

November 2, 2017

DOC/2017/04322-03



s.40(1)

Dear : s.40(1)

Re: Your request for access to information under Part II of the *Access to Information and Protection of Privacy Act, 2015* [Our File #: MAE/94/2017]

On October 5, 2017, the Department of Municipal Affairs and Environment received your request for access to the following records/information:

"A list of all briefing materials provided to the minister in September 2017"

I am pleased to inform you that a decision has been made by the Deputy Minister for Department of Municipal Affairs and Environment to provide access to some of the requested information.

However, some of the information contained within the records has been refused in accordance with the following exceptions to disclosure, as specified in the *Access to Information and Protection of Privacy Act, 2015 (the Act)*:

"40. (1): The head of a public body shall refuse to disclose personal information to an applicant where the disclosure would be an unreasonable invasion of a third party's personal privacy."

As required by 8(2) of the *Act*, we have severed information that is unable to be disclosed and have provided you with as much information as possible.

In accordance with your request for a copy of the records, the appropriate copies have been enclosed.

Please be advised that you may appeal this decision and ask the Information and Privacy Commissioner to review the decision to provide partial access to the requested information, as set out in section 42 of the *Act* (a copy of this section of the *Act* has been enclosed for your reference). A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner. Your appeal should identify your concerns with the request and why you are submitting the appeal.

The address and contact information of the Information and Privacy Commissioner is as follows:

Office of the Information and Privacy Commissioner

2 Canada Drive
P. O. Box 13004, Stn. A
St. John's, NL. A1B 3V8
Telephone: (709) 729-6309
Toll-Free: 1-877-729-6309
Facsimile: (709) 729-6500

You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to section 52 of the *Act*.

Please be advised that responsive records will be published following a 72-hour period after the response is sent electronically to you or five business days in the case where records are mailed to you. It is the goal to have the responsive records posted to the Completed Access to Information Requests website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online.

If you have any further questions, please feel free to contact me by telephone at 709-729-7183 or by e-mail at ljsas@gov.nl.ca.

Sincerely,



LISA SULLIVAN
ATIPP Coordinator
Policy and Strategic Planning

Enclosures

Access or correction complaint

42. (1) A person who makes a request under this Act for access to a record or for correction of personal information may file a complaint with the commissioner respecting a decision, act or failure to act of the head of the public body that relates to the request.
- (2) A complaint under subsection (1) shall be filed in writing not later than 15 business days
- (a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or
 - (b) after the date the head of the public body is considered to have refused the request under subsection 16(2).
- (3) A third party informed under section 19 of a decision of the head of a public body to grant access to a record or part of a record in response to a request may file a complaint with the commissioner respecting that decision.
- (4) A complaint under subsection (3) shall be filed in writing not later than 15 business days after the third party is informed of the decision of the head of the public body.
- (5) The commissioner may allow a longer time period for the filing of a complaint under this section.
- (6) A person or third party who has appealed directly to the Trial Division under subsection 52(1) or 53(1) shall not file a complaint with the commissioner.
- (7) The commissioner shall refuse to investigate a complaint where an appeal has been commenced in the Trial Division.
- (8) A complaint shall not be filed under this section with respect to
- (a) a request that is disregarded under section 21;
 - (b) a decision respecting an extension of time under section 23;
 - (c) a variation of a procedure under section 24; or
 - (d) an estimate of costs or a decision not to waive a cost under section 26.
- (9) The commissioner shall provide a copy of the complaint to the head of the public body concerned.

Direct appeal to Trial Division by an applicant

52. (1) Where an applicant has made a request to a public body for access to a record or correction of personal information and has not filed a complaint with the commissioner under section 42, the applicant may appeal the decision, act or failure to act of the head of the public body that relates to the request directly to the Trial Division.

(2) An appeal shall be commenced under subsection (1) not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16(2).

(3) Where an applicant has filed a complaint with the commissioner under section 42 and the commissioner has refused to investigate the complaint, the applicant may commence an appeal in the Trial Division of the decision, act or failure to act of the head of the public body that relates to the request for access to a record or for correction of personal information.

(4) An appeal shall be commenced under subsection (3) not later than 15 business days after the applicant is notified of the commissioner's refusal under subsection 45(2).

TITLE	Type of Document
Minister Meetings on Infrastructure	Briefing Binder
The Management of Plastic Shopping Bags	Decision/Direction Note
International Climate Change Negotiations - November 2017	Decision/Direction Note
Proposed Amendment to St. John's Urban Region Regional Plan for the Town of Paradise	Decision/Direction Note
Town of St. Anthony - Request for Funding for Repairs to the Polar Centre	Decision/Direction Note
Town of Gallants - Additional Funding Concrete Dam and Reservoir Installation	Decision/Direction Note
Town of Baine Harbour Debt Relief	Decision/Direction Note
Purchase Notice - [REDACTED] and the Harbour Main-Chapel's Cove-Lakeview Town Council	Decision/Direction Note
Allocations for the 2017-2018 Community Enhancement Employment Program	Decision/Direction Note
Town of Englee - Electrical Upgrade for Lift Station	Decision/Direction Note
Municipal Affairs and Environment Mandate	Decision/Direction Note
Proposed Expropriation by the Town of C.B.S.	Decision/Direction Note
Amendments to the Limits of Servicing for the Town of Triton	Decision/Direction Note
Town of Roddiction-Bide Arm Municipal Planning Area and Interim Development Control Authority	Decision/Direction Note
Baie Verte Special Assistance Request	Decision/Direction Note
Bryant's Cove Improvement Committee Special Assistance Request	Decision/Direction Note
Cottlesville Special Assistance Request	Decision/Direction Note
Dover Special Assistance Request	Decision/Direction Note
Hodges Cove Special Assistance Request	Decision/Direction Note
Lushes Bight- Beaumont Special Assistance Request	Decision/Direction Note
Mount Pearl Frosty Festival Special Assistance Request	Decision/Direction Note
Port au Port West - Aguathuna - Felix Cove Special Assistance Request	Decision/Direction Note
Random Island West Special Assistance Request	Decision/Direction Note
Rocky Harbour Special Assistance Request	Decision/Direction Note
Rose Blanche - Harbour le Cou - Special Assistance Request	Decision/Direction Note
Expansion of Authority for the Eastern Regional Service Board	Decision/Direction Note
Grand LePierre Debt Relief	Decision/Direction Note
Federal Carbon Pricing Policy Update	Information Note
Updated Procedures for Regional Appeal Boards	Information Note
Independent Assessment of May 16, 2017 Flood in the Community of Mud Lake	Information Note
Gas Tax Agreement	Information Note
Status Report on MMSB Used Tire Recycling Program	Information Note
Home Energy Saving Program Energy Audits	Information Note
Burin Grand Bank District Mayor 2017	Meeting Note
Minister Goodale Mud Lake Funding	Meeting Note
Meeting with Climate Watch NL	Meeting Note
Town of Hants Harbour Sept 2017	Meeting Note

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