

# Policy Brief

## Proposed Amendments to the Planning Development and Infrastructure Act 2016 and Heritage Places Act 1993

Save The Cranker  
July 2024



## Foreword

The aim of this policy brief is the modernisation of the existing State Heritage definitions by incorporating Intangible Cultural Heritage, and applying these definitions to both State and Local Heritage Places into the Heritage Places Act 1993, to ensure comprehensive protection for South Australia's cultural legacy. This brief presents strategic pathways for the government to legislate the removal of all references to Local Heritage in the Planning, Development and Infrastructure (PDI) Act from the Heritage Places Act 1993 while proposing pivotal amendments and a tool to support the clear definition of 'culture' in the act.

Responsible cultural and urban planning requires the balancing of development, urban regeneration and growth with heritage and cultural legacy. For around 15 years, the balance has been tipped in favour of developers, often at the expense of heritage, culture, and social needs. We offer a proposal that rebalances the state of play for all South Australians and provides business operators with greater potential for the economic growth of their businesses.

Contemporary cultural heritage practices recognise that heritage protection can no longer be restricted to built-structures. Our initiative seeks to redefine heritage conservation by recognising that a distinction between tangible (i.e. a building) and intangible heritage (i.e. experiences and practices) is problematic and can rarely be made meaningfully. This is particularly the case for contemporary places where one heritage is entirely dependent upon the other, for example where alternative lifestyles and practices are reflected in, and integral to, the built environment (see Schofield 2014; Schofield & Rellensmann 2015, p. 115). Here intangible cultural heritage refers to the inclusive, representative, and community-based traditions, history, performances, experiences, expressions, socio-cultural practices and knowledge that is transmitted from one generation to the next. By integrating intangible cultural heritage into the Heritage Places Act, we can ensure that our cherished 'special' spaces survive and have the opportunity to evolve with the community while maintaining their unique character.

This approach offers numerous benefits:

1. Enhanced community cohesion, confidence, and sense of identity. Adelaide as a place where locals want to stay or return home to.
2. Increased tourism and economic opportunities.
3. Preservation of unique traditions and practices.
4. A dynamic and flexible approach to heritage conservation.

Our proposal is in alignment with the government's current objectives, particularly Recommendation 12 of the Planning Review Document. The proposal offers a balanced approach that addresses the needs of various stakeholders, from community members, business owners, developers and policymakers.

South Australia is in the position to create a more inclusive and comprehensive approach to heritage protection that celebrates what is unique and special about Adelaide, balancing who we were, with who we are, and who we will become. This initiative builds upon the recognition of cultural knowledge and connection.

By advancing these changes, we continue the legacy of innovation and community commitment that defined Labor's Dunstan Era. This is not just about preserving the past; it is about shaping a vibrant, inclusive present and providing for a future that honours our shared cultural experiences.

The following pages detail our proposed amendments, including a rubric for measuring Intangible Cultural Heritage. We invite careful consideration of this policy brief, which sets the stage for a legislative transformation that will protect and celebrate South Australia's rich cultural tapestry for generations to come.

This is an opportunity for South Australia to lead the nation in cultural heritage protection, fostering a sense of place and belonging that will enrich our communities and drive sustainable growth. Together, we can create a legacy that respects our past while building a more vibrant and inclusive future for all South Australians.

Sincerely

Evan Morony

Chair of Save The Cranker



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# Proposed Legislative Amendments

## *Heritage Places Act*

- Replace all references to *State Heritage Place* with *Heritage Place*
- Define *Heritage Place* as *State Heritage Place, Local Heritage Place, and Living Cultural Activity*
- Include the assessment rubric (see below in this document) as a schedule in the act, or within a new Heritage Places Regulation by ministerial order
- Either:
  - A) amend the definition of *heritage significance* to specifically include intangible cultural heritage
  - B) amend s 16 to include the elements of the intangible cultural heritage definition per the assessment rubric
- Amend s 16 to incorporate the elements of the now removed PDI Act s 67(1)(a)-(f)
- Section 16 will continue to serve as the qualification criteria for any Heritage Place. It must refer to the assessment tool schedule in the act
- Create a new section 16A which delineates *Heritage Places* into *State Heritage Places* and *Local Heritage Places*, each to be recorded in the Register. Definitions for each will be based on the significance to the state and significance to the local area, with specifics to be determined by ministerial order via a new Heritage Places Regulation
  - The Heritage Council remains the authority for adding State Heritage Places
  - The Minister for Heritage, Minister for Planning, Local Council, Planning Commission, and Heritage Council are the relevant authorities to add a Local Heritage Place to the register
    - In practice, this will not operationally differ from the current regime, except that the Heritage Council maintains the completed register*
  - The Heritage Council is the authority for removal or adjustment of existing heritage places (e.g. transition from State to Local, Local to State, or off the register entirely)
- Create a new s 16B regarding Living Cultural Activity (LCA). This is the so-called third tier of heritage listing. While a place may be admitted to the Register on the basis of eligibility per s16 and s16A, a place may solely or additionally be added to the Register on the basis of its Living Culture significance
  - Living Culture is an activity. The eligibility criteria mirror those in s 16, but with the additional rephrasing regarding an action or actions rather than a physical place. There is to be a focus on the intangible cultural heritage per the assessment rubric. The effect of this section is to protect the activity. This needs to be a separate section as activities can both require a distinct physical space or require any space
  - The Heritage Council is the relevant authority for admission as a place or activity of Living Cultural Heritage
- Define, outright, the priority of development of Heritage Places:

1. Continuous Use. Continuous Use can incorporate a Partial Demolition where appropriate
  2. Partial Continuous Use, only in the case where the explicit continuous use is not viable, but the general continuous use is viable (e.g. a pub with a brewery where the brewery operation becomes unviable but the pub remains viable). Partial Continuous Use can incorporate a Partial Demolition where appropriate
  3. Adaptive Reuse, only in the case where continuous use or partial continuous use is not viable
  4. Partial Demolition, only in the case where it supports, in order of priority, continuous use or partial continuous use, or Adaptive Reuse in the case where continuous use is not viable
  5. Demolition
    - In the case of a LCA in any place, or a LCA in a LHP or SHP, only development options 1 and 2 are available. The LCA would need to be removed in order to make options 3-5 available
    - The relevant authority regarding the viability of the use is the Council, upon advice and public submission. An owner of a Heritage Place cannot argue that a place is no longer viable simply because they are not using it i.e. land banking
- Amend s 36 to include the term 'neglect', with a definition inclusive of misuse or non-use of the Heritage Place (i.e. land banking) despite viability. In addition to the existing financial penalty, an order for the restoration of the Heritage Place and, or, the compulsory sale of the Heritage Place is made an available penalty. This would have the effect of returning the ownership of the Heritage Place to the people

### ***Planning Development and Infrastructure Act (PDI Act)***

- Remove s 67 (i.e. Local Heritage Places (LHP)), and the associated provisions from the act and the Planning Development Code (PDC)
  - Keep the adjacent references to Significant Trees
- Replace all references to *Local Heritage Place* and *State Heritage Place (SHP)* with *Heritage Place*, with the meaning as in the Heritage Places Act

### **Planning Development Code**

- The code will need to be rewritten to defer development decisions of LHPs and LCAs to the same pathway that currently exists for SHPs
- Incorporate appropriate policies to support the priority of development options for Heritage Places

*These proposals align entirely with Recommendation 12 of the PSIR that the Government has accepted. We have avoided prescribing the exact nature of these amendments as we are open to discussion about the exact implementation of these proposals, so we may align them with the Government's existing work on the system. We believe that all involved parties are best served by participating in a collaborative manner.*

## Relevance of a cultural heritage assessment rubric

The rapid acceleration of both globalisation and urbanisation in the 21<sup>st</sup> century has highlighted the significance of preserving social and cultural heritage within cities. By protecting these unique characteristics, cities safeguard their identity and are afforded opportunities to showcase their personality to others. It should be emphasised that this does not limit a city's development, rather provides a foundation to its evolution. A modern example of this is Hobart's transition from a convict settlement, identified by institutions like Port Arthur, to a world-renowned creative scene – home to the Museum of Old and New Art (MONA). Here, historic and contemporary identities merge to produce a dynamic and vibrant city.

The preservation of culture requires a more participatory approach to urban planning, consulting with residents to identify local interests and priorities. Community engagement is universally recognised as an innovative solution to solving complex problems and endorsed by the United Nations for its ability to address issues of poverty and inequality. It is particularly relevant pertaining to the Crown & Anchor Hotel, where many distressed Adelaide locals are advocating for its protection.

Furthermore, community engagement is vital in empowering communities and maximising social cohesion as captured by extensive academic literature. Without integrating local voices into decision-making, risks of displacement and negative effects of gentrification increase, the impact of which can have irreversible and damaging consequences. These impacts include the erosion of cultural identity and heritage which, once lost, cannot be recovered. This is something continually observed in Australia, from the catastrophic loss of First Nations languages right through to the endangerment of live music venues across the nation. The devastation of the once-prodigious and formidable Sydney live music scene since the 1990s is a harrowing reminder of the failure of the state government to provide effective protections through local cultural policy and legislation. Such impacts endanger Australia's cultural identity and capital, thereby increasing social and cultural displacement nationwide.

The proposed assessment rubric offers a community-driven solution to the challenges of measuring cultural heritage. It features indicators deemed relevant by South Australians such as 'potential for future generations' and 'intangible cultural value'. This methodology is absent from assessments by the South Australian Heritage Places Act 1993. This absence poses the risk to our State's cultural value in favour of development, when the two can work in tandem.

The assessment rubric is separated into eleven domains, incorporating social, cultural, financial and architectural indicators. These indicators are clearly defined and supported by criteria which score the heritage value of a site. The maximum score is 204 points with criteria ranging from high (3 points), to medium (2 points), and low (1 point). The breadth of this system ensures the inclusion of places that are not only significant to the local community today but also hold potential for future communities to utilise the space (due to existing stakeholder involvement, financial viability, and ongoing cultural use). Additionally, this rubric reduces the practical constraints that limit processes of heritage conservation by clarifying terminology and refining criteria into one tool.



In the same way Arnstein’s Ladder of Citizen Participation formalised the consensus that citizen participation should be increased in 1969, our framework would provide a nation-leading contribution to South Australia’s heritage and planning policies.

## Cultural Heritage Assessment Rubric

### 1. Historical Significance

Definition: Historical context refers to the significant events, periods, and historical narratives associated with a building or site, which contribute to its cultural and heritage value.

Criteria	High (3 points)	Medium (2 points)	Low (1 point)
Age of the Building	>150 years old	100-150 years old	<100 years old
Number of Significant Historical Events Associated	More than 5 significant historical events	2-5 significant historical events	0-1 significant historical events
Historical Narratives	Well-documented and widely recognised historical narrative	Documented historical narrative with moderate recognition	Limited or poorly documented historical narratives
Role in Historical Events	Critical role in significant historical events	Notable role in some historical events	Minor or incidental role in historical events
Historical Associations	Closely associated with prominent historical figures, movements, or eras	Some associations with historical figures, movements, or eras	Few or no notable historical associations
Historical Documentation	Extensively documented in historical records, literature, and archives	Moderately documented with some available records and references	Poorly documented, with few records or references

### 2. Architectural Value

Definition: Architectural value refers to the significance of a building's design and style as a representation of its construction period, including the integrity of its original design elements.

Criteria	High (3 points)	Medium (2 points)	Low (1 point)
Architectural Style	Exceptional representation of its	Good representation with some	Poor representation or heavily modified

	era's architectural style	modifications	
Integrity of Original Design	Majority of original design and materials intact	Some original design elements remain	Little to no original design elements remain

### 3. Cultural Impact (Role in Community)

Definition: Cultural impact refers to the significance and influence of a building or site within the community, focusing on its role as a gathering place, its support for cultural activities, and its contribution to the social fabric of the community.

Criteria	High (3 points)	Medium (2 points)	Low (1 point)
Frequency of Cultural Events Hosted	More than 20 cultural events per year	10-20 cultural events per year	Fewer than 10 cultural events per year
Number of Regular Community Groups Using the Space	More than 10 community groups	5-10 community groups	Fewer than 5 community groups
Significance as a Cultural Hub	Widely recognised as a central cultural hub	Recognised as an important cultural venue	Minimally recognised as a cultural hub
Diversity of Cultural Activities Supported	Supports a wide range of cultural activities	Supports several types of cultural activities	Supports a limited range of cultural activities
Inclusivity and Accessibility	Highly inclusive and accessible	Generally inclusive with some limitations	Limited inclusivity and accessibility
Community Engagement and Support	Strong community engagement and support	Moderate community engagement and support	Limited community engagement and support

### 4. Community Significance

Definition: Community significance refers to the value and importance a building or site holds within the community, based on public perception, recognition as a cultural landmark, and the collective memories and experiences associated with it.

Criteria	High (3 points)	Medium (2 points)	Low (1 point)
Recognised as a Cultural Landmark	Officially recognised as a cultural landmark by multiple local, regional, or national bodies	Recognised by some local or regional bodies	Not officially recognised as a cultural landmark

Extent of Community Events Held Annually	More than 20 significant community events per year	10-20 significant community events per year	Fewer than 10 significant community events per year
Public Perception and Value	Widely recognised and highly valued by the community	Moderately recognised and valued by a portion of the community	Little recognition or value from the community
Emotional and Social Connections	Strong emotional and social connections	Moderate emotional and social connections	Limited or minimal emotional and social connections
Symbolic Importance	Powerful symbol of community identity, values, and heritage	Some symbolic importance within certain segments of the community	Little to no symbolic importance
Community Advocacy and Support	Strong community advocacy and support	Moderate community advocacy and support	Limited or no community advocacy and support

### 5. Social Memory

Definition: Social memory refers to the collective memories, experiences, and associations that a community holds regarding a building or site, which contribute to its cultural significance and identity.

Criteria	High (3 points)	Medium (2 points)	Low (1 point)
Number of Documented Memories and Stories	More than 50 documented memories and stories	20-50 documented memories and stories	Fewer than 20 documented memories and stories
Frequency of Community Gatherings and Reunions	More than 10 community gatherings or reunions annually	5-10 community gatherings or reunions annually	Fewer than 5 community gatherings or reunions annually
Depth and Richness of Stories	Deep and varied stories	Moderate level of associated stories	Few associated stories, limited depth and richness
Emotional Connection	Strong emotional connections	Moderate emotional connections	Limited or minimal emotional connections
Cultural Practices and Traditions	Central to cultural practices and traditions	Involved in some cultural practices and traditions	Minimal involvement in cultural practices and traditions

Continuity of Use	Continuously used for its intended cultural purpose	Used intermittently for its intended cultural purpose	Rarely or never used for its intended cultural purpose
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### 6. Potential for Future Generations

Definition: Potential for future generations refers to the ability of a building or site to be preserved, maintained, and appreciated by future generations, ensuring its continued cultural, historical, and social significance.

Criteria	High (3 points)	Medium (2 points)	Low (1 point)
Structural Condition	Excellent condition with minimal repairs needed	Good condition with some repairs needed	Poor condition with significant repairs needed
Funding and Resources Available for Preservation	Substantial funding and resources secured for ongoing preservation	Moderate funding and resources available	Limited or no funding and resources available
Preservation Potential	Strong potential for long-term preservation due to existing support, policies, and community commitment	Moderate potential for preservation with some support and policies	Weak potential for preservation with limited support and policies
Educational Value	High potential as an educational resource, regularly used for educational purposes and community learning	Some potential for educational use with occasional educational activities	Minimal potential for educational use with rare or no educational activities
Adaptability and Flexibility	Highly adaptable for various future uses while retaining its cultural and historical significance	Somewhat adaptable with potential for future use	Not easily adaptable for future use
Community Engagement and Stewardship	Strong community engagement and stewardship ensuring ongoing care and preservation efforts	Moderate community engagement and stewardship with some preservation efforts	Limited community engagement and stewardship

Alignment with Sustainable Practices	The building's preservation aligns well with sustainable practices, including energy efficiency and environmental conservation	Some alignment with sustainable practices	Little to no alignment with sustainable practices
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### 7. Ongoing Cultural Use

Definition: Ongoing cultural use refers to the current and continuous utilisation of a building or site for cultural, artistic, and social activities, contributing to its vibrancy and relevance within the community.

Criteria	High (3 points)	Medium (2 points)	Low (1 point)
Frequency of Cultural Events	More than 20 cultural events per year	10-20 cultural events per year	Fewer than 10 cultural events per year
Number of Regular Cultural Programs or Activities	More than 10 regular programs or activities	5-10 regular programs or activities	Fewer than 5 regular programs or activities
Diversity of Cultural Activities	Supports a wide range of cultural activities	Supports several types of cultural activities	Supports a limited range of cultural activities
Community Engagement in Activities	High level of community participation and engagement	Moderate level of community participation and engagement	Low level of community participation and engagement
Cultural Significance of Activities	Activities of significant cultural importance	Activities of moderate cultural importance	Activities of limited cultural importance
Support for Local Artists and Cultural Practitioners	Strong support and opportunities for local artists and cultural practitioners	Moderate support and opportunities for local artists and cultural practitioners	Limited support and opportunities for local artists and cultural practitioners
Integration with Community Needs	The building's cultural use is well-integrated with community needs and interests	The building's cultural use partially meets community needs and interests	The building's cultural use is not well-integrated with community needs and interests

## 8. Financial Viability

Definition: Financial viability refers to the ability of a building or site to sustain itself financially over the long term, ensuring its maintenance, preservation, and continued use without reliance on unsustainable funding sources.

Criteria	High (3 points)	Medium (2 points)	Low (1 point)
Annual Revenue Generated	Annual revenue exceeds operational and maintenance costs by a significant margin	Annual revenue meets or slightly exceeds operational and maintenance costs	Annual revenue does not meet operational and maintenance costs
Diversity of Funding Sources	More than 5 diverse funding sources (e.g., grants, donations, ticket sales, rentals)	3-5 diverse funding sources	Fewer than 3 funding sources
Sustainability of Funding Sources	Funding sources are sustainable and reliable over the long term	Funding sources are moderately sustainable but may require regular renewal	Funding sources are unstable and uncertain
Capacity for Fundraising	Strong capacity for successful fundraising initiatives, with a proven track record	Moderate capacity for fundraising with occasional successful initiatives	Limited capacity for fundraising, with few successful initiatives
Economic Impact on the Community	The building significantly contributes to the local economy through job creation, tourism, and local business support	The building moderately contributes to the local economy	The building has minimal economic impact on the local community
Financial Management Practices	Strong financial management practices ensuring efficient use of funds and transparency	Adequate financial management practices with some areas for improvement	Weak financial management practices with significant areas for improvement
Long-term Financial Planning	Comprehensive long-term financial plan	Basic long-term financial plan in place,	No long-term financial plan in place

	in place, ensuring future sustainability	but with some gaps	
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## 9. Intangible Cultural Value

Definition: As per UNESCO: “Intangible heritage encompasses practices, expressions, knowledge, and skills.’ In this case, intangible cultural value refers to the non-physical elements of cultural heritage associated with a building or site, such as traditions, practices, expressions, knowledge, and skills that are passed down through generations and contribute to the cultural identity and continuity of a community.

Criteria	High (3 points)	Medium (2 points)	Low (1 point)
Number of Cultural Traditions and Practices Associated	More than 10 significant cultural traditions and practices	5-10 significant cultural traditions and practices	Fewer than 5 significant cultural traditions and practices
Frequency of Intangible Cultural Activities	More than 20 intangible cultural activities (e.g., festivals, rituals) held annually	10-20 intangible cultural activities held annually	Fewer than 10 intangible cultural activities held annually
Cultural Vitality	The building is a vibrant centre of cultural life, actively fostering and sustaining cultural vitality and social cohesion	The building contributes to cultural vitality and social cohesion but not as a primary centre	The building has limited impact on cultural vitality and social cohesion
Transmission of Knowledge and Skills	The building is integral to the transmission of cultural knowledge and skills to future generations	The building plays a moderate role in the transmission of cultural knowledge and skills	The building plays a minimal role in the transmission of cultural knowledge and skills
Community Identity and Symbolism	The building is a powerful symbol of community identity and cultural heritage, widely recognised and valued	The building holds some symbolic importance for community identity and cultural heritage	The building has limited symbolic importance for community identity and cultural heritage

Recognition of Intangible Heritage	The building's intangible heritage is formally recognised and celebrated through various platforms and media	The building's intangible heritage is moderately recognised and celebrated	The building's intangible heritage is poorly recognised or not celebrated
Integration with Community Life	The intangible cultural value of the building is deeply integrated into the daily life and practices of the community	The intangible cultural value is somewhat integrated into the community's daily life and practices	The intangible cultural value is minimally integrated into the community's daily life and practices

### 10. Stakeholder Involvement

Definition: Stakeholder involvement refers to the engagement and participation of various stakeholders, including governmental bodies, community members, experts, and the private sector, in the management and preservation of a building or site.

Criteria	High (3 points)	Medium (2 points)	Low (1 point)
Number of Stakeholders Regularly Engaged	More than 10 diverse stakeholders regularly engaged	5-10 diverse stakeholders regularly engaged	Fewer than 5 diverse stakeholders regularly engaged
Frequency of Stakeholder Meetings	Monthly or more frequent meetings	Quarterly meetings	Less than quarterly meetings
Inclusiveness of Stakeholder Participation	High level of inclusiveness with active participation from a diverse range of stakeholders (e.g., government, community, experts, private sector)	Moderate level of inclusiveness with participation from several stakeholder groups	Limited inclusiveness with participation from a few stakeholder groups
Effectiveness of Stakeholder Collaboration	Effective collaboration with clear communication, shared goals, and cooperative decision-making	Somewhat effective collaboration with occasional communication and shared goals	Ineffective collaboration with poor communication and lack of shared goals
Community Involvement and Empowerment	Strong community involvement with empowerment in	Moderate community involvement with some influence in	Limited community involvement with minimal influence in



	decision-making processes	decision-making	decision-making
Representation of Marginalised Groups	Active representation and participation of marginalised groups in stakeholder processes	Some representation and participation of marginalised groups	Little to no representation of marginalised groups
Stakeholder Satisfaction and Commitment	High level of satisfaction and commitment from stakeholders towards the building's management and preservation	Moderate level of satisfaction and commitment	Low level of satisfaction and commitment

### 11. Reflective Practices

Definition: Reflective practices refer to the processes and activities through which stakeholders continuously assess, learn from, and improve their heritage management strategies and actions, fostering an environment of ongoing reflection and adaptation.

Criteria	High (3 points)	Medium (2 points)	Low (1 point)
Frequency of Reflection Sessions	Monthly or more frequent reflection sessions	Quarterly reflection sessions	Less than quarterly reflection sessions
Number of Learning and Development Workshops	More than 10 workshops per year	5-10 workshops per year	Fewer than 5 workshops per year
Depth and Quality of Reflection	Deep and thorough reflection involving comprehensive reviews of practices, outcomes, and stakeholder feedback	Moderate reflection with some review of practices and outcomes	Limited reflection with minimal review of practices and outcomes
Integration of Feedback into Practices	Feedback from reflection sessions is actively integrated into heritage management practices, leading to continuous improvement	Some feedback is integrated into practices, with occasional improvements	Little to no feedback is integrated into practices

Stakeholder Participation in Reflective Processes	High level of stakeholder participation in reflective processes, including diverse voices and perspectives	Moderate level of stakeholder participation with some diversity of perspectives	Limited stakeholder participation with few perspectives represented
Use of Reflective Tools and Frameworks	Regular use of structured reflective tools and frameworks to guide the reflection process	Occasional use of reflective tools and frameworks	Rare or no use of reflective tools and frameworks
Commitment to Continuous Learning	Strong commitment to continuous learning, with regular training and professional development opportunities for stakeholders	Moderate commitment to learning with some training and development opportunities	Limited commitment to learning with few training and development opportunities

204 Max Score

## Balancing Stakeholder Needs

The proposed amendments are designed to balance the needs of various stakeholders:

- Community
- Developers
- Business Lease Holders
- State Government
- Local Government

### Community

#### Justification for Protecting Community Interests

Cultural heritage sites and practices are integral to the identity and cohesion of communities. Ensuring these sites are protected and preserved allows communities to maintain their cultural continuity. By celebrating cultural heritage, we nurture communities to be the best that they can be, support the engagement of educational activities, promote tourism, and enhance diverse social unity.

#### Benefits:

- Cultural Continuity: Preserving cultural heritage ensures that traditions, values, and histories are passed down to future generations.
- Social Cohesion: Heritage sites serve as communal spaces that bring people together, fostering a sense of belonging and community pride.
- Educational Value: Heritage sites provide educational opportunities for schools, researchers, and the general public, enhancing cultural awareness and knowledge.
- Tourism and Economic Benefits: Well-preserved heritage sites attract tourists, boosting local economies and creating jobs.

### Developers

#### Justification for Providing Clear Guidelines and Criteria

Clear guidelines and criteria for development projects are essential for developers to understand the parameters within which they can operate. These guidelines help ensure that development is sustainable and respectful of cultural heritage, ultimately benefiting both developers and the community.

#### Benefits:

- Sustainable Investment: Developers can make informed decisions that balance development needs with heritage conservation, leading to sustainable and responsible investment.

- Enhanced Investor Confidence: Clear guidelines reduce uncertainty and risk for developers, encouraging investment and innovation.
- Streamlined Processes: Well-defined criteria and guidelines simplify the approval process, saving time and resources for developers.
- Positive Community Relations: Developers who respect cultural heritage can build positive relationships with the community, enhancing their reputation and fostering goodwill.

## Business Lease Holders

### Justification for Right to Renewal on Leases

Implementing a right to renewal for business leases is not too dissimilar to recent changes to the 'Residential Tenancy Act 1995' where landlords will need prescribed grounds to terminate or not renew a tenancy.

A Right To Renewal is crucial for fostering a stable and thriving business environment. Business owners often hesitate to invest significantly in leased properties due to the risk of not having their lease renewed, leading to underinvestment and reluctance to enhance the property. By ensuring a right to renewal, business leaseholders are more likely to invest in their premises, knowing that they can benefit from their investments over an extended period. This reduces the risk of overcapitalization in buildings they do not own and encourages businesses to maintain and improve the property, contributing to the overall economic health and vibrancy of the community.

### Benefits:

- Investment Stability: Business owners are more likely to invest in improvements and maintenance, enhancing the property's value and functionality.
- Economic Growth: Increased investment leads to better business performance, job creation, and economic development within the community.
- Property Value: Well-maintained properties increase in value, benefiting both landlords and the community.
- Business Confidence: Leaseholders gain confidence in their ability to plan long-term, fostering a stable business environment.

## State Government

### Justification for Supporting Heritage Conservation

The South Australian State Government plays a critical role in heritage conservation and sustainable development. By aligning with broader strategic objectives, these amendments support the government's mission to protect cultural heritage while promoting economic growth and community well-being.

## Benefits:

- Strategic Alignment: Aligning heritage conservation with broader governmental objectives ensures cohesive and comprehensive policy implementation.
- Public Trust and Accountability: Government support for heritage conservation builds public trust and demonstrates a commitment to preserving the community's cultural assets.
- Enhanced Governance: Clear policies and strategies enable effective governance and resource allocation for heritage conservation efforts.
- Economic and Social Benefits: Supporting heritage conservation can lead to economic benefits through tourism and job creation, as well as social benefits through enhanced community pride and cohesion.

## Local Government

### Justification for Local Government Involvement

Local governments are on the front lines of heritage conservation, working directly with communities to manage and preserve local cultural heritage sites. Their involvement is crucial for implementing and enforcing heritage policies that reflect the unique needs and values of their communities.

## Benefits:

- Community Engagement: Local governments are well-positioned to engage with community members and stakeholders, ensuring that heritage conservation efforts are inclusive and representative.
- Local Knowledge and Expertise: Local governments have a deep understanding of their communities' cultural heritage, allowing them to make informed decisions that best preserve and promote local heritage.
- Effective Policy Implementation: With the authority to implement and enforce local policies, local governments can ensure that heritage conservation measures are effectively carried out.
- Support for Local Economy: Preserving local heritage sites can stimulate the local economy through tourism, cultural activities, and community events, benefiting local businesses and residents.

## Cultural Heritage and Social Wellbeing

There is growing recognition of the value of cultural heritage in strengthening social wellbeing, a relationship investigated thoroughly by ICCROM, UNESCO, and academics. Cultural heritage is underutilised as a resource for fostering social cohesion and community resilience. In Nara City, Japan, evidence found that 'higher heritage awareness, more frequent visits and longer stays at heritage sites correspond to a higher level of social cohesion' (Li et al 2024). This sentiment is echoed globally, with the formation of strong place identity bonds helping to boost social wellbeing through emotional and cognitive links. As individuals connect with heritage, they form a sense of identity and belonging which is essential to social development.

Moreover, UNESCO highlights that cultural heritage promotes greater social justice and inclusion. Reports from Western Europe and Africa are showing that cultural participation is 'a core component of a vibrant democratic society' (UNESCO 2021). This is because cultural heritage helps reduce social inequalities, like poverty and discrimination, by empowering vulnerable minorities. Through this process social inclusion is improved as more people from diverse backgrounds feel confident in engaging with local decision-making. As noted earlier, increasing community participation is fundamental to achieving social cohesion and sustainable urban development. By safeguarding local heritage, South Australia can generate better inclusion and diversity which ultimately creates new opportunities for the state.

While the economic advantages of heritage protection through avenues like tourism are important to city development, it does not guarantee an improvement in living standards. In response, groups are advocating for more holistic measurement tools for sustainable development such as the OECD Better Life Index or the UN Human Development Index. These acknowledge the importance of non-market factors in a developed society. Ignoring the social and cultural dimensions of a city produces a distorted reality of the everyday lives of their citizens. Therefore, we must incorporate social benefits into our analysis of heritage conservation and subsequently, emotional connections with heritage.

For an entity as large and diverse as a city, heritage is defined through practices of 'critical acclaim, historical importance, and cultural value (Bennett 2009, p. 478). The accumulation of physical and built heritage in conjunction with intangible heritage must be assessed, for together they form collections of histories that move between formal and informal spaces (see Homan *et. al* 2022, p. 6). Cultural heritage is that inherited combination of tangible and intangible assets which fosters a sense of identity and belonging, contributing to social cohesion and community resilience. Cultural heritage is invoked as both practice and status symbol and deployed in broader branding strategies (such as Adelaide's status as UNESCO City of Music and the aspiration to be seen as one of the great music cities of the world). Pubs with tangible and intangible legacies as strong as the Crown & Anchor are visible reminders of Adelaide's popular music history as both music/cultural heritage and urban heritage. Preserving these aspects can improve overall social well-being. At a time in history where there is deeply stated concern that people are disengaging from community, it is important that the government plays a role in ensuring access to spaces that support a vibrant and inclusive culture, to get people connecting and value adding, just by being there or on a pathway to contribution.

Places like the Crown & Anchor Hotel hold deep cultural significance for people, which spans generations. They attract a varied demographic who engage with each other in meaningful ways, building a sense of community for those who may not otherwise have that experience. Belonging improves social cohesion and mental health as people build their self-esteem, and understanding of others, aiding community resilience. At a time where fears of disengagement from community are widespread, it is important that the government plays a strong role in ensuring access to spaces that support dynamic and inclusive culture. This includes working with both historic and living culture to improve social well-being. Omitting cultural heritage from policymaking risks losing remaining pillars of community and eroding pathways to new ones.

## Case Studies for Cultural Heritage and Tourism

The international examples listed below demonstrate that preserving cultural heritage sites can lead to substantial economic benefits. By attracting tourism, these sites generate revenue for local businesses, create jobs, and contribute to the overall economic health of the community. The economic enhancement resulting from cultural heritage preservation underscores the importance of integrating such considerations into heritage and urban planning policies.

### Montreal, Canada - Old Montreal

Old Montreal, with its preserved historic buildings and cultural sites, has become a major tourist attraction, drawing millions of visitors annually. The economic impact is substantial, with tourism generating significant revenue for local businesses, creating jobs, and enhancing the overall economic health of the area.

### Kyoto, Japan - Traditional Tea Houses

Kyoto's preservation of its traditional tea houses and historic districts has made it a top destination for cultural tourism. Part of this initiative has had them implement height controls to preserve its historic landscape. The influx of tourists seeking authentic cultural experiences has led to increased spending in local shops, restaurants, and hotels, bolstering the local economy. Additionally, the preservation efforts have created numerous jobs in tourism, hospitality, and conservation sectors.

### Edinburgh, Scotland - Royal Mile

The Royal Mile in Edinburgh, known for its historic buildings and cultural landmarks, attracts millions of visitors each year. The preservation of this area has led to a thriving tourism industry, contributing significantly to the local economy. The economic benefits include increased revenue for local businesses, job creation, and higher property values, showcasing the financial advantages of cultural heritage preservation.

## Barcelona, Spain - La Rambla

La Rambla, a historic street in Barcelona, exemplifies the economic benefits of preserving cultural heritage. The street is a vibrant hub of cultural activities, attracting tourists and boosting the local economy. The preservation of its historic buildings and cultural sites has led to increased spending by tourists, benefiting local businesses and creating jobs in the hospitality and tourism sectors.

## New Orleans, USA - French Quarter

The French Quarter in New Orleans is a prime example of how cultural heritage preservation can enhance economic growth. The area's unique architecture, music scene, and cultural festivals draw millions of visitors annually. This tourism influx generates substantial revenue for local businesses, supports job creation, and contributes to the overall economic vitality of the city.

## Rome, Italy - Historic City Center

Rome's historic city centre, with its well-preserved ancient monuments and cultural sites, attracts millions of tourists from around the world. The economic impact of this tourism is immense, with local businesses benefiting from increased spending on accommodation, dining, and souvenirs. The preservation efforts have also created numerous jobs in tourism, conservation, and related industries.

## Fez, Morocco - Medina of Fez

The Medina of Fez, a UNESCO World Heritage site, has seen significant economic benefits from cultural tourism. The preservation of its historic buildings and traditional crafts has attracted tourists, leading to increased economic activity and job creation. The local economy benefits from spending on guided tours, accommodations, and purchases of traditional crafts and goods.

## Conclusion

In conclusion, the proposed amendments to the South Australian Heritage Places Act 1993 are crucial for preserving the state's rich cultural heritage while promoting sustainable development. By aligning with the government's objectives and incorporating community and stakeholder needs, these changes will ensure that South Australia's heritage laws reflect the community's values and protect cultural landmarks for future generations. The development of a clear metric for heritage protection will provide a robust framework for assessing and safeguarding intangible cultural heritage.



## Further Reading

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