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Rights to the Diverse City: Challenges to Indigenous Participation in Urban Planning and Heritage Preservation in Sydney, Australia

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Abstract

Western cities are becoming increasingly culturally diverse through the intersection of processes such as international migration and the political resurgence of Indigenous peoples. The challenge remains, however, to shift from physical copresence to equal rights to the city. This article explores this challenge in an empirical case study of Aboriginal participation in plans for urban development on the fringe of Sydney, Australia's largest city. The findings from this research highlight the limits of official attempts at recognition that focus on a narrow definition of culture to the detriment of economic and political equity. It provides empirical support for a reconceptualization of recognition to incorporate redistribution in order to redress historical marginalization and dispossession that currently limit participation in the urban polity for diverse groups.

Keywords

Indigenous people, recognition, Urban Planning, Rights to the City, Australia

Introduction

> What happens in five years when you have all your houses and we don't have our land anymore? Once houses go up our community gets forgotten about. All that land is taken from us and we get nothing. We are selling our land on a big scale and we get nothing. (Darug, Aboriginal Elder', November 12, 2006)

A senior Aboriginal man posed this question to assembled local council and Department of Planning representatives at a meeting regarding proposed housing development on the western fringe of Sydney, Australia's largest city. The purpose of the meeting was to assign Aboriginal representatives to cultural heritage assessments of the development sites. Such heritage assessments represented the primary avenue for official participation by Aboriginal people in Sydney's urban planning processes identified in the 2005 Sydney Metropolitan Strategy. The meeting was part of an official attempt to develop protocols to improve the inclusion of Aboriginal groups in

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cultural heritage assessments. These Aboriginal groups included both descendants of Sydney's Traditional Aboriginal Owner groups and those who had migrated to Sydney from elsewhere.

Raising issues such as colonial dispossession and displacement and the need for economic redistribution, the responses of Aboriginal groups at the meeting quickly spilled out of the neat boundaries set by its government organizers. In emphasizing the need to address the broader economic and political implications of land use planning decisions for Sydney's Aboriginal peoples, these responses from the Aboriginal representatives highlighted the vast gap between the form of official participation being offered and the level of participation they desired. For these Aboriginal representatives then, access to and participation in the urban polity connected inextricably with greater recognition of their unique claims to the city and recompense for the historical dispossession and injustice they have suffered.

From Iris Marion Young's (1990) seminal work on the "politics of difference" in cities, scholars have argued that the specific concerns and needs of diverse groups must be officially recognized and addressed by government (Fincher & Iveson, 2008). This recognition, such scholars argue, is essential to ensuring that so-called cultural minorities enjoy an equal role in urban planning decision-making processes. This emphasis on recognition has led to a focus since at least the 1990s, on greater consultation to ensure the voices of diverse groups were heard in urban planning (Lane, 2005). A focus primarily on the processes of consultation to achieve equal recognition of the views of diverse groups has been critiqued, however, for failing to result in equal participation. Consultation in itself, scholars have argued, does not ensure that the voices of these groups are "carefully considered [or] incorporated into the decision-making process" (Thompson & Dunn, 2002, p. 275). It does not, in other words, address the limited or *mis*recognition that has historically marginalized these groups within the planning process. In addition to consultation, therefore, it is necessary to examine the extent to which there is institutional and political "space" for views of diverse groups to influence planning decisions (Radher & Milgrom, 2004, p. 20; Wood & Landry, 2008).

Through an empirical case study of Aboriginal participation in Sydney's urban planning, this article presents an analysis of official attempts to address the historical misrecognition of this group. The specificities of the misrecognition of Sydney's Aboriginal population addressed by this process are best understood in the context of Australia's postcolonial cultural politics. Dominant discourses of national citizenship have long positioned Anglo-Celtic Australians, the settler's descendants, at the cultural core (Hage, 1998). Indigenous people, on the other hand, have been relegated to a passive citizenship, in that they are given official recognition as citizens but little authority in real political decisions (Hage, 1998). The effect of this limited citizenship is arguably still evident in the narrow scope for official Aboriginal participation in the contemporary metropolitan planning processes in Sydney. That the main issue on which Aboriginal participation is specifically sought is archaeological cultural heritage assessment processes limits Aboriginal influence on broader land—use issues. Their input is contained to what was described by one Aboriginal respondent in this research as the "stones and bones" of precontact Aboriginal occupation. This limited interpretation of the Aboriginal relationship to city land does not recognize the economic and political implications of ongoing Aboriginal inhabitancy of Sydney.

While unique in many respects, the case study of Aboriginal participation in Sydney planning processes serves as one of many different and diverse examples through which to examine the challenges of such participatory endeavors. In highlighting the need for attention to broader political and economic issues, this research indicates that the *form* of recognition, not simply recognition itself, is critical to achieve greater participation of diverse groups in land use decision-making processes. Providing empirical support for a broader form of recognition that explicitly incorporates issues of economic redistribution outlined by theorists such as Fraser (2000), this article contributes to the ongoing scholarly project of seeking to "craft more just cities in the context of diversity" (Fincher & Iveson, 2008, p. 3).

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Right to the Diverse City

Cities, particularly so-called global cities, are now incredibly culturally diverse. This has resulted from the fact that global cities are major migrant destinations, with cities such as London, New York, and Sydney incorporating a diverse range of foreign-born inhabitants comprising more than 30% of the population (Benton-Short, Price, & Friedman, 2005). As well as an extensive, highly diverse migrant population, Sydney is a postcolonial city with the largest urban concentration of Aboriginal people in Australia (Australian Bureau of Statistics, 2008; Lee Shoy, 2004). For planning theorist Leonie Sandercock (2003), the copresence of these diverse groups constitutes cities such as Sydney as the "mongrel cities" of the 21st century. The challenge these mongrel cities present to planners, however, is to ensure that this is a "just diversity" (Fincher & Iveson, 2008, p. 3).

The goal of ensuring justice and equity in this burgeoning diversity has been defined as the "right to the city" through which "all urban inhabitants [have] a right to full participation in urban life as equals" (Fincher & Iveson, 2008, p. 9). Originally discussed by Henri Lefebvre (1996), the right to the city is based on inhabitancy of the city as it offers a site and scale of citizenship and belonging distinct from the nation-state (Isin & Wood, 1999). Recent scholarship suggests that the capacity for realizing this urban citizenship is enhanced by processes of globalization (Gow, 2005; Purcell, 2002, 2003; Sassen, 2003). Although the nation-state remains the scale of official citizenship, the increased flow of people and information across the world is seen to loosen the connection between the city and the cultural and political orderings of the nation-state. The diverse claims to, and uses of, land that overlap and intersect in the enforced intimacy of these "mongrel cities" are seen to unsettle historical structures of inequality, providing greater scope to achieve what Fraser (2000) describes as "parity of participation" (p. 115).

The emancipatory potential for culturally diverse groups envisioned within an urban citizenship presents a significant revisioning of postcolonial cities such as Sydney. In the past cities in settler nations such as Australia and Canada have in fact played quite a different role, facilitating the physical and cultural marginalization of Indigenous groups from the new nation–state (Blomley, 2004; Jacobs, 1996). The development of Sydney as the first city of the Australian colony served to create a stronghold of White settlement, with the removal and exclusion of the native Aboriginal inhabitants of the area (Anderson, 1993; Carter, 1996; Goodall, 1996). While this physical removal was never a complete project (Jacobs, 1996), it was complemented by a very successful discursive erasure of Aboriginal presence in the city. The colonial geographical imaginary aligned authentic Aboriginality with "untouched" natural landscapes of the "outback," constructing it as incongruous with urban spaces (see, e.g., Jacobs, 1998; Lattas, 1992, 1997). With the conceptual and physical removal of Aboriginal people from the colonial city, the only form of Aboriginality officially recognized within the city was archaeological artifacts (Byrne, 1996). Positioning Aboriginal people as part of the city's past rather than its future, this recognition of Aboriginal heritage actually served to position White Australians as the first inhabitants of the cityscape, naturalizing their power to determine urban land use (Byrne, 1996).

The concept of the right to the city provides a counterpoint to this construction of the city as symbol of colonial nationalism. In contrast, it presents the postcolonial city as a site of opportunity for diverse groups to realize participatory parity. It is important, however, not to be prematurely celebratory about the emancipatory capacity of an urban citizenship. As the quote from the Aboriginal elder in the introduction indicated, tensions remain between the destabilizing effects of postcolonialism, globalization and migration, and the persistence of White nationalism in Australian cities. The interplay between these different elements serves to "unsettle the ground beneath *any* privileged claims to ownership of a 'core' culture, casting the full range of migrants, settlers, and indigenes as *into a variegated field of struggle over rights to belong*" (Anderson & Taylor, 2005,p. 472). The state of contemporary cultural politics in Australia, and by extension

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Sydney, is therefore "post-national" in the sense that it is both beyond a hegemonic White nationalism but still dealing with a legacy of inequality (Anderson & Taylor, 2005, p. 467). It is the resulting struggle over "rights to belong" and rights to participate in decision-making process as it plays out in contemporary urban planning processes in Sydney that this article explores.

Rethinking Recognition

To achieve equal rights to the city, scholars have largely focused on greater official recognition of diverse groups (Fincher & Iveson, 2008). This focus has developed from Young's (1990) call for attention to the unequal political power of different groups in the city, challenging the notion that all citizens share an equal, universal citizen. Rather than eliminating inequity this conception of the universal citizen instead "universalized the particular" (Young, 1990, p. 115), privileging the values of the predominantly White, male, and middle-class cultural elite. Focusing on cultural equity, the attention to the issue of recognition contributed to a "communicative turn" in planning theory and practice (Fincher & Iveson, 2008). Attention was directed to ensuring greater consultation with diverse groups with the aim of ensuring all had a "voice" in the planning process. This represented a shift from the political economy framing of many urban studies, and the attention to themes of power and class, that dominated much of the 1970s and 1980s scholarship (Fincher, Jacobs, & Anderson, 2002).

Questions remain, however, around the concept of recognition including exactly what is being recognized in each instance, by whom, and with what consequences? Fraser (2000) argued that the problem with the prevailing approach to recognition is that it relies primarily on a positive affirmation of cultural equality of the previously neglected minority group, which serves to reify the cultural group. Constructing cultural groups as homogenous and discrete entities, this discourse is problematic as it creates the false notion of a uniform cultural "community" with a single voice on an issue (Ang, 2001; Staeheli, 2008).

The privileging of "culture" is further problematic to the extent that official recognition predominantly addresses only a very narrowly defined form of cultural difference. The result is what has been termed a "spaghetti and polka" multiculturalism in countries like Australia (Kalantzis & Cope, 1981), in which aestheticized traditions and objects are privileged while the political and economic concerns of diverse groups are neglected (Jupp, 2008). If diverse groups are primarily included in planning processes under these terms the risk is that their participation is limited to particular identified cultural issues. This is arguably the case for Sydney's Aboriginal peoples with their participation largely confirmed to issues of archaeological Aboriginal heritage (Byrne, 1996; Byrne, Brayshaw, & Ireland, 2003).

The limitations of prevailing forms of recognition illustrate the need to address the structural processes that create the inequity rather than simply affirming the validity of narrowly defined symbols of cultural difference (Iveson & Fincher, 2008). Fraser (2000) argues that structural inequality is often neglected as the prevailing approach to recognition is "largely silent on the subject of economic inequality," instead treating "misrecognition as a free-standing cultural harm" (p. 110). This neglect requires a "rethinking of recognition" Fraser (2000) argues, to create a definition that incorporates an "explicit politics of redistribution as part of recognition of difference," recognizing that economic and cultural inequality are "materially intertwined forms of injustice" (p. 111). Explicitly incorporating redistribution creates a politics of recognition that focuses on "overcoming subordination by establishing the misrecognized party as a full member of society, capable of participating on a par with the rest" (Fraser, 2000, p. 113). This redefinition of recognition presents a way forward to achieving a more "intercultural" society as explored by scholars such as Wood and Landry (2008), where there is not simply a core culture and minorities, but a range of different groups equally participating in the urban polity.

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Aboriginal Rights to the Global City

Given the history of Aboriginal dispossession and displacement from the city, the first step in achieving this more comprehensive form of recognition for Sydney's diverse Indigenous population is the acknowledgment of their ongoing inhabitance of the city. This particularly includes the descendants of Sydney's Traditional Aboriginal Owners. Such recognition is the fundamental basis for achieving greater rights to the city for Aboriginal people as it counters the persistent narrative of colonial erasure of Aboriginal connection to the site of the city. This powerful discourse continues to shape the contemporary legal framework through which Aboriginal people can assert their rights to the city, with recent court judgments finding that historical connection of Aboriginal people to urbanized parts of Australia has been "lost" to the "tide of history" (Case, 1999; Schulthorpe, 2005). This assumption is perhaps particularly true for the large cities such as Sydney, where there is a predominant public perception that they are no longer "Aboriginal places" (Jacobs, 1996; Morgan, 2006). While it is acknowledged that Aboriginal people live in Sydney, the connection between people and the land, and therefore the right to claim land, is seen as no longer existing. As Indigenous academic Larissa Behrendt (1994) has argued, urban Aboriginal people are seen to "outsiders to have lost our culture and to be completely integrated into non-aboriginal life" (p. 56).

Despite this prevailing view, Sydney retains evidence of both its pre- and postcolonial Aboriginal occupation, serving as a site of both inhabitance and resistance to colonization over time (see, e.g., Anderson, 1993; Behrendt, 1994; Goodall, 1996; Jacobs, 1996; Morgan, 2006). While there remains a prevailing assumption among archaeologists that evidence of Aboriginal heritage is most likely to be found in the untouched bushland and so nonurbanized areas of the city, this is not necessarily the case. Rather than erasing the Aboriginal presence from the city, the urban areas cleared and cultivated by the colonizers have in many cases been those where evidence of this historical inhabitance is easy to find due to increased ground visibility.

As a Dharawal respondent explained,

> (the archaeologists) find artefacts in disturbed areas, exposed areas. So through disturbed areas you can tell landscapes of artefacts. (Dharawal respondent 3, personal communication, August 21, 2006)

The presence of historical artifacts in urbanized areas and on cleared land challenges the persistent discursive separation of Aboriginality and the city, illustrating that the Aboriginal history of the city has not been simply washed away. Combined with the more intangible cultural knowledge about place that has been passed down to current generations, including traditional stories associated with specific sites, this tangible heritage is part of an ongoing relationship to place for those Aboriginal people who assert Traditional Ownership of the Sydney region (Darug respondent 1, personal communication, August 9, 2006; Dharawal respondent 1, personal communication, April 4, 2006).

In addition to evidence of a precolonial connection to the city, contemporary Indigenous inhabitance of the city constitutes it as a site of Aboriginal political activism and resistance at both a national and international level. Behrendt (1994) argues that urban Aboriginal people continue to "have a very unique culture in our city community that reflects traditional cultural values" (p. 56). In her work on the inner Sydney area of Redfern, Kay Anderson (1993) has highlighted the pivotal role this suburb has played in Aboriginal politics in Australia. The ongoing Aboriginal inhabitance of the urban heart of White settlement in Australia, Anderson (1993) argues, symbolized the assertion of a right to "a stake in a society that for two hundred years had been actively disempowering and dispossessing its indigenous peoples" (p. 331). The contemporary "global" city of Sydney, to the extent that it serves as a hub for the headquarters of many Aboriginal organizations, including the New South Wales Land Council, also assist in linking these associations to global networks on Indigenous rights around the world (NSW Aboriginal Land Council, 2008).

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The construction of Sydney's Aboriginal heritage in official discourses, however, largely fails to acknowledge the material implications of the living cultural connection to land of Aboriginal people in Sydney (Byrne et al., 2003). This living heritage includes the responsibility for natural resource management and the economic and social implications of land ownership (English 2002). The result, a Land Council representative argued, is that

> [P]eople just think about us in terms of cultural heritage. So . . . we get marginalized and called a relic, but the living culture was about natural and cultural resource management and it doesn't get picked up. (Land Council representative, personal communication, March 9, 2007)

This dominant, depoliticized construction of Aboriginal heritage is arguably underpinned by a political unwillingness to recognize descendants of Traditional Aboriginal Owners as a legitimate presence in the city (Byrne, 1996). The uncomfortable financial and political implications that such recognition might imply provide a potential motivation for limiting recognition of the Aboriginal heritage of Sydney. For one Darug respondent the effect of this is that

> [The government] can't admit that there are Darug people here because then you come into the compensation argument. So we are never going to get recognition. (Darug respondent 4, personal communication, March 7, 2007)

The compensation referred to here is for the loss of land from the process of colonization. This compensation could theoretically range from an apology, to financial reparations, to legal acknowledgment of the various claims by Sydney Aboriginal groups to the very land of the city. This specter of Aboriginal land claims to urban areas has been presented in the past by figures such as the then Prime Minister John Howard as the threat of something akin to a reciprocal dispossession, whereby Aboriginal people would take away the backyards and houses of urban (settler) Australians (Pritchard & McManus, 2000). Acknowledgment of the continuing existence of Traditional Aboriginal Owners and their rights as first inhabitants of the ground on which the city stands therefore needed to be limited in this narrative. Movement to greater recognition would mean a shift from an aestheticized memorialization of Aboriginal occupation of the cityscape to an engagement with Aboriginal groups as active agents in land use decisions in the city.

Heritage and Urban Development

In contemporary land use planning on Sydney's western fringe, however, recognition continues to take a limited form with Aboriginal participation principally relating to the identification of archaeological artifacts. Under the Environmental Planning and Assessment (NSW) Act 1979, each site scheduled for urban development must be examined for the presence of Aboriginal archaeological artifacts before any development can go ahead (NSW State Government, 1979). If artifacts are found, an in-depth survey must be done on the site and Aboriginal people are asked to come and consult on this. Developers can only continue to develop if significant artifacts are retrieved from the site and they obtain a "Section 90" clearance from the Department of Environment and Heritage which allows them to destroy any further items found (NSW State Government, 1979). Within this process Aboriginal involvement has largely been limited to providing clearance for development to occur.

Since the mid-2000s new protocols have been developed which are aimed to improve the participation of Aboriginal groups in cultural heritage protection and land use planning in Sydney (NSW Department of Planning, 2005). These protocols were developed as part of the 2005 Sydney Metropolitan Strategy, and focused on the two new "growth centers" created to house an estimated 180,000 homes in the city's North and South West (NSW Department of

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Planning, 2005). The central tenets of the protocol development process were to address the criticism about the misrecognition of Aboriginal groups in the heritage assessment process in terms of adequate consultation, and ensuring postcolonial and intangible Aboriginal heritage was addressed in addition to archaeological heritage (Context, 2006).

To examine the efficacy of these proposed changes the following sections present the data from Aboriginal participants in the process of protocol development and implementation. The research findings are drawn from interviews conducted from mid-2006 to early 2007 with 8 of the 10 Aboriginal representatives who were part of the protocol development meetings. Department of Planning representatives, consultants, and officials from the (then) NSW Department of Environment and Conservation involved in the meetings were also interviewed. Representatives of other Aboriginal groups who also make claim to this area and are involved in cultural heritage management, but were not involved in the meetings, were contacted to gain a broader view on the issues that arose, bringing the total number of interviewees to 15.

The first section outlines in more detail the key concerns of Aboriginal respondents about their misrecognition in the existing Aboriginal cultural heritage assessment process. These included: the token nature of Aboriginal participation; the power of non-Aboriginal experts in defining Aboriginal heritage; the heterogeneous nature of the so-called Aboriginal "community" and their internal conflicts over claims to land; and the material inequality experienced by Aboriginal inhabitants of Sydney in terms of housing and medical care. The multiple facets of this misrecognition experienced by the urban Aboriginal respondents emphasise the importance of a more comprehensive form of recognition that addresses economic as well as cultural equity. Finally, an analysis of the protocols and their implementation in the final land use planning process is undertaken to determine their success in addressing this misrecognition and thereby improving Aboriginal participation in urban planning.

Token Participation

An overarching concern among respondents was that their participation in the cultural heritage assessments, even after the development of the protocols, would be tokenistic rather than substantive. This concern reflects the limits of recognition through consultation discussed by scholars such as Thompson and Dunn (2002), whereby consultation has little or no connection to decision-making processes. As a result the promises of the protocols were viewed with suspicion. As one Land Council representative argued, in their experience,

> that type of large scale development doesn't give you scope for proper community or other stakeholder input. Because they are deemed of state significance, there is pressure on the state government to do land release. This puts pressure on us, the land council, and it ends up being sort of token participation rather than [a] full, proper assessment. (Land Council representative, personal communication, March 9, 2007)

A main concern among Aboriginal respondents was that this "token" consultation could potentially to be used to justify a fast-track development approval process. The broad scales of the assessments undertaken in the Growth Areas mean that a "blanket" Section 90, that is, or permission to destroy heritage uncovered in the development process could be approved by the Department of Environment and Heritage (JBA Urban Planning Consultants, 2007). This implies that the entire area could potentially be quickly developed without having to undergo further heritage protection measures.

Defining Aboriginal Heritage: Power and Knowledge

Building on concern about the token nature of their participation were more specific concerns among Aboriginal respondents that they had little power over the scope of their participation. It

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was predominantly non-Aboriginal archaeologists and government planners who were determining the official definition of "Aboriginal heritage" and controlled the reporting on Aboriginal heritage issues in the planning process. As such, this perception reflects the critique of scholars such as Byrne (1996) and English (2002) that non-Aboriginal authorities continue to control the discourse on Aboriginal heritage. Being in the position of those merely "consulted" in the official heritage assessment process restricted what say the Aboriginal representatives had over what was officially recognized as Aboriginal heritage, and as a result what was protected and through what process. Understandably, there was a desire among some of the Aboriginal people to take on the position of archaeologist to obtain greater agency in the assessment process. One of the Darug respondents I spoke with was completing studies to become a certified archaeologist. This qualification opens up possibilities for changing the dynamics of the current processes of engagement with archaeologists and government officials experienced by Aboriginal participants. For some Aboriginal respondents their experience of engaging with "the experts" in the past has been one of discrimination, as this Darug respondent indicated,

> When we used to go out with a lot of archaeologists [in the past], they used to treat us like we were really dumb. There are a lot of people out there who think that because you are Aboriginal [that] you are really stupid . . . (Darug respondent 4, personal communication, March 7, 2007)

As archaeologists, Aboriginal people have potentially more influence to shape how heritage protection is undertaken. This shift addresses the argument of the Darug respondent that

> [I]f people are looking after Aboriginal archaeology, it should be Aboriginal groups. (Darug respondent 4, personal communication, March 7, 2007)

While it is clear that the Aboriginal respondents did value heritage protection, the way in which Aboriginal cultural heritage is protected is very important. For the Aboriginal participants in the protocol meetings and subsequent site assessments, the artifacts needed to be protected as part of a living culture rather than for scientific cataloguing. For this Darug respondent, the current "salvage" process of removing artifacts from the site on which they are found is not in accordance with the expectations of their elders.

> [W]e've been arguing lately that when we salvage [heritage]] materials they should get reburied back on the land. But [not all the archaeologists] agree with that either. So in [their] jobs I don't think that will happen. But we would like to see everything reburied. I don't really like digging it all up, [and] I have the old people telling me off all the time. [They say:] "shouldn't be dabbling in that." But you have to or it will get destroyed. (Darug respondent 4, personal communication, March 7, 2007)

The different perspectives of Aboriginal representatives and archaeologists on postsalvage preservation of items described here is indicative of a split between a view of the heritage as an archaeological artifact and a piece of a living cultural heritage.

Speaking Positions

The misrecognition experienced by the Aboriginal participants in the protocol development process was further complicated by the heterogeneity and internal tensions of the so-called Aboriginal "community." Responses from interviewees indicated that "rights to the city" for Aboriginal people in Sydney were not just a matter of consultation per se. Which Aboriginal groups were officially recognized as the legitimate representatives for a particular area was also critical. The boundaries of the land attributed to the various tribal groups often overlap or conflict within the

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accounts of different Aboriginal groups, historical texts and governmental reports. This is a legacy of the history of dispossession, dislocation, and disruption of family and tribal groups experienced by Traditional Aboriginal Owner groups in Sydney.

The nexus of Indigenous rights to and ownership of Sydney's land is highlighted in the South West Growth Centre where there are intersecting Native Title claims by two of the main Aboriginal groups of Sydney: the Darug and the Dharawal. The Growth Centre on the border of the governance areas of two Land Councils, Gandangara and Tharawal (another spelling of Dharawal), as well as the intersection of Native Title claims by at least three Darug groups and a Dharawal group. This situation can potentially create conflict over who has the right to speak on the question of what should happen with land. While a number of the groups report quite good relationships between the different bodies, there is at least one Land Council, respondents assert, that does not recognize any living Traditional Owners in the Sydney Region. As this Darug respondent indicates,

> We only pushed and made ourselves known as Darug people when we did the [family] genealogy with Darug Link 20 years ago. [Now] we've got to form ourselves into a corporation [in order to participate in heritage assessments] as the local land council will not let the Darug people become members. (Darug respondent 3, personal communication, March 1, 2007).

The position of the Land Council intensified pressure on descendants of Sydney's Traditional Aboriginal Owners to create separate Aboriginal corporations. This move has been undertaken by a number of groups to ensure that they would be included in discussions with government bodies regarding land use.

For the South West Growth Centre, the issue of who is recognized as having the legitimate right to speak on behalf of land is particularly complex. The confusion surrounding White historical accounts means there is often conflicting information in regards to tribal boundaries. This can cause problems when particular versions are recorded in assessment reports and then become "evidence" or truth on which the decision to exclude people is made. This complexity exemplifies the limitations of a form of recognition that utilizes a too narrow definition of cultural difference, defining minority groups as homogenous and discrete cultural entities (Staeheli, 2008).

Redistribution: The Economic Implications of Land-Use Decisions

In addition to the limitations regarding who was recognized and how in heritage assessments, the neglect of economic issues in the protocols was particularly problematic for Aboriginal respondents. The Department of Planning stated that, as part of its assessment of Aboriginal cultural heritage in the Growth Centers, it would follow the New South Wales (hereafter, NSW) state government's *Two Ways Together* agenda (NSW Department of Planning, 2005). The *Two Ways Together* policy states that it is the intention of the NSW government to work with Aboriginal people to protect the "inherent rights of Aboriginal people that include the right to determine the direction of their social, economic, and political development and the right to maintain culture, language, and identity" (NSW Department of Aboriginal Affairs, 2003b). The 2005 Metropolitan Strategy addressed the *Two Ways Together* agenda through the promise of in-depth consultation with Aboriginal groups about Aboriginal heritage matters during planning for development (NSW Department of Planning, 2005). While this is clearly important, such an engagement agenda has the potential to neglect a core focus of *Two Ways Together*: economic equity. Aboriginal people are some of the most economically disadvantaged in the State, therefore economic development is necessary for protection of contemporary Aboriginal people and their living culture (NSW Department of Aboriginal Affairs, 2003a).

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Echoing the sentiments of the comment made at the meeting quoted in the introduction, other respondents argued that the link between economics and land use needed to be incorporated as part of, rather than separate to, the process of heritage protection around urban development. For one of the Darug women interviewed, preservation of cultural heritage meant a broader engagement with economic and social community development outcomes as well as artifact salvage. This concern echoes the government's own statement, made in the *Two Ways Together* documents, that Aboriginal economic disadvantage should be a central issue in any engagement with Aboriginal people in the creation of government policy. When discussing the process of heritage conservation, the respondent stated,

> I'd actually like to see a lot of those areas conserved and have a cultural centre museum there that the schools could go to. [To] get rid of the racism against Aboriginal people by educating school kids. (Darug respondent 4, personal communication, March 7, 2007)

As well as addressing the recognition and knowledge of the culture and history of urban Aboriginal people, she also argued that issues such as health should be seen as an integral and important aspect of recognizing the rights of Aboriginal people to the land in Sydney. Ideally, she argued

> If they have land available, have your museum. But if Aboriginal people can't afford health and the rest of it, have some resources for that [as well]. Why couldn't you have a museum where you sold [Indigenous] artwork, and a percentage of it went into medical or [other important issues] like that? (Darug respondent 4, personal communication, March 7, 2007)

The need to connect economic and social equity issues with cultural heritage protection is clearly indicated by this respondent. In discussing Aboriginal culture as an ongoing presence in the city, the need to protect and preserve the material welfare of Aboriginal groups is presented by the respondent as an important aspect of heritage protection. Attention to health and welfare issues in this perspective is protecting the living Aboriginal culture of Sydney through its people.

The various agendas foregrounded by this respondent are markedly different from the prevailing framework of Aboriginal heritage assessments. This framework, as noted previously, privileges the scientific preservation of archaeological heritage rather than the multifaceted definition of cultural heritage preservation of the contemporary Aboriginal inhabitants of Sydney. The responses from these Aboriginal representatives provide strong support for adopting the broader definition of recognition that explicitly incorporates redistribution as argued by Fraser (2000). In failing to incorporate issues of redistribution, the protocol process fundamentally failed to address the systemic inequity faced by Aboriginal peoples in Sydney.

Analysis of Protocols

In the final plan for development in the South West Growth Centre, the protocols failed to improve the form of recognition given to Indigenous groups even according to their own limited frame of reference. Before the implementation of the protocols on the first development site there was a clear sense of ambivalence from the Aboriginal respondents about whether they would change anything in practice. As indicated in the statements by one of the Darug participants, a sense of optimism "hopefully there will be a lot of conservation that comes out of this" was tempered by the experience of frustration and insufficient action in terms of heritage protection "I mean you talk about it to people and it just doesn't happen" (Darug respondent 4, personal communication, March 7, 2007). This frustration is exacerbated by the process of decision making in

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which the consultation with Aboriginal groups only constituted a recommendation to the Planning Minister, who has the final say on how the land will be used (Growth Centre Commission representative 2, personal communication, June 16, 2006).

In the final plan for development in the South West Growth Centre, the process of recognition failed even its own limited frame of reference. Aboriginal heritage in the area was only addressed in terms of archaeological, tangible heritage rather than the intangible or postcolonial heritage that the protocols indicated would be addressed. Even then, the protection was limited as the areas for conservation of Aboriginal heritage fell mainly within the already heritage listed curtilage of the Denbigh colonial homestead (Growth Centre Commission, 2007; Jo McDonald Cultural Heritage Management, 2007). Official documents stated that a conservation zone was to be determined incorporating some of the land as most likely to contain artifacts, but the sections of this "highly significant" land that fall outside of such a zone would be able to be developed (JBA Urban Planning Consultants, 2007). This zone will also incorporate areas already deemed to be important for reasons of environmental conservation, including riparian corridors and waterways. The majority of the site, which had been zoned as having a high likelihood of containing artifacts, would not be examined and would fall under a "whole of development" Section 90 which means that permission would be given for all development (JBA Urban Planning Consultants, 2007). Through this process the protection of Aboriginal heritage occurred primarily in sites already protected as colonial or environmental heritage and therefore did not create any further disturbance nor change in the plans for housing development.

Overall, while the development of the protocol was intended to address identified aspects of the historical misrecognition of Aboriginal people in Sydney's urban areas, the reality fell far short. From all the consultations and documents created, the first application of the protocols in the Growth Centres saw Aboriginal heritage preserved according to conventional archaeological methods, primarily in areas that would have been preserved already as European heritage and environmental conservation zones. This assessment suggests that Aboriginal participation remains contained to the format it had taken prior to development of the protocols: consulting on the "stones and bones" of archaeological heritage. Through a focus on the Aboriginal presence *before* the city, cultural heritage continues to be constructed in planning processes as an artifact, not the continuing practices of a living Aboriginal culture in the city. The implication of this process is that there is neither recognition nor, critically, economic recompense for the material inequalities experienced by Sydney's Aboriginal peoples as a result of history of discrimination, dispossession, and deprivation of land. The colonial erasure of Indigenous claims to Sydney's land is largely continued.

Conclusion

In examining contemporary cultural politics within an ex-colonial migrant-receiving city such as Sydney, this article has presented an empirical study of the nuances and complexity of contemporary struggles for rights to the city. This research has a number of implications for the 'right to the city' literature, particularly in developing the debates around recognition and redistribution. The first implication is in regards to the role of the city in debates around equal rights and participation for diverse groups. This research affirms that scale of the city, with the overlapping claims to and values in land of its diverse inhabitants, offers a rich study of the dynamic negotiations around citizenship and belonging in a "postnational" Australia. The value of the city space, however, is not so much that it is a political space outside of the nation as suggested by some scholars. Instead, this case study illustrates the way in which local, national, and global processes work through the site of the city to shape the struggle for equal rights of access and participation to the urban polity.

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Further developing the rights to the city thesis, inhabitancy of the city, particularly the global city, has been shown not to be necessarily generative of equal rights to the city as also suggested by some recent scholarship. Instead, inhabitancy of the often uncomfortably shared space of the city creates the conditions through which structural inequity can be unsettled and resisted. In order to realize the promise of equal rights to the city, however, this resistance must result in issues of recognition and redistribution being addressed.

To this end, the article asserted that a rethink of what exactly recognition constitutes is necessary, with the need to more explicitly incorporate issues of redistribution. While Fraser's (2000) call for such a rethink is now more than a decade old, the relationship between recognition and redistribution continues to challenge urban theorists (Fincher & Iveson, 2008). The case study presented here illustrated that Fraser's case for incorporating redistribution into a broader recognition is more relevant than ever.

A continued focus on culture in participatory processes supports a systemic exclusion of the values in and uses of land of these groups who instead required economic redistribution or a shift of political power. This exclusion can occur even when these groups were officially recognized in planning processes, as for the Aboriginal groups interviewed. It is the conclusion of this research, therefore, that it is the *form* rather than (only) the process of recognition that is important if diverse groups, such as Aboriginal groups, are to be given real consideration in urban planning. Achieving rights to the city for groups such as Sydney's Aboriginal peoples requires addressing the structural inequity they experience. This involves adopting a definition of recognition that encompasses both cultural and economic inequity.

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