

IN THE MATTER

of the Resource Management Act 1991

AND

IN THE MATTER

of an application under section 88 for
land use consent to demolish the Briscoes
Building which is Heritage 2 listed with
NZHPT, and also Heritage listed in the
Invercargill City District Plan
(Council reference: RMA/2025/115)

BY

104 Dee Street Partnership

DIRECTION No. 2

1. Invercargill City Council (**the Council**) have appointed me as Independent Hearing Commissioner to hear and determine the application for land use consent by 104 Dee Street Partnership.
2. The purpose of Direction No. 2 is to respond to the applicant's request for a further suspension of the processing of the application until 31 August 2026.

Background

3. The application is currently suspended at the applicant's request. In Direction No. 1 suspension of the application was granted until Monday 24th August 2026, and an progress update was requested by 17 August 2026 (today).
4. Duly, Ms McMillan has today advised in a progress update that the Monday 24th August deadline will be insufficient, and that applicant wishes to extend the suspension by one week until 31 August 2026, at which time it is anticipated that the applicant's further information and evidence will be filed.

Consideration

5. This is a reasonable extension in order to allow the applicant to fully respond to matters raised in the s42A report.
6. It is considered that it would be in the interests of an efficient hearing that the Council officers are provided an opportunity to review the information submitted on 31 August 2026 and prepare an addendum to the s42A reporting - if considered necessary. A period of 10 working days should be allowed for any addendum s42A reporting.
7. Submitters should also have reasonable time to consider the information provided by the applicant on 31 August and any addendum s42A before any evidence filing is due for submitters (5 working days prior to hearing). A period of 5 working days should be allowed at minimum, or the usual requirement of 5 working days prior to a hearing date when set.

Directions

8. Accordingly, the directions are that:
 - a. The processing of the application is suspended until Monday 31 August 2026. The further information and evidence filing by the applicant is due Monday 31 August 2026 at 5pm.
 - b. The parties are to liaise with the Council hearings administrator with a view to setting a new hearing date, with this date being no earlier than 28 September 2026 to allow for the following:
 - Any addendum s42A reporting to be filed Monday 14 September 2026 (5pm)
 - Any submitter evidence to be filed Monday 21 September 2026 (5pm) **or** 5 working days prior to the hearing (whichever is later).
9. Any questions in relation to these directions should be directed to Mr Terence Boylan at Invercargill City Council: terence.boyland@icc.govt.nz



Paula Costello
Independent Hearing Commissioner
17 August 2026