

# Star of the South Offshore Wind Farm EES: Scoping Requirements process

## Star of the South Offshore Wind Farm EES – Final Scoping Requirements FAQs

August 2021

### What is the purpose of environment effects statement scoping requirements?

Star of the South Wind Farm Pty Ltd is preparing an environment effects statement (EES) for the Star of the South Offshore Wind Farm Project. The scoping requirements set out the matters to be investigated and documented within the EES.

The EES will include a description of the proposed project, rigorous assessment of its potential effects on the environment and approaches to mitigation.

The final EES scoping requirements have been issued by the Minister for Planning and are available on the Department of Environment, Land, Water and Planning (DELWP) website: [Star of the South Offshore Wind Farm \(planning.vic.gov.au\)](https://planning.vic.gov.au)

### Did the public have an opportunity to comment on the draft scoping requirements?

Yes. Draft scoping requirements for the EES were exhibited on the Engage Victoria website for 15 business days until 27 July 2021. Notice of the draft scoping requirements' exhibition was advertised in metropolitan, national and local newspapers.

A total of 18 submissions were received during the public exhibition period. Eight of the submissions were from individuals.

Submissions received were provided to the proponent to inform the ongoing development of the EES.

### What issues were raised in public submissions on the draft scoping requirements?

The submissions raised a variety of potential environmental, amenity and socio-economic issues, most of which were already covered in the draft scoping requirements. At a broad level, the key issues raised in submissions were:

- More attention required on potential impacts to fisheries, farming businesses and their land use, and Corner Inlet Ramsar Wetland including its ecological character.
- Utilising a comparison of impacts experienced elsewhere in the world for offshore wind farms.
- Identify impacts associated with an incoming workforce to a regional area, such as strain on housing and public services.
- Seek to ensure the proposed environmental management framework is best practice, and adaptive to monitoring / developments in understanding of impacts.

### What revisions have been made to the draft scoping requirements in response to public submissions?

In most instances, the draft scoping requirements adequately addressed the concerns raised by submitters.

However, refinements and editorial changes to the scoping requirements were made to address specific issues and clarify requirements. These changes included:

- adding direct reference to consideration of potential impacts on agriculture, fisheries and Corner Inlet Ramsar Wetland;
- adding consideration for issues and experiences with similar projects elsewhere in the world, as well as being cognisant of unique values existing in this locale;
- adding consideration for potential impacts from workforce requirements such as additional demand on housing and public services in the immediate and broader area; and
- adding explicit requirement for the EMF to utilise adaptive management practices, as well as evidence-based science and have regard to ecosystem-based management principles.

### What happens now the Minister has issued the final scoping requirements?

The proponent will proceed with the necessary information-gathering and investigations to examine impacts and address the matters set out in the scoping requirements and to inform the EES. The proponent will conduct its studies and prepare the EES in close consultation with DELWP and the Technical Reference Group (TRG) that DELWP has put in place for this EES.

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The proponent will engage with the public and stakeholders about the EES process, its associated investigations and potential environmental effects of the project, ensuring it provides opportunities for input and feedback on its investigations. The proponent's consultation plan can be viewed on the DELWP website: [Star of the South Offshore Wind Farm \(planning.vic.gov.au\)](https://planning.vic.gov.au)

When the proponent believes the EES is ready, it will be reviewed by DELWP, and the Minister for Planning will decide whether to authorise the EES to be publicly exhibited. If authorised, the EES will be placed on exhibition for public comment, typically for a period of 30 business days.

An inquiry will be appointed for the project under the *Environment Effects Act 1978*. The inquiry will consider the EES and submissions received about the EES, undertake a formal hearing process and report to the Minister, who will then make an assessment of the project's environmental effects.

After the Minister has made his assessment, the inquiry report and the Minister's assessment will be published on the DELWP website.

The Minister's assessment will be considered by statutory decision-makers responsible for the project's approvals.

## **Why is an environment effects statement required for the Star of the South Offshore Wind Farm Project?**

An EES is the most comprehensive and robust assessment process available in Victoria. The EES will provide an integrated and transparent examination of the proposed project and its environmental effects.

In May 2020 the Minister for Planning determined under the *Environment Effects Act 1978* that Star of the South Wind Farm Pty Ltd should prepare an EES for the Star of the South Offshore Wind Farm project. The project as proposed could have a range of significant effects relating to:

- biodiversity values, including habitat of terrestrial and aquatic listed species;
- Aboriginal cultural heritage values; and
- the local and regional socioeconomic environment and landscape values.

The EES will include a detailed description of the proposed project and rigorous assessment of its potential effects on the environment and approaches to mitigation. When completed the EES will be placed on public exhibition and the Minister for Planning will invite public comments on the EES. At the end of the process, the Minister will issue an assessment of the environmental effects of the project. The Minister's assessment will inform statutory decision-makers responsible for the project's approvals.

## **When does the proponent expect to publicly exhibit its environment effects statement?**

The EES is expected to be on public exhibition in 2023. During the exhibition period, the public can make submissions on the EES.

## **What about the Commonwealth Environment Protection and Biodiversity Conservation Act?**

The project was also referred to the Australian Government under the Commonwealth's *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The delegate for the Minister for the Environment determined on 2 June 2020 that the project is a 'controlled action' requiring assessment and approval under the EPBC Act. The provisions for the Australian Government's controlled action decision under the EPBC Act are:

- Ramsar wetlands (sections 16 & 17B);
- Listed threatened species and communities (sections 18 & 18A);
- Listed migratory species (sections 20 & 20A); and
- Commonwealth marine areas (sections 23 & 24A).

As the project is located both inside Victoria and outside of Victoria in Commonwealth waters, the Commonwealth cannot accredit the EES process as the sole means for assessing EPBC Act matters. As such, the delegate of the Minister for the Environment determined the project will be assessed under the EPBC Act by a separate environment impact statement (EIS).

## **How do the EES and EIS processes relate to each other?**

The DELWP and Commonwealth Department of Agriculture, Water and the Environment (DAWE) have agreed to coordinate and align the administration of the two assessment processes —the EES under the Victorian legislation and the EIS under the Commonwealth legislation. DELWP and DAWE will use administrative means to maximise the alignment of specific aspects/stages of the processes and remove duplication wherever possible, as demonstrated



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with the concurrent public comment process now completed for the draft scopes (EES/EIS) and proposed for the assessment documentation (EES/EIS). This includes coordinated engagement with government agencies during the development of the EES and EIS, utilising a single technical reference group established and chaired by DELWP for the EES.

The proponent's technical studies and development of the EES and EIS documents will be integrated. The proponent has agreed to integrate its EES/EIS documentation as much as possible, preparing a single package of documents to address EES and EIS requirements.

The formal statutory environmental assessment required under the state and commonwealth legislation will need to meet respective requirements, including exhibition of the EES and EIS.

Concurrently exhibiting a combined EES and EIS package of documents will help with consistent and clear information for interested parties and the community to access during public exhibition. The overall issues and potential impacts of the project need to be presented with limited duplication. Interested stakeholders will have the opportunity to make submissions on the project and its effects, with respect to its obligations under both the EE Act and EPBC Act, following the public exhibition period.