

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. 3

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. 3 is to set out the hearing date and associated timeframes leading up to the hearing for all parties.

Background

3. In accordance with Direction No. 2, the applicant filed updated briefs of evidence on Monday 31 August 2026. The evidence was noted as being complete with one exception, that being evidence from the applicant's architect.

Consideration

4. A hearing date has been arranged by Council for **15 October 2026**.
5. As previously indicated, I consider it reasonable for the Council officers to have time to prepare any addendum or updates to the s42A reporting in light of the updated evidence filed by the applicant, and subsequently time for any submitter to respond to both.
6. The hearing date of 15 October 2026 allows time for these to be achieved.
7. Should the applicant wish to file further evidence (specifically the architect evidence), it will be required to do so by 10 working days prior to the hearing date (15 October 2026) in accordance with RMA requirements, and accepting that the Council officers will not have time to prepare an addendum response (but can respond at the hearing as usual).

Directions

8. Accordingly, the directions are that:
 - a. All parties should work towards the hearing date set down by the Council of **15 October 2026**, with the hearing commencing at 9am on that date, at the Council Chambers (First Floor, Civic Theatre, 88 Tay Street, Invercargill).
 - b. Should the Council officers wish to provide addendum or updated s42A reporting in response to the applicant evidence filed 31 August 2026, this should be filed by **18 September 2026** (5pm).
 - c. Any further applicant evidence should be filed by **1 October 2026** (5pm).
 - d. Any submitter evidence should be filed by **8 October 2026** (5pm)
9. Any questions in relation to these directions should currently be directed to Mr Terence Boylan (terence.boylan@icc.govt.nz), and from 28 September onwards to Ms Gillian Cavanagh (gillian.cavanagh@icc.govt.nz) at Invercargill City Council



Paula Costello
Independent Hearing Commissioner

4 September 2026