

**IN THE AUSTRALIAN CAPITAL TERRITORY
CIVIL AND ADMINISTRATIVE TRIBUNAL**

AT 46/2024

**Community for Constitutional Reform at Brindabella
Christian College Inc
Brindabella Christian Education Limited**

Applicant

Party Joined

and

Territory Planning Authority

Respondent

Tribunal: **Senior Member B Meagher SC
Senior Member G Trickett**

Date of Order: **25 September 2024**

ORDER

1. The undertaking in point 2 of Annexure A of the Order of 2 September 2024 has not been complied with.
2. The decision of the respondent of 16 April 2024 is set aside.
3. Pursuant to Order 4 of 2 September 2024, a control order requiring compliance with Condition A2 of the Development Approval DA201629628 will be made.
4. The form of the Order is reserved.
5. The respondent is to provide to the Tribunal and the parties, by close of business on 2 October 2024, a draft of the Order to be made complying with the required form and setting out what must be provided in detail, noting that the party joined agrees to also provide a digital copy of the current survey plan already provided
6. In relation to the application by the applicant to be released from its "Harman" undertaking:
 - (a) The applicant is to provide, to the Tribunal and the other parties, its submissions identifying what documents they want to disclose, to whom and for what purpose on or before 14 October 2024.
 - (b) The respondent is to provide its submissions to the Tribunal and the other parties on or before 21 October 2024.
 - (c) The party joined is to provide its submissions to the Tribunal and the other parties on or before 6 November 2024.
 - (d) The Tribunal reserves its decision.



7. Note it is proposed to decide the two issues reserved on the papers, but the Tribunal will relist the matter if required.

for

Senior Member B Meagher SC

