

West Newfoundland Regional Appeal Board

Activity Plan
2014-17

Message from the Chairperson

I am pleased to submit the West Newfoundland Regional Appeal Board's Activity Plan for the period April 1, 2014 to March 31, 2017. This plan was prepared in accordance with the *Transparency and Accountability Act* requirements for category three entities.

Pursuant to the *Regional Appeal Boards Establishment Order*, the board has the authority to hear appeals in the western region of the province. The board's mandate, pursuant to section 42(1) of the *Urban and Rural Planning Act, 2000*, is to hear appeals related to land use and development. The board also hears appeals resulting from an order issued under Section 404 of the *Municipalities Act, 1999*. Section 42 of the *Urban and Rural Planning Act, 2000* outlines procedures with respect to appeals.

In preparing the plan, the board has taken into consideration the strategic directions of Government, as communicated by the Minister of Municipal and Intergovernmental Affairs. However, the board has determined that these strategic directions do not directly impact the board's mandate.

The members of the West Newfoundland Regional Appeal Board are accountable for the preparation of this plan and the achievement of its objective. We look forward to carrying out our duties in the coming years.



Richard McDonnell
Chair
West Newfoundland Regional Appeal Board

Table of Contents

- 1. Overview 3
- 2. Mandate 4
- 3. Values 4
- 4. Primary Clients 5
- 5. Vision 5
- 6. Mission 5
- 7. Issue 6

1.0 Overview

The West Newfoundland Regional Appeal Board (the 'board') is established pursuant to the *Urban and Rural Planning Act, 2000*. Its board members are appointed by the Minister of Municipal and Intergovernmental Affairs. The board hears appeals related to land use and development issues that arise from decisions made by municipalities or a provincial government authority. Issues which may be appealed to the board include:

- a decision made under Development Regulations;
- a decision to issue an Order under section 102 of the *Urban and Rural Planning Act, 2000*;
- a decision to issue an Order under section 404 of the *Municipalities Act, 1999* and similar sections of the *City of Corner Brook Act*;
- a decision to refuse to issue a permit under section 194 of the *Municipalities Act, 1999*;
- a decision made under Interim Development Regulations;
- a decision under a Protected Area Plan, Protected Road Zoning Regulations or Highway Sign Regulations;
- a decision made under Occupancy and Maintenance Regulations; and
- decisions made under any other Act or regulations where specifically designated.

Appeals may be made by a person or an association of persons.

The board considers and determines an appeal in accordance with all relevant legislation, including municipal by-laws. Section 42 of the *Urban and Rural Planning Act, 2000* outlines procedures with respect to appeals. The board can confirm, reverse or vary a municipal council's or other authority's decision and may impose conditions. Further, the board may direct the municipal council or the relevant authority to carry out its decision.

The board consists of five members, including the chairperson. A quorum consists of a chairperson and two members.

Name	Community of Residence
Richard McDonnell, Chair	St. Georges
Gary Parsons	Corner Brook
Bill Madore	Corner Brook
Joseph Guinchard	Corner Brook
Walter Sheppard	Corner Brook

The board does not have an office or staff, nor does it manage its own financial statements. Administrative and technical support is provided by the Department of Municipal and Intergovernmental Affairs. Board members are paid honoraria as well as related travel expenses from the department's budget.

The following is a summary of the board's 2013-14 expenditures:

Expenditure Item	Expenditure Amount
Honoraria	\$5035
Travel	\$1332
TOTAL	\$6367

2.0 Mandate

The West Newfoundland Regional Appeal Board is mandated by section 42(1) of the *Urban and Rural Planning Act, 2000* to hear appeals related to:

- (a) an application to undertake a development;
- (b) a revocation of an approval or a permit to undertake a development;
- (c) the issuance of a stop work order; and
- (d) a decision permitted under the *Urban and Rural Planning Act, 2000* or another Act to be appealed to the board.

The board's geographic area of jurisdiction is prescribed in section 2(c) of the *Regional Appeal Boards Establishment Order*, under the authority of section 40 of the *Urban and Rural Planning Act, 2000*:

"...Western Newfoundland and more particularly described as all that area of the Island of Newfoundland situated west of a line drawn from Hampton to Rose Blanche and including both of those communities."

The *Regional Appeal Boards Establishment Order* and The *Urban and Rural Planning Act, 2000* may be accessed through the House of Assembly website at www.assembly.nl.ca/legislation.

3.0 Values

The core values explain the guiding framework for board members. These values are demonstrated in decision-making and through interactions with each other and through interactions with clients and stakeholders. The value action statements ensure the core values are visible by identifying specific actions the board will observe during the period of this activity plan.

Core Values

Value Action Statements

Respect:

Members will be considerate when interacting with others.

- Recognition:** Members will appropriately acknowledge the contributions of others.
- Collaboration:** Members pursue opportunities for working with others to achieve a common goal.

4.0 Primary Clients

The West Newfoundland Regional Appeal Board's primary clients are the following groups within the Western Region:

- residents who feel aggrieved by a council's or another authority's decision related to land use or development.
- businesses who feel aggrieved by a council's or another authority's decision related to land use or development.
- municipal councils.
- provincial government departments.

5.0 Vision

The vision of the West Newfoundland Regional Appeal Board is:

The public, municipalities and other authorities have access to an effective process to hear appeals of decisions filed with the board.

6.0 Mission

With consideration of its mandate, the board has determined that a mission statement and associated indicators are not necessary at this time. However, the board's activities will instead contribute to the "strengthened supports to local governments" portion of the Department of Municipal and Intergovernmental Affairs' mission. A complete description of the department's mission and its indicators is available in the department's 2014-17 Strategic Plan.

7.0 Issue

Issue: **Land Use and Development Appeals**

The board's adjudication of appeals enables municipal councils and other government authorities to gain a better understanding of the application of land use and development legislation and a more complete understanding of the appeal process.

In preparing the plan, the board has taken into consideration the strategic directions of Government, as communicated by the Minister of Municipal and Intergovernmental Affairs. However, the board has determined that these strategic directions do not directly impact the board's mandate.

The board decided not to develop three year goals in its 2014-17 activity plan. Instead, it developed a single annual objective with an accompanying measure and associated indicators to be reported on in each of the three years of its activity plan.

Objective: **By March 31, 2015 the West Newfoundland Regional Appeal Board will have heard appeals and have rendered decisions in a timely fashion.**

Measure: Heard appeals and rendered decisions in a timely fashion.

Indicators:

- number of appeals heard.
- number of appeal hearing days.
- number of written decisions rendered within 21 days from date of hearing.