

**From:** 9(2)(a)  
**To:** [Pedro Morgan](#)  
**Cc:** 9(2)(a)  
**Subject:** RE: 9(2)(b)(ii)  
**Date:** Monday, 20 June 2022 4:00:20 p.m.  
**Attachments:** 9(2)(a) - Letter to OIO dated 22 December 2021.pdf

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Hi Pedro,

As discussed this morning, I thought it would be helpful if I emailed you my understanding of the key points we discussed regarding the above matter.

### **Investigation Licence**

9(2)(b)(ii) may enter into an investigation licence without triggering the requirement for OIO consent (and therefore no consent is required prior to entry into the investigation licence), provided that:

- it must be a genuine licence and not amount to a lease with exclusive possession;
- the licence must be for a period of less than 10 years (if no residential land is involved); and
- the granting and exercising of the option to lease or purchase is conditional on obtaining OIO consent.

I understand the above is consistent with our comments at paragraphs 21 to 23 of our 23 December 2021 letter **attached**.

### **Farm land advertising**

I understand you are aware of the issues with farm land advertising and Solar Parks (i.e. the commercial sensitivity associated with advertising land after the investigations have been completed).

I understand the OIO will have more clarity on this farm land advertising issue soon (i.e. within the next 10 working days) because the Office is currently considering an exemption application regarding the farmland advertising rules that involve similar issues. The OIO will let us know when a decision has been made regarding that exemption application. The OIO is also planning to prepare a technical guidance document and presentation to discuss issues relating to Solar Parks (probably in August 2022), given the current high interest in such investments.

You also made the comment that a leasehold interest (for example a 30 year lease with a 30 year right of renewal) will have more chance of successfully obtaining a farm land exemption compared to a freehold interest.

Please let me know if you have any comments on my notes above. If I have missed anything or if the above requires further clarification, please let me know.

Thanks very much.

Kind regards

[ s 9(2)(a) ]



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