

Note from Panel 10/09/2025

1. We have received a question of clarification from the PNCC s42A author – Ms. Jenkin – in relation to the post adjournment conferencing that we directed at the completion of the hearing last week. The query is as follows:

“The note I made at the hearing (and checked on the recording) is that the Hearing Panel suggested there be conferencing between Stacey Andrews and Tim Heath on the matter of development capacity, and specifically:

- *Theoretical capacity*
- *Feasible capacity*
- *Infrastructure-ready capacity; and*
- *Reasonably expected to be realised capacity.*

Clarification is sought with regard to infrastructure-ready capacity and specifically whether the Hearing Panel is seeking this information about the areas that Kinga Ora is seeking to have included in the MRZ extent.

The Three Waters Servicing Assessments prepared by the Council to support the s32 assessment didn’t explicitly look at whether there was infrastructure capacity outside the MRZ – they specifically looked at the proposed MRZ extent (this information is provided in the Water Supply, Wastewater and Stormwater servicing assessments and summarised in the Development Capacity Assessment Report). If the Panel is seeking to understand whether the proposed Kinga Ora areas meet the definition of infrastructure-ready in clause 3.4(3) of the NPS-UD, this would require additional modelling work to be undertaken. I would need to liaise with the relevant teams to understand how long this would take and there would be a cost for undertaking the additional assessment.”

2. The Panel has considered this matter and responds as follows:
 - a. The four listed measures of development capacity are correct.
 - b. In terms of “infrastructure-ready capacity”, the Hearing Panel is not seeking this information about the areas that Kāinga Ora (KO) is seeking to have included in the MRZ extent. It is however wanting to understand how the MRZ extent as notified contributes to predicted/recorded housing demand figures under those four capacity measures.
 - c. If KO wishes to take the above further and estimate/speak to the contribution of the properties, they have requested to be included in the MRZ extent then they can do this separately via Mr. Heath. This could either look at just the KO owned properties (compared to privately owned properties identified in their submission) or it could include all the properties identified in their submission collectively (i.e. both KO owned and private properties as a bundle).
3. We take this opportunity to emphasise that we see the exercise of calculating development capacity associated with the notified MRZ extent using the four measures as a desktop exercise. The conferencing that is required between KO and the Council should focus on ensuring the methodology to be used for modelling and/or predictions are agreed and that the demand targets are also agreed.

DJ McMahon
Independent commissioner
Chair of Hearing Panel PCI