

# **St. John's Urban Region Agriculture Appeal Board**

Annual Performance Report

April 1, 2010 to March 31, 2011





## Responsible Person's Message

Honourable Jerome Kennedy  
Minister of Natural Resources  
Natural Resources Building  
P. O. Box 8700  
St. John's, NL A1B 4J6

Dear Minister:

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, 2010 to March 31, 2011.

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 the board's accountability for the preparation of this Report and for the results on its activities for 2010-11.

Yours sincerely,

A handwritten signature in blue ink that reads "Peter Morris".

**Peter Morris**  
Chairperson

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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 appeals of 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, Department of Natural Resources, in respect to sustainable development of the province's agrifoods resource.

The St. John's Urban Region Agriculture Appeal Board receives extensive operational support from the Forestry and Agrifoods Agency, Department of Natural Resources. 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 appointed in early 2010-11 and consists of four members: Mr. Peter Morris, Chairperson; Mr. Jan Van de Hulst, Member; Mr. Brian Murphy, Member; and Mr. Cyril Power, Member.

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 development activities on land 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:**

As outlined in the Appeal Board's 2008-11 Activity Plan, 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 diligence and timeliness.

**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. Philip's, 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 proceed with development activities 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:**

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.

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 2008 to 2011:

"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." The Authority determined that it has no material impact on achievement of measures and indicators of the Forestry and Agrifoods Agency's mission statement.

The complete mission of the Forestry and Agrifoods Agency is found in its strategic plan for the period covering April 1, 2008 to March 31, 2011. The Agency's progress toward achievement of its mission and associated measures and indicators is included in its annual performance report for 2010-11. Both documents can be found on the Department of Natural Resources' website at: [www.gov.nl.ca/nr](http://www.gov.nl.ca/nr).

## 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 the 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 Directions of the Minister of Natural Resources to sustain agriculture and agrifoods development and to support further development and diversification in these sectors. 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 of decisions by the St. John's Land Development Advisory Authority ensuring the sustainable development of land resources to the long term benefit of the residents of the province and the responsible, fair and appropriate allocation of land.

**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 2010-11.

**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 three appeals related to applications for residential development. The Appeal Board recommended to the Minister that two appeals be approved and one was deferred at the request of the appellant. The Appeal Board maintains records of all appeals.

The objective, measure and indicators for 2011-12 are described in the Board's 2011-2014 Activity Plan, which can be obtained from Mr. Hazen Scarth, Manager, Environment and Land Use Services, 729-6758. The Activity Plan is available on the Department of Natural Resources' website at: [www.gov.nl.ca/nr](http://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. The total expense for the 2010-11 fiscal year was \$1,935.84

## **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.