



**Eastern Newfoundland Regional  
Appeal Board  
Activity Plan  
2008-09 to 2010-11**

Hon. Dave Denine, M.H.A.  
Minister  
Municipal Affairs  
P.O. Box 8700  
St. John's NL A1B 4J6

Dear Minister Denine:

In accordance with Government's commitment to accountability, I have the honour to submit the West Newfoundland Regional Appeal Board Activity Plan for 2008-09 to 2010-11.

The mandate of the Board is to hear appeals by an aggrieved person or an association of persons relating to an authority's decision to refuse a permit; add conditions to a permit; issue an order; or issue a permit. The Board also hears appeals resulting from an order issued under Section 404 of the *Municipalities Act, 1999*, Section 240 of the *City of Mount Pearl Act* or Section 240 of the *City of Corner Brook Act*. Section 42 of the *Urban and Rural Planning Act, 2000* outlines procedures with respect to appeals.

The Eastern Newfoundland Regional Appeal Board consists of Barry Petten, Paul Shallow, and I. There are currently two vacancies on this Board. A quorum consists of a chairperson and two members. Coordination and technical support is provided by Municipal Affairs.

The Eastern Newfoundland Regional Appeal Board is fully accountable for the preparation of this plan and the achievement of its objectives.

I look forward to the next fiscal year.

Respectfully submitted,



Patrick O' Keefe  
Chair  
Eastern Newfoundland Regional Appeal Board

### **Overview:**

Regional Appeal Boards are established under the *Urban and Rural Planning Act, 2000* to hear appeals arising from:

- § a decision made under a town=s 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 Mount Pearl Act* and 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 a town=s Interim Development Regulations;
- § a decision under a Local Area Plan, Protected Area Plan, Protected Road Zoning Regulations, and Highway Sign Regulations;
- § a decision made under a town=s Occupancy and Maintenance Regulations; and
- § decisions made under any other Act or Regulations where specifically designated.

Regional Appeal Boards considers and determines an appeal in accordance with legislation and Section 42 of the *Urban and Rural Planning Act, 2000*. The Board can confirm, reverse or vary council's decision and may impose conditions. The Board may direct council to carry out its decision.

The Eastern Newfoundland Regional Appeal Board consists of the following: Chairperson, Patrick O'Keefe and members, Barry Petten and Paul Shallow. There are currently two vacancies on this Board. A quorum consists of a chairperson and two members. Coordination and technical support is provided by Municipal Affairs.

### **Primary Clients:**

The Eastern Newfoundland Regional Appeal Board's primary clients are a person or an association of persons who feel aggrieved by councils' or other government authorities' decisions as outlined in the Overview section above. The Eastern Newfoundland Regional Appeal Board has jurisdiction over the Avalon Peninsula, the Burin Peninsula, the Bonavista Peninsula and the Isthmus of Avalon and more particularly described as all that area of the Island of Newfoundland situated east of a line drawn from Port Blandford to Terrenceville and including both of those communities.

### **Values:**

The core values explain the character of the Board we want to promote. The strategic values ensure our core values are visible by identifying specific actions we want to observe during the period of this Activity Plan. In recognizing that the action statements may change in the next Activity Plan, it was decided that the actions which need to be enhanced during the subsequent three years could be articulated as follows:

**Core Values****Strategic Value Action Statements****Respect:**

Each individual will be considerate when interacting with others.

**Recognition:**

Each individual appropriately acknowledges the contributions of others.

**Teamwork:**

Each individual pursues opportunities for working with others to achieve a common goal.

**Pursuit of Excellence:** Each individual takes responsibility for optimizing their performance.

**Mandate:**

The mandate of the Eastern Newfoundland Regional Appeal Board is to hear appeals by an aggrieved person or an association of persons relating to an authority's decision to refuse a permit; add conditions to a permit; issue an order; or issue a permit. The Board also hears appeals resulting from an order issued under Section 404 of the *Municipalities Act, 1999*, section 240 of the *City of Mount Pearl Act* or Section 240 of the *City of Corner Brook Act*. Section 42 of the *Urban and Rural Planning Act, 2000* outlines procedures with respect to appeals.

**Vision:**

The Eastern Newfoundland Regional Appeal Board adopts the Department of Municipal Affairs' vision of communities with viable, sustainable municipal services led by strong local governments through confirming valid decisions of the authority and adjudicating local governments' decisions when required.

**Mission:**

The mission of the Eastern Newfoundland Regional Appeal Board is described in our stated mandate and goal.

**Objective:**

The Department of Municipal Affairs supports strengthening municipal capacity. As part of moving forward with this strategic direction the Department has identified the need to focus on regional appeals. Through the timely adjudication and feedback to councils' and other government authorities' decisions affecting persons or associations of persons in the Eastern region, individuals will gain a more complete understanding of the appeal process. The Eastern Newfoundland Regional Appeal Board has a single focused mandate. Consequently, the Board has set as their priority focus the timely hearing of appeals from aggrieved persons or an association of persons. The Board has decided not to develop goals but to develop a single objective that will be reported on in each of the three years of this activity plan.

**The Eastern Newfoundland Regional Appeal Board will hear appeals from aggrieved persons or an association of persons and have decisions rendered in a timely fashion and report on this objective in the years 2008-09, 2009-2010, and 2010-11.**

Measure: Hearing of appeals

Indicators:

- number of appeals heard,
- number of appeal hearing days

Measure: Rendering of decisions in a timely fashion

Indicators:

- number of written decisions within 21 days from date of hearing

**Financial Resources:**

The Eastern Newfoundland Regional Appeal Board does not have its own funds or financial statements. Board members are paid a per diem plus related travel expenses from the budget of the Department of Municipal Affairs.

**Strategic Directions:**

Strategic directions are the articulation of desired physical, social or economic outcomes and normally require action by more than one government entity. These directions are generally communicated by Government through platform documents, Throne and Budget Speeches, policy documents, and other communiqués. The Transparency and Accountability Act requires departments and public bodies to take into account these strategic directions in the preparation of their performance-based plans. This action will facilitate the integration of planning practices across Government and will ensure that all entities are moving forward on key commitments.

The direction related to regional appeals is provided below. Area of applicability is noted and was taken into account in the preparation of the Board's Activity Plan.

Government's Direction	Strategic Direction	Focus Areas of Strategic Direction	Applicable to other entities reporting to the Minister	Addressed in the entity's activities plan
Strengthened Capacity	Municipal	Regional appeals		√