

My name is Petrus Yen and I am the owner of 169 Forbury Road. I strongly oppose the proposed heritage listing of my property under Plan Change 1.

I am currently overseas in Southeast Asia, building a new business, while my wife is in Auckland pursuing her own career. At the same time, I am the sole caregiver to our children while managing a demanding professional workload in a foreign country. Despite this, I have taken the time to review the Resource Management Act, assess the DCC and Heritage New Zealand criteria, consult with other affected homeowners, correspond with Council, and prepare and submit a formal counter assessment and financial impact analysis.

This experience has shown me one thing very clearly: the burden of this process falls entirely on the ratepayer. We are given no assistance, no legal or heritage expertise, and no impartial guidance. Yet we are expected to go up against expert reports, protect our homes, and defend ourselves, all while balancing work, family, and finances. It is deeply unbalanced and, quite frankly, feels predatory. Coming from the very institution meant to represent and protect us, this is especially disappointing.

Raising rates is one thing. But consuming the time, energy, and personal resources of ratepayers through a process like this, with no consent, no support, and no public backing, is an entirely different matter. It is unjust.

If Council is truly committed to a fair process, there must be an internal balance. A red team versus blue team structure where ratepayers are supported and their side of the case is considered equally within the process. Right now, we are being asked to fight without tools while Council arms itself with staff, experts, and time.

There have been no public submissions in support of this listing and multiple submissions, including mine and those from others, oppose it. Not a single heritage group, neighbour, or community member has shown interest in this property's listing. That should speak volumes. This is not a listing the public is asking for.

If this property is listed under the current vague and inconsistently applied criteria, it sets a dangerous precedent for every homeowner in Dunedin. It would allow any older home, loosely connected to a historic theme or style, to be listed, not because of exceptional significance, but simply because it is old or vaguely associated with a prominent family. If that is the standard, then countless other homes across Dunedin would qualify, including those owned by the Mayor, elected councillors, and even staff in the DCC heritage team.

My own submission demonstrates that 169 Forbury Road does not meet the DCC's own heritage criteria, nor does it meet Heritage New Zealand's threshold for listing. The property holds no real heritage value under any reasonable interpretation of the standards set by either body.

At the same time, the financial impact on my family is significant. Between higher insurance, compliance costs, loss of development potential, and property devaluation, we are facing real, long-term economic harm. This is not theoretical. It is quantifiable, immediate, and deeply personal.

The public good that might be claimed from this listing, does not outweigh the real cost imposed on the property owner. This contradicts both the intent and spirit of the Resource Management Act.

Section 5 of the RMA is clear. The purpose of the Act is to promote sustainable management in a way that enables people and communities to provide for their social, economic, and cultural well-being. Section 6, which the DCC relies on heavily, must be balanced against that. In this case, that balance is entirely missing.

What is even more telling is that other councils across New Zealand as shown in my submission documents, including Hastings, Hurunui, Ruapehu, Waimate, and Waitaki, take a more balanced and fair approach. These councils require homeowner consent or provide protections to ensure economic outcomes are weighed. They understand that heritage protection cannot come at the cost of the people who live in these homes.

The fact that DCC disregards these best practices and presses forward with proposals like this, even when the public is not asking for it and homeowners are clearly impacted, suggests that Council is pursuing its own internal agenda rather than acting in the interest of the people it serves.

Moreover, in the Government's Expert Advisory Group Report on Resource Management Reform, it is clearly stated that:

"Heritage matters have become confused with special character protection under the RMA, and this has created significant barriers to enabling urban development."

This confirms that the interpretation and enforcement of the RMA, particularly in how heritage protections are applied, has been misused. The confusion between heritage and character overlays has led to poor outcomes for both development and public trust. DCC's

continued emphasis on Section 6 while ignoring the purpose of Section 5 exemplifies this confusion and misuse.

In a time where Dunedin faces housing shortages, rising costs of living, and growing pressure on working families, this is not just poor governance. It is actively harmful.

I respectfully urge the hearings panel to reject the proposed listing of 169 Forbury Road. It fails the heritage test, it fails the public interest test, and it fails the fairness test. This process must be reformed, and it should begin by not listing a property that clearly does not meet the necessary thresholds.

Thank you.