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Locating the public interest in mega infrastructure planning: The case of Sydney's WestConnex

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Abstract

In Western liberal democracies the planning of mega transport infrastructure projects is guided by public interest claims typically expressed through legislation and political mandates. But with the infrastructure boom being observed in many cities since the Global Financial Crisis, and the need to address unprecedented levels of urbanisation, the level of politicisation directed at infrastructure projects draws attention to how the public interest is treated in the planning and management of complex mega transport infrastructure projects in diverse local contexts. Looking to Sydney, an advanced neoliberal city building the largest transport infrastructure project in Australian history, we examine how public interest is asserted in a way that reinforces legitimacy of the process and consensus for the project. Under these conditions, planners fail or are unwilling to raise additional or new public interest issues. The vagaries of public interest mean that in being open to interpretation the public interest can be easily captured by the interests of capital and of ruling politicians. This raises important questions for urban studies about the role governments and, in particular, public-sector planners can play in advocating for actually existing public interest issues such as environmental sustainability without it amounting to just rhetoric with no follow through.

Keywords

governance, infrastructure, mega projects, planning, public interest, transport

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摘要

在西方自由民主国家，大型交通基础设施项目的规划受公共利益诉求的指导，这些诉求通常通过立法和政治授权来表达。但随着自全球金融危机以来许多城市出现基础设施热潮，以及应对前所未有的城市化水平的需要，针对基础设施项目的政治化程度让人们注意到在不同的地方背景下，在规划和管理复杂的大型交通基础设施项目时，公共利益是如何被对待的。悉尼是一个先进的新自由主义城市，正在建设澳大利亚历史上最大的交通基础设施项目。我们将着眼于悉尼，考察公共利益是如何以一种加强项目过程合法性和共识的方式得到维护的。在这样的环境下，规划者没有、或者根本就不愿意提出额外的或新的公共利益问题。公共利益的变幻莫测意味着，由于其解释的开放性，公共利益很容易被资本和执政政客的利益所俘获。这给城市研究提出了重要的问题，即政府，尤其是公共部门的规划者在倡导环境可持续性等实际存在的公共利益问题时可以发挥哪些实际的作用，而不只是空谈却不落到实处。

关键词

治理、基础设施、大型项目、规划、公共利益、交通

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Introduction

Infrastructure planning is firmly situated in the public consciousness. Its role in creating jobs and preserving economic productivity after the Global Financial Crisis was amplified, with the OECD, World Bank and United Nations (2012) encouraging governments to avert recession by building infrastructure. This carried an understanding that a broader public interest, defined then as an economic interest, was being preserved. While this connection remains, it is time to consider in what ways the broader public interest is regarded in infrastructure planning. Haughton and McManus (2012) showed how claims of sustainability early in the infrastructure planning process can be eroded during implementation, raising questions about how governments and project proponents may mobilise these claims to generate public support but then shed commitments to sustainability. Haughton and McManus (2019) go further by showing how meaningful public debate about infrastructure is suppressed through the planning process which, over time, has seen planning normalise neoliberal precepts (Olesen, 2014). This suggests a more

insidious problem requiring further research into the extent to which planning can enable ‘public-collective values’ to shape the public interest (Sager, 2015: 290) and defend this public interest against the tide of neoliberal planning.

The heightened politicisation of infrastructure projects in global cities raises important questions for urban theory about how the public interest is represented in infrastructure planning, especially large-scale controversial projects such as the one examined here. Efforts to understand the nature of this politicisation and its connection to how the public interest is framed in infrastructure planning will help bring attention to the struggle *within* planning to *locate* a public interest and defend it against neoliberal ambitions subverting planning’s public interest claims. We argue that this question is of critical importance to urban studies.

Taking urban mega transport infrastructure planning as our focus, we explore if and how public interest claims were unexamined in a large-scale urban motorway project, WestConnex, in Sydney. We analyse a context where notions of the public interest have

been emasculated under neoliberal imperatives (McDonald, 2018), affecting the rigour with which public interest matters are formally assessed.

WestConnex illustrates the different ways public interest is expressed through legislation, strategy, process and public submissions at the local and wider metropolitan level. To do this, we identify the planning issues adumbrated within formal planning documents. We compare these with the concerns expressed by citizens in their submissions against this project. We then consider other planning issues omitted from these documents but of concern to the planning profession. From there we assess the points of difference between them and, by focusing on the claims expressed, we identify the different ways public interest claims are rationalised, asserted and defended. In general, we argue that as neoliberal precepts become more equated with the public interest within planning systems, the greater the likelihood that important aspects of the public interest that do not equate with neoliberalism will remain unexamined.

This examination of the way the public interest is defined for a major project contributes to theorisation about the nature of the public interest and how it might be defended in planning. It shows that the public interest in a particular context is conditioned on the interplay of structures of power and knowledge. Attempts by social actors to broaden consideration of the public interest beyond a narrow neoliberal version are constrained by restricted planning processes (Oakley, 2011) and by the subjective focus of social actors on issues important to each actor. The planning process becomes central to the discursive version of the public interest that frames planning outcomes in a particular development.

The public interest

The question of the public interest, how the planning system might represent and even

defend it in the face of neoliberal practices and governance settings, remains a central question for planners and urban theorists. Especially in advanced neoliberal societies, the framings surrounding the public interest remain critically important as one possible lens through which to challenge neoliberal forces. Yet, despite any stated ambitions to contest and challenge neoliberal precepts, planning remains deeply conflicted about what constitutes *a public interest*. Given this challenge, many attempts have sought to articulate a public interest in planning (Chettiparamb, 2015) and what that means for planners' practice (Howe, 1992). But seeking a normative agenda around the concept of public interest can generate significant challenges for planners as there can be no single articulation of *a public interest* that takes fully into account the multiple publics, their diverse cultures, values and ways of seeing the world, and how those different publics experience the city (Alexander, 2002). The challenges of using public interest are significant, including grounding the very conceptual promises of public interest with the empirical realities for different publics in the city. This incorporates issues of scale, which is particularly relevant in the planning of large urban transport infrastructure that impacts different local neighbourhoods differently. Understanding common interests across geography, the scalability of those claims and how tensions might be reconciled is a challenge for planning (Maidment, 2016). Other challenges for planning include the limits of rationalist processes and technical knowledge which can marginalise non-expert voices in planning (Klosterman, 1980). There is also an acute need to recognise difference and diversity (Sandercock and Dovey, 2002) and the different ways planning, as a *dispositif* of the state, maintains hegemonic power through its practices and processes, closing down alternative visions for cities. In addition, planning can fail to articulate a substantive or

normative agenda that offers guidance to planners, challenges hegemony and advocates for equity, justice and environmental sustainability, and stands up against the forces of capital accumulation (Campbell and Marshall, 2002; Chettiparamb, 2015; Moroni, 2004).

In a limited way, the communicative planning turn offered venues where public interest claims could be worked through. These spaces have become sites for planners to consider different interests and address negative impacts of development (Murphy and Fox-Rogers, 2015). Nevertheless, Miraftab (2009) argued that while communicative processes provide spaces for invited citizens to participate, this has done little to deliver greater equity and justice in the city. These insights are particularly valid in cities where neoliberalism has contributed to the uneven production of space and allocation of infrastructures. In these cities communicative processes can be used to undermine and conceal how infrastructure planning and urban development might be reproducing socio-spatial inequalities (Boland et al., 2017). As Lennon (2017: 2) cautions, communicative planning 'eschew[s] rather than contest[s] on what may constitute the public interest'. Communicative processes might reveal some aspects of the public interest but these formal spaces can fail to question power and privilege (Alexander, 2002; Purcell, 2009). These spaces also prioritise the production of consensus rather than open up opportunities for agonistic challenges against hegemonic practices and outcomes (Allmendinger and Haughton, 2012). This argument can be extended further to urban governance, which in neoliberal planning contexts diffuses the public sector's ability to assert a public interest when there are other powerful interests in play (Haughton et al., 2013).

What, then, is the public interest and what role does the planner play in shaping it? Here we consider what meaning the

public interest holds for planners, particularly in market-driven planning contexts such as Australia. We do this by focusing on a significantly contested space of planning, mega transport infrastructure. Research conducted by Murphy and Fox-Rogers (2015) showed the extent to which planners' ability to plan in the public interest is limited by the disciplining nature of neoliberalism; they go further by arguing for the return to forms of advocacy planning. Certainly, advocacy planning (Davidoff, 1965) is one model. But even when planners seek to engage critically with how state planning processes have determined the public interest, the second point is to highlight that planners, however well meaning, are not necessarily fully aware of all public interest issues associated with a particular plan or project: an assumption of perfect knowledge is unrealistic (Tennoy et al., 2016). In a strategic spatial planning context, the discussion is of a 'higher order' pertaining to issues such as spatial form but it often fails to produce guidelines for growth management expressed as fully 'known' local impacts (Mouat et al., 2013). At the strategic stage of planning, discussion of the public interest remains relatively abstract. Such abstraction typically obscures the values that should underlie the public interest.

In infrastructure planning, a form of planning directed by economic rationality and market logics, the public interest is framed in relation to wider economic benefits achieved through project implementation (Flyvbjerg, 2009; see also Oakley, 2014). These include job creation, growth stimulation and global competitiveness that may be in tension with social and environmental goals typically expressed within metropolitan strategic plans, or used in early stages of infrastructure planning to generate project support but then lost as the project progresses through implementation, and trade-offs are made (Haughton and McManus, 2012). As cities and regions become

more complex and spatially uneven, the tension between infrastructure planning, strategic spatial planning and the public interest is becoming more contested and in need of greater scrutiny. Much research has examined the different ways infrastructure is captured by the interests of capital and how this splinters its management, operation and control (Graham and Marvin, 2002), leading to the fracturing of infrastructure and strategic planning where infrastructure does not always reflect the strategic planning ambitions of a city as articulated in strategic plans (Dodson, 2009). However, this research has not gone far enough in exploring how public interest is mediated in the planning of infrastructure.

The paper now turns to a case study of Sydney's WestConnex motorway to demonstrate how these concerns have resulted in deficient consideration of the public interest in the planning of Australia's largest transport infrastructure project. The transport infrastructure planning system in Sydney is first summarised to show how incomplete consideration of public interest issues in the project was enabled. The paper then outlines the public interest claims for the project that the formal planning process set out in the main Environmental Impact Statement (EIS), and those that were incorporated in the project's business case rationale. It proceeds to identify public interest issues raised by the community, including those not incorporated within the formal planning process, followed by the identification of yet further public interest issues that professional planners could add retrospectively. The paper then draws on the case study analysis to address problematic issues associated with the incorporation of the public interest in the planning of major infrastructure.

Transport infrastructure planning in Sydney

Transport infrastructure planning in New South Wales changed significantly in 1988

when a Liberal-National government was elected with a neoliberal agenda, while retaining social democratic spending in education, health, etc., and a directive planning system (McGuirk, 2005; O'Neill and McGuirk, 2005). Thus a hybrid governance emerged that was not unequivocally neoliberal (McGuirk, 2005) but which sought opportunities to prioritise efficiency and competition, leading to privatisation of infrastructure and the implementation of public-private partnerships to build projects. This imperative intensified in 2011 when a new Liberal-National government responded to rising Sydney transport congestion by establishing Infrastructure NSW to provide independent expert advice and develop a 20-year infrastructure programme. The new Premier envisaged that design and construction in the 20-year programme would be done by 'innovators' in the private sector (Anonymous, 2011). The new agency's first infrastructure strategy included projects that were 'realistically affordable', with Sydney's transport strategy being dominated by the newly proposed WestConnex scheme. Funding would rely mainly on motorway tolls and sale of state assets, while public transport subsidies would be reduced. This meant projects and planning goals requiring public subsidy, notably public transport, were downplayed with deleterious impacts on achieving sustainability goals or supporting public interest claims.

More generally, government mechanisms to facilitate major transport projects reinforce the inevitability of projects thus chosen. When projects are considered 'state significant', they can avoid community appeals and have environmental impact requirements reduced, exemplifying planning's narrowing of consideration of the full impacts of infrastructure in planning stages. Moreover, the use of the private sector for financing through user levies reduces opportunities for opposition because of 'commercial in confidence' clauses, which



Figure 1. The WestConnex motorway scheme.
 Source: Roads and Maritime Services (2015).

degrades transparency of decision-making. This becomes even more problematic in planning contexts such as Sydney's where business cases do not have to be made public before a funding decision is made. The overarching result of imposing such neoliberal processes has been a diminution of the public interest in Sydney's planning.

All the government's current transport infrastructure projects have attracted opposition but no project has been so fiercely contested and resisted as WestConnex. Widespread community resistance has centred on a range of issues including a lack of inclusive engagement, pollution, congestion around exit points and loss of heritage housing (Legacy et al., 2017). Given the neoliberal context, the public interest is narrowly articulated by the NSW state government, laying the foundation for conflict.

The WestConnex Tollway project

WestConnex is a proposed 33-km-long, AUD17 billion motorway now under construction, built in three stages to link the existing M4 and M5 East motorways in inner western Sydney (Figure 1), via new tunnels and surface interchanges. The main purpose of the scheme is to improve connectivity between western/south-western Sydney and central Sydney, Sydney Airport and Port Botany. The main benefits are foreseen as reducing travel times between Parramatta (western Sydney's main centre) and the airport by up to 40 minutes; halving bus travel times between the inner west and central Sydney; and removing 4000 trucks a day from Parramatta Road (the main CBD–Parramatta road) and putting them underground, triggering the opportunity for

neighbourhood revitalisation (Department of Infrastructure, Transport, Cities and Regional Development, 2019). The scheme sits within wider government concern to address strong increases forecasted in traffic congestion. The government's neoliberal predilection means it looks to the private sector to finance new motorways, through tolls. State government funds are being used to start WestConnex construction, with private-sector funding coming in via sale of 51% of the scheme to the Transurban corporation. A AUD1.5 billion loan from the Federal Government is also helping finance the scheme, which will be completed by 2023.

Under the *Environmental Planning and Assessment Act (EPA Act)* the WestConnex project was not required to have government development approval as it was declared 'state significant infrastructure', which also meant there were no rights for community objections to the project to be heard. The provisions of the Act did, however, require an Environmental Impact Statement (EIS) to be prepared. This meant environmental impacts had to be assessed and then minimised. The community was invited to provide submissions on the draft EIS. The business case supporting the project centred on a benefit–cost analysis that failed to consider alternative and more sustainable transport solutions, and the opportunity costs of not investing more widely in the expansion of public and active transport (Searle and Legacy, 2019). The business case was prepared under state Treasury policy for major infrastructure projects, though this was not finalised until after initial project contracts had been let.

The WestConnex project illustrates the politicisation of the transport planning process and the related exclusion of a range of public interest issues from that process. This has been exacerbated by the project being insulated from independent assessment that

was originally incorporated to protect the public interest in the *EPA Act*. Planning reforms in 2005 truncated wider discussion about the merits of major projects, including the possibility for alternative investments, by instituting a process for express (in principle) approval followed by detailed project assessment (an EIS). This allowed the contract for construction of the M4 East stage to be awarded prior to the finalisation of the EIS, meaning any public concerns with the proposed project would precipitate only minor design changes at best. In addition, the state government set up an off-budget independent development authority to complete the project outside the state roads department, compromising transparency as a 'commercial in confidence' rationale could then be evoked to defray information requests, for example.

Contesting public interest

In the following subsection we explore which public interest issues were identified at the formal stage of WestConnex planning. The subsequent subsection explores which public interest issues were identified by concerned residents.

Framing the public interest in formal infrastructure planning

The strategic business case (Roads and Maritime Services, 2015) and EISs for the M4 East and M4–M5 Link stages of this highly complex project (AECOM Australia Pty Ltd and GHD Ltd, 2015; Roads and Maritime Services, 2017) stated that the project's central aim was to reduce traffic congestion along Parramatta Road and to increase connections from Sydney's west to central Sydney, as well as to the transport nodes of Sydney Airport and Port Botany. WestConnex would also facilitate another harbour road crossing as well as making

space available on Parramatta Road for bus lanes. Thus the main benefit of the project was argued as a major response to Sydney's traffic congestion, with particular benefits for travellers from western Sydney. The second principal benefit was the opportunity the project would create for urban revitalisation along Parramatta Road in association with better public transport and active transport improvements. This would support the government's major urban consolidation planning goal.

Various other issues considered in the documents were related to the reduction of Parramatta Road traffic – improving air quality and human health as a result, and reducing greenhouse gas emissions by 1,417,000 tonnes in 2031. Nevertheless, there would be negative environmental impacts on welfare because of traffic changes during construction, property acquisitions, visual changes, noise and localised pollution impacts and changes in access to, and the cohesion of, local areas. These costs are incurred around the motorway itself and include many that have been raised by local residents in the inner west construction area (Table 1). There would be an overall reduction in noise that exceeded standards along the corridor although noise would increase around the new interchanges.

The EISs discussed a range of economic issues, positive and negative. Benefits included an addition of AUD90m to gross state product and an average of 4120 full-time jobs for each year of construction. The project would provide the missing link in the motorway network that supported Sydney's global economic corridor as well as reduce operational costs for freight and commercial vehicles. Wider agglomeration economic benefits were also claimed from increased access between firms and workers, and improved labour supply, resulting from lower commuting costs to central Sydney. These claimed benefits thus emphasised

WestConnex's role in assisting Sydney's wider economy and contrasted with localised EIS costs falling on communities around the motorway itself. The project required demolishing 280 properties, leading to dislocation of social networks, and demolishing 25 buildings of heritage significance, resulting in negative visual impacts; 15.7 ha of vegetation would be removed, including foraging habitat for two threatened fauna species. These impacts, and a number of others linked to the public interest relating to project scope, transport operation, land use and economic, social and environmental impacts, were considered in the business case and the EISs and are listed in Table 1.

Framing public interest issues through informal processes

Our analysis of WestConnex public interest claims involved assessing a random sample of 200 of the 555 public submissions to a 2018 inquiry into the impacts of WestConnex held by the New South Wales Upper House of Parliament after formal planning processes had been completed.

Across these submissions many issues were raised, focusing on the negative impacts identified in the EISs, as well as articulating further issues. Concern was strong about the level of investment into roads over public transport, with further investment in roads locking Sydney's outer suburbs into car dependency. Local residents saw the project introducing more traffic onto local roads as drivers avoided tolls. Negative impacts on cycling and pedestrian access and connectivity along the corridor were a related issue.

Air quality and ventilation were major issues for the community including emissions from ventilation stacks, with their location and the decision not to filter the ventilation emissions being particularly contentious. Air quality around tunnel entry/

Table 1. Public interest claims: WestConnex project.

	Project business case (rationale for the project)	Scope of EISs (public interest items listed in EISs)	Public submissions (public interest issues picked up outside formal planning)	Professional planners not working on the project (public interest issues not otherwise considered)
<i>Governance</i>				
Project scope (incl. airport access, rail)	X	X	X	
Project cost increases			X	
Private enterprise profit-taking			X	
Public scrutiny/transparency			X	
Misleading/inadequate/wrong information			X	
Consultation		X	X	
Construction legality			X	
<i>Transport</i>				
Road transport use (incl. time and cost changes)	X	X	X	X
Public transport use	X	X	X	
Active transport use	X	X	X	X
Parking		X	X	
Local traffic	X	X	X	
Future motorway expansion	X	X	X	
Interchange design/location		X	X	
Demand management		X	X	
Rail freight interchanges			X	
<i>Land uses</i>				
Public spaces		X		
Urban intensification	X	X		
Urban renewal potential/impacts	X	X	X	
Green space	X	X	X	
Urban expansion				X
Centre development outside CBD			X	
<i>Economy</i>				
State budget	X	X		
Competitive city/job creation	X	X		X
Agglomeration economies	X	X		
Labour supply	X	X		

(continued)

Table 1. Continued

	Project business case (rationale for the project)	Scope of EISs (public interest items listed in EISs)	Public submissions (public interest issues picked up outside formal planning)	Professional planners not working on the project (public interest issues not otherwise considered)
Local businesses		X	X	
Value capture			X	
Compensation for property value losses			X	
Equity impacts of tolls			X	
Utilities disruption		X	X	
Reliance on imported fuel			X	
<i>Social</i>				
Architectural/urban heritage		X	X	
Aboriginal heritage		X	X	
Property acquisitions		X	X	
Accessibility/severance	X	X	X	
Travel safety	X	X	X	
Health impacts		X	X	
Community cohesion		X	X	
<i>Environmental</i>				
Air quality/greenhouse gases	X	X	X	
Climate change			X	
Heat island impacts			X	
Solar access		X	X	
Construction noise/vibration impacts/compensation		X	X	
Construction dust impacts		X	X	
Construction odours		X	X	
Construction safety			X	
Dwelling structure damage		X	X	
Impacts on flora		X	X	
Impacts on fauna		X	X	
Water/soil impacts		X	X	
Visual impacts		X	X	
Resource use		X	X	

Sources: AECOM Australia Pty Ltd and GHD Ltd (2015); Parliament of New South Wales (2018); Roads and Maritime Services (2017); Roads and Maritime Services (2015).

exit points was a similar concern. In turn, the stacks and entry/exit ramps were considered to be unsightly. These issues led to concern about residents' health and safety. It was also recorded that further adverse well-being effects could come from loss of open space and increased local traffic. Various sources of potentially increased noise to residents were identified and concerns raised for reduced safety for pedestrians and cyclists from construction traffic and increased local traffic.

Several economic issues were raised by the community, most significantly the losses to property values and insufficient compensation being provided to those impacted. Construction vibration concerns led to calls for surveys of property condition prior to construction and guarantees of compensation if construction damage was found. There was also worry about loss of passing trade on Parramatta Road and about negative impacts on businesses from construction and increased congestion.

The decision process for the project and the limited scope of the business case meant many community concerns could only be considered in the EISs, where only minor project changes could be contemplated. Four 'Gateway' reviews were supposed to have been conducted during initiation and business-case stages to provide independent in-confidence assurance on whether investment was warranted, the strategic options considered and whether the project was on track. But a government audit found that only one Gateway review was actually done, resulting in a lack of consideration of a range of options at the outset (Parliament of New South Wales, 2018: 19–21). The business case incorporated standard traffic modelling outputs relating to travel time savings, vehicle operating costs and local and regional traffic changes; plus active and public transport changes; greenhouse gas emission changes; and economic benefits

including city competition advantages, agglomeration economies and regeneration potential (Table 1). It did not incorporate a wide range of social and environmental costs and benefits (Table 1) as these were outside standard economic feasibility models for road investment (e.g. Bouchaud, 2013) and hence discretionary.

Thus, many of the community's issues were only addressed in the EISs (Table 1). However, most submissions took positions that opposed those of the EISs. For example, whereas the EISs set out how bus services would be improved with the project, submissions argued that public transport should be built instead of the motorway. Concerns about air pollution from unfiltered outlets contrasted with detailed EIS analysis purporting to show generally non-harmful pollution levels. Other concerns about local impacts met equivalent EIS analysis that set out low impacts and/or mitigation measures. Project scope, project governance and project alternatives were the subject of a number of submissions that were generally excluded from EIS consideration (Table 1). The most common concern here was of inadequate consultation and misleading information, especially about properties negatively affected. Lack of transparency and public scrutiny, particularly arising from the corporatisation of project management, were also consistent concerns. Thus, the procedural dimension involved in identifying the public interest was a major point of community concern about the EIS process. Submissions also raised alternatives to the project that the EISs excluded, such as demand management, rail freight interchanges and centre development outside the CBD, as well as public transport provision.

What further public interest issues might have been omitted by the formal planning process and by the community outside that process? The identification of such further issues is necessarily rather subjective,

requiring an assessment of the relevance of omitted discourses to a particular context, of unspoken issues for voiceless stakeholders and of the relevance of rationalist arguments/evidence on externality impacts such as those of welfare economists. These omitted issues were assessed by the authors, based on their strategic planning experience particularly in Sydney and on their academic teaching and research experience. As such, the assessments are necessarily subjective and do not purport to include all possible omitted issues. The issues thus identified are summarised under 'Professional planners not working on the project' in Table 1 (see Searle and Legacy (2019) for a full review of those impacts). These include, first, the way the motorway will promote urban sprawl and its associated costs by encouraging longer journeys. Second, the business case predicts 45,000 journeys will switch from public transport to road trips on WestConnex on an average weekday by 2031 but costs associated with this, such as increased fares, increased operating losses or commuter time costs from reduced service, are not identified. Lastly, the WestConnex business case claims benefits from more people electing to join the workforce because of the improved accessibility provided to central Sydney where the highest density of jobs is located with resulting agglomeration economies. But it is highly unlikely most new workers will be able to drive to new CBD jobs and park anywhere except high-priced public car parks because CBD planning controls only allow one parking space per 75 m² or 175 m² of office floor space, depending on site zoning, making claimed agglomeration economies improbable.

Implications for how the public interest is incorporated

Using WestConnex as an illustrative example of a contested transport infrastructure project in an advanced neoliberal context, in

this section we consider three challenges for incorporation of the public interest in infrastructure planning. First, we explore how the neoliberal context has emasculated and narrowed conceptions of the public interest. We then consider the perspective of scale and the limits of community discourse to engage with issues of geography. Finally, we explore what role planning could play in mediating challenges of geography and scale but, in doing so, we show the extent to which the public interest under formal infrastructure planning has become atrophied particularly under the influence of neoliberalism, and that there are limitations on the extent to which community discourse addresses the void and identifies the public interest.

Emasculation of public interest under formal infrastructure planning

Neoliberalism has shaped planning structures and its institutions in many Western nations, particularly Australia. In infrastructure planning, the public sector has reduced its capacity to build mega urban infrastructure. Instead, government forms partnerships with the private sector to finance infrastructure construction requiring that infrastructure proposals are brought to the market for competitive tendering (O'Neill, 2010). This new context for infrastructure planning raises questions again about the extent to which a state (or a profession) can embody the public interest (Alexander, 2002: 231) and has the capacity to execute planning aligned to those interests.

At the infrastructure project planning stage, the public interest may be framed in relation to wider economic benefits (Flyvbjerg, 2009). But it is at this stage that the local interest (as defined by locals themselves) can sit in tension with regional or broader interests, around job creation and growth stimulation, but also social goals such as improved accessibility, that might be

articulated in metropolitan strategies (Legacy and Taylor, 2018). At this stage, participatory processes are restricted to public submissions, public hearings and open houses where the community are invited to respond to a brief that focuses upon the project design scope. This is where discourse about public benefit may narrow to issues of public nuisance related to construction and operation of the project. At this stage in infrastructure planning, community discourse is generally focused on the need to prioritise countering immediate threats to personal amenity and wellbeing from proposed developments, leaving – for most – little time or space to propose project alternatives that might be able to then win political support.

Formal planning processes incorporate public interest issues as set out by legislation or, at times, a strategic plan. But these public interests rarely challenge broader state interests which, in various Western contexts, have been shaped through a neoliberal market-oriented logic. When inconsistencies mount, responses are generated by concerned community-based groups who may aim to insert what they perceive as excluded but which could be brought under the banner of public interest. These can be locally situated concerns that might galvanise a NIMBY-type response, or they could be broader public interest concerns including social, environmental and equity issues which might be articulated by longer-standing groups. However, WestConnex has been planned with no public consultation about whether it represents the best option for addressing transport problems in its catchment. Community concerns in EIS submissions have been dismissed as non-relevant if they stray outside narrow project modification issues.

Spatial pluralism in infrastructure planning

WestConnex cuts across a wide geography and urban experience, from lower-income

middle-outer suburban residents reliant on car ownership for adequate access to jobs and education, to wealthier inner-city residents living in well-served high-amenity precincts. The principal concerns attacked the government's basic premises for the project. The argument that WestConnex would reduce congestion was disputed or challenged as being a poorer way of combating congestion than further public transport investment. Moreover, investment in public transport was argued as creating more jobs and increasing productivity. Anti-WestConnex campaigner groups (e.g. WestConnex Action Group) also claimed the project would encourage more driving overall and more driving to 'wrong' areas (inner/central city areas with poor parking capacity and good public transport).

By contrast, the government positioned WestConnex as satisfying western Sydney residents' need to have better access to central Sydney and the airport/port. Contrasting perceptions of the public interest evidenced by the public submissions and the EISs call into question the ability for the planning system to 'represent' a public interest and homogenise a single 'public' within a broader array of 'publics' extending across the vast geography of a project such as WestConnex (Fincher and Iveson, 2008).

If the representation of individuals in state planning processes is thus limited to making formal submissions in a process such as an EIS, the issue of how a wider public interest should be identified and related to local community interests becomes significant. Purcell (2016) sees the answer as a greater 'democracy', with planners supporting 'non-State publics', perhaps returning to a form of planning advocacy. Purcell's view seems to rely on a process where wider public interest concerns are raised via engagement between local groups and thus potentially exclude public interest issues that other non-local groups deem important. It can also mean that expressions of the public

interest are vulnerable to exclusionary effects because of unequally distributed social power (Mattila, 2016: 358). Public interest concerns raised by engagement between local groups also potentially exclude 'rationalist' insertions such as scientific and economic knowledge that is held by planners and others.

Who, then, actually represents the public interest in complex regions such as Sydney, outside the state's formal planning realm? We see such representation as being a combination of community interests, both local and broader interest groups, and of planners and related professionals, with each discursively advancing aspects of the public interest they see as important. However, this does not necessarily ensure that all significant aspects of the public interest will be discursively argued, given limitations on planners' ability to speak out against state-led projects or to know all potential public interest issues, for example.

In addition to the bracketing of public interest issues through the EIS process (the EIS allows the community to comment on some public interest issues, but not all), and the general disconnect we see between community engagement in strategic planning and people who later become concerned about how a proposed project will affect them, the public stewards of our cities become increasingly important. In the WestConnex case these are the people and organisations such as the Sydney Alliance, the Western Sydney Public Transport Users Association, universities/academics and the Committee for Sydney that are in positions to consider broader public interest issues (in part because they are not wedded to a particular geographical region in Sydney, or political mandate or corporate client) and hold some gravitas in the wider community – that is, when these people/organisations have something to say, they often attract some listeners and some pushback (SBS

News, 2017)! In the context of a large-scale urban transport project such as WestConnex it is these people and organisations that are best placed to contribute a broader view of the public interest and draw upon their resources to insert into the public domain aspects worth considering, such as new roads not reducing congestion and public transport costs.

Overall, our data show how the planning system excludes important public interest issues but also point to how limits are imposed on the broader public to actually raise these issues. The constraints faced by groups such as the Sydney Alliance in this are significant and include lack of activists' time and uneven activist knowledge of wider public costs. Such costs do not get a hearing, in part because of the complexity and diversity of local communities affected by a project (Boland et al., 2017) and because of limitations on the discursive scoping of broader public interest issues by non-local groups and academics. This points to the necessity of the planning system itself to ensure that all potentially relevant public interest issues are incorporated into the planning of a project.

Redefining the public interest through planning

In terms of remaining potential public interest issues not identified formally, it is not possible to pre-empt what all public issues should be. The outer boundary of potentially relevant public issues is fluid and essentially indeterminate. The most obvious starting point for identifying public issues outside project discourse is government documentation of metropolitan planning issues. Here, the 2014 Sydney metropolitan strategy (Department of Planning and Environment, 2014) has no such identification of issues, beyond repeating key government justifications for WestConnex such as the increased potential for urban

renewal along Parramatta Road, and meeting the need to transport growing freight volumes between western Sydney and the port/airport. The most recent transport strategy (Transport for NSW, 2012) preceding the decision to proceed with WestConnex reiterates these issues and others used to justify the project in the business case and EISs, including reducing congestion.

In the context of public interest debates, the planner may perform the role of ‘active generator of conditions of collective becoming within planning processes’ (Metzger, 2013: 793). Thus, the planner’s interpretation of the public interest in a particular context is critical. But this role raises key questions. First, the planner does not necessarily operate only within the ‘political’ spaces of the state and may instead act in interventions for communities outside these spaces. Second, planners are not necessarily fully aware of all public interest issues associated with a plan or project: an assumption of perfect knowledge is unrealistic. In many ways the loss of a normative focus that galvanises the profession is potentially problematic as it may result in failure to fully reflect the different experiences within cities and different ways of knowing and understanding that experience and thus lead to a truncated application of the public interest.

Conclusion: In search of the public interest in infrastructure planning

In this paper we argue the need for contemporary debates in planning about public interest to be brought into conversation with critiques of infrastructure planning. This is particularly necessary in the context of transport infrastructure planning, whereby third-party evaluation of business cases and cost–benefit ratios may claim to serve the public’s interests but where those interests are narrowly defined and grossly inadequate to connect transport infrastructure planning

to climate change effects. Determining the public interest ‘objectively’ through the planning process in terms of who benefits and how these benefits are calculated is in practice a political decision, particularly when factoring in questions about the spatial distribution of public benefits and dis-benefits (Boland et al., 2017: 125), including who bears the negative impacts of infrastructure investments. The formal planning process at the project stage of planning allows ‘the public’ – principally communities around the proposed route – to communicate their concerns as they relate specifically to the EIS objectives. Wider concerns, including reducing car dependence by introducing alternative solutions, are seen as outside the formal process of project planning as these issues ostensibly have been addressed elsewhere, presumably at the strategic planning stage when principles guiding planning might be established. Instead, project planning is set up to allow affected residents to express concerns about project implementation rather than about the efficacy of the project. At best, decision makers may amend how the project is delivered to mitigate or avoid unnecessary impact on communities.

However, incorporating the public interest in planning beyond economic concerns is particularly challenging in the case of infrastructure in neoliberal contexts. This context increasingly requires infrastructure projects to be financed wholly or partly by the private sector but at the same time to be justified in financial terms if they still draw on public-sector resources. As a result, major infrastructure projects under neoliberal governance in countries such as Australia increasingly require making a business case for government approval to justify public-sector support in an environment of scarce public funds. Such business cases form the principal basis for deciding whether to proceed, given the neoliberal priority on the need for a sound economic basis to justify

government expenditure. These business cases use cost–benefit analysis (CBA) as the default methodology. This means that the findings of business cases are subject to the well-known inadequacies of CBA; in particular, the inability to monetise significant items of the public interest such as community disruption and ecosystem survival (Searle and Legacy, 2019) means cost–benefit ratios derived in business cases omit significant dimensions of the public interest. The prioritisation of business cases in government decisions on major infrastructure projects means other aspects of the planning process where there is consideration of public interest matters, particularly environmental impact statements, have much less importance in project selection, if any, even if they find significantly negative project impacts on the public interest. In the WestConnex case study here, the decision to proceed with the project was made ahead of the project EISs required by law.

This relegation of non-monetised public interest concerns, along with difficult-to-monetise concerns, is particularly significant for major transport projects. As they are components of wider basic transport networks, much of their impact is felt well outside the immediate project area, particularly in terms of induced regional land-use changes. These impacts can be very difficult to measure, with complex modelling needed to identify long-term land-use changes such as more dispersed urban development resulting from major motorway projects. The cost and difficulty of modelling such changes means that potentially significant public interest impacts are omitted from business cases and only itemised in passing, if at all, in EISs (as in Australia).

This leads us to consider questions about the extent to which the public interest is framed both within and outside of the formal planning system. This system is framed

in our case by the legislative and policy frameworks that guide Australian city planning. In the context of a complex mega transport project spanning numerous local government jurisdictions, the grounds upon which citizens rail against a project will vary and their engagement with public interest claims will also differ. When there is an absence of a clear normative agenda that might help define the public interest in a particular case, it is possible that community-based contestation can result in reaffirming some aspects of the public interest over others and that this reaffirmation may also differ across the geography of the project. A central purpose of this paper is to show how the public interest can nevertheless be incompletely articulated through such encounters.

We have argued here that wider ‘public interest’ as identified in our analysis of the public submissions engaged more deeply with the issues affecting Sydney as a whole. This is in contrast to the formal public engagement under the EIS directing these submitters to consider the local impacts of the project, which many submissions did, but many others took on the wider concerns stepping outside the scope of the EIS.

In this paper we have drawn on urban theory literature to reinvigorate debates around the public interest in the context of infrastructure planning. Acknowledging concern that the ‘public interest’ can be co-opted to legitimise market rationality and economic values over values of justice, equity and environmental sustainability (see Haughton and McManus, 2012), we argue that planning’s inherent logic of public purpose can be used by varied groups aiming to dislodge planning from narrow and path-dependent economic logics. Yet, the very presence of such multiple voices suggests no single consensus on the public interest is ever possible to achieve and the concept of public interest must always be tested in the


empirical realities of the myriad places and people affected (Boland et al., 2017).

At the same time, the case presented in this paper signals the limits of relying upon challenges from outside the formal planning system to also generate insights into how the public interest could be better represented. Instead, we see governments truncating processes, devising business cases in the absence of public scrutiny, lacking consideration of international 'best case' examples of addressing urban congestion, and framing commentary that disallows any counter claims to be considered about what else could constitute public interests (see also Haughton and McManus, 2019). In this context, we see planners unprepared or unable to rise above the challenging political context to defend a wider reading of the 'public interest' (see Grange, 2017). In the absence of a planning system that can draw out these wider claims, the 'public interest' will remain narrowly conceived, driven by narrow interests and concealed by unclear ambitions. What we argue in this paper is not a commitment to a single public interest but instead for planners and planning to more actively engage with what neoliberal planning does not contend, that is, socio-spatial inequality and ecological sustainability which can be communicated through studies and defended by planners. This means that questions about whose interests are served are key questions to grapple with that planners need to remain committed to asking, especially in cities heavily influenced by neoliberalism. In our case there was a narrowing of the planning process that excluded questions about the social and environmental problems that large-scale infrastructure projects create. As we have argued, such missing elements of the public interest, and the planning system's inability to defend these interests, may be filled only in part by community responses and grassroots resistance that attempt to fill the void.

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