

How independent planning agencies can help improve decision making

Infrastructure planning agencies

Infrastructure Victoria is one of several infrastructure planning agencies around the country, joining the company of Infrastructure Australia, Infrastructure New South Wales, Building Queensland and Infrastructure Tasmania. The establishment of these authorities shows an increasing recognition that the planning phase can be done better, to ensure better decision making, and better outcomes.

Infrastructure Victoria's independence

Infrastructure Victoria plays an important role in identifying and prioritising Victoria's long-term infrastructure needs. Having this work done by an independent agency provides the community with reassurance that infrastructure projects are chosen on merit. The decision making still rests firmly with government but the aim is that having evidence-based planning done by an independent body results in better decision making.

Infrastructure Victoria's independence has meant that our work has been well received by both sides of Government, as well as the community. It offers a level of credibility and trustworthiness that would be difficult to earn as a young organisation otherwise and we are pleased to maintain it through evidence building, transparency, consultation and research.

Infrastructure Victoria's legislated objective is to provide independent and expert advice about Victoria's current and future infrastructure needs.

Established in 2015, Infrastructure Victoria has proven its independence time and time again with the transparency of consultation programs, the completeness of evidence and reports published and the difficult topics and projects that have been included in Victoria's 30-year infrastructure strategy.

Infrastructure Victoria's independence strongly informs the organisation's behaviour and culture. It provides us with the opportunity to research and explore infrastructure planning and provision broadly and without any Government restrictions.

The *Infrastructure Victoria Act 2015* has a number of provisions which ensure Infrastructure Victoria is independent of the government. The combination of board membership, advisory functions, governance provisions, powers and, importantly, the inability for Ministers to direct Infrastructure Victoria, means the organisation has an independence never before seen in Victorian infrastructure planning.

Independent Board

Infrastructure Victoria's board consists of seven directors. Four of these directors are appointed by the Governor in Council and must meet private sector knowledge and experience requirements. Appointed board members cannot be removed without the agreement of the Governor of Victoria.

The Chair of the board cannot be removed without a statement of grounds being provided to Parliament. Three of the board directors are Secretaries of Victorian Government departments. These Departmental Secretaries appropriately represent and inform Infrastructure Victoria.

While acting in their role with infrastructure Victoria, all board directors have a legal duty to give priority to the best interests of the organisation.

No Ministerial Direction or Control

Infrastructure Victoria is not subject to direction or control of the Minister when it performs functions such as development of the 30-year infrastructure strategy, undertaking research or supporting development of sectoral infrastructure strategies. A Departmental Secretary cannot be directed by a Minister in relation to his or her role as a director of Infrastructure Victoria.

Freedom to Publish

Infrastructure Victoria did not require the approval of the Government to publish its 30-year strategy or research, nor will it require this approval in the future.

The 30-year strategy was transmitted to the Parliament for all Victorians to see as soon as it was completed in December 2016.

The Government in response to the 30-year strategy released its Victorian Infrastructure Plan in October 2017. Infrastructure Victoria's public annual report includes an assessment of the Government's progress in meeting identified infrastructure needs. Our response to this Plan again does not require approval of the Government to publish.

Independence of Advice

The Minister may request that Infrastructure Victoria provide the government with advice on infrastructure matters such as major infrastructure project proposals. The Minister cannot direct what Infrastructure Victoria's advice will be in response to such a request.

Infrastructure Victoria's public annual report will disclose the subject of any request for advice, when it was asked for and when it was provided.

In May 2016, the Special Minister of State requested that Infrastructure Victoria provide advice on the timing and location of a second container port for Victoria. The development of this advice was a year-long process, which included consulting with stakeholders and community, as well as commissioning new expert reports as well as repurposing existing information.

As part of our evidence based, transparent approach, over 100 documents, some never before released by Government, were published on the Infrastructure Victoria website as part of the work informing the advice on the port.

Another request for advice has recently been received by Infrastructure Victoria. The Special Minister of State has requested advice on automated and zero emission vehicle infrastructure. This request for advice will be treated with the same independence and transparency as the ports advice.

Power to Obtain Information

Infrastructure Victoria has the power to request information from the public sector to perform its functions. This information must be provided in a timely and efficient manner. Infrastructure Victoria also has the power to receive confidential information from anyone and not disclose it – even to the government – without consent.