



Inquiry into Annual and Financial Reports 2023–24

Answer to question taken on notice

Asked by: Carrick, Fiona MLA

Addressed to: Chris Steel MLA, Minister for Planning and Sustainable Development

In relation to: History of the management of the Phillip Pool, when it was transferred by whom to whom, and any conditions attached to the transfers.

Hearing: **18 February 2025**

Uncorrected Proof Transcript: **UPT 18/02/25 p, 28-29.**

Transcript provided: 21 February 2025

Answer Due: 28 February 2025

Chris Steel MLA, Minister for Planning and Sustainable Development took on notice the following question(s):

MS CARRICK: Thank you, Chair. My question is about the Phillip Pool. And noting that the Minister for Planning is responsible for the social and economic development in the town centres. So will the future of the 25-metre Phillip Pool be managed? Will it be managed by Geocon or the Owner's Corporation or the executive committee?

Mr Steel: Well in terms of – there is a live development application before the Independent Territory Planning Authority, so I think that assumes that it has been approved and that the development has occurred, which is not the case yet. It is currently in the sort of assessment phase. And I will let George speak to sort of where it is up to.

Mr Cilliers: The operational management of the proposed pool is actually a matter for determinations by the FDA(?) [10.12.46] process. My understanding is that Geocon offered to manage it. But we believe there could be a case where certain conditions could be brought into establish more arrangements to ensure that that is properly locked in. So it is something I probably cannot answer you in full at this stage, pending the decision to be made.

MS CARRICK: Okay.

Mr Cilliers: And how it will be commissioned.

Mr Green: Perhaps I could – Ms Carrick, perhaps I can answer in the context of what is required now and there are provisions contained within the Crown Lease for that block and the obligations imposed on the lessee. So the owner of the parcel of land will be responsible for the current Crown Lease. Whether that changes as part of the development application ...(indistinct)... [10.13.36] is something that we can—

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Mr Cilliers: I do not expect that to change. But—

MS CARRICK: Okay. Because often, you know, a developer will hand the block over to the owner's corporation once they have all been – it has all been finalised.

So how will the interests of the wider community be represented in the governance arrangements for the pool?

Mr Green: What do you mean by the governance arrangements, Ms Carrick?

MS CARRICK: Well the operating – funding and operating arrangements?

Mr Green: So the current Crown Lease, and I am happy to read directly from the Crown Lease, the purpose clause is obviously for a pool site. The lease also contains other provisions with respect to pool hours, for example. And I am quoting verbatim here:

That the lessee is to ensure the pool is open to public during the hours on the day agreed with the territory, provided that...

Then they have some conditions around not having children under the age of eight unless they are supervised. And they may, with prior approval, close a part of the premises where it can be demonstrated to the territory, and agreed to in writing by the territory. So there are positive obligations on the lessee to open the pool. And the territory, through the administration of the Crown Lease has the ability to agree to what those proposed ...(indistinct)... [10.14.47] that exists now. It is an obligation already imposed on the lessee today.

MS CARRICK: What will you do if Geocon or the Owners Corporation do not provide reasonable prices and programs, an array of activities, to encourage community participation in activity that promotes physical and mental health?

Mr Steel: Probably a hypothetical, given that the development has not even been approved at this point in time—

MS CARRICK: No, but this is planning. This is the planning committee – the planning minister. We have got to plan for it—

Mr Steel: It is a hypothetical about what might happen in the future if this happens, if that happens. And so—

MS CARRICK: But you need to be able to mitigate it because you are responsible for the social and economic development of the town centre.

Mr Steel: Sure. But this is an asset that was handed over, as I understand it, from the NCDC to a private entity in the past. And it has remained a private—

MS CARRICK: No it was—

Mr Steel: A private asset, be it that it has been open to the public and there is a requirement – certain requirements within the lease and within the territory plan.

MS CARRICK: Minister, it was sold to Glencora in 2008 by the ACT government. It was handed over from the commonwealth to the ACT government—

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Mr Steel: Sure.

MS CARRICK: And it was on 10 years leases for a while. Then went onto no lease. And then in 2008 it was sold to that—

Mr Steel: Well I think we can confirm – we can confirm—

THE CHAIR: Minister, if you could just let the question finish?

Mr Steel: We can confirm the history of it. The point is it is with a private entity. And there are certain requirements to do certain things around hours and so forth. But ultimately it is a private asset. And so the decisions that will be made about that, as long as they are within the lease, will be made by the private entity. And so that is the – that is out of the control – the direct control of the ACT government.

But we might take on notice the history to provide a bit of context. I am not sure that it is going to be a specific inquiry by your committee into this matter. If there is not, then we will try and provide some information on notice about the background of the actual asset itself and who transferred it, at what time, if we have got that information there. Unless you want to comment now.

Chris Steel MLA, Minister for Planning and Sustainable Development: The answer to the Member's question is as follows:

Phillip Pool located at Block 2, Section 22 Phillip was opened in 1971 and managed by the National Capital Development Commission until it was leased to a private company (Glencora Pty Limited) in 1979. The company also built the Phillip Ice Skating Rink on the site, which opened in 1980.

In 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 any conditions relating to the transfer.

Approved for circulation to the Standing Committee on Environment, Planning, Transport and City Services

Signature:



Date:

28/2/25

By Chris Steel MLA, Minister for Planning and Sustainable Development