January 31, 2017

Dear ____________________________ 

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act [Our File #: SNL-005-2017]

On January 12, 2017, Service NL received your request for access to the following records/information:

- requesting the plot plan, floor plan and septic design that was submitted and subsequently approved under file HS 2013 103315 00 Marine Drive -

I am pleased to inform you that a decision has been made by Service NL to provide access to some of the requested information. However, access to information contained within the records that would reveal personal information, has been refused in accordance with the following exceptions to disclosure, as specified in the Access to Information and Protection of Privacy Act (the Act):

Section 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 appeal may be addressed to 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
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 (a copy of this section of the Act has been enclosed for your reference).

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 contact me by telephone at 709-729-7437 or by email at ellenhaskell@gov.nl.ca.

Sincerely,

ELLEN HASKELL
ATIPP Coordinator

Enclosures
Access or correction complaint (Section 42)

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.

(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 (Section 52)

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.

(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).
APPLICATION TO DEVELOP LAND

1. PLEASE TYPE OR PRINT IN INK

NAME OF APPLICANT(S)
MAILING ADDRESS (P.O. BOX)
STREET ADDRESS
CITY/TOWN
POSTAL CODE
TELEPHONE
FAX
BUSINESS/MAILING ADDRESS (P.O. BOX)
POSTAL CODE
TELEPHONE
FAX

2. IF SUBMITTED BY AGENT/APPROVED DESIGNER OR PERSON OTHER THAN APPLICANT:

NAME
MAE Design Limited
ADDRESS (P.O. BOX)
26 Conception Bay Highway, Conception Bay south, NL
POSTAL CODE
A1W 3A1
TELEPHONE
(709) 834-1554
FAX
(709) 834-1558

3. DESCRIBE PROPOSED/EXISTING DEVELOPMENT:

PLEASE CHECK ALL THAT APPLY FOR PROPOSED DEVELOPMENT:
(A) SINGLE FAMILY DWELLING
(B) FOOD PREMISES
(C) BASEMENT PLUMBING FOR BELOW-GROUND SERVICES

NUMBER AND USE OF EXISTING BUILDINGS IN SURROUNDING AREA:
(D) USE SIZE X SET BACK FROM ROAD CENTRE
(E) USE SIZE X SET BACK FROM ROAD CENTRE

F) DWELLING # OF BEDROOMS APARTMENT? YES NO IF YES, HOW MANY BEDROOMS?

4. LOCATION OF PROPOSED DEVELOPMENT:

NUMBER STREET NAME
498 Marina Drive
OR GIVE DISTANCE FROM PROMINENT LAND MARK TO NEAREST TENTH OF A KILOMETER (OR ROAD NAME (i.e., 1.5km from Post Office))

MUNICIPALITY (OR NEAREST COMMUNITY)
Logy Bay

It is essential that the proposed site be marked with corner posts or stakes with the applicant's name or some means of identification such as a coloured flag, etc.

PLEASE STATE TYPE OF MARKING AND THE NAME ON THE MARKING
Iron Pins and lot Sign

5. SIZE OF LAND DEVELOPMENT:

AREA 6015m²
FRONTAGE 49.5m
DEPOTH 92.1m

6. WATER SUPPLY AND SEWAGE DISPOSAL:

PLEASE DESCRIBE PROPOSED METHOD OF WATER SUPPLY AND SEWAGE DISPOSAL SYSTEM
Drilled Well and New Tile Field

IF EXISTING, PLEASE DESCRIBE

7. VEGETATION:

TYPE OF VEGETATION (FOREST, SCHRUB, BARREN, CLEARED, ETC.)
Partly Cleared

8. PRESENT USE OF ADJACENT LAND (RESIDENTIAL/COMMERCIAL/UNUSED/ETC.):

EAST SIDE Vacant
WEST SIDE Road
NORTH SIDE Residential
SOUTH SIDE Vacant

DATE OF APPLICATION

I, the undersigned, do solemnly declare that the plans, specifications, and statements herein contained in this application are to the best of my knowledge true and accurate. I further declare that the sewage disposal system and water supply are or will be installed in conformity with the requirements of the Department, if the development as proposed is approved. I also agree that failure to comply with the requirements of the Department could render an approval null and void.

Signature of Applicant

DATE

PLEASE COMPLETE THE LOCATION PLAN ON REVERSE OR FORWARD A SURVEY PLAN WITH THIS APPLICATION
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.