

Terms of Reference

Suburban Rail Loop East Precincts Standing Advisory Committee
Version: April 2025



Standing Advisory Committee appointed pursuant to Part 7, section 151 of the *Planning and Environment Act 1987* (PE Act) to provide timely and independent advice on referred Suburban Rail Loop (SRL) East precinct planning matters to the Minister for Planning.

Name

The Standing Advisory Committee is to be known as the 'Suburban Rail Loop East Precincts Standing Advisory Committee' (the Committee).

1. The Committee is to have members with the following skills:
 - a. Strategic and statutory land use planning
 - b. Urban design and built form
 - c. Planning law
 - d. Infrastructure and transport planning
 - e. Economic, social and heritage impacts.
2. The Committee will include a lead Chair, Deputy Chairs and no less than ten other standing members.
3. The Committee may engage specialist advice as it considers necessary.

Purpose

4. The purpose of the Committee is to provide timely advice on specific matters, as referred to the Committee by the Minister for Planning, concerning the implementation of draft structure plans and draft planning scheme amendments prepared for SRL East structure plan areas.

Background

5. The Suburban Rail Loop Act 2021 (SRL Act) provides for the development of the Suburban Rail Loop program (Program). It establishes the Suburban Rail Loop Authority (the Authority) with the object of undertaking the Program in accordance with program objectives contained in the SRL Act.
6. The Program provides for the planning, delivery and operation of a new orbital rail line from Cheltenham to Werribee. This includes the section of rail line from Cheltenham to Box Hill known as SRL East, complete with new stations at Box Hill, Burwood, Glen Waverley, Monash, Clayton and Cheltenham. (SRL East stations). SRL East is currently being developed following assessment under the *Environment Effects Act 1978* and approval under the PE Act through planning scheme amendment GC197 to the Whitehorse, Monash, Kingston and Bayside Planning Schemes.
7. Clause 11.01-1R of the Victoria Planning Provisions contains settlement strategies in respect of Metropolitan Melbourne. Those strategies include to:
 - a. Develop the Suburban Rail Loop through Melbourne's middle suburbs to facilitate substantial growth and change in major employment, health and education precincts and activity centres



beyond the central city at an appropriate scale to address the needs of Melbourne's rapidly growing population.

8. Consistent with the settlement strategies in clause 11.01-1R of the Victoria Planning Provisions and program objectives specified in the SRL Act, the Program provides for the planning and activation of precincts in areas connected, related or in proximity to SRL East and the new SRL East stations, where the Minister for the Suburban Rail Loop (SRL Minister) has made a planning area declaration under section 65 of the SRL Act.
9. On 4 December 2023, the SRL Minister designated land around the SRL East stations as a Suburban Rail Loop planning area under the SRL Act (planning area declaration). This means:
 - a. the Authority is a planning authority under the PE Act for land within the planning area declaration and may prepare planning scheme amendments for any land within that area
 - b. the SRL Minister must be referred any request to the Minister for Planning for authorisation to prepare a planning scheme amendment, made by a municipal council as planning authority for land within a SRL declared area under section 8A of the PE Act. Authorisation to prepare an amendment cannot be provided without the consent of the SRL Minister.
 - c. the SRL Minister must be referred any request to the Minister for Planning for approval of an adopted planning scheme amendment under section 31 of the PE Act, prepared by any planning authority other than the Minister for Planning, under section 34A of the PE Act. The SRL Minister must advise the Minister for Planning whether they support or objects to the adopted amendment including the reasons for the position and any proposed changes. The Minister for Planning must have regard to the advice of the SRL Minister in deciding whether to approve or refuse to approve the amendment or part of the amendment under section 35 of the PE Act
 - d. the SRL Minister must be consulted before the Minister for Planning establishes an advisory committee under section 151 of the PE Act to advise the Minister on any matter relating to the preparation of an amendment to any provision of a planning scheme that applies to land to which the planning area declaration applies.
10. The Authority prepared Planning for SRL East Precincts: Guidelines for the Preparation of Structure Plans dated November 2024 (Structure Plan Guidelines) to guide structure planning for land within the planning area declaration in accordance with established planning policies and the program objectives specified in the SRL Act. The Structure Plan Guidelines address:
 - a. the boundaries for the preparation of structure plans
 - b. the time frame for which structure plans are to be prepared
 - c. the population and employment objectives to be adopted for the purpose of informing aspects of the planning processes to be undertaken in the preparation of structure plans
 - d. the strategic policy context as applicable to the SRL East Precincts, and
 - e. the precinct Visions which are to inform the preparation of structure plans.
11. Consistent with the Structure Plan Guidelines, the Authority is preparing draft structure plans and draft planning scheme amendments for the structure plan areas. The structure plan areas have been identified by the Authority as having the greatest potential for growth and land use change and development over the period to 2041 and beyond, to support strategic planning priorities and accommodate population and employment growth.
12. The Committee has been established to ensure a targeted, timely and consistent approach to providing independent advice on SRL East precinct planning matters referred to the Committee.



13. The SRL Minister has been consulted before establishing the Committee in accordance with section 151(1A) of the PE Act.

Scope – Specific Matters the Subject of Referral

14. The scope of the Committee's advice will be defined by the terms of the referral letter (or referral letters) from the Minister for Planning.
15. The Minister for Planning will specify, in any referral letter sent to the Committee, the specific matters for which advice is sought from the Committee. Those matters will concern the implementation of draft structure plans and planning scheme amendments for any one or more of the structure plan areas and will generally focus on achieving acceptable land use, urban design and built form outcomes and may include:
 - a. any of the key issues identified by the Authority following its review of the submissions
 - b. any other issues identified by the Minister for Planning relevant to the implementation of a draft structure plan or planning scheme amendment.
16. Unless otherwise specified by the Minister for Planning in the referral letter, the following matters do not fall within the scope of the Committee's assessment:
 - a. Matters relating to the strategic justification for the Program.
 - b. Matters documented within the Structure Plan Guidelines including the matters identified in clause 10 above.
 - c. Matters concerning the delivery or funding of community infrastructure to support the land use and development proposed by the structure plans.

[For the purposes of clause 16c. above 'community infrastructure' includes any community or public buildings, facilities, places, areas or services including (but not limited to) those capable of being funded from a development infrastructure levy or through an infrastructure contributions plan or for which a State government department, agency or other public authority is responsible for providing under any Act.]
17. The referral letter (or referral letters) will be a public document.

Method

General

18. The Committee may inform itself in any way it sees fit but must not consider matters that are outside the scope of the matters referred as contained in the referral letter (or referral letters) from the Minister for Planning.
19. To facilitate targeted, timely and consistent advice, the Committee may:
 - a. assess matters through a written process without oral hearings and invite any person or party to identify or address matters through further written comments or submissions
 - b. direct that parties meet to resolve or refine issues in dispute
 - c. require the use of expert conclaves
 - d. consider unresolved issues by grouping in themes or issues, and
 - e. set time limits for oral submissions, expert evidence and cross-examination.



20. The Committee is not expected to carry out a public hearing but may do so if deemed necessary to assist the Committee to consider the matters referred.
21. The Committee may carry out a public hearing in relation to more than one structure plan area and may conduct concurrent hearings.
22. The Committee may conduct a public hearing when there is a quorum of at least two Committee members present or participating through electronic means, one of whom must be the lead Chair or a Deputy Chair.
23. The Committee may direct the Authority and relevant parties to provide additional information.
24. The Committee is not expected to carry out any public consultation or referrals in respect of any of the specific matters referred.
25. The Committee may apply to the Minister for Planning to vary these Terms of in any way it sees fit before submitting its report(s). A copy of any such application should also be provided to the SRL Minister at the same time.
26. The Committee may request clarification from the Minister for Planning regarding the content of the referral letter(s) before submitting its report(s).
27. Planning Panels Victoria is to provide administrative support as required. The Committee may also direct the Authority to provide administrative and technical support for hearings.

Public consultation

28. The Authority will be responsible for conducting public consultation on the draft structure plans and draft planning scheme amendments and for receiving submissions.
29. Following public consultation, written submissions on the draft structure plans and draft planning scheme amendments will be considered by the Authority. The Authority will then prepare a report summarising key issues arising from those submissions and provide the report and a copy of the submissions to the Minister for Planning.
30. Petitions that concern a specific matter that is referred to the Committee will be treated as a single submission and only the first name to appear on the petition will receive correspondence on Committee matters.
31. Submitters who provide a pro-forma submission that concerns a specific matter that is referred to the Committee will be encouraged to be heard by the Committee as a group.

Keeping hearings focused

32. A person who prepared a submission in respect of a matter that has been referred to the Committee may apply to the Committee to be heard in relation to that matter.
33. An application to be heard should:
 - a. contain an outline of the matters that the person wishes to address;
 - b. demonstrate how those matters are relevant to the matters raised in the Minister for Planning's referral letter; and
 - c. give an estimate of the time that the person considers that the oral submission will take to be made.



34. The Committee may grant an application to be heard subject to conditions, including on the manner, mode and forum for submissions, which may include a requirement that submissions be made in writing, and the time permitted for oral submissions and evidence (if any).
35. Submissions and evidence may be given to the Committee orally or in writing or partly orally and partly in writing, at the Committee's discretion.

Submissions are public documents

36. The Committee must retain a library of any written submissions or other supporting documents provided to it until a decision has been made on its report or five years has passed from the time of its appointment.
37. These documents must be available for public inspection until the submission of the Committee's report, unless the Committee specifically directs that the material is to remain in confidence.
38. Documents may be made available for public inspection electronically.

Outcomes

39. The Committee must produce a written report for the Minister for Planning, which includes:
 - a. A summary and assessment of any matters referred to it
 - b. A summary of any outcomes reached through parties resolving issues after the matter was referred to the Committee
 - c. Recommendations and reasons for its recommendations on the matters referred
 - d. A preferred version of the draft planning scheme ordinance
 - e. A list of persons or authorities/agencies who made submissions considered by the Committee
 - f. A list of tabled documents

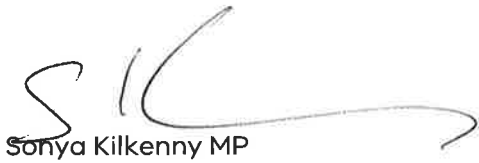
Timing

40. The Committee is required to commence its work by promptly issuing a written notice of the referral from the Minister for Planning to all referred submitters within 10 business days after receipt of a letter of referral.
41. If a hearing is to be convened, the Committee is required to conduct any directions hearing within 25 business days after receiving the letter of referral and a public hearing within 25 business days of the directions hearing.
42. The Committee is required to submit its report in writing to:
 - a. the Minister for Planning
 - b. the SRL Minister
 - c. the Authority.as soon as practicable but not later than 7 months from the receipt of the referral letter.
43. The Minister for Planning's referral letter may extend the above timeframes for complex matters.



Fee

44. The fee for the Committee will be set at the current rate for a Panel appointed under Part 8 of the PE Act.
45. The costs of the Committee will be met by the Authority.



Sonya Kilkenny MP

Minister for Planning

Date: 1/6/2025

The following information does not form part the Terms of Reference.

Project Management

1. Liaison for the Advisory Committee will be through Planning Panels Victoria, Department of Transport and Planning, (03) 5381 9457 or email Planning.Panels@transport.vic.gov.au.
2. For referral of proposals to the Advisory Committee, please contact Metropolitan Planning Services on email metro.planningservices@transport.vic.gov.au.