

Attention You Li, Ye Han, Lixia Hou

Dear Mr Bruce Howard, Directors -You Li ,Ye Han and Lixia Hou

**Re; Oxley Solar Farm Development-Consultation.**

Your Group is in receipt of two serious communications seeking answers and meaningful engagement with the Castle Doyle Road Action Group. Your largely ignored both. There is little point in waiting until you have an EIS -like your Scoping Report it will be full of errors, omissions and misrepresentations - the site is fatally flawed. Save your clients money.

Our frustration confirms a pattern of *non consultation* with local community - and a misrepresentation to the NSW Department of Planning and Environment as to the bona fides of your Consultation Plan. Your Development Group seems to be erroneously taking comfort from the 'tick box' planning process you adopted in the Wollar Solar Development. That, as I have already communicated would be a mistaken in our opinion. The opposition and issues you face on the Oxley Development are far more onerous. At Wollar you had 9 supporting submission whereas at Oxley you should assume no support and a plethora of opposition. Accordingly, I have taken the opportunity to broaden our deep concerns to the Oxley Solar Farm Development Directors. I am assuming the ASIC records are accurate and up to date.

You will note our September and October communications convey, in addition to the eight (8) fatal development flaws, an increasingly serious concern as to your Group's inability to offer an '**open and transparent**' consultation process. Despite requests in our communications you remain in the shadows as to the identity and operational credibility of your development structure. We repeat that the opaque ownership of Solar Megawatt Holdings and Oxley Solar Developments give us no insight no comfort as to **who will own the development asset, what is their post development strategy and development and operational capability. These critical questions remain unanswered.** May I again remind you of your '*open and inclusive*' obligations pursuant to S 2.23 of the Environmental Planning and Assessment Act 1979. Leaving it to the community to undertake ASIC searches doesn't tick the 'open and inclusive' box.

The paucity of your response leaves us to question whether Solar Megawatt Holdings as a foreign corporation with 100% ownership of Oxley Solar Development Pty Ltd is in compliance with the Foreign Acquisitions Takeovers Act 1975. It would appear that your Solar development interests, including possibly Wollar Solar, are *Notifiable Actions* which require FIRB (Foreign Investment Review Board) approval. So, in addition to the transparency we seek by way of the **three critical questions** raised above, **we need confirmation of your intention to ensure that there are no potential breaches of Australia's Foreign Investment regime.** Such confirmation should introduce, within the bounds of commercial in-confidence, sufficient detail to the Action Group, of the land acquisition arrangements with the effected landowners. The detail should confirm a pathway to FIRB approval or better still in the alternative evidence of actual approval.

Bruce and Oxley Solar Development Directors, we again question why, if you are intent on facilitating 'best practice consultation practices' the Community has to search and inquire as to whether your development ambitions even reach some threshold compliance with Australian Foreign Investment Law.

Kind Regards  
Mark Fogarty

[Redacted signature block]

CC You Li - [Redacted]

Ye Han - [Redacted]

Lixia Hou - [Redacted]

