



Supplementary Agenda Items

Notice is hereby given that the **Ordinary Council Meeting** of **Whitsunday Regional Council** will be held at the Community Centre, Cnr Stanley Street and Conway Street, Collinsville on **Wednesday 28 September 2022**, commencing at **9:00 am** and the Supplementary Agenda is attached.

Councillors: Julie Hall (Mayor), Jan Clifford, Al Grundy, John Collins, Michelle Wright, Gary Simpson and Michael Brunker.

Supplementary Agenda items are enclosed on the following page/s.

A handwritten signature in black ink, appearing to read "Rodney Ferguson", with a long horizontal stroke extending to the right.

Rodney Ferguson

CHIEF EXECUTIVE OFFICER

15.1 - Bowen Pipeline Project

DATE: Wednesday 28 September 2022

TO: Ordinary Council Meeting

AUTHOR: Adam Hagy – Director Infrastructure Services

AUTHORISING OFFICER: Rodney Ferguson - Chief Executive Officer

PRESENTED FOR: Decision

ATTACHMENTS

Nil

PURPOSE

For Council to consider authorising the CEO to provide a letter of support on behalf of Council to the Bowen Pipeline Company for its Bowen Pipeline Project based on representations made by Sean Brown at the Briefing Session on 21 September 2022. The letter of support would allow the Bowen Pipeline Company to further progress their project as a Coordinated Project through the Office of the Coordinator General.

OFFICER'S RECOMMENDATION

That Council authorise the CEO to provide a letter of support on behalf of Council to the Bowen Pipeline Company for the Bowen Pipeline Project, noting the intentions of the letter of support are as follows:

- 1) It will assist the Bowen Pipeline Company in its efforts to have the project further progressed by the Office of the Coordinator General as a Coordinated Project in which Council would become a referral entity.
- 2) It forms a non-binding agreement to show Council's support in good faith for the overall project concept which would see the supply of secure water for private industry and agriculture in the Bowen area, leading to positive economic impacts.

BACKGROUND

Sean Brown from the Bowen Pipeline Company presented to Council at the Briefing Session held at Bowen Council Chambers on Wednesday 26 September 2022. At this meeting Mr. Brown requested a more recent letter of support from Council for the Bowen Pipeline Project noting a previous letter of support had been sent in December 2019. Mr. Brown also outlined the project at a high level, mentioning the construction of the 100km pipeline from Burdekin to Bowen would see economic benefits to the region through the supply of a secure water source for Bowen agriculture and private industry.

There has not been a previous resolution of Council to support the project.

DISCUSSION/CURRENT ISSUE

Council officers have been liaising with the Bowen Pipeline Company since 2017. Previous terms of Council have shown support for the project based on the concepts provided by Sean Brown. Council officers have shown some concern for the conceptual alignments of such a large diameter pipeline through Council managed road reserves however this detail or any future concerns would be referred onto the Office of Coordinator General if the project is approved as a Coordinated Project. The pipeline alignments shown as concept do not have any bearing at this stage on the non-binding letter of support requested by Sean Brown of the Bowen Pipeline Company at the recent Briefing Session of Council.

STATUTORY/COMPLIANCE MATTERS

N/A

STRATEGIC IMPACTS

Corporate Plan 2021-2026: Advocacy is a key function of the Office of the Mayor and CEO with a key objective to Advocate for the community on issues of regional importance.

FINANCIAL IMPLICATIONS

If the project is approved through the Office of the Coordinator General some internal resources and administration to review the project detail would be required and would be dealt with through approved operational budgets.

CONSULTATION/ENGAGEMENT

Council Briefing Session 21 September 2022

RISK ASSESSMENT

At this juncture it is the officers recommendation that a non-binding letter of support be sent to the Bowen Pipeline Company. Any risks to Council would be further determined prior to the project reaching later stages of development. Any concerns that Council would have from matters pertaining to the project detail would be referred from Council to the Office of the Coordinator General.

TIMINGS/DEADLINES

N/A

CONFLICT OF INTEREST DECLARATION

Council officers contributing to the preparation and approval of this report have no conflicts of interest to declare.

HUMAN RIGHTS IMPACT

Section 58 of the *Human Rights Act 2019* specifies required conduct for public entities when acting or making a decision. Sections 15-37 of the *Human Rights Act 2019* identifies the human rights a public entity must consider in making a decision. The human rights relevant to this decision are as follows:

- Section 19 – Freedom of movement.
- Section 21 – Freedom of expression.
- Section 24 – Right to own property and not be arbitrarily deprived of property.
- Section 27 – Cultural rights – generally – all persons with a particular cultural, religious, racial or linguistic background have the right to enjoy their culture, to declare and practice their religion and use their language.
- Section 28 – Cultural rights – Aboriginal peoples and Torres Strait Islander peoples.

This decision does not limit the above identified human rights.

ALTERNATIVES CONSIDERED

Options	Description	Positives	Negatives
Option 2	Not providing a letter of support to Bowen Pipeline Company	N/A	This would stall the project and would have an impact on being recognised as a Coordinated Project through the Office of the Coordinator General.