



*An Aboriginal Community
Based Organisation*

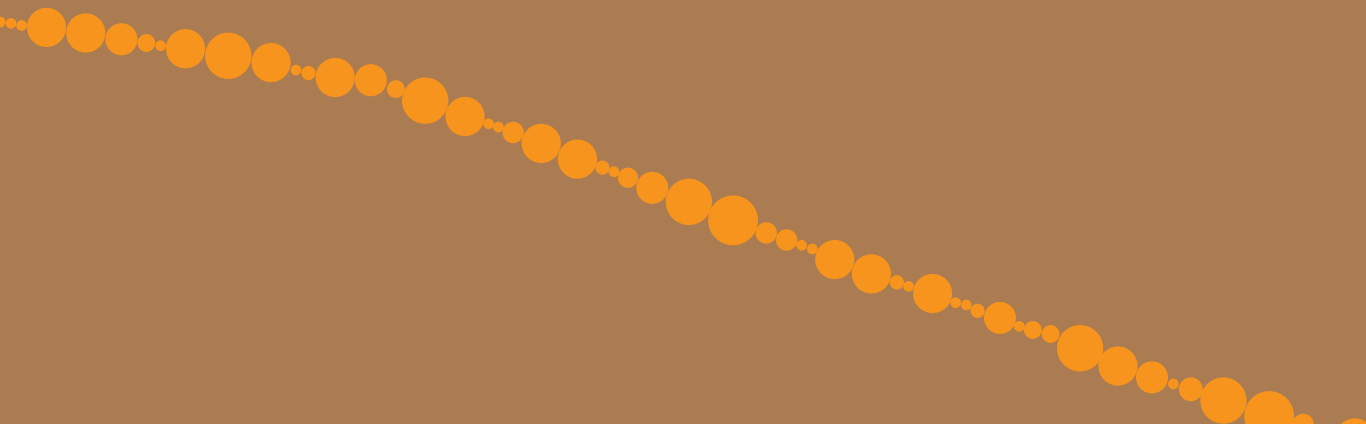
NORTH QUEENSLAND LAND COUNCIL
STRATEGIC PLAN
..... 2016-2021

WARNING: While the North Queensland Land Council Native Title Representative Body Aboriginal Corporation (NQLC) has made every effort to ensure this Strategic Plan does not contain material of a culturally sensitive nature, Aboriginal people should be aware that there could be images of deceased people.

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CONTENTS

INTRODUCTION	4
Region	4
Vision	5
Purpose	5
Values	5
Relationships with Stakeholders and other Non-Government Organisations	5
GOVERNANCE	7
Role and Functions of our Board of Directors	7
Executive Committee	7
Sub Committee	7
Disclosure of Interest	7
Accountability and Governance	8
Accountability	8
Transparency and Openness	8
Separation of Powers and Duties of the Board of Directors	8
Leadership	9
Executive Officer	9
NQLC Structure	9
PRESCRIBED BODY CORPORATE	10
KEY FUNCTIONS	11
Facilitation and Assistance	12
Certification	13
Dispute Resolution	14
Internal Review	15
Agreement Making	16
Notification	17
Other Functions	18

INTRODUCTION

Region

The North Queensland Land Council (NQLC) is recognised as the Native Title Representative Body (NTRB) under s. 203AD of the Native Title Act 1993 (NTA). The NQLC representative area extends from the Daintree and 4km north west of the Bloomfield Rivers in the east to just south-east of Ilbilbie and just west of Hayden and east to include the waters that are within the Exclusive Economic Zone of Australia. The land and waters of the NQLC is approximately 943,300 km², with approximately 411,164 km² of this being land.

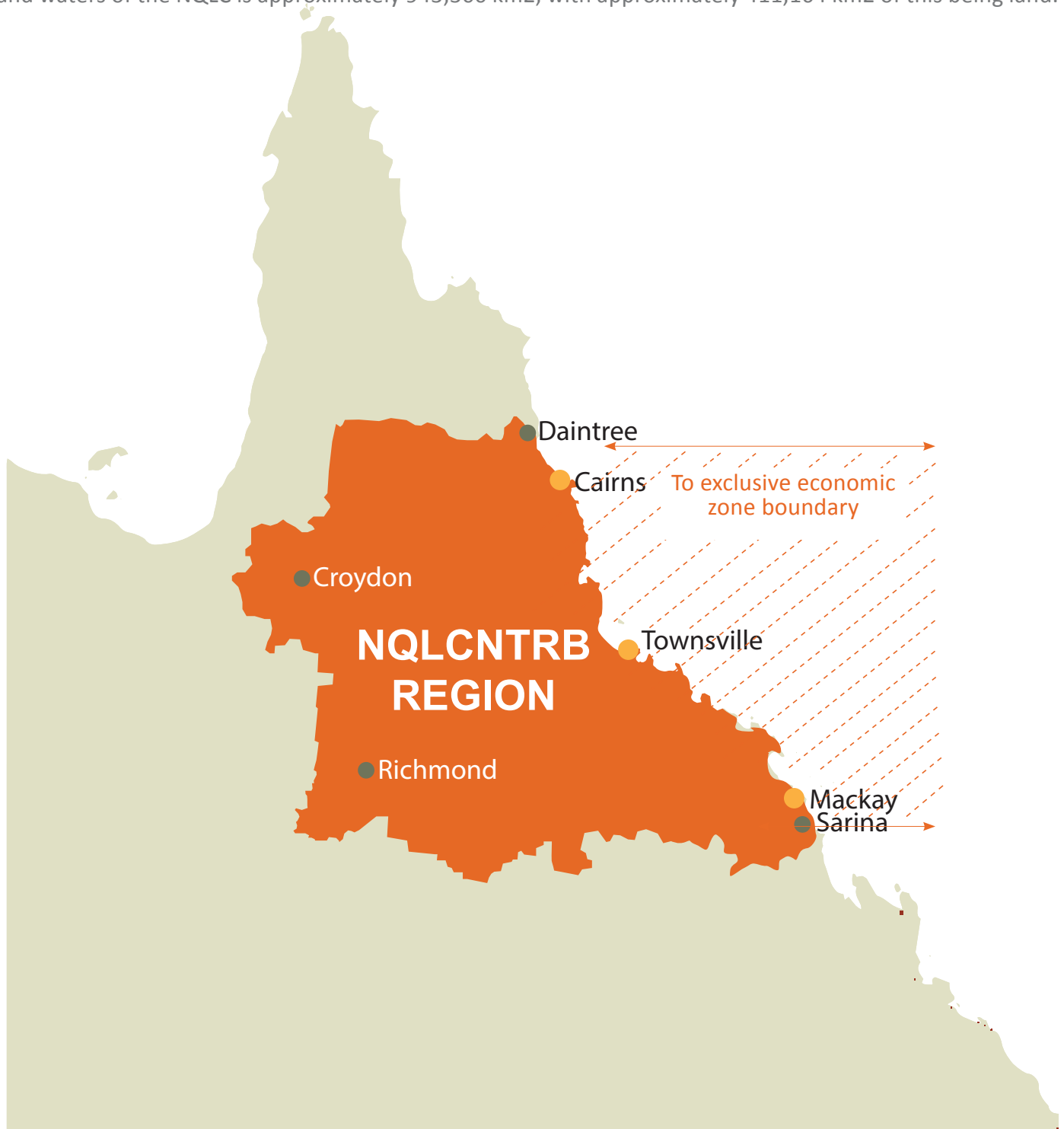


Figure 1: The area of responsibility of the NQLC Representative Body

Vision

The vision of the NQLC is for a region in which the native title rights and interests of every Native Title Holder has been legally recognised and in which Aboriginal people benefit economically, socially and culturally from the secure possession of their traditional land and waters. To ensure the continuance of an organisation with good governance as a fundamental and which gives Traditional Owners a representative Board through the Ward election process.

Purpose

Our purpose is to assist Aboriginal people in the NQLC region to maximise recognition of native title rights and interests and the benefits that flow from native title outcomes; to ensure that native title rights and interests are protected and maintained, and economic development opportunities are pursued.

Values

- Cultural sensitivity, including the respect for traditional lore and customs of the Native Title Groups
- Quality, professional service in accordance with the functions identified in the NTA.
- Fair, transparent, accountable , responsible and just operations and processes.
- Leadership and excellence in corporate governance practice.
- Honesty, professionalism and accountability to Traditional Owners in the delivery of our services
- Optimum distribution of resources to achieve native title and other outcomes.
- Maximum participation of, and collaboration with Traditional Owners and other stakeholders in native title processes.
- Responsiveness to the changing operating environment of Native Title Representative Bodies.
- Maintenance of a harmonious and productive workplace conducive to the achievement of native title and other outcomes.
- Encouragement and promotion of employment, training and professional development of Aboriginal People within the region.

Relationships with Stakeholders and other Non-Government Organisations

The North Queensland Land Council (NQLC) operates in a politically dynamic and challenging environment. Its capacity to continue to deliver high-level professional native title services is largely dependent upon our organisational capacity to anticipate and respond to change.

It is the policy of NQLC to continue to develop and build positive, effective relationships with other stakeholders in the native title process to achieve negotiated and quality native title outcomes. These include but are not limited to:

- its primary funding body – Department of the Prime Minister and Cabinet);
- the Queensland Representative Body Alliance and National Native Title Council
- the Federal Court of Australia;

- the National Native Title Tribunal (NNTT);
- the Queensland Government and agencies;
- all other major third party stakeholders; and
- potential joint venture or partner commercial entities.

The establishment and continuity of the aforementioned relationships have allowed the NQLC to develop an effective co-ordination of resources with external agencies to progress NQLC's priority claims, which in turn enables the NQLC to undertake far greater workloads than our funding would normally permit.

NQLC engages with the NNTT, the State Government and other respondent parties to its native title claims in its area, to ensure that there are agreed priorities that minimise the impact of hostile parties delaying the progression of claims and further maximise the opportunities for native title agreements and consent determinations.

The NQLC's charter is to achieve the maximum number of native title determinations or other outcomes of benefit to Traditional Owners as is possible.

NQLC is committed to the negotiation process as the best means of achieving successful outcomes for the native title holders.



GOVERNANCE

Role and Functions of our Board of Directors

NQLC's Board of Directors are elected under a ward system with nine (9) wards within NQLC's Native Title Representative Body area. Board Members are elected for a two (2) year term.

The number of representatives for each ward and the locations of ward meetings are as follows:

Ward	No. of Representatives
Cairns	2
Hughenden/Charters Towers	1
Innisfail	1
Mount Garnet Ward	1
Proserpine/Mackay	1
Tableland	2
Townsville/Ayr	1
Tully/Palm Island	1
Yarrabah	2

The ward elections are required by the Rules of the Corporation to occur every second year, at least two (2) weeks prior to the Annual General Meeting and the Rules of the Corporation set out clearly and in detail, the process and procedure for ward meetings.

The Board of Directors function is to set in place the policies and strategies that gives the organisation over-all direction.

The Board are committed to the principles of good corporate governance and as such have enshrined in the Constitution a provision recognising the separation of powers as a fundamental to the operating structure of NQLC.

The Board aims to meet a minimum of four (4) times annually, with provisions to meet more regularly as and if required.

Executive Committee

Pursuant to the Rules of the Corporation there is an executive committee, which is empowered to deal with various matters in between full-Board meetings.

Sub-Committees

Pursuant to the Rules of the Corporation the Board of Directors may appoint a sub-committee and has the power to determine the responsibilities and powers of that sub-committee.

Disclosure of Interest

In accordance with good governance principles the NQLC's Rules of Corporation and Policies require Directors to disclose any interest in a contract or arrangement or proposed contract or arrangement or other matters and a conflict register is held.

A person who discloses a conflict of interest may not vote on any motion relating to the matter to which the conflict exists.

Accountability and Governance

Good corporate governance is a responsibility shared across the whole Corporation, with the development of a skilled and diverse workforce, appropriate planning, resource allocation and management models. It includes providing appropriate leadership, policies, programs, processes and systems that enable and enhance corporate capability and improved business process and delivery.

The NQLC's corporate governance philosophy is based on the following principles:

- Accountability;
- Transparency and openness;
- Separation of powers; and
- Leadership.

Accountability

Managers and staff are responsible for their decisions and actions, including having appropriate mechanisms in place to ensure accountability of funds that will pass appropriate internal and external scrutiny. NQLC has in place policies to ensure effective and efficient implementation of NQLC programs and services.

Transparency and Openness

The NQLC strives to ensure that stakeholders can have confidence in its decision-making processes and actions in the management of activities and in its employees. The areas of decision making and responsibility are clearly set out and the administration and the Board of Directors have a clear understanding of their respective roles and responsibilities.

Separation of Powers and Duties of the Board of Directors

The principle of separation of powers is entrenched in the Rules of Corporation and applies to the functioning of and the carrying out of the Corporation's business. These are listed below.

The Board of Directors is responsible for:

- the setting of policy and of determining the priorities of the business or functions of the Corporation;
- the setting of and approvals of budget plans;
- strategic planning;
- statutory functions;
- any functions required to be carried out by the Corporation in accordance with the conditions attached to any grant of monies;
- appointment of Auditors;
- appointment of an Executive Officer;
- setting, running and keeping records of all Annual General Meetings;
- all General meetings and all Ward Meetings of the Corporation;
- appointment of a Public Officer;

- representing the Corporation at political forums, seminars and meetings relevant to the functions or objectives of the Corporation; and
- general planning for the carrying out of the objectives and goals of the Corporation.

The Executive Officer is appointed by the Board of Directors to manage the affairs of the Corporation and is also responsible for implementing the policies and general planning set by the Board of Directors and in conducting the day to day business of the Corporation.

Each person who is on the Board of Directors:

- a) has a duty to act in that position with honesty, diligence and reasonable care; and
- b) shall not make improper use of information or opportunities received through that position.

Leadership

The role of the NQLC Board of Directors is to make policy and other major decisions in the best interest of the NQLC and the Traditional Owners of the region. Board members are elected on a ward system and also have a role to represent the Traditional Owners of their ward and act as liaison between those members and the NQLC.

Good leadership is critical to achieving the NQLC's commitment to good governance. The Executive Officer acts in accordance with the policies and directives of the Board of Directors and provides leadership in corporate governance by ensuring that those principles are well understood and that the checks and balances in place are working effectively.

Executive Officer

The Land Council's Executive Officer is responsible for implementing the decisions of the Board and for the day-to-day management of the Land Council. The Executive Officer is accountable to the Board for the efficient management and governance of the NQLC. He is supported by the Line Managers (Corporate Services Unit, Research Unit, Legal Unit, FAME Unit and PBC Support Unit) to ensure that statutory obligations are met and that the NQLC is achieving its outcomes and meeting performance targets.

Amongst other things the Executive Officer, in accordance with policies and procedures set by the Board is responsible for:

- operational planning;
- relationships with stakeholders;
- staff employment matters;
- ensuring compliance with legislation and funding conditions;
- financial strategy and monitoring performance; and
- ensuring organisational capacity.

NQLC NTRB Structure

Board of Directors				
Executive Officer				
Corporate Services Unit	Legal Unit	Research Unit	FAME Unit	PBC Unit

PRESCRIBED BODY CORPORATE

Prescribed Body Corporate (PBC) refers to the Aboriginal Corporation that each successful Native Title Determination Group must have under the Native Title Act 1993.

The PBC's role is to deal with native title issues post determination.

NQLC notes the importance these bodies have in the effective administration associated with native title holdings by maximising the opportunities and benefits arising out of their native title and by ensuring that native title holders have self-determination.

There is a need to ensure that the bodies are and remain financially secure if their vital role is to be performed.

NQLC encourages the setting up of PBCs as part of the native title claim process and notes that available funding to resource PBCs is limited. This has restricted the ability of NQLC to provide adequate assistance to PBCs.

The NQLC will continue to work closely with regional PBCs to identify and promote business and economic development opportunities available through their native title rights. NQLC will expand its PBC Support Unit to provide greater support to PBCs to develop and build their capacity to achieve economic goals.

NQLC remains concerned that funding of PBCs remains inadequate. The NQLC will continue to advocate for additional funding for PBCs and assist PBCs to explore additional funding sources. The NQLC is heartened though by the increased allocation of funding to PBCs through the Northern Australia Regional Development White Paper and will support our regional PBCs to use this funding to increase their capacity.

KEY FUNCTIONS

As a recognised NTRB, the NQLC has the following statutory functions under the NTA:



Our Strategic Objectives for these key functions are shown on the following pages.

FACILITATION & ASSISTANCE



OBJECTIVES

Our key facilitation and assistance objectives are:

- Prepare and lodge native title applications in the most effective, efficient and timely manner
- Ensure that all groups that may have native title and can demonstrate sufficient connection will have a native title claim lodged
- Maximise benefits to native title holders through the strategic negotiation of agreements with Stakeholders
- Strategically pursue cultural and economic development opportunities of precedent value to the region



RATIONALE

Those objectives are based on the following:

- Set priorities and allocate resources to achieve just, equitable and agreed native title outcomes with maximum benefit for native title holders
- Develop native title claims in accordance with the assessed priorities and needs throughout the region
- Facilitate appropriate anthropological research that meet the State's current connections guidelines to ensure all claims can progress to consent determination
- Where possible, progress claims in order of priority to consent determination
- Utilise the most cost-effective and efficient professional services for the advancement of claims
- Resolve claims through negotiation, agreement and consent rather than through litigation



STRATEGY

We plan to adopt the following strategies to achieve our objectives:

- Implement and regularly review the NQLC prioritisation process
- Engage with state government and the Federal Court to ensure that their priorities are consistent with NQLC's
- Maximise the use of in-house legal representation
- Maximise the use of internal anthropologists for the preparation of connection reports
- Continue to utilise established ILUAs as templates for a wide variety of purposes so as to minimise costs of ILUA developments



MEASURE

We will measure our performance in the following ways:

- Native title determination applications registered
- Connection reports provided to the State
- Key priorities have been agreed to by the State and the Federal Court
- ILUAs authorised, lodged and registered
- Access Agreements - Authorised / Executed
- Meetings held by the NQLC, claimant groups and other native title parties
- Native title applications determined

CERTIFICATION



OBJECTIVES

Our key certification objectives are:

- Ensure all native title application claims and ILUAs represented by NQLC are provided with certification or the alternate supply of information under s 190 C (5) of the Native Title Act



RATIONALE

Those objectives are based on the following:

- The NQLC prefers the supply of information as per 190C(5) rather than certification. In the event certification is required, the NQLC will only certify claims where it has been fully involved in the construction, authorisation and lodgement of those claims



STRATEGY

We plan to adopt the following strategies to achieve our objectives:

- Ensure proper records are kept of any authorisation meetings
- Commission appropriate research to ensure prompt and timely identification of native title claimants so that claims and ILUAs are properly lodged and authorised



MEASURE

We will measure our performance in the following ways:

- Applications and ILUAs authorized under S190 C (5)
- Matters certified pursuant to S203BE

DISPUTE RESOLUTION



OBJECTIVES

Our key dispute resolution objectives are:

- That all:
 - intra-indigenous group disputes (i.e. between individuals belonging to the same native title holding group)
 - inter-indigenous group disputes (between two or more native title holding groups)
 are resolved in a timely fashion to ensure continued progression of claims towards determination
- Where possible, only lodge new claimant applications where all significant disputes between members of the group have been resolved using culturally appropriate methodology
- Where appropriate, research matters which will aid in the resolution of the disputes
- Those objectives are based on the following:
- Resolve disputes in a timely fashion
- Do not lodge claims if there are disputes
- Regular reviewing of the grant of assistance to a claim and where after reasonable efforts to resolve disputes have not resulted in a settlement of those disputes to consider whether continued funding is appropriate



RATIONALE

Those objectives are based on the following:

- Resolve disputes in a timely fashion
- Do not lodge claims if there are disputes
- Regular reviewing of the grant of assistance to a claim and where after reasonable efforts to resolve disputes have not resulted in a settlement of those disputes to consider whether continued funding is appropriate



STRATEGY

We plan to adopt the following strategies to achieve our objectives:

- Develop and apply appropriate cultural protocols for dispute resolution
- Where practicable complete anthropological connection reports prior to lodgement of claims
- Provide information and training programs about the native title process
- Continue to train staff in alternative dispute resolution processes (ADRP) to manage and resolve disputes in house
- Require native title groups to participate in ADRP
- Require native title groups to accept reasonable professional advice and act accordingly
- Require native title groups to provide consent under s203BB(4) for the representative group to act for both groups to resolve disputes
- Utilise where appropriate, external resources including but not limited to the NNTT, Federal Court and recognised community leaders to assist in resolving disputes



MEASURE

We will measure our performance in the following ways:

- Meetings held with claimant groups to resolve disputes
- Internal and/or external disputes resolved
- Overlapping claims removed
- External agreements finalised (e.g. shared Country/boundary)

INTERNAL REVIEW



OBJECTIVES

Our key internal review objectives are:

- Consolidate effective working relationships and professional claim management practices with native title holding groups to maintain the current low levels of requests for internal reviews via inclusive and consultative claim management strategies



RATIONALE

Those objectives are based on the following:

- Operate an open, transparent, internal review process that meets relevant legislative requirements and is based on natural justice principles
- Ensure that internal review processes are known and accessible
- Deal with all requests for internal reviews promptly and in accordance with publicised procedures
- Maintain good working relationships with claimants



STRATEGY

We plan to adopt the following strategies to achieve our objectives:

- Follow Guidelines for Provision of Assistance for native title claims
- Provide native title holders with access to information about internal review processes
- Ensure that staff of the organisation conduct themselves towards native title holders according to fair and equitable practices as outlined in NQLC policies and procedures
- Conduct internal reviews in accordance with our internal review policy
- Periodic review of appropriateness of internal review policy



MEASURE

We will measure our performance in the following ways:

- Reviews responded to and processed by NQLC in a timely manner
- Reviews completed by NQLC

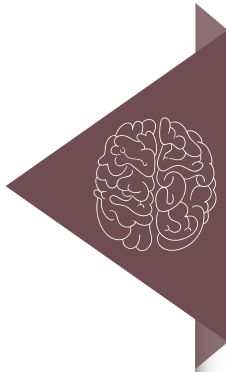
AGREEMENT MAKING



OBJECTIVES

Our key agreement making objectives are:

- Where required, assist native title holders to protect their native title rights in agreement negotiations
- Ensure native title holders have access to appropriate legal advice for the purpose of negotiation agreements



RATIONALE

Those objectives are based on the following:

- Support and assist negotiated agreements between native title holders and claimants and other parties
- To fully consult with, and be directed by, native title claimants and holders where we are a party to an ILUA



STRATEGY

We plan to adopt the following strategies to achieve our objectives:

- Negotiate terms and conditions of an agreement for the maximum benefit of the native title holders
- Utilise the NNTT, facilitators and other agencies to assist in reaching agreements
- Assist in defending against registration
- Monitor the implementation of agreements



MEASURE

We will measure our performance in the following ways:

- ILUAs authorised
- ILUA negotiations completed
- ILUAs registered
- Future Act agreements finalised
- Other settlement agreements finalised

NOTIFICATION



OBJECTIVES

Our key notification objectives for Future Acts and other notices are:

- Native title holders of our service region are informed and advised in an efficient and effective manner of different notification processes and timeframes, terms and conditions, processes for responding and other activities that may affect their native title rights and interests in a timely and informative manner
- Continue to streamline procedures for processing future act notices
- Strategically identify key future act notices requiring objection due to their potential for impact on native title rights and interests



RATIONALE

Those objectives are based on the following:

- To have an efficient and effective management system in place for the receipt and processing of future act notices
- Where there is a negative impact nominated representatives of native title holders in the service region to be notified about any future act notices in a timely and cost effective manner



STRATEGY

We plan to adopt the following strategies to achieve our objectives:

- Maintain efficient and effective procedure for notification
- Identify native title holders of our service region
- Maintain up to date register of native title claimants and holders



MEASURE

We will measure our performance in the following ways:

- Future Act Notices processed within statutory time frames by NQLC
- Advice of non-claimant and tenure upgrade applications provided to traditional owners in a timely manner

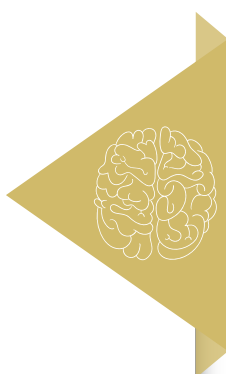
OTHER FUNCTIONS



OBJECTIVES

Our key objectives in relation to our other functions are:

- Provide information to native title holders of this region to provide them with the best opportunity to understand the roles and functions of NTRBs, the NNTT and the Federal Court and native title processes
- Cooperative and productive relationships are established and maintained with neighbouring native title representative bodies.
- As much as possible coordinate NQLC responses to particular native title issues via a collective approach with other NTRBs in Queensland and, where appropriate, nationally



RATIONALE

Those objectives are based on the following:

- Target the educational needs of our clients in an informative and cost effective manner
- Utilise native title working group meetings to provide information about native title developments and issues relating to native title law
- Achieve maximum synergies and consistencies in our operations through consistent approaches with other NTRBs
- Identification of the nature and extent of the rights and interests of native title holders and claimants is essential to the functioning of our organisation



STRATEGY

We plan to adopt the following strategies to achieve our objectives:

- Continue to publish the quarterly NQLC native title newsletter Message Stick
- Make presentations to public, community and school groups and our constituents about the rights and interests of native title holders of our region
- Produce accessible and informative annual reports
- Utilise other educational materials and programs particularly those of the NNTT
- Continue to participate in cooperative association with other NTRB/SPs to deal with State and Federal native title issues
- Continue to have in place current MOUs between NTRBs in Queensland and nationally
- Attend national and state forums with other NTRBs on native title issues
- Maintain, develop and monitor the accuracy and completeness of our native title databases



MEASURE

We will measure our performance in the following ways:

- Four (4) newsletters produced per year
- Participation in national and State native title conferences
- Effective MOUs finalised with neighbouring NTRBs
- Active participation in Queensland Representative Body Alliance (QRBA) and National Native Title Council (NNTC)
- All current native title holders and claimants registered in Native Title Holder Database

