



Chris Steel MLA

Treasurer

Minister for Planning and Sustainable Development

Minister for Heritage

Minister for Transport

Member for Murrumbidgee

Our ref: S2026/01647

Mr Hamish Finlay
A/g Clerk, ACT Legislative Assembly
clerk@parliament.act.gov.au

Dear Mr Finlay

I am writing to you to correct the answer I provided to [Question on Notice 207](#) (QON 207) from the Select Committee on Estimates 2024-25, asked by Mrs Elizabeth Kikkert.

I responded to QON 207, that "a sport and recreational needs analysis has determined that a 25m pool and associated aquatic facilities (i.e. separate 20 metre warm water program pool, water play splash pad, toddlers pool) would support a diverse range of uses and program delivery for the Woden community."

As I was not the Minister for Planning when the interim Territory Plan was developed and made, advice was provided from the then Environment, Planning and Sustainable Development Directorate (EPSDD) to respond to the question. EPSDD advised that the amended provision in the interim Territory Plan for Phillip Pool was informed by a "sport and recreational needs analysis". It has since been found, including through the *ACT Auditor General's Performance Audit Report: Changes to the Territory Plan requirements for the Phillip Pool*, that while various studies and assessments supported this change in the interim Territory Plan, a "sport and recreational needs analysis" was not an appropriate characterisation of the work undertaken.

The ACT Government has acknowledged this previously, specifically through Minister Berry's response to the Select Committee on Estimates 2025-26 question that explicitly outlined an analysis of this nature did not exist.

Following the publication of the Auditor General's Report I sought further advice from the City and Environment Directorate, and I take this opportunity to correct the record in relation to QON 207.

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Please find attached the attached the Directorate's advice which will be incorporated into the Government's forthcoming response to the Performance Audit Report.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Chris Steel', is positioned above the printed name.

Chris Steel MLA
Minister for Transport
22 July 2026

Ministerial Brief

To:	Minister for Planning and Sustainable Development	Tracking No.: 26/0100630
Date:	07/07/2026	
Through:	Director-General, City and Environment Directorate Executive Group Manager, Policy, Planning and Built Environment	
From:	Executive Branch Manager, Building, Design and Development	
Subject:	Phillip Pool Timeline – Responding to the Auditor General’s Report	
Critical Date:	17/07/2026	
Critical Reason:	For your consideration prior to the finalisation of the Government Response to the Auditor-General’s Report which is due to proceed to exposure on 7 August 2026	

Recommendations

That you:

1. **Note** the timeline of the relevant requirement being developed; and
Noted / Please Discuss
2. **Agree** to correct the record in relation to QON 207 by either (indicate your preference):
 - a. when tabling the Government Response to the Auditor-General’s Report in the Legislative Assembly in September 2026; or
 - b. at an earlier time, with the method based on advice from Speaker/Clerk’s office.**Agreed / Not Agreed / Please Discuss**

Chris Steel MLA  13/7/26

Minister's Feedback

I have sought advice from the Clerk's office as recommended. Please provide a letter to the A/g Clerk which corrects the answer to Question on Notice 207 from the Select Committee on Estimates 2024-25 asked by Mrs Kikkert.

Background

1. On 18 June 2026 the ACT Audit Office's Audit Report on Changes to the Territory Plan Requirements for the Phillip Pool (the Audit Report) was circulated in the ACT Legislative Assembly.
2. The audit considered the activities of ACT Government agencies, including the City and Environment Directorate (CED) and the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) when planning for and changing the Territory Plan requirements for the Phillip Pool site – specifically regarding the requirement for a 25m replacement pool (with other aquatic and supporting facilities) opposed to a 50m pool.
3. The final Audit Report makes two recommendations:
 - a. That any advice on future Territory Plan amendments for sport and recreation amenities are supported by documented assessment, research and analysis of community needs and interest.
 - b. That procedural guidance is developed and implemented to ensure that public responses to stakeholder feedback are supported by the nature and extent of analysis undertaken and presented.
4. CED is preparing a Government Response to the Audit Report. The Government Response is scheduled to be presented to Cabinet on 9 September 2026 and tabled in the ACT Legislative Assembly during the first sitting period in September 2026.

Issues

5. The timeline at [Attachment A](#) summarises:
 - a. Studies, assessments and briefs that were undertaken around sport, recreation and community facilities across the Territory and Woden.
 - i. This informed Sport and Recreation's advice to EPSDD during the development of the draft Territory Plan 2023 to amend the requirement for a 50m pool to a 25m replacement pool (with other aquatic and supporting facilities).
 - b. What was outlined in the various consultation reports, including:
 - i. References made to a 'sports and recreational needs analysis' in the Territory Plan Consultation Report and Consultation Response Report in September 2023.
 - c. What occurred during the review and approval of the Territory Plan 2023, including:

- i. Referring to the 'sport and recreational needs analysis' in the response to QON 207 (prepared by EPSDD, edited by Sport and Recreation in July 2024).
6. The Audit Report clearly notes that outlining a 'sports and recreational needs analysis' was undertaken to inform the amendments to the relevant requirement was a misrepresentation of the extent of the work undertaken. The ACT Government has acknowledged this previously, specifically through Minister Berry's response to the Select Committee on Estimates 2025-26 question that explicitly outlined an analysis of this nature did not exist.
7. However, it is noted that you provided a response to QON 207, based on advice from the ACT Public Service, that reiterated the statement that the amended provision was informed by a 'sport and recreational needs analysis'.
8. Given the outcome of the Audit Report, and the subsequent acceptance that a 'sport and recreational needs analysis' was not an appropriate characterisation of the work undertaken, it would be prudent to correct the record in relation to the answer provided in QON 207.
9. Your office has requested advice on how this QON could be corrected noting this. Advice has been sought from Cabinet, Assembly & Government Business in CMTEDD who confirmed that as the response was provided to the Select Committee on Estimates 2024-2025 in the 10th Assembly, which is now dissolved, a correction or supplementary response to the QON cannot be made.
10. Should you wish to correct the record, an opportunity to do so is when you are tabling the Government Response to the Auditor-General's Report in September. Should you wish to do this earlier, your office can engage with the Clerk or Speaker's office about the most appropriate mechanism to do so.
11. Subject to your agreement and decision on your preferred approach, CED will prepare written talking points to support you correcting the record.

Financial Implications

12. Nil.

Consultation

Internal

13. None as a result of this brief.

Cross Directorate

14. None as a result of this brief.
15. CED will continue to engage with Sport and Recreation in developing the Government Response to the Audit Report.

External

16. None as a result of this brief.

Work Health and Safety

17. Nil.

Benefits/Sensitivities

18. It is acknowledged that the references to a sport and recreational needs analysis was a misrepresentation by the ACT Public Service.
19. Failure to correct the record that the change was not informed by a specific sport and recreational needs analysis will likely result in continued scrutiny by the community.

Communications, media and engagement implications

20. This matter has been of high interest in the media.
21. Talking points on the changes to the Territory Plan requirements for Phillip Pool and the Audit Report are available at [Attachment B](#).

Signatory Name: James Bennett

Phone: Teams

Action Officer: Brad Maxwell

Phone: Teams

Attachments

Attachment	Title
Attachment A	Timeline
Attachment B	Talking Points

Attachment A

Phillip Pool – 25m requirement timeline

Date	Action / Wording
Pre-Draft Territory Plan 2023	
Before 2021	The ACT Government commissioned a number of studies and assessments, including: • the Aquatic and Related Facilities: ACT Strategic Plan 2011-2030 (June 2011) • Woden, Athllon, Mawson (WAM) Community, Sport and Recreation Study (January 2013) • the Woden Town Centre Master Plan (November 2015) • the ACT Indoor Sports Facilities Study (December 2015) • Community and Recreational Facilities Assessment – Woden Valley District (November 2020) Across these studies it was generally found that the Phillip Pool facility was ageing and significant investment was required to maintain operation and viability. It also noted that a year-round facility may better meet the needs of the population.
20 May 2021	Minister for Planning and Land Management and Minister for Sport and Recreation briefed before providing advice to the lessee regarding development provisions that apply to their block. The brief: • Noted that a requirement for a 50m indoor pool is structurally difficult and costly to achieve, according to the lessee • Noted a 25m pool may be viable and could be used for a variety of other aquatic uses. • Agreed to the Government commissioning a study to “determine whether the loss of the existing Phillip pool will detrimentally impact public access to swimming facilities for the Woden community”.
17 Oct 2022	Revised requirement included in draft Territory Plan 2023 based on advice from Sport and Recreation (CMTEDD) to EPSDD. The advice:

	- Highlighted the preferred option involved the replacement of the 50m pool with an indoor 25m pool and additional aquatic facilities. The reduction in pool size was justified on the basis of providing “a better all-round outcome in relation to the capital cost, ongoing financial viability and future maintenance/upgrade requirements.” - Considered the body of work between July-Nov 2022 and the trend in aquatic facilities around Australia moving from 50m outdoor pool to 25m indoor pools with a range of other facilities. - Referenced the Batemans Bay case as an example.
Late Oct 2022	Cabinet agreement on the draft Territory Plan 2023 for consultation. The draft Territory Plan 2023 included the amended requirement for a replacement 25m pool (plus further aquatics and other supporting facilities).
Draft Territory Plan consultation (with the amended requirement)	
Consultation (1 Nov 2022 – 3 Mar 2023)	
April 2023	Published Listening Report noted: “Concern at loss of community recreational facilities at Woden – no indoor sports centre and loss of Phillip pool with greenspaces”.
July 2023	Published Submissions Report noted: “A substantial volume of comments objected to the closure of Phillip Swimming Pool and the lack of consideration for the replacement of this. Whilst most (8) of the comments related to its closure, plus 127 responses via a politician response, there was emphasis on the retention of a larger pool rather than a 25m one (3 comments).” “The site is in the Woden North priority change area. Future planning and investigations for the change areas will consider all five drivers equally including the need for commercial and community uses. It is also noted that the Woden District Strategy includes a short-term initiative for a community facilities and

	recreation needs assessment to consider the needs of the existing and future population.”
Sep 2023	Published Territory Plan Consultation Report noted: • “Concerns about loss of 50m pool – replaced with 25m pool. There is a huge demand for a centrally located aquatic centre. Woden is a town centre proposed to be served by the extension of the tram and a new bus”. • “A sport and recreational needs analysis has determined that 25m pool and associated aquatic facilities would meet the requirements of the Woden community.”
Sep 2023	Published Consultation Response Report stated: • “Concerns about loss of 50m pool being replaced with 25m pool. Comment that there is a huge demand for a centrally located aquatic centre in Woden.” • “A sport and recreational needs analysis has determined that 25m pool and associated aquatic facilities would meet the requirements of the Woden community.”
Review and approval of the Territory Plan	
25 Oct 2023	Interim Territory Plan 2023 (with amended requirement) approved by the Legislative Assembly – commenced on 27 November 2023.
Sept 2023 – Mar 2024	Standing Committee undertakes Inquiry – no submissions or hearings raised concerns about the relevant changes.
29 July 2024	A response to QON 207 (prepared by EPSDD, edited by Sport and Recreation) from Minister Steel stated: • “A sport and recreational needs analysis has determined that a 25m pool and associated aquatic facilities (i.e. separate 20 metre warm water program pool, water play splash pad, toddlers pool) would support a diverse range of uses and program delivery for the Woden community. It was approved to be included in the Woden District Policy when the interim Territory Plan took effect. The ACT Legislative Assembly approved the interim Territory Plan.”

28 Aug 2024	Final Territory Plan presented to the Legislative Assembly
27 Sep 2024	Final Territory Plan comes into effect
18 Aug 2025	Minister Berry confirms to the Select Committee on Estimates 2025-26 that a specific sport and recreation needs analysis for the proposed 25m pool in Woden doesn't exist.

Talking Points

Changes to Territory Plan requirements for the Phillip Pool

Date: 2 July 2026

Talking points

- The ACT Government accepts the findings of the Auditors General's office and acknowledges that the administrative processes supporting changes to the Territory Plan requirements for the Phillip Swimming and Ice-Skating Centre did not meet the standard expected.
- The ACT Government is carefully considering the Auditor-General's recommendations and, as part of the forthcoming formal response, will outline actions to strengthen governance, documentation, stakeholder engagement, and transparency in planning processes.
- Advice provided at the time considered contemporary trends in aquatic facility provision, usage data for local ACT Government pools, locality to other aquatic facilities, access and diversity requirements for sustainable pools (including recreational activities and program capability) and overall aquatic facility provision in the Territory.
- It also considered broader changes in community needs and the importance of delivering sustainable aquatic facilities for the Woden region and broader plans, studies and assessments that considered community and recreation facilities in Woden and the ACT. These reflected the ageing condition of the Phillip Pool facility, its operation and financial challenges, and the constraints associated with it being an outdoor facility.
- Options were developed through this process, including consideration of a 25-metre indoor pool as part of any future redevelopment of the site.
- The proposed aquatic provision, including a 25-metre pool, was included as part of consultation on the Territory Plan 2023 across 2022-2023. This included community and stakeholder feedback on the Territory Plan settings.
- The Auditor-General's report identifies that the references to a specific 'sport and recreation needs analysis' did not accurately represent the nature and extent of the work undertaken.
- The ACT Government acknowledges that the report raises important issues including the way in which analysis is described in advice and public materials.
- The relevant requirement was amended as part of the Territory Plan 2023, reflecting the changing needs for modern aquatic facilities.

- The *ACT Community, Recreation and Sports Facilities Needs Assessment and Social Infrastructure Audit: Final Report, December 2025* provides a territory-wide evidence base on existing and future community, sport and recreation facility needs across the ACT to 2051.
- The report identifies that a 25-metre replacement pool would meet benchmark provision for Woden while noting that a 50-metre pool could be considered in the context of population growth, Woden's regional role and access to other district facilities. It also highlights that future aquatic planning should build on this evidence base and provide more comprehensive, facility-specific insights about current and future provision and community need.
- An ACT-wide Aquatic Strategy is currently being developed to provide clear direction on aquatic investment priorities across Canberra. This includes a commitment to a new 50-metre outdoor pool in Woden.
- The ACT Government is also aware that matters relating to this issue are being considered by the ACT Integrity Commissioner.

Action Officer: Amy Linnane

Cleared by:

Sam Engele, DDG, Environment, Planning and Policy

DDG, Economic Development.