



**ASIC**  
Australian Securities &  
Investments Commission

**Australian Securities  
and Investments Commission**

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4 August 2022

Dear Mr Whatley

**Waratah on Alstonville Pty Limited (Subject to Deed of Company Arrangement) ACN  
635 849 857 ('Company')  
Application for eligible applicant status under the Corporations Act 2001 ('Act')**

I refer to your letter dated 18 March 2022 which requested the Australian Securities and Investments Commission (**ASIC**) to authorise AGS Commercial Pty Ltd (**Applicant**) as an 'eligible applicant' for the purposes of Division 1 of Part 5.9 of the Act in relation to the Company.

ASIC authorises the Applicant as an eligible applicant for the purposes of Division 1 of Part 5.9 of the Act in relation to Company. The authorisation granted by ASIC ceases when the Company is no longer subject to any form of external administration<sup>1</sup> and when all controllers of the Company cease to act.<sup>2</sup>

Yours sincerely,

Carl Sibilia  
as a delegate of the Australian Securities and Investments Commission

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<sup>1</sup> Has the same meaning as section 5-15 of Schedule 2 of the *Corporations Act 2001*.

<sup>2</sup> As defined by section 9 of the *Corporations Act 2001*.