

Chris Steel MLA

Treasurer

Minister for Planning and Sustainable Development

Minister for Heritage

Minister for Transport

Member for Murrumbidgee

Tom Duncan

Clerk

ACT Legislative Assembly

clerk@parliament.act.gov.au

Dear Mr Duncan

Thank you for your letter about petition No. E-PET-050-24 and PET-021-25, lodged by Ms Fiona Carrick MLA, about the redevelopment of Phillip Pool, Block 2 Section 22 Phillip, and future development within the Woden Town Centre.

The Government notes the matters raised in the petitions in relation to the current operation of the site. The following provides information addressing each of the matters raised in the petitions.

The pool centre is located in the *CZ2 Business Zone* and is privately leased to NG Landholdings No 20 Pty Ltd (Geocon). The current Crown lease commenced on 6 June 2016 for a term of 99 years, ending on 5 June 2115, and is currently for the purpose of *public heated swimming pools, ice-skating rink and purposes incidental thereto*. The existing centre includes an outdoor 50-metre pool, open space areas, an ice-skating rink and associated facilities.

This site (Block 2 Section 22 Phillip) originally opened in 1971 and was run by the National Capital Development Commission (NCDC) until it was leased to a private company (Glencora Pty Limited) in 1979. The pool included an outdoor 50-metre pool and generous open space areas. The company also built the Phillip Ice Skating Rink on the site, which opened in 1980. The information about the pool history, is detailed in the Territory Lease and building files as well as outlined in records as held with ACT Land Titles.

The whole of Block 2 Section 22 Phillip has been in private ownership and the subject of a Crown lease since 1979. Since then, there has only been one transfer of the lease.



Following the grant of the original lease, the pool was listed as a ‘Commonwealth improvement’, and in subsequent leases as a ‘Territory improvement’, meaning the pool would not have been included in any compensation payable to the lessee had the lease come to an end.

The lessee applied for a further 99-year Crown lease on 23 January 1998. The application was approved on the condition that the lessee purchase all Territory improvements (\$180,000) on the block, including the pool.

During the period 1999 to 2008, the lessee occupied the site in accordance with holding over provisions of the former lease, including the pool.

Finalising the application was put on hold due to the lessee disputing the value of the Territory improvements and to provide for continued negotiations regarding repair and maintenance issues. The lessee eventually agreed to the Territory’s condition and paid the amount of \$180,000 for the Territory improvements on 20 March 2008. The further Crown lease application was finalised as a result of the payment and the further 99-year Crown lease was granted on 28 March 2008 for a term commencing on 31 July 1999.

During December 2022, NG Landholdings No.20 (Geocon) purchased the Phillip Pool and Ice-skating Rink. This was a private sale and therefore did not include involvement by the Government or any conditions relating to the transfer of the lease.

A development application (DA-202443325) was lodged with the independent Territory Planning Authority on 13 November 2024 proposing demolition and construction of a new pool facility, 286 residential units and other associated works. No changes to the Crown lease are proposed as part of this DA. Any future lease variations will be subject to another DA, including further public notification.

Under the *Planning Act 2023*, the Authority is required to consider the requirements under the Territory Plan, public representations and entity advice in assessing and deciding a DA.

The current Territory Plan which includes a requirement for a 25m pool was first proposed in the draft Territory Plan as part of the [Planning System Review and Reform Project](#). The Government response to the Assembly Resolution, which was tabled in the ACT Legislative Assembly in February 2025 provides further detail on these considerations. It is available on the ACT Legislative Assembly website [here](#).

The draft Territory Plan was subject to community consultation. The ACT Government responded to matter raised during the consultation process in subsequent [consultation response reports](#) and [explanatory reports](#). The Territory Plan was also subject to a [separate Inquiry](#) and the final Territory Plan was agreed by the previous ACT Legislative Assembly.

In respect to the request for another “outdoor pool” as part of the current petition, it is worth noting that there was long-standing requirement included in the previous Territory Plan for the Phillip Pool that *development for other uses involves redevelopment of the pool as an indoor facility*.

However, the current Territory Plan currently contains specific provisions for the redevelopment of the site, requiring a publicly accessible indoor facility that includes all of the following, at a minimum:

- a 25m x 20m 8-lane swimming pool with water depths of 1.35m to 2.0m;

- a warm water program pool with the minimum dimensions of 20m x 10m;
- a toddlers/leisure pool, learn to swim pool and/or water play splash pad that is a minimum of 500m² in area;
- a transition to the outdoors (including to external gardens, decks and outdoor eating areas to support indoor/outdoor activities; and
- associated amenities to support the operation of the pool facilities.

There is currently no legislative avenue for the Authority to require the proponent to retain the existing 50m pool or ice-skating rink or require the development to pause until a new facility is available in the Woden Town Centre.

Noting this, the Authority must continue to assess and determine the DA in accordance with the statutory requirements.

The ACT Government has committed \$16.25 million to support the delivery of a new ice sports facility in Canberra. The ACT Government has executed a non-binding Heads of Agreement with Cruachan Investments and Pelligra Holdings who form a Joint Venture to construct a new ice sports facility in Canberra – to be known as the “Canberra Arena”. Cruachan and Pelligra have commenced preliminary planning and design work for the new facility in Tuggeranong.

The CBR Brave has acquired a temporary ice rink installed at the AIS Arena for the upcoming 2025 Australian Ice Hockey League. This is a commercial decision of the CBR Brave and does not impact the commitment to the development of a new ice sports facility.

All proposals in the ACT are subject to legislative planning requirements. In the Woden Town Centre, high-density developments must meet the provisions outlined under the Territory Plan and Planning Act. These developments are assessed by the independent Territory Planning Authority through the development application (DA) process.

The planning framework was established in 2023 and provides for a planning system that aims to achieve the best overall planning outcomes for each development. The Territory Plan also responds to existing and future planning considerations such as population and economic growth and sets a strategic vision for the ACT and hubs such as the Woden Town Centre. This also considers to plan and enhance the network of green spaces and waterways, protecting environmental and cultural values and enhancing their sustainability and resilience to climate change.

To support government to monitor how the planning system is delivering outcomes that are important to the community, the Environment, Planning and Sustainable Development Directorate (EPSDD) has established the [ACT Planning System Evaluation Framework 2024-29](#) (the framework).

The framework commenced from 1 July 2024 and will span 5 years to June 2029. Early implementation of the framework is now underway within government, with work progressing to identify suitable baseline data. This work is essential to establish a strong foundation for monitoring and evaluating planning system outcomes over the next 5 years and beyond.

The aims of the evaluation of the planning system, are to:

- establish processes that will help to identify if, and how well, the planning system is achieving desired outcomes
- communicate to stakeholders about how implementation of the planning system is going

- identify challenges, opportunities for improvement, successes and gaps in planning system delivery
- guide future policy changes, decision-making and investment in planning.

The process evaluation in Year 1 to 2 of the framework is assessing the planning system's useability, accessibility, timeliness and certainty. The planning outcomes evaluation in Year 5 of the framework will assess how the planning system is delivering on outcomes.

The independent Territory Planning Authority will continue to assess and determine DAs, in accordance with the statutory requirements. The Government will undertake an evaluation on the current planning system to ensure it is achieving good planning outcomes.

Given the above, it is considered that the concerns raised in the petitions will be addressed through existing measures and processes.

Yours sincerely



Chris Steel MLA
Minister for Planning and Sustainable Development
25 July 2025