

St. John's Urban Region Agriculture Appeal Board

Annual Performance Report

April 1, 2009 to March 31, 2010





Responsible Person's Message

September 30, 2010

In accordance with the provisions of the *Transparency and Accountability Act* for category 3 public bodies, I am pleased to submit the Annual Performance Report for the St. John's Urban Region Agriculture Appeal Board for the period April 1, 2009 to March 31, 2010.

The St. John's Urban Region Agriculture Appeal Board has a mandate to hear appeals of the decisions of the St. John's Land Development Advisory Authority. Through the appeals process, the Board ensures that plans for development within the St. John's Urban Region Agriculture Development Area conform with the provisions of the St. John's Urban Region Agriculture Development Area Regulations under the *Lands Act*.

My signature below is indicative of my accountability for the preparation of this Report and for the results on its activities for 2009-10.

Yours sincerely,

A handwritten signature in blue ink that reads "Kathy Dunderdale".

KATHY DUNDERDALE, M.H.A.
Minister

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Overview

Section 7 of the St. John's Urban Region Agriculture Development Area Regulations under the *Lands Act* provides for the appointment of an appeal board to review decisions of the St. John's Land Development Advisory Authority. The Appeal Board, also known as the St. John's Urban Region Agriculture Appeal Board, is appointed by the Minister. The Board must have at least three members.

The purpose of the St. John's Urban Region Agriculture Appeal Board is to review appeals of decisions of the St. John's Land Development Advisory Authority, which is responsible for the review of development applications within the St. John's Urban Region Agriculture Development Area, where agriculture and agriculture land are protected. It is clear that the St. John's Urban Region Agriculture Appeal Board is supportive of the mission of the Forestry and Agrifoods Agency in respect to sustainable development of the province's agrifoods resource.

The St. John's Urban Region Agriculture Appeal Board considered its role in assisting the Forestry and Agrifoods Agency in achieving its mission for the planning period. The Board has a role in identifying and facilitating opportunities for agricultural and agrifoods resource development and diversification by making recommendations on applications for land development in the St. John's Urban Area.

The St. John's Urban Region Agriculture Appeal Board receives extensive operational support from the Forestry and Agrifoods Agency. Employees of the Agency perform many day to day administrative functions. Budgetary support for operations is provided through the Agency as well.

The membership of the St. John's Urban Region Agriculture Appeal Board was vacant in 2009-10 as recruitment took longer than expected. New members were appointed in early 2010-11 and for the first time an additional member was appointed to ensure a quorum is available to proceed with hearings. As of mid July 2010, all appeals have been heard by the St. John's Urban Region Agriculture Appeal Board.

For further information contact: Mr. Raymond Tucker, Land Management Officer, Brookfield Road (T) 729-6599.



Mandate:

The St. John's Urban Region Agriculture Appeal Board was established to hear appeals of the decisions of the St. John's Land Development Advisory Authority concerning applications for land development in the Agriculture Development Area of the St. John's Urban Region as defined by the *Lands Act*. The Board may recommend that the Minister of Natural Resources uphold, reverse or vary a decision of the St. John's Land Development Advisory Authority and record in a minute book the attendance and proceedings of the Board at all appeal hearings.



Values:

The St. John's Urban Region Agriculture Appeal Board performs its duties within the following core values: integrity, respect and professionalism, collaboration, innovative, safety, productivity and timelines.

Clients:

The clients of the St. John's Urban Region Agriculture Appeal Board are members of the general public who apply through municipal councils of the City of St. John's, Town of Portugal Cove-St. Philips, Town of Pouch Cove, Town of Flatrock, Town of Torbay, Town of Logy Bay-Middle Cove-Outer Cove, the Town of Conception Bay South to develop land in the Agriculture Development Area of the St. John's Urban Region and wish to appeal a decision of the St. John's Land Development Advisory Authority.

Vision:

Through assessment of appeals of applications for opportunities to develop land in the St. John's Urban Region Agriculture Development Area, the St. John's Urban Region Agriculture Appeal Board contributes to the vision of the Department of Natural Resources, Forestry and Agrifoods Agency, stated as follows:

“The vision of the Department of Natural Resources is a province that realizes the full benefit from the sustainable development of its natural resources.”

Mission:

Whereas the purpose of the St. John's Urban Region Agriculture Development Area is to protect agriculture land, the St. John's Urban Region Agriculture Appeal Board's review of development applications is consistent with the mission of the Forestry and Agrifoods Agency for the reporting period as it relates to sustainable resource management. The following is an excerpt from the Forestry and Agrifoods Agency Strategic Plan for 2006 to 2008:

“By March 31, 2011, the Forestry and Agrifoods Agency will have: implemented programs necessary to sustain the province's forest ecosystems; identified and facilitated further opportunities for sustainable agriculture and agrifoods resource development; and optimized the benefits received from these resources.”

Activities

The St. John's Urban Region Agriculture Appeal Board reviews appeals of decisions made by the St. John's Land Development Advisory Authority. All appeals are given due consideration under the regulations. The St. John's Urban Region Agriculture Appeal Board makes a recommendation to the Minister. The appellants are notified by the Minister of her decision in consideration of the recommendation of the St. John's Urban Region Agriculture Appeal Board.

The activities of the St. John's Urban Region Agriculture Appeal Board are consistent with the Strategic Direction of the Minister of Natural Resources to sustain agriculture and agrifoods development. The St. John's Urban Region Agriculture Appeal Board contributes to those strategic directions by helping to protect agriculture and agriculture land in the St. John's Urban Region Agriculture Development Area by reviewing appeals for land development in that area.

Objective: The St. John's Urban Region Agriculture Appeal Board will have reviewed all applications to appeal the decisions of the St. John's Land Development Advisory Authority under the applicable *Acts* and Regulations for 2009-10. This objective is consistent with the Strategic Direction of the 2008-2011 Activity Plan, Title: Sustainable Forestry and Agriculture & Agrifoods Resource Development.

Measure: Reviewed all applications

Indicators:

- Number of appeals received
- Recorded minutes of proceedings
- Recommendations made to the Minister of Natural Resources

The St. John's Urban Region Agriculture Appeal Board received six appeals, all which were for residences. Due to the vacancy of the Board, appeals were deferred to 2010-11.

The objective, measure and indicators for 2010-11 are described in the Board's 2008-2011 Activity Plan, which can be obtained from Mr. Hazen Scarth, Manager, Environment and Land Use Services, 729-6758. The objective, measure and indicators for 2010-11 are the same as those for 2009-10. The Activity Plan is available on the Department of Natural Resources' website (www.gov.nl.ca/nr).

Financial Statement

The St. John's Urban Region Agriculture Appeal Board does not have a stand-alone budget and as a result, audited statements are not required. Committee Member expenses are funded through the Department of Natural Resources. There were no expenses in the 2009-10 fiscal year.

Conclusion

The St. John's Urban Region Agriculture Appeal Board is committed to fulfilling its mandate and will continue to do its part to further the vision and mission of the Department of Natural Resources, Forestry and Agrifoods Agency.