

Wellington City District Plan – Omnibus Plan Change
MRZ-S13, MRZ-PREC03-S5 and HRZ-S13 – Outlook Space

Scope of Proposed Changes

To amend the provisions relating to outlook space to provide clarity as to when the requirements apply, and achieve alignment with the equivalent Commercial and Mixed Use Zone provisions, by:

- Deleting MRZ-S13, MRZ-PREC03-S5 and HRZ-S13, including references to those standards in relevant rules in the Medium Density Residential Zone (MRZ), Oriental Bay Height Precinct, and the High Density Residential Zone (HRZ).
- Amending MRZ-S7 and HRZ-S7 (Outlook space (per unit)) to include outlook space for multi-unit housing and development in the Oriental Bay Height Precinct in the MRZ and the HRZ chapters, including references to those standards in relevant rules.

Background

MRZ-S13 and HRZ-S13 are standards for outlook space for multi-unit housing. There are also standards for outlook space for three or less residential units (MRZ-S7 and HRZ-S7) and outlook space in the Oriental Bay Height Precinct (MRZ-PREC03-S5).

The difference between MRZ-S7/HRZ-S7 and MRZ-S13/HRZ-S13/MRZ-PREC03-S5 is that for the former, the outlook space for a principal living room must have a minimum dimension of 4 metres in depth and 4 metres in width, compared to multi-units and development in the Oriental Bay Height Precinct which have a less onerous dimension of 1 metre in depth and 1 metre in width for all habitable rooms (which includes the principal living room).

As described in the Section 42A Report¹ for the HRZ, heard during Hearing Stream 2 (Residential Zones), some submitters considered that the outlook space for multi-units is inadequate. At that time, the Council's reporting officer responded that there are a number of relevant standards that, in combination, manage potential adverse effects including shading and privacy of adjoining sites whilst balancing the need to enable the scale of residential intensification enabled in the zone, and that no compelling evidence had been provided from the submitters that supported the need for any specific increase to the outlook space requirements.

This matter was then further addressed in Hearing Stream 4 (Commercial and Mixed Use Zones (CMUZ)). At notification of the Proposed District Plan (PDP), the outlook space requirement in the City Centre Zone (CCZ) was 1 metre in depth and 1 metre in width for all habitable rooms (which again includes the principal living room). However, as described below, this was amended through the hearings process.

The way the amenity standards work together was addressed in the Right of Reply for the CCZ². Although it was recognised that there are a number of standards (including outlook) which work together to strike a balance between enabling development and efficient optimisation of sites whilst ensuring quality design outcomes, it was considered that these standards are unlikely on their own to prevent a small number of units being built within close proximity to a neighbouring wall. To address this the Council's urban design expert, Dr Zamani, advised in developing the PDP that provision is included for a minimum outlook space associated with the principal living space of 4m by 4m. It was noted that this, in combination with allied building depth and separation standards, ensures a quality living environment for the occupants of the new developments and the neighbouring sites including:

¹ [Section 42A Report: HRZ](#), para 566-570.

² [Right of Reply: CCZ](#), para 49-61.

- Daylight access
- Mental wellbeing benefits
- Provision of green space
- Greater privacy.

After hearing concerns about outlook space requirements particularly for principal units, and to align with the MDRS outlook requirements, Dr Zamani recommended an amendment to outlook space standard of 4m x 4m for principal living rooms. This change was intended to be reflected across all the applicable CMUZ zones. This change was adopted into the 2024 District Plan.

Issue

As the outlook space standard was amended through the hearings process for the CMUZ, consideration should be made as to whether the multi-unit outlook space standard in the residential zones and the outlook space standard in the Oriental Bay Height Precinct should also be amended to include a 4m by 4m outlook space requirement for a principal living room. The same logic applied above in the CMUZ provisions also applies to these other areas.

Regardless, the standard in the MRZ-S13 is currently unclear as to which dimensions apply. MRZ-S13 notes that all habitable rooms must have an outlook space with a minimum dimension of 1 metre depth and 1 metre in width. It also notes that the outlook space must meet the requirements set out in MRZ-S7. In comparison, the outlook space requirements in the HRZ specify which aspects of HRZ-S7 apply to HRZ-S13. These are the locational and technical requirements, rather than the specific dimensions of outlook space. The concern is that MRZ-S13 currently implies that all MRZ-S7 is to be met. This would include MRZ-S7.3, which requires a minimum dimension of 4m x 4m outlook space.

Assessment of options

Relevant options

For the purposes of the evaluation, the following options have been considered:

- **Option 1:** Retain the status quo; or
- **Option 2:** Delete MRZ-S13, MRZ-PREC03-S5 and HRZ-S13 and apply MRZ-S7 and HRZ-S7 to multi-unit housing (ie delete the exemption for multi-unit housing within MRZ-S7 and HRZ-S7) and to the Oriental Bay Height Precinct; or
- **Option 3:** Retain MRZ-S13 and HRZ-S13 but amend MRZ-S13 to only include the locational and technical requirements of MRZ-S7 to be met as part of MRZ-S13 (consistent with HRZ-S13).

Cost/benefit assessment

The options are assessed in the table below. The assessment is limited to the changes and is additional to information in the Residential Section 32 assessment.³

Option 1: Retain the status quo	
Costs	Benefits
<i>Environmental</i> <ul style="list-style-type: none"> • This results in a smaller outlook space requirement for multi-units in residential 	<i>Environmental</i> <ul style="list-style-type: none"> • The standard is unclear as this would technically result in a greater outlook space

³ [Section 32 - Part 2 - High Density and Medium Density Residential Zones](#)

<p>zones and the Oriental Bay Height Precinct than residential development in the centre zones.</p> <p><i>Economic</i></p> <ul style="list-style-type: none"> This creates plan uncertainty as the standards do not align. MRZ-S13 (outlook standard for multi-unit housing) notes compliance with MRZ-S7 is a requirement, but MRZ-S7 also notes that the standard does not apply to multi-unit housing. Plan uncertainty can increase resource consenting costs both in the application and processing, with increased time taken if the standards are not clear. <p><i>Social</i></p> <ul style="list-style-type: none"> This results in a smaller outlook space requirement for multi-units in the residential zones and development in the Oriental Bay Height Precinct than residential development in the centre zones. <p><i>Cultural</i></p> <ul style="list-style-type: none"> No direct or indirect cultural costs have been identified. 	<p>requirement in the MRZ for multi-unit housing since MRZ-S7 is a requirement for MRZ-S13.</p> <p><i>Economic</i></p> <ul style="list-style-type: none"> No direct or indirect economic benefits have been identified. <p><i>Social</i></p> <ul style="list-style-type: none"> No direct or indirect social benefits have been identified. <p><i>Cultural</i></p> <ul style="list-style-type: none"> No direct or indirect cultural benefits have been identified
<p><i>Effectiveness and efficiency</i></p> <p>Retaining the status quo with uncertainty of the application of the outlook space standard for multi-unit housing is not considered to be an effective and efficient way of resolving the issue.</p> <p><i>Overall evaluation of Option 1</i></p> <p><u>Option 1 is not recommended</u> as it will not improve District Plan consistency and implementation.</p>	
<p>Option 2: Delete MRZ-S13 and HRZ-S13, and delete the exemptions in MRZ-S7 and HRZ-S7 with respect to multi-unit housing, and delete MRZ-PREC03-S5 in relation to the Oriental Bay Height Precinct</p>	
<p>Costs</p> <p><i>Environmental</i></p> <ul style="list-style-type: none"> No direct or indirect environmental costs have been identified. <p><i>Economic</i></p> <ul style="list-style-type: none"> Development capacity may be reduced with a greater outlook space requirement. However, the desirability of multi-units with only a 1m by 1m outlook space from the principal living room is unknown, therefore 	<p>Benefits</p> <p><i>Environmental</i></p> <ul style="list-style-type: none"> This would result in a greater outlook space requirement in the MRZ and HRZ for multi-units and development in the Oriental Bay Height Precinct than is currently required. This option would provide plan consistency both with the MDRS outlook space requirements, and with the outlook space requirements in the centre zones.

<p>the effect of this reduction in capacity is unknown, but may be small.</p> <p><i>Social</i></p> <ul style="list-style-type: none"> No direct or indirect social costs have been identified. <p><i>Cultural</i></p> <ul style="list-style-type: none"> No direct or indirect cultural costs have been identified. 	<p><i>Economic</i></p> <ul style="list-style-type: none"> No direct or indirect economic benefits have been identified. <p><i>Social</i></p> <ul style="list-style-type: none"> Greater outlook space requirements may have social benefits in terms of increased outlook and privacy. <p><i>Cultural</i></p> <ul style="list-style-type: none"> No direct or indirect cultural benefits have been identified.
<p><i>Effectiveness and efficiency</i></p> <p>Removing the outlook space requirements specific to multi-unit housing in MRZ and HRZ and also development in the Oriental Bay Height Precinct is considered to be an effective and efficient way of resolving the issue as it aligns with the MDRS outlook space requirements and the CMUZ standards.</p> <p><i>Overall evaluation of Option 2</i></p> <p><u>Option 2 is recommended</u> as it will improve Plan consistency and implementation.</p>	
<p>Option 3: Retain MRZ-S13, MRZ-PREC03-S5 and HRZ-S13, but amend MRZ-S13 to only include the locational and technical requirements of MRZ-S7 to be met as part of MRZ-S13 (consistent with HRZ-S13)</p>	
<p>Costs</p> <p><i>Environmental</i></p> <ul style="list-style-type: none"> This results in a smaller outlook space requirement for development in the HRZ and MRZ than residential development in the CMUZ. It would be expected that a greater level of development would be allowed for in CMUZ, therefore it is considered that HRZ and MRZ standards should not be more enabling in terms of development capacity than the CMUZ. <p><i>Economic</i></p> <ul style="list-style-type: none"> No direct or indirect economic costs have been identified. <p><i>Social</i></p> <ul style="list-style-type: none"> Smaller outlook space requirements may have social costs in terms of reduced outlook and privacy. <p><i>Cultural</i></p> <ul style="list-style-type: none"> No direct or indirect cultural costs have been identified. 	<p>Benefits</p> <p><i>Environmental</i></p> <ul style="list-style-type: none"> No direct or indirect environmental benefits have been identified. <p><i>Economic</i></p> <ul style="list-style-type: none"> This option would improve Plan usability by clarifying how standard MRZ-S13 should be applied and aligns it with HRZ-S13. <p><i>Social</i></p> <ul style="list-style-type: none"> No direct or indirect social benefits have been identified. <p><i>Cultural</i></p> <ul style="list-style-type: none"> No direct or indirect cultural benefits have been identified.

<p><i>Effectiveness and efficiency</i></p> <p>Amending MRZ-S13 to only include the locational and technical requirements of MRZ-S7 to be met is not considered to be an effective and efficient way of resolving the issue as it does not align the outlook space requirement with the CMUZ or the MDRS requirements.</p> <p><i>Overall evaluation of Option 3</i></p> <p>This is not considered to be an appropriate option in this case and is <u>not recommended</u>.</p>														
<p>Overall evaluation of the issue</p> <p>As demonstrated in this assessment, there is misalignment between the CMUZ and residential zones in relation to outlook space requirements.</p> <p>This can be resolved through the <u>adoption of Option 2</u> as detailed above. The recommended changes will also provide clarity to the current implementation issue relating to MRZ-S13.</p>														
<p>Risk of acting/not acting</p> <p>There is sufficient information to analyse the appropriateness of acting or not acting.</p> <p>The recommended amendments will improve implementation of the District Plan with limited associated environmental, economic, social or cultural costs. Therefore, the risk of acting is low.</p> <p>Not acting will mean the issue is not resolved, risking ineffective and efficient implementation of the rules and standards relating to 'Outlook space'.</p>														
<p>Consultation</p> <p>The proposed amendments have been discussed with the Resource Consents Team and the Urban Design Team, who are supportive of the change.</p>														
<p>Recommended changes</p> <table border="1"> <thead> <tr> <th colspan="3">Medium Density Residential Zone chapter</th></tr> </thead> <tbody> <tr> <td colspan="3"> <ol style="list-style-type: none"> 1. Delete MRZ-S13 in its entirety. 2. Delete MRZ-PREC03-S5 in its entirety. 3. Amend MRZ-S7 as follows: </td></tr> <tr> <td>MRZ-S7</td><td>Outlook space (per unit)</td><td></td></tr> <tr> <td> <ol style="list-style-type: none"> 1. An outlook space must be provided for each residential unit as specified in this standard; ... 9. Outlook spaces must: <ol style="list-style-type: none"> a. Be clear and unobstructed by buildings; and </td><td colspan="2"> <p>Assessment criteria where the standard is infringed:</p> <p>The extent to which:</p> <ol style="list-style-type: none"> 1. Acceptable levels of natural light are provided to habitable rooms; and 2. The design of the proposed unit provides a healthy living environment. </td></tr> </tbody> </table>			Medium Density Residential Zone chapter			<ol style="list-style-type: none"> 1. Delete MRZ-S13 in its entirety. 2. Delete MRZ-PREC03-S5 in its entirety. 3. Amend MRZ-S7 as follows: 			MRZ-S7	Outlook space (per unit)		<ol style="list-style-type: none"> 1. An outlook space must be provided for each residential unit as specified in this standard; ... 9. Outlook spaces must: <ol style="list-style-type: none"> a. Be clear and unobstructed by buildings; and 	<p>Assessment criteria where the standard is infringed:</p> <p>The extent to which:</p> <ol style="list-style-type: none"> 1. Acceptable levels of natural light are provided to habitable rooms; and 2. The design of the proposed unit provides a healthy living environment. 	
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<p>b. Not extend over an outlook space or outdoor living space required by another dwelling.</p> <p><u>This standard applies to:</u></p> <p>a. <u>Multi-unit housing</u></p> <p>b. <u>Residential development in the Oriental Bay Height Precinct</u></p> <p>This standard does not apply to:</p> <p>a. Multi-unit housing; and</p> <p>a. Retirement villages.</p>		
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2. Delete HRZ-S13 in its entirety.		
<p>Consequential amendments</p> <p>As MRZ-S13, MRZ-PREC03-S5 and HRZ-S13 are being deleted, all references to these outlook space standards will need removed and where appropriate replaced with MRZ-S7 and HRZ-S7. This change applies to HRZ-R12, MRZ-R12, MRZ-PREC01-R5 and MRZ-PREC02-R3. Note that it is also recommended through this plan change that HRZ-R15 and MRZ-R15 are amended to only apply to non-residential buildings. Therefore, the outlook space requirement has been deleted from these rules.</p> <p>These changes are shown in the tracked changes HRZ and MRZ chapters prepared for this plan change.</p>		