



**Eastern Newfoundland Regional
Appeal Board
Activity 2007-08**

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 Eastern Newfoundland Regional Appeal Board Transition Report for 2007-08.

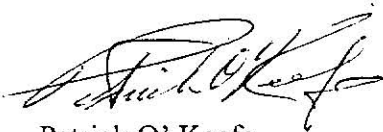
The mandate of the Board is to hear appeals by aggrieved individuals relating to an authority's decision to refuse a permit; add conditions to a permit; issue an order; or issue a permit. The Board also hears appeals resulting from an order issued under Section 404 of the *Municipalities Act, 1999*,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

The Eastern Newfoundland Regional Appeal Board consists of myself, 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.

As Chairperson responsible for the Eastern Newfoundland Regional Appeal Board, I accept responsibility for the 2007-08 Transition Plan.

I look forward to the next fiscal year.

Respectfully submitted,



Patrick O' Keefe
Chair
Eastern Newfoundland Regional Appeal Board

2007-08 Transition Plan for the Eastern Newfoundland Regional Appeal Board

Entity 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.

Mandate:

The mandate of the Eastern Newfoundland Regional Appeal Board is to hear appeals by aggrieved individuals 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.

Primary Clients:

The Eastern Newfoundland Regional Appeal Board's primary clients are residents of the Eastern Region and who feel aggrieved by council's decision as outlined in the Entity 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.

Primary Goal:

By March 31, 2008, the Eastern Newfoundland Regional Appeal Board will have received, registered, and heard appeals in accordance with legislated authority under Section 42 of the *Urban and Rural Planning Act, 2000*.

Measure: Hearing of appeals

Indicators:

- number of appeals received,
- number of appeals registered,
- number of appeals heard,
- number of appeals withdrawn, and
- number of appeal hearing days

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.