January 17, 2018

Final response

Dear [Redacted]:

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act, our file # TCII/45/2017

This is to confirm that on December 18, 2017 the Department of Tourism, Culture, Industry and Innovation received your request for access to the following record:

"Please provide all correspondence between the department and the board of White Hills for the dates September 1, 2017 - December 18, 2017."

I am pleased to inform you that a decision has been made by the Deputy Minister for the Department of Tourism, Culture, Industry and Innovation to provide access to some of the requested information. Access to the remaining records, and/or 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 (the Act):

Disclosure harmful to law enforcement

31. (1) The head of a public body may refuse to disclose information to an applicant where the disclosure could reasonably be expected to (1) reveal the arrangements for the security of property or a system, including a building, a vehicle, a computer system or a communications system

Disclosure harmful to personal privacy

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
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 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 me phone at (709) 729-7246 or by e-mail at heatherbrown@gov.nl.ca

Sincerely,

Heather Brown
ATIPP Coordinator
Disclosure harmful to law enforcement

31. (1) The head of a public body may refuse to disclose information to an applicant where the disclosure could reasonably be expected to

(a) interfere with or harm a law enforcement matter;

(b) prejudice the defence of Canada or of a foreign state allied to or associated with Canada or harm the detection, prevention or suppression of espionage, sabotage or terrorism;

(c) reveal investigative techniques and procedures currently used, or likely to be used, in law enforcement;

(d) reveal the identity of a confidential source of law enforcement information or reveal information provided by that source with respect to a law enforcement matter;

(e) reveal law enforcement intelligence information;

(f) endanger the life or physical safety of a law enforcement officer or another person;

(g) reveal information relating to or used in the exercise of prosecutorial discretion;

(h) deprive a person of the right to a fair trial or impartial adjudication;

(i) reveal a record that has been confiscated from a person by a peace officer in accordance with an Act or regulation;

(j) facilitate the escape from custody of a person who is under lawful detention;

(k) facilitate the commission or tend to impede the detection of an offence under an Act or regulation of the province or Canada;

(l) reveal the arrangements for the security of property or a system, including a building, a vehicle, a computer system or a communications system;

(m) reveal technical information about weapons used or that may be used in law enforcement;

(n) adversely affect the detection, investigation, prevention or prosecution of an offence or the security of a centre of lawful detention;

(o) reveal information in a correctional record supplied, implicitly or explicitly, in confidence; or

(p) harm the conduct of existing or imminent legal proceedings.
Disclosure harmful to personal privacy

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.

(2) A disclosure of personal information is not an unreasonable invasion of a third party's personal privacy where

(a) the applicant is the individual to whom the information relates;

(b) the third party to whom the information relates has, in writing, consented to or requested the disclosure;

(c) there are compelling circumstances affecting a person's health or safety and notice of disclosure is given in the form appropriate in the circumstances to the third party to whom the information relates;

(d) an Act or regulation of the province or of Canada authorizes the disclosure;

(e) the disclosure is for a research or statistical purpose and is in accordance with section 70;

(f) the information is about a third party's position, functions or remuneration as an officer, employee or member of a public body or as a member of a minister's staff;

(g) the disclosure reveals financial and other details of a contract to supply goods or services to a public body;

(h) the disclosure reveals the opinions or views of a third party given in the course of performing services for a public body, except where they are given in respect of another individual;

(i) public access to the information is provided under the Financial Administration Act;

(j) the information is about expenses incurred by a third party while travelling at the expense of a public body;

(k) the disclosure reveals details of a licence, permit or a similar discretionary benefit granted to a third party by a public body, not including personal information supplied in support of the application for the benefit;

(l) the disclosure reveals details of a discretionary benefit of a financial nature granted to a third party by a public body, not including

   (i) personal information that is supplied in support of the application for the benefit, or

   (ii) personal information that relates to eligibility for income and employment support under the Income and Employment Support Act or to the determination of income or employment support levels; or

(m) the disclosure is not contrary to the public interest as described in subsection (3) and reveals only the following personal information about a third party:
(i) attendance at or participation in a public event or activity related to a public body, including a graduation ceremony, sporting event, cultural program or club, or field trip, or

(ii) receipt of an honour or award granted by or through a public body.

(3) The disclosure of personal information under paragraph (2)(m) is an unreasonable invasion of personal privacy where the third party whom the information is about has requested that the information not be disclosed.

(4) A disclosure of personal information is presumed to be an unreasonable invasion of a third party's personal privacy where

(a) the personal information relates to a medical, psychiatric or psychological history, diagnosis, condition, treatment or evaluation;

(b) the personal information is an identifiable part of a law enforcement record, except to the extent that the disclosure is necessary to dispose of the law enforcement matter or to continue an investigation;

(c) the personal information relates to employment or educational history;

(d) the personal information was collected on a tax return or gathered for the purpose of collecting a tax;

(e) the personal information consists of an individual's bank account information or credit card information;

(f) the personal information consists of personal recommendations or evaluations, character references or personnel evaluations;

(g) the personal information consists of the third party's name where

   (i) it appears with other personal information about the third party, or

   (ii) the disclosure of the name itself would reveal personal information about the third party; or

(h) the personal information indicates the third party's racial or ethnic origin or religious or political beliefs or associations.

(5) In determining under subsections (1) and (4) whether a disclosure of personal information constitutes an unreasonable invasion of a third party's personal privacy, the head of a public body shall consider all the relevant circumstances, including whether

(a) the disclosure is desirable for the purpose of subjecting the activities of the province or a public body to public scrutiny;

(b) the disclosure is likely to promote public health and safety or the protection of the environment;

(c) the personal information is relevant to a fair determination of the applicant's rights;

(d) the disclosure will assist in researching or validating the claims, disputes or grievances of aboriginal people;
(e) the third party will be exposed unfairly to financial or other harm;

(f) the personal information has been supplied in confidence;

(g) the personal information is likely to be inaccurate or unreliable;

(h) the disclosure may unfairly damage the reputation of a person referred to in the record requested by the applicant;

(i) the personal information was originally provided to the applicant; and

(j) the information is about a deceased person and, if so, whether the length of time the person has been deceased indicates the disclosure is not an unreasonable invasion of the deceased person’s personal privacy.
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).
Hi Gill,

I’ve been asked to sit on the Marketing and Promotions Committee of White Hills Board. I figured I best check with you to see if you have any concerns about this first.

Cheers,
Paula

Great - My class wschedule is online here [https://paultilley.wikispaces.com/](https://paultilley.wikispaces.com/)

I'm good for 7:30-8:30 am meetings, lunchtimes I have some flexibility and usually I have a 4pm meeting availability. I can do skype etc as well

pt

On Mon, Oct 2, 2017 at 5:24 PM, <rpiewer@rkpower.ca> wrote:

Good evening everyone,

Greg Pittman has asked me to chair the Marketing and Promotions Committee of the White Hills Board. I would like to ask if you are interested in sitting on this committee as I would like to set up a meeting. Breakfast or lunch meetings work well for me.

Can you advise when you have an opportunity and a good time meet?
Hi again,

A great read about the evolution and growth potential of mountain biking, highlighting the importance of inclusion of all types of riders, the community, local business etc.

https://freehubmag.com/articles/force-be-reckoned

"The riding scene in Whistler in the late '80s was microscopic compared to what it is today and WORCA had a mere eight members during its inaugural year of 1989."

For context on the extent of growth, in 2015, Destination BC reported that summer visitation has surpassed winter visitation and now represents approximately 56% of total overnight and non-overnight visitors to Whistler, or 1.3 million people.

Thanks

Adam

On Tue, Nov 28, 2017 at 12:03 PM, Adam Churchill <[redacted]> wrote:

Thanks everyone for the great discussion yesterday.

For reference, the CBC article below provides a brief overview of what has been developed at Sugarloaf Provincial Park in New-Brunswick. It also contains a short video which may help provide some context for the type of trails and riding that are involved. The video focuses on a more advanced style of riding, however, similar to skiing/snowboarding, resorts typically offer trails with varying degrees of difficulty that enable riders to progress from beginner to advanced. Also note that there are cross country trails available in addition to the downhill bike park.


Adam

On Mon, Nov 27, 2017 at 10:40 AM, Robbins, Nancy (ACOA/APECA) <[redacted]> wrote:

Hi everyone,
Our boardroom is booked ;).

For those who haven't been to our office, we are located at 221B Memorial Drive (brown, 2-storey building located at the intersection of Memorial Drive and Manitoba Drive near Home Hardware).

There's two entrances to our office. If you require mobility access, park on the upper lot next to the tennis courts. The ramp will lead you to our guest entrance (second door). If you park on the lower lot, use the side entrance and take the stairs to the second floor.

See you then,

Paula

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From: Robbins, Nancy (ACOA/APECA) [redacted]
Sent: Tuesday, November 21, 2017 11:25 PM
To: Adam Churchill; Roberts, Paula
Cc: Chris Sheppard; Rod Nicholl; Bill Bailey [redacted]; Brian Wiseman [redacted]; Richard Churchill; Greg Pittman (gpittman@mhplawfirm.com); David Harris; Norris, Alicia; Michael Spurrell (Clareville)
Subject: RE: Mountain Biking Opportunity

We are missing a couple of key stakeholders on Friday. Let's try Monday at 3:30 in the board room of Tourism Culture and Rural Development. Please let me know if this date/time works!

Nancy
Thanks everyone for the great discussion yesterday.

For reference, the CBC article below provides a brief overview of what has been developed at Sugarloaf Provincial Park in New-Brunswick. It also contains a short video which may help provide some context for the type of trails and riding that are involved. The video focuses on a more advanced style of riding, however, similar to skiing/snowboarding, resorts typically offer trails with varying degrees of difficulty that enable riders to progress from beginner to advanced. Also note that there are cross country trails available in addition to the downhill bike park.


Adam

On Mon, Nov 27, 2017 at 10:40 AM, Robbins, Nancy (ACOA/APECA) wrote:

Hi everyone,

I am writing to confirm our meeting today at 3:30 at the Tourism Culture Industry and Innovation office

2218 Memorial Drive, Clarenville.

For those connecting by phone, we can use the following:

Dial in: 

Conf ID: 

Thanks,

Nancy

(Chris – can you forward to Vardy?)
As requested

David N Snow, CPA, CA
Chartered Professional Accountant
Chartered Accountant
12 Coish Place, Suite 100
Clarenville, NL A5A 0C3
Telephone: 709-466-2658
Mobile: .............................................................................................................................................
Fax: 709-466-3928
dsnow@davidsnowca.com
Hi Dave,

I am completing the ASR for ADAC. Do you have the numbers on season pass and day pass sales? Just wondering if there was an increase or decrease in each category.

Also, I thought I seen on FB somewhere that there would be night skiing this year. Did they resolve the lighting issues?

Thanks!

Alicia Norris
Economic Development Officer
GOVERNMENT OF NEWFOUNDLAND AND LABRADOR
Department of Tourism, Culture, Industry & Innovation
221B Memorial Drive
Clarenville, NL A5A 1R3
Tel: 709-466-4175    Fax: (709)466-1306
Thanks Paula, see you then. Please note I’ve also added Grant Vardy to this list.

Chris

From: Roberts, Paula [mailto:paula.roberts@gov.nl.ca]
Sent: November 22, 2017 9:46 AM
To: 'Robbins, Nancy (ACOA/APECA)'; Adam Churchill; Bill Bailey
Cc: Chris Sheppard; Rod Nicholl; Brian Wiseman; Richard Churchill; Greg Pittman; David Harris; Norris, Alicia; Michael Spurrell
Subject: Location of TCI Office for Mountain Biking Meeting

Ours boardroom is booked ;).

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There's two entrances to our office. If you require mobility access, park on the upper lot next to the tennis courts. The ramp will lead you to our guest entrance (second door). If you park on the lower lot, use the side entrance and take the stairs to the second floor.

See you then,

Paula