

Terms of Reference

Star of the South Project Environment Effects Statement Inquiry



Department
of Transport
and Planning

Version: 14 May 2026

The Star of the South Project Inquiry is appointed to inquire into, and report on, the environmental effects of the Victorian works of the proposed Star of the South Project (the project) on the Victorian environment as assessed in the environment effects statement (EES), in accordance with these terms of reference.

Name

1. The Inquiry is to be known as the 'Star of the South Victorian Inquiry'.

Skills

2. The Inquiry needs to consist of members with expertise in:
 - a. terrestrial ecology;
 - b. marine ecology and coastal processes;
 - c. infrastructure construction and associated environmental management of amenity (noise and vibration), soil and waste; and
 - d. land use planning.
3. The Inquiry will comprise an appointed Chair (Inquiry Chair), a Deputy Chair and other appropriately qualified members.

Role of the Inquiry

4. The Inquiry is appointed by the Minister for Planning (the Minister) under section 9(1) of the *Environment Effects Act 1978* (EE Act) to hold an inquiry into and report to the Minister on the environmental effects of the Victorian works on the Victorian environment, which entails:
 - a. reviewing and considering the content of the EES (covering Victorian works) and submissions received on the EES in relation to the effects of Victorian works on the Victorian environment (including cumulative effects arising from the project's Victorian works with other projects anticipated in Victoria);
 - b. considering and reporting on the significance and acceptability of the environmental effects of the Victorian works on the Victorian environment, having regard to relevant policy and legislation;
 - c. identifying any additional mitigation measures and/or project modifications beyond those identified in the EES to avoid, mitigate or manage the likely significant environmental effects of the Victorian works on the Victorian environment consistent with relevant policy, legislation and best practice; and
 - d. advising on how these modifications and measures, referenced in paragraph 4c, should be implemented through the necessary Victorian approvals and Victorian consents needed for the project.
5. The Inquiry must produce a report of its findings and recommendations, to be provided to the Minister. This report will inform the Minister's assessment under the EE Act of the environmental effects of the project's Victorian works.



Scope of the Inquiry – Excluded matters

6. The Inquiry must not consider and make findings on specific matters of national environmental significance, under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), whether those matters are located in Victoria or elsewhere.
7. The Inquiry must not consider the environmental impact statement (EIS) prepared under the EPBC Act for the project and is only required to consider the technical reports exhibited with the EES to the extent they relate to effects of the project's Victorian works on the Victorian environment.
8. The Inquiry is not to examine or report on the EES process itself undertaken to date, or the consultation undertaken by the proponent for the EES.

Scope of the Inquiry - Key Victorian Matters and Other Victorian Matters

9. The Inquiry must limit the scope of its proceedings to relevant matters associated with Victorian works, which includes only 'Key Victorian Matters' and 'Other Victorian Matters' as listed below.
10. The 'Key Victorian Matters', associated with the potentially significant effects from Victorian works on the Victorian environment, are:
 - a. onshore ecology;
 - b. Victorian marine environment and marine protected areas;
 - c. coastal processes;
 - d. Aboriginal cultural heritage;
 - e. construction impacts confined to onshore noise and vibration, soil and waste; and
 - f. the Environmental Management Framework and draft PSA to the extent relevant to the management of the matters listed from (a) to (e) in this clause.
11. The 'Other Victorian Matters', which are less likely to have significant environmental effects from Victorian works on the Victorian environment, are:
 - a. business and tourism;
 - b. groundwater and surface water;
 - c. social;
 - d. traffic and transport;
 - e. land use impacts; and
 - f. the Environmental Management Framework and draft PSA to the extent relevant to the management of the matter listed from (a) to (e) in this clause.
12. The Inquiry's consideration of 'Key Victorian Matters' is to occur via submitter conference¹.
13. The Inquiry's consideration of 'Other Victorian Matters' is to occur only via written submissions¹, including the proponent's written responses to submissions on these 'Other Victorian Matters'.

Process

Exhibition

14. The EES will be exhibited for a period of 30 business days together with the draft PSA and be made publicly available for submissions.

¹ Ministerial guidelines for assessment of environmental effects under the Environment Effects Act 1978, page 33.

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15. The proponent is responsible for any public information sessions during exhibition to discuss the project and their EES documentation.

Submissions

16. Submissions on the EES including the draft PSA are to be provided in writing on or before the close of submissions date.
17. Submissions on the EES including the draft PSA will be collected by the office of PPV through the Engage Victoria platform. All submissions must state the name and address of the person making the submission. Submissions will be collected and managed in accordance with the privacy guidance on the PPV website.
18. Petition responses will be treated as a single submission and only the first names from a petition submission will be registered and contacted.
19. Pro-forma submitters will be registered and contacted individually if they provide their contact details. However, the Inquiry is to encourage pro-forma submitters who want to be heard at the submitter conference to present as a group, given their submissions raise the same issues.
20. All written submissions and other supporting documentation or evidence where appropriate, received through the course of the Inquiry process should be published online, unless the Inquiry specifically directs that the submission or other material, or part of it, is to remain confidential.
21. Requests for submissions or other material to be kept confidential must be clearly stated in writing with reasons to the Inquiry through PPV, consistent with the process outlined in the Inquiry's Privacy Collection Statement. The Inquiry will review these and base its decision to maintain confidentiality on whether it would be fair to the proponent and other parties to the proceedings.
22. Electronic copies of submissions are to be provided to the proponent, Department of Transport and Planning (DTP) (Impact Assessment and Energy & Infrastructure Assessment), Wellington Shire Council and Gunaikurnai Land and Waters Aboriginal Corporation (GLaWAC).
23. PPV must retain any written submissions and other documentation provided to the Inquiry for a period of five years after the time of the Inquiry's appointment.

Inquiry by submitter conference

24. The Inquiry is to conduct a submitter conference focusing only on the specific 'Key Victorian Matters' listed in these terms of reference.
25. The submitter conference is to be structured around topics listed in the 'Key Victorian Matters' and is to be conducted to enable an efficient approach to examining the relevant aspects of the EES and issues raised in submissions, consistent with these terms of reference.
26. All submissions and other material considered through the submitter conference needs to strictly focus on the 'Key Victorian Matters', including the presentation of any further evidence or expert witnesses.
27. The Inquiry may limit the time of parties submitting at the submitter conference, and needs to direct that:
 - a. 'Other Victorian Matters' are not to be raised at the submitter conference and will be assessed by the Inquiry through written submissions only;
 - b. The EIS and associated Commonwealth matters are not to be discussed at the submitter conference and will not be considered by the Inquiry.
28. Prior to the commencement of the submitter conference, the Inquiry may hold a directions hearing to make directions it considers necessary or appropriate as to the conduct, scope or scheduling of the submitter conference, including the preparation and publication of a Response to Request for Further Information if required.

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29. The Inquiry may inform itself on the 'Key Victorian Matters' in any way it sees fit, but must review and consider:
- a. the exhibited EES including the draft PSA;
 - b. all submissions and evidence provided to the Inquiry by the proponent, state agencies, local councils and submitters, in so far as they relate to 'Key Victorian Matters' examined in the EES;
 - c. the views (if known) of Traditional Owners and Registered Aboriginal Parties;
 - d. any information provided by the proponent and parties that respond to submissions or directions of the Inquiry in relation to 'Key Victorian Matters'; and
 - e. any other relevant information that is provided to, or obtained by, the Inquiry, in relation to the 'Key Victorian Matters' examined in the EES.
30. The Inquiry must conduct the submitter conference in accordance with the following principles:
- a. it will be conducted in an open, orderly and equitable manner, in accordance with the principles of natural justice;
 - b. the submitter conference needs to be conducted with a minimum of formality and without legal representation being necessary for parties to be effective participants;
 - c. the submitter conference is to be exploratory and constructive, focusing on understanding and resolving matters; and
 - d. adversarial behaviour is not permitted and questioning of experts and submitters needs to be regulated by the Inquiry in the context of resolving matters and these principles.
31. The submitter conference should commence with the proponent making a short presentation, setting out the description and location of Victorian works, and the structure and content of the EES in relation to 'Key Victorian Matters'.
32. The proponent is to address issues raised in submissions (either by way of presentation or the tabling of documents) to fit within the Inquiry's structure for the submitter conference, around 'Key Victorian Matters'. This information from the proponent should advise of any changes made to the 'Key Victorian Matters' in response to submissions received on the exhibited EES.
33. The Inquiry may direct that a submission or evidence is confidential in nature and the submitter conference be closed to the public and not be recorded for the purposes of receiving that submission or evidence.
34. The Inquiry may conduct the submitter conference when there is a quorum of at least two of its members present or participating through electronic means, one of whom must be the Inquiry Chair or Deputy Chair.
35. If directed by the Inquiry, an audio recording of the conference must be procured by the proponent. If recorded, the audio recording will be provided to PPV as a weblink and would be made publicly available as soon as practicable after the conclusion of each day of the conference, or otherwise as directed by the Inquiry.
36. Any other recording of the conference by any other person or organisation may only occur with the prior consent of, and strictly in accordance with, the directions of the Inquiry.

Inquiry by written submissions

37. The Inquiry is to consider 'Other Victorian Matters' by written submissions only, including the proponent's written responses to any submissions on 'Other Victorian Matters'.
38. All material considered through the written submissions needs to strictly focus on the 'Other Victorian Matters' and not include the presentation of evidence or expert witnesses.
39. The Inquiry is to inform itself on the 'Other Victorian Matters' by reviewing and considering:
- a. the exhibited EES including the draft PSA;

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- b. submissions provided to the Inquiry, in so far as they relate to 'Other Victorian Matters' examined in the EES;
 - c. the proponent's written responses to any submissions on 'Other Victorian Matters'; and
 - d. other written information provided at the direction of the Inquiry in relation to 'Other Victorian Matters'.

Report

40. The Inquiry must produce a written report for the Minister containing its:
- a. analysis and conclusions on the significance and acceptability of environmental effects with respect to the 'Key Victorian Matters' and 'Other Victorian Matters';
 - b. findings on whether acceptable environmental outcomes can be achieved, having regard to legislation, policy and best practice;
 - c. recommendations and/or specific measures that it considers necessary and appropriate to prevent, mitigate or offset adverse significant environmental effects;
 - d. recommendations relating to any feasible modifications to the design or management of the project necessary to reduce or mitigate significant environmental effects; and
 - e. recommendations for any appropriate conditions or requirements that may be lawfully imposed on any approval for the project, including the draft PSA, necessary and appropriate to reduce or mitigate significant environmental effects; and
 - f. recommendations as to the structure and content of the proposed Environmental Management Framework, including monitoring of environmental effects, reporting on the effectiveness of mitigation measures, contingency plans and site rehabilitation.
41. The report needs to include information and analysis of the significant environmental effects, sufficient to support the Inquiry's findings and recommendations. Without limiting this requirement, the report needs to:
- a. focus on the 'key Victorian matters';
 - b. include information and depth of analysis proportionate to the significance of the environmental effects; and
 - c. address 'Other Victorian Matters' at a high level, having regard to the relative significance of the likely effects.
42. The report needs to include:
- a. a list of all recommendations, including cross-references to relevant discussions in the report;
 - b. a description of the submitter conference conducted, and a list of parties heard through the submitter conference;
 - c. a list of the documents tabled during the Inquiry proceedings;
 - d. a list of all submissions collected by PPV on the exhibited EES including the draft PSA, including clear indication of submissions that were considered with respect to 'Other Victorian Matters'.
43. Matters that the Inquiry determines have minor or negligible impact and can be readily addressed through standard and proven environmental management techniques do not need to be reported by the Inquiry. Simple recording of these matters in the report will be sufficient.

Timing

44. If it chooses to hold a directions hearing, the Inquiry needs to hold a directions hearing, which should be 15 business days from the final date of the exhibition period.
45. The Inquiry needs to commence the submitter conference no later than 30 business days from the final date of exhibition period.

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46. The Inquiry must submit its report in writing to the Minister for Planning within 40 business days from the last day of its proceedings, unless the report writing period spans the Christmas-New Year period, in which case 50 business days will apply.
 47. The DTP's Impact Assessment Unit must liaise with PPV to agree on dates for the directions hearing (if required), and the submitter conference.

Minister's assessment

48. The Minister will make an assessment of the environmental effects of the Victorian works after considering the Inquiry's report as well as the EES, relevant submissions and any other relevant matters.
49. PPV will notify submitters of the release of the Minister's assessment and the Inquiry report.

Fee

50. The fees for the members of the Inquiry will be set at the current rate for a panel appointed under Part 8 of the PE Act.
51. All costs of the Inquiry, including the costs of obtaining any expert advice, technical administration and legal support, venue hire, accommodation, recording proceedings and other costs must be met by the proponent.

Miscellaneous

52. The Inquiry may apply to the Minister (or their delegate) to request variation to these terms of reference in writing. Reasons for the request must be included in the request. However, any request to vary the timeframe for the submission of its report needs to be received within the first 25 business days of the report writing timeframe.
53. The Inquiry may obtain additional technical support, expert advice or legal support to assist if considered necessary.
54. PPV is to provide any necessary administrative support to the Inquiry. The proponent is to provide any necessary administrative or technical support to the Inquiry in relation to the conduct of the conference.



Adam Henson

Acting Executive Director, State Planning Assessment and Facilitation

Date: 14/05/2026



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

Project Management

For matters regarding the Inquiry process, please contact Planning Panels Victoria, via email to office@planningpanels.vic.gov.au.

For matters regarding the EES process, please contact the Impact Assessment Unit in DTP by phone (03) 8572 7980 or email environment.assessment@transport.vic.gov.au.



Appendix 1 - Background

Project outline

55. The project proponent is Star of the South Wind Farm Pty Ltd as trustee for the Star of the South Trust (the proponent), which is responsible for preparing technical studies, consulting with the public and stakeholders and completing preparation of its EES.
56. The Star of the South Project includes works within the Victorian jurisdiction (both onshore and offshore within 3 nautical miles from the coast of Victoria) ('Victorian works') and offshore within Commonwealth marine waters (figure 1).
57. The full project, across both jurisdictions, comprises the development of:
- a. Up to 147 offshore wind turbines, five offshore substations and three inter-array cables (wholly in Commonwealth marine waters);
 - b. Up to eight offshore export cables to connect the wind farm to the shore crossing (these cables will traverse Commonwealth and Victorian waters);
 - c. Up to eight trenchless crossings for the export cables to make landfall at the shore crossing (works for this infrastructure will be wholly within Victorian jurisdiction);
 - d. An underground cable system connecting the shore crossing to the proposed VicGrid connection hub. (works for this onshore transmission infrastructure will be wholly within Victorian jurisdiction).
58. The proposed transmission infrastructure in Victoria has been refined and reduced significantly since the project was referred under the EE Act. Initially the onshore transmission infrastructure proposed included underground cable and overhead powerlines to connect to the national energy market in the Latrobe Valley and up to four substations. Now it connects to the proposed VicGrid connection hub site near Giffard.

EES assessment process

59. In response to a referral under the EE Act from the proponent, the Minister for Planning determined on 11 May 2020 that an EES was required for the project's works in Victoria. A decision with procedures and requirements for the proponent's preparation of the EES was issued as specified in Appendix 2.
60. The EES was prepared by the proponent in response to the EES scoping requirements issued by the Minister for Planning in August 2021.
61. The EES will be placed on public exhibition for thirty (30) business days. This public comment process is in accordance with the procedures and requirements issued for this EES by the Minister.

Commonwealth assessment process

62. Because of its likely significant impacts on matters of national environmental significance, the whole project was determined to be a controlled action requiring assessment and approval under the EPBC Act on 2 June 2020. This is occurring via an Environmental Impact Statement (EIS) under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), being administered by the Commonwealth. The relevant controlling provisions under the EPBC Act are Ramsar wetlands (sections 16 and 17B), listed threatened species and communities (sections 18 & 18A), listed migratory species (sections 20 & 20A) and Commonwealth marine areas (sections 23 and 24A). A variation to change the project boundary was accepted by the Commonwealth on 9 July 2025.
63. As the project is located both within Victorian and Commonwealth waters, the Commonwealth cannot rely upon an accredited state assessment process. As such, the delegate of the Commonwealth Minister for the Environment determined the controlled action (whole project) would be assessed by the Commonwealth under the EPBC Act using an EIS.

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64. Information on the Commonwealth assessment process is provided for background purposes only as Commonwealth matters are outside the scope of the Star of the South Victorian Inquiry's terms of reference.

Coordinated assessment process

65. To avoid duplication during the assessment process as much as practicable, DTP and the Commonwealth Department of Climate Change, Energy, the Environment and Water (DCCEEW) agreed to coordinate and align the administration of the two assessment processes during the preparation of the EES and EIS.
66. The proponent prepared a set of EIS and EES documentation, including specific EES and EIS main reports. The technical reports prepared support both of these main reports.
67. Submissions on the EIS will be collected and considered by the proponent and Commonwealth DCCEEW.

Planning approval process

68. The Victorian works require approval under the *Planning and Environment Act 1987*. The proponent has prepared draft Planning Scheme Amendment C128well which will be exhibited as part of the EES package.

Other approvals

69. The project works within Victoria will require other statutory approvals and/or consents, as outlined in the EES. This is expected to include the following key approvals:
- a. An approved cultural heritage management plan under the *Aboriginal Heritage Act 2006*;
 - b. Consents under the *Road Management Act 2004*, to conduct works in, on, or under roads;
 - c. Consent to use and develop marine and coastal Crown land under the *Marine and Coastal Act 2018*;
 - d. Lease or licence under the *Crown Land (Reserves) Act 1978*;
 - e. A permit to remove listed flora and fauna from public land under the *Flora and Fauna Guarantee Act 1988*; and
 - f. An authority to take or disturb wildlife under the *Wildlife Act 1975*.

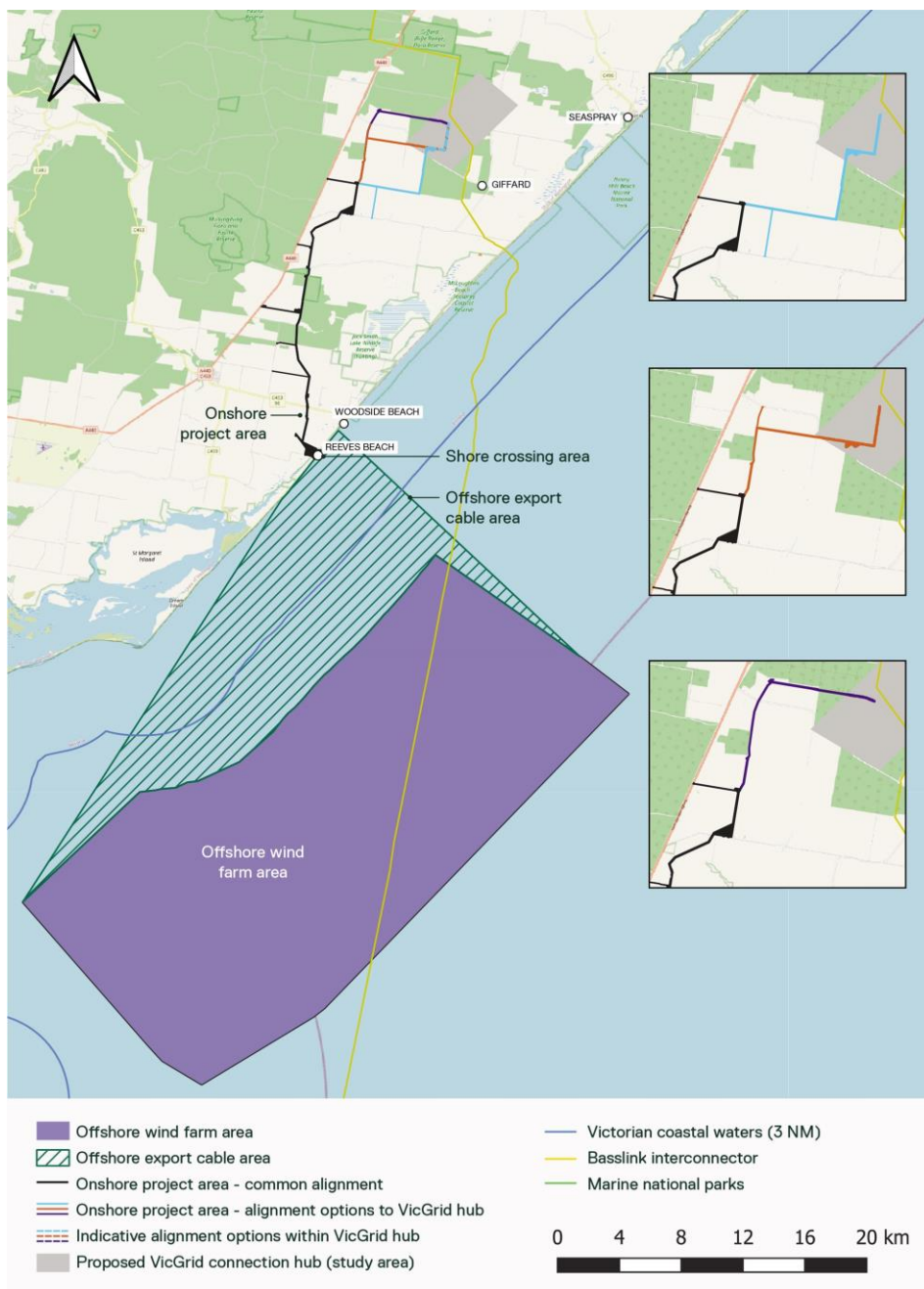


Fig 1. Star of the South project area



Appendix 2

Procedures and requirements issued under section 8B(5) of the *Environment Effects Act 1978*

The procedures and requirements applying to this EES process, in accordance with both section 8B(5) of the Act and the Ministerial guidelines for assessment of environmental effects under the *Environment Effects Act 1978* (Ministerial Guidelines), are as follows:

- (i) The EES is to document investigations of potential environmental effects (direct and/or indirect) of the proposed project, including the feasibility of associated environmental mitigation and management measures, in particular for:
 - a. effects on biodiversity and ecological values within and near the project area including native vegetation, listed communities and species (flora and fauna) under the Flora and Fauna Guarantee Act 1988 and DELWP advisory list, such as through loss, degradation or fragmentation of habitat, as well as related ecological effects;
 - b. effects on freshwater and marine environments and related beneficial uses, including as a result of any required dredging due to selection of the preferred port option, any changes to stream flows and/or discharge of sediment or waste through waterway crossings;
 - c. effects on Aboriginal cultural heritage values;
 - d. effects on the socioeconomic environment, at local and regional scales, including increased traffic movement and direct and indirect effects of construction of onshore assets; and
 - e. effects on existing landscape values.
- (ii) The matters to be investigated and documented in the EES will be set out more fully in scoping requirements. Draft scoping requirements will be exhibited for 15 business days for public comment, before final scoping requirements are issued by the Minister for Planning.
- (iii) The proponent is to prepare and submit to the Department of Environment, Land, Water and Planning (DELWP) a draft EES study program to inform the preparation of scoping requirements.
- (iv) The level of detail of investigation for the EES studies should be consistent with the approach set out in the scoping requirements and be adequate to inform an assessment of the significance and acceptability of its potential environmental effects, in the context of the Ministerial Guidelines.
- (v) DELWP will convene an inter-agency technical reference group (TRG) to advise DELWP and the proponent, as appropriate, during the preparation of the EES on the scoping requirements, the design and adequacy of the EES studies, and coordination with statutory approval processes.
- (vi) The proponent is to prepare and implement an EES consultation plan for informing the public and consulting with stakeholders during the preparation of the EES, having regard to advice from DELWP and the TRG.
- (vii) The proponent is also to prepare and submit to DELWP its proposed schedule for the completion of studies, preparation and exhibition of the EES, following confirmation of the scoping requirements. This schedule is intended to facilitate the alignment of the proponent's and DELWP's timeframes, including for TRG review of technical studies for the EES and the main EES documentation.
- (viii) The proponent is to apply appropriate peer review and quality management procedures to enable the completion of EES studies to a satisfactory standard.
- (ix) The EES is to be exhibited for a period of not less than 30 business days for public comment, unless the exhibition period spans the Christmas–New Year period, in which case 40 business days will apply.



(x) An inquiry will be appointed under the *Environment Effects Act 1978* to consider environmental effects of the proposal.