a developer in destroying these on the grounds of undue hardship is deplorable. I ask the

applicant to respect the heritage listings and find a way to give the building a new life within its old framework.

I hereby request that the application under Section 85 and clause 21 of the First Schedule of the Resource Management Act 1991 Act, to delist the Cates Grain & Seed building be denied.

Maxine Watson