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# Blake Dawson

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**10 November 2010**

Dear Mr Newton

## **Caval Ridge Project – Supplementary Condition Change Request**

As you know we act for BM Alliance Coal Operations Pty Ltd (**BMA**) in relation to the approvals processes for this project.

We refer to the condition change request contained in the letter dated today, signed by BMA and sent by us by email to Dr Dickie of the Coordinator-General's earlier today.

We are now instructed by BMA to add one further request to those referred to in that letter.

That request is that a new general condition, condition 1(d), be added to the imposed conditions contained at Appendix 1, Schedule 1 to the Coordinator-General's report of 9 August 2010 as follows:

- 1 (d) Where, in any of the conditions contained in this Schedule 1, there is a reference to actions being done before or after a set time, the proponent and the Coordinator-General may agree, in writing, to vary that reference to time. Where such agreement is reached, the reference to time in any such condition is taken to be a reference to the time as varied by that agreement and the proponent must promptly notify the relevant consultative body, if any, which, under Schedule 2 is the entity given jurisdiction over that condition.

On behalf of our client we ask the Coordinator-General to consider this request as part of the condition change request submitted earlier today.

The reason for seeking this further condition change is to avoid condition timing problems similar to those addressed in the condition change request submitted earlier today, thereby avoiding the need for further condition change requests of a similar nature.

As with the condition change request submitted earlier today, BMA submits that that this change has no material effect on the project and has no environmental effects.

### Your reference

**Our reference**  
JIB 07 2001 1942

**Partner**  
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If you have any questions in relation to this request please contact John Briggs on 3259 7102 or by email to [john.briggs@blakedawson.com](mailto:john.briggs@blakedawson.com).



**John Briggs**  
Partner

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