



Kimberley Land Council
P.O. BOX 2145 BROOME WA 6725

Phone: (08) 9194 0100 Facsimile: (08) 9193 6279 Website: www.klc.org.au
ABN 96 724 252 047 ICN 21

Our ref: cs/NH: tba: 060810

8th August 2010

Dear [REDACTED]

Re: Instructions to Act & Proposed Point Torment Development

At a meeting of the [REDACTED] Negotiation Committee in Broome on the 20 June 2010, the [REDACTED] Negotiation Committee decided that the resolutions passed at the last [REDACTED] Native Title Claim Group meeting were not to be followed and the [REDACTED] Negotiation Committee provided different instructions to the KLC.

The Negotiation Committee decided that the KLC was not to represent [REDACTED] in commercial negotiations in the proposed port development at Point Torment, and instead this would be done by Mr Steve Walker as commercial legal advisor and Azure Capital as commercial investment advisor. The Negotiation Committee has also decided that the KLC should focus solely on the [REDACTED] native title claim.

It is KLC's view that it is not possible to separate these two issues, as the KLC does not have resources to advance the [REDACTED] Native Title Claim. The KLC was negotiating to obtain the necessary resources to progress the [REDACTED] Native Title Claim from the parties interested in advancing the port development. Given the Negotiation Committee's instructions, the KLC is no longer able to engage with these parties, and consequently cannot advance the [REDACTED] Native Title Claim.

There is also uncertainty over the role that the KLC, and the other external parties, would have, and who would be engaging who. One concern the KLC has with the approach taken is that individual Traditional Owners will have personal liability to external consultants in relation to their fees for the work being done on this matter by the external consultants. It is not clear in this arrangement who is responsible to who.

Given these issues, the KLC is not able to continue to act for the [REDACTED] mob, until the issues are resolved in a way that provides certainty to the KLC on its role, and the role of other consultants, and the process does not expose Traditional Owners to undue personal risk.

CORPORATE SERVICES
BROOME
PO Box 2145, WA 6725
TEL: (08) 9194 0100
FAX: (08) 9193 6279

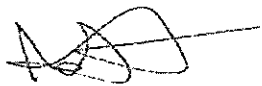
REGIONAL OFFICE
DERBY
PO Box 377, WA 6728
TEL: (08) 9194 0175
FAX: (08) 9193 1163

REGIONAL OFFICE
KUNUNURRA
PO Box 821, WA 6743
TEL: (08) 9194 0190
FAX: (08) 9168 1509

SUB OFFICE
PARAKU IPA, MULAN
PO Box 157, WA 6765
TEL: (08) 9168 8259
FAX: (08) 9168 8170

Please contact Athlea Sullivan if you have any queries.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Nolan Hunter', with a horizontal line extending to the right.

NOLAN HUNTER
Acting Chief Executive Officer

