

Mercury 26 Sept 2018

# Developer fails in Cremorne appeal

**LORETTA LOHBERGER**

THE developer behind a proposal to build a block of five apartments at Cremorne, southeast of Hobart, has been unsuccessful in his appeal against the refusal of his planning application.

Christopher Boland applied to the Clarence City Council to build a four-storey apartment block on the corner of Cremorne Ave and Frederick Henry Parade.

The council refused the application last September.

Mr Boland appealed that decision, but the Resource Management and Planning Appeals Tribunal dismissed his appeal in April. Mr Boland then took the matter to the Supreme Court arguing the tribunal erred in law.

Chief Justice Alan Blow yesterday dismissed Mr Boland's appeal, and ordered Mr Boland to pay the council's costs.

Chief Justice Blow said the tribunal correctly identified several relevant criteria that were not satisfied.

The tribunal said the building's bulk and height would cause unreasonable adverse impacts on residential amenity of adjoining properties, the building setback from the frontage was not compatible with that of adjoining buildings, and did not enhance the characteristics of the site and streetscapes, as required by the planning scheme.