

12th March 2026
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Administrative Action Complaint – Dalby Cultural Centre Decision Process

To: Mayor Andrew Smith

Western Downs Regional Council

I wish to lodge a **formal Administrative Action Complaint** regarding administrative actions taken by Western Downs Regional Council in relation to the proposed Dalby Cultural Centre and associated decision-making processes affecting Thomas Jack Park.

This complaint concerns potential maladministration in Council's decision-making process, particularly in relation to compliance with the decision-making principles contained within the **Local Government Act 2009** and the statutory planning framework established under the **Planning Act 2016**.

I request that this correspondence be treated as a **formal Administrative Action Complaint** under Council's complaints management system, and that Council provide a **formal written decision addressing each matter raised below**.

1. Decision to Dispose of 107 Drayton Street Prior to Community Consultation

Council resolved in **February 2024** to dispose of **107 Drayton Street, Dalby**, the site of the former Community Centre.

Subsequently, Council conducted the *Have Your Say* community survey relating to the proposed Dalby Cultural Centre. Within the consultation material, **107 Drayton Street was referenced in relation to potential location considerations**.

However, it is my understanding that the survey **did not provide respondents with the ability to select or express a preference for any specific location** for the Cultural Centre. The survey instead invited general feedback while the location decision itself had already effectively been determined by Council.

Given that Council had already resolved to dispose of 107 Drayton Street prior to the consultation process, the inclusion of references to location considerations in the consultation materials raises concerns that the consultation may have presented the appearance of location choice where **no meaningful opportunity to influence that decision existed**.

This sequence of events raises concerns that:

- consultation material referenced potential locations despite a prior Council decision affecting one of those locations;
- respondents were not provided with the ability to meaningfully select or compare specific location options; and

- the consultation process may therefore not have constituted **meaningful engagement regarding the location decision**.

This raises questions regarding compliance with the decision-making principles set out in section 4 of the **Local Government Act 2009**, including the requirement for **transparent and effective decision-making and meaningful community engagement**.

I therefore request that Council explain:

1. Why 107 Drayton Street was referenced in consultation material concerning location considerations after Council had already resolved to dispose of that property.
2. Whether councillors and the public were clearly informed that Council had already resolved to dispose of that site prior to the consultation process.
3. Why the consultation survey did not provide respondents with the ability to select or express a preference for specific location options.
4. How Council considers that the consultation process satisfied the legislative principles of transparency and meaningful community engagement.

2. Consideration of the Cumulative Impact of Development

My complaint also concerns whether Council appropriately considered the **cumulative impacts associated with the proposed Cultural Centre development**.

Based on publicly available information and Council reports, the proposal appears to involve a number of components including:

- construction of the Cultural Centre facility,
- changes to the use and function of land within Thomas Jack Park,
- traffic and transport impacts associated with the facility,
- associated infrastructure and site works,
- removal of the Lions Lagoon and understory,
- relocation of the playground, and
- removal of the rotunda built by the community and the Rotary Club.

There is concern that these elements may have been considered **in isolation rather than cumulatively**, particularly in relation to the overall change in the form and function of the parkland.

If the combined scale and functional change to the use of the land was not properly considered in its entirety, this may represent a failure to appropriately apply the planning framework established under the **Planning Act 2016**.

I therefore request that Council clarify:

1. How the cumulative impacts of all associated development components were assessed.

2. Whether Council obtained or relied upon any integrated assessment of the combined impacts of the proposal prior to progressing the project.
3. How Council satisfied itself that the planning framework had been appropriately applied to the proposal as a whole.

3. Characterisation of the Proposal as a “Minor Change”

I also seek clarification regarding the administrative decision to characterise aspects of the proposal as a “**minor change**” through Council’s Development Assessment processes.

Given the scale of the proposal and the potential change in the **form and function of Thomas Jack Park**, there is concern that the development may have been characterised as a minor change in circumstances where the cumulative impact of the proposal could reasonably be considered more substantial.

If the proposal materially alters the use, intensity, or function of the parkland, characterising such changes as minor may raise questions about whether the relevant planning framework has been correctly applied.

I therefore request that Council explain:

1. The basis upon which the Development Assessment Panel determined that the relevant changes constituted a **minor change**.
2. What assessment criteria were applied in reaching that determination.
3. Whether Council obtained any planning advice or assessment supporting the conclusion that the proposal could appropriately be characterised as a minor change.

Requested Outcome

I request that Council:

- treat this correspondence as a **formal Administrative Action Complaint** under Council’s complaints management system,
- provide a **formal written decision addressing each matter raised above**, and
- identify any policies, reports, or legal advice relied upon in reaching Council’s position.

Please also advise whether this complaint is subject to any **internal review process** under Council’s complaints management system.

If the matter cannot be resolved through Council’s complaints process, I reserve the right to refer the matter back to the **Queensland Ombudsman** once Council has issued a final written decision.

Yours sincerely,

Wulf von der Decken