

COMPELLING AND PERPETUATING: HOW AN UNPOPULAR INFRASTRUCTURE PROJECT STAYED ALIVE IN AN ERA OF PUBLIC CONSULTATION

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The East West Tunnel, an AUD5.3 billion contract signed 29 September 2014 between the State of Victoria, Australia and East West Connect consortium, will not be going ahead under the new government elected in November 2014. The project was defeated because the community used their electoral power to revoke the right of the sovereign who had selected the project to conduct it. That is, the community elected an alternative government that would not support the project. This revoking of sovereign power was a last resort, after the community failed to compel the stopping of the unpopular project during community consultation processes. Several papers have already begun to document the process of community action through which this project was brought down. However the mentalities which brought the project into being in the first place are less well known. This paper documents this case study of a failed mega project, uncovering the knowledge, technology and rationality which combined to bring the project into being – and to sustain its existence despite widespread unpopularity and community objection. The paper uses Sturup's (2010) understanding mentalities of mega projects to tease out how this project was selected, and supported, even to the point of electoral loss. It focuses on the government and private-sector actors and their stakes in keeping the project alive and maintaining their right to decide which projects should occur. In doing so it validates and expands our understanding of the features of the art of government of mega projects.

1. Introduction

This paper seeks to identify the “mentalities” of the mega project referred to as the East West Link, or East West Tunnel (‘EWT’)¹, in Melbourne Australia. This project was ultimately stopped at great public cost, after an election in which the political party attempting to complete the project lost electoral support and was removed from power. In identifying the mentalities underlying the project, we are seeking to document the knowledge, technology and rationality (Dean 1999) that combined to bring the project into being – and to sustain its existence despite widespread unpopularity and community objection. We then consider possible explanations for the apparent attachment to the project in terms of the theoretical functioning of mentalities of mega projects put forward by Sturup (2010). This theory indicates that key features of the art of government of mega urban transport projects are that they are strongly sovereign in the structuring of power, that they are difficult to observe critically from within because of the personal attachment people within the project acquire, and that they are difficult to unhinge because of an inescapable logic demonstrated by the construction of the project as a solution to some problem which can only be solved by the project.

¹ We are calling the project the East West Tunnel (‘EWT’) for clarity and to distinguish it from the larger East West Link which is a proposal to build a road link from the Western ring road through to the Eastern Freeway, of which it is part. Note that many references call this project the East West Link.

The first section of the paper sets out the methodological framework for the research and the key findings from Sturup's (2010) thesis. The second section documents the evolution of the EWT project, and the mentalities that went along with it. The final section discusses the findings from the project against those outcomes expected by our working hypothesis.

2. Method

This paper is based on findings from Sturup (2010), and examines the mentalities of mega project as they operate in the project referred to as the EWT in Melbourne. Sturup (2010) posits that the mentalities of mega projects can be understood as an art of government (Foucault, 1991), or world view from which people within the project operate, and from which what is logical to do emerges. Sturup (2010) found that key features of this kind of art of government, or mentalities, or world view, can be uncovered through development of case studies that closely examine the technologies, rationalities and knowledge used and produced in the project. These technologies, rationalities and knowledge are revealed through policy documents, legislation, public statements, public dialogue, and technical plans, and through interviews conducted using a story-telling mode (Snowden, 2003), and hypothesis based questions.

In this research, information was first collected from secondary sources including policy documents, legislation, public statements, and public dialogue. Because the project had not yet been built, few technical plans were available. Information was collected back to the first recognisable mention of the project in any form. A list of interviewees was generated from these secondary sources including government employees, politicians, community activists and academics. Interviews were sought from this selection of people, and snowballing technique used to determine further candidates. Because the project had been stopped following a change of government, and there have been accompanying legal proceedings, it proved difficult to obtain interviews from key persons involved in crafting the project. Most of the interviews collected have therefore come from those who opposed the project, or were observing proceedings at some distance. Our conclusions are at present preliminary as we have not yet completed our efforts at obtaining relevant interviews.

All information collected was coded using Nvivo software. Coding was initially completed against the nodes knowledge, technology and rationality, and against further nodes of interest that emerged from the data. Methodologically these codes of knowledge, technology and rationality are derived from an understanding that arts of government can be understood from observing shifts in technology and knowledge leveraged by institutions over time (Dean, 1999) and that projects emerge in a process of development of the problem and the project as a solution to that problem (Li, 2007). In the analysis of this data, what we are seeking is what is pointed to, or is in the unsaid, guiding actions and language. In this project, given we are looking to verify and validate a conceptual framework which has already been identified, we run the risk of finding what we seek. We use the inductive coding as a way of validating this, checking that there are not undercurrents hidden in the data that we are not directly using. Because Nvivo allows the same data to be coded easily against multiple nodes, we can also verify that the data we are using is not interpretable in a way inconsistent with our expected findings.

3. Theoretical Framework

Sturup (2010) found three main features of the art of government of mega urban transport projects. Firstly, the art of government is strongly sovereign in its power structure. The project comes about because someone with the power to do so said that it would be so. From this point all action in the project is based on the fact that the project will be happening. The question of whether the project should occur is no longer relevant and thus cannot be heard. Secondly, that mega projects are

developed as the particular solution to a problem, which is constructed during the process of developing the project as a kind of nexus. In this process of problem and solution construction, the problem is defined as solvable by the project. This creates political imperative to put in place the solution (since it is the job of government to solve problems, especially ones that are solvable). The problem solution nexus reinforces the impossibility of questioning the logic of doing the project as it has been defined, and creates sticky rationalities which keep re-emerging even if project construction does not begin immediately. Finally, mega projects have a kind of sublime, a succubus-like attraction, not only because of their engineering marvels (Trapenberg Frick, 2008) or their political appeal (Altshuler & Luberoff, 2003), but also because as a project they offer the opportunity to deliver the impossible without questioning whether it should be delivered. Mega projects require unwavering commitment, they use up those within them. They offer the opportunity to expend all of oneself in the service of something great (Shaw, 1973).

4. The Project's Historical Context

The piece of road represented by the EWT project, has a relatively long history of being proposed and then defeated. In fact, protestors against the project tend to refer to it as a zombie project, referring to the fact that they keep killing it but refuses to remain dead (per com Quantock, R. 2013). This indicates the kind of sticky logic found in many mega projects has occurred in this project (Sturup, 2010). As the until recently confidential EWT Business Case shows least one of the rationalities of the project is related to the irrationality of having a freeway that 'just ends' and the older dialogue that 'perceives of cities as circulatory systems and concurrently congestion as bad (Heynen, Kaika, & Swyngedouw, 2006)' (Sturup 2010 p.79). The East – West Tunnel Business case justification for building the eastern section before the western section of the project was "if constructed first, the Western Section will be another freeway-standard road that comes to an end in the inner city (similar to the current Eastern Freeway), potentially generating further congestion while still not offering a cross city alternative to the M1 corridor" (State Government of Victoria, 2013, p. 16).

There have been several attempts to build parts or all of the East West Link Project. The Project was originally proposed in the 1969 Melbourne Transportation Plan (Metropolitan Transportation Committee, 1969) as part of an inner city ring road, and adopted as policy in the 1971 'Planning Policies for Metropolitan Melbourne' document (Gleeson, Curtis, & Low, 2003). Despite major community protests about its path through the Yarra Valley, part of the inner-city ring (now the Eastern Freeway) was constructed. Fierce community resistance resulted in then Premier Bolte scrapping the segment of the inner-city ring similar to the EWT (Gleeson et al., 2003; Rundell, 1985).

A proposal to extend the Eastern Freeway as far as Nicholson St (approximately one third the length of the EWT project) was again proposed in 1994. Again it was scrapped after community resistance, when the resident group 'Coalition Against Freeway Extensions' set up a blockade of household junk in the Alexandra Parade median (Farrant, 1994).

The defeat of these earlier manifestations of the project cannot be put down to a general malaise of freeway building. Throughout this time, other major freeway projects were constructed, including the Westgate Freeway (1978), Extension to the Westgate Freeway (1987), the Western Ring Road (1992 – 1999), and City Link (2000). For a time after 1994 the EWT project lay dormant. The 2002 metropolitan strategy, *Melbourne 2030*, contained no reference to the Project, although it included another large-scale freeway now known as EastLink, which has since been completed (Department of Infrastructure, 2002).

The *Northern Central City Corridor Strategy Draft (NCCSD)* of 2003 included a discussion of the Project. The NCCSD was centred on consideration of travel needs, and congestion problems of those in the inner north area of Melbourne, virtually the same area as the project area of the EWT project. The report found that through the implementation of *Melbourne 2030*, and by furthering the use of active and public transport, traffic along the Project corridor would be at or below 2003 levels by 2030. The report explicitly recommended against the construction of the Project, as the additional capacity would not be needed (Department of Infrastructure, 2003). An updated version of *Melbourne 2030*, known as *Melbourne @ 5 Million*, was released in 2008, and contained no reference to the Project (DTPLI, 2008).

The first stirrings of the zombie project can be seen in the release of *Investing in Transport - East West Link Needs Assessment (2008)*, by Sir Rod Eddington (*the Eddington Report*), which indicated that the EWT might be required around 2034. The Eddington Report provided a comprehensive analysis of potential future east-west travel needs in Melbourne, with a study area between the Western Ring Road at Deer Park and the Eastern Freeway at Abbotsford. It was considering traffic flows in an area much larger, and further west than the project area. The report predicted major increases in east-west travel volumes by 2031 – up to 42% on the M1 Corridor (south-west of Melbourne CBD) and up to 38% at other Maribyrnong River crossings. It recommended a suite of transport megaprojects to alleviate congestion and provide better east-west connectivity (Eddington, 2008). Among the projects included in the Eddington report was a complete East West Link, from the Western Ring Road to the Eastern Freeway terminus, via the Port of Melbourne and intersecting with the CityLink freeway. Importantly, Eddington noted that the Western section of the project should be built first as it would provide another crossing point for the Maribyrnong river. The eastern section was considered likely not needed until at least 2034, and the report modelling indicated that this section would not actually resolve the congestion issue along the roads between the CityLink and the Eastern Freeway no matter when it was built. As per Eddington’s recommendations, the Western section of the Project (‘Westlink’) was included in the subsequent *Victorian Transport Plan (VTP)* (Department of Transport, 2008) and the Eastern section of the project (the EWT) was not. The VTP stated that while the eastern section of the Project would be worthwhile in the long-term, there were greater priorities that needed addressing in the shorter term.

In November 2010 Victoria held a state election which led to a change in the party governing the state. The incoming government was elected on a platform of public transport improvements, says Cr Fristacky in interview: “there was some elation that when they came in they would be supporting public transport projects [...] which they had adopted and announced just three weeks before the election”. For her, the EWT “wasn’t part of the election platform”.

Between 2008 and 2012 no further Victorian policy documents mentioning the road were released. The story of the project however continued in a new Federal forum, Infrastructure Australia. Funding for transport megaprojects in Australia usually comes from a mixture of sources. The States and Territories have a limited ability to raise taxation revenue, which is mostly collected and distributed by the Commonwealth. In 2008, Infrastructure Australia was created to distribute Commonwealth infrastructure funding through a merit-based process. It produced a series of annual ‘Infrastructure Priority Lists’ to the Council of Australian Governments, indicating projects of national significance. The 2010 Priority List contained reference to the Westlink project (Infrastructure Australia, 2010). In 2012, the original Westlink submission was updated to become the entire East-West Link (i.e. from the end of the Eastern Freeway to the Western Ring Road via the Port of Melbourne) (Infrastructure Australia, 2012). By December 2013, the Westlink component of the road is dropped, and this is where we see the Project in its current form finally appear in a public document (Infrastructure Australia, 2013).

There is political context to these developments, which altered the projects selected by Infrastructure Australia for Commonwealth funding (Interview Newman 2015). On April 4, 2013, then Leader of the Federal Opposition, Tony Abbott, made the following promise in the context of an upcoming parliamentary election (due September 2013):

Now the Commonwealth government has a long history of funding roads. We have no history of funding urban rail and I think it's important that we stick to our knitting, and the Commonwealth's knitting when it comes to funding infrastructure is roads (Abbott, cited in Carey & Gordon, 2013).

This effectively meant that, were Tony Abbott's party to win a majority in the parliament and were he to become Prime Minister, funding to "build the roads of the 21st century" (Abbott, 2013) through Infrastructure Australia would be prioritised, and funding would be cut for urban public transport projects. As Newman noted in interview (see below), this came as something of a surprise to those in Infrastructure Australia.

Abbott's coalition of parties subsequently won the 7 September 2013 election leading to a major shift in major transport project funding across Australia. In newspapers and public statements, the EWT Project was suddenly labelled the most important piece of infrastructure to the future prosperity of Melbourne. Other projects, such as the Melbourne Metro, which until then had been reported by the Federal advisory body on infrastructure, Infrastructure Australia, as 'shovel ready' were heavily modified or effectively shelved. While providing one indication for the shift to prioritisation of roads in Victoria, this does not explain why the western stage of the project favoured by the Eddington Report and successive governments of Victoria (Westlink) was relegated to a less important status over the eastern stage, which according to the Eddington Report, the NCCC Strategy and the Victorian Transport Plan would not be needed for at least another 25 years.

The first mention of the EWT in a Victorian document was when it was declared as the East West Link Project (Eastern Section) under s 10 of the Major Transport Projects Facilitation Act 2009 in the Victorian Government Gazette 20 December 2012 (State Government of Victoria, 2012, p. 2893). This Gazetting was not accompanied by any discussion in the media or Parliament on the project, nor mention that the East West Link project had been limited to its eastern portion. Indeed in December 2012 the only parliamentary mention of the project was by Mr Elsbury who was expounding on the benefits of the Western portion in removing trucks from roads in Footscray and Williamstown. On May 15th 2013 the government announced \$294m over two years for consultancies to support development of the project in its budget papers. There followed some media interest in the Age newspaper (Sturup & Low, 2013). In May 2013, the Victorian Government announced its intent to tender and construct the Project. The project would be delivered through a public-private partnership and cost up to \$8 billion, with funding from the Victorian Government, private finance and a tied grant of \$1.5 billion from the soon to be elected Liberal Federal Government through Infrastructure Australia. The Linking Melbourne Authority began to complete formal approvals and undertake procurement. Interestingly, consultation for the project would start after these processes. In July 2013, the Project was approved under s 77 of the MTPF Act 2009 (Gazette ref put in here).

5. Project Mentalities

The preceding history of the project demonstrates that the key features of mega project mentality identified by Sturup (2010) were indeed present. Further analysis shows however that these mentalities were functioning in different ways than in successful projects studied previously. We can see that although the project displays strongly sovereign structures of power, there is confusion in

which sovereign was the governing power. There is clear deficiency in terms of project commitment, not from political leaders, but from those who were to develop the project. We can observe clear demonstration of an inability to rationally critique the project from within, and the fact that this inability was never ameliorated by a proper gestation period for the project.

5.1 Sovereign Decision Making

From the public record, one could easily conclude that the EWT was an agreed major public priority. Plan Melbourne (DTPLI, 2014) is the most recent strategic and transport plan for metropolitan Melbourne. This document contained specific reference to the Project, enshrining it into the metropolitan land-use and transport strategy. Plan Melbourne argued the need for the Project, stating it was necessary for a more resilient and better connected road network, improved freight connections, improved local amenity and improved local and cross-town public and active transport connections. Further, the Project would be a major city-shaping project, fundamentally altering how residents interact with their city (DTPLI, 2014, p. 86).

However, as the previous section demonstrates, discussion of the EWT as a matter of public policy and action did not appear in the formal public discourse until 2013. This announcement was so low-key that it did not even make it into either of the major local newspapers, *The Age* or *The Herald Sun*, the next day. There is considerable evidence that the project simply sprang into existence following the announcement of the Federal Opposition Leader. Says Peter Newman, then on the Advisory Council for Infrastructure Australia,

I think the pivotal event was Tony Abbott picking up the tab. Essentially the project was not even on the agenda until it was suddenly announced as a part of the election campaign. It had never been considered as a viable project on our table at Infrastructure Australia. It was not an option worth considering.

Key actors involved were also surprised by how the Victorian government brought the project into being. One example of this is in the interaction between government and the Ministerial Advisory Committee (MAC), a committee comprised of local academics and community leaders to advise the Minister of Planning on the development of a new metropolitan plan, *Plan Melbourne*. The MAC began work with the mandate to develop, among other chapters, a chapter on transport planning for the new strategy. They began months of extensive consultation which was then suddenly overturned. The Chair of the MAC, Roz Hansen, said in interview that during a committee meeting, the Planning Minister's Chief of Staff presented with a separately drafted version of the Transport Chapter of *Plan Melbourne* – which contained, no less, reference to the EWT. Hansen continues, explaining that the MAC Board resigned over the implementation of this 'other' Plan Melbourne. The willingness of public officials to eschew processes they themselves had devised in the assembly of the MAC, provides new information about how sovereign decision mentality effects the public service especially when combined with the eternal logic of road building. Says Roz Hansen:

I also think that there was an underlying arrogance in this whole project, arrogance from ministers and [Victorian Premier] Napthine, arrogance from public servants, arrogance from people within transport, the department that were pushing the road. Engineers love building roads.So for them, to have the number one project in their department is a very powerful position in government.... [w]e've given that department and engineers in that department too much power. And they don't like giving it away.

5.2 Problem - Solution Nexus

For a mega project a gestation period of only five years does not provide ‘time to breathe’ which has been identified as critical for successful mega projects especially complex ones ‘characterized by ... agglomeration or secondary objectives’ (Dimitriou et al, 2011, p.5). This gestation process is important for developing a logic or a nexus through which the project arises as the only solution to the particular problem it is supposed to solve. This nexus is critical to generating agreement about the project need, without which the project cannot be judged a success. This nexus was never properly formed in the EWT project, although it was in part formulated from the project articulated in the Eddington Report.

The historical development of the project demonstrates that although this project has a long history, much of the recent discussion of the project (NCCCS and Eddington Report) were about how the project wasn’t needed. Although there was a reasonably strong effort to develop the logic of the Westlink, or the entire East – West Link, the logic of the EWT had not been discussed, since it had been presented as a solution to the problem of ‘freeways that simply end’ in 1969. Its sudden emergence on the public agenda meant that the gestation period for the project was very short. The project has since been plagued by people asking ‘but what is it really for?’

The Eddington report developed the logic of the East West Link as a project designed to solve the problem of traffic congestion on the Westgate freeway and limited crossing points of the Maribyrnong River. This document specifically precluded the EWT from the logic of the project. As noted above, even after the project was gazetted as only the Eastern section, people failed to make a case for the Eastern section. What problems the East – West Tunnel solved was never properly articulated. In fact initial public documents simply co-opted the problem solution nexus from the Eddington report even though that document suggested that the East – West Tunnel section may never be needed. The first newsletter on the project provided as part of the consultation process, documents the whole Eddington East – West Link, and claims that the project is needed because an extra 430, 000 crossings of the Maribyrnong River were forecast. This argument makes little sense in support of the EWT, because the project does not cross the Maribyrnong (Linking Melbourne Authority, n.d).

Even the Business Case for the project does not provide a convincing problem solution nexus. The Victorian Government refused to release the documents outlining the business case. In retrospect, the reason for this is clear: the government’s own analysis projected to return a benefit-cost ratio of 0.4. To make it positive, the inclusion of wider economic benefits was necessary, as was the incorporation of ancillary works on the CityLink and Eastern Freeway (State Government of Victoria, 2013, p. 19). The stated objectives in the business case are related to solving congestion, providing alternative cross-town links, improving public transport, and to facilitate greater social and economic inclusion by increased access to services, education and employment (State Government of Victoria, 2013, pp. 14-18). The Project would support wider economic growth, and was needed due to changes in economic structure from being based on manufacturing to a globalized, service-based economy (State Government of Victoria, 2013, p. 12). Most of these benefits did not stand up to scrutiny from data which was publicly available (Dodson et al, 2014). Additionally, the business case was highly flawed, not specific about the data that it used, and did not provide data publicly so results could be verified independently.

Further doubt exists within the Business Case in terms of traffic demand and the road’s purported necessity in reducing congestion levels. It accepted that due to “a number of high profile financial failures in the toll road sector in Australia [...] the market has a much more limited appetite for taking on full demand risk in the absence of proven traffic volumes for a new toll road” (State Government of Victoria, 2013, pp. 20-21). To this end, the State Government accepted the demand risk, whereas the

selected contractor would accept construction and operation risk. The potential future private partners were not convinced the EWT would attract enough traffic. Following this process, a preferred bidder was named on 11 September 2014 – a consortium comprising Lend Lease, Bouygues, Acciona and Capella Capital. From this point, contract negotiations began, which was to be named East West Connect (EWC).

This lack of an understandable problem that the project was supposed to solve is also evidenced in the way those dealing with the project from outside the government felt when it suddenly emerged. Then-Mayor of the City of Yarra, Jacky Fristacky, stated

I was mayor of the new council elected in 2012 for those critical two years of the East West link project.... [T]he [liberal] government was in opposition. I liaised extensively with the opposition over transport policy and they had picked up virtually everything from a 12-point program we put to [them]. [T]hat involved Rowville rail, Doncaster rail, airport rail, a range of other transport projects.... They did win the election on a platform of supporting picking up those projects. And so, there was some elation that when they came in, they would be supporting public transport projects.

Fristacky goes on to describe how she felt when it became apparent that rail projects had been deprioritised in favour of the EWT: “So as mayor, I was particularly horrified. All of us were horrified by that.” Peter Newman from Infrastructure Australia describes how the tunnel never developed as a project outside of political circles:

The project was never a viable project, and it was a dream.... It was never something that anybody would take seriously up until that point. But it became an election issue, which essentially meant that for Infrastructure Australia – because we’d never been able to support it – it became a ‘rogue’ project, a political project.

5.3 Attachment to Project and Inability to Rationally Review the Project From Within:

The previous section demonstrates how little rational consideration had gone into the project prior to its announcement as the EWT. The actions of the government after the project was announced, indicates an inability to rationally review the project from within. Sturup (2010) concluded that this inability stems from a combination of personal commitment to the project, and the requirements of the logic of sovereign power. This project brings to the fore how powerful the inability to question sovereign decisions actually is.

Throughout this period of construction of justification and project approval, an increasingly mobilised public began to openly resist the discourses and rationalities presented by the State. There were increasing calls for the forthcoming election to be a ‘referendum’ on the project, with an alternative government elected who would repeal the contracts. This proposition, which directly questioned the right of government to make unilateral (or sovereign power type) decisions was met with alarm. Suggesting that such action would create a condition of sovereign risk whereby future contracts would be burdened with extra costs. The legality of revoking contracts after they were signed was questioned. At a public seminar on the issue, the government’s right to revoke previous government agreements under the constitution was demonstrated (Seddon 2014).

The City of Moreland and City of Yarra lodged an appeal against the Project in the Supreme Court of Victoria in September 2014. This appeal was essentially directly attacking the rationalities used by the Minister in approving the Project under the relevant sections of the Transport Integration Act 2010 and

the Planning and Environment Act 1987. These arguments related primarily to the purported social and economic benefits of the Project ("Moreland City Council and Anor v Minister for Planning and Ors [2014] VSC 468," 2014).

During these proceedings, the Minister for Planning responded:

In considering the economic justification for the Project [...] I do not rely on a business case. Further, it is not necessary for me to do so. It is sufficient for my purposes that the East West Link (*authors note - meaning the EWT*) is enshrined in Plan Melbourne [...]. It follows that it is established as a matter of policy that the delivery of the Project will implement relevant planning objectives. It is axiomatic that, in the context of the approval decision, the Project will deliver a range of economic benefits (Guy, in "Moreland City Council and Anor v Minister for Planning and Ors [2014] VSC 468," 2014).

The opposition Labor Party received legal advice to the extent that, were the Supreme Court to hold that the s77 approvals made by the Minister for Planning on 30 June 2014 found to be invalid, then the State lacks the executive or statutory power to enter into a contract for the Project (Gordon & Cook, 2014). This led to the Opposition Leader, Daniel Andrews, to promise on 30/9/14 to tear up the contracts if the Labor Party were elected to office.

At this point it was clear that significant momentum had been gained around preventing the project by electing an alternative government which would not complete the project. Given the time between when the contracts were ready for signature and when the government had to cease government business due to the election was only three weeks, many would consider it reasonable and rational to have held off signing the contracts. Instead, these legal developments prompted the Treasurer of Victoria to enter into a secret side agreement with EWC (not actually made public until 4th February 2015), which stated that were the contracts to be voided, then the termination payouts in the contracts would nonetheless be met. EWC had informed the Treasurer that they would not be able to meet financial close were this extra agreement not signed.

6. The Aftermath

The November 2014 State election was argued to be a referendum on the EWT, with the governing Liberal-National coalition in favour and the opposition Labor Party against the project. Labor gained a parliamentary majority in the election, was able to form government, and claimed a mandate to stop the construction of the Project. The new Premier, Daniel Andrews, ordered a cessation of all work on the Project on 12 December 2014, and entered into negotiations with EWC to exit the project agreement. It was revealed during this process that the initial Finkelstein legal advice holding the contracts to be invalid due to administrative questions about project planning approvals was rendered inert by the Side Letter agreement entered into with EWC in the lead up to the election. During these negotiations, the Business Case and the Project Agreement were also made public. A final settlement between the State and EWC was reached on 15 April 2015. This settlement involved no new moneys being paid to the consortium (other than the AUD339,000,000 already paid), the consortium being purchased for one dollar (\$1) by the State (ABC News, 2015), the LMA being disbanded (Premier of Victoria, 2015), loan facilities for the EWL being repurposed and the Commonwealth continued refusal to use the guaranteed project funding for non-road transport project.

Even in the aftermath, the Federal government is attempting to perpetuate rationalities around the project. Prime Minister Tony Abbott continues to insist that the funding set aside for the EWT can

only be used for the EWT. The rationality of constructing roads to reduce congestion has appeared on a billboard in Melbourne's Eastern suburbs, suggesting that voters blame the State Government for being stuck in traffic (Worrall & Tomazin, 2015) The zombie project may again resurrect; we will be watching this space.

7. Conclusion

The EWT project provides the opportunity to explore the workings of these features of mega project mentality under adverse conditions. We can observe a diminished and truncated process of developing the project as a solution to a particular problem in Melbourne. This led to a weak problem/solution nexus that allowed the subsequent Labor Government to decide not to continue with the project. The weak explanations provided for what the project was supposed to deliver were exploitable. The secrecy and connection to political manoeuvring at the Federal level provided an alternate story, kept below the surface, that this project was simply a political stunt. Combined, this created room for an alternate logic that the project was not needed, and that other projects were better.

Although we have not been able to directly discuss the mentalities of those in the project, we can observe that at least at the political level there were those willing to fall on their swords over their commitment to the project. There is evidence that the commitment of the public servants to the project was less than whole hearted, that it was more a perfunctory following of orders than a strong personal commitment. This suggests perhaps that one effect of creating a standard process for major projects is that it diminishes the personal courage and commitment required to produce them. In Victoria the Major Transport Projects Facilitation Act 2009 creates a standard process for planning and funding projects worth billions without parliamentary or public debate. The Linking Melbourne Authority was created to house project teams which would deliver billion dollar projects as a matter of daily business. This cannot but reduce the hype and individual conviction which can be seen in other projects. On the one hand this reduction could lead to better projects by reducing the sublime of these project, but on the other hand this may well make them much less likely to be built.

Sturup (2010) suggested that the sovereign power structures in projects make them difficult to question from within. In this project it can certainly be seen that the sovereign who had made the decision (the Liberal-National government at both levels) was unable to question its own decision. Even when it was apparent that there was strong opposition, which might well lead to an election loss, the Government held to its decision. Even after the project has been completely closed down the Federal Government and State Opposition are attempting to resurrect it. When the opposition suggested they would cancel the contracts on winning, the Government responded by agreeing to draconian cancellation clauses and signing the contracts in an attempt to bind future governments to the decision. This attachment could be explained through a desire, not simply to protect the project, but also to protect the sovereign's right to make decisions. This later has been called into question in the fall out of this project. It remains to be seen whether there has been sufficient reframing of sovereign rights around the cancellation of the project to have re-established these rights.

We set out in this paper to explore the mentalities of mega projects as they were expressed in the EWT project, and to learn more about these mentalities through observing how they have been expressed in a failed mega project. We have found that each of the three features of mentalities of mega projects, sovereign power, problem solution nexus, and a kind of sublime can be observed, although in this project they function somewhat differently. The logic of sovereign power was clearly apparent in this project, and emerged as a centre of direct concern. This was because this logic was used against the project to defeat it by electing an alternative sovereign. The project problem solution nexus was ill conceived and poorly developed. Thus its function to support and provide an uncontroversial

rationality to the sovereign decision never emerged. Finally we observe in this project a deep and as yet inexplicable attachment on behalf of the government to this project. This attachment is best reflected in the obsession with signing off the contracts before the election, and attempting to force the next government to abide by them. The work to date does not yet provide evidence whether this was a result of a kind of sublime, or an attempt to protect the right of sovereigns to make sovereign decisions. It is possible it was a result of a deep personal investment in the project by members of the government, a personal investment that was held despite never reaching the hearts and minds of either the public servants, or the public.

There remain many unanswered questions in this project, it stands as an example of how bizarre mega projects can become. Further research, and in depth consideration of the discussion started in this paper is necessary.

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