



AGENDA

Ordinary Council Meeting

Tuesday, 14 December 2021

I hereby give notice that an Ordinary Meeting of Council will be held on:

Date: Tuesday, 14 December 2021

Time: 9.00am

Location: MASC Council Chambers

**Tim Rose
Acting CEO**

MEETING NOTICE



COUNCIL
MEETING NOTICE

You are respectfully advised that the Council Meeting Scheduled for December 2021 is as follows:

Date: Tuesday 14 December
Time: Beginning at 9.00am
Location: Mapoon Aboriginal Shire Council Meeting Chamber

The Meeting will be chaired by Cr Aileen Addo, Mayor.

Tim Rose
Chief Executive Officer

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- 1 OPEN MEETING**
- 2 LEAVE OF ABSENCE**

3 CONFIRMATION OF MINUTES

3.1 MINUTES OF THE COUNCIL HELD ON 23 NOVEMBER 2021

Author: Royleen Wolski, Consultant Governance Manager

Authoriser: Tim Rose, Acting CEO

Attachments: 1. Minutes of the Council held on 23 November 2021

HEADING

ORDINARY COUNCIL MEETING 23 NOVEMBER 2021

RECOMMENDATION

1. That the Minutes of the Council held on 23 November 2021 be accepted as a true and correct record.



MINUTES

ORDINARY COUNCIL MEETING

TUESDAY, 23 NOVEMBER 2021

**MINUTES OF MAPOON ABORIGINAL SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE MASC COUNCIL CHAMBERS
ON TUESDAY, 23 NOVEMBER 2021 AT 9.14AM**

PRESENT: Mayor Aileen Addo (Chair), Cr Kiri Tabuai, Cr Dawn Braun, Cr Daphne de Jersey,

IN ATTENDANCE: Acting Chief Executive Officer Tim Rose (Minute Taker)

1 OPEN MEETING

The meeting was opened at 9.14 am.

2 LEAVE OF ABSENCE

APOLOGY

RESOLUTION C190/21

Moved: Cr Kiri Tabuai

Seconded: Cr Dawn Braun

That the apology received from Cr Hudson be accepted and leave of absence granted.

CARRIED

3 CONFIRMATION OF MINUTES

3.1 MINUTES OF THE COUNCIL HELD ON 19 OCTOBER 2021

RESOLUTION C191/21

Moved: Cr Daphne de Jersey

Seconded: Cr Kiri Tabuai

1. That the Minutes of the Council held on 19 October 2021 be accepted as a true and correct record.

CARRIED

4 MATTERS ARISING FROM THE MINUTES

Confirmation of Closure of the Council Office is confirmed starting from 17th December 2021.

An appropriate number of staff will be on standby for emergencies.

5 CONFIDENTIAL REPORTS

Nil

6 MAYOR AND COUNCILLOR REPORTS

6.1 MAYOR & COUNCILLOR REPORTS

PURPOSE OF REPORT

To present the reports of Mayor and Councillors in relation to meetings attended.

Mayor Aileen Addo

- Council Meeting 19th October 2021
- Trustee Meeting 19th October 2021
- Rio Tinto (Weipa Operations) Meeting 19th October 2021
- Finance Training at Napranum 20th October 2021
- Apunipima Meeting 21st October 2021
- Queensland Aboriginal & Torres Strait Islander Health Council Meeting 21st October 2021
- Local Government Association of Queensland Conference 25th to 27th October 2021
- Cape York Land Council Meeting regarding Overview and information re PARMA Futures with Ritchie Ahmat 20th October 2021
- Metro Mining Meeting regarding new management and changes to Operation and Employment on 3 November 2021
- Abor Carbon Foundation Meeting regarding training in carbon control 4th November 2021
- District Disaster Management Group Meeting regarding COVID Update on 5th November 2021
- Mokwiri Meeting with Charles Budby 5th November 2021
- MyPathways Meeting 5th November 2021
- Cullen Point Planning Meeting 5th November 2021
- Telstra Meeting 9th November 2021
- Technical Working Group Meeting 10th November 2021
- Local Disaster Management Group Meeting regarding visitors to Mapoon 11th November 2021
- District Disaster Management Group Meeting regarding COVID Update on 11th November 2021
- Minister Furner's Visit to Mapoon 12th November 2021
- Apunipima Meetings 17th to 19th November 2021

Cr Daphne de Jersey

- Council Meeting 19th October 2021
- Trustee Meeting 19th October 2021
- Rio Tinto (Weipa Operations) Meeting 19th October 2021
- Cape York Land Council Meeting regarding Overview and information re PARMA Futures with Ritchie Ahmat 20th October 2021
- Local Government Association of Queensland Conference 25th to 27th October 2021
- Mapoon Community Justice Group Meeting & MyPathway Meeting 9th November 2021
- Telstra Meeting 9th November 2021

Cr Dawn Braun

- Council Meeting 19th October 2021
- Trustee Meeting 19th October 2021
- Rio Tinto (Weipa Operations) Meeting 19th October 2021
- Finance Meeting at Napranum 20th October 2021
- Local Government Association of Queensland Conference 25th to 27th October 2021
- Cape York Land Council Meeting regarding Overview and information re PARMA Futures with Ritchie Ahmat 20th October 2021
- Metro Mining Meeting regarding new management and changes to Operation and Employment on 3 November 2021
- Abor Carbon Foundation Meeting regarding training in carbon control 4th November 2021
- Mapoon Community Justice Group Meeting & MyPathway Meeting 9th November 2021
- Telstra Meeting 9th November 2021
- Technical Working Group Meeting 10th November 2021
- Local Disaster Management Group Meeting regarding visitors to Mapoon 11th November 2021
- District Disaster Management Group Meeting regarding COVID Update on 11th November 2021
- Minister Furner's Visit to Mapoon 12th November 2021

Cr Kiri Tabuai

- Council Meeting 19th October 2021
- Trustee Meeting 19th October 2021
- Rio Tinto (Weipa Operations) Meeting 19th October 2021
- Councillor Training at Napranum 20th November 2021
- Local Government Association of Queensland Conference 25th to 27th October 2021

RESOLUTION C192/21

Moved: Cr Dawn Braun

Seconded: Cr Kiri Tabuai

That Council note and receive the Mayor & Councillor Reports as presented.

CARRIED

7 OPERATIONAL REPORTS**7.1 CHIEF EXECUTIVE OFFICER'S MEETINGS****PURPOSE OF REPORT**

To present to Council a report of the Meetings attended by the Chief Executive Officer. In addition to the meetings outlined in the Agenda, the Chief Executive Officer reported on a meeting with the Principal of the State School on 22nd November 2021.

RESOLUTION C193/21

Moved: Cr Daphne de Jersey

Seconded: Cr Kiri Tabuai

That the report on Chief Executive Officer's meetings be received.

CARRIED

Wally Zeigelbauer, Executive Manager of Community Development, arrived at the meeting at 10.05am.

Tom Smith, Executive Manager of Infrastructure & Works arrived at the meeting at 10.07am.

The Chief Executive Officer and Works Manager will present to a future meeting, a report on the potential options for the cost and operations of the Football Field.

It was discussed that production of the magazine "Yarn Time" is to be recommenced.

Item 7.6 was dealt with at this time.

7.6 Executive Manager of Community Development's Report

PURPOSE OF REPORT

To present Council with a report of program performance and operational actions for the previous month.

RESOLUTION C194/21

Moved: Cr Kiri Tabuai

Seconded: Cr Dawn Braun

That the report of the Executive Manager of Community Development be received and noted.

CARRIED

The Executive Manager of Community Development left the meeting at 10.32am.

7.2 EXECUTIVE MANAGER OF INFRASTRUCTURE AND WORKS REPORT

PURPOSE OF REPORT

To present to Council a report of program performance and operational actions for the previous month.

RESOLUTION C195/21

Moved: Cr Kiri Tabuai

Seconded: Cr Dawn Braun

That the Report of the Executive Manager of Infrastructure and Works be received and noted.

CARRIED

7.3 FLEET AND WORKSHOP REPORT

PURPOSE OF REPORT

To advise Council of the operational actions of the Workshop and Fleet.

RESOLUTION C196/21

Moved: Cr Dawn Braun

Seconded: Cr Kiri Tabuai

That the Council receive and take note of the Fleet Co-ordinator/ Workshop Manager's Monthly Report for November 2021.

CARRIED

The meeting broke for morning tea at 11.09am.

The Executive Manager of Infrastructure & Works left the meeting at this time.

The meeting recommenced at 11.32am.

The Chief Executive Officer tabled a letter from the Police Citizen's Youth Club Indigenous Program providing information re the fitness centre

It was agreed to reduce the Gymnasium membership fees to \$40, to encourage additional users to make use of the centre.

7.4 EXECUTIVE FINANCE MANAGER OCTOBER 2021 REPORT

PURPOSE OF REPORT

To present to the Council a report outlining program performance and operational actions for the previous month. This report contains listed activities and points for decisions in Council meeting.

The Chief Executive Office presented the Report.

RESOLUTION C197/21

Moved: Cr Daphne de Jersey

Seconded: Cr Dawn Braun

That Council receive the report and endorse the Financial Reports for the financial period October 2021.

CARRIED

Kelli Leatham, the Executive Manager of Environmental Services, Land & Sea Rangers and Parks & Gardens joined the meeting at 11.50am.

7.5 ACTING EXECUTIVE MANAGER OF ENVIRONMENTAL SERVICES, LAND AND SEA, PARKS AND GARDENS

PURPOSE OF REPORT

To present to Council a report of Program Performance and Operational actions for previous month

RESOLUTION C198/21

Moved: Cr Daphne de Jersey

Seconded: Cr Dawn Braun

That the report of Acting Executive Manager of Environmental Services, Land and Sea Rangers and Parks and Gardens be received and noted.

CARRIED

Kelli Leatham departed the meeting at 12.02pm

7.6 EXECUTIVE MANAGER OF COMMUNITY DEVELOPMENT'S REPORT

Dealt with earlier in the Meeting.

7.7 CALENDAR OF COUNCIL MEETINGS AND TRUSTEE MEETINGS FOR 2022**PURPOSE OF REPORT**

Proposed dates for Council and Trustee Meetings 2022

RESOLUTION C199/21

Moved: Cr Kiri Tabuai

Seconded: Cr Daphne de Jersey

That the Calendar of Council and Trustee Meeting Dates 2022 report be received and noted.

CARRIED

Council Moved into Closed Session to discuss confidential staff matters at 12.08pm

RESOLUTION C200/21

Moved: Cr Kiri Tabuai

Seconded: Cr Dawn Braun

That Council move into Closed session.

CARRIED

RESOLUTION C201/21

Moved: Cr Kiri Tabuai

Seconded: Cr Daphne de Jersey

That Council move out of closed session.

CARRIED

Council moved out of Closed Session at 12.14pm.

7.8 HUMAN RESOURCES REPORT**PURPOSE OF REPORT**

To advise Council of the operations of the Human Resource Department.

RESOLUTION C202/21

Moved: Cr Dawn Braun

Seconded: Cr Daphne de Jersey

That the Human Resources Manager's Report be received and noted.

CARRIED

The Mayor tabled a request by the Department of Aboriginal and Torres Strait Islander Housing in relation to a property allocation and it was agreed that no objection be made on cultural grounds.

8 ANY OTHER BUSINESS**8.1 Request for Confirmation of Aboriginality**

Documentation was presented in relation to Dana Yve Braun and Corbin James Braun.

Cr Braun declared an interest and left the meeting at 12.38pm

RESOLUTION C203/21

Moved: Cr Kiri Tabuai

Seconded: Cr Daphne de Jersey

That Council confirm that the two persons, Dana Yve Braun and Corbin James Braun are confirmed as being Aboriginal and as being known and accepted as such by the Mapoon Community.

CARRIED

Cr Braun was invited back into the meeting at 12.40pm

8.2 PAANJA FESTIVAL MEETING

It was agreed that a Paanja Festival Meeting would be held early in the New Year.

8.3 OTHER BUSINESS

Tom Smith, Executive Manager of Infrastructure & Works returned to the meeting at 12.47pm.

The Executive Manager tabled a letter to Council which had been prepared by AECOM on MASC2021_01 Mapoon Airstrip Defects Rectification Tender Evaluation Letter and the Roads to Recoveries Repairs to Clermont Street, Mapoon.

8.3 a) Mapoon Airports Defects Rectification**b) Road to Recovery Repairs to Clermont Street, Mapoon****PURPOSE OF REPORT**

To present to Council a report in relation to:

- a) Mapoon Airport Defects Rectification
- b) Road to recovery Repairs for Clermont Street, Mapoon.

RESOLUTION C204/21

Moved: Cr Kiri Tabuai

Seconded: Cr Daphne de Jersey

That Council approve:

- a) Mapoon Airports Defects Rectification and Road to recovery repairs to Clermont Street, Mapoon for a total amount of \$366,157.54, and
- b) Delegate authority to the Chief Executive Officer in accordance with the Local Government Act to finalize these works.

CARRIED**9 CORRESPONDENCE IN****9.1 CORRESPONDENCE IN FROM THE HONORABLE STEVEN MILES, MP, DEPUTY PREMIER, MINISTER FOR STATE DEVELOPMENT, INFRASTRUCTURE, LOCAL GOVERNMENT PLANNING, MINISTER ASSISTING THE PREMIER ON OLYMPICS INFRASTRUCTURE, DATED 13 NOVEMBER 2021.****PURPOSE OF REPORT**

To advise Council of Correspondence in from the Honorable Steven Miles, MP, Deputy Premier, Minister for State Development, Infrastructure, Local Government Planning, Minister Assisting the Premier on Olympics Infrastructure, dated 13 November 2021.

RESOLUTION C205/21

Moved: Cr Kiri Tabuai

Seconded: Cr Daphne de Jersey

That the Correspondence In be noted.

CARRIED**10 CORRESPONDENCE OUT**

Nil

11 NEXT MEETING DATE

Proposed date for next meeting: 14 December 2021

12 CLOSE MEETING

The Meeting closed at 1.00pm.

4 MATTERS ARISING FROM THE MINUTES

5 CONFIDENTIAL REPORTS

Nil

6 MAYOR AND COUNCILLOR REPORTS**6.1 MAYOR & COUNCILLOR REPORTS**

Author: Aileen Addo, Mayor
Authoriser: Tim Rose, Acting CEO
Attachments: Nil

PURPOSE OF REPORT

To present the reports of Mayor and Councillors in relation to meetings attended.

DISCUSSION

The Mayor & Councillors will present the details of the meetings they have attended.

RECOMMENDATION

That Council note and receive the Mayor & Councillor Reports as presented.

7 OPERATIONAL REPORTS

7.1 CHIEF EXECUTIVE OFFICER'S MEETINGS

Author: Tim Rose, Acting CEO

Authoriser: Tim Rose, Acting CEO

Attachments: Nil

PURPOSE OF REPORT

To Brief Council of the meetings attended by the Chief Executive Officer.

DISCUSSION

- The Mayor, Councillors and Chief Executive Officer attended the Council Meeting on the 23rd of November 2021,
- The Mayor, Councillors and Chief Executive Officer attended a Trustee Meeting on the Tuesday the 23rd of November 2021.
- The Mayor, Deputy Mayor and Chief Executive Officer attended the Thriving Communities Meeting on the 25th of November.
- The Mayor and Chief Executive Officer attended weekly briefings (Tele-conference) with The Torres & Cape Hospital & Health Service about Covid 19 Vaccine roll-out.
- Chief Executive Officer and Acting Governance Manager meet with Christopher Bradley from Transport and Main Roads on the Local Fares Subsidy Scheme on Tuesday the 30th of November.
- The Mayor and Chief Executive Officer had a team's meeting with Kuku'nathi Services by teleconference on the 30th November on services in the area,
- The Chief Executive Officer and the Executive Manager of Community Development had a meeting with Chris Coutts and Anand Pillay from Sports and Recreation FNQ about the Football Field construction and maintenance.
- The Mayor, Chief Executive Officer and available Councillors met with Biannka Brannigan from Department of Seniors, Disability Services & Aboriginal and Torres Strait Islander Partnerships and Andrew Prowse, Consultant on the masterplan for Cullen Point on the 7th of December.
- The Mayor, Cr Tabuai and Chief Executive Officer by Teams with the Local Thriving Communities Co-ordinating committee regarding the Mapoon committee.
- The Mayor, Cr Tabuai and Chief Executive Officer met with ELY trust CEO and Delora Nixon on the 8th of December to discuss the changing of the their Trust deed to amend to Mapoon Aboriginal Council as a designated representative.
- The Mayor, Chief Executive Officer and Works Manager had a combined LDMG meeting in Weipa on the 8th of December
- The Mayor, Chief Executive Officer and available councillors met with the Minister Crawford on the 9th of November.

- The Mayor, Chief Executive Officer and available councillors attended the community Christmas party on the 10th of December.
- The Chief Executive Officer attended the staff Christmas Party on the 11th of December at the Weipa Bowls Club.
- Various other operational and Internal Meetings.

RECOMMENDATION

That the report on the Chief Executive Officer's meetings be received and noted.

7.2 EXECUTIVE MANAGER OF INFRASTRUCTURE AND WORK'S REPORT

Author: Tom Smith, Executive of Infrastructure & Works

Authoriser: Tim Rose, Acting CEO

Attachments: 1. PR145516-2 R80922_High Risk Species Management Plan_26112021.NM

PURPOSE OF REPORT

To present to Council a report of program performance and operational actions for the previous month

BACKGROUND

Council has several larger projects currently under construction which are at various stages of completion.

DISCUSSION**WORKS ACTIVITIES TO DATE:**

Social Housing blocks:	<ul style="list-style-type: none"> • Fencing completed to 3 sides of all blocks, • Inground plumbing installed on all blocks, • 5 house slabs poured, • Block work to 4 houses completed, • Corefill completed to 4 houses, • Trusses installed on 2 houses, • Roof sheets installed on 2 houses, • Windows on site ready for installation, • Soil test for the next 5 houses funded by the Federal Government have been completed and the high-risk species management plan is completed ready for the removal of trees to create the next house blocks, copy of the document attached.
Church Works:	<ul style="list-style-type: none"> • Defect list completed, • Touch up paint completed, • Fence painting to external completed, • Turf laid,

	<ul style="list-style-type: none"> • Crosses installed, • Gates constructed, installation after sealing of road, • Extra seating on site, • Builder clean complete, • Bell fitted.
Building Our Regions 5 (BoR 5) Paanja Lodge Cabins: Building Our Regions 5 (BoR 5) Paanja Lodge Cabins (Continued)	<p>In relation to all four units:</p> <ul style="list-style-type: none"> • Walls external are 100% complete, • Windows are 100% complete, • Trusses, roof sheeting and gutters are 100% complete, • External doors to Lock-up 100% complete, • Internal all battening and blocking 100% complete, • First fix electrical 100% complete, • First fix Plumbing 100% complete, • In Ground Plumbing 90 % complete, • Internal door frames 100% complete, • Installation of fencing 90% complete, • External decking 100% complete, • Internal Plaster boarding 100% complete, • Kitchen/wardrobe manufacture 100% complete, • Concrete works, driveways and carparks 100% complete, • Bathrooms 100% complete, • Tiling 100% complete,

	<ul style="list-style-type: none"> • Construction of carpark/solar power support 100% complete, • Internal decoration 100% complete, • Floor coverings 100% complete, • Second fix electrical internal 100% complete, • Dog boards 100% complete, • External handrails 75% complete, • Turf ordered and expected early December.
The Works for Queensland (W4QLD 20-21) Store Project:	<ul style="list-style-type: none"> • Pad filling is nearing completion compaction is being achieved, • 90 piles underway, • Under slab works underway.
The Works for Queensland (W4QLD 21-23) Council Extension	<ul style="list-style-type: none"> • Architect has commenced with design, • Soil tests completed.
The Works for Queensland (W4QLD 19-21) Cultural Centre:	<ul style="list-style-type: none"> • Roof purlins 100% complete, • Wall framing 100% complete, • Roof sheeting 100% complete, • Electrical first fix 100% complete, • Plumbing first fix 100% complete, • Aircon first fix 100% complete, • All internal walls and suspended ceilings 100% complete, • Plaster boarding and setting 100% complete, • External wall sheeting 100% complete, • Joinery manufacturer 100% complete,

	<ul style="list-style-type: none"> • Café fit out manufacture 100% complete, • Gates and railing 90% complete, • Painting 80% complete, • Floor topping 100% complete, • Floor covering 85% complete, • Joinery installation 60% complete, • Stainless café fit out 100% complete.
Building Our Regions 4 (BoR 4) New Staff Housing:	<ul style="list-style-type: none"> • Landscaping completed, turf delivery December, • Minor defect rectification 100% complete, • Aircons installed, • Builder clean complete.
Barge landing	<ul style="list-style-type: none"> • 66 planks installed, • Construction of transition completed, • All Rock delivered and installed, • PC was awarded 10/12/2021.
Water Tank Construction	<ul style="list-style-type: none"> • Main slab poured 100% complete, • Tank walls formed steeled and poured 100% complete, • New water connections are installed and 100% complete, • The Supervisory Control and Data Acquisition (SCADA) 100% complete, • Tanks filling ready for cyclone season • New fence 100% complete, • Landscaping 100% complete, • Defects currently being attended to.

New Transfer Station	<ul style="list-style-type: none"> • DA currently underway, • Survey works delivered, • Site pick up will be used to complete DA and design, • Design commenced.
QBuild Maintenance:	<ul style="list-style-type: none"> • Currently up to date and invoicing continuing.
QBuild Upgrades:	<ul style="list-style-type: none"> • Bathroom upgrade at Lot 45 Underway 90 % complete, still awaiting window material supply, a shortage has caused major delays, • Lot 36, ramp construction commenced • Construction of the stair cover for Lot 41 underway, • Upgrade works to Lot 215 underway also, new plasterboards, kitchen repair and repaint ready for a new tenant.
AMO EHW:	<ul style="list-style-type: none"> • Water supply excellent and usage has dropped since the rain starting. • Stock for water treatment has arrived for the Christmas close. • Patrick had a visit from the Tropical Queensland Health Team where they have started developing more Standard Operating Procedures and a generic monthly report for Council.

RECOMMENDATION

That the Report of the Executive Manager of Infrastructure and Works be received and noted.



MAPOON ABORIGINAL COUNCIL

SPECIES MANAGEMENT PROGRAM



PR145516v2 R80922
1
29 November 2021

rpsgroup.com

REPORT

Document status

Version	Purpose of document	Authored by	Reviewed by	Approved by	Review date
0	SMP	Natalie May	Megan Davis	Megan Davis	29/11/2021

Approval for issue

Megan Davis:



29 November 2021

This report was prepared by RPS within the terms of RPS' engagement with its client and in direct response to a scope of services. This report is supplied for the sole and specific purpose for use by RPS' client. The report does not account for any changes relating the subject matter of the report, or any legislative or regulatory changes that have occurred since the report was produced and that may affect the report. RPS does not accept any responsibility or liability for loss whatsoever to any third party caused by, related to or arising out of any use or reliance on the report.

Prepared by:

RPSNatalie May
Senior Environment Scientist135 Abbott Street
Cairns QLD 4870T +61 7 4001 1338
E natalie.may@rpsgroup.com.au

Prepared for:

Mapoon Aboriginal Shire CouncilThomas Smith
Works ManagerRed Beach Road
Mapoon QLD 4874T 045 976 608
E Mapoon.Works@mapoon.qld.gov.au

REPORT

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REPORT

1 INTRODUCTION

1.1 Overview and Location

RPS has been engaged by Mapoon Aboriginal Shire Council to prepare a Species Management Program (SMP) for a proposed planning initiative for the addition of eleven (11) government housing dwellings in Mapoon Aboriginal Shire, approximately 80km north of Weipa (far north Queensland).

The dwellings will be located on Lots 160-164 SP316345 and Lots 165 – 170 SP321487.

Previous Ecological Surveys were carried out by NRA suggesting the possible nearby inhabitancy of *Probosciger aterrimus macgillivrayi* (Palm Cockatoo).

1.2 Purpose of Scope

This SMP has been developed with intentions to preserve and protect high risk fauna habitat.

The Species Management Program (SMP) authorises activities that will not impact breeding areas of protected animals that are classified as extinct in the wild, endangered, vulnerable, near threatened (ENVT), special least concern, colonial breeder or least concern under the Nature Conservation Act 1992 (Qld). Vegetation clearing of non-inhabited trees during breeding season may be permitted however clearing disturbance near inhabited trees must be monitored.

REPORT

2 SPECIES MANAGEMENT PLAN

2.1 Habitat Assessment Prior to Vegetation Clearing

Prior to vegetation clearing, clearing limits and the Project Area boundary must be identified on all design, construction and operational drawings.

Within the Project Area, all trees and natural habitat features that could potentially be used by resident or migratory fauna (i.e. potential shelter sites, nest sites, hollows, termite mounds, epiphytes, crevices, standing dead trees, large hollow logs, bush rocks or felled branches) are to be located. These habitat features are to be recorded using a Global Positioning System (GPS) device and clearly demarcated throughout the site using flagging tape and/or fluorescent paint and clearly reflected on the operational drawings. Refer to table 2 for habitat coordinates.

Suitable nearby habitat is to be identified in the event of fauna relocation.

2.2 Habitat Management

Clearing of habitat (e.g. fallen timber, rock and hollow-bearing trees) will be synchronised with relevant species lifecycles. If possible, hollow-bearing tree removal is to occur between March and August to avoid the main breeding period of hollow-dependent fauna. If hollow-bearing trees (HBTs) are to be removed, nest boxes should be installed in the remnant vegetation zone to compensate for the loss of each hollow-bearing tree (i.e. an offset ratio of 1:1). The size of the nest boxes should reflect the size of the hollow being removed, to adequately support the fauna species occupying the hollow, if any. A qualified ecologist should install the nest boxes to ensure suitable trees are selected for installation and the direction and design of the nest box is optimal for candidate species.

Where possible, logs and hollow limbs cleared during construction should be placed in adjacent vegetation so they can be used for habitat by a qualified Spotter Catcher.

2.3 Vegetation Clearing Protocol

- All fauna handling is to be undertaken by a suitably qualified Spotter Catcher with the required Rehabilitation Permit.
- Clearing of trees is carried out in a way that ensures fauna inhabiting trees (deemed to be cleared) have enough time to move out of the clearing site without species death, by:
 - Carrying out the clearing in stages.
 - Ensuring not more than 3 ha or 3% of the site's area is cleared in any 1 stage, whichever is the greater.
 - Ensuring that between each stage and the next there is at least 1 period of 12 hours starting at 6p.m. on a day and ending at 6a.m. on the following day during which no trees are cleared on the site.
 - Clearing of the trees is carried out in a way that ensures, while the clearing is carried out, appropriate habitat links are maintained within the clearing site and between the site and its adjacent area, to allow fauna living on the site to move out of the site.
- Within seven days prior to clearing all recorded habitat features should be inspected (where safe and practicable) using a nest box scope or other suitable inspection device. Any fauna found within habitat features should be removed where safe to do so and relocated within 1 km of clearing area in a safe protected bush reserve. GPS coordinates are to be taken for the location of any fauna that cannot be safely removed. These coordinates are to be reflected on the operational drawings.
- Clearing is carried out in the presence of a spotter who has the primary role of locating fauna in the trees / on ground, as well as handling and relocating fauna into a safe area. All fauna handling is to be undertaken by a suitably qualified Spotter Catcher with the required Rehabilitation Permit. The spotter also requires qualifications and experience, demonstrated skills and knowledge in locating fauna in all forms of Australian habitats or conducting arboreal fauna surveys.

REPORT

Prior to the commencement of clearing all site personnel are to be:

- Made aware of the clearing limits and how they are marked.
- Informed that they are not to encroach on areas beyond the clearing limits.
- Made aware of the locations of trees that will be retained, measures required to protect them, and the consequences of damage to these areas.
- Made aware of threatened and migratory species known or likely to occur in the Project Area and their habitat.
- Made aware of the location of any habitat features that have been found to previously contain fauna.
- Made aware of all clearing staged approaches.
- Undertake a pre-start-up check for sheltering native fauna of all infrastructure, plant and equipment and/or during relocation of stored construction materials. If fauna is identified, notify the Spotter Catcher or Far North Wildlife Rescue Group so they can relocate uninjured animals and manage injured animals.
- Undertake a two-stage approach to clearing, as described below:
 - Stage 1: Under-scrubbing of the entire Project Area should be carried out by a 4x4 tractor (or similar) with a slashing deck and a layer of mulch is to be left to aid in soil retention. Non-hollow-bearing tree and non-habitat trees will be cleared in a sequence that leaves trees that allow fauna to move to adjacent vegetation to be retained.
 - Stage 2: After a period of at least two days and preferably up to two weeks, clearing of trees can commence. All trees should be checked for fauna, and if present left alone to allow for natural dispersal from the site, as detailed above. Trees identified as being previously occupied by fauna (including those associated with habitat and hollow-bearing trees) should be checked by the spotter catcher and fauna and removed if safe to do so. If fauna is identified, the Fauna Handling and Relocation Procedure in Table 5 must be adhered to. If fauna is unable to be removed, revert to soft felling. Hollow bearing trees are to be knocked with an excavator bucket or other machinery to encourage fauna to evacuate the tree immediately prior to felling. Trees should be "soft felled". Felled hollow bearing trees must be inspected by the Spotter Catcher as soon as possible for the presence of fauna, including trapped, shocked or injured fauna. Felled hollow bearing trees must be left for a two-night period on the ground to give any fauna trapped in the trees an opportunity to escape before further processing of the trees. As aforementioned, any suitable salvaged hollows from felled trees are to be set aside and placed in adjacent retained vegetation. Remaining trees can then be mulched and stockpiled.

2.4 Fauna Handling and Relocation Procedure

If an animal (including shocked, juvenile animals or eggs) are discovered on the Project Area during clearing or other construction activities, STOP ALL WORK within the vicinity of the animal and handle fauna in accordance with the procedure detailed in Table 1.

Table 1: Fauna handling and relocation procedure.

Action	Timing	Responsibility
Time the release of the animal to coincide with the active period of the species; i.e. nocturnal animals to be released at dusk. To be carried out in accordance with the Code of Practice: Care of Sick, Injured or Orphaned Protected Animals in Queensland (NC Act) (DoES 2013)	As soon as practical after animal is caught, and only when animal is determined to be fit for release	Spotter Catcher

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Action	Timing	Responsibility
Do not undertake fauna relocation during periods of heavy rainfall or extreme weather conditions (e.g. very high temperatures), unless the animal is too stressed to be held any longer.	As soon as practical after animal is caught, and only when animal is determined to be fit for release	Spotter Catcher
Injured Animal Management		
Contact the Spotter Catcher if an injured animal is found on or in the vicinity of the construction site. The Spotter Catcher will determine if the animal is seriously injured and requires attention. If the animal is injured, contact one of the following local wildlife rescue agencies and/or veterinary surgeries immediately: • FND Wildlife Rescue (07) 4053 4467	As soon as practical after injured animal is identified in the construction footprint	Spotter Catcher Environmental Manager
Contact the local wildlife rescue agency and/or veterinary surgeon if the Spotter Catcher is not present, or cannot immediately attend the site. Follow advice from the Spotter Catcher, wildlife rescue agency and/or veterinary surgeon while waiting for any of the above parties to attend the site.	As soon as practical after injured animal is identified in the construction footprint	Environmental Manager
Once the rescue agency arrives at the site, they are responsible for the animal. Any decisions regarding the care of the animal will be made by the rescue agency.	Upon arrival of wildlife rescue agency	Wildlife Rescue Agency
If the rescue agency and/or local veterinary service cannot be contacted, the Spotter Catcher or in their absence, the Environmental Manager, will deliver the injured animal to the agency/local veterinary service as soon as practically possible.	As soon as practical after injured animal is identified in the construction footprint	Environmental Manager
The Spotter Catcher must record the following information about the animal, prior to the animal leaving the site: • Species. • Location of where animal was found (exact as possible, GPS co-ordinates). • Date. • Gender (if possible). • Photograph the animal (if possible).	Prior to injured animal leaving the Project Area	Spotter Catcher
Contact the Environmental Manager immediately if a dead animal is found within the site. Carcasses must be buried to a depth that will prevent scavengers from reaching them and to minimise the risk of disease transmission. The Spotter Catcher must record the following details: • Species. • Location of where animal was found (exact as possible, GPS co-ordinates). • Date. • Gender (if possible). • Photograph the animal (if possible).	As soon as practical after a dead animal is found within the site	Spotter Catcher

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Action	Timing	Responsibility
Reporting		
The Spotter Catcher must prepare a report upon completion of clearing activities for submission to the Environmental Manager and Council, that includes:	Within 30 days of completion of clearing activities	Spotter Catcher
<ul style="list-style-type: none"> A description of the assessment of habitat trees undertaken prior to clearing. How fauna was handled that was affected by clearing activities. Procedures that were adopted for the relocation of non-injured fauna from clearing areas and operations, including the 		
<ul style="list-style-type: none"> identification of appropriate locations, timings and weather conditions for the relocation of non-injured fauna. Procedures, dates, areas and fauna specialist(s) present during clearing and structures removal operations. A description of any animals that were sighted, captured, released, injured or shocked. Procedures that were adopted for handling injured fauna from clearing areas and operations, including details on liaison with wildlife rescue groups, veterinary surgeons and any other appropriate organisations or individuals. A description of any dead animals that were found as a result of clearing of structures operations and fauna rescue. A description of any tree that is used for breeding or roosting by fauna. Include tree species, location, size, height and depth of hollow. A description of any bridge or culvert structure that is used for breeding or roosting by fauna. Include location, size, gap height and depth. Photos (where possible) of rescued and dead fauna. 		

2.5 Fauna Management Protocols

A 2.3 m high security fence comprised of 1.85 m chain wire fence is suggested to be installed around the Project Area, in effort to exclude fauna. Preferentially, barbed wire should not be used at the top of this fence as it is harmful to wildlife, such as bats, gliders and owls.

The construction of the security fence should be carried out in a manner that allows any fauna within the Project Area to escape into remnant vegetation before the security fence entirely encloses the Project Area. This would involve constructing the fence in a south to north direction towards the remnant vegetation. Gates should be installed to aid in the release of animals that are accidentally enclosed within the Project Area. Should any fauna become stuck or injured within the Project Area they should be handled and removed by a suitably qualified Spotter Catcher and released back into suitable habitat or relinquished into the care of a local wildlife rescue organisation if injured.

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2.5.1 Mammals and Macropods

Security fencing around the Project Area will provide sufficient deterrent for larger mammals and macropods (i.e. Kangaroos, Wallabies or exotic species).

Smaller native and exotic burrowing mammals or macropods (i.e. bandicoots, echidnas, rabbits and hares) could potentially burrow underneath the security fence. Whilst this may be unlikely due to ample surrounding pastureland, fence lines will be regularly inspected and maintained to prevent fauna intrusion. Fence lines will also be inspected for any overhanging trees or branches that could provide access for arboreal mammals to enter the Project Area.

2.5.2 Birds

Infrastructure will be regularly inspected for any signs of bird activity (i.e. nesting material, whitewash, roosting sites). Any nesting material or established nests will be inspected. If there are any fauna present within the nests, a suitably-qualified Spotter Catcher will be required to remove, relocate or relinquish fauna to local wildlife rescue organisation.

2.5.3 Spotter Catcher

During all stages of clearing a Spotter Catcher must be present to assist with wildlife movement and/or wildlife relocation. Work can not commence until the Spotter Catcher is present and has assessed the vegetation about to be cleared.

The Spotter Catcher will communicate with the clearing crew to inform of any potential habitat within the clearing zone. The Spotter Catcher will mark habitat features with paint and GPS point. When the habitat features are to be cleared, the Spotter Catcher will work with the clearing crew to create the safest way to clear the vegetation to reduce impact.

REPORT

Appendix A Conservation Advice - *Probosciger aterrimus macgillivrayi* (Palm Cockatoo - Australian)

THREATENED SPECIES SCIENTIFIC COMMITTEE

Established under the Environment Protection and Biodiversity Conservation Act 1999

The Minister approved this conservation advice on 31/10/2015 and included this species in the Vulnerable category, effective from 31/10/2015.

Conservation Advice

Probosciger aterrimus macgillivrayi

palm cockatoo (Australian)

Taxonomy

Conventionally accepted as *Probosciger aterrimus macgillivrayi* (Mathews, 1912).

Summary of assessment**Conservation status**

Vulnerable

Criterion 4: (Vulnerable)

The highest category for which *Probosciger aterrimus macgillivrayi* is eligible to be listed is Vulnerable.

Probosciger aterrimus macgillivrayi has been found to be eligible for listing under the following listing categories:

Criterion 3: C2 (a)(ii) Vulnerable

Criterion 5: Vulnerable

Species can be listed as threatened under state and territory legislation. For information on the listing status of this species under relevant state or territory legislation, see <http://www.environment.gov.au/cgi-bin/sprat/public/sprat.pl>

Reason for conservation assessment by the Threatened Species Scientific Committee

This advice follows assessment of information provided to the Committee to list *Probosciger aterrimus macgillivrayi*.

Public Consultation

Notice of the proposed amendment and a consultation document was made available for public comment for greater than 30 business days between 17 November 2014 and 9 January 2015. Any comments received that were relevant to the survival of the subspecies were considered by the Committee as part of the assessment process.

Sub-species Information**Description**

The palm cockatoo (Australian) is a large cockatoo with a massive, curved dark grey bill and a long, erectile crest (Pizzey & Knight, 1997; Higgins, 1999). Adults are entirely slate-black in colour except for a bright-red facial patch which flushes a deep scarlet when alarmed or excited (Pizzey & Knight, 1997; Higgins, 1999). Juveniles are similar to adults in colouration; however they have pale yellow scallop-like markings on the under-body and underwing coverts, a paler grey bill and paler pink facial patch (Pizzey & Knight, 1997; Higgins, 1999).

Palm cockatoos (Australian) are similar to the red-tailed black cockatoo (*Calyptrorhynchus banksii*), which can be distinguished by the red or orange panels in their tail (Pizzey & Knight, 1997). The species can be seen singly, in pairs or in parties and are often found perching in

Probosciger aterrimus macgillivrayi (palm cockatoo (Australian)) Conservation Advice
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emergent trees calling and displaying, sometimes upside down with wings and crest spread (Pizzey & Knight, 1997). Palm cockatoos (Australian) have a distinctive whistle comprising of two syllabi, the first a deep and mellow note and the second a drawn-out, shrill and high-pitched note (Higgins, 1999). This whistle is just one of the many calls (over 27 documented so far) used by the palm cockatoo (Australian) which has a varied, extensive and complex vocal repertoire that appears to vary geographically (Zdenek, pers comm., 2015).

Distribution

Palm cockatoos (Australian) are conventionally accepted as a distinct subspecies distributed across the north of Cape York Peninsula, Queensland, from north of Pompurow on the west coast to Saltwater Creek, Princess Charlotte Bay on the east coast (Storch, 1996; Higgins, 1999). The palm cockatoo (Australian) is the only subspecies of the palm cockatoo found on mainland Australia (Garrett et al., 2011). Palm cockatoos found in Papua New Guinea and Indonesia are generally considered to belong to different subspecies groupings. However, a paper by Murphy et al (2007) disputes the identification of the palm cockatoo (Australian) (*P. a. macgillivrayi*) as a separate subspecies and instead suggests that the Cape York population of palm cockatoos actually belongs to *P. a. aterimus*. The degree of connectivity between palm cockatoo populations on Cape York is largely unknown.

Cultural Significance

The palm cockatoo occurs across the country of many different Indigenous groups on Cape York Peninsula. On the east of the cape the species is revered as a 'spirit bird' by members of the Uluṯaṯṯanṯu, Kariṯṯanṯu, and Kuuku Ya'u language groups in the Lockhart River region, many of whom tell cultural stories relating to the species and consider it bad luck to harm or injure the birds (Zdenek, pers comm., 2015). The palm cockatoo (Australian) occurs on the homeland (Ngaachi) of the Kuuku I'yu (northern Kaanju) Indigenous peoples. The Kuuku I'yu people have important social, cultural, spiritual, historical and ecological connections to their homeland and they recognise the rich biodiversity it supports, including habitat for rare and threatened species such as this palm cockatoo (Kila) (Chuulungun Aboriginal Corporation, 2010).

Relevant Biology/Ecology

The palm cockatoo (Australian) inhabits closed forest and riparian systems, and open woodlands adjacent to these habitats. The subspecies attains the highest densities in open woodlands adjacent to *Corymbia* and *Eucalyptus* dominated forest and has significantly lower densities in the closed forests themselves (Murphy, 2006). Individuals and small flocks feed in closed forests and littoral systems during the middle of the day, mostly on the hard seeds of fibrous and woody fruits of woodland, littoral and closed forest species, taken from the canopy and the ground (Wood, 1988; Storch, 1996).

Pairs are thought to occupy permanent breeding territories year-round, with each pair tending multiple nesting and display hollows that are visited and defended most mornings and afternoons, especially by males (Murphy et al., 2003). This behaviour is distinctive from many other species of parrot which live in flocks (Murphy et al., 2003). Nests are mostly in large hollow trees, primarily large eucalypts in woodland, with an average distance of 320 m to the rainforest (Murphy et al., 2003). However, there have also been observations of nests in smaller trees, which may be related to limitations in the availability of hollows at certain times (Murphy 2006). Pairs also claim numerous other hollow trees as display sites (Wood, 1988; Murphy et al., 2003). Quality nesting sites in tree hollows appear to be a limiting resource for the subspecies (Heinsohn et al., 2003; Zdenek, pers comm., 2015).

Palm cockatoos (Australian) have low breeding success. Factors contributing to this include laying a single egg; high nesting failure; and long inter-breeding intervals, breeding on average every 2.2 years (Murphy et al., 2003). A generation time of 17.7 years (BirdLife International, 2011) is derived from an age at first breeding of 4.0 years (extrapolated from mean values for other genera in *Psittacidae*) and longevity of 31.4 years, extrapolated from the maximum

longevity recorded in captivity. However, there are records of birds in captivity living to a greater age and breeding significantly later, with one female reaching 40 years of age before laying her first egg (Heinsohn et al., 2009).

Threats

The greatest threat to palm cockatoos is the cumulative impact of a range of contrasting mechanisms all operating to reduce the availability of nesting hollows, such as fire, cyclones, land clearing and competition.

Inappropriate fire regimes are a significant threat to palm cockatoos (Murphy et al., 2003). Fire affects the stability of the rainforest/woodland ecotone and is needed to maintain recruitment of large trees. Some woodlands with palm cockatoo nest-trees are being invaded by rainforest species, probably as a result of reduced fire frequencies (Russell-Smith et al., 2004). On the other hand, in some areas frequent, high-intensity fires are destroying nest trees directly, and may also indirectly reduce the number of breeding hollows available to palm cockatoos through the negative impacts on the abundance and diversity of termites (Abenspergtraun and Milewski, 1995), which play a significant role in the creation of new hollows (Perry et al., 1985). Nest-hollows are thought to be a limiting resource at Iron Range, with changes in fire patterns being the main cause (Murphy et al., 2003; Murphy & Legge, 2007).

Land clearing near Weipa for bauxite mining has also reduced hollow availability, and has removed small patches of rainforest feeding habitat (Gould, cited in Garnett et al., 2011). Furthermore, loss of nesting hollows is likely to be an ongoing issue as approximately 85% of the woodland habitats (Regional Ecosystem 3.5.2) on Cape York that contain the subspecies' preferred nest tree (*Eucalyptus tetradonta*) occur on either mining leases or mining exploration leases (Gould, 2010). Evaluation of post-mining revegetation efforts in the Weipa region has indicated that these habitats do not resemble the pre-mining forest conditions in either structure or species composition (Gould, 2012). Thus mining activities are likely to cause a net loss in the availability of woodland habitat containing hollow-bearing trees.

Palm cockatoos (Australian) also experience competition from sulphur-crested cockatoos (*Cacatua galerita*) that compete for nest-trees (Heinsohn et al., 2003) and have increased over the last 2 decades around Weipa (Gould, cited in Garnett et al., 2011).

The Palm Cockatoo is listed on Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES); No trade in this species is permitted.

How judged by the Committee in relation to the EPBC Act Criteria and Regulations

Criterion 1. Population size reduction (reduction in total numbers)			
Population reduction (measured over the longer of 10 years or 3 generations) based on any of A1 to A4			
	Critically Endangered Very severe reduction	Endangered Severe reduction	Vulnerable Substantial reduction
A1	≥ 90%	≥ 70%	≥ 50%
A2, A3, A4	≥ 80%	≥ 50%	≥ 30%
<p>A1 Population reduction observed, estimated, inferred or suspected in the past and the causes of the reduction are clearly reversible AND understood AND ceased.</p> <p>A2 Population reduction observed, estimated, inferred or suspected in the past where the causes of the reduction may not have ceased OR may not be understood OR may not be reversible.</p> <p>A3 Population reduction, projected or suspected to be met in the future (up to a maximum of 100 years) [(a) cannot be used for A3]</p> <p>A4 As observed, estimated, inferred, projected or suspected population reduction where the time period must include both the past and the future (up to a max. of 100 years in future), and where the causes of reduction may not have ceased OR may not be understood OR may not be reversible.</p>			
		<p>based on any of the following:</p> <p>(a) direct observation [except A3]</p> <p>(b) an index of abundance appropriate to the taxon</p> <p>(c) a decline in area of occupancy, extent of occurrence and/or quality of habitat</p> <p>(d) actual or potential levels of exploitation</p> <p>(e) the effects of introduced taxa, hybridization, pathogens, pollutants, competitors or parasites</p>	

Evidence:

Insufficient data to determine eligibility

There is a very poor understanding of both the total population size of palm cockatoos in Australia and the magnitude of the likely declines in the number of breeding adults (Heinsohn pers comm., 2015). Although the number of mature individuals is thought to be declining, there is insufficient evidence to support estimates on the rate of decline (Garnett et al., 2011).

Following assessment of the information the Committee has determined that the species is not eligible for listing in any category under this criterion as there is insufficient evidence to support past, current or future population declines of greater than 30% in any 3-generation period.

Criterion 2. Geographic distribution is precarious for either extent of occurrence AND/OR area of occupancy			
	Critically Endangered Very restricted	Endangered Restricted	Vulnerable Limited
B1. Extent of occurrence (EOO)	< 100 km²	< 5,000 km²	< 20,000 km²
B2. Area of occupancy (AOO)	< 10 km²	< 500 km²	< 2,000 km²
AND at least 2 of the following 3 conditions:			
(a) Severely fragmented OR Number of locations	= 1	≤ 5	≤ 10
(b) Continuing decline observed, estimated, inferred or projected in any of: (i) extent of occurrence; (ii) area of occupancy; (iii) area, extent and/or quality of habitat; (iv) number of locations or subpopulations; (v) number of mature individuals			
(c) Extreme fluctuations in any of: (i) extent of occurrence; (ii) area of occupancy; (iii) number of locations or subpopulations; (iv) number of mature individuals			

Evidence:**Not eligible**

Garnett et al (2011) estimated the extent of occurrence for the palm cockatoo (Australian) to be 57 000 km² and its area of occupancy is estimated to be 27 000 km² (the area of occupancy was calculated by putting a 2.5km buffer around all closed and riparian forest within the extent of occurrence).

Following assessment of the information the Committee has determined that the subspecies geographic distribution is not very restricted, restricted or limited. Therefore, the species has not been demonstrated to have met this required element of this criterion.

Criterion 3. Small population size and decline				
		Critically Endangered Very low	Endangered Low	Vulnerable Limited
Estimated number of mature individuals		< 250	< 2,500	< 10,000
AND either (C1) or (C2) is true				
C1	An observed, estimated or projected continuing decline of at least (up to a max. of 100 years in future)	Very high rate 25% in 3 years or 1 generation (whichever is longer)	High rate 20% in 3 years or 1 generation (whichever is longer)	Substantial rate 10% in 10 years or 3 generations (whichever is longer)
C2	An observed, estimated, projected or inferred continuing decline AND its geographic distribution is precarious for its survival based on at least 1 of the following 3 conditions:			
(a)	(i) Number of mature individuals in each subpopulation	≤ 50	≤ 250	≤ 1,000
	(ii) % of mature individuals in one subpopulation =	90 – 100%	95 – 100%	100%
(b)	Extreme fluctuations in the number of mature individuals			

Evidence:**Eligible under Criterion 3 C2(a)(ii) for listing as Vulnerable**

Garnett et al (2011) estimated the total number of mature individuals to be 3000 (limited) and decreasing; this figure was based on a tentative population estimate made by Garnett and Crowley (2000), and the estimate has neither been confirmed nor superseded since it was published. It is worth noting, although this estimate is very coarse it falls significantly below the threshold of 10,000. It is also thought that the Australian sub-species comprises a single connected population (Garnett et al., 2011).

The Committee considers that the estimated total number of mature individuals of this subspecies is limited and declining, and the subspecies' geographic distribution is precarious for its survival as 100% of mature individuals occur in a single subpopulation. Therefore, the subspecies has been demonstrated to have met the relevant elements of Criterion 3 to make it eligible for listing as Vulnerable.

Criterion 4. Very small population			
	Critically Endangered Extremely low	Endangered Very Low	Vulnerable Low
Number of mature individuals	< 50	< 250	< 1,000

Evidence:

Not eligible

Garnett et al (2011) estimated the total number of mature individuals to be 3000, thus not considered low, very low or extremely low. Therefore, the subspecies has not been demonstrated to have met this required element of this criterion.

Criterion 5. Quantitative Analysis			
	Critically Endangered Immediate future	Endangered Near future	Vulnerable Medium-term future
Indicating the probability of extinction in the wild to be:	≥ 50% in 10 years or 3 generations, whichever is longer (100 years max.)	≥ 20% in 20 years or 5 generations, whichever is longer (100 years max.)	≥ 10% in 100 years

Evidence:

Eligible under Criterion 5 for listing as Vulnerable

Population viability analysis based on data from Iron Range suggests that to maintain a stable population over 100 years the palm cockatoo (Australian) would need extremely low mortality rates for juveniles (<8.8%) and adults (3.3–4.9%) (Heinsohn et al., 2009). Evidence indicates that palm cockatoos experience high rates of nesting failure as a result of predation of nestlings and eggs, and infertility of eggs (Heinsohn et al., 2009). The subspecies is also estimated to have very low breeding success (annual probability of breeding success 0.11), with females attempting to breed only once every 2.2 years on average and only laying one egg per breeding attempt (Heinsohn et al., 2009). Data on juvenile and adult mortality rates are not available for the palm cockatoo (Australian), but Heinsohn et al (2009) ran models with a range of mortality estimates, including some based on data for the related taxon, Camaby's black cockatoo, which indicated that juvenile mortality may be as high as 70% (± 14%) while adult mortality may be around 25% (± 5%) (mortality data based on Saunders, 1982).

In conducting a population viability analysis for the palm cockatoo (Australian) Heinsohn et al (2009) ran four models to predict the likely trajectory of the subspecies into the future: two of these models predicted negative to extremely negative growth rates with the likelihood of extinction occurring within 16 to 39 years; a third model predicted the subspecies to be depleted to approximately 9 individuals within 100 years; while the fourth model, using extremely conservative mortality estimates, predicted only small decreases in population size within 100 years. Based on the results of the population viability analysis, Heinsohn et al (2009) found it unlikely that palm cockatoos (Australian) could attain long enough life spans to sustain their extremely low rates of reproduction and suggested the subspecies was likely to be in decline. There are a number of sensitivities related to the data used in the population viability analysis conducted by Heinsohn et al (2009): information on breeding success was derived from just 28 nests and the information on breeding intervals was drawn from a three year study. Nevertheless, based on the significance of declines predicted by Heinsohn et al (2009), an expert committee, convened by BirdLife Australia in 2010 to review the conservation status of all Australian birds, determined that the subspecies faces > 10% probability of extinction within 100 years (Garnett et al., 2011).

The Committee considers that the palm cockatoo (Australian) has a probability of extinction in the wild of $\geq 10\%$ in 100 years. Therefore, the subspecies has been demonstrated to have met the relevant elements of Criterion 5 to make it eligible for listing as Vulnerable.

Conservation Actions

Recovery Plan

The Committee recommends there should not be a recovery plan for *Probosciger aterrimus macgillivrayi* (palm cockatoo (Australian)) as the approved conservation advice for the subspecies provides sufficient direction to implement priority actions and mitigate against key threats.

Conservation and management Actions

Primary Conservation Action

- Implement active and appropriate fire management regimes to optimise the creation and longevity of large tree hollows.
- Ensure impacts from mining activity do not further reduce the amount of available breeding and foraging habitat.

Survey and monitoring priorities

- Monitor residence at key sites at Iron Range and along westward flowing rivers.

Information and research priorities

- Identify fire management regimes.
- Investigate the impacts on populations due to significant habitat disturbance events (e.g., cyclones, large fires).
- Develop techniques to characterise the age structure of the subspecies' populations.
- Determine the longevity, survival and other demographic parameters of the subspecies.
- Conduct genetic studies to understand population connectivity across Cape York.
- Identify the age and population status of suitable nest-trees away from the Iron Ranges.
- Identify what woodland habitat traits are required to support successful breeding.

Recommendations

- (i) The Committee recommends that the list referred to in section 178 of the EPBC Act be amended by including in the list in the Vulnerable category:
Probosciger aterrimus macgillivrayi
- (ii) The Committee recommends that there should not be a recovery plan for this subspecies.

Threatened Species Scientific Committee

04/06/2015

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7.3 LOCATION REPORT ON NEW CEMETERY.

Author: Tom Smith, Executive of Infrastructure & Works

Authoriser: Tim Rose, Acting CEO

Attachments: 1. Globe Map of proposed new cemetery location.

PURPOSE OF REPORT

Present to the council a report for approval on the recommended location for the new Cemetery on Cullen point road. This report contains a map and points for decisions in the council meeting.

BACKGROUND

A site is currently being sought for the location of a new cemetery.

DISCUSSION

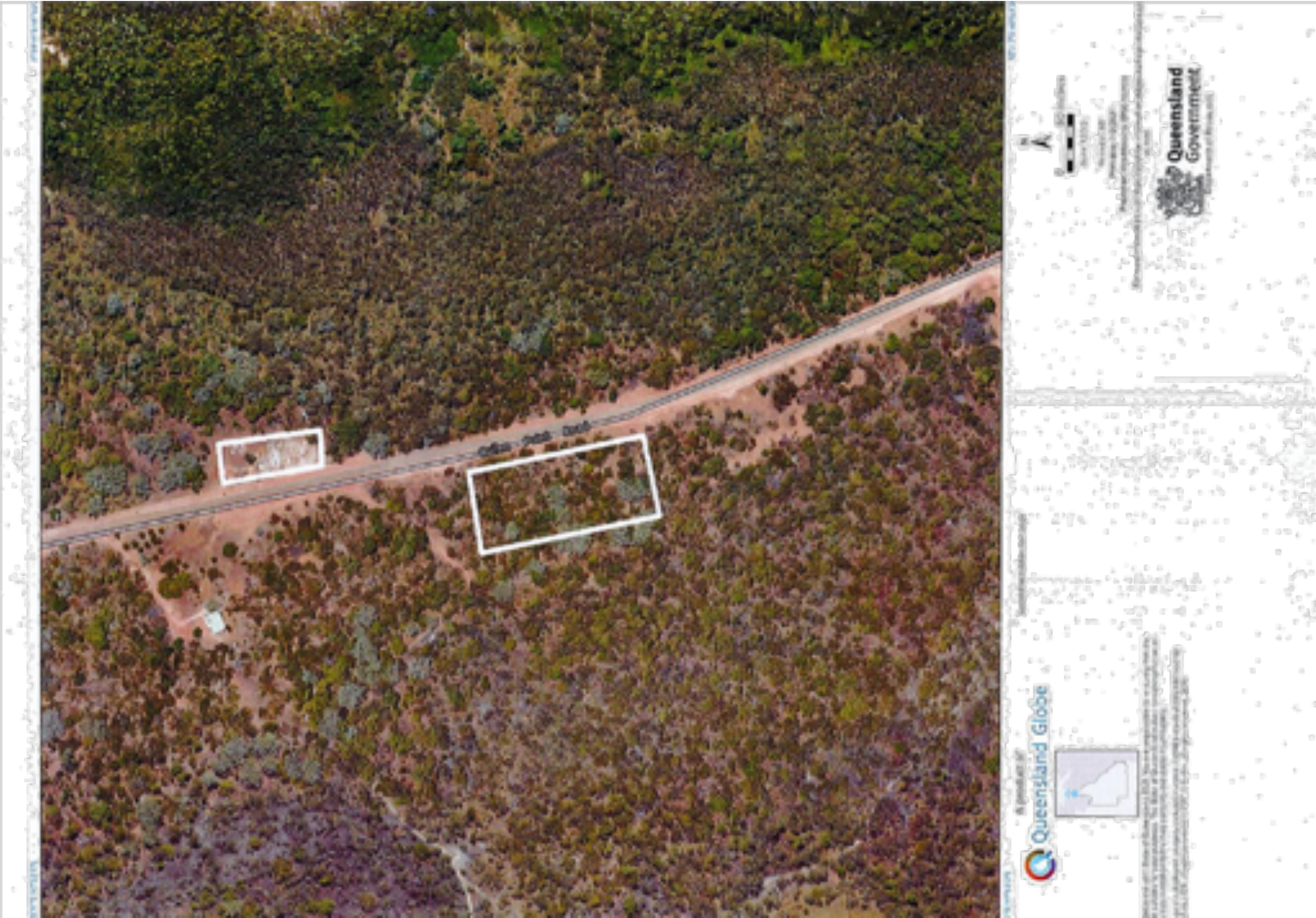
After the location recommendation that was given in last month Council meeting, I attended site with Jason Jia to determine the size and location of the sand ridge that was spoken about and whether there was any other Cultural or hazardous factor to consider and mitigate with this location.

On reflection the area looked good and there was only the small grave known within the area that we decided to put this within the fenced area if Council accepts the recommended area for further development.

The plan shows that this area if approved will be four (4) times larger than the current Cemetery.

RECOMMENDATION

That the Council receive and take note of the Works Manager's Report and approve the proposed site of for the new cemetery.



7.4 EXECUTIVE MANAGER OF COMMUNITY DEVELOPMENT'S REPORT

Author: Wally Ziegelbauer, Executive Manager of Community Development
Authoriser: Tim Rose, Acting CEO
Attachments: Nil

PURPOSE OF REPORT

Present Council with a report of program performance and operational actions for the previous month.

BACKGROUND

Council provides a range of community-based services for the benefit of Mapoon residents and visitors.

DISCUSSION

Activities to Date:

Program (ACTIONS)**Status Report**

<p><u>Community Development</u></p> <p>The Women's Group Officer has now moved to her nominated role and is operating from the office located at the Jerry & Ina Hudson Recreation/Community Hall.</p> <p>There is a need to engage with community about the men's group program and hold election for committee members. Contact has been made with ORIC by Ricky Guivarra regarding compliance and forms for re-establishing services and the Board.</p> <p>Development of the youth program remains a priority.</p> <p>PCYC Coordinator has returned to organise and deliver activities at the recreation hall/stadium on a weekly basis.</p>	<ul style="list-style-type: none"> • Women's Program <p>The Women's Group Officer is currently working on developing a program and activities for the Mapoon ladies and will look to implement this in the near future.</p> • Men's Program <p>The men's group has not operated for a lengthy period and members have not developed an activity plan etc. The facilities require some upgrading and works around the sewer system, fencing etc.</p> • Youth Program <p>Development of a youth program is an ongoing priority and important over the Christmas / New Year period.</p> • PCYC <p>With the reengagement of the PCYC Coordinator activities are being delivered at the sports center. A copy of the ongoing activity plan is yet to be provided.</p>
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<p><u>Community Services</u></p> <p>On her recent visit aged care consultant Barbara Schmidt has prepared a report on the current status of funding and reporting and lodged the reports as required.</p> <p>Have been in communication with the HR Consultant regarding finalising of position descriptions for the Team leader and Assistant.</p> <p>Previously had qualified childcare workers. – see if they are willing to return when the Aged Care moves from the building to the new centre.</p> <p>Need to Identify funding for completion of oval / need bus license for people to go to town and participate / Participants or leaders etc. need First Aid Certificates, Licenses, etc.</p>	<ul style="list-style-type: none"> • Aged Care Services <p>The Community Services Coordinator position has been filled initially on a 12 month contract.</p> <p>Services continue to be delivered to aged community members including, meals, shopping trips to the store and Weipa. Arrangements have been made to continue this service on the days other than public holidays during the Christmas Holiday Break.</p> <ul style="list-style-type: none"> • Playgroup <p>The funding agreement for Early Learning we be reviewed in December. The program will require appointment and training of Play Group Team Leader and assistant and development of strategies to engage with parents and school visits.</p>
<p><u>Community Engagement</u></p> <p>Messages can be delivered by email or Facebook to Elders and other community representatives.</p>	<p>A community engagement strategy to promote and outline the services, activities and benefits of Mapoon as a community through the listed sites continues to need to be developed. Sites include;</p> <ul style="list-style-type: none"> • Website • Facebook • Customer Service Counter • Community Events Support

<p><u>Business Units</u></p> <p>Business Services Coordinator Bill Guivarra continues to improve services at the Visitors Dongas and Cabins. Need to ensure the bookings system is accessible and functional. Bill has proposed to set up office at the Paanja Lodge to ensure that services are provided satisfactorily, and monitoring of the facilities is improved.</p>	<ul style="list-style-type: none"> • Holiday and Contractor Accommodation Demand for visitor and contractor accommodation has eased in December and over the Christmas period so far. The Cullen Point Camping area is currently closed; consideration may be given to open it over Christmas. • Centrelink The Centrelink Host position has been filled on a casual basis and training has been provided to the office staff and Business Services Coordinator. Some concerns have been raised about the attendance of the staff and lack of services for participants. • Mapoon Store Lessors of the Mapoon Store have been notified about building up stock to cover the Christmas / New Year period. They have been ordering stock and organising the stores shed to
<p><u>Disaster Recovery Operation</u></p>	<ul style="list-style-type: none"> • With the oncoming wet/cyclone season emergency and Disaster Recovery Plans should be reviewed and updated. This will be a priority over the next few months. Liaison with the SES team / Rangers regarding preparation for removal of old cars, rotted trees etc. to take place.
<p><u>Economic Development</u></p> <p>Mayor requested that focus be on HAAC / Aged Care and Early Learning Centre. These areas critical due to ongoing funding.</p>	<ul style="list-style-type: none"> • A community Through the responsibilities of the Community Development role Economic Development opportunities will be identified and planning will be initiated with consultation with Council and various community groups to identify needs and desires of local groups to provide opportunities for future economic development of the shire.

RECOMMENDATION

That the Report of the Executive Manager Community Development be received and noted.

7.5 EXECUTIVE FINANCE MANAGER NOVEMBER 2021 REPORT

Author: Elzebie Groenewald, Executive Manager Financial Services

Authoriser: Tim Rose, Acting CEO

Attachments: 1. Financial Report November 2021

PURPOSE OF REPORT

Present to Council a report outlining- program performance and operational actions for the previous month. This report contains listed activities and points for decisions in the Council meeting.

DISCUSSION**Finance**

Finance department continues to work with the external auditors from Queensland Audit Office and with Altius Advisors in finalising the Financial Statements for 30th June 2021 after receiving the extension until 31st December 2021. A preliminary finance report has been prepared for November 2021 subject to finalising end of year balances.

Profit & Loss

As at 30th November 2021 Council made a net loss of \$1.526M. This includes depreciation of \$1,014,346 and Capital Expenditure of \$310,790 funded by various funding bodies.

Revenue

As at 30th November 2021 Council received revenue totalling \$7.066M, 34% below the budget of \$10.686M. This is due to timing of funds and prior year grant revenue to be finalised at audit.

General Expenses & Cost of Goods Sold

As at 30th November 2021 Council total expenditure was \$8.592M, 20% below the budget of \$10.814M. This is due to a timing difference on completing projects.

Store

The store has made a Net Profit of \$4,536 for the month of November 2021. The Accumulated Loss at 30th November 2021 is \$83,787. Council is still responsible for the Post Office, fuel and ATM, these costs will continue to be reported through the store sub account.

Untied Funds

The Council currently holds \$3.478M in untied funds.

RECOMMENDATION

That Council receive the report and endorse the Financial Reports for the financial period November 2021.

PO Box 213 Weipa Qld 4874 Profit & Loss [Budget Analysis] July 2021 through June 2022				
	Selected Period	Budgeted	\$ Difference	% Difference
Income				
Agency Fees				
Income - Conislink Agency Fee	\$12,226.00	\$9,211.25	\$3,015.65	33%
Income - Postal Agency Commis	\$4,361.25	\$4,662.08	-\$300.83	-6%
Landing Fees	\$0.00	\$50.00	-\$50.00	
Revenue - Hire - Plant & Equip	\$17,237.16	\$206,162.50	-\$278,925.34	-94%
Revenue - Hire of Vehicle	\$295.91	\$11,148.75	-\$10,852.84	-97%
Income - Fishing Licence	\$4,245.00	\$2,088.75	\$2,156.25	103%
Membership Fee	\$2,653.49	\$3,032.50	-\$379.01	-12%
Ranger Contract Services	\$37,559.24	\$6,492.08	\$31,067.16	479%
U&S Miscellaneous Income	\$25,997.73	\$1,390.00	\$24,607.73	1770%
Rental Receipts Social Housing	\$10,889.78	\$7,475.00	\$3,414.78	46%
Staff Housing	\$0.00	\$6,825.00	-\$6,825.00	
Rates	\$0.00	\$6,060.42	-\$6,060.42	
Lease payments Housing	\$255,493.98	\$122,794.17	\$132,699.81	108%
Dongas Accommodation	\$183,680.08	\$278,686.67	-\$95,006.58	-34%
Rental - Misc properties	\$27,714.62	\$58,670.42	-\$30,955.80	-53%
Administration Fees	\$0.00	\$0.00	\$0.00	
Income - Administration Fees	\$0.00	\$325,796.25	-\$325,796.25	
Income - Bank Interest	\$7,081.16	\$10,225.42	-\$3,144.26	-31%
Works Sales - Houses	\$1,131,244.54	\$2,746,866.25	-\$1,615,621.71	-59%
Workshop Sales - Mech External	\$2,945.22	\$9,853.75	-\$6,908.53	-70%
Workshop sales Internal	\$36,587.40	\$67,966.67	-\$31,379.27	-46%
Workshop sales Fuel Internal	\$42,494.01	\$30,129.58	\$12,364.43	41%
Workshop sales fuel External	\$318.18	\$375.83	-\$57.65	-15%
Store Sales - GST	\$122,966.20	\$223,964.58	-\$100,998.38	-45%
Store Sales - GST Free	\$148,649.27	\$219,680.00	-\$71,030.73	-32%
Camping Fees- Town , Gullen Pt	\$14,553.58	\$11,159.58	\$3,394.00	30%
Camping Fees-Outside town area	\$0.00	\$756.25	-\$756.25	
Store sales - Fuel	\$208,722.60	\$163,047.08	\$45,675.52	28%
Store Sales- Phone IT Services	\$22,759.85	\$30,730.83	-\$7,970.98	-26%
Store Sales- Electricity cards	\$41,118.01	\$72,224.17	-\$31,106.16	-43%
ATM - Rebates	\$5,286.00	\$3,412.92	\$1,873.08	55%
Store Sales - Cigarettes	\$170,851.08	\$263,991.25	-\$93,140.17	-35%
Aged Care Meals	-\$1,690.01	\$0.00	-\$1,690.01	
Sales - Gas Bottles	\$6,000.00	\$7,458.75	-\$1,458.69	-20%
Washing Machine, Coin operated	\$784.55	\$180.42	\$604.13	335%
Sales - AMO Service	\$0.00	\$1,292.08	-\$1,292.08	
Other income	\$0.00	\$0.00	\$0.00	
Reimbursements	\$61,420.62	\$48,194.17	\$13,226.45	27%
Refunds/Claims	\$0.00	\$1,535.00	-\$1,535.00	

Unexpended Grants b/fwd	\$0.00	\$1,339,147.08	-\$1,339,147.08	
Unexpended Grants C/fwd	\$0.00	\$3,791.25	-\$3,791.25	
Grants - General Purpose	\$0.00	\$6,250.00	-\$6,250.00	
Grants - Operating - State	\$1,977,944.23	\$2,018,195.83	-\$40,251.60	-2%
Grants - Operating - C/With	\$748,098.45	\$1,219,371.25	-\$471,272.80	-39%
Grants - Operating - Other	\$32,190.91	\$53,679.58	-\$21,488.67	-40%
Grants - Capital - State	\$2,010,220.65	\$627,083.33	\$1,383,137.32	221%
Grants - Capital - C/With	-\$770,756.85	\$291,868.67	-\$1,062,625.52	-364%
Grants - Capital - Other	\$326,387.36	\$45,473.33	\$280,914.03	618%
Donations	\$96,625.74	\$9,400.00	\$87,225.74	928%
Disposal of assets	\$10,909.08	\$18,958.33	-\$8,049.24	-42%
Cost of assets sold	\$0.00	\$0.00	\$0.00	
Total Income	\$7,066,067.65	\$10,696,627.08	-\$3,630,559.43	-34%
Cost of Sales				
Store rebates	-\$2,325.91	-\$3,883.33	\$1,557.42	-40%
Store CoS General	\$191,636.45	\$288,775.42	-\$97,138.97	-34%
Store CoS- Cigarettes	\$138,248.88	\$201,808.33	-\$63,559.45	-31%
Phone-IT cards	\$22,838.40	\$29,763.33	-\$6,924.93	-23%
Store CoS Powercards	\$38,703.52	\$64,986.25	-\$26,282.73	-40%
Store Stock Adj. Spoilage/Theft	\$3,539.47	\$15,955.83	-\$12,416.36	-78%
Stock Store Usage	\$90.85	\$0.00	\$90.85	
Store Stock Valuation Adjusts	\$29,465.38	\$0.00	\$29,465.38	
Store Freight	\$48,929.44	\$87,753.33	-\$38,823.89	-44%
Store CoS Fuel	\$176,108.32	\$95,337.08	\$80,771.24	85%
Store Camp Fee Royalties	\$3,225.69	\$7,842.92	-\$4,617.23	-59%
Workshop	\$0.00	\$0.00	\$0.00	
Purchases - Workshop Stock	\$12,333.43	\$42,723.33	-\$30,389.90	-71%
Purchases - Workshop Fuel	\$23,243.30	\$12,187.92	\$11,055.38	91%
Freight- Workshop	\$4,881.47	\$6,052.92	-\$1,171.45	-19%
Direct Job Costs	\$0.00	\$0.00	\$0.00	
Purchases - Construction Stock	\$0.00	\$0.00	\$0.00	
Works Materials - Houses	\$208,112.78	\$9,606.25	\$198,506.51	2066%
Works Materials - not-Houses	\$404,543.14	\$1,616,146.67	-\$1,211,603.53	-75%
Freight - Works - houses	\$40,927.75	\$900.42	\$40,027.33	4445%
Freight General	\$22,339.86	\$4,987.50	\$17,352.36	348%
Works - Contractors - Houses	\$180,687.35	\$1,661,506.25	-\$1,480,818.90	-89%
Works Contractors - not houses	\$2,659,596.73	\$2,192,318.33	\$467,278.40	21%
Works wages - not houses	\$0.00	\$0.00	\$0.00	
Works - Small tools	\$271.36	\$0.00	\$271.36	
Gas bottles	\$0.00	\$0.00	\$0.00	
Purchases - Gas Bottles	\$6,253.80	\$4,400.83	\$1,852.97	42%
Freight - gas bottles	\$0.00	\$0.00	\$0.00	
gas bottles - Connection fee	\$0.00	\$77.92	-\$77.92	
Gas bottles wages	\$0.00	\$0.00	\$0.00	
Water and waste expenses	\$0.00	\$0.00	\$0.00	
Test Inspection Costs	\$820.00	\$0.00	\$820.00	
Water Supply expenses	\$10,903.57	\$7,604.17	\$3,299.40	43%
Waste disposal costs	\$0.00	\$0.00	\$0.00	
Total Cost of Sales	\$4,242,453.08	\$6,346,651.67	-\$2,104,198.59	-33%

Gross Profit	\$2,823,613.97	\$4,339,975.42	-\$1,516,361.45	-35%
Expenses				
Employment Expenses				
Wages and Salaries				
Wages & Salaries	\$1,222,861.27	\$1,396,312.50	-\$173,451.23	-12%
Annual Leave	\$93,205.82	\$157,269.83	-\$64,055.01	-41%
Long service leave	\$0.00	\$0.00	\$0.00	
Sick leave	\$25,640.50	\$51,009.17	-\$25,368.67	-50%
Bereavement/Special leave	\$0.00	\$0.00	\$0.00	
Superannuation	\$149,749.97	\$212,811.67	-\$63,061.70	-30%
Employment related Expenses	\$0.00	\$0.00	\$0.00	
Staff Amenities	\$0.00	\$1,101.67	-\$1,101.67	
Staff Housing Rents	\$0.00	\$6,093.75	-\$6,093.75	
Staff Recruitment & Relocation	\$10,263.04	\$17,912.50	-\$7,649.46	-43%
Training Costs	\$24,797.35	\$11,669.58	\$13,127.77	112%
Training Wages	\$0.00	\$11.67	-\$11.67	
Employee Allowances	\$19,593.73	\$44,009.17	-\$24,415.44	-55%
Uniforms	\$2,760.71	\$7,247.92	-\$4,487.21	-62%
Workers' Compensation	\$21,056.65	\$16,988.75	\$4,067.90	24%
Flight entitlements	\$5,674.77	\$13,629.42	-\$7,954.65	-58%
Other Employer Expenses	\$0.00	\$0.00	\$0.00	
Workplace Health & Safety	\$38,336.52	\$38,007.92	\$328.60	1%
Employee Oncosts	\$0.00	\$0.00	\$0.00	
General Expenses	\$0.00	\$0.00	\$0.00	
Administration	\$0.00	\$0.00	\$0.00	
Administration / Overheads	\$0.00	\$269,194.58	-\$269,194.58	
Advertising (not employment)	\$454.55	\$5,230.83	-\$4,776.28	-91%
Theft & Loss	\$639.09	\$0.00	\$639.09	
Powercard Purchases	\$697.50	\$0.00	\$697.50	
Testing/Inspection Costs	\$0.00	\$0.00	\$0.00	
Garbage Collection/ Disposal	\$0.00	\$0.00	\$0.00	
Water Supply Expenses	\$0.00	\$0.00	\$0.00	
Overheads	\$0.00	\$0.00	\$0.00	
Freight	\$19,274.85	\$2,891.67	\$16,383.18	567%
Hire of Equipment - non works	\$51,305.84	\$560.83	\$50,745.01	9548%
Accounting Fees (Not overhead)	\$0.00	\$0.00	\$0.00	
Insurance	\$108,707.85	\$93,708.33	\$14,999.52	16%
Tools & Minor Equipment	\$8,366.54	\$16,079.58	-\$7,713.04	-48%
Tools & Equipment >\$500	\$3,376.82	\$10,138.75	-\$6,761.93	-67%
Catering	\$19,749.07	\$4,184.58	\$15,564.49	372%
Cleaning Expenses	\$4,559.36	\$13,871.25	-\$9,311.89	-67%
Fees/Charges/Licences	\$53,663.24	\$34,052.92	\$19,610.32	58%

Legal Fees	\$96,368.93	\$27,835.83	\$68,533.10	248%
x Management Fees	\$0.00	\$0.00	\$0.00	
First Aid Supplies	\$497.74	\$7.92	\$489.82	6187%
Admin Freight Paid	\$337.48	\$2,848.25	-\$2,508.77	-88%
Sundry Expenses	\$65,785.00	\$36.67	\$65,748.33	179314%
Service Fees	\$0.00	\$1,717.92	-\$1,717.92	
Computer Equipment	\$8,423.60	\$13,084.17	-\$4,660.57	-36%
Office Supplies	\$8,665.05	\$9,848.75	-\$1,183.70	-12%
Printing & Stationery	\$7,896.90	\$7,722.08	\$174.82	1%
Security Expenses	\$114.79	\$2,782.92	-\$2,668.13	-96%
Grounds Maintenance	\$870.22	\$1,641.67	-\$771.45	-47%
Audit Fees	-\$39,202.58	\$30,396.83	-\$69,598.41	-229%
Communications and IT	\$0.00	\$0.00	\$0.00	
IT - Data Control	\$10,408.67	\$1,261.67	\$9,146.40	725%
IT - Internet & Email Fee	\$28,721.68	\$13,848.25	\$15,075.43	110%
IT - Support (Helpdesk)	\$11,230.00	\$5,128.75	\$6,101.25	119%
IT - Server & Data Storage	\$0.00	\$2,527.92	-\$2,527.92	
IT - Website	\$2,595.48	\$3,244.17	-\$648.69	-20%
Telephone & Fax	\$59,307.87	\$91,103.33	-\$31,795.46	-3%
Postage	\$29.59	\$108.33	-\$78.74	-73%
Consultants	\$0.00	\$0.00	\$0.00	
Consultancy Fees	\$242,356.08	\$127,183.75	\$115,172.33	91%
Financial Controller Expense	\$0.00	\$0.00	\$0.00	
Contractors	\$165,510.68	\$87,957.50	\$77,553.18	88%
Donations	\$0.00	\$0.00	\$0.00	
Council Donation	\$0.00	\$15,642.50	-\$15,642.50	
Power	\$0.00	\$0.00	\$0.00	
Electricity	\$37,316.59	\$51,159.17	-\$13,842.58	-27%
Gas Bottles - Council Use	\$272.73	\$445.00	-\$172.27	-39%
Repairs & Maintenance	\$0.00	\$0.00	\$0.00	
R&M: Council Buildings	\$2,922.52	\$2,978.75	-\$56.23	-2%
R&M: Equipment	\$243.69	\$10,776.25	-\$10,532.56	-98%
R&M: Infrastructure	\$0.00	\$13,982.08	-\$13,982.08	
R&M: Plant & Equipment	\$16,239.41	\$19,222.50	-\$2,983.09	-16%
R&M Septic Grease Trap Pump Out	\$0.00	\$0.00	\$0.00	
R&M Water Supply	\$457.34	\$0.00	\$457.34	
Rentals operating leases	\$0.00	\$0.00	\$0.00	
Hire of Shed	\$0.00	\$0.00	\$0.00	
Office Rental	\$0.00	\$0.00	\$0.00	
Subscriptions and registration	\$0.00	\$0.00	\$0.00	
Subscriptions & Fees	\$52,025.82	\$6,161.25	\$45,864.57	744%
Motor Vehicle Expenses	\$0.00	\$0.00	\$0.00	
MV Fuel	\$55,331.17	\$39,268.17	\$16,062.00	41%
MV Hire	\$1,390.91	\$14,831.25	-\$13,440.34	-91%
MV Insurance	\$0.00	\$416.67	-\$416.67	
MV Registration	\$28,521.54	\$12,390.83	\$16,130.71	130%
MV Repairs & Maintenance	\$47,689.59	\$67,843.33	-\$20,153.74	-30%
Travel & Accommodation	\$0.00	\$0.00	\$0.00	
Accommodation	\$60,812.41	\$48,054.58	\$12,757.83	27%
Airfares	\$14,463.67	\$16,019.17	-\$1,555.50	-10%

Taxi Fares (inc Cab Charge)	\$666.87	\$173.75	\$493.12	284%
Travel Allowance	\$15,228.81	\$14,955.42	\$273.39	2%
Travel Other	\$4,330.01	\$2,055.83	\$2,274.18	111%
Isolation Leave Travel	\$0.00	\$0.00	\$0.00	
Direct program costs	\$0.00	\$0.00	\$0.00	
Artist Costs	\$0.00	\$1,854.17	-\$1,854.17	
Visitor Management	\$0.00	\$752.08	-\$752.08	
Rangers - Camping Equipment	\$2,875.41	\$165.00	\$2,710.41	1643%
Rangers - Field Consumables	\$1,529.74	\$954.17	\$575.57	60%
HACC Client Groceries	\$11,718.74	\$15,758.33	-\$4,039.59	-26%
Materials & Supplies	\$28,585.57	\$46,519.17	-\$17,933.60	-39%
Meeting & Seminar Costs	\$11,113.63	\$3,570.00	\$7,543.63	211%
Pest Control	\$68,750.00	\$8,788.75	\$61,961.25	913%
Sports & Recreation Expenses	\$0.00	\$3,402.92	-\$3,402.92	
Turtle Camp Costs	\$4,023.29	\$0.00	\$4,023.29	
Cultural Heritage-Elders Payts	\$0.00	\$833.33	-\$833.33	
Bank Fees & Charges	\$4,287.90	\$3,841.25	\$446.65	12%
Impairment of Debts	\$0.00	\$0.00	\$0.00	
Depreciation	\$0.00	\$0.00	\$0.00	
Depn - Houses	\$55,459.00	\$55,459.17	-\$0.17	0%
Depreciation, Buildings	\$283,559.40	\$283,559.58	-\$0.18	0%
Depn - Major Plant	\$16,021.05	\$16,021.25	-\$0.20	0%
Depreciation, Office Equipment	\$6,901.75	\$6,901.67	\$0.08	0%
Depreciation, Plant & Equipment	\$90,170.15	\$90,170.00	\$0.15	0%
Depreciation, Store Equip't	\$11,279.50	\$11,279.58	-\$0.08	0%
Depn - Roads	\$407,536.95	\$407,537.08	-\$0.13	0%
Depn - Water	\$75,603.15	\$75,603.33	-\$0.18	0%
Depreciation Landfill	\$9,727.70	\$9,727.50	\$0.20	0%
Depreciation, Airstrip	\$52,966.90	\$52,966.67	\$0.23	0%
Depn - Boat ramp	\$2,514.65	\$2,514.58	\$0.07	0%
Depn- Fibre Optic Cable	\$2,606.00	\$2,605.83	\$0.17	0%
Capital Expenditure	\$310,790.39	\$208,396.67	\$102,393.72	49%
Total Expenses	\$4,350,434.85	\$4,467,412.08	-\$116,977.23	-3%
Operating Profit	-\$1,526,820.88	-\$127,436.67	-\$1,399,384.21	

Mapoon Aboriginal Shire Council
Balance Sheet
 As at November 30, 2021

Assets

Current Assets

11115-QCCU - General Account	2,354,606.93
11113-QCCU Shares	50.00
11118-QCCU - Online Save A/C NoF	3,152,429.77
11119-QCCU - Online Banking - Remote Capital Program	390,240.21
11125-CBA Main account	227,992.46
11190-Electronic Clearing Account	(500.00)
Accounts Receivable	296,942.36
Inventories	104,480.65
Other Current Assets	598,529.62

Total Current Assets **7,024,341.99**

Property, Plant and Equipment	26,477,665.09
Accumulated Depreciation	(8,423,164.71)
Intangible Assets	65,000.00

Total Assets **24,143,842.37**

Liabilities

Current Liabilities

Accounts Payable	1,217,358.39
Taxes Payable	(230,396.41)
Other Current Liabilities	37,654.57

Total Current Liabilities **1,024,616.55**

Total Liabilities **1,024,616.55**

Shareholders' Equity

Net Income / (Loss)	96,957,101.28
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Total Shareholders' Equity **96,957,101.28**

Total Liabilities & Shareholders' Equity **97,981,717.83**

Mapoon Aboriginal Shire Council					
Budget Analysis by Department					
Nov-21					
Accommodation	Actual	BudgetTD	Variance to Budget	Variance %	Comments
Income	195,726	227,195	-31,470	-14%	
Expense	153,882	153,785	107	0%	
Profit / (Loss)	41,833	73,410	-31,576	-43%	
Administration & Corporate Services	Actual	BudgetTD	Variance to Budget	Variance %	
Income	1,566,747	1,395,464	171,284	12%	
Expense	2,666,315	1,929,987	736,328	38%	Includes Depreciation of \$1,014,346
Profit / (Loss)	-1,099,568	-534,523	-565,044	106%	
Store	Actual	BudgetTD	Variance to Budget	Variance %	
Income	735,355	792,426	-57,033	-7%	
Expense	815,181	791,707	23,474	3%	
Profit / (Loss)	-83,787	721	-84,508	-11721%	
Parks & Gardens	Actual	BudgetTD	Variance to Budget	Variance %	
Income	675	1,112	-437	0%	Funded from unlied funds
Expense	24,515	51,453	-26,934	100%	
Profit / (Loss)	-23,844	-50,341	26,497	100%	
Land & Tax	Actual	BudgetTD	Variance to Budget	Variance %	
Income	702,091	247,397	454,695	184%	Includes funding for 6 months
Expense	461,585	243,084	218,501	90%	
Profit / (Loss)	240,506	4,313	236,193	5477%	
Aged Care Services	Actual	BudgetTD	Variance to Budget	Variance %	
Income	306,206	158,599	147,606	93%	
Expense	115,354	150,563	-35,310	-23%	
Profit / (Loss)	190,852	8,036	182,916		
Water & Sanitation	Actual	BudgetTD	Variance to Budget	Variance %	
Income	0	0	0		Funded from unlied funds
Expense	114,904	92,967	21,937	24%	
Profit / (Loss)	-114,904	-92,967	-21,937	24%	
Works Contract & Housing Maintenance	Actual	BudgetTD	Variance to Budget	Variance %	
Income	1,053,358	941,388	111,970	12%	
Expense	936,094	638,344	297,749	47%	
Profit / (Loss)	117,264	303,044	-185,780	-61%	
Works Other	Actual	BudgetTD	Variance to Budget	Variance %	
Income	2,423,525	4,699,058	-3,275,533	-68%	Project income outstanding
Expense	3,194,229	4,482,136	-1,287,907	-29%	
Profit / (Loss)	-770,704	216,922	-987,626	-455%	
Workshop	Actual	BudgetTD	Variance to Budget	Variance %	
Income	82,345	86,661	-4,316	-5%	
Expense	106,915	117,224	-10,309	-9%	
Profit / (Loss)	-24,570	-30,563	5,993	-20%	
Total Works	Actual	BudgetTD	Variance to Budget	Variance %	
Income	3,559,228	5,727,107	-2,167,879	-38%	
Expense	4,352,143	5,330,671	9,682,813	182%	
Profit / (Loss)	-792,914	396,435	-1,189,349	-300%	
Total Disbursements	Actual	BudgetTD	Variance to Budget	Variance %	
Income	7,066,067	8,549,302	-1,483,235	-17%	
Expense	8,592,888	8,651,251	-58,363	-1%	
Profit / (Loss)	-1,526,821	-101,949	-1,424,872	5398%	Includes Depreciation of \$1,014,346 & CAPEX \$310,790

Mapoon Aboriginal Shire Council

Statement of untied funds as at November 2021

Cash & Money in bank	6,024,879	
Debtors	296,942	
Total Cash & Debtors		6,321,822
Less		
Tied Grants	3,868,031	
Liabilities	-1,024,617	
Total Tied Grants & Liabilities		2,843,415
Untied Funds		3,478,407
 Total cash less liabilities		 3,181,465
Debtors		296,942
Total untied cash & Debtors		3,478,407

7.6 ACTING EXECUTIVE MANAGER OF ENVIRONMENTAL SERVICES, LAND AND SEA, PARKS AND GARDENS

Author: Kelli Leatham, Acting Executive of Environmental Services, Parks & Gardens

Authoriser: Tim Rose, Acting CEO

Attachments: 1. Rubbish Picked Up

PURPOSE OF REPORT

To present to Council a report of Program Performance and Operational actions for previous month

BACKGROUND

This report details the program performance and operational action from Mapoon Land and Sea Rangers and Parks and Gardens

DISCUSSION

- Biosecurity
 - Coastal Surveillance trip from Namaleta Creek to Skardon River, purpose of the trip was to photograph, and GPS point major marine debris hotspots.
 - Community animal Health report was also submitted, report noted the general health of dogs was good. Population remains stable, the lowest level of mange seen (21% in 2018 reduced to 1.4% in 2021) and a large reduction in Ticks and Fleas. Around 88% of female dogs are under breeding control which is a high level achieved within the community.
- Turtle Conservation
 - Ranger's results have been collaborated, achieving excellent outcomes for the season. Totals of nests recorded on Flinders Beach, Flatbacks 935, Olive Ridley 39 and Hawksbill 5. 30% predation which is a great result with no pig predation only dingo and goanna. Skardon recorded, 74 Flatback and 8 Olive Ridley with 49 Flatback and 6 Olive Ridley nests predated all from pigs except for 2.
 - Meeting with other Ranger groups from the Nest to Ocean to discuss ways forward for these problem areas.
 - The last pig cull for the season netted the Rangers another 308 pigs culled. Total for the 3 culls for the year was 913.
- Cultural Heritage
 - Jason Jia attended the Northern Australian Indigenous Datathon at James Cook University. This was a 2-day event that brings together a diverse group of data professionals, Indigenous communities, and students to explore digital as well as data driven solutions to solve real world Indigenous community challenges in Northern Australia.
 - Editing and updating of Mapoon Visitor Management guides for tourists, to be placed in the cabins at Paanja Lodge.
 - Jason Jia and Edwin Ling attended Western Cape College Mapoon for a Shorebird lesson.

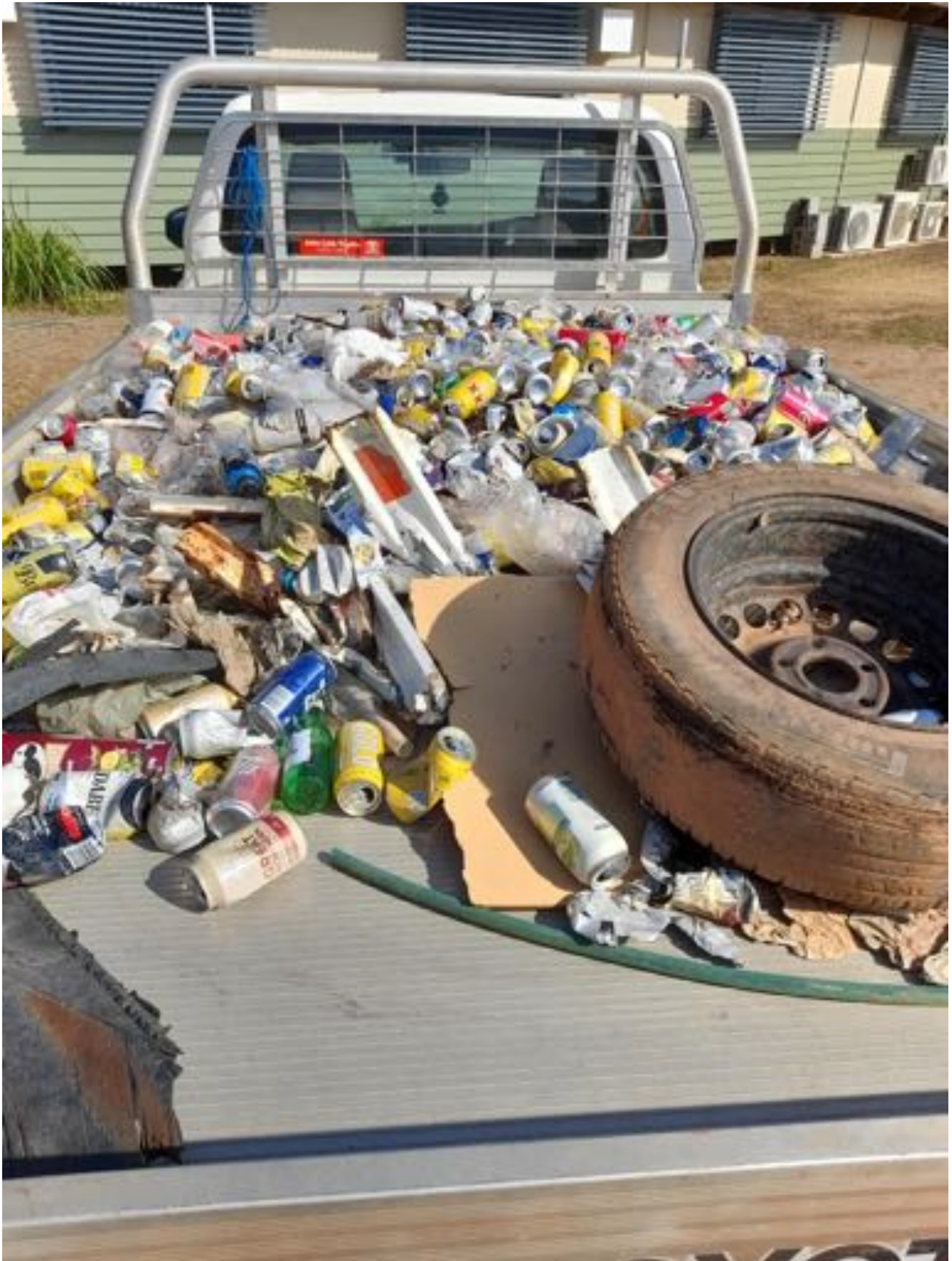
- Continuation of the re-establishment of Mapoon database.
- Community consultations with Q Coast (set up at store, engaged with community) as I had prior arrangements.
- Zoom meeting with State Libraries – online conversations with library leaders on changes and new mandates.
- Photographs for the Chief Executive Officer, as Jason Jia is the gun photographer (Community photographs of all new buildings and construction sites, boat ramp, water tank)
- Continual monitoring of old cemeteries.
- Updating the Mapoon Cemetery registry.
- Training
 - Three (3) Rangers now are Certified Aerial bombardiers
 - Newer Rangers have completed Certificate 1 in Crocodile Management
 - Sarah Barkely, Jocelyn de Jersey and I attended the Queensland Women's Rangers conference in Cairns. There were some great presenters at the conference teaching us how to channel our mindsets to enable confident public speaking, team building exercises, weaving, sharing positive beliefs, great networking, and our achievements for the year. There are now 93 women rangers in QLD.
 - Five (5) Rangers renewed their First Aid and CPR certificates
- Fee for Service
 - Rangers worked again this year with Rio Tinto on the Speartooth Shark program. Another successful partnership working in the Ducie and Wenlock Rivers. Eighteen (18) Speartooth Sharks were caught and eleven (11) tagged. Some were re captured in the following days showing that the surgery from the tagging certainly didn't upset their feeding habits. The seven (7) not tagged were small sharks which was great to see the population is increasing up the river systems.
 - Water Quality monitoring also took place this month, this all ties in with the capture of the Speartooth shark, checking salinity levels in the areas sharks are mainly found.
 - Rangers completed tree chopping jobs for community housing as they hold chainsaw certifications.
- Cultural Emersion Program
 - Six (6) participants came to Mapoon for the program, three (3) for the Speartooth Shark program and three (3) for the Water Quality monitoring. They all thoroughly enjoyed their time working with the Rangers and were very interested in the projects between the Rangers and Rio Tinto.
 - This concludes the Cultural Emersion Program for 2021, participant feedback from the year was excellent.
- Parks and Gardens
 - Clean-ups along roadsides prior to the minister's visit. I have attached a photo to give some insight to how much rubbish comes off the sides of the roads. The photo is from Ranger base to the end of the bitumen, it had only been done three (3) weeks prior.

- Normal tasks of keeping the Council Yard, Anzac Park raked, mowed, and watered. Looking like a bit of relief in sight on the watering front.
- Everything ordered to have taps installed on all garden beds

- Visitor Management
 - Cullen Point Campground now officially closed for the season, will re-open for Easter 2022.
 - Day Use area cleaned of leaves and coconuts.
 - Boat ramp and surrounds rubbish picked up every Monday.

RECOMMENDATION

That the report of Acting Executive Manager of Environmental Services, Land and Sea Rangers and Parks and Gardens be received and noted.



7.7 MAPOON PUBLIC INTEREST DISCLOSURE POLICY 2021 & MAPOON PUBLIC INFORMATION DISCLOSURE PROCEDURE 2021.

Author: Jo Linnane, Governance Manager- Consultant

Authoriser: Tim Rose, Acting CEO

Attachments:

1. Mapoon Public Interest Disclosure Policy V1 Dec 2021
2. Mapoon Public Interest Disclosure Procedure V1 Dec 2021

PURPOSE OF REPORT

To present The Mapoon Aboriginal Shire Council Public Interest Disclosure Policy and the Mapoon Aboriginal Shire Council Public Interest Disclosure Procedure to Council.

BACKGROUND

Council is required to have both a Public Interest Disclosure Policy and a Public Interest Disclosure Procedure in place. Both the Mapoon Public Interest Disclosure Policy Version 1 Dec 2021, and the Mapoon Public Interest Disclosure Procedure Version 1 Dec 2021 follow for perusal.

RECOMMENDATION

That Council receive and note

- (a) The Mapoon Public Interest Disclosure Policy, Version 1 December 2021.
- (b) The Mapoon Public Interest Disclosure Procedure, Version 1 December 2021.

MAPOON ABORIGINAL SHIRE COUNCIL



Public Interest Disclosure Policy

Document Control

Document Reference Number: 0001/50
Version Number: 1
Business Unit: Governance
Scheduled Review Date: Annual

Version History

Version Number	Date	Signature	Reason / Comments
1	4 December 2021		Council Resolution
2			
3			
4			

PUBLIC INTEREST DISCLOSURE POLICY 2020-2021**Authority**

Public Interest Disclosure Act 2010
 Local Government Act 2009
 Public Sector Ethics Act 1994
 Public Records Act 2002
 Ombudsman Act 2001
 Crime and Corruption Act 2001
 Disability Act 2006

Policy Objective

By virtue of their office or position, Mapoon Aboriginal Shire Council (Council) recognises the important role Councillors, Council employees and members of the public can play in the identification of cases of maladministration, official misconduct and the misuse of public resources or contraventions giving rise to dangers to public health and safety, the environment or to persons with disabilities.

In accordance with the objectives of the Public Interest Disclosure Act 2010 (the Act), it is Council policy to:

- Promote the public interest by facilitating Public Interest Disclosures of wrongdoing in the public sector; and
- Ensure that Public Interest Disclosures are properly made, assessed, and when appropriate, properly investigated and dealt with; and
- Ensure that appropriate consideration is given to the interests of persons who are the subjects of a Public Interest Disclosure; and
- Afford protection from reprisal to persons making Public Interest Disclosures.

These outcomes (including information regarding how a Public Interest Disclosure may be made) are achieved via Council's Public Interest Disclosure Management Directive which is developed and implemented by the Chief Executive Officer in accordance with Section 28(1) of the Act and this Policy.

Policy Statement

In relation to Public Interest Disclosures, Council will:

- i) Ensure there are Public Interest Disclosure procedures in place to encourage disclosures and manage any disclosures received by Council
- ii) Provide protection and maintain confidentiality in relation to disclosures made by public officers or appropriate persons
- iii) Ensure employees and Councillors understand how they can make a Public Interest Disclosure
- iv) Ensure the risk of reprisals are assessed and managed
- v) Ensure records of Public Interest Disclosures are managed appropriately.

Scope

A public interest disclosure can be made if a person (who is not a public officer) has information about:

- i) A substantial and specific danger to the health or safety of a person with a disability; or
- ii) The commission of an offence against a provision mentioned in schedule 2 of the Act, if the commission of the offence is or would be a substantial and specific danger to the environment; or

- iii) A contravention of a condition imposed under a provision mentioned in schedule 2 of the Act if the contravention is or would be a substantial and specific danger to the environment; or
- iv) The conduct of another person that could, if proved, be a reprisal.

Alternatively, by a public officer (pursuant to Section 13) about:

- i) The conduct of another person that could, if proved, be:
 - Official misconduct; or
 - Maladministration that adversely affects a person's interests in a substantial and specific way; or
- ii) A substantial misuse of public resources (other than an alleged misuse based on mere disagreement over policy that may properly be adopted about amounts, purposes, or priorities of expenditure); or
- iii) A substantial and specific danger to public health or safety; or
- iv) A substantial and specific danger to the environment.

Public Interest Disclosures under Sections 12 and 13 of the Act must:

- a) Be made to a proper authority (as defined in Section 5 of the Act); and
- b) Be information about the conduct of another person or another matter if:
 - The person honestly believes on reasonable grounds that the information tends to show the conduct or other matter; or
 - The information tends to show the conduct or other matter, regardless of whether the person honestly believes the information tends to show the conduct or other matter.

To that end Council will:

- ✓ Ensure that Public Interest Disclosures are managed appropriately in accordance with the requirements of the Act.
- ✓ Maintain confidentiality of Public Interest Disclosures received (as per Section 65 of the Act).
- ✓ Prosecute any person who provides a false or misleading statement or information to Council with the intention of it being processed as a Public Interest Disclosure (as per Section 66 of the Act).
- ✓ Prosecute and/or take disciplinary action against any Councillor or Council employee who takes or attempts to take a reprisal action (refer Sections 40 and 41 of the Act).
- ✓ Ensure that the proper records of Public Interest Disclosures received (as per Section 29 of the Act) are maintained, and that the confidentiality of all records created during the investigation and reporting of Public Interest Disclosures is preserved (as per Section 65 of the Act).

Definitions

CEO - Council's Chief Executive Officer.

Confidential information includes information about the identity, occupation, residential or work address or whereabouts of a person –

- i) Who makes a Public Interest Disclosure; or
- iii) Against whom a Public Interest Disclosure has been made; and
 - information disclosed by a Public Interest Disclosure; and
 - information about an individual's personal affairs; and
 - information that, if disclosed, may cause detriment to a person.

Discloser - means a person reporting a Public Interest Disclosure.

Maladministration – As defined by schedule 4 of the Public Interest Disclosure Act 2010, Maladministration is administrative action that was:

- i) Taken contrary to law
- ii) Unreasonable, unjust, oppressive, or improperly discriminatory
- iii) In accordance with a rule of law or a provision of an Act or a practice that is or may be unreasonable, unjust, oppressive, or improperly discriminatory in the particular circumstances
- iv) Taken for an improper purpose
- v) Taken on irrelevant grounds
- vi) Taken having regard to irrelevant considerations
- vii) An act for which reasons should be given, but were not given
- viii) Based wholly or partly on a mistake of law or fact; or
- ix) Was wrong.

Public Interest Disclosures - (refer Section 11, the Act) - A Public Interest Disclosure can be made by a person who honestly believes, on reasonable grounds, that wrongdoing has occurred or who has information that tends to show that wrongdoing has occurred. In order to be considered a Public Interest Disclosure, the matter must meet one of the following:

Disclosure Description

- A substantial and specific danger to the health or safety of a person with a disability
- A substantial and specific danger to the environment caused by Council operations

Proper person to make the disclosure

- Member of the public or
- Council employee or Councillor

Disclosure Description

- Corrupt conduct occurring in the cause of Council operations
- Maladministration that adversely affects a person's interests in a substantial and specific way
- A substantial misuse of public resources occurring in the cause of Council operations

Proper person to make the disclosure

- Council employee or Councillor

A general request for service is not a Public Interest Disclosure. An administrative action complaint (Section 268.2 of the Local Government Act 2009) is not classed as a Public Interest Disclosure unless assessment of the complaint indicates that it has the attributes of a Public Interest Disclosure.

Members of the public may make disclosures about other matters (Corrupt Conduct, maladministration, etc) and while it may still be a matter of public importance, is not considered a Public Interest Disclosure. e.g.

- **Corrupt Conduct** – commit an offence under the Local Government Act or undertake fraud (stealing and misappropriation of finances).
- **Maladministration** – inefficient, dishonest administration or mismanagement of Council that leads to wastage, financial loss or an inability to service the community.
- **Misuse of public resources** – using Council resources for personal gain or incurring unfair wear and tear on machinery due to careless operations.

Public Officer - an employee, member, or officer of the entity.

Reprisal - where a person causes or attempts to cause detriment because they believe (whether or not this is actually the case) a person:

- i) Has or intends to make a Public Interest Disclosure; or
- ii) Has or intends to participate in proceedings under the Act.

The detriment may be an action (or threats of action) that results in:

- i) Personal injury or prejudice to safety; or
- ii) Property damage or loss; or
- iii) Intimidation or harassment; or
- iv) Adverse discrimination, disadvantage or adverse treatment about career, profession, employment, trade, or business; or
- v) Financial loss; or
- vi) Damage to reputation, including, for example, personal, professional, or business reputation.

Subject Officer - the person about who a Public Interest Disclosure is made.

Substantial - of a significant or considerable degree. It must be more than trivial or minimal and have some weight or importance.

1. Who receives the Public Interest Disclosure?

The Chief Executive Officer receives all Public Interest Disclosures. In the case of a Public Interest Disclosure in relation to the Chief Executive Officer, the Mayor would receive the complaint.

The Chief Executive Officer may delegate the management and processing of Public Interest Disclosures to others.

2. How can a Public Interest Disclosure be made?

The disclosure can be made verbally, electronically or in writing. Where possible, the disclosure should be addressed 'Confidential for the attention of the Chief Executive Officer'. Council will accept disclosures addressed to other employees, Councillors, and the Mayor.

3. What should be contained in the Disclosure?

The member of the public, employee or Councillor should include the following in the disclosure:

- Their name and contact details (unless they are making an anonymous disclosure).
- The nature of the disclosure.
- The person who is undertaking the disclosure activity (employee/s or Councillor/s).
- Correspondence or other supporting documentation; and
- Details of the disclosure activity including times, dates, amounts, resources, action, and locations that might assist any investigation.

A person may make a Public Interest Disclosure whether or not the person is able to identify a particular person to whom the information disclosed relates. The disclosure may relate to events that:

- Have happened or may have happened.
- Are or may be happening; or
- Will or may happen.

4. Confidentiality, Anonymity and Protection

Council encourages the reporting of Public Interest Disclosures and is committed to protecting and supporting those making disclosures. Any person making a disclosure should feel confident and comfortable about the report and shall be protected from being victimised as a result of making the report.

The discloser must be protected in a number of ways including, but not limited to the following:

- Ensuring confidentiality in the investigation.
- Protecting, as far as legally possible, the discloser's identity.
- Treating any bullying, harassment, unfair treatment, victimisation, or discrimination that results from a disclosure being made as a breach of our disciplinary procedures.
- Offering a staff member leave of absence while a matter is investigated.
- Relocation of staff or changes to reporting lines if necessary.
- Responding to the disclosure thoroughly and impartially.
- Where some form of wrongdoing has been found, taking appropriate action to deal with it; and
- Keeping the discloser informed of the progress and outcome.

Upon receipt of an allegation of fraud and/or corruption, appropriate support for the discloser must be considered to safeguard against potential acts of reprisal. Others associated with the discloser (including those who may be suspected of being a discloser) should also be considered at this time. Protective measures implemented (including those above) must be proportionate to the risk of reprisal and the potential consequences of a reprisal.

To the extent practicable, the identity of a discloser MUST NOT be revealed. In the case that the identity of the discloser may be apparent or necessary in investigating the allegations, this should be discussed firstly with the discloser. With this in mind, the officer responsible for the investigation will advise all involved parties of the legal provisions for protection and legal consequences attached, as well as Council disciplinary action applicable.

To ensure the confidentiality of disclosers, Council will accept reports in any manner, including anonymously. Reports from anonymous sources will be considered for investigation providing sufficient information has been received.

In addition to protecting the discloser, the identity of the Subject Officer(s) must also be protected.

Review

This policy will be reviewed when any of the following occur:

- 2 years from approval.
- Related legislation is amended or replaced.
- Other circumstances as determined from time to time by the CEO.

Adopted by Council on 14th December 2021

Tim Rose
ACTING CEO

Mapoon Aboriginal Shire Council
Public Interest Disclosure Policy

Page 6 of 6

MAPOON ABORIGINAL SHIRE COUNCIL



Public Interest Disclosure Procedure

Document Control

Document Reference Number: 0001/50
Version Number: 4
Business Unit: Governance
Scheduled Review Date: Annual

Version History

Version Number	Date	Signature	Reason / Comments
1.	4 th December 2021.		
2.			
3.			
4			

PUBLIC INTEREST DISCLOSURE PROCEDURE 2020-2021

AUTHORITY

Crime and Corruption Act 2001
Local Government Act 2009
Ombudsman Act 2001
Public Interest Disclosure Act 2010
Public Records Act 2002
Public Sector Ethics Act 1994
Disability Services Act 2006

INTRODUCTION

Mapoon Aboriginal Shire Council ("the Council") is committed to fostering an ethical, transparent culture. In pursuit of this, Council values the disclosure of information about suspected wrongdoing in the public sector so that it can be properly assessed and, if necessary, appropriately investigated. Council will provide support to an employee or others who make disclosures about matters in the public interest. This Procedure demonstrates this commitment, and ensures that practical and effective procedures are implemented which comply with the requirements of the Public Interest Disclosure Act 2010 (PID Act).

PURPOSE

By complying with the PID Act, Council will:

- promote the public interest by facilitating public interest disclosures (PIDs) of wrongdoing
- ensure that PIDs are properly assessed and, where appropriate, properly investigated and dealt with
- ensure appropriate consideration is given to the interests of persons who are the subject of a PID
- ensure protection from reprisal is afforded to persons making PIDs.

As required under the PID Act, the Chief Executive Officer (CEO) will implement procedures to ensure that:

- any public officer who makes a PID is given appropriate support
- PIDs made to the Council are properly assessed and, where appropriate, properly investigated and dealt with
- appropriate action is taken in relation to any wrongdoing which is the subject of a PID
- a management program for PIDs made to the Council, consistent with the standards issued by the Queensland Ombudsman, is developed and implemented
- public officers who make PIDs are offered protection from reprisal by the Council or other public officers of the Council.

Council's Public Interest Disclosure Procedure is available for public viewing at <https://www.mapoon.qld.gov.au/>. The Public Interest Disclosure Procedure will be reviewed annually and updated as required to ensure it meets the requirements of the PID Act and the standards issued by the Queensland Ombudsman.

PID MANAGEMENT PROGRAM

The CEO has overall responsibility for ensuring that the Council develops, implements, and maintains a PID management program. The Council PID management program encompasses:

- commitment to encouraging the internal reporting of wrongdoing
- senior management endorsement of the value to the Council of PIDs and the proper management of PIDs
- a communication strategy to raise awareness among employees about PIDs and Council's PID procedure
- a training strategy to give employees access to training about how to make a PID, information on the support available to a discloser, and advice on how PIDs will be managed
- specialist training and awareness about PIDs for senior management and other staff who may receive or manage PIDs, disclosers or workplace issues relating to PIDs
- the appointment of a specialist officer/unit to be responsible for issues related to the management of PIDs
- ensuring effective systems and procedures are in place so that issues and outcomes from PIDs inform improvements to service delivery, business processes and internal controls
- regular review of the Public Interest Disclosure Procedure and evaluation of the effectiveness of the PID management program.

Council has designated the following roles and responsibilities for managing PIDs within the Council:

Role:	Responsibilities:	Officer:
PID Coordinator	<ul style="list-style-type: none"> • principal contact for PID issues within the Council • document and manage implementation of PID management program • review and update PID procedure annually • maintain and update internal records of PIDs received • report data on PIDs to Queensland Ombudsman • assess PIDs received • provide acknowledgment of receipt of PID to discloser • undertake risk assessments in consultation with disclosers and other relevant officers • liaise with other agencies about referral of PIDs 	Chief Executive Officer ceo@mapoon.qld.gov.au

	<ul style="list-style-type: none"> • allocate Investigator and Support Officer to PID matter 	
PID Support Officer	<ul style="list-style-type: none"> • provide advice and information to discloser on the Council PID procedure • provide personal support and referral to other sources of advice or support as required • facilitate updates on progress of investigation • proactively contact discloser throughout PID management process 	Senior Managers
Investigator	<ul style="list-style-type: none"> • conduct investigation of information in PID in accordance with terms of reference • prepare report for delegated decision-maker 	An appropriate internal or external investigator will be appointed for each PID investigated depending upon the type of disclosure and other relevant considerations.
Delegated decision-maker	<ul style="list-style-type: none"> • review investigation report and determine whether alleged wrongdoing is substantiated 	An appropriate decision-maker will be appointed for each PID investigated.

WHY MAKE A PID?

Employees who are prepared to speak up about public sector misconduct, wastage of public funds, suspected unlawful activity or danger to health, safety or the environment can be the most important sources of information to identify and address problems in public sector administration. Council supports the disclosure of information about wrongdoing because:

- implementing systems for reporting and dealing with wrongdoing contributes to the integrity of the Council
- the outcomes of PIDs can include improvements to systems that prevent fraud and other economic loss to the Council
- the community's trust in public administration is strengthened by having strong processes in place for reporting wrongdoing.

When making a PID the discloser receives the protections provided under the PID Act, including:

- confidentiality – the discloser's name and other identifying information will be protected to the extent possible
- protection against reprisal – the discloser is protected from unfair treatment by the Council and employees of the Council as a result of making the PID
- immunity from liability – the discloser cannot be prosecuted for disclosing the information but is not exempt from action if they have engaged in wrongdoing
- protection from defamation – the discloser has a defence against an accusation of defamation by any subject officer.

WHAT IS A PUBLIC INTEREST DISCLOSURE?

This procedure applies to public interest disclosures within the meaning of the Public Interest Disclosure Act 2010. What constitutes a public interest disclosure depends on who is making the disclosure, with the Public Interest Disclosure Act 2010 distinguishing between disclosures made by a public officer and those made by anyone else.

Under the PID Act, any person can make a disclosure about a:

- substantial and specific danger to the health or safety of a person with a disability
- the commission of an offence, or contravention of a condition imposed under a provision of legislation mentioned in Schedule 2 of the PID Act, if the offence or contravention would be a substantial and specific danger to the environment
- reprisal because of a belief that a person has made or intends to make a disclosure.

In addition, public sector officers can make a disclosure about the following public interest matters:

- official misconduct
- maladministration that adversely affects a person's interests in a substantial and specific way
- a substantial misuse of public resources
- a substantial and specific danger to public health or safety
- substantial and specific danger to the environment.

To determine that a disclosure is a public interest disclosure, the disclosure must also satisfy either:

- i) The person making the disclosure honestly believes, on reasonable grounds, that the information tends to show the conduct or other matter is wrongdoing (subjective test), OR
- ii) The information tends to show the conduct or other matter is wrongdoing, regardless of whether the person making the complaint honestly believes the information (objective test).

The Public Interest Disclosure Act 2010 only protects public interest disclosures that are made to a 'proper authority'. Council is a proper authority for conduct concerning the Council, a Councillor or Council employee or behaviour that Council has the power to investigate or remedy. Disclosures made otherwise than in accordance with this procedure may not attract the protection of the Public Interest Disclosure Act 2010, including disclosures made to the media (except in special circumstances outlined in Chapter 2, Part 4, Section 20 of the Public Interest Disclosure Act 2010); unions or professional associations; federal government departments and agencies; private organisations; and organisations operating outside of Queensland.

HOW TO MAKE A PID

A Council employee may make a public interest disclosure to:

- Their direct or indirect supervisor or manager
- Any other person in a management position within Council
- The Chief Executive Officer.

A public interest disclosure can always be made to a member of the Legislative Assembly or an external agency if that agency has the power to investigate and remedy that type of disclosure, such as:

- Crime and Corruption Commission (CCC) for disclosures about corrupt conduct including reprisal
- Queensland Ombudsman for disclosures about maladministration

- Queensland Audit Office for disclosures about a substantial misuse of resources
- Department of Child Safety, Youth Justice and Multicultural Affairs for disclosures about danger to the health and safety of a child or young person with a disability
- Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships for disclosures about danger to the health and safety of a person with a disability
- Office of the Public Guardian for disclosures about danger to the health and safety of a person with a disability
- Department of Environment and Science disclosures about danger to the environment
- A Member of the Legislative Assembly (MP) for any wrongdoing or danger
- The Chief Judicial Officer of a court or tribunal in relation to a disclosure about wrongdoing by a judicial officer.

A disclosure can also be made to a journalist if the following conditions have been met:

- a valid PID was initially made to a proper authority; and
- the proper authority:
 - decided not to investigate or deal with the disclosure; or
 - investigated the disclosure but did not recommend taking any action; or
 - failed to notify the discloser within six months of making the disclosure whether or not the disclosure was to be investigated or otherwise dealt with.

A person who makes a disclosure to a journalist in these circumstances is protected under the PID Act. However, disclosers should be aware that journalists are not bound under the confidentiality provisions of section 65 of the PID Act.

A disclosure may be made anonymously; however, it is difficult in these circumstances to protect the person making the disclosure from any retributive action or reprisal. As such, although anonymous disclosures are permitted under the Public Interest Disclosure Act 2010, disclosers are encouraged to provide their contact details when making a disclosure.

A disclosure should be in writing, although it may be made orally. If a supervisor receives a public interest disclosure, they should encourage the discloser to put the information in writing. If the discloser is unable or unwilling to do so, the supervisor should document the disclosure and ask the discloser to confirm the contents before signing it; if circumstances prevent this occurring (eg telephone caller who remains anonymous), the supervisor should promptly make a written note recording the precise matters raised and this should be referred to the Chief Executive Officer.

Under certain circumstances a person may make a disclosure to a journalist (refer to Chapter 2, Part 4, Section 20 of the Public Interest Disclosure Act 2010). This can only occur if a person has already made a disclosure to the proper authority and that proper authority:

- Has decided not to investigate or deal with the disclosure; or
- Investigated but did not recommend taking any action; or
- Did not notify the discloser within 6 months of whether or not the disclosure was to be investigated or dealt with.

A public interest disclosure can be made about an unidentified person. A person can involuntarily make a public interest disclosure if they are legally compelled to do so. A public interest disclosure can be made in a proceeding in a court or tribunal as part of giving information to the court or tribunal.

A public interest disclosure can concern an event that happened or may have happened even if the event occurred before the enactment of the Public Interest Disclosure Act 2010. The public interest disclosure can also concern a current or potential event that will or may happen.

There is no limit to the number of public interest disclosures that can be made. When making a public interest disclosure, the discloser has the responsibility to provide honest and accurate information. It is a criminal offence under the Public Interest Disclosure Act 2010 to make a disclosure which is intentionally false or misleading and the discloser may face disciplinary action and criminal prosecution. Knowingly providing false or misleading information is different to providing information that turn out to be incorrect or unable to be substantiated.

Council encourages persons contemplating the making of a public interest disclosure to give due prior consideration to that course to ensure that matters raised have substance and are soundly based. Under the Public Interest Disclosure Act 2010 a person is not liable civilly, criminally or under an administrative process, including disciplinary action, for making a public interest disclosure.

ASSESSING A PID

The Chief Executive Officer must ensure that all disclosures made to Council or referred to it by another entity or Member of the Legislative Assembly is assessed.

The Chief Executive Officer will assess the public interest disclosure to determine whether the disclosure requires:

- Referral to another public sector entity, e.g., all cases of suspected official misconduct must be referred to the Crime and Misconduct Commission
- Further enquiries to be made
- Investigation; or
- Finalisation.

In assessing the disclosure, the Chief Executive Officer will determine if:

- The person making the disclosure can receive the protection of the Public Interest Disclosure Act 2010
- The disclosure concerns a matter about which a public interest disclosure can be made
- The disclosure meets either the subjective or objective test set out in the Public Interest Disclosure Act 2010
- The disclosure has been made to an individual or entity who may receive a public interest disclosure; and
- The disclosure has been made in accordance with Council's procedure or to a person listed in the Public Interest Disclosure Act 2010.

If there is doubt whether a disclosure is a public interest disclosure, the Chief Executive Officer will assume the disclosure is protected by the Public Interest Disclosure Act 2010 and manage the disclosure as if it is a public interest disclosure.

Each separate allegation should be reported as a separate public interest disclosure, unless the matters are clearly linked, and it would be reasonable to view them as a single disclosure. Council cannot decline to receive and/or assess a disclosure as a public interest disclosure. The Chief Executive Officer may decide not to investigate or deal with a public interest disclosure if:

- The substance of the disclosure has already been investigated or dealt with by another appropriate process; or
- Council reasonably considers that the disclosure makes it impracticable to investigate; or
- The age of the information the subject of the disclosure makes it impracticable to investigate; or
- Council reasonably considers that the disclosure is too trivial to warrant investigation and that dealing with the disclosure would substantially and unreasonably divert the resources of Council from the performance of its functions; or
- Another entity that has the jurisdiction to investigate the disclosure has notified Council that investigation of the disclosure is not warranted.

If Council decides not to investigate or deal with a public interest disclosure, written reasons for this decision will be given to the person making the disclosure. A person who receives written reasons for a decision not to investigate may apply to the Chief Executive Officer for a review of the decision within 28 days after receiving the written reasons.

Notwithstanding whether a complaint has been assessed as a public interest disclosure, the appropriate investigation procedure identified in the Administrative Action Complaints Policy and the relevant procedures pertaining to such complaints, will apply.

INFORMING THE DISCLOSER

The Chief Executive Officer will provide the discloser or the entity that referred the disclosure reasonable information about the disclosure in writing, in accordance with section 32(1) of the PID Act, and must meet the minimum requirements outlined in section 2.2 of the Public Interest Disclosure Standard No. 2/2019.

This must include:

- Confirmation that the disclosure was received by Council
- A description of the action proposed to be taken, or taken, by Council in relation to the disclosure
- If action has been taken by Council in relation to the disclosure – a description of the result of the action
- The likely timeframes (if possible)
- Their involvement in the investigation process
- The importance of maintaining confidentiality
- The protections under the Public Interest Disclosure Act 2010 that will apply
- That Council will keep the information disclosed, including the discloser's identity, confidential, except as allowed under the Public Interest Disclosure Act 2010
- How they will be advised of progress and outcomes; and
- Who to contact if they want further information or are concerned about reprisals.

Regular follow up with the discloser should be arranged by agreement to advise on the progress of resolving the public interest disclosure (where this is desired by the discloser, and if it is safe to do so).

DISCLOSER SUPPORT AND RISK ASSESSMENT

Disclosers should not suffer any form of detriment as a result of making a PID. Upon receiving a PID, the Council will conduct a risk assessment to assess the likelihood of the discloser (or witnesses or affected third parties) suffering reprisal action as a result of having made the disclosure. This assessment will consider the actual and reasonably perceived risk of the discloser (or witnesses or affected third parties) suffering detriment and will include consultation with the discloser.

A risk assessment will be undertaken if the discloser is anonymous based on information available in the PID. The risk assessment will also take into account the risk to persons who may be suspected of making the PID.

Consistent with the assessed level of risk, the Council will develop and implement a risk management plan and arrange any reasonably necessary support or protection for the discloser (or witnesses or affected third parties).

Council will regularly reassess the risk of reprisal while the PID is being managed, in consultation with the discloser, and review the risk management plan if required.

MANAGING RISKS OF REPRISAL

Council has a duty of care to support and protect employees from negative action, including reprisals, that occur as a result of a disclosure. Reprisals are not condoned or tolerated by Council. The Chief Executive Officer will ensure effective system and procedures are in place to monitor a discloser's workplace for any signs of reprisal action. In the event of a reprisal being alleged or suspected, Council will act in the interest of the discloser by:

- Attending to the safety of the discloser or affected third parties as a matter of priority
- Reviewing the risk assessment of reprisal and any protective measures needed; and
- Managing any allegation of reprisal as a public interest disclosure in its own right.

Any employees found to have engaged in reprisals will be the subject of disciplinary action up to dismissal. Criminal action may be taken with respect to reprisal and penalties of up to 67 penalty units or two (2) years imprisonment can apply under the Public Interest Disclosure Act 2010.

Council may be vicariously liable for reprisal actions taken by employees, but may be able to raise as a defence, on the balance of probabilities, that reasonable steps were taken to prevent the employee taking reprisal action.

Reasonable management action is not prevented in relation to an employee who has made a public interest disclosure. Any management action can be taken if the manager's reasons for taking the action do not include the fact that the person has made a public interest disclosure.

PROTECTING THE RIGHTS OF THE SUBJECT OFFICER

All public interest disclosures will be assessed and managed impartially, fairly, and reasonably. The rules of natural justice will apply to any subject officer under investigation in respect of an allegation raised against them. Accordingly, subject officers will be advised of the nature of allegations against them at the appropriate time and are to be afforded an opportunity to respond. Employees who are the subject of a public interest disclosure may seek assistance from their employee association (e.g., Union) or may engage their own private legal representation. An employee may also utilise the services of Council's Employee Assistance Scheme.

INVESTIGATION

The assessment about whether the reported conduct constitutes a public interest disclosure and the determination of appropriate action to be taken will be determined by the Chief Executive on a case-by-case basis and will be done with consideration for the:

- principles of natural justice
- obligation under the PID Act to protect confidential information
- obligation under the PID Act to protect officers from reprisal
- interests of subject officers.

Where appropriate, an investigator will be engaged to investigate the public interest disclosure. In all cases the investigator must:

- Have the necessary skills or training to perform that task in a professional manner; and
- Not be under the direction of a person being investigated; and
- Be sufficiently removed from the issue as to not have a conflict of interest or perceived conflict of interest when undertaking the investigating; and
- When assessing (and where necessary, investigating and acting on) a public interest disclosure, take account of Council's obligations to the subject officer.

The fact that Council is relying on information obtained through a public interest disclosure for any subsequent disciplinary process does not exempt Council from its obligations to the subject officer.

On conclusion of the investigation the investigator will provide the Chief Executive Officer with a written report detailing the process followed and their findings. The Chief Executive Officer will utilise that report as appropriate to:

- Inform improvements to service delivery, business processes and internal controls
- Recommend any amendments to Council policies and/or procedures
- Recommend amendments to this procedure to improve its effectiveness; or
- Investigate disciplinary action.

Where reasonable, an edited extract of the report may be forwarded to the discloser upon application through the right to information process. A person dissatisfied with Council's handling of their public interest disclosure has an internal right of review to the Chief Executive Officer. Disclosers are also entitled to raise the matter with other entities, such as the Queensland Ombudsman in cases of maladministration.

CONFIDENTIALITY

While Council will make every attempt to protect confidentiality, a discloser's identity may need to be disclosed to:

- provide natural justice to subject officers
- respond to a court order, legal directive, or court proceedings.

Council will ensure that communication with all parties involved will be arranged discreetly to avoid identifying the discloser wherever possible. Disclosers should be aware that while Council will make every attempt to keep their details confidential, it cannot guarantee that others will not try to deduce their identity.

An employee who gains confidential information because he or she receives a public interest disclosure or is involved in dealing with public interest disclosure must not make a record of the information, or intentionally or recklessly disclose the information to anyone, other than:

- For the Public Interest Disclosure Act 2010
- To discharge a function under another Act including, for example, to investigate something disclosed by a public interest disclosure
- For a proceeding in a court or tribunal
- If the person to whom the confidential information relates consents in writing to the making of the record or disclosure of the information
- If the employee cannot reasonably obtain consent from the person to whom the confidential information relates and making the record or disclosing the information is unlikely to harm the interests of the person to whom the confidential information relates and reasonable in all the circumstances
- If the person reasonably believes that making the record or disclosing the information is necessary to provide for the safety or welfare of a person; or
- If authorized under a regulation or another Act.

In certain circumstances, natural justice may require a person to disclose information to a person whose rights would otherwise be detrimentally affected. The identity of the discloser may only be disclosed if it is essential: to do so under principles of natural justice and it is unlikely that a reprisal will be taken against a discloser because of the public interest disclosure. Making a record of confidential information or disclosing information to anyone (other than for the reasons noted above) is an offence under the Public Interest Disclosure Act 2010

RECORD-KEEPING

Record keeping will be in accordance with its obligations under the PID Act and the [Public Records Act 2002](#).

The Public Interest Disclosure Act 2010 requires Council to keep an adequate record of public interest disclosures, including details of the discloser (where known), the nature of the information disclosed, and action taken by Council, even where the disclosure is investigated and found to be incorrect. Council will maintain a confidential file pertaining to each potential public interest disclosure, with the following minimum requirements:

- i) The name of the person making the disclosure (if known)

ii) Details of the disclosure

iii) The determination made in respect of the disclosure; and

iv) Action taken on the disclosure (including review, investigation, or other form of managerial response).

All records of public interest disclosure and their investigation will be kept in Council's Official central records system and will be kept strictly confidential. Responsibility for creating records and for fulfilling Council's reporting obligations rests with Council's CEO.

Council will also provide the oversight agency, the Queensland Ombudsman, with the following information in electronic form:

- The date the disclosure was received and where it was received from
- The status of the discloser (e.g., entity staff, staff from another entity, member of the public, anonymous)
- The gender and status of the subject officer (e.g., staff-member, non-staff-member)
- The relationship between the discloser and the subject officer
- The location of the subject officer (geographical region)
- A summary of the allegation/information received
- The involvement of an external agency/party
- viii) The action taken to minimize any risk of reprisal
- Date inquiry/investigation commenced and completed
- The outcome of the assessment, inquiry/investigation
- The date the public interest disclosure was resolved or closed
- When the outcome was advised to the discloser
- xiii) If no action was taken, the reason for the decision; and xiv) Other legal processes associated with the disclosure.

DEFINITIONS

Term	Definition
Administrative action	<p>(a) means any action about a matter of administration, including, for example:</p> <ul style="list-style-type: none"> (i) a decision and an act; and (ii) a failure to make a decision or do an act, including a failure to provide a written statement of reasons for a decision; and (iii) the formulation of a proposal or intention; and (iv) the making of a recommendation, including a recommendation made to a Minister; and (v) an action taken because of a recommendation made to a Minister; and <p>(b) does not include an operational action of a police officer or of an officer of the Crime and Corruption Commission.</p>
CEO	Chief Executive Officer
Corrupt conduct	<p>As defined in section 15 of the Crime and Corruption Act 2001.</p> <p>(1) Corrupt conduct means conduct of a person, regardless of whether the person holds or held an appointment, that—</p>

	<p>(a) adversely affects, or could adversely affect, directly or indirectly, the performance of functions or the exercise of powers of—</p> <ul style="list-style-type: none"> (i) a unit of public administration; or (ii) a person holding an appointment; and <p>(b) results, or could result, directly or indirectly, in the performance of functions or the exercise of powers mentioned in paragraph (a) in a way that—</p> <ul style="list-style-type: none"> (i) is not honest or is not impartial; or (ii) involves a breach of the trust placed in a person holding an appointment, either knowingly or recklessly; or (iii) involves a misuse of information or material acquired in or in connection with the performance of functions or the exercise of powers of a person holding an appointment; and <p>(c) would, if proved, be—</p> <ul style="list-style-type: none"> (i) a criminal offence; or (ii) a disciplinary breach providing reasonable grounds for terminating the person's services if the person is or were the holder of an appointment. <p>(2) Corrupt conduct also means conduct of a person, regardless of whether the person holds or held an appointment, that—</p> <p>(a) impairs, or could impair, public confidence in public administration; and</p> <p>(b) involves, or could involve, any of the following—</p> <ul style="list-style-type: none"> (i) collusive tendering (ii) fraud relating to an application for a licence, permit or other authority under an Act with a purpose or object of any of the following (however described)— <ul style="list-style-type: none"> (A) protecting health or safety of persons (B) protecting the environment (C) protecting or managing the use of the State's natural, cultural, mining or energy resource (iii) dishonestly obtaining, or helping someone to dishonestly obtain, benefit from the payment or application of public funds or the disposition of State assets (iv) evading a State tax, levy or duty or otherwise fraudulently causing a loss of State revenue (v) fraudulently obtaining or retaining an appointment; and <p>(c) would, if proved, be—</p> <ul style="list-style-type: none"> (i) a criminal offence; or (ii) a disciplinary breach providing reasonable grounds for terminating the person's services, if the person is or were the holder of an appointment.
Detriment	<p>includes —</p> <ul style="list-style-type: none"> (a) personal injury or prejudice to safety; and (b) property damage or loss; and (c) intimidation or harassment; and (d) adverse discrimination, disadvantage or adverse treatment about career, profession, employment, trade, or business; and (e) financial loss; and (f) damage to reputation, including, for example, personal, professional, or business reputation.

Disability	<p>As defined in section 31 of the Disability Services Act 2006, for the purposes of this procedure:</p> <p>(1) A disability is a person's condition that—</p> <p>(a) is attributable to—</p> <p>(i) an intellectual, psychiatric, cognitive, neurological, sensory, or physical impairment; or</p> <p>(ii) a combination of impairments mentioned in subparagraph (i); and</p> <p>(b) results in—</p> <p>(i) a substantial reduction of the person's capacity for communication, social interaction, learning, mobility or self-care or management; and</p> <p>(ii) the person needing support.</p> <p>(2) For subsection (1), the impairment may result from an acquired brain injury.</p> <p>(3) The disability must be permanent or likely to be permanent.</p> <p>(4) The disability may be, but need not be, of a chronic episodic nature.</p>
Discloser	A person who makes a disclosure in accordance with the Public Interest Disclosure Act 2010 .
Maladministration	<p>As defined in schedule 4 of the Public Interest Disclosure Act 2010, maladministration is administrative action that—</p> <p>(a) was taken contrary to law; or</p> <p>(b) was unreasonable, unjust, oppressive, or improperly discriminatory</p> <p>or</p> <p>(c) was in accordance with a rule of law or a provision of an Act or a practice that is or may be unreasonable, unjust, oppressive, or improperly discriminatory in the particular circumstances; or</p> <p>(d) was taken—</p> <p>(i) for an improper purpose; or</p> <p>(ii) on irrelevant grounds; or</p> <p>(iii) having regard to irrelevant considerations; or</p> <p>(e) was an action for which reasons should have been given, but were not given; or</p> <p>(f) was based wholly or partly on a mistake of law or fact; or</p> <p>(g) was wrong.</p>
Natural justice	<p>Natural justice, also referred to as 'procedural fairness' applies to any decision that can affect the rights, interests or expectations of individuals in a direct or immediate way. Natural justice is at law a safeguard applying to an individual whose rights or interests are being affected.</p> <p>The rules of natural justice, which have been developed to ensure that decision-making is fair and reasonable, are:</p> <ul style="list-style-type: none"> • avoid bias; and • give a fair hearing. • act only on the basis of logically probative evidence.
Official Misconduct	Is a conduct that could, if proved, be a criminal offence or a disciplinary breach providing reasonable grounds for terminating the person's services.
Proper authority	A person or organisation that is authorised under the Public Interest Disclosure Act 2010 to receive disclosures.

Queensland Ombudsman	The oversight agency of PID
Public Interest Disclosure	Is a disclosure of information by an employee to a proper authority about certain wrongdoing. I.e., suspected official misconduct, maladministration, a substantial misuse of public resources, or a substantial and specific danger to public health and safety or the environment. Any person may also disclose to a proper authority a substantial and specific danger to the health or safety of a person with disability, certain substantial and specific dangers to the environment.
Public officer	A public officer, of a public sector entity, is an employee, member, or officer of the entity.
Reprisal	<p>The term 'reprisal' is defined under the Public Interest Disclosure Act 2010 as causing, attempting to cause or conspiring to cause detriment to another person in the belief that they or someone else:</p> <ul style="list-style-type: none"> • has made or intends to make a disclosure; or • has been or intends to be involved in a proceeding under the disclosure Act against any person. <p>Reprisal under the Public Interest Disclosure Act 2010 is a criminal offence and investigations may be undertaken by the Queensland Police Service.</p>
Subject officer	An officer who is the subject of allegations of wrongdoing made in a disclosure.

SUPPORTING INFORMATION

- [Public Interest Disclosure Standard No. 1/2019](#)
- [Public Interest Disclosure Standard No. 2/2019](#)
- [Public Interest Disclosure Standard No. 3/2019](#)

7.8 HUMAN RESOURCES REPORT

Author: Danielle Turner, HR Consulatant, Preston Law

Authoriser: Tim Rose, Acting CEO

Attachments: Nil

PURPOSE OF REPORT

To advise Council of the operations of the Human Resource Department.

DISCUSSION**1. Employment Outlook**Current number of employees

Department	Number of Employees
Infrastructure and Works	16
Environmental Services	18
Community and Development	4
Finance	5
CEO/Governance	4
Total	47

Resignations/Terminations

Department	Number of Employees
Infrastructure and Works	3
Environmental	0
Community and Development	0
Finance	1
CEO/Governance/HR	1
Total	4

2. RecruitmentPositions Advertised:

Position	Status
Manager Corporate Governance	3 applications received, interviews to be conducted.
Building Supervisor	11 applications received, interviews to be conducted.
Plumber	2 applications received, interviews to be conducted.
Cleaner (Casual)	2 applications received, interviews to be conducted.
Indigenous Knowledge Centre (IKC) Coordinator	Advertising closes 10 December 2021.
Carpenter	Advertising closes 10 December 2021.
Apprentice Carpenter	Advertising closes 10 December 2021.
Playgroup Team Leader (part-time)	Advertising closes 17 December 2021
Playgroup Assistant (part-time)	Advertising closes 17 December 2021

Positions Appointed:

Position	Appointed	Start Date
Business Services Manager	William (Bill) Guivarra	1 November 2021
Community Services Team Leader	Georgina Sunai	29 November 2021
Community Services Coordinator	Toni Roberts	6 December 2021

3. Training & Development

Employees from the Environmental Services Department undertook the following:

- Aerial Bombardier Training
- Certificate I in Crocodile Management
- Body Camera Course
- Attended a Fire Forum
- Presentation to the Western Cape Turtle Threat Abatement Alliance on turtle monitoring.

Albert Woodley, Council's Apprentice Plumber has been in Cairns undertaking his TAFE block training. Council received the following feedback from his TAFE trainer:

"Albert is an exceptionally high achieving student, and he will make a great gas fitter."

4. Absenteeism

Number of hours absenteeism (unauthorised leave):

Department	
Infrastructure and Works	143
Environmental Services	135.25
Community and Development	0
Finance	0
CEO/Governance	8.5
Total	286.75

5. Workplace Health & Safety

Ran a total of 3 toolbox meetings this month (see attached), discussions ranged from appropriate PPE for the job, updating on things such as the purchase of an ice machine and the test and tag course. Placed a real importance on "heat stress" and making sure we're all adequately hydrated. Handed out some more PPE and water bottles.

Dates were 2nd, 9th and 30th – the 2nd toolbox was hand drawn due to the printer being down at the green shed that morning.

SITE INSPECTIONS

Completed 21 site inspections for the month of November. Places inspected include:

- Mechanical Workshop
- Builders Workshop
- Cultural Centre
- Paanja Lodge Established
- Paanja Lodge Construction
- New Council Accommodation
- Church
- Hall
- Gym
- Boat Ramp
- Camping Ground
- Water Plant
- Rangers
- Dog Pound
- New Housing
- New Shop

HAZARD REPORTS

A total of 7 hazard reports raised for the month, which includes

- Aged Care – Painting Supplies Left On Site After Completion Of Job.
- Builders Workshop – Fire Extinguisher Left On Ground.
- Recreation Hall – Food Mess Left Smeared Into Court After Being Hired Out.
- Paanja Lodge – Trench Not Barricaded.
- Boat Ramp – Bags Of Grout Left On Ramp.
- Boat Ramp – Portable Fence Panel Left In Carpark.
- Cullen Point Toilet Block – Toilet Left in Unsanitary Condition.

Have closed out several outstanding Hazards that have been addressed and following up those that haven't been addressed in given timeframe.

INCIDENTS

Have raised 3 incident reports for the month of November. Which included

- Vehicle Incident Between 824 ZDH And 358 SDD
- Vehicle Incident 651 VKJ
- Personal Injury – Twisted Knee

RECOMMENDATION

That Council receive and note the Human Resources Report.

8 ANY OTHER BUSINESS**8.1 REPORT OF THE MAPOON INTERIM LOCAL THRIVING COMMUNITIES COMMITTEE ON 25TH NOVEMBER 2021**

Author: Royleen Wolski, Consultant Governance Manager

Authoriser: Tim Rose, Acting CEO

Attachments: 1. Report of Mapoon Local Interim Thriving Communities Committee 25th November 2021

PURPOSE OF REPORT

To advise Council of the Report of the Mapoon Interim Local Thriving Communities Committee, 25th November 2021.

BACKGROUND

The Mapoon Interim Local Thriving Communities Committee meets each three months and their Report is then presented to Council.

DISCUSSION

The Report of the Committee in relation to its meeting on 25th November 2021 is attached.

RECOMMENDATION

That Council note the Report of the Mapoon Interim Local Thriving Communities Committee on 25th November 2021.



REPORT

**Interim Mapoon Local Thriving
Communities Advisory Committee Meeting**

Thursday, 25 November 2021

**MAPOON INTERIM LOCAL THRIVING COMMUNITIES COMMITTEE MEETING
REPORT**

25 NOVEMBER 2021

**REPORT OF MAPOON ABORIGINAL SHIRE COUNCIL
INTERIM LOCAL THRIVING COMMUNITIES ADVISORY COMMITTEE MEETING
HELD AT THE MAPOON ABORIGINAL SHIRE COUNCIL CHAMBERS
ON THURSDAY, 25 NOVEMBER 2021 AT 9.28AM**

1 ATTENDANCE

PRESENT: Mayor Aileen Addo (Chair), Deputy Mayor Cameron Hudson, Ailsa Ling, Ricky Guivarra and Diane Ludwick.

IN ATTENDANCE: Tim Rose (Acting Chief Executive Officer) (Report Writer)

2 MEETING OPENED

The meeting commenced at 9.28am.

3 APOLOGIES

Apologies were received from:

Polly Smith & Jerry Burke

3 WELCOME TO NEW MEMBER

Mayor Addo welcomed the new Committee member, Diane Ludwick to the meeting.

4 ITEMS OF BUSINESS**4.1 CONFIRMATION OF PREVIOUS REPORT OF THE INTERIM MAPOON LOCAL THRIVING
COMMUNITIES COMMITTEE ON 7 SEPTEMBER 2021****PURPOSE OF REPORT**

To confirm the Report of the previous Meeting of the Interim Mapoon Local Thriving Communities Committee

It was agreed that the report of the Meeting of the Interim Mapoon Local Thriving Communities Committee held on 7 September 2021 was a true and accurate record.

**MAPOON INTERIM LOCAL THRIVING COMMUNITIES COMMITTEE MEETING
REPORT**

25 NOVEMBER 2021**5.1 PRESENTATION BY DR CHRIS SARRA AT THE INDIGENOUS LEADER'S FORUM, HELD IN MACKAY AS PART OF THE LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND CONFERENCE 2021.****PURPOSE OF REPORT**

To update the Committee on the presentation provided by Dr. Chris Sarra at the Indigenous Leaders Forum which was held in Mackay as part of the Local Government Association of Queensland Conference 2021.

Council CEO Mr Tim Rose gave an outline of the presentation provided by Dr Chris Sarra at the Indigenous leaders forum that was held in Mackay as part of the Local Government Association of Queensland Conference in Mackay.

The Committee noted the presentation.

5.2 MAPOON INTERIM THRIVING COMMUNITIES COMMITTEE BUDGET LETTER**PURPOSE OF REPORT**

To update the Committee in relation to the Mapoon Interim Thriving Communities Committee Budget Letter.

The CEO outlined the budget for thriving communities which included \$100,000 to assist in implementing and monitoring of the Community Safety Plan and a further amount of \$185,000 over three years towards strategies aimed at Community Safety particularly those related to alcohol management (i.e harm reduction, demand reduction, and behavioural change)

The Committee noted the report and provided feedback.

The Committee broke at 10:05am and Diane Ludwick left the meeting at this time.

The Meeting recommenced at 10:15am

**MAPOON INTERIM LOCAL THRIVING COMMUNITIES COMMITTEE MEETING
REPORT**

25 NOVEMBER 2021

5.3 HOUSING- REVIEW OF THE HOUSING ACTION PLAN.**PURPOSE OF REPORT**

To update the Committee on the review of the Housing Action Plan.

The following staff joined the Meeting:

Tim Poole – Manager of Engagements -Dept of Aboriginal and Torres Strait Islander Housing

Alexia Kelso – Customer Service Manager – Delivery Tenancy Services, Aboriginal and Torres Strait Islander Housing

Jacinta McKewen – Manager Tenancy - Aboriginal and Torres Strait Housing

Anna Sambo – Project Support Officer - Aboriginal and Torres Strait Islander Housing

Tim Poole provided the Committee with a presentation for the Mapoon Local Housing Plan.

The Committee worked on the Housing Plan and provided input into the strategy. The strategy was to be community driven, and identify local housing issues, opportunities and priorities.

The Committee felt it was important to do upgrades in consultation with the clients.

The Department outlined the plans to put in place a local Housing Officer

The Department of Housing staff left the meeting at 11.48am.

The Committee noted and commented on the information presented.

5.4 COMMUNITY SAFETY PLAN**PURPOSE OF REPORT**

To allow the Committee to discuss the Community Safety Plan.

The Committee recommended that Council look at a security person over the school holidays.

The Committee noted the information provided and provided feedback.

5.5 EDUCATION**PURPOSE OF REPORT**

To allow the Committee to discuss issues relevant to the Mapoon Community in relation to education.

The visit to the Cape College was discussed.

**MAPOON INTERIM LOCAL THRIVING COMMUNITIES COMMITTEE MEETING
REPORT**

25 NOVEMBER 2021

The Committee noted the information provided.

5.6 LAW AND ORDER**PURPOSE OF REPORT**

To allow the Committee to discuss issues relevant to the Mapoon Community in relation to Law and Order.

The Committee agreed that Council needs to consider a nomination for the Social Justice Group the Committee also discussed the employment of a Aboriginal Liaison Officer for Mapoon.

It was agreed that the Committee discuss in detail preventative strategies around domestic violence at the next meeting.

The Committee noted the information provided and provided feedback.

5.7 HEALTH**PURPOSE OF REPORT**

To allow the Committee to discuss matters relevant to the Mapoon Community in relation to Health.

Discussion was held on the COVID vaccines and visitors to the community after the Queensland Border is opened up.

The opening of the church was discussed.

The dumping of rubbish was raised.

Ricky Guivarra raised the issue of administrative assistance for people who lack computer skills the Mayor advised that there will be an area in the Cultural Centre where people can have some assistance.

The lighting of fires around the community was raised as an issue.

The Committee noted the information and provided feedback.

6. NEXT MEETING DATE

It was agreed that the next Meeting would be held in the New Year on a Wednesday to be determined.

7. MEETING CLOSE

The Meeting closed at 12.27pm

9 CORRESPONDENCE IN

Nil

10 CORRESPONDENCE OUT

Nil

11 NEXT MEETING DATE

Proposed date for next meeting: 18 January 2022

12 CLOSE MEETING