

Hon Jacinta Allan MP

Deputy Premier Minister for Transport and Infrastructure Minister for the Suburban Rail Loop Minister for Commonwealth Games Delivery 1 Treasury Place East Melbourne, Victoria 3002 Australia Telephone: +61 3 8392 6100

Hon Catherine King MP Minister for Infrastructure, Transport, Regional Development and Local Government PO BOX 6022 Parliament House CANBERRA ACT 2600

2 / 03 / 2023

Dear Minister

Thank you for your letter of 24 January 2023 seeking Victoria's advice to inform land transport infrastructure funding through the 2023-24 Federal Budget.



s22	(1)(a)	(ii))

As discussed previously, the Suburban Rail Loop East is a high priority of Victoria for Commonwealth funding support. Victoria welcomes the \$2.2 billion allocated by the Commonwealth for the project in the October 2022 Federal Budget.

As you are aware, the Victoria seeks Commonwealth support for one third of the total cost of the SRL East (an additional **\$9.3 billion** towards the \$11.5 billion one third contribution), noting that the delivery of this nationally significant project will occur between now and 2035. I look forward to discussing with you how our governments can stage and sequence our funding contributions over this timeframe.

I look forward to discussions with you in relation to Victoria's priorities for Commonwealth funding and any other Victorian projects of interest to your Government.

Yours sincerely

Jacinta Alt

Hon Jacinta Allan MP Member for Bendigo East Deputy Premier Minister for Transport and Infrastructure Minister for the Suburban Rail Loop Minister for Commonwealth Games Delivery

Attachment

Pages 4-6 (Document 1) removed in their entirety as irrelevant under section 22(1)(a)(ii) of the FOI Act.



The Hon Danny Pearson MP

Assistant Treasurer Minister for Transport Infrastructure Minister for the Suburban Rail Loop Minister for WorkSafe and the TAC 1 Spring Street Melbourne, Victoria 3000 Australia

Hon Catherine King MP Minister for Infrastructure, Transport, Regional Development and Local Government PO BOX 6022 Parliament House CANBERRA ACT 2600

Dear Minister

I refer to my earlier correspondence of 11 January 2024 and further discussions in our recent meeting of 1 February 2024 regarding \$22(1)(a)(ii)



Similarly, we extend the invitation to for you see early works on the Suburban Rail Loop project and a more detailed briefing to discuss the projects important role in addressing the housing crisis and creating job opportunities for growing communities.

Yours sincerely

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The Hon Danny Pearson MP Assistant Treasurer Minister for Transport Infrastructure Minister for the Suburban Rail Loop Minister for WorkSafe and the TA

22/02/2024







The Hon Danny Pearson MP

Assistant Treasurer Minister for Transport Infrastructure Minister for the Suburban Rail Loop Minister for WorkSafe and the TAC 1 Spring Street Melbourne, Victoria 3000 Australia

Hon Catherine King MP Minister for Infrastructure, Transport, Regional Development and Local Government PO BOX 6022 Parliament House CANBERRA ACT 2600

Dear Minister

Further to my letter of 22 February 2023 s22(1)(a)(ii)



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These current funding priorities are:

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• A joint partnership for the **Suburban Rail Loop East** (\$11.5 billion total Commonwealth funding requested, requiring an additional \$9.3 billion).

Pages 12-13 (Document 3) removed in their entirety as irrelevant under section 22(1)(a)(ii) of the FOI Act.

As mentioned in my previous correspondence, we look forward to welcoming you and your officials on site visits and detailed briefings on Victoria's transport projects including the North East Link and Suburban Rail Loop.

Yours sincerely

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The Hon Danny Pearson MP Assistant Treasurer Minister for Transport Infrastructure Minister for the Suburban Rail Loop Minister for WorkSafe and the TAC

16/03/2024





Australian Government

Department of Infrastructure, Transport, Regional Development, Communications and the Arts

To: The Hon Catherine King MP, Minister for Infrastructure, Transport, Regional **Development and Local Government** (for decision)

Subject: Infrastructure Investment Program – Victoria - Evaluation of the Suburban Rail Loop East (SRL East) project

Critical Date: Routine

Recommendation:		
That you agree to the department collaborating with Infrastructure Australia (IA) on a pragmatic and coordinated approach to evaluating the SRL East Business Case in the context of the \$2.2 billion election commitment by the Australian Government.		
	Agreed / Not Agreed	
The Hon Catherine King MP Comments:	Date:	

Key Points:

1. As part of the 2022 Federal election, the Australian Government made a \$2.2 billion commitment to the SRL East project. This commitment was formalised as part of the 2022-23 Budget.

2. In accordance with Government policy that all projects seeking over \$250 million be evaluated by IA, IA has sought the business case from the Victorian Government. The Victorian Government has only provided an initial Business and Investment Case, which has insufficient information to be considered under IA's usual assessment framework.

3. The Victorian Government is also yet to submit a Project Proposal Report (PPR) to the department that will enable you to consider approving the release of funding, although the department expects this submission to be imminent. To approve the release of funding, you as the responsible Minister, need to be satisfied under the *Public Governance, Performance and Accountability Act 2013* (PGPA Act) that this is a proper use of taxpayers' money (defined as efficient, effective, economical and ethical).

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8. Following assessment of the PPR and IA's analysis, the department will provide you with advice in regard to the approval of the \$2.2 billion funding for the SRL East project, which may include potential conditions for consideration. In accordance with its usual practice, IA will also publish its project evaluation summary on its website.

9. The proposed coordinated evaluation approach would also streamline the process for the Victorian Government and provide you with a robust and defensible basis on which to make project approval decisions.

10. It should also be noted that an adverse evaluation by IA does not mean that you are unable to approve the release of funding. The purpose of the evaluation is to ensure you have appropriate information to make an informed decision, and where required, to consider conditions to the funding to ensure risks are managed.

11. Should the Victorian Government seek additional funding from the Australian Government in future, it would be expected that they provide all relevant information to IA in a timely manner for the project to be assessed in accordance with IA's normal evaluation framework.

Financial impacts: N/A

Legal/Legislative impacts: N/A

Stakeholder Implications:

12. Subject to your approval, the PPR process will facilitate the payment of the \$2.2 billion commitment to the SRL East project. In accordance with the Act, IA's evaluation of the SRL East project would be published and tabled in Parliament.

13. In accordance with Section 5DA of the Act, IA is required to table a report in Parliament of its assessment of a project where it has not undertaken an evaluation but funding was committed, creating reputational and integrity risks for both IA and the Government.

Consultation:

Consultation has been undertaken with IA and with the Victorian Department of Transport and Planning on proposed streamlining of information sharing.

Media Opportunities: N/A

Name: Jessica Hall Position: Deputy Secretary, Infrastructure Group Ph: s22(1)(a)(ii) Mob: s22(1)(a)(ii) Cleared Date: 13 September 2024 Contact Officer: Andrew Bourne Position: First Assistant Secretary Division: Land Transport Infrastructure Ph: s22(1)(a)(ii) Mob: s22(1)(a)(ii)

Instructions for MPS: Nil

Do you require a signed hardcopy to be returned: No

Responsible Adviser: s22(1)(a)(ii)

PDMS Distribution List: Jim Betts, Jessica Hall, Andrew Bourne, Lachlan Wood, s22(1)(a)(ii)



Australian Government

Department of Infrastructure, Transport, Regional Development, Communications and the Arts

To: The Hon Catherine King MP, Minister for Infrastructure, Transport, Regional **Development and Local Government** (for information)

Subject: Infrastructure Investment Program – Victoria - Australian National Audit Office Performance Audit: The Australian Government Commitment to the Melbourne Suburban Rail Loop (SRL) East Project

Critical Date: 18 September 2024. Audit Report is expected to be tabled in Parliament.

Re	ecommendation:	
1.	That you note that on 18 September 2024, the Australian National Audit Office (ANAO) will table its performance audit report in Parliament on <i>the Australian Government commitment to the Melbourne Suburban Rail Loop (SRL) East Project.</i> Noted / Please Discuss	
2.	That you note that talking points are being prepared to assist you with potential media enquiries and further discussions with the Victorian Government.	
	Noted / Please Discuss	
	ne Hon Catherine King MP Date: Comments:	

Key Points:

- 1. On 9 February 2024, the ANAO formally advised the Department of Infrastructure, Transport, Regional Development, Communications and the Arts (the department) that an audit of the Australian Government commitment to the Suburban Rail Loop (SRL) East project would be undertaken. This was in response to a request from Senator the Hon Bridget McKenzie.
- 2. The audit objective was to assess whether the department effectively managed the approval and administration of the Commonwealth's \$2.2 billion funding commitment towards the SRL East project.

- 3. On 16 September 2024, the ANAO provided you with an embargoed final copy of the report. Copies of the report and an offer of a briefing on the performance audit have also been provided to:
 - a. The Prime Minister;
 - b. The Acting Chief Commissioner of Infrastructure Australia;
 - c. the Secretary of the Department of the Treasury; and
 - d. the Secretary of the Department of the Prime Minister and Cabinet.
- 4. The ANAO plans to table its performance audit report in Parliament on 18 September 2024.
- 5. The ANAO did not make any recommendations for the department in the report, and outlined the following findings:
 - a. The department was largely effective in managing the approval and administration of the Australian Government's \$2.2 billion commitment to SRL East.
 - b. The department provided largely appropriate advice to the Australian Government on the SRL East project.
 - c. There are established processes in place to support land transport infrastructure investment by the Australian Government, which align with legislative requirements and have review mechanisms in place.
- 6. In making these findings, the ANAO noted that as at June 2024, the SRL East project is yet to go through the formal project approval process, which must occur before funding can be expended.
 - a. The ANAO also noted that an "updated SRL business case is also required to be submitted to Infrastructure Australia by the Victorian Government for a formal evaluation, which is required as part of project approval for any Australian Government contribution to infrastructure projects over \$250 million" (paragraph 14).
- 7. The ANAO observed the following areas for improvement:
 - a. The department to document the processes by which election commitments should be treated through the project approval and management process (Part 3, page 24).
 - b. For all Australian Government entities, key program or funding decisions should be supported by briefs to ministers. Discussions on funding decisions should be documented and, along with email correspondence, should be filed in official systems. Discussions and emails should not replace the practice of providing advice through the ministerial briefing process. (paragraph 16).
- 8. The department has implemented improved record keeping for budget decision making and will work with your office on responding to the observation regarding the project approval and management process for election commitments.

Sensitivities and Stakeholder Implications:

9. The ANAO have advised that the confidentiality of the report should be preserved pending the tabling of the report.

- 10. Media talking points are being prepared by the department and will be provided to you shortly.
- 11. The department was provided the opportunity to request ANAO address editorial matters identified in the draft report.
- 12. The department identified some content in the report regarding Federal Budget processes that is not public and that may have a negative impact on relations between the Commonwealth and the Victorian Government. The ANAO made some amendments to their report, however, some references were retained, including:

b.	an excerpt from a letter sent from yourself to Minister Pearson on 14 May 20

- an excerpt from a letter sent from yourself to Minister Pearson on 14 May 2024 regarding deferral of requests for new projects and cost pressures as part of the 2024-25 Federal Budget process (Paragraph 2.24).
- c. correspondence from the department to the Victorian Government, and from yourself to Minister Allan regarding the 2022-23 Federal Budget Process relating to the Australian Government not seeking advice on new projects or additional funding (Paragraph 3.33).
- 13. The report also notes department advice provided to the former Australian Government (Section 2).
- 14. The department will brief the Victorian Department of Transport and Planning on the report's findings once it has been tabled in Parliament.

Attachments: N/A

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Media Opportunities: N/A

Cleared By: Lachlan Wood Position: Assistant Secretary Division: Land Transport Infrastructure Division Ph: \$22(1)(a)(ii) Mob: \$22(1)(a)(ii) Cleared Date: 17 September 2024 Contact Officer: ^{\$22(1)(a)(ii)} Position: Director Section: Victoria Regional Ph: ^{\$22(1)(a)(ii)} Mob: ^{\$22(1)(a)(ii)}

Instructions for MPS: Nil

Do you require a signed hardcopy to be returned: No

Responsible Adviser: ^{\$22(1)(a)(ii)}

PDMS Distribution List: Jim Betts, Jessica Hall, Andrew Bourne, Lachlan Wood, \$22(1)(a)(ii)



Australian Government

Department of Infrastructure, Transport, Regional Development, Communications and the Arts

To: The Hon Catherine King MP, Minister for Infrastructure, Transport, Regional **Development and Local Government** (for decision)

Subject: Infrastructure Investment Program - Victoria – Election Commitment - Suburban Rail Loop (SRL) East Project Approval

Critical Date: Please action by 7 February 2025

Recommendations:

1. That you **note** the information provided in the Project Assessment Report (PAR), including the risks to the Suburban Rail Loop (SRL) East project (the Project).

Noted / Please Discuss

- 2. That you sign the Project Approval Instrument No. (VPT200051109) at <u>Attachment A</u>, which is consistent with section 13 of the *National Land Transport Act 2014* (the Act). Your signature confirms you:
 - **a. approve** the Project in Victoria under section 9 (1) of the Act.
 - **b. agree** to the Indigenous Employment and Supplier-use target of 0.34 per cent as outlined in the PAR at <u>Attachment B</u>.
 - **c. approve** the provision of Australian Government (AG) funding up to \$2.2 billion towards the delivery of the Project, to be administered by the Victorian Government under section 17 (1) of the Act.
 - **d. approve** the provision of AG funding in accordance with the conditions specified within the Project Approval Instrument.

Signed / Not Signed

3. That you **note** the Infrastructure Australia (IA) draft evaluation of the Project at <u>Attachment C</u>.

Noted / Please Discuss

4. That you **agree** the proposed expenditure is considered a proper use of relevant money, in accordance with section 71 of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act).

Noted / Please Discuss

The Hon Catherine King MP

Date:

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Comments:

Key Points:

1. The Victorian Government has submitted a Project Proposal Report (PPR) to the department, seeking the release of \$2.2 billion in AG funding towards the delivery of this Project. At your request, the department has prioritised its evaluation of the PPR.

2. At the 2022 Federal election, the AG committed \$2.2 billion to the SRL East project. This commitment was formalised as part of the 2022-23 Federal Budget.

3. The total project cost is estimated at \$34.4 billion, with a current Victorian Government commitment of \$11.6 billion. Victoria has requested additional AG funding of \$9.3 billion and intends to use value capture to fund the remaining \$11.3 billion.

4. SRL East is the first stage of the SRL project, and is expected to deliver 26 kilometres of underground rail line from Cheltenham to Box Hill, and six underground stations at Cheltenham, Clayton, Monash, Glen Waverley, Burwood and Box Hill. Detailed project information is contained in the PAR at **Attachment B**.

5. The Project can be considered in a broader transformational context over and above the travel time savings, improved transport connectivity and congestion reduction benefits it provides. The PPR indicates that the Project is expected to transform land use in the area, increasing access to housing, and improving liveability and connectivity within the area.

6. As required for infrastructure projects where the AG contribution is \$250 million or greater, IA undertook an evaluation of the Project based on Victoria's Business and Investment Case (BIC). The IA draft evaluation is provided at **Attachment C**, noting that Victoria will be provided with an opportunity to fact check the evaluation prior to it being finalised by IA, although IA has advised this will not change the fundamental findings of the report.

7. The BIC provides a combined analysis of two of the three proposed components of the SRL program, which are SRL East and SRL North. IA concluded that the two components in totality have strong potential to reshape the urban form, increase access to jobs and services, and improve transport connectivity. IA also concluded that SRL East presents a significant opportunity to directly improve quality of life for residents in the middle and outer suburbs of Melbourne's east by increasing transport choice, connecting major employment, health, education and retail areas, and facilitating new housing. The project aims to address a long-recognised challenge of Melbourne's monocentric urban sprawl and radial transport system by supporting the distribution and growth of housing, employment and other land uses in Melbourne's middle and outer suburbs.

8. IA advised they have low confidence in the cost estimate for SRL East, and how it will be fully funded, presenting a major risk to the Project. IA has also concluded in its draft evaluation that the benefits are likely to be overstated and the costs are likely to be understated.

9. IA recommend that the AG allocates its \$2.2 billion funding commitment towards tangible elements of the SRL East project's scope, such as land acquisition and/or land development that supports additional housing opportunities, or road upgrades to improve efficiency and safety of traffic, public transport and active transport movements as enabling works around station precincts.

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12. Following our assessment of both the PPR, additional information provided by Victoria and IA's assessment, the department recommends that the AG's \$2.2 billion commitment be invested in the following:

- a. \$2,006.1 million towards land acquisition across both early works and tunnelling packages, including the voluntary purchase scheme
- b. \$193.9 million for other early works, which includes:
 - i. geotechnical and development works
 - ii. upgrades to utilities

13. This investment still aligns with your intent to contribute the AG's \$2.2 billion commitment to early works, whilst also mitigating risks by:

- a. Providing a tangible output through land acquisition that can be repurposed should the project not reach completion.
- b. Investing in works that are well progressed, minimising the risk of cost escalation, as well as having potential to provide auxiliary benefits should the project not proceed. This is consistent with advice from IA.

s47B(a), s47C

Financial impacts:

16. If you accept the recommendations of this submission, the Project will be administered under the *National Land Transport Act* 2014, the Federation Funding Agreement Schedule on Land Transport Infrastructure Project 2024-2024 and the current supporting Notes on Administration. This includes the department exercising its delegation to advise the Victorian Government of your decision, and agree on project milestones to facilitate payment of AG funding of \$2.2 billion.

Legal/Legislative impacts:

17. The department is satisfied that investment of \$2.2 billion in the scope items identified in point 10 above represents a proper use of relevant money in accordance with the purposes and intent of the *Public Governance, Performance and Accountability Act* 2013. Further information is provided in the value for money section of **Attachment B**.

18. An assessment of the Project against relevant legislative requirements has been completed at **Attachment D** based on information provided by the Victorian Department of Transport and Planning (DTP) and taking into account the evaluation of the project by IA.

Stakeholder Implications:

19. It is anticipated that the approval of this Project will have implications for both community and members of State and Federal Parliament who have been publicly opposed to the Project.

Consultation:

20. Consultation has been undertaken with the Victorian Government, including the Suburban Rail Loop Authority and the Department of Transport and Planning, and Infrastructure Australia.

Media Opportunities: N/A

Attachments:

Attachment A: Project Approval Instrument No. VPT200051109 Attachment B: Project Assessment Report Attachment C: Infrastructure Australia Draft Evaluation Attachment D: Legislative Assessment and Authority Attachment E: SRL East Map

Cleared By: Lachlan Wood Position: Assistant Secretary Division: Land Transport Infrastructure Branch: Victoria, Tasmania, and South Australia Ph: s22(1)(a)(ii) Mob: s22(1)(a)(ii) Cleared Date: 31 January 2025

Contact Officer: s22(1)(a)(ii) Position: Director Section: Victoria Regional ph: s22(1)(a)(ii) Mob: s22(1)(a)(ii)

Instructions for MPS: Nil

Do you require a signed hardcopy to be returned: No

Responsible Adviser: \$22(1)(a)(ii), \$22(1)(a)(ii)

PDMS Distribution List: Jim Betts, Jessica Hall, Andrew Bourne, Lachlan Wood and \$22(1)(a)(ii)

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National Land Transport Act 2014 Investment Project Approval Under Part 3 Sections 9 and 17 Approval No. VPT200051109

I, Catherine King, Minister for Infrastructure, Transport, Regional Development and Local Government:

- a) being satisfied that the project referred to below (the Project) is eligible for approval in accordance with section 10 of the *National Land Transport Act 2014* (the Act) and considering that it is appropriate to approve the Project in accordance with section 11 of the Act, approve the Project under section 9 of the Act; and
- b) approve, under section 17 of the Act, the provision of Commonwealth funding for the Project to the eligible funding recipient identified below.
- c) approve, the provision of Commonwealth funding for the Project to fund the following:
 - a. \$2,006.1 million towards land acquisition, including the voluntary purchase scheme

- b. \$193.9 million for other early works, which will include:
 - i. Geotechnical and development works
 - ii. Upgrades to utilities

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Catherine King

Project No.	121000-22VIC-NP
Project Name	Suburban Rail Loop East
Sub-Program	Rail Investment
Project Description	SRL East is the first section of the Suburban Rail Loop (SRL), delivering twin tunnels with six underground stations at Cheltenham, Clayton, Monash, Burwood, Glen Waverley and Box Hill.
Maximum Funding Amount that the Commonwealth may Contribute	\$2,200,000,000.00
Eligible Funding Recipient	Victoria, Department of Transport

Legislative Assessment and Authority

Authority	Department Response
You have the authority to	The Department is satisfied the Project is
approve a project as an	eligible for approval under section 10:
Investment Project under	• the construction of an existing or
section 9 of the Act if you are	proposed railway that is in a State or
satisfied the project is eligible	relevant external Territory
for approval under section 10	
and consider the project	The Department is satisfied it is appropriate
appropriate to approve under	to approve the Project under section 11:
section 11 of the Act.	• the extent to which the project will
	improve the efficiency, integration,
	security or safety of transport
	operations
You have authority to approve	The Department is satisfied it is appropriate
funding for an Investment	to approve the Project under section 17(1):
project under section 17(1) of	• approve the provision of
the Act.	Commonwealth funding for an
	Investment Project to the approved
	funding recipient
In exercising your authority to	The Department is satisfied that the Project
approve funding you should	represents a proper use of relevant money in
consider if the Project is	accordance with the purposes and intent of
appropriate to approve under	the Public Governance, Performance and
section 71 of the Public	Accountability Act 2013. The Project is
Governance, Performance and	expected to improve liveability and
Accountability Act 2013 (PGPA	community accessibility for Melbourne.
Act).	
The PGPA Act defines what	
constitutes a proper use of	
public resources, whereby	
'proper' is defined as efficient,	
effective, economical and	
ethical.	
Indigenous Participation Plan	The Victorian Department of Transport and
-	Planning has proposed an Indigenous
	participation target of 0.34 per cent. The
	target represents the percentage of working
	age Indigenous people in the Local
	Government Areas of Bayside, Kingston,
	Monash and Whitehorse.

Attachment E – Suburban Rail Loop East Map





Australian Government

Department of Infrastructure, Transport, Regional Development, Communications and the Arts

To: The Hon Catherine King MP, Minister for Infrastructure, Transport, Regional Development and Local Government

MEETING: Victorian Ministers Gabrielle Williams and Harriet Shing

Timing: 3:30pm 20 February 2025

Venue: Victorian Parliament

Meeting with: Ms Gabrielle Williams, Victorian Minister for Transport Infrastructure and Minister for Public and Active Transport and Ms Harriet Shing, Victorian Minister for Housing and Building and the Minister for the Suburban Rail Loop.

Our Proposed Objectives: s22(1)(a)(ii)

Their Objective: s22(1)(a)(ii)

Key Points: s22(1)(a)(ii)

7. Victoria's funding requests in the 2025-26 Budget process are substantially unchanged from their funding requests at the 24-25 MYEFO and remain strongly focussed on securing additional funding for their Big Build projects, $SRL_{(ii)}^{s22(1)(a)}$ in particular.

MB25-000021

Priority Projects: s22(1)(a)(ii)

Suburban Rail Loop (SRL) East

16. On 3 February 2025, you signed the approval brief for the Australian Government's \$2.2 billion commitment to the SRL East project, to be expended on the following:

- \$2.006 billion towards land acquisition, including the voluntary purchase scheme a.
- b. \$193.9 million for other early works, which will include:
 - i. Geotechnical and development works
 - ii. Upgrades to utilities

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17. The basis for allocating Australian Government funding to these scope items was to deliver tangible outputs that could demonstrate value for money.

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s22(1)(a)(ii)

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Consultation: Partnerships and Projects Division

Name: Andrew Bourne Position: First Assistant Secretary Division: Land Transport Infrastructure Division Mob: \$22(1)(a)(ii) Date: 14/02/2025 Contact Officer: Lachlan Wood Section: Assistant Secretary Ph: \$22(1)(a)(ii)

Attachments:

Attachment A: Interim summary of Victoria's Annual Infrastructure Plan Attachment B: s22(1)(a)(ii) Attachment C: s22(1)(a)(ii) Attachment D: s22(1)(a)(ii)

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Document 7 Attachment A (pages 32-33) removed in its entirety as irrelevant under section 22(1)(a)(ii) or exempt under section 47B(a) of the FOI Act.