

From: "Chancellor, ErinS" <ErinS.Chancellor@act.gov.au>
Sent: 24/04/2026 11:50 AM
To: "Inman, Mick" <Mick.Inman@act.gov.au>; "Burfoot, William" <William.Burfoot@act.gov.au>
Cc: "Phillips, Tori" <Tori.Phillips@act.gov.au>; "Magee, Alexandra" <Alexandra.Magee@act.gov.au>; "CED, Media" <CEDMedia@act.gov.au>
Subject: FOR USE: Draft Ministerial statement - Response to regulator's decision on Big Splash
Attachments: 202604XX - Steel Media release - Response to regulator decision on big splash (A61549908).docx, ACCESS CANBERRA MEDIA RELEASE: Decision relating to potential enforcement – Big Splash
Importance: High

OFFICIAL

Hi Mick, Will

As discussed, noting that the regulator's decision has now been made public (release attached) and Minister has been briefed, please see the draft Ministerial statement attached for office consideration.

Please let us know should you need anything further.

Thank you,
Erin

Djan Yimaba Yara
(Thank you and Bye in Ngunnawal language)

Erin Chancellor | Director, Media & Channel Management

 [Microsoft Teams](#)

Sch 2.2(a)(ii)

Communications, Engagement and Media | City and Environment Directorate | ACT Government

Level 4 (Snow Gum), 480 Northbourne Avenue, Dickson 2602 | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

I acknowledge the Ngunnawal People as the Traditional Custodians of this land and pay my respects to Elders past, present and future. I acknowledge their continuing culture and connection to Country, and the contribution they and the broader ACT Aboriginal and Torres Strait Islander community make to the ACT and region



Chris Steel MLA

Treasurer

Minister for Planning and Sustainable Development

Minister for Heritage

Minister for Transport

Member for Murrumbidgee

XX/04/2026

Media Release

Response to Regulator's decision on Big Splash

The ACT Government's priority has consistently been to bring the operator into compliance with the legislation and to achieve an outcome that delivers clear community benefit. I look forward to the pool reopening for the 2026–27 summer swimming season, recognising that aquatic facilities are vital community assets across Canberra.

I acknowledge that the operators are demonstrating their intention to engage with the community on the future of the site through their representatives, Purdon.

While Access Canberra has now made the decision not to terminate the Crown Lease and set aside the notice, achieving compliance has required multiple enforcement activities. This has been a complex matter which has taken time to resolve and has received significant community interest.

I have reiterated Government's expectation that the site reopens by the next recreational swimming season. The community should have confidence that inspectors will continue to closely monitor the site to ensure progress remains on track, and if required, engage in further regulatory action to ensure the operator meets its obligations ahead of 1 November 2026.

I am also committed during this period to continue to investigate and review current lease compliance powers to ensure the regulator has all appropriate contemporary and effective regulatory tools to support lease compliance, protect the integrity of the planning system, and maintain community confidence in the administration of ACT land.

– Statement ends –

Media contact:

Michael Inman

Sch 2.2(a)(ii)

Michael.Inman@act.gov.au

act.gov.au

From: "CED, Media" <CEDMedia@act.gov.au>
Sent: 24/04/2026 11:49 AM
To: "CED, Media" <CEDMedia@act.gov.au>
Subject: ACCESS CANBERRA MEDIA RELEASE: Decision relating to potential enforcement – Big Splash



ACT 24 April 2026
Government

Media release

Access Canberra

Decision relating to potential enforcement – Big Splash

Access Canberra, acting as the delegate of the Territory Planning Authority, has made the decision not to terminate the Crown Lease of Block 1, Section 53 Macquarie (known as the Big Splash Water Park). The independent regulator has set aside notice associated with potential lease termination.

Following engagement with the operators and multiple site inspections conducted in April, Access Canberra has considered the substantive actions taken by the owners, including site clean-up and repair of the pool infrastructure to re-open the site as an aquatic facility by 1 November 2026. Progress on the site to date supports this intention.

Importantly for the community, the operators have expressed their intention to continue operating the site as an aquatic facility, retaining the existing 50-metre pool and associated food amenities.

Inspectors will remain actively engaged over the coming months and intend to conduct regular site visits to ensure this progress continues.

Access Canberra understands the operators have indicated an intention to lodge a development application for the removal and demolition of the site's waterslides and some damaged infrastructure including the former kiosk.

No development application has been received by the Territory Planning Authority, and any future proposal would be required to be formally lodged and assessed under the Territory Plan, including public notification processes.

– Statement ends –

Media contact:

0401 766 218

CEdMedia@act.gov.au

act.gov.au



Respect, Integrity,
Collaboration, Innovation.

From: "CED, Media"
Sent: 20/01/2026 8:30 AM
To: "Gallacher, Anton" <Anton.Gallacher@act.gov.au>; "Inman, Mick" <Mick.Inman@act.gov.au>
Cc: "Phillips, Tori" <Tori.Phillips@act.gov.au>; "Burfoot, William" <William.Burfoot@act.gov.au>; "Ferguson, David" <David.Ferguson@act.gov.au>; "Buckle, Grace" <Grace.Buckle@act.gov.au>; "Holohan, Teleatha" <Teleatha.Holohan@act.gov.au>
Subject: RE: Big Splash

Good morning, all

I've confirmed with Mick via text but just updating that Josh Rynehart is booked to chat to Ross on ABC Brekky this morning about Big Splash at 8:45.

Cheers,
Adam

Adam Anderson (He/him) | Assistant Director - Media
P 02 6207 1609 | E Adam.Anderson@act.gov.au
Media | City and Environment Directorate | **ACT Government**
Level 4 (Snow Gum), 480 Northbourne Avenue, Dickson | GPO Box 158 Canberra ACT 2601

For **Environment, Climate Change, and Planning matters** please call **0401 766 218**.

I acknowledge the Ngunnawal people as traditional custodians of the ACT and recognise any other people or families with connection to the lands of the ACT and region. I acknowledge and respect their continuing culture and the contribution they make to the life of this city and this region.

From: CED, Media
Sent: Monday, 19 January 2026 4:45 PM
To: Gallacher, Anton ; Inman, Mick
Cc: Phillips, Tori ; Burfoot, William ; Ferguson, David ; Buckle, Grace ; Holohan, Teleatha
Subject: RE: Big Splash

And some further background on the lease, provided by the Territory Planning Authority – if helpful to inform the response further, particularly in response to Q2.

Thanks, team.

The site is leased land and is subject to a crown lease. The crown lease includes a range of provisions, including a lease purpose clause which the lessee must comply with.

Should the site be sold, this will be unaffected as a different lessee must still comply with the provisions of the lease. Any changes to the lease would require a lease variation, which is undertaken through a development application.

Cheers,
Adam

Adam Anderson (He/him) | Assistant Director - Media
P 02 6207 1609 | E Adam.Anderson@act.gov.au
Media | City and Environment Directorate | **ACT Government**
Level 4 (Snow Gum), 480 Northbourne Avenue, Dickson | GPO Box 158 Canberra ACT 2601

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From: CED, Media

Sent: Monday, 19 January 2026 4:32 PM

To: Gallacher, Anton <Anton.Gallacher@act.gov.au>; Inman, Mick <Mick.Inman@act.gov.au>

Cc: Phillips, Tori <Tori.Phillips@act.gov.au>; Burfoot, William <William.Burfoot@act.gov.au>; Ferguson, David <David.Ferguson@act.gov.au>; Buckle, Grace <Grace.Buckle@act.gov.au>; Holohan, Teleatha <Teleatha.Holohan@act.gov.au>; Economic Development Communications and Engagement <EconomicDevelopmentComms@act.gov.au>; Harris, Jacqui <Jacqui.Harris@act.gov.au>; iCBR, Media <iCBRMedia@act.gov.au>

Subject: RE: Big Splash

Hi Anton, Mick, all,

Response below for your consideration, factoring in the current status and consistent with previous media enquiries.

Please let me know if you need anything further.

Sch 2.2(a)(ii)

Topic: Big Splash

Deadline: ASAP

CLEARED BY

- Josh Rynehart, Head of Access Canberra
- Sam Engele, A/g DG, CED

ENQUIRY

The owner hasn't been paying the mortgage and the lender has repossessed it. See attached. Can I get a response from Minister Steel on the implications of this, given Purdon was supposed to be engaging with government on a possible proposal?

Can he also clarify the lease situation, given there may be a mortgagee sale?

Where does the government stand on the kind of outcome it would like to see, given the public interest in retaining a swimming/ water park facility on the site?

I am awaiting a response from the Sydney firm handling it.

I may have more questions once I know more.

RESPONSE

Can I get a response from Minister Steel on the implications of this, given Purdon was supposed to be engaging with government on a possible proposal?

- Access Canberra became aware that a 'Notice of Possession' (the notice) was placed on the perimeter fencing of Big Splash, Macquarie and has contacted the solicitors represented in the notice.
- The ACT Government received preliminary information from representatives of the owner of Big Splash in November in relation to their proposal to develop the site.
- The information was provided to government ahead of a meeting of the National Capital Design Review Panel, where the proponent elected to present their proposal.
- The information provided to government did not constitute a development application or an application for a major plan amendment.
- The National Capital Design Review Panel has now provided feedback on the initial concepts from the proponent and further work is now required by the proponent to refine

these concepts. Any further commentary on the proposal should be directed to the owner, or their representative.

Can he also clarify the lease situation, given there may be a mortgagee sale?

- There has been no formal title or transfer of the Title.
- There are two Controlled Activity Orders on the property. The deadline in which Big Splash is required to resume operations as per the Crown lease purpose clause is the 23rd of January 2026. After this date, and if they fail to comply, further enforcement, including an Intention to Terminate the Crown lease may be issued.
- No decisions have been made on further action and Access Canberra will continue to actively monitor the situation.

Where does the government stand on the kind of outcome it would like to see, given the public interest in retaining a swimming/ water park facility on the site?

- *Minister to address this question*
- The Territory Planning Authority have no plans to rezone the site, which is currently zoned PRZ2 – Restricted Access Recreation Zone.

END

Cheers,
Adam

Adam Anderson (He/him) | Assistant Director - Media
P 02 6207 1609 | E Adam.Anderson@act.gov.au
Media | City and Environment Directorate | **ACT Government**
Level 4 (Snow Gum), 480 Northbourne Avenue, Dickson | GPO Box 158 Canberra ACT 2601

For **Environment, Climate Change, and Planning matters** please call **0401 766 218**.

I acknowledge the Ngunnawal people as traditional custodians of the ACT and recognise any other people or families with connection to the lands of the ACT and region. I acknowledge and respect their continuing culture and the contribution they make to the life of this city and this region.

From: Economic Development Communications and Engagement <EconomicDevelopmentComms@act.gov.au>
Sent: Monday, 19 January 2026 4:06 PM
To: Harris, Jacqui <Jacqui.Harris@act.gov.au>; CED, Media <CEDMedia@act.gov.au>; iCBR, Media <iCBRMedia@act.gov.au>; Gallacher, Anton <Anton.Gallacher@act.gov.au>; Inman, Mick <Mick.Inman@act.gov.au>
Cc: Phillips, Tori <Tori.Phillips@act.gov.au>; Burfoot, William <William.Burfoot@act.gov.au>; Ferguson, David <David.Ferguson@act.gov.au>; Buckle, Grace <Grace.Buckle@act.gov.au>; Holohan, Teleatha <Teleatha.Holohan@act.gov.au>; Economic Development Communications and Engagement <EconomicDevelopmentComms@act.gov.au>
Subject: RE: Big Splash

OFFICIAL

Hi all,

No input from ED on this one.

Thanks
Jacqui

Jacqui Harris
A/g Senior Director | Communications & Engagement
Phone: [Teams me](tel:0262074257) | Phone: (02) 620 74257 | Email: jacqui.harris@act.gov.au
Economic Development | Chief Minister, Treasury and Economic Development Directorate | **ACT Government**

From: Harris, Jacqui <Jacqui.Harris@act.gov.au>
Sent: Monday, 19 January 2026 12:39 PM
To: CED, Media <CEDMedia@act.gov.au>; iCBR, Media <iCBRMedia@act.gov.au>; Gallacher, Anton <Anton.Gallacher@act.gov.au>; Inman, Mick <Mick.Inman@act.gov.au>
Cc: Phillips, Tori <Tori.Phillips@act.gov.au>; Burfoot, William <William.Burfoot@act.gov.au>; Ferguson, David <David.Ferguson@act.gov.au>; Buckle, Grace <Grace.Buckle@act.gov.au>; Holohan, Teleatha <Teleatha.Holohan@act.gov.au>; Economic Development Communications and Engagement <EconomicDevelopmentComms@act.gov.au>
Subject: RE: Big Splash

OFFICIAL

Hi all,

Confirming ED input as well although I do not believe we will have anything to add.

Thanks
Jacqui

Jacqui Harris
A/g Senior Director | Communications & Engagement
Phone: [Teams me](#) | Phone: (02) 620 74257 | Email: jacqui.harris@act.gov.au
Economic Development | Chief Minister, Treasury and Economic Development Directorate | ACT Government

From: CED, Media <CEDMedia@act.gov.au>
Sent: Monday, 19 January 2026 11:56 AM
To: iCBR, Media <iCBRMedia@act.gov.au>; Harris, Jacqui <Jacqui.Harris@act.gov.au>; Gallacher, Anton <Anton.Gallacher@act.gov.au>; Inman, Mick <Mick.Inman@act.gov.au>
Cc: Phillips, Tori <Tori.Phillips@act.gov.au>; Burfoot, William <William.Burfoot@act.gov.au>; Ferguson, David <David.Ferguson@act.gov.au>; Buckle, Grace <Grace.Buckle@act.gov.au>; Holohan, Teleatha <Teleatha.Holohan@act.gov.au>; Economic Development Communications and Engagement <EconomicDevelopmentComms@act.gov.au>
Subject: RE: Big Splash

OFFICIAL

Thanks, all,

Seeking advice on this from a CED perspective – including what this means for regulatory action. Will come back to you ASAP.

Cheers,
Adam

Adam Anderson (He/him) | Assistant Director - Media
P 02 6207 1609 | E Adam.Anderson@act.gov.au
Media | City and Environment Directorate | ACT Government
Level 4 (Snow Gum), 480 Northbourne Avenue, Dickson | GPO Box 158 Canberra ACT 2601

For **Environment, Climate Change, and Planning** matters please call **0401 766 218**.

I acknowledge the Ngunnawal people as traditional custodians of the ACT and recognise any other people or families with connection to the lands of the ACT and region. I acknowledge and respect their continuing culture and the contribution they make to the life of this city and this region.

From: iCBR, Media <iCBRMedia@act.gov.au>
Sent: Monday, 19 January 2026 11:49 AM
To: Harris, Jacqui <Jacqui.Harris@act.gov.au>; Gallacher, Anton <Anton.Gallacher@act.gov.au>; Inman, Mick <Mick.Inman@act.gov.au>; CED, Media <CEDMedia@act.gov.au>; iCBR, Media <iCBRMedia@act.gov.au>
Cc: Phillips, Tori <Tori.Phillips@act.gov.au>; Burfoot, William <William.Burfoot@act.gov.au>; Ferguson, David <David.Ferguson@act.gov.au>; Buckle, Grace <Grace.Buckle@act.gov.au>; Holohan, Teleatha <Teleatha.Holohan@act.gov.au>; Economic Development Communications and Engagement <EconomicDevelopmentComms@act.gov.au>
Subject: FW: Big Splash

OFFICIAL

Hi Anton,

I understand this sits with Economic Development, although ED/CED can confirm.

Regards,
Lee

Lee Gaskin | Assistant Director, Media and Content
Mob: **Sch 2 2(a)(ii)** Email: lee.gaskin@act.gov.au
Infrastructure Canberra | ACT Government



From: Gallacher, Anton <Anton.Gallacher@act.gov.au>
Sent: Monday, 19 January 2026 11:35 AM
To: Inman, Mick <Mick.Inman@act.gov.au>; CED, Media <CEDMedia@act.gov.au>; iCBR, Media <iCBRMedia@act.gov.au>; Gaskin, Lee <Lee.Gaskin@act.gov.au>
Cc: Phillips, Tori <Tori.Phillips@act.gov.au>; Burfoot, William <William.Burfoot@act.gov.au>; Ferguson, David <David.Ferguson@act.gov.au>; Buckle, Grace <Grace.Buckle@act.gov.au>; Holohan, Teleatha <Teleatha.Holohan@act.gov.au>
Subject: RE: Big Splash

I am looping in David – Will – Grace and Tee.

We will also need lines on what this means for regulatory action.

From: Inman, Mick <Mick.Inman@act.gov.au>
Sent: Monday, 19 January 2026 11:22 AM
To: CED, Media <CEDMedia@act.gov.au>; iCBR, Media <iCBRMedia@act.gov.au>; Gaskin, Lee <Lee.Gaskin@act.gov.au>
Cc: Phillips, Tori <Tori.Phillips@act.gov.au>; Gallacher, Anton <Anton.Gallacher@act.gov.au>
Subject: FW: Big Splash

Hi team,

Seeking urgent advice on the below please.

Thanks. Mick

From: Sch 2.2(a)(ii)
Sent: Monday, 19 January 2026 11:04 AM
To: Inman, Mick <Mick.Inman@act.gov.au>
Subject: Big Splash

Caution: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Mick,
The

owner hasn't been paying the mortgage and the lender has repossessed it. see attached.
Can I get a response from Minister Steel on the implications of this, given Purdon was supposed to be engaging with government on a possible proposal?
Can he also clarify the lease situation, given there may be a mortgagee sale?
Where does the government stand on the kind of outcome it would like to see, given the public interest in retaining a swimming/ water park facility on the site?
I am awaiting a response from the Sydney firm handling it.
I may have more questions once I know more.

Best regards,
Sch 2.2(a)(ii)

Sch 2.2(a)(ii)

The content of this email is confidential and intended for the recipient specified in message only. It is strictly forbidden to share any part of this message with any third party, without a written consent of the sender. If you received this message by mistake, please reply to this message and follow with its deletion, so that we can ensure such a mistake does not occur in the future.

From: "CED, Directorate Liaison Officer" <CEDDLO@act.gov.au>
Sent: 06/03/2026 8:35 AM
To: "Phillips, Tori" <Tori.Phillips@act.gov.au>; "CMCD DLO" <CMCDLO@act.gov.au>; "#LA_EXEC DLOS" <#LA_EXECDLOS@act.gov.au>; "Gallacher, Anton" <Anton.Gallacher@act.gov.au>; "Pulli, Tracey" <Tracey.Pulli@act.gov.au>; "Inman, Mick" <Mick.Inman@act.gov.au>; "Head, Hannah" <Hannah.Head@act.gov.au>; "Smith, HannahX" <HannahX.Smith@act.gov.au>; "Bradley, Bill" <Bill.Bradley@act.gov.au>; "Greenwood, Martin" <Martin.Greenwood@act.gov.au>; "Eveille, JamesB" <JamesB.Eveille@act.gov.au>; "Tomlinson, Benjamin" <Benjamin.Tomlinson@act.gov.au>; "Atkins, Brittany" <Brittany.Atkins@act.gov.au>; "Taylor Pindo, Sara" <Sara.TaylorPindo@act.gov.au>; "Ryan, Olivia" <Olivia.Ryan@act.gov.au>; "Ferguson, David" <David.Ferguson@act.gov.au>; "Polglase, David" <David.Polglase@act.gov.au>; "CMTEDDMedia" <CMTEDDMedia@act.gov.au>; "Canberra Health Services Media" <CHSmedia@act.gov.au>; "Economic Development Communications and Engagement" <EconomicDevelopmentComms@act.gov.au>; "JACSMedia" <JACSMedia@act.gov.au>; "EDU Media" <EDU.Media@act.gov.au>; "HCSD, Media" <HCSDMedia@act.gov.au>; "CED, Media" <CEDMedia@act.gov.au>; "Briggs, Peter" <Peter.Briggs@act.gov.au>; "Mott, Timothy" <Timothy.Mott@act.gov.au>; "iCBR, Media" <iCBRMedia@act.gov.au>; "Burfoot, William" <William.Burfoot@act.gov.au>; "Hobbs, Rebecca" <Rebecca.Hobbs@act.gov.au>; "McGregor-Dainton, Amy" <Amy.McGregor-Dainton@act.gov.au>; "Seddon, Jayden" <Jayden.Seddon@act.gov.au>; "Walthati, Harini" <Harini.Walthati@act.gov.au>; "Whitty, Anna" <Anna.Whitty@act.gov.au>; "EDU Media" <EDU.Media@act.gov.au>; "CED, Media" <CEDMedia@act.gov.au>; "Harper, Charlotte" <Charlotte.Harper@act.gov.au>; "Sloane, Brenton" <Brenton.Sloane@act.gov.au>; "Short, Paul" <Paul.Short@act.gov.au>; "Van Aalst, Sally" <Sally.VanAalst@act.gov.au>; "White, Adrienne" <Adrienne.White@act.gov.au>; "Shun Wah, Jane" <Jane.ShunWah@act.gov.au>; "Sales, Jonathon" <Jonathon.Sales@act.gov.au>; "Cooper, Natalie" <Natalie.Cooper@act.gov.au>; "Williams, AnnieW" <AnnieW.Williams@act.gov.au>; "SLAComms" <SLAComms@act.gov.au>; "Piper, Mayumi" <Mayumi.Piper@act.gov.au>; "Digital Canberra Media" <DCBR.Media@act.gov.au>
Subject: RE: THE LOOP - ABC Talkback with Minister Berry - Friday 6 March 2026 at 8:30am until 9am

OFFICIAL

The ACT Government's interest continues to be to bring the Big Splash operator into compliance with the legislation and to see an outcome that delivers community benefit.

Access Canberra and the parties are engaged in discussions. It is important to understand that this specific matter is complex and will take time to resolve. Any regulatory action is subject to administrative review in the ACAT and higher courts if challenged.

The ACT Government remains committed to a timely resolution and will provide further information when appropriate.

As this is an active regulatory matter, Access Canberra is unable to comment further at this time

Andrew Spain | Directorate Liaison Officer

Office of Minister Suzanne Orr MLA | Minister for Climate Change, Environment, Energy and Water
Phone: 02 6205 3712 | Email: CEDDLO@act.gov.au
City and Environment Directorate | ACT Government
Address: ACT Legislative Assembly | 196 London Circuit, Canberra ACT 2601

From: Phillips, Tori

Sent: Friday, 6 March 2026 8:34 AM

To: CMCD DLO ; #LA_EXEC DLOS <#LA_EXECDLOS@act.gov.au>; Gallacher, Anton ; Pulli, Tracey ; Inman, Mick ; Head, Hannah ; Smith, HannahX ; Bradley, Bill ; Greenwood, Martin ; Eveille, JamesB ; Tomlinson, Benjamin ; Atkins, Brittany ; Taylor Pindo, Sara ; Ryan, Olivia ; Ferguson, David ; Polglase,

David ; CMTEDDMedia ; Canberra Health Services Media ; Economic Development Communications and Engagement ; JACSMedia ; EDU Media ; HCSD, Media ; CED, Media ; Briggs, Peter ; Mott, Timothy ; iCBR, Media ; Burfoot, William ; Hobbs, Rebecca ; McGregor-Dainton, Amy ; Seddon, Jayden ; Walthati, Harini ; Whitty, Anna ; EDU Media ; CED, Media ; Harper, Charlotte ; Sloane, Brenton ; Short, Paul ; Van Aalst, Sally ; White, Adrienne ; Shun Wah, Jane ; Sales, Jonathon ; Cooper, Natalie ; Williams, AnnieW ; SLAComms ; Piper, Mayumi ; Digital Canberra Media

Subject: RE: THE LOOP - ABC Talkback with Minister Berry - Friday 6 March 2026 at 8:30am until 9am

What is the timelines for the discussions between Access Canberra and the Owner of Big Splash?
Frustrated Aranda resident

Tori Phillips

Senior Media and Communications Adviser | Deputy Chief Minister

Sch 2.2(a)(ii)

Out of Scope

From: CMCD DLO <CMCDDLO@act.gov.au>

Sent: Thursday, 5 March 2026 4:22 PM

To: #LA_EXEC DLOS <#LA_EXECDLOS@act.gov.au>; Gallacher, Anton <Anton.Gallacher@act.gov.au>; Pulli, Tracey <Tracey.Pulli@act.gov.au>; Inman, Mick <Mick.Inman@act.gov.au>; Head, Hannah <Hannah.Head@act.gov.au>; Smith, HannahX <HannahX.Smith@act.gov.au>; Phillips, Tori <Tori.Phillips@act.gov.au>; Bradley, Bill <Bill.Bradley@act.gov.au>; Greenwood, Martin <Martin.Greenwood@act.gov.au>; Eveille, JamesB <JamesB.Eveille@act.gov.au>; Tomlinson, Benjamin <Benjamin.Tomlinson@act.gov.au>; Atkins, Brittany <Brittany.Atkins@act.gov.au>; Taylor Pindo, Sara <Sara.TaylorPindo@act.gov.au>; Ryan, Olivia <Olivia.Ryan@act.gov.au>; Ferguson, David <David.Ferguson@act.gov.au>; Polglase, David <David.Polglase@act.gov.au>; CMTEDDMedia

<CMTEDDMedia@act.gov.au>; Canberra Health Services Media <CHSmedia@act.gov.au>; Economic Development Communications and Engagement <EconomicDevelopmentComms@act.gov.au>; JACSMedia <JACSMedia@act.gov.au>; EDU Media <EDU.Media@act.gov.au>; HCSD, Media <HCSDMedia@act.gov.au>; CED, Media <CEDMedia@act.gov.au>; Briggs, Peter <Peter.Briggs@act.gov.au>; Mott, Timothy <Timothy.Mott@act.gov.au>; iCBR, Media <iCBRMedia@act.gov.au>; Burfoot, William <William.Burfoot@act.gov.au>; Hobbs, Rebecca <Rebecca.Hobbs@act.gov.au>; McGregor-Dainton, Amy <Amy.McGregor-Dainton@act.gov.au>; Phillips, Tori <Tori.Phillips@act.gov.au>; Seddon, Jayden <Jayden.Seddon@act.gov.au>; Walthati, Harini <Harini.Walthati@act.gov.au>; Whitty, Anna <Anna.Whitty@act.gov.au>; EDU Media <EDU.Media@act.gov.au>; CED, Media <CEDMedia@act.gov.au>; Harper, Charlotte <Charlotte.Harper@act.gov.au>; Sloane, Brenton <Brenton.Sloane@act.gov.au>; Short, Paul <Paul.Short@act.gov.au>; Van Aalst, Sally <Sally.VanAalst@act.gov.au>; White, Adrienne <Adrienne.White@act.gov.au>; Shun Wah, Jane <Jane.ShunWah@act.gov.au>; Sales, Jonathon <Jonathon.Sales@act.gov.au>; Cooper, Natalie <Natalie.Cooper@act.gov.au>; Williams, AnnieW <AnnieW.Williams@act.gov.au>; SLAComms <SLAComms@act.gov.au>; Piper, Mayumi <Mayumi.Piper@act.gov.au>; Digital Canberra Media <DCBR.Media@act.gov.au>

Subject: THE LOOP - ABC Talkback with Minister Berry - Friday 6 March 2026 at 8:30am until 9am

Hi there,

You are a part of the talkback loop for tomorrow, **Friday 6 March 2026** at 8:30am until 9am.

Minister Berry will be taking calls.

This is the Adviser and DLO email loop to assist the Minister in responding to questions and is customised for the Minister Berry's portfolios.

With any luck we get lots of calls and Comms will be sending questions through for assistance from approx. 8:30am.

Please note: If there is not a queue of callers, they will put people to air to ask questions with very little notice, therefore assistance from The Loop becomes less valuable unfortunately.

To note:

1. Always use "Reply All" when responding
2. Only send an email if it contains factual information that the minister can use
3. Short dot points are preferred – don't send attachments or tables of data – relevant images are the exception
4. Links to websites containing relevant info are appreciated
5. Don't post unnecessary commentary

<https://www.abc.net.au/radio/canberra/live/>

Kind regards,

Isabelle Howse | Directorate Liaison Officer – Chief Minister

Phone: MS Teams | Email: CMCDDLO@act.gov.au

Chief Minister Treasury and Economic Development Directorate | ACT Government

GPO Box 158, Canberra ACT 2601 | www.act.gov.au



From: "CMCD DLO" <CMCDDLO@act.gov.au>
Sent: 12/01/2026 10:06 AM
To: "Barr, Andrew" <Andrew.Barr@act.gov.au>; "ODonoghue, Yersheena" <Yersheena.ODonoghue@act.gov.au>; "Mison, Matt" <Matt.Mison@act.gov.au>; "Paviour, Mark" <Mark.Paviour@act.gov.au>; "Hobbs, Rebecca" <Rebecca.Hobbs@act.gov.au>
Cc: "CMCD DLO" <CMCDDLO@act.gov.au>; "Seesink, Mark" <Mark.Seesink@act.gov.au>; "Atkins, Brittany" <Brittany.Atkins@act.gov.au>; "Bartram, Chris" <Chris.Bartram@act.gov.au>; "Raj, Mallika" <Mallika.Raj@act.gov.au>; "Gallacher, Anton" <Anton.Gallacher@act.gov.au>
Subject: #50 DG's Weekly Report to the CM – 12 January 2026
Attachments: 50. DG Weekly Report to CM - 12 January 26.pdf

Dear Chief Minister and team,

Please find attached the DG's Weekly Report for 12 January 2026.

Kind regards,

Isabelle Howse | Directorate Liaison Officer – Chief Minister

Phone: MS Teams | Email: CMCDDLO@act.gov.au

Chief Minister Treasury and Economic Development Directorate | ACT Government

GPO Box 158, Canberra ACT 2601 | www.act.gov.au





OFFICIAL Sensitive

ACTPS Directors-General weekly report to the Chief Minister

Week commencing 12 January 2025

Table of Contents:

Out of Scope

[City and Environment Directorate](#)

[Access Canberra](#)

Out of Scope

Note: The FOI information in this report is to inform the Chief Minister of access requests that involve politically sensitive material, Cabinet-related documents or matters of community interest. The FOI Act requires decisions to be made independently by delegated information officers and in accordance with the public interest test. Under section 20(2) a responsible minister or Director-General may direct the information officer to disclose information, however they must not subject that officer, or anyone else exercising a function under the Act, to any other direction or influence.

Out of Scope

City and Environment Directorate

Out of Scope



OFFICIAL Sensitive

Out of Scope

Update on key projects/events/initiatives

Proposal to heritage list Big Splash

- ACT Heritage has received a new Heritage nomination for the Big Splash Water Park. Once the nomination has gone through due diligence checking, the Council will consider whether to accept or dismiss the nomination, based on the likelihood of the place having heritage merit. The Council's next meeting is in February 2026.

Out of Scope



OFFICIAL Sensitive

Out of Scope

From: "Garrity, Elise" <Elise.Garrity@act.gov.au> on behalf of "CMTEDD, Economic Development DLO" <EcoDevDLO@act.gov.au>
Sent: 12/01/2026 3:05 PM
To: "Walthati, Harini" <Harini.Walthati@act.gov.au>
Subject: FW: INPUT (due 20 Jan): QON 777 - Big Splash redevelopment
Attachments: QON 777 - CAIN - Steel - Big Splash Pool Redevelopment.docx

OFFICIAL

Hi Harini

Please see below request from the CED DLO. Noting this is due back to CED next Tuesday, can you please advise when you would need to receive in DCMO for review? Are you comfortable with this reaching you on Friday this week/Monday next?

Kind regards,
Elise

Elise Garrity | Directorate Liaison Officer – Economic Development

Office of the Chief Minister | Office of Minister Berry | Office of Minister Pettersson

Phone: via MS Teams | Email: EcoDevDLO@act.gov.au

Chief Minister, Treasury and Economic Development Directorate | ACT Government

GPO Box 158, Canberra ACT 2601 | www.act.gov.au



From: CED, Directorate Liaison Officer <CEDDLO@act.gov.au>
Sent: Monday, 12 January 2026 2:58 PM
To: CMTEDD, Economic Development DLO <EcoDevDLO@act.gov.au>
Cc: CED, Directorate Liaison Officer <CEDDLO@act.gov.au>
Subject: INPUT (due 20 Jan): QON 777 - Big Splash redevelopment

OFFICIAL

Hey Elise

CED are seeking S&R input to the attached QON response.

I've been advised that S&R met with Purdon about the Big Splash site – can input please be added with the response cleared through DCMO prior to sending back for Steel sign off.

Due next Tue 20 Jan please.

Thank you
Liana

Liana Dimoski | Directorate Liaison Officer

Office of Minister Steel MLA

Minister for Planning and Sustainable Development

Minister for Heritage

Minister for Transport

Phone: (02) 6207 0804 | Email: ceddlo@act.gov.au

City and Environment Directorate | ACT Government | act.gov.au



Chris Steel MLA

Treasurer

Minister for Planning and Sustainable Development

Minister for Heritage

Minister for Transport

Member for Murrumbidgee

Response to question on notice

Questions on Notice Paper No 14

05 December 2025

Question No. 777

Peter Cain MLA: To ask the Minister for Planning and Sustainable Development

1. Has any Minister or Government representative met with the owners or representatives of Big Splash Pool regarding potential redevelopment or residential use of the site; if so, on what dates did these meetings occur and who attended, including any planning advisors or consultants.
2. Has the Government received any formal or informal proposals for redevelopment of the Big Splash site, and has it provided any advice, guidance, or support regarding rezoning or planning approvals.
3. Can the Minister confirm the timeline publicly advised that Big Splash Pool would reopen in mid-November 2025 and provide details of any Government involvement or support in ensuring the site was prepared to reopen on schedule.

Mr Chris Steel MLA: The answer to the Member's question is as follows:

1. There have been no meetings with Government officials or with Ministers regarding the potential redevelopment of the Big Splash site for residential purposes.
2. An early concept master plan proposal for Block 1 Section 53 Macquarie was presented to the National Capital Design Review Panel (NCDRP) for review on 27 November 2025. Formal NCDRP advice was issued to the proponent on 11 December 2025.

The Territory Planning Authority has not received any requests or applications to rezone the Big Splash site and has not provided any guidance regarding rezoning or planning approvals.

The ACT Government has no plans to rezone the land at Big Splash.

3. Access Canberra was advised by the operators of Big Splash that they intended to open mid-November 2025.

Access Canberra has taken regulatory action against the lessee in relation to the use provisions of the lease, with the Territory forming a view the lease has not been used in accordance with these provisions for more than 12 months. A Controlled Activity Order was issued on 12 December 2025, requiring the lessee to comply and use the land as per its intended purpose under the Crown Lease by no later than 23 January 2026.

A range of options are available to the Territory should the lessee fail to comply with these Orders, including prosecution and lease termination.

act.gov.au

Approved for circulation to the Member and incorporation into Hansard.

Chris Steel MLA
Minister for Planning and Sustainable Development

Date:

This response required 1hr 55 minutes to complete, at an approximate cost of \$217.51.

From: "Walthati, Harini" <Harini.Walthati@act.gov.au>
Sent: 12/01/2026 4:11 PM
To: "Hobbs, Rebecca" <Rebecca.Hobbs@act.gov.au>
Subject: Media for tomorrow - TPs
Attachments: iCBR DOT Points - 26-0005019 - Aquatic Strategy and Tuggeranong Ice Rink.docx, DLO Request - INPUT - Urgent Dot Points - Radio - Aquatic Strategy and Ice Rink.DOCX, Talking Points - Phillip pool and Woden area.docx, COMBINED - Talking points for Aquatic Strategy and Ice Rink.docx

Hey Bec

TP's for tomorrow.

Harini Walthati
Sport and Recreation Advisor
Sch 2.2(a)(ii)



I acknowledge the Ngunnawal people as traditional custodians of the land and recognise any other people or families with connection to the lands of the ACT and region. I acknowledge and respect their continuing culture and the contribution they make to the life of this city and this region.

Office of Yvette Berry MLA | Member for Ginninderra
Deputy Chief Minister
Minister for Education and Early Childhood
Minister for Homes, Homelessness and New Suburbs
Minister for Sport and Recreation

Phone: +61 2 8205 0233 | Email: berry@parliament.act.gov.au
[Facebook](#) | [Twitter](#) | www.yvetteberry.com.au



Dot Point Request

Requestor: Minister Berry's Office

Subject: Aquatic Strategy and Tuggeranong Ice Rink

Reference number: 26/0005019

Please provide input on the following issue: Minister Berry will be on radio tomorrow morning (13 January), discussing the Aquatic Strategy and Tuggeranong Ice Rink.

Out of scope

The rest are for CED/CMTEDD, but included here in case.

- Aquatic Strategy
- Update on ice rink
- Big Splash
- Woden Pool

Out of Scope

MEDIA – Ross on ABC - 710am – Aquatic Strategy and Tuggeranong Ice rink

Dot points

Out of Scope



Out of Scope

Big Splash

- I understand that the ACT Government received preliminary information from representatives of the owner of Big Splash in November in relation to their proposal to develop the site.
- The information was provided to government ahead of the meeting of the National Capital Design Review Panel, where the proponent elected to present their proposal.
- The information provided to government did not constitute a development application or an application for a major plan amendment.
- I understand that the National Capital Design Review Panel has now provided feedback on the initial concepts from the proponent and further work is now required by the proponent to refine these concepts.
- I am pleased that the representatives of Big Splash are keeping the community informed about where this project is up to. I encourage them to continue to openly discuss their proposal with the local community, noting the significant interest in the future of the site.
- The site is currently zoned PRZ2 – Restricted Access Recreation Zone.
- Big Splash is a privately owned recreational facility. The Crown lease permits use including an aquatic and indoor sports and recreation centre and an unlicensed family restaurant.
- There are currently no Development Applications currently before the Territory Planning Authority for this site.
- I am not able to discuss any aspect of the regulatory considerations of Access Canberra.
- Any further commentary on the proposal should be directed to the owner, or their representative.

Out of Scope

From: "Walthati, Harini"
Sent: 12/01/2026 3:10 PM
To: "CMTEDD, Economic Development DLO" <EcoDevDLO@act.gov.au>
Subject: RE: INPUT (due 20 Jan): QON 777 - Big Splash redevelopment

Hey Elise

Thanks for the heads-up, would obviously be ideal if we got it Friday so DCM has some time to look it but see how you go and Ill do my best to get it signed off.

Harini

From: Garrity, Elise <Elise.Garrity@act.gov.au> **On Behalf Of** CMTEDD, Economic Development DLO
Sent: Monday, 12 January 2026 3:06 PM
To: Walthati, Harini <Harini.Walthati@act.gov.au>
Subject: FW: INPUT (due 20 Jan): QON 777 - Big Splash redevelopment

OFFICIAL

Hi Harini

Please see below request from the CED DLO. Noting this is due back to CED next Tuesday, can you please advise when you would need to receive in DCMO for review? Are you comfortable with this reaching you on Friday this week/Monday next?

Kind regards,
Elise

Elise Garrity | Directorate Liaison Officer – Economic Development

Office of the Chief Minister | Office of Minister Berry | Office of Minister Pettersson

Phone: via MS Teams | Email: EcoDevDLO@act.gov.au

Chief Minister, Treasury and Economic Development Directorate | ACT Government

GPO Box 158, Canberra ACT 2601 | www.act.gov.au



From: CED, Directorate Liaison Officer <CEDDLO@act.gov.au>
Sent: Monday, 12 January 2026 2:58 PM
To: CMTEDD, Economic Development DLO <EcoDevDLO@act.gov.au>
Cc: CED, Directorate Liaison Officer <CEDDLO@act.gov.au>
Subject: INPUT (due 20 Jan): QON 777 - Big Splash redevelopment

OFFICIAL

Hey Elise

CED are seeking S&R input to the attached QON response.

I've been advised that S&R met with Purdon about the Big Splash site – can input please be added with the response cleared through DCMO prior to sending back for Steel sign off.

Due next Tue 20 Jan please.

Thank you
Liana

Liana Dimoski | Directorate Liaison Officer
Office of Minister Steel MLA
Minister for Planning and Sustainable Development
Minister for Heritage
Minister for Transport
Phone: (02) 6207 0804 | Email: ceddlo@act.gov.au
City and Environment Directorate | ACT Government | act.gov.au

From: "Walthati, Harini" <Harini.Walthati@act.gov.au>
Sent: 12/01/2026 2:13 PM
To: "CMTEDDMedia" <CMTEDDMedia@act.gov.au>; "CMTEDD, Economic Development DLO" <EcoDevDLO@act.gov.au>; "iCBR, DLO" <iCBRDLO@act.gov.au>; "CED, Directorate Liaison Officer" <CEDDLO@act.gov.au>
Cc: "Inman, Mick" <Mick.Inman@act.gov.au>; "Tomas, Josie" <Josie.Tomas@act.gov.au>; "Hobbs, Rebecca" <Rebecca.Hobbs@act.gov.au>
Subject: RE: Urgent dot point request

Hi Team

Can I please check we are on track for this?

Thank you
Harini

From: Walthati, Harini
Sent: Monday, 12 January 2026 9:54 AM
To: CMTEDDMedia <CMTEDDMedia@act.gov.au>; CMTEDD, Economic Development DLO <EcoDevDLO@act.gov.au>; iCBR, DLO <iCBRDLO@act.gov.au>
Cc: Inman, Mick <Mick.Inman@act.gov.au>; Tomas, Josie <Josie.Tomas@act.gov.au>
Subject: Urgent dot point request
Importance: High

Hi Team

DCM is doing radio tomorrow morning on the Aquatic Strategy and Tuggeranong Ice ink.

Can I please have urgent dot points on:

- Out of scope
-
- Big Splash
- Out of scope
-
-

Can I please have this 3pm today.

Thank you,

Harini Walthati
Sport and Recreation Advisor
Sch 2.2(a)(ii)



I acknowledge the Ngunnawal people as traditional custodians of the land and recognise any other people or families with connection to the lands of the ACT and region. I acknowledge and respect their continuing culture and the contribution they make to the life of this city and this region.

Office of Yvette Berry MLA | Member for Ginninderra
Deputy Chief Minister
Minister for Education and Early Childhood
Minister for Homes, Homelessness and New Suburbs

From: "BERRY" <BERRY@act.gov.au>
Sent: 19/01/2026 1:22 PM
To: "Walthati, Harini" <Harini.Walthati@act.gov.au>; "Hobbs, Rebecca" <Rebecca.Hobbs@act.gov.au>
Subject: FW: Big splash
Attachments: IMG_4401.jpeg

Kind regards
Sam Bessey

Office Manager
Office of Yvette Berry MLA | Member for Ginninderra
Deputy Chief Minister
Minister for Education and Early Childhood
Minister for Homes, Homelessness and New Suburbs
Minister for Sport and Recreation
Phone: +61 2 6205 0233 | Email: berry@act.gov.au
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From: Sch 2.2(a)(ii)
Sent: Monday, 19 January 2026 1:14 PM
To: STEEL <STEEL@act.gov.au>
Cc: CHEYNE <CHEYNE@act.gov.au>; BERRY <BERRY@act.gov.au>
Subject: Big splash

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Notice of Possession

Mortgagee	Goodland Alpha Pty Ltd ACN 676 085 528, Foodie Family Pty Ltd (ACN 619 186 293) ATF Jiang Family Trust, CA Capital Management Pty Ltd (ACN 675 254 332), and Nouri Superannuation Pty Ltd (ACN 608 413 369) ATF Nouri Family Superannuation Fund ABN 83 936 067 016
Mortgagor	Translink Property Management Pty Ltd (ACN 603 381 317)
Land	2 Catchpole Street, Macquarie ACT (1766/85)
Mortgage	Registered mortgage with dealing number 3321695
Reference	KP.9046

- 1) The Mortgagee has taken possession of the Land pursuant to its Mortgage.
- 2) If you enter on to the Land without the permission of the Mortgagee, you will be trespassing and may be liable to police prosecution.
- 3) If you have any queries, please contact the Mortgagee's solicitors – details below:

KINGSTON & PARTNERS

Address: PO Box Q575, Queen Victoria Building NSW 1230
Telephone: (02) 9056 9998
Email: recovery@kingstonandpartners.com.au

K&P

From: "BERRY" <BERRY@act.gov.au>
Sent: 19/01/2026 12:56 PM
To: "Hobbs, Rebecca" <Rebecca.Hobbs@act.gov.au>; "Walthati, Harini" <Harini.Walthati@act.gov.au>
Subject: FW: Update: Big Splash

fyi

Kind regards
Sam Bessey

Office Manager
Office of Yvette Berry MLA | Member for Ginninderra
Deputy Chief Minister
Minister for Education and Early Childhood
Minister for Homes, Homelessness and New Suburbs
Minister for Sport and Recreation
Phone: +61 2 6205 0233 | Email: berry@act.gov.au
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From: Louise Gilding <louise.gilding@purdon.com.au>
Sent: Monday, 19 January 2026 12:48 PM
To: BERRY <BERRY@act.gov.au>; Hobbs, Rebecca <Rebecca.Hobbs@act.gov.au>
Cc: Dan Stewart <Dan.Stewart@purdon.com.au>; Lachlan Taylor <Lachlan.Taylor@purdon.com.au>
Subject: Update: Big Splash

Caution: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Bec

Purdon became aware this morning that Block 1 Section 53 Macquarie (the Big Splash site) is currently subject to a mortgagee-in-possession process.

Purdon's role has been limited to providing independent planning, communication and engagement services and advice on behalf of the site owner.

We are currently awaiting further information and will update the project webpage should any confirmed and community-relevant details become available.

Purdon remains committed to sharing accurate information and maintaining a professional, respectful approach with all parties involved. We are also open to working constructively with any new owners to support continuity, transparency and positive outcomes for the community.

Please feel free to reach out with any further queries.

Talk soon

Louise

LOUISE GILDING

Head of Strategic Policy & Engagement Mon/Tues/Thurs
purdon.com.au  

02 6257 1511
19 Torrens Street,
Braddon ACT 2612



Dhawura nguna, dhawura Ngunnawal.

Any representation, statement, opinion or advice expressed or implied in this email is made in good faith but on the basis that Purdon Planning Pty Ltd, its agents and employees are not liable to any person for any damage or loss whatsoever which has occurred or may occur, in relation to that person taking or not taking (as the case may be) action, in respect of any representation, statement or advice referred to in this email.

From: "Buckle, Grace" <Grace.Buckle@act.gov.au>
Sent: 20/01/2026 12:38 PM
To: "Hobbs, Rebecca" <Rebecca.Hobbs@act.gov.au>; "Walthati, Harini" <Harini.Walthati@act.gov.au>
Subject: RE: FOR REVIEW: QON 777 - Big Splash Pool Redevelopment

Thanks both!

Grace Buckle

Senior Adviser (Planning Reform, Development & Transport) | Office of Chris Steel MLA

Email: grace.buckle@act.gov.au | Phone: Sch 2.2(a)(ii)

From: Hobbs, Rebecca <Rebecca.Hobbs@act.gov.au>
Sent: Tuesday, 20 January 2026 12:37 PM
To: Walthati, Harini <Harini.Walthati@act.gov.au>; Buckle, Grace <Grace.Buckle@act.gov.au>
Subject: RE: FOR REVIEW: QON 777 - Big Splash Pool Redevelopment

Thanks so much for checking Grace 😊

From: Walthati, Harini <Harini.Walthati@act.gov.au>
Sent: Tuesday, 20 January 2026 12:36 PM
To: Buckle, Grace <Grace.Buckle@act.gov.au>; Hobbs, Rebecca <Rebecca.Hobbs@act.gov.au>
Subject: RE: FOR REVIEW: QON 777 - Big Splash Pool Redevelopment

Thanks Grace, this looks fine to me. CED ran this past me aswell before providing input.

Harini

From: Buckle, Grace <Grace.Buckle@act.gov.au>
Sent: Tuesday, 20 January 2026 10:55 AM
To: Walthati, Harini <Harini.Walthati@act.gov.au>; Hobbs, Rebecca <Rebecca.Hobbs@act.gov.au>
Subject: RE: FOR REVIEW: QON 777 - Big Splash Pool Redevelopment

So sorry, attachment now attached 😊

From: Buckle, Grace
Sent: Monday, 19 January 2026 5:09 PM
To: Walthati, Harini <Harini.Walthati@act.gov.au>; Hobbs, Rebecca <Rebecca.Hobbs@act.gov.au>
Subject: FOR REVIEW: QON 777 - Big Splash Pool Redevelopment

Hi Bec and Harini

Please see attached QON response to your review.

This references the meeting I sat in with the DCM last year, otherwise all information is consistent with what we've said publicly.

Thanks
Grace

Grace Buckle

Senior Adviser (Planning Reform, Development & Transport) | Office of Chris Steel MLA

Email: grace.buckle@act.gov.au Sch 2.2(a)(ii)

From: "CED, Directorate Liaison Officer" <CEDDLO@act.gov.au>
Sent: 27/01/2026 4:06 PM
To: "CMTEDD, Economic Development DLO" <EcoDevDLO@act.gov.au>; "Walthati, Harini" <Harini.Walthati@act.gov.au>
Cc: "BERRY" <BERRY@act.gov.au>; "CED, Directorate Liaison Officer" <CEDDLO@act.gov.au>
Subject: RE: Belconnen Community Council – Big Splash (sports)

OFFICIAL

Hi Elise

Confirming this is one for CED.

Can it please be redirected to the Steel Office for a response from Planning.

Thank you
Liana

Liana Dimoski | Directorate Liaison Officer
Office of Minister Steel MLA
Minister for Planning and Sustainable Development
Minister for Heritage
Minister for Transport
Phone: (02) 6207 0804 | Email: ceddlo@act.gov.au
City and Environment Directorate | ACT Government | act.gov.au

From: Garrity, Elise <Elise.Garrity@act.gov.au> **On Behalf Of** CMTEDD, Economic Development DLO
Sent: Tuesday, 27 January 2026 3:56 PM
To: Walthati, Harini <Harini.Walthati@act.gov.au>; CED, Directorate Liaison Officer <CEDDLO@act.gov.au>
Cc: BERRY <BERRY@act.gov.au>
Subject: FW: Belconnen Community Council – Big Splash (sports)

OFFICIAL

Hi Harini

I think Big Splash might be CED. @CED, Directorate Liaison Officer can you please confirm?

Kind regards,
Elise

Elise Garrity | Directorate Liaison Officer – Economic Development
Office of the Chief Minister | Office of Minister Berry | Office of Minister Pettersson
Phone: via MS Teams | Email: EcoDevDLO@act.gov.au
Chief Minister, Treasury and Economic Development Directorate | ACT Government
GPO Box 158, Canberra ACT 2601 | www.act.gov.au



From: Walthati, Harini <Harini.Walthati@act.gov.au>
Sent: Tuesday, 27 January 2026 3:30 PM
To: CMTEDD, Economic Development DLO <EcoDevDLO@act.gov.au>

Cc: BERRY <BERRY@act.gov.au>

Subject: FW: Belconnen Community Council – Big Splash (sports)

Hey Elise

Please see below and attached for Ministerial response.

Thank you
Harini

From: BERRY <BERRY@act.gov.au>

Sent: Tuesday, 27 January 2026 3:27 PM

To: Walthati, Harini <Harini.Walthati@act.gov.au>

Subject: FW: Belconnen Community Council – Big Splash (sports)

For your advice please

Kind regards
Sam Bessey

Office Manager
Office of Yvette Berry MLA | Member for Ginninderra
Deputy Chief Minister
Minister for Education and Early Childhood
Minister for Homes, Homelessness and New Suburbs
Minister for Sport and Recreation
Phone: +61 2 6205 0233 | Email: berry@act.gov.au
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From: Lachlan Butler (Chair, Belconnen Community Council) <chair@belconnen.org.au>

Sent: Tuesday, 27 January 2026 12:48 PM

To: BERRY <BERRY@act.gov.au>

Cc: BARRY <BARRY@parliament.act.gov.au>; CAIN <CAIN@parliament.act.gov.au>; CHEYNE <CHEYNE@act.gov.au>; CLAY <CLAY@parliament.act.gov.au>

Subject: Belconnen Community Council – Big Splash (sports)

Caution: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Good
afternoon

Minister Berry,

Please find attached a letter from the Belconnen Community Council regarding the future of Big Splash.

Kind regards

Lachlan Butler
Chair
Belconnen Community Council

web.facebook.com/belcouncil | Ph: 0438 458 220



☎ 0438 458 220
✉ chair@belconnen.org.au
🌐 belconnen.org.au
📮 PO Box 1131
Belconnen ACT 2617

27/01/2026

Yvette Berry MLA
Minister for Sport and Recreation
ACT Legislative Assembly
GPO Box 1020
Canberra ACT 2601
Via berry@act.gov.au
cc Ginninderra MLAs

Dear Minister Berry

A Vision for the Future of Big Splash

I am writing on behalf of the Belconnen Community Council (BCC) regarding the future of the Big Splash site and the urgent need for a clear government vision for this precinct.

The BCC appreciates the work done by the Government so far to begin resolving the uncertainty surrounding this site; this progress provides a vital opportunity for the follow-through needed to secure a permanent positive outcome for our community.

As you are aware, Big Splash has been a cornerstone of Belconnen's recreational landscape for decades. Our district is currently undergoing significant urban infill and rapid population growth; as density increases, the demand for high-quality, accessible recreational spaces becomes critical.

While we recognise that Big Splash is currently privately owned, the ACT Government's stated path toward further enforcement, including a potential Intention to Terminate the Crown lease, means the Government must now step up to ensure the best community outcome. We believe this is only possible if the Government is proactive in defining its expectations for the site's future.

This is a unique opportunity to enhance the facilities available to Canberra's largest district. It is a stark reality that while one in four Canberrans live in Belconnen, none of the ACT's seven public pools are located within our district.

We would welcome an update on the Government's position for resolving this matter and would appreciate the opportunity to meet with you to discuss how we can secure a vibrant recreational future for Belconnen.

Yours sincerely,

Lachlan Butler
Chair
Belconnen Community Council



From: "Walthati, Harini" <Harini.Walthati@act.gov.au>
Sent: 28/01/2026 3:17 PM
To: "Hobbs, Rebecca" <Rebecca.Hobbs@act.gov.au>
Subject: FW: Big Splash Aquatic Park

From: Berry, Yvette <Yvette.Berry@act.gov.au>
Sent: Wednesday, 28 January 2026 11:16 AM
To: BERRY <BERRY@act.gov.au>; Walthati, Harini <Harini.Walthati@act.gov.au>
Subject: FW: Big Splash Aquatic Park

Yvette Berry MLA | Member for Ginninderra
Deputy Chief Minister
Minister for Education and Early Childhood
Minister for Homes, Homelessness and New Suburbs
Minister Sport and Recreation

Phone: +61 2 6205 0233

[Facebook](#) | www.yvetteberry.com.au



From: Cain, Peter <Peter.Cain@parliament.act.gov.au>
Sent: Wednesday, 28 January 2026 8:07 AM
To: Berry, Yvette <Yvette.Berry@act.gov.au>; Steel, Chris <Chris.Steel@act.gov.au>
Cc: Barry, ChiakaX <ChiakaX.Barry@parliament.act.gov.au>; CAIN <CAIN@parliament.act.gov.au>; BARRY <BARRY@parliament.act.gov.au>
Subject: Big Splash Aquatic Park

Dear Ministers

I and my Ginninderra colleague, Ms Barry, seek an briefing, preferably this week, on the government's options and plans for the subject site.

Regards

Peter Cain MLA

Liberal Member for Ginninderra
Shadow Minister for Community Services and Disability
Shadow Minister for Government Services
Shadow Minister for Seniors
Shadow Minister for Veterans
Assistant Speaker

ACT Legislative Assembly | 196 London Circuit, Canberra ACT 2601

P: 02 6205 1927 | E: cain@parliament.act.gov.au

[Website](#) [Facebook](#) [Instagram](#) [Twitter](#)

From: "BERRY" <BERRY@act.gov.au>
Sent: 28/01/2026 10:37 AM
To: Sch 2.2(a)(ii)
Cc: "BERRY" <BERRY@act.gov.au>
Subject: RE: Big Splash Meeting

Great! I will send through a meeting invite shortly.

A the Legislative Assembly in the City, I'll include the details in the calendar invite.

If you have any issues, please let me know.

Kind regards
Sam

Office Manager
Office of Yvette Berry MLA | Member for Ginninderra
Deputy Chief Minister
Minister for Education and Early Childhood
Minister for Homes, Homelessness and New Suburbs
Minister for Sport and Recreation
Phone: +61 2 6205 0233 | Email: berry@act.gov.au
[Facebook](#) | [Twitter](#) | www.yvetteberry.com.au



I acknowledge the Ngunnawal people as traditional custodians of the land and recognise any other people or families with connection to the lands of the ACT and region. I acknowledge and respect their continuing culture and the contribution they make to the life of this city and this region.

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From: Sch 2.2(a)(ii)
Sent: Wednesday, 28 January 2026 10:34 AM
To: BERRY
Subject: Re: Big Splash Meeting

You don't often get email from Sch 2.2(a)(ii). [Learn why this is important](#)

Caution: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Good morning,

That

works well for me.

Where will we be meeting?

Kind regards,

Sch 2.2(a)(ii)

On Wed, 28 Jan 2026 at 10:20 am, BERRY <BERRY@act.gov.au> wrote:

Good morning Sch 2.2(a)(ii)

Thank you for getting in contact so quickly.

Would you be available tomorrow at 1:30pm?

Kind regards
Sam

Office Manager
Office of Yvette Berry MLA | Member for Ginninderra
Deputy Chief Minister
Minister for Education and Early Childhood
Minister for Homes, Homelessness and New Suburbs
Minister for Sport and Recreation
Phone: +61 2 6205 0233 | Email: berry@act.gov.au
[Facebook](#) | [Twitter](#) | www.yvetteberry.com.au



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From: Sch 2.2(a)(ii)
Sent: Tuesday, 27 January 2026 9:19 PM
To: BERRY <BERRY@act.gov.au>
Subject: Big Splash Meeting

You don't often get email from Sch 2.2(a)(ii). [Learn why this is important](#)

Caution: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Good evening,

Following up from a discussion with Yvette Berry, I'm writing to arrange a time to meet with her regarding Big Splash. I am available this week on Thursday before 3, or all day Friday. If this isn't suitable, I have some availability next week. Let me know what works for you.

Thank you,

Sch 2.2(a)(ii)

From: Sch 2.2(a)(ii)
Sent: 29/01/2026 7:52 PM
To: "Walthati, Harini" <Harini.Walthati@act.gov.au>
Cc: "BERRY" <BERRY@act.gov.au>
Subject: Re: Big Splash Lease

Caution: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hey
Harini,

Thanks so much for getting back to me so quickly, I really appreciate it!
This helps heaps ☺
Talk soon,

Sch 2.2(a)(ii)

On Thu, 29 Jan 2026 at 4:59 pm, Walthati, Harini <Harini.Walthati@act.gov.au> wrote:

Hi Sch 2.2(a)(ii)

Thank you for meeting with Yvette and myself today.

As Yvette mentioned the regulatory action happens at an arm's length of Government.

Here is what I can share:

The ACT Government's interest continues to be to bring the Big Splash operator into compliance with the legislation and to see an outcome that delivers community benefit.

A Controlled Activity Order was issued on 12 December 2025 that required the owner to use the land for its intended purpose under the Crown Lease by no later than 23 January 2025. This order has not been complied with, and Access Canberra will take further regulatory action against the lessee.

Access Canberra is considering exactly what further regulatory action will be taken and will provide an update to the community this week on a decision. These considerations include imposing penalties and options for prosecution or termination of the lease.

Access Canberra continues to engage with the owner of Big Splash to resolve ongoing issues. This now includes engagement with the solicitors nominated on the Mortgage notice of possession.

Hope this is helpful,

Harini

Harini Walthati

Sport and Recreation Advisor

Sch 2.2(a)(ii)



I acknowledge the Ngumawal people as traditional custodians of the land and recognise any other people or families with connection to the lands of the ACT and region. I acknowledge and respect their continuing culture and the contribution they make to the life of this city and this region.

Office of Yvette Berry MLA | Member for Ginninderra
Deputy Chief Minister

Minister for Education and Early Childhood

Minister for Homes, Homelessness and New Suburbs

Minister for Sport and Recreation

Phone: +61 2 6205 0233 | Email: berry@parliament.act.gov.au

[Facebook](#) | [Twitter](#) | www.yvetteberry.com.au

From: Sch 2.2(a)(ii)
Sent: Thursday, 29 January 2026 4:11 PM
To: BERRY <BERRY@act.gov.au>
Subject: Big Splash Lease

Caution: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Good
afternoon,

Thanks again for taking the time to meet with me this afternoon, I really enjoyed having a chat!

I've received an enquiry, and I would just like to confirm (if we know at this stage) whether the government will be taking back the lease.

I'd really appreciate it if you could please let me know by 5:30pm.

Thanks so much again and I look forward to working together on this!

Sch 2.2(a)(ii)

This email, and any attachments, may be confidential and also privileged. If you are not the intended recipient, please notify the sender and delete all copies of this transmission along with any attachments immediately. You should not copy or use it for any purpose, nor disclose its contents to any other person.

From: "BERRY" <BERRY@act.gov.au>
Sent: 06/02/2026 2:09 PM
To: Sch 2.2(a)(ii)
Cc: "BERRY" <BERRY@act.gov.au>; "Walthati, Harini" <Harini.Walthati@act.gov.au>
Subject: RE: Save Big Splash Community Meeting

Hi Sch 2.2(a)(ii)

My apologies for not getting back to you yesterday. Confirming Minister Berry will be attending and is happy to speak.

If you need anything else from us, please let me know.

Kind regards
Sam Bessey

Office Manager
Office of Yvette Berry MLA | Member for Ginninderra
Deputy Chief Minister
Minister for Education and Early Childhood
Minister for Homes, Homelessness and New Suburbs
Minister for Sport and Recreation
Phone: +61 2 6205 0233 | Email: berry@act.gov.au
[Facebook](#) | [Twitter](#) | www.yvetteberry.com.au



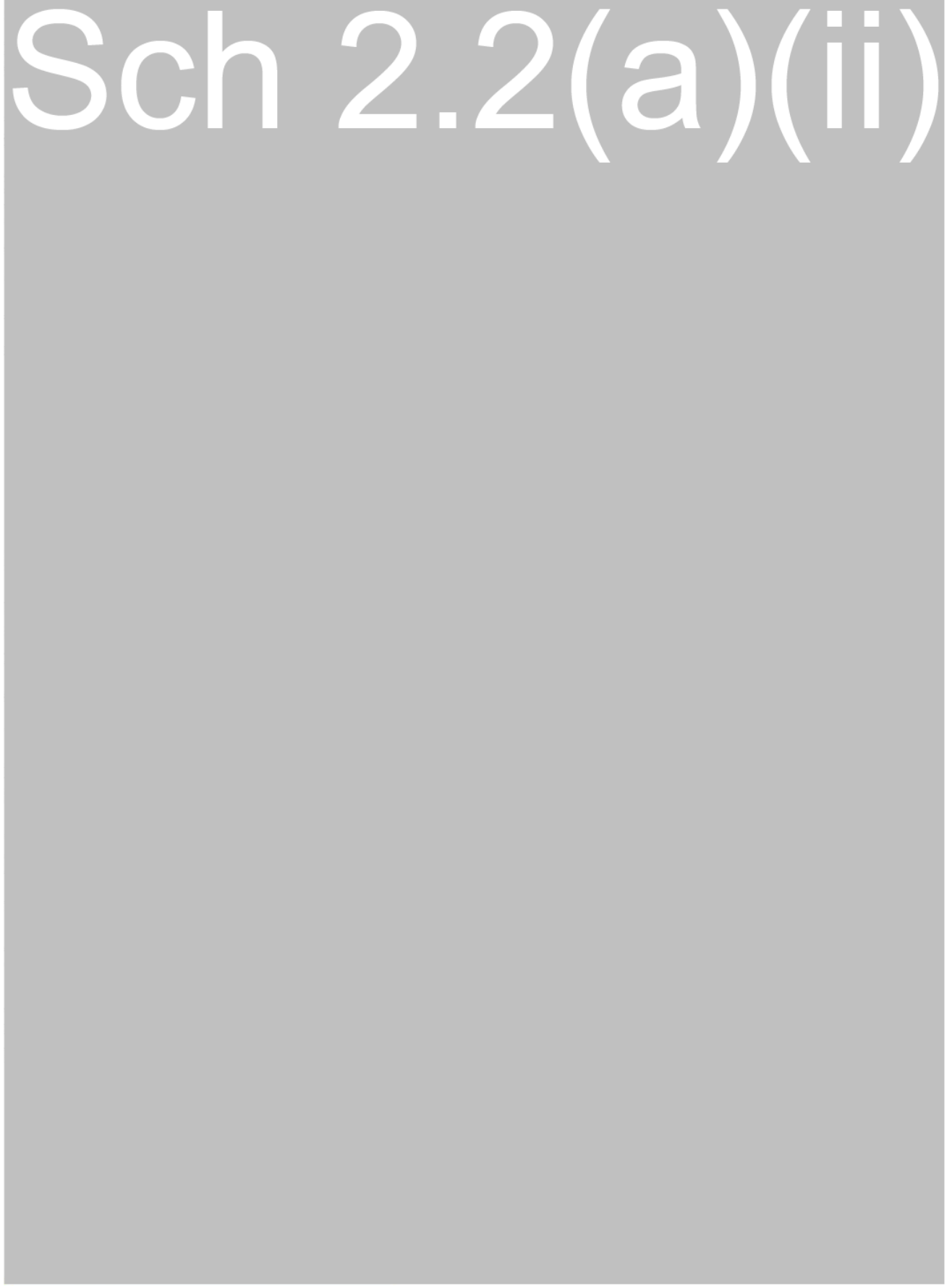
I acknowledge the Ngunnawal people as traditional custodians of the land and recognise any other people or families with connection to the lands of the ACT and region. I acknowledge and respect their continuing culture and the contribution they make to the life of this city and this region.

Please consider the environment before printing this email. If printing is necessary, print double-sided and black and white.
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From: Sch 2.2(a)(ii)
Sent: Wednesday, 4 February 2026 5:09 PM
To: BERRY
Subject: Save Big Splash Community Meeting

Sch 2.2(a)(ii)

Sch 2.2(a)(ii)



From: "CED, Directorate Liaison Officer" <CEDDLO@act.gov.au>
Sent: 12/02/2026 9:51 AM
To: "Walthati, Harini" <Harini.Walthati@act.gov.au>
Cc: "CED, Directorate Liaison Officer" <CEDDLO@act.gov.au>
Subject: FW: Input: Talking points - Big Splash

OFFICIAL

Hi Harini

Further to what was provided last week, further input has been provided for this request

Compliance and Enforcement of leased land in the ACT

- Leases in the ACT cover a range of uses including residential, industrial, community facilities and mixed use. Under the Planning Act 2023, there are "Controlled Activities" which relate to non-compliant lease use, including:
 - *failing to comply with a provision of a lease*
 - *failing to keep a leasehold clean*
 - *failing to use land for a continuous period of at least 1 year for the purpose for which the lease over the land is granted*
 - *development without approval including structures built without approval*
 - *using public land without a licence or permit*
- The Planning Act 2023 provides a range of enforcement and compliance mechanisms in relation to these controlled activities.
- Access Canberra, as delegates of the Territory Planning Authority will seek to engage with owners and educate them on their responsibilities, with the optimal outcome being compliance by the respondent in a voluntary manner.
- Where voluntary compliance is not achieved, Access Canberra can apply enforcement provisions, which may include the issue of a "Controlled Activity Order" which can direct the owner to do something (eg clean up a block) or not to do something (cease operating a business that is not approved under the relevant zoning). Where initial orders are not complied with, follow up action can be taken by the Territory in some cases.
- In any of these cases, including initial and follow up action, the Planning Act 2023 establishes mandatory natural justice provisions, providing owners the opportunity to advise of their specific circumstances and why they believe an order should not be issued. Further, any regulatory action is subject to administrative review in the ACAT and higher courts if challenged. As a consequence of these requirements, and initial processes to engage with owners to achieve voluntary compliance, the outcome of regulatory action under the Planning Act can take considerable time to be achieved, ranging for months and in some cases, years, following an initial complaint.
- However, while these process can be complex and take time, these provisions for natural justice in the Act are critical for procedural fairness for the owner, as the implications of not complying with orders and direction is significant and can include termination of a lease, prosecution, and fines. These implications could apply to all leaseholders in the ACT, including homeowners and businesses, and it is critical Access Canberra is aware of all implications, and have a clear understanding of outcomes of such actions before issuing orders.

Matter relating to the Big Splash

- Big Splash is a privately owned recreational facility. The Crown lease permits use including an aquatic and indoor sports and recreation centre and an unlicensed family restaurant.

- On 30 January 2026, Access Canberra as delegate of the Territory Planning Authority sent a letter to the lessees of the Big Splash water park advising that it is considering terminating the Crown Lease for breach of the lease provisions.
- Access Canberra also provided a copy of letter to each entity with a registered interest in lease, such as mortgagees and creditors.
- This action followed the issue of a Controlled Activity Order (CAO) which was issued on 12 December 2025 requiring the owner to use the land for its intended purpose under the Crown Lease by no later than 23 January 2025. This order was not complied with.
- The ACT Government's interest continues to be to bring the Big Splash operator into compliance with the legislation and their obligations under the provisions of the lease.
- The lessee of the site must be afforded due process and the opportunity to respond to Access Canberra's letter. The *Planning Act 2023* provided the lessee 15 business days to respond to the letter following receipt, and this may be extended by the Authority at their discretion. Any response provided will be taken into consideration by Access Canberra before further action is taken. As this is an active regulatory process, it would be inappropriate for me to comment further in relation to next steps in this process.
- Issues relating to access to the site, and site safety have also been raised previously.
- A CAO in relation to the repair and maintenance of the fence at Big Splash was issued in September 2025. This was not satisfactorily complied with and a further direction under a Rectification Notice to undertake works to repair the fence by 10 December 2025 was issued; a site inspection after this date determined the works were not satisfactorily completed. Further regulatory action is proposed however as this is an active regulatory process, it would be inappropriate for me to comment further.

Jenna Huggett | Director
City & Environment Directorate Liaison Officer
Phone: [Sch 2 2\(a\)\(ii\)](tel:0261214111) | Email: CEDDLO@act.gov.au
City and Environment Directorate | ACT Government
GPO Box 158, Canberra City, ACT 2601

From: Walthati, Harini <Harini.Walthati@act.gov.au>
Sent: Thursday, 5 February 2026 11:41 AM
To: CMTEDD, Economic Development DLO <EcoDevDLO@act.gov.au>; CED, Directorate Liaison Officer <CEDDLO@act.gov.au>
Cc: BERRY <BERRY@act.gov.au>
Subject: Talking points - Big Splash

Hey Elise and Jenna

Minister Berry is speaking at a Save Big Splash Community Meeting on 19 Feb.

Can I please request dot points on:

- Standard government lines on the regulatory action
- New Aquatic Strategy
- Dive facilities

If I could please have this by EOD 13 Feb.

Thank you,

Harini Walthati
Sport and Recreation Advisor
[Sch 2 2\(a\)\(ii\)](tel:0261214111)

From: "CED, Directorate Liaison Officer" <CEDDLO@act.gov.au>
Sent: 13/02/2026 11:58 AM
To: "McGregor-Dainton, Amy" <Amy.McGregor-Dainton@act.gov.au>; "Hobbs, Rebecca" <Rebecca.Hobbs@act.gov.au>; "BERRY" <BERRY@act.gov.au>
Cc: "CED, Directorate Liaison Officer" <CEDDLO@act.gov.au>
Subject: Meeting Pack - Minister Berry - Community and Affordable Housing Meeting - Monday 16 Feb 26 - 4-4:30pm
Attachments: 0.Combined Pack - Community and Affordable Housing Policy Briefing - 16 FEB 2026.pdf

OFFICIAL

Hi All

Please find attached the Meeting Pack for Monday's Community and Affordable Housing Briefing with CED. The pack is also in Ministers diary folder [here](#)

Regards

Jenna Huggett | Director
City & Environment Directorate Liaison Officer
Phone: [Sch 2 2\(a\)\(ii\)](#) | Email: CEDDLO@act.gov.au
City and Environment Directorate | ACT Government
GPO Box 158, Canberra City, ACT 2601



OFFICIAL

COMMUNICATION AND MEDIA UPDATE

Weekly communication report (as of 12 February 2026)

Known media: Week commencing Monday 16 February 2026

- 19 Feb – Heritage Council media release on major decisions following the February meeting

Out of Scope



OFFICIAL

COMMUNICATION AND MEDIA UPDATE

MEDIA FORECAST (Include media events, releases etc)			
Announcement date	Title	Purpose and additional information (supporting communication)	Cabinet submission / Brief number
Out of Scope			
Heritage			



OFFICIAL

COMMUNICATION AND MEDIA UPDATE

19 February	Heritage Council decisions following February meeting	Heritage Council media release on decision on McKeown House provisional registration and potentially Big Splash nomination.	
Out of Scope			

From: "Garrity, Elise" <Elise.Garrity@act.gov.au> on behalf of "CMTEDD, Economic Development DLO" <EcoDevDLO@act.gov.au>
Sent: 17/02/2026 3:25 PM
To: "Walthati, Harini" <Harini.Walthati@act.gov.au>
Cc: "BERRY" <BERRY@act.gov.au>; "CED, Directorate Liaison Officer" <CEDDLO@act.gov.au>
Subject: RE: Talking points - Big Splash
Attachments: DLO Request - Dot Points - Big Splash.DOCX

OFFICIAL

Hi Harini

Please find Talking Points for Big Splash attached.

Kind regards,
Elise

Elise Garrity | Directorate Liaison Officer – Economic Development
Office of the Chief Minister | Office of Minister Berry | Office of Minister Pettersson
Phone: via MS Teams | Email: EcoDevDLO@act.gov.au
Chief Minister, Treasury and Economic Development Directorate | ACT Government
GPO Box 158, Canberra ACT 2601 | www.act.gov.au



From: Walthati, Harini
Sent: Thursday, 5 February 2026 11:41 AM
To: CMTEDD, Economic Development DLO ; CED, Directorate Liaison Officer
Cc: BERRY
Subject: Talking points - Big Splash

Hey Elise and Jenna

Minister Berry is speaking at a Save Big Splash Community Meeting on 19 Feb.

Can I please request dot points on:

- Standard government lines on the regulatory action
- New Aquatic Strategy
- Dive facilities

If I could please have this by EOD 13 Feb.

Thank you,

Harini Walthati
Sport and Recreation Advisor
Sch 2 2(a)(1)(1)



RESPONSE TO DLO REQUEST

*** All information provided should be factual.
Electronic approval at Executive Branch Manager level is required.**

**Subject: Talking
point for**

attendance at Save Big Splash Community Meeting

Response:

Regulatory action

- Big Splash is a privately owned recreational facility. The Crown lease permits use including an aquatic and indoor sports and recreation centre and an unlicensed family restaurant.
- On 30 January 2026, Access Canberra as delegate of the Territory Planning Authority sent a letter to the lessees of the Big Splash water park advising that it is considering terminating the Crown Lease for breach of the lease provisions.
- Access Canberra also provided a copy of letter to each entity with a registered interest in lease, such as mortgagees and creditors.
- This action followed the issue of a Controlled Activity Order (CAO) which was issued on 12 December 2025 requiring the owner to use the land for its intended purpose under the Crown Lease by no later than 23 January 2025. This order was not complied with.
- The ACT Government's interest continues to be to bring the Big Splash operator into compliance with the legislation and their obligations under the provisions of the lease.
- The lessee of the site must be afforded due process and the opportunity to respond to Access Canberra's letter. Any response will be taken into consideration by Access Canberra before further action is taken. As this is an active regulatory process, it would inappropriate for me to comment further.
- Issues relating to access to the site, and site safety have also been raised previously.
- A CAO in relation to the repair and maintenance of the fence at Big Splash was issued in September 2025. This was not satisfactorily complied with and a further direction under a Rectification Notice to undertake works to repair the fence by 10 December 2025 was issued; a site inspection after this date determined the works were not satisfactorily completed.

Aquatic Strategy



ACT
Government

Chief Minister, Treasury and
Economic Development

DLO Request Container:
CMTEDD2026/361

- As you are no doubt aware, the ACT Government is commencing development of a new ACT Aquatic Strategy, aiming to provide a contemporary outlook on aquatic facility needs across our city as it continues to grow.
- Early project planning has started, and preparation for procurement activities is underway.
- To ensure the strategy reflects expert advice and best practice approaches, the ACT Government intends to engage a suitably qualified consultant to assist in its development. This process will include active engagement and consultation with key stakeholders, building on recent community input provided during the Canberra Aquatic Centre Design Consultation, which is available via YourSay ACT.
- The new ACT Aquatic Strategy will replace the existing *Aquatic Facilities Planning Framework 2013–2033* and will focus exclusively on built aquatic facilities.
- While a program for completion is yet to be finalised, it is anticipated the work may take approximately 12 months.

Dive Facilities

- There is a current dive pool at the Canberra Olympic Pool.
- The Government recognises the importance of this infrastructure for specific sporting groups and users and the need for it to be constructed in preparation for the closure of the Canberra Olympic Pool, which at this stage is expected closer to the end of the decade.
- As noted, the Government is developing a new aquatic strategy to provide clear direction on future aquatic investment priorities across Canberra. It makes sense to explore options for new competition-standard and recreational dive facilities as part of the development of this strategy.
- The feasibility work previously undertaken for a dive pool at Stromlo will be used to inform the Aquatic Strategy.

From: "BERRY" <BERRY@act.gov.au>
Sent: 20/02/2026 10:37 AM
To: "Walthati, Harini" <Harini.Walthati@act.gov.au>
Subject: FW: Fire at big splash
Attachments: IMG_7365.jpeg, IMG_7364.jpeg, IMG_7361.jpeg, IMG_7362.jpeg, IMG_7366.jpeg

For your advice please

Kind regards
Sam Bessey

Office Manager
Office of Yvette Berry MLA | Member for Ginninderra
Deputy Chief Minister
Minister for Education and Early Childhood
Minister for Homes, Homelessness and New Suburbs
Minister for Sport and Recreation
Phone: +61 2 6205 0233 | Email: berry@act.gov.au
[Facebook](#) | [Twitter](#) | www.yvetteberry.com.au



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From: Sch 2.2(a)(ii)
Sent: Friday, 20 February 2026 9:46 AM
To: BERRY <BERRY@act.gov.au>; CHEYNE <CHEYNE@act.gov.au>; CASTLEY <CASTLEY@parliament.act.gov.au>; CLAY <CLAY@parliament.act.gov.au>; PATERSON <PATERSON@act.gov.au>
Subject: Fire at big splash

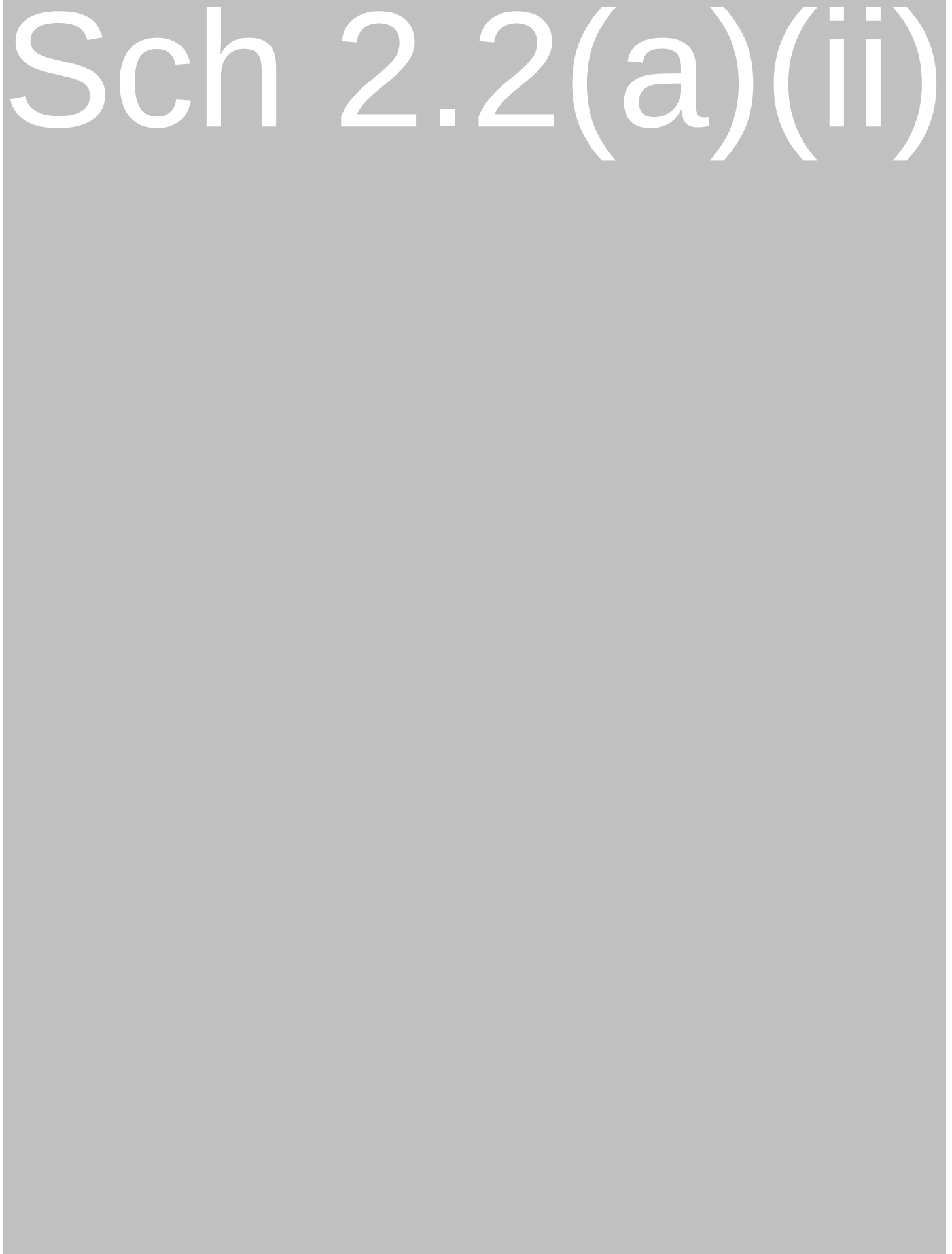
Sch 2.2(a)(ii)

Sch 2.2(a)(ii)

Sch 2.2(a)(ii)



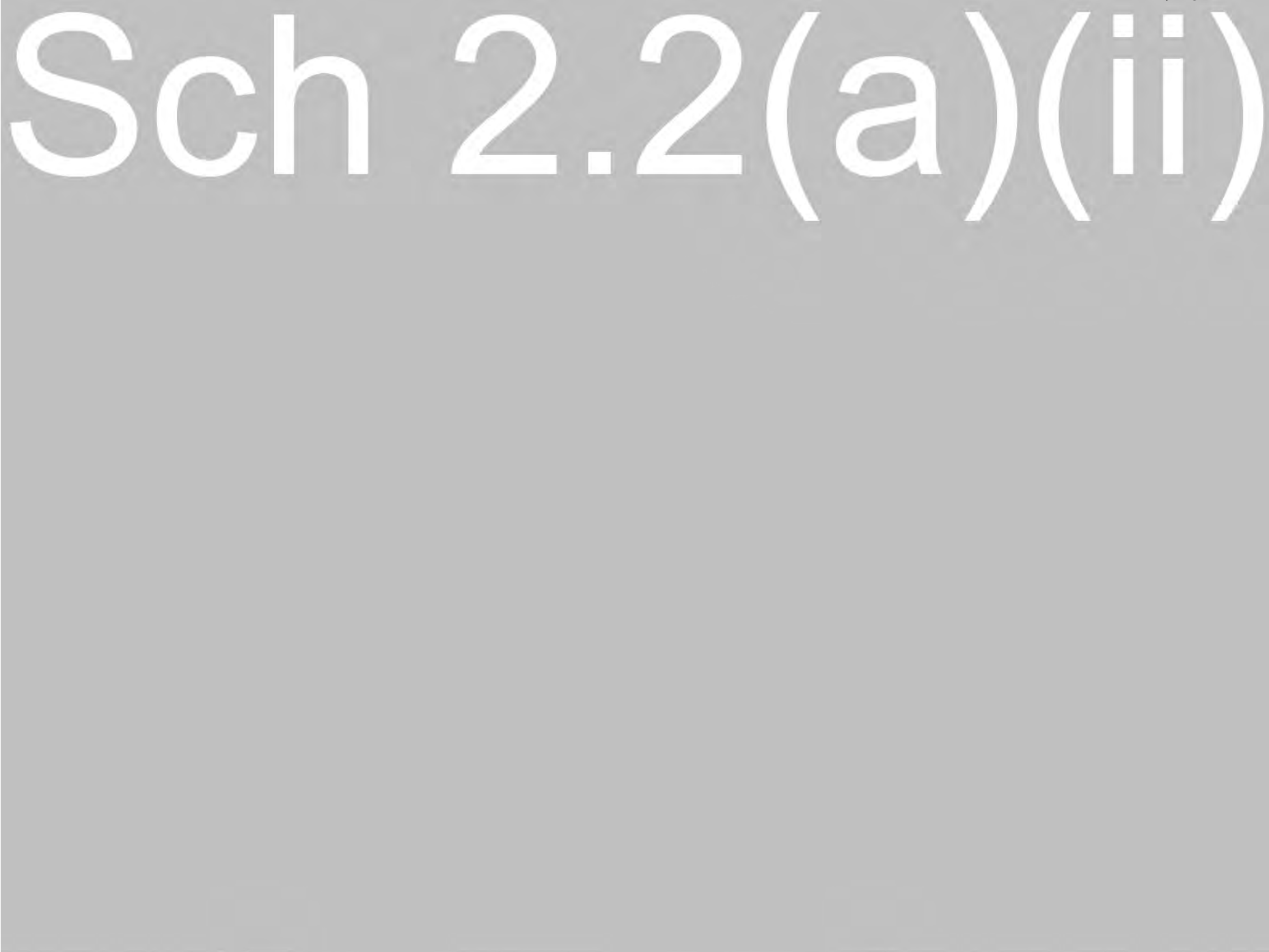
Sch 2.2(a)(ii)



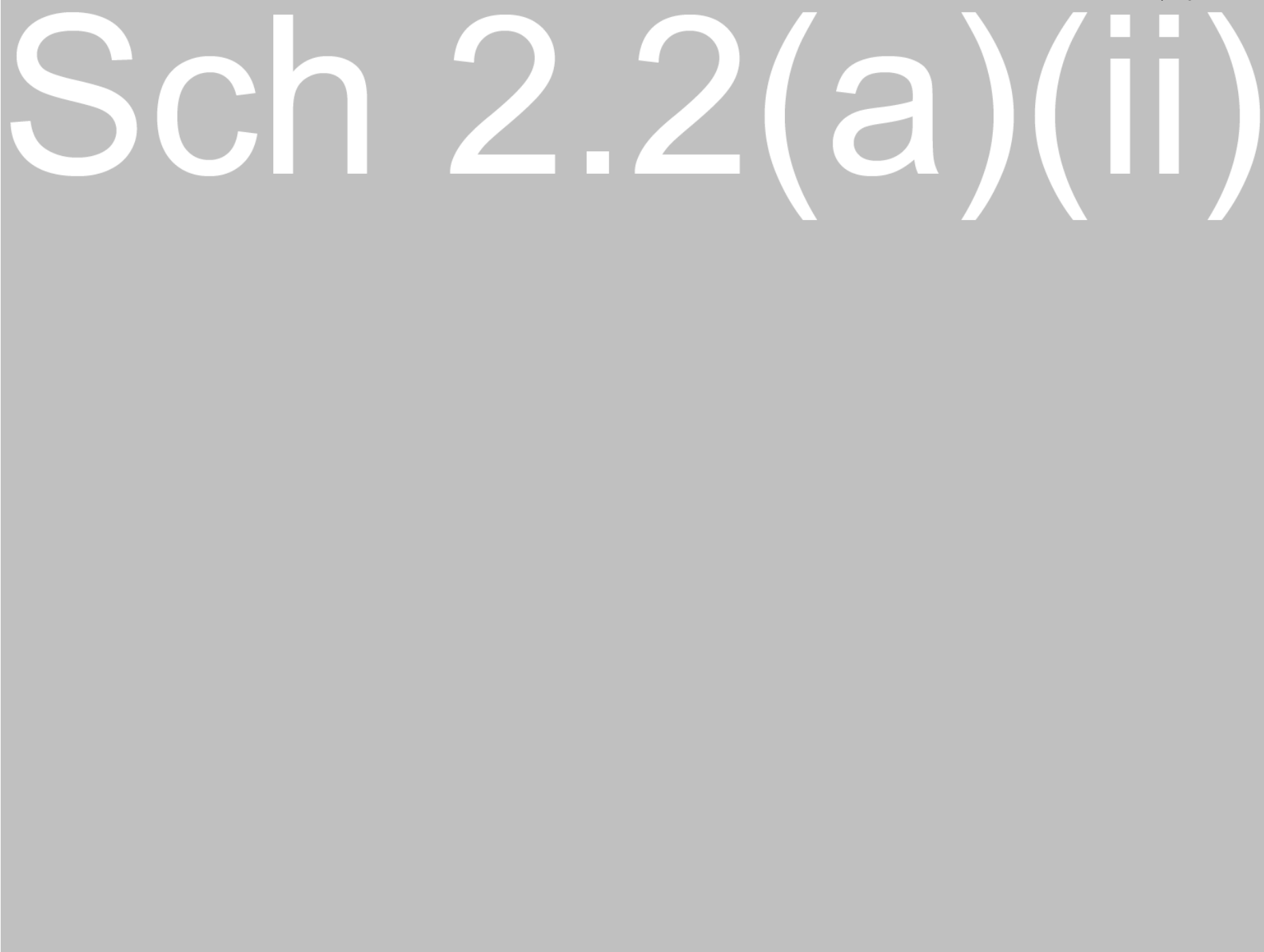
Sch 2.2(a)(ii)



Sch 2.2(a)(ii)



Sch 2.2(a)(ii)



From: "BERRY" <BERRY@act.gov.au>
Sent: 03/03/2026 9:14 AM
To: "CMTEDD, Economic Development DLO" <EcoDevDLO@act.gov.au>
Cc: "Walthati, Harini" <Harini.Walthati@act.gov.au>
Subject: FW: Big Splash next steps

For your appropriate action please

Kind regards
Sam Bessey

Office Manager
Office of Yvette Berry MLA | Member for Ginninderra
Deputy Chief Minister
Minister for Education and Early Childhood
Minister for Homes, Homelessness and New Suburbs
Minister for Sport and Recreation
Phone: +61 2 6205 0233 | Email: berry@act.gov.au
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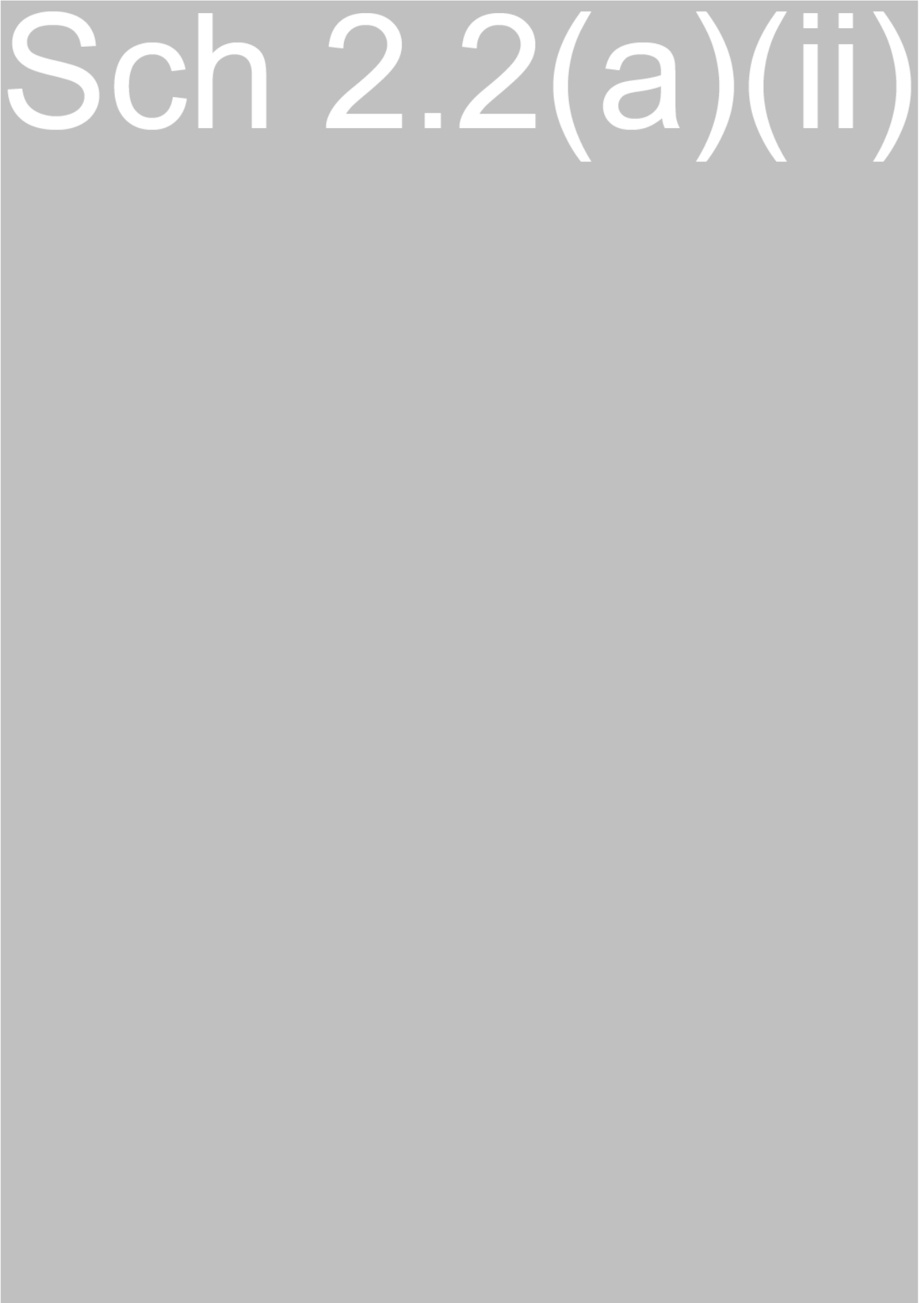


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Sch 2.2(a)(ii)

Sch 2.2(a)(ii)



Sch 2.2(a)(ii)

From: "Hobbs, Rebecca" <Rebecca.Hobbs@act.gov.au>
Sent: 07/04/2026 9:49 AM
To: "Dan Stewart" <Dan.Stewart@purdon.com.au>; "BERRY" <BERRY@act.gov.au>
Cc: "Lachlan Taylor" <Lachlan.Taylor@purdon.com.au>
Subject: RE: Update: Big Splash

Thank you so much Dan for your prompt response.

That behaviour is totally unacceptable – I'm sorry to hear that workers are experiencing that.

I've passed on the information to Yvette, and she's grateful for your advice.

Bec

From: Dan Stewart
Sent: Tuesday, 7 April 2026 9:40 AM
To: Hobbs, Rebecca ; BERRY
Cc: Lachlan Taylor
Subject: Re: Update: Big Splash

Caution: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Bec

I can assure you that is not the case.

There have been staff on site cleaning up, draining the pools, and installing new security fencing. No other works are taking place, and there is absolutely no chance that any member of the public has been invited on site. There are several locals who continue to harass our team members, taking photos of them when they have been asked not to, photographing their cars and number plates, and walking on site when asked not to. The police were called on the most recent occasion and an incident report was lodged.

The fencing team are on site as we speak and will be for the next week or so.

Please let me know if you would like to discuss this further.

Kind regards
Dan

DAN STEWART
Chief Executive Officer
[purdon.com.au](mailto:dan.stewart@purdon.com.au) | [LinkedIn](#)

02 6257 1511
+61 412 944 972
19 Torrens Street
Braddon ACT 2612



From: Hobbs, Rebecca <Rebecca.Hobbs@act.gov.au>
Sent: Tuesday, April 7, 2026 9:27 AM
To: Louise Gilding <louise.gilding@purdon.com.au>; BERRY <BERRY@act.gov.au>; Dan Stewart <Dan.Stewart@purdon.com.au>
Cc: Lachlan Taylor <Lachlan.Taylor@purdon.com.au>
Subject: RE: Update: Big Splash

Hi Louise and Dan

I'm writing on behalf of Yvette Berry, in her capacity as local member for Ginninderra.

Some of her constituents have reported to her that representatives from ShevGroup and Purdon were onsite at Big Splash recently, and a member of the community had been invited into the site to "say goodbye" to Big Splash. This, combined with the construction work on site, has some parts of the community concerned that development on the site is going ahead.

Can you please advise if there's any update on the site?

Thanks

Bec

Rebecca Hobbs | Chief of Staff

Office of Yvette Berry MLA | Member for Ginninderra
Deputy Chief Minister

Minister for Education and Early Childhood

Minister for Homes and New Suburbs

Minister for Sport and Recreation

Phone: +61 2 6205 0233 | Email: berry@act.gov.au

[Facebook](#) | [Twitter](#) | www.yvetteberry.com.au



I acknowledge the traditional custodians of the land, the Ngunnawal people, and pay my respect to their Elders past, present and emerging.

From: Louise Gilding <louise.gilding@purdon.com.au>

Sent: Monday, 19 January 2026 12:48 PM

To: BERRY <BERRY@act.gov.au>; Hobbs, Rebecca <Rebecca.Hobbs@act.gov.au>

Cc: Dan Stewart <Dan.Stewart@purdon.com.au>; Lachlan Taylor <Lachlan.Taylor@purdon.com.au>

Subject: Update: Big Splash

Caution: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Bec

Purdon became aware this morning that Block 1 Section 53 Macquarie (the Big Splash site) is currently subject to a mortgagee-in-possession process.

Purdon's role has been limited to providing independent planning, communication and engagement services and advice on behalf of the site owner.

We are currently awaiting further information and will update the project webpage should any confirmed and community-relevant details become available.

Purdon remains committed to sharing accurate information and maintaining a professional, respectful approach with all parties involved. We are also open to working constructively with any new owners to support continuity, transparency and positive outcomes for the community.

Please feel free to reach out with any further queries.

Talk soon

Louise

LOUISE GILDING

Head of Strategic Policy & Engagement Mon/Tues/Thurs

purdon.com.au  

02 6257 1511

19 Torrens Street,

Braddon ACT 2612



PURDON

Dhawura nguna, dhawura Ngunnawal.

Any representation, statement, opinion or advice expressed or implied in this email is made in good faith but on the basis that Purdon Planning Pty Ltd, its agents and employees are not liable to any person for any damage or loss whatsoever which has occurred or may occur, in relation to that person taking or not taking (as the case may be) action, in respect of any representation, statement or advice referred to in this email.

From: "Berry, Yvette" <Yvette.Berry@act.gov.au>
Sent: 08/04/2026 9:07 PM
To: "Hobbs, Rebecca" <Rebecca.Hobbs@act.gov.au>
Subject: Fw: Big Splash movements on site

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From: Steel, Chris <Chris.Steel@act.gov.au>
Sent: Wednesday, April 8, 2026 4:52:50 PM
To: Cheyne, Tara <Tara.Cheyne@act.gov.au>; Berry, Yvette <Yvette.Berry@act.gov.au>
Subject: Fwd: Big Splash movements on site

FYI

Kind Regards,
Chris Steel

Begin forwarded message:

From: "Ferguson, David" <David.Ferguson@act.gov.au>
Date: 8 April 2026 at 4:40:09 pm AEST
To: "Steel, Chris" <chris.steel@act.gov.au>
Cc: "Buckle, Grace" <Grace.Buckle@act.gov.au>, "Holohan, Teleatha" <Teleatha.Holohan@act.gov.au>
Subject: **FW: Big Splash movements on site**

Proposed draft reply to Clay office (from Steel inbox) as follows:

The works currently being undertaken are for the purpose of securing the site from illegal entry, and to ensure the site is maintained in good repair as per the controlled activity order.

Rapid Response Regulatory Team (RRRT) inspectors of Access Canberra have inspected the site today 8 April and yesterday 7 April, and are in contact with the contractor and site owner. RRRT Inspectors have been advised the work will be completed by the end of next week, weather permitting.

Access Canberra will continue to monitor the works next week.

From: CED, Directorate Liaison Officer <CEDDLO@act.gov.au>
Sent: Wednesday, 8 April 2026 4:31 PM
To: Ferguson, David <David.Ferguson@act.gov.au>
Cc: CED, Directorate Liaison Officer <CEDDLO@act.gov.au>
Subject: RE: Big Splash movements on site
Importance: High

OFFICIAL

Hi Dave

Please see below advice:

The works currently being undertaken on the site is for the purpose of securing the site from illegal entry and to maintain the site. The contractor has estimated the work will be completed by the end of next week, weather permitting.

Further background info is also below:

The owners of the site were again directed to install the fence as per the controlled activity order from last year, after recent media attention of further trespassing on the site was captured on video etc.. and reported to Canberra Times. The Territory Planning Authority advised the owners that if no action was to be undertaken the fence would be installed by ACT Government would incur a debt that would be pursued against them as a debt recoverable against them and the current mortgagees taking possession of the site.

RRRT inspectors have conducted inspections of the site today 8 April and yesterday 7 April 2026. Inspections revealed the following –

Excavator is on the site to establish sediment control pit adjacent to Catchpole Street of the site in preparation for removal of the existing fence and erection of a new permanent school security type fencing as previously directed by the Territory Planning Authority via Access Canberra.

Numerous services are located along Catchpole & Bowman Street in numerous locations that needs to be validated and confirmed before further excavation and ground boring work proceeds. A hydrovac truck will be utilised to undertake this work and it is anticipated it will be on site later this week. The contractor has estimated the work will be completed by the end of next week weather permitting. The works being undertaken on the site is only for the purpose of securing the site from illegal entry and to maintain the site in good repair as per the lease purpose provision requirements and obligations of Translink Management Services P/L.

There is no further action required at this stage as the work as sought is now underway as directed.

Progress of works will be monitored by RRRT next week.

Bruce Fitzgerald will also reach out to you shortly.

Thank you
Liana

Liana Dimoski | Directorate Liaison Officer
Office of Minister Steel MLA
Minister for Planning and Sustainable Development
Minister for Heritage
Minister for Transport
Phone: (02) 6207 0804 | Email: ceddlo@act.gov.au
City and Environment Directorate | ACT Government | act.gov.au

From: Ferguson, David <David.Ferguson@act.gov.au>
Sent: Wednesday, 8 April 2026 2:25 PM
To: CED, Directorate Liaison Officer <CEDDLO@act.gov.au>
Subject: FW: Big Splash movements on site

Liana, can we get an update today on this item – just whatever is the latest from Access. If you provide via email we can send to the Clay Office.

Thanks

David

From: Clay, Jo <Jo.Clay@parliament.act.gov.au>
Sent: Wednesday, 8 April 2026 2:00 PM

To: STEEL <STEEL@act.gov.au>

Cc: Steel, Chris <Chris.Steel@act.gov.au>; BERRY <BERRY@act.gov.au>; Johns, PeterHT <PeterHT.Johns@parliament.act.gov.au>; Yahya, Ezreena <Ezreena.Yahya@parliament.act.gov.au>

Subject: Big Splash movements on site

Hello Ministers!

There's been another round of media and concern about what's happening out at Big Splash (and Chris, thank you v much for responding to my message on this on Good Friday, it was much appreciated!)

The core of it is that

- there was a construction company on site on Good Friday. The spokesperson for Translink reached out and said it was just safety works and fencing, which matches Government advice
- today, there has been a demolition company vehicle spotted on site.

Can Access Canberra or a Minister give a proactive update about what's happening on site there, and where the regulatory action is up to? Even if the update is, 'there's no change, regulatory action is still pending, there are no construction or demolition works approved or in chain on site in the meantime'.

Also, we believe there can be no demolition or construction with a DA in place, and there's no DA that's been out or finished on consultation. Is that right?

Would ACT Government consider an injunction if they think or suspect demolition or construction works are going to happen?

It may all be groundless fears – I think Government updates in this space would be a good way to resolve that – but if there is C&D work on site, Government will need to move fast in advising the community and deciding what to do next.

Thank you!

Kind regards,
Jo.

JO CLAY (she/her)

Member for Ginninderra

ACT Greens Deputy Leader & spokesperson for Planning & Urban Renewal, Environment, Finance, Circular Economy, Arts, Animal Welfare and Heritage

ACT Legislative Assembly

P: (02) 6205 0131 | E: Jo.Clay@parliament.act.gov.au

The ACT Greens respectfully acknowledge the Ngunnawal people as the traditional custodians of the ACT and surrounding region. We acknowledge their deep and continuing connection to Country and pay our respects to Elders past and present. We acknowledge that other people and families also have a traditional connection to the lands of the ACT and region and we respect this connection to Country.

[SIGN UP FOR OUR NEWSLETTER](#)

From: "BERRY" <BERRY@act.gov.au>
Sent: 08/04/2026 2:38 PM
To: "Hobbs, Rebecca" <Rebecca.Hobbs@act.gov.au>; "Berry, Yvette" <Yvette.Berry@act.gov.au>
Subject: FW: Works Update – Block 1 Section 53 Macquarie (Big Splash Site)

Hiya

Link for Big Splash updates, I've also provided to Chris's office.

Kind regards
Sam Bessey

Office Manager
Office of Yvette Berry MLA | Member for Ginninderra
Deputy Chief Minister
Minister for Education and Early Childhood
Minister for Homes, Homelessness and New Suburbs
Minister for Sport and Recreation
Phone: +61 2 6205 0233 | Email: berry@act.gov.au
[Facebook](#) | [Twitter](#) | www.yvetteberry.com.au



I acknowledge the Ngunnawal people as traditional custodians of the land and recognise any other people or families with connection to the lands of the ACT and region. I acknowledge and respect their continuing culture and the contribution they make to the life of this city and this region.

Please consider the environment before printing this email. If printing is necessary, print double-sided and black and white.
Please note that from 1 January 2018 ACT Government ministerial diaries are subject to publication on the ACT Government's open access website under section 23 of the *Freedom of Information Act 2016*.

From: Engage <engage@purdon.com.au>
Sent: Wednesday, 8 April 2026 2:07 PM
Subject: Works Update – Block 1 Section 53 Macquarie (Big Splash Site)

Some people who received this message don't often get email from engage@purdon.com.au. [Learn why this is important](#)

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afternoon,

We will be providing updates on works at Block 1 Section 53 Macquarie (the Big Splash site) via the following page: <https://www.purdon.com.au/block-1-section-53-macquarie>

Updates will be added regularly. Please visit the page to stay up to date as works progress.

Please reach out if you have any questions.

Kind regards,

**PLACEMAKING &
ENGAGEMENT TEAM**

purdon.com.au | [LinkedIn](#)

02 6257 1511
19 Torrens Street,
Braddon ACT 2612



From: "BERRY" <BERRY@act.gov.au>
Sent: 09/04/2026 4:52 PM
To: "CED, Directorate Liaison Officer" <CEDDLO@act.gov.au>; "Walthati, Harini" <Harini.Walthati@act.gov.au>
Cc: "BERRY" <BERRY@act.gov.au>
Subject: FW: Big Slash demolish team there now

Hi Team,
A message from Phil and Helen Pellatt for appropriate action.
Thanks
Tonia.

From: Sch 2.2(a)(ii)
Sent: Thursday, 9 April 2026 4:48 PM
To: BERRY <BERRY@act.gov.au>
Subject: Big Slash demolish team there now

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Yvette

We have just seen an item on Facebook from Sch 2.2(a)(ii) (The Canberra Times) to say that the owners of Big Splash have said that the pool & slides etc will be demolished now, to make way for either a hotel or a build to rent facility, irrespective of what the ACT Government wants, it would appear!

For information.

Sch 2.2(a)(ii)

From: "Paviour, Mark" <Mark.Paviour@act.gov.au>
Sent: 13/04/2026 4:08 PM
To: "Hobbs, Rebecca" <Rebecca.Hobbs@act.gov.au>
Subject: FW: Canberra Southern Cross Club - Briefing Note
Attachments: Briefing Note for Minister Berry_April 2026.pdf

FYI – for discussion

Mark Paviour | Deputy Chief-of-Staff, Head of Policy
Office of the ACT Chief Minister

Phone: 02 6205 2775 | [Sch 2.2(a)(ii)] | Email: mark.paviour@act.gov.au

From: BARR <BARR@act.gov.au>
Sent: Monday, 13 April 2026 2:59 PM
To: Paviour, Mark <Mark.Paviour@act.gov.au>
Subject: FW: Canberra Southern Cross Club - Briefing Note

Hi Mark

Please see the forwarded email and attachment for your consideration.

Many thanks

Brandon

From: [Sch 2.2(a)(ii)] e
Sent: Monday, 13 April 2026 2:51 PM
To: BARR <BARR@act.gov.au>
Subject: Canberra Southern Cross Club - Briefing Note

You don't often get email from matt.walsh@cscc.com.au. [Learn why this is important](#)

Caution: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Chief
Minister,

Please find attached a briefing note following my recent meeting with Minister Berry regarding a [Sch 2.2(a)(ii)].

I would welcome the opportunity to meet and discuss this further at your convenience. Please don't hesitate to contact me should you require any additional information.

Regards,

Sch 2.2(a)(ii)

Sch 2.2(a)(xi)

Sch 2.2(a)(xi)

Sch 2.2(a)(xi)

Sch 2.2(a)(xi)

Sch 2.2(a)(xi)

From: "Hobbs, Rebecca"
Sent: 29/04/2026 5:33 PM
To: "Berry, Yvette" <Yvette.Berry@act.gov.au>
Cc: "Walthati, Harini" <Harini.Walthati@act.gov.au>; "McGregor-Dainton, Amy" <Amy.McGregor-Dainton@act.gov.au>
Subject: FW: Copy - Access Canberra Big Splash brief
Attachments: Attach A - 202604XX - Access Canberra media release - Update on Big Splash Waterpark#2.docx, Attach B - TALKING POINTS & FAQs - Next steps on Big Splash April 2026#2.docx, 26_0060764 - Ministerial Brief.pdf

From: Ferguson, David <David.Ferguson@act.gov.au>
Sent: Wednesday, 29 April 2026 5:23 PM
To: Hobbs, Rebecca <Rebecca.Hobbs@act.gov.au>; Liu, Michael <Michael.Liu@act.gov.au>
Cc: Buckle, Grace <Grace.Buckle@act.gov.au>
Subject: Copy - Access Canberra Big Splash brief

Both, ahead of your Ministers' meetings tomorrow see the latest brief from Access – note that references to legal advice should not be disclosed.

Thanks and we'll come around in the morning to discuss if you like

David

David Ferguson
Chief of Staff
Office of Minister Chris Steel MLA
Australian Capital Territory Government
Sch 2.2(a)(ii)
ACT Legislative Assembly – 196 London Cct 2600



24/04/2026

Media Release

Decision relating to potential enforcement – Big Splash

Access Canberra, acting as the delegate of the Territory Planning Authority, has made the decision not to terminate the Crown Lease of Block 1, Section 53 Macquarie (known as the Big Splash Water Park). The independent regulator has set aside notice associated with potential lease termination.

Following engagement with the operators and multiple site inspections conducted in April, Access Canberra has considered the substantive actions taken by the owners, including site clean-up and repair of the pool infrastructure to re-open the site as an aquatic facility by 1 November 2026. Progress on the site to date supports this intention.

Importantly for the community, the operators have expressed their intention to continue operating the site as an aquatic facility, retaining the existing 50-metre pool and associated food amenities.

Inspectors will remain actively engaged over the coming months and intend to conduct regular site visits to ensure this progress continues.

Access Canberra understands the operators have indicated an intention to lodge a development application for the removal and demolition of the site's waterslides and some damaged infrastructure including the former kiosk.

No development application has been received by the Territory Planning Authority, and any future proposal would be required to be formally lodged and assessed under the Territory Plan, including public notification processes.

– Statement ends –

Media contact:

CED Media
0428 970 699
CEDMedia@act.gov.au

act.gov.au



Talking Points

Big Splash water park

Date: 24 April 2026

Talking points:

Update on regulatory action – Block 1, Section 53 Macquarie

- Access Canberra, acting as the delegate of the Territory Planning Authority, has made the decision not to terminate the Crown Lease of Block 1, Section 53 Macquarie (known as the Big Splash Water Park). The independent regulator has set aside notice associated with potential lease termination.
- Following engagement with the operators and multiple site inspections conducted in April, Access Canberra has considered the substantive actions taken by the owners, including site clean-up and repair of the pool infrastructure to re-open the site as an aquatic facility by 1 November 2026.
- Inspectors will remain actively engaged over the coming months and intend to conduct regular site visits to ensure this progress continues.

Future of the site

- Access Canberra understands the operators have indicated an intention to lodge a development application for the removal and demolition of the sites water slides and some damaged infrastructure including the former kiosk.
- Importantly for the community, the operators have expressed their intention to continue operating the site as an aquatic facility, retaining the existing 50-metre pool and associated food amenities. Progress on the site to date would support this intention.
- No development application has been received by the Territory Planning Authority, and any future proposal would be required to be formally lodged and assessed under the Territory Plan, including public notification processes.
- Ongoing updates are available to the community through the Purdon website at www.purdon.com.au/block-1-section-53-macquarie

Questions and answers:

Why has it taken so long to resolve this matter? Why haven't ACT Government been more transparent about their conversations with the operator?

- The ACT Government's interest has been to bring the Big Splash operator into compliance with the legislation and their obligations under the provisions of the lease to see an outcome that delivers community benefit.
- This matter has been very complex, with Access Canberra required to engage with multiple parties and all decisions are carefully considered.
- Access Canberra's compliance and enforcement actions are governed by mandatory natural justice provisions under the Act. This means owners must be given the opportunity to explain their circumstances before any orders are issued and all decisions can be reviewed by ACAT or the courts if challenged.
- Regulatory outcomes often take considerable time due to mandatory engagement and procedural fairness steps. Voluntary compliance is always the preferred approach, and the combination of consultation and statutory review processes means matters can take months or even years to resolve.

How is the ACT Government ensuring that pools continue to be maintained and accessed by the Canberra community? [taken from ACT Aquatic Strategy talking points]

- The ACT Government recognises the vital role that pools and aquatic facilities play as community amenities for Canberra residents.
- The ACT Government is developing a new Aquatic Strategy to guide the future of aquatic facilities and investment across Canberra.
- Early planning work has commenced to ensure the strategy responds to the needs of our growing community and supports a sustainable, accessible, and well-planned aquatic network.
- Community input will play an important role in shaping the strategy. The Government will continue to engage with aquatic user groups and later this year there will be further opportunities for sporting organisations, stakeholders, and the broader community to share their views to ensure a range of perspectives are understood and reflected.
- The strategy will be developed over the coming 12 months.

How long will you continue to monitor the site?

- Even though Access Canberra has made a decision not to terminate the lease, the site will continue to be closely monitored.
- The operation of the site remains a high priority. Access Canberra inspectors will closely monitor the site and intend to conduct regular site visits to ensure this progress continues and the site reopens in line with the lease.

Can a development application now be submitted for the site, including the demolition of the waterslides be submitted while controlled activity continues?

- The operators are now able to submit a development application for further works on the site. This could include demolition of the waterslides.

Has a development application for the site been formally assessed by the Territory Planning Authority?

- No. At this time, no development application has been received by the Territory Planning Authority for future development on the site, including demolition.

- The ACT Government is aware that Purdon submitted early concept designs for the site to the National Capital Design Review Panel in November 2025.
- The National Capital Design Review Panel provides independent, expert design advice on proposals referred to it by proponents. It is not a statutory decision-making body, and its role is advisory only. Proponents may engage with the Panel multiple times as part of early design exploration.

Will the community be consulted on any future proposals?

- Any formal development application would be subject to the statutory public notification and consultation processes required under the *Planning Act 2023*.

What uses are permitted on the site under the Crown lease and what is the zoning?

- The Crown Lease permits use including an aquatic and indoor sports and recreation centre and an unlicensed family restaurant.
- The site is zoned Restricted Urban Open Space (PRZ2). The ACT Government has no intention to change the zone of the site.

Why didn't the government terminate the lease?

- The ACT Government's priority has been to facilitate compliance and support the reactivation of the facility.
- The Regulator considered a range of matters in making their decision, including the commitment of the lessee to reactivate the site, the nature of the ongoing controlled activity and complexities associated with termination of the lease under the *Planning Act*.
- The site continues to be regulated under the *Planning Act 2023*, and the Government will take appropriate and proportionate action if lease obligations are not met, while remaining focused on the site reopening as an aquatic facility.

Commented [NL1]: Have to remove, implies it is available as an option. Do not reference legal advice / opinion in this either.

Other Access Canberra regulatory actions under the *Planning Act 2023*

- Access Canberra continues to undertake regulatory action at a small number of other sites across the Territory where lease conditions relating to development timeframes have not been complied with, including Richardson Shops, the Hawker Tennis Centre and several residential-zoned blocks.
- These matters are at different stages of the legislative process, with each assessed on its individual circumstances in accordance with the *Planning Act 2023*.
- New powers under the *Planning Act 2023* allow Access Canberra, as a delegate of the Territory Planning Authority, to enforce lease conditions through a Controlled Activity Order where land had not been used for its approved purpose for more than 12 months.

Action Officer: Erin Chancellor, Director, Media, CED

Cleared by:



Choose a Directorate:

Ministerial Brief

To:	Minister for Planning and Sustainable Development	Tracking No.: 26/0060764
Date:	24 April 2026	
From:	ACT Construction Occupations Registrar, Executive Branch Manager, Building, Planning and Land Use Regulation Branch, Access Canberra	
Subject:	Big Splash Water Park - Current Regulatory Action	
Critical Date:	24/04/26	
Critical Reason:	The Notice of Decision in relation to Lease Termination is provided on this date, and it is anticipated there will be media and other enquiries	

Recommendations

That you:

1. Note the information contained in this brief; and

 **Noted / Please Discuss**

2. Noting community interest in this matter you may consider sharing this brief with relevant MLA colleagues as appropriate.

 **Noted / Please Discuss**

Chris Steel MLA  24/4/26

Minister's Feedback

Tracking No.:

Official - sensitive



Background

1. The Big Splash Water Park (the Big Splash) is an aquatic recreation centre located Block 1 Section 53 Macquarie (**the site**). The site ceased operating at around the end of 2024.
2. The Site is subject to a number of mortgagees and a caveat in favour of various named entities.
3. Under the Crown Lease, the Registered Lessee is relevantly required to: *"use the premises only for one or more of the following purposes namely an aquatic and indoor sports and recreation centre and an unlicensed family restaurant"* ("the use" clause, 3(a) of the Crown lease. It is noted this use provision does not oblige the Crown lessee to use the site specifically for a waterpark or an aquatic centre. An aquatic centre is one of the permitted uses.
4. In general terms, a failure to comply with a provision of a Crown Lease is a controlled activity under the Planning Act 2023 (**the Act**).
5. On around 31 October 2024, Access Canberra inspectors as delegates of the Territory Planning Authority (**the TPA**) conducted an inspection of the site. At the time of the inspection, neither the aquatic facilities and family restaurant were operating or open for business. The site was inspected on a number of occasions after that time and on each occasion those facilities were not operating or open for business.
6. On 10 November 2025, a show cause notice under Section 425 of the Act was issued to the Registered Lessee giving notice of the TPA's intention to make a controlled activity order for failing to use land for a continuous period of at least 1 year for the purpose for which the Crown Lease over the land is granted.
7. On 12 December 2025, a controlled activity order (the order) was directed to the Registered Lessee requiring it to comply with a Crown Lease provision, specifically the lessee was to, by no later than Friday 23 January 2026, comply and use the land as per its intended purpose under the Crown lease.
8. On Monday 26 January 2026, an inspection determined the Big Splash, consisting of aquatic facilities and a family restaurant, was not being used and was not operating or open for business.
9. On this basis, the TPA was satisfied a contravention of Chapter 12 of the Act had occurred, that is, a failure to comply with the Order issued under Section 427 of the Act. The controlled activity occurring under Schedule 4, Item 10 of the Act is failing to

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use land for a continuous period of at least 1 year for the purpose for which the lease over the land is granted.

10. A contravention Chapter 12 of the Act allows the TPA to consider Section 457 of the Act, Termination of Leases.
11. On 30 January 2026, a notice (the Notice) was issued to the Registered Lessee and all entities with a registered interest in the Crown Lease. This notice was made Pursuant to Section 459 of the Act, with the TPA giving notice that it was considering terminating the Crown Lease for breach of the lease provisions.
12. In the Notice, the Registered Lessee was advised they may, fifteen working days after the Notice was received, respond in writing and outline in detail why the TPA should not terminate the Crown Lease. It was advised this timeframe for response can be extended on request to the TPA.

Reason for the decision

13. The delegate of the TPA (the delegate) in this matter, and decision maker, was Mr Lhuede, Executive Branch Manager, Access Canberra.
14. In accordance with Section 457 of the Planning Act 2023 the delegate has determined **not** to Terminate the lease for Block 1 Section 53 Macquarie as contemplated in the Notice of Consideration of 30 January 2026.
15. The reasons set out below were communicated to the Registered Lessee and those parties with a Registered interest in the site.
16. The matter considered in this decision were:

The "Use" Covenant of the lease.

17. In determining the nature and scope of the use clause in the Crown Lease, the delegate further considered the interpretation of the requirement for premises to be "used for" the provisions set out in the Crown Lease.
18. The Act, when made in 2023, included a controlled activity *"of failing to use land for a continuous period of at least 1 year for the purpose for which the lease over the land is granted"*.
19. In the explanatory statement to the Act, it stated *"All leases already contain a purpose clause and a termination clause which allows termination where land is not continually used for the purpose for 12 months. This does not introduce new obligations or limits on the use of land, rather it aligns the statutory scheme with the*

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leasing scheme and enables the use of statutory enforcement mechanisms in relation to this existing right under the lease”.

20. The Act also expanded the list of things a person may be directed to do by a controlled activity order. The general direction from the preceding legislation, the *Planning and Development Act 2007 not to undertake a controlled activity* was replaced in the Act with a direction to *‘keep from doing anything that is a controlled activity’*. Applied to the present circumstances, this means the lessee may be directed to keep from failing to use the premises for the lease purpose.
21. The definition of ‘controlled activity’ was limited prior to the Act to *positive acts* because the parts of the definition which included failing to do something were incompatible with the words *‘not to undertake’*. The introduction of the Act sought to reverse this limitation and remove ambiguity and allows consideration of “use” in broader terms.
22. In making the decision, the delegate consider the underlying policy intent of the controlled activity provisions introduced in 2023 was to support legislative compliance and alignment with the Territory leasing system. Consistent with the objects of the Act to “..*support and enhance the Territory’s liveability and prosperity* and the Explanatory Statement, the interpretation of schedule 4, item 10 of the Act is to include any failure to use land for the lease purpose for a continuous period of at least 1 year.
23. Following, the view of delegate is to confirm the continuing failure to use the premises for purposes of one or more of an aquatic and indoor sports and recreation centre and an unlicensed family restaurant for more than a year is a controlled activity under the Act.
24. It is noted the interpretation of “use”, comparing the more limited “ permissive use” under the 2016 Act with the broader interpretation based on the Act, remains open to interpretation, and greater clarity may only be achieved through appeal of regulatory decisions in Tribunal and Court processes.

Response to the Notice

25. Under Section 459 (1) (c) of the Act, the TPA must take into account any reasons for not terminating the lease or licence given to the authority by the lessee or licensee in accordance with the notice served on the lessee or licensee.
26. The lessee provided a response to the notice of consideration on 12 February 2026 (the letter). In the letter, the Registered Lessee advised:

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- a. of their intention to erect a new fence around the perimeter of the site to provide a more substantial barrier to intruders. While not relevant to the matter of lease termination, the TPA has for some time been seeking to obtain this outcome and while the Registered Lessee had indicated their willingness to undertake necessary repairs, work was not forthcoming.
 - b. of their commitment to having the existing 50 metre pool and temporary pool facilities (toilets, change rooms and food vans) available to the community from 1 November 2026.
 - c. of their intention to submit a development application with the goal of commencing construction on the new hotel and pool facilities in late 2027 (subject to planning approvals). They advised they will continue to utilise the temporary facilities until the build is complete.
27. Further information was provided on behalf of the Registered Lessee on 25 March 2026 which set out more detailed plans for site activation, a schedule of works and information on the scope and timing of a proposed Development Application for the site, which would allow for the retention and renewal of the existing outdoor 50m pool. While this information was provided after the required response date to the Notice, the delegate has considered the information in making their decision.
28. The delegate considered the assertions by the first mortgagees that they are now in possession of the Site. While the respective authority of the first registered mortgagees and Registered Lessee have not been established, the delegate was satisfied the Registered Lessee remains in control of Site and has authority to deal with the Site as lessee for the purposes of the Act.
29. On 7 and 8 April 2026, Access Canberra Inspectors inspected the site. It was observed physical works on the perimeter fence had commenced and were being undertaken to a higher standard (and reflecting the TPA separate request) than those in the Letter. Other works to maintain facilities were also underway, including draining of pools.
30. The works in progress demonstrated commitment by the Registered Lessee to undertake works to repair and maintain the lease and commit financial resources to that effect. That a program of work has been provided and has commenced can be considered a tangible step toward complying with the requirements to use the site.

Official - sensitive



Termination under the Planning Act

31. In making their decision, the delegate may consider any other matters they consider relevant to the TPA. The delegate formed the view that, despite the matters above, it is not open to them to terminate the Crown lease under the Act:
- The termination of a Crown lease by the TPA is properly characterised as an acquisition of property.
 - Section 23(1)(a) of the *Australian Capital Territory (Self-Government) Act 1988* only permits the Legislative Assembly to make laws which provide for the acquisition of property on "just terms". This means that the Act itself must include provisions which provide an entitlement for the lessee to be paid just terms compensation.
 - The Act provides that some compensation may be payable by the TPA on certain conditions where a Crown lease is terminated (see sections 360 and 364 of the Act), however, it is unlikely that the compensation which may be payable by the TPA would equate to "just terms" as that concept has been considered by the courts.

Closing Comments

32. While a controlled activity is occurring, namely failure "to use land for a continuous period of at least 1 year for the purpose for which the lease over the land is granted", the following remains relevant:
- the stated intention of the Registered Lessee is to make the site operable.
 - the provision of supporting information and documentation to support this intent.
 - that substantial works have commenced to comply with the requirements of the lease in relation to repairs and maintenance, and that these works are necessary, and will contribute to achieving operation of the site in accordance with the lease
33. The operation of the Site remains a high priority for the TPA. Notwithstanding the decision of the delegate, and the reasons given, the TPA reserves their right to undertake further regulatory actions in relation to the ongoing failure to use the site in accordance with the lease, including ensuring repairs and maintenance are undertaken to the satisfaction of the TPA and which would allow use of the site in accordance with the lease provisions.
34. Access Canberra inspectors will continue to monitor the site, and the program works which is underway.

Official - sensitive



Financial Implications

35. Nil associated with this brief.

Consultation

Internal

36. [REDACTED]

Cross Directorate

37. Nil associated with this brief.

External

38. Nil associated with this brief.

Work Health and Safety

39. Nil associated with this brief.

Benefits/Sensitivities

- 40. There are multiple sensitivities relating to this matter, and it has been a significant focus of community, media and assembly interest since late 2024, with a particular focus on regulatory decision, including the consideration of termination
- 41. The notice of decision, which reflect the information above has been provided to the Lessee and Parties with Registered Interests. It is reasonable to anticipate at some point, the letter will be made public. The matters raised in the letter, both in relation to the operation of Termination under the *Planning Act 2023* and the position of the decision maker in relation to works underway, may generate adverse or negative comment.
- 42. The decision may draw attention to other Regulatory, including matter of lease use to other, well-known sites such as the Richardson Shops and the previous Hawker Tennis Club, as well as other regulatory actions underway under the Act. This is considered below.

Communications, media and engagement implications

- 43. This decision will generate significant local media interest.
- 44. Access Canberra have prepared a statement which will be issued following the decision which is at Attachment A.

Official - sensitive



45. Talking Points have been prepared to assist you any inquiries and are attached to this brief at Attachment B.
46. It is recommended proactive media occur following issue of decision, with release of the Statement by Access Canberra. The Minister may also provide a release or further information, considering the Talking Points provided.
47. CED - Access Canberra (Head of Access Canberra) are able to provide spokesperson in relation to regulatory matters. Other matters in relation to planning and development of the site, will be led by CED - Policy and Planning. This will be coordinated through CED media
48. Any question which may arise in relation to specific issues or details of the decision may be addressed on a case-by-case basis. CED media will prepare talking points / briefing material as appropriate
49. In relation to other planning enforcement matters, CED media are preparing a broader package to detail planning enforcement actions, including strategy and priorities and critical actions underway

Signatory Name:
Nick Lhuede

Phone: 04281042392

Attachments

Attachment	Title
Attachment A	Access Canberra Media Statement
Attachment B	Talking Points – Big Splash

RH Hobbs, Rebecca (You)

 Huggett, Jenna 13/04 1:07 pm

Hey Bec, I understand you were after a copy of the Big Splash sub? it is now in your folder