OCT 2 2 2013

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act [Our File #: MPA/10/2013]

On September 23, 2013, the Department of Municipal Affairs received your request for access to the following records:

"Copy of letter from Municipal Affairs date June 7, 2013 possibly to [redacted] with the following content (see attached):

(a) Letter dated 7 June, 2013 from the Dept. of Municipal Affairs states:

‘The Draft Plan was submitted by Council to the Department of Municipal Affairs after public and stakeholder consultation as provided by s15 of the Urban and Rural Planning Act, 2000.

‘From the Department of Municipal Affairs’ perspective, there were no irregularities with the submission of the draft plan in February, 2009.’"

I am pleased to inform you that your request for access to this record has been granted in part. For personal privacy reasons, personal information contained within the record has been refused in accordance with the following exception to disclosure, as specified in the Access to Information and Protection of Privacy Act (the Act):

30(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 privacy."

In accordance with your request, a copy of the letter is enclosed. As required by subsection 7(2) of the Act, we have severed information that is excepted from disclosure and have provided you with as much information as possible.
Section 43 of the Act provides that you may ask the Information and Privacy Commissioner to review this partial refusal of access or you may appeal the refusal to the Supreme Court Trial Division. A request to the Information and Privacy Commissioner shall be made in writing within 60 days of the date of this letter or within a longer period that may be allowed by the Commissioner.

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

Office of the Information and Privacy Commissioner
34 Pippy Place
P. O. Box 13004, Stn. A
St. John’s, NL. A1B 3V8

Telephone: (709) 729-6309
Facsimile: (709) 729-6500

In the event that you choose to appeal to the Trial Division, you must do so within 30 days of the date of this letter. Section 60 of the Act sets out the process to be followed when filing such an appeal.

Please be advised that responsive records will be published following a 72 hour period after the response is sent electronically to you or five days in the case where records are mailed to you. It is the goal to have the responsive records posted to the Office of Public Engagement’s 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 Scott Winters, ATIPP Coordinator, at 729-6528 or by email at scottwinters@gov.nl.ca.

Sincerely,

[Signature]

COLLEEN JANES
Deputy Minister for Municipal Affairs
I have reviewed your emailed letter of May 13, 2013. My answers to your questions follow as numbered in your letter.

Response, Question No. 1:
The map excerpt attached to your May 13, 2013 correspondence appears to be a photo copy of a portion of the draft zoning maps submitted to the Department of Municipal Affairs by the Town in February, 2009.

Response, Question No. 2:
Yes. The Draft Plan was submitted by Council to the Department of Municipal Affairs after public and stakeholder consultation as provided by s15 of the Urban and Rural Planning Act, 2000.

Response, Question No. 3:
No. From the Department of Municipal Affairs’ perspective, there were no irregularities with the submission of the draft plan in February, 2009.

Response, Question No. 4:
The Department was not considering the Town’s Municipal Plan for registration under s24 of the Urban and Rural Planning Act, 2000. The Department was undertaking a review of the draft plan under provision of s15 of the Urban and Rural Planning Act, 2000. The Department subsequently requested the Town’s planning consultant at the time correct certain technical issues with the mapping associated with the Draft Municipal Plan and Development Regulations.

Before those technical issues were addressed, the Town advised the Department, that a new planning consultant had been engaged by Council to finalize the draft Municipal Plan. The Town advised that revised documents would be submitted for the Department’s consideration under s15 of the Urban and Rural Planning Act, 2000.
Response, Question No. 5:
The process by which Council arrives at decisions on how to revise a Municipal Plan is the prerogative of Council. The Department is not involved in, and typically not informed of, the detailed deliberations of Council. I cannot say categorically that the Council's process was normal or abnormal.

I trust that you find this in order.

Yours truly,

[Signature]

Corrie Davis, MCIP
Manager of Land Use Planning