Dear [REDACTED],

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act [Our File #: MIGA/30/2015]

On July 7, 2015, the Department of Municipal and Intergovernmental Affairs received your request for access to the following records/information:

1. Act/regulation/ordinance/memo, etc setting up the Eastern Regional Appeal Board.
2. Qualifications/criteria for members to be appointed to the Board.
3. Letters/correspondence/memos, etc. to each of the current members appointing/acknowledging/confirming their membership on the Board.
4. Occasions (annual, semiannual, Hearing, etc.) when Board submits reports.
5. Persons (titles, categories, etc.) to whom the Board sends reports.
6. Itemized Budget for the Board for the fiscal year, 2014-2015, including money received from Hearings.

I am pleased to inform you that a decision has been made to provide access to some of the requested information. In accordance with your request, the information is outlined below:

1. Part VI of the Urban and Rural Planning Act, 2000 provides the minister with the authority to establish Regional Appeal Boards and sets out the structure, mandate and procedure for hearing appeals. The Development Regulations under the Act also provide for appeals. The Regional Appeal Boards Establishment Order under the Act established the current boards. The Regional Appeal Boards Appeal Fee Regulations established the fee for registering an appeal. Copies of Part VI of the Act and the Regulations are attached as Annex 1.

2. Members are nominated to ensure a broad scope of experience and backgrounds are represented on the Boards. Those appointed are provided with an orientation session prior to hearing any appeals. There are no specific qualifications or criteria for appointment of board members for the Regional Appeals Boards.
3. The appointment letters for the current members of the Eastern Regional Appeal Board are attached as Annex 2. Please note that access to some information in the attached record has been redacted in accordance with the following exceptions to disclosure, as specified in the *Access to Information and Protection of Privacy 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 [Full text of Section 40 attached as Annex 3].

4. The Regional Appeal Boards are public entities under the *Transparency and Accountability Act* and as such, they are required to table a three-year activity plan and annual activity reports in the House of Assembly. These activity plans and annual reports are available on the department’s website at www.miga.gov.nl.ca/publications/index.html. Following each appeal, the Board sends a copy of its decision to all parties to the appeal.

5. The Boards’ activity plans and annual reports are submitted to the Minister prior to tabling in the House of Assembly. Copy of individual appeal decisions are filed with the department.

6. The Boards do not have a specific budget line. Funding for the Boards is provided through the Land Use Planning Section’s budget (see Annex 4 - the full budget is available online www.budget.gov.nl.ca/budget2015/estimates/estimates_2015_16.pdf). Appeal Boards honoraria are paid from the Professional Services line. Board Members’ travel is paid as incurred from the Transportation and Communications line. Meeting rooms and catering (coffee, lunches, etc, for Boards) is paid from the Purchased Services line. Other Land Use Planning activities are paid from those budget lines as well. With regards to the revenue received from appeal hearings, the department is unable to break out revenue for the Eastern Regional Appeal Board. Revenue for 2014-15 for all regional appeal files totals $8009.

Please be advised that you may ask the Information and Privacy Commissioner to review the processing of your access request, as set out in Section 42 of the *Access to Information and Protection of Privacy Act*. 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.

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 *Access to Information and Protection of Privacy 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 by telephone at 729-2787 or by e-mail at tarakelly@gov.nl.ca.

Sincerely,

Tara Kelly
Director / ATIPP Coordinator
Annex 1

PART VI
APPEALS

Appeal boards

40. (1) The minister may, by order, establish those appeal boards that he or she considers necessary and shall assign to each appeal board a specific area of the province over which it shall have jurisdiction.

(2) Notwithstanding subsection (1), the City of Corner Brook, City of Mount Pearl and City of St. John’s, may, for the planning areas under their jurisdiction and in accordance with the development regulations, appoint a local appeal board and this Part, with the necessary changes shall apply to those boards.

2000 c(J-8 s40)

Board structure

41. (1) The minister shall appoint to a board established under subsection 40(1), not fewer than 3 and not more than 5 persons.

(2) A member of a board holds office for 3 years and may be reappointed for a further 3 years.

(2.1) Notwithstanding subsection (2), a member shall continue to be a member until he or she is reappointed or replaced.

(3) A board shall be presided over

(a) by a chairperson whom the minister shall appoint from among the appointed members of the board; or

(b) in the absence of the chairperson, by another person who is a member of that board.

(4) A majority of the members of a board constitutes a quorum.

(5) A member of a board shall receive remuneration and shall be reimbursed for expenses incurred in the conduct of his or her duties in a manner that may be determined by the Lieutenant-Governor in Council.

(6) The minister may appoint a secretary to a board or a secretary common to 2 or more boards and shall determine the remuneration payable to that secretary.

(7) The minister shall establish

(a) rules of procedure for boards;

(b) notice periods that shall be required with respect to appeals; and

(c) the manner in which persons are to be notified with respect to appeals.

(8) For the purpose of holding an inquiry under this or another Act, members of a board have all of the powers of a commissioner under the Public Inquiries Act.

(9) In the conduct of an inquiry or a hearing, a board is not bound by the rules of evidence.

(10) Where it is necessary for the purpose of an appeal, inquiry or other matter before a board, a
member of the board or a person designated by the board may enter upon land and other property in order to inspect that land or property.

2000 cU-8 s41; 2011 c17 s2

Appeal

42. (1) A person or an association of persons aggrieved of a decision that, under the regulations, may be appealed, may appeal that decision to the appropriate board where the decision is with respect to

(a) an application to undertake a development;
(b) a revocation of an approval or a permit to undertake a development;
(c) the issuance of a stop work order; and
(d) a decision permitted under this or another Act to be appealed to the board.

(2) A decision of a council, regional authority or authorized administrator to adopt, approve or proceed with a plan, scheme, development regulations and amendments and revisions of them is final and not subject to an appeal.

(3) An appeal board shall not make a decision that does not comply with a plan, scheme and development regulations that apply to the matter being appealed.

(4) An appeal made under this section shall be filed with the appropriate board not more than 14 days after the person who made the original application appealed from has received the decision being appealed.

(5) An appeal shall be made in writing and shall include

(a) a summary of the decision appealed from;
(b) the grounds for the appeal; and
(c) the required fee.

(6) A board may meet as often as it considers necessary to conduct its work in an expeditious manner.

(7) A person or group of persons affected by the subject of an appeal or their representatives may appear before a board and make representations concerning the matter under appeal.

(8) A board may inform itself of the subject matter of the appeal in the manner it considers necessary to reach a decision.

(9) A board shall consider and determine appeals in accordance with this Act and a plan, scheme and regulations that have been registered under section 24 and having regard to the circumstances and merits of the case.

(10) In determining an appeal, a board may confirm, reverse or vary the decision appealed from and may impose those conditions that the board considers appropriate in the circumstances and may direct the council, regional authority or authorized administrator to carry out its decision or make the necessary order to have its decision implemented.

(11) Notwithstanding subsection (10), where a council, regional authority or authorized administrator may, in its discretion, make a decision, a board shall not make another decision that overrules the discretionary decision.
(12) The decision of a majority of the members of a board present at the hearing of an appeal shall be the decision of the board.

(13) A board shall, in writing notify the appellant and the appropriate council, regional authority or authorized administrator of the decision of the board.

2000 cU-8 s42

Hearing of evidence

43. (1) Notwithstanding subsection 42(7), where

(a) due to the isolation of an area that is the subject of an appeal, it would be difficult or costly for a board to hear representations from a council, regional authority, authorized administrator or other person; or

(b) the parties to an appeal agree in writing,

a council, regional authority, authorized administrator and other persons who are parties to the appeal may

(c) submit written arguments to the board; or

(d) present arguments by teleconference, telephone or other electronic means,

and the board may deliberate and make a determination on the matter based upon those written or other submissions.

(2) Where a board considers it necessary to visit and view a property that is the subject of an appeal, one member of that board or another person whom the board may authorize, may make that visit and, in writing, report to the board on the visit and viewing of the property.

(3) Information provided to a board under subsections (1) and (2) shall be considered to have been provided in the same manner as evidence before a board during a hearing of an appeal under section 42.

2000 cU-8 s43

Fees

44. (1) The minister may establish fees for the making of appeals under this Part.

(2) A fee paid under subsection (1) shall be paid to the board hearing the matter and shall be retained by that board.

(3) Where an appeal made under section 42 is successful, an amount of money equal to the fee paid by the appellant under subsection (1) shall be paid to the appellant by the council, regional authority or authorized administrator that made the appealed decision.

2000 cU-8 s44

Development may not proceed
45. (1) Where an appeal is made under section 42, the development with respect to the appeal, work related to that development or an order that is under appeal shall not proceed or be carried out, pending a decision of the board.

(2) Where, on appeal, a permit to develop is confirmed or ordered to be issued, a council, regional authority or authorized administrator shall issue the permit as confirmed or ordered.

Appeal to court

46. (1) A decision of a board may be appealed to the court not later than 10 days after that decision has been received by the appellant.

(2) An appeal of a decision of a board under subsection (1) may be made on a question of law or jurisdiction.

(3) A board may be represented by counsel and heard on an appeal under this section.

(4) The court shall either confirm or vacate the order of the board and where vacated the court shall refer the matter back to the board with the opinion of the court as to the error in law or jurisdiction and the board shall deal with the matter in accordance with that opinion.
Notice of right to appeal

5. Where an authority makes a decision that may be appealed under section 42 of the Act, that authority shall, in writing, at the time of making that decision, notify the person to whom the decision applies of the

(a) person's right to appeal the decision to the board;

(b) time by which an appeal is to be made;

(c) right of other interested persons to appeal the decision; and

(d) manner of making an appeal and the address for the filing of the appeal.

Appeal requirements

6. (1) The secretary of the board at the Department of Municipal and Provincial Affairs, Main Floor, Confederation Building (West Block), P.O. Box 8700, St. John’s, NF, A1B 4J6 is the secretary to all boards in the province and an appeal filed with that secretary within the time period referred to in subsection 42(4) of the Act shall be considered to have been filed with the appropriate board.

(2) Notwithstanding subsection (1), where the City of Corner Brook, City of Mount Pearl or City of St. John's appoints an appeal board under subsection 40(2) of the Act, an appeal shall be filed with the secretary of that appointed board.

(3) The fee required under section 44 of the Act shall be paid to the board that hears the decision being appealed by filing it with the secretary referred to in subsection (1) or (2) within the 14 days referred to in subsection 42(4) of the Act.

(4) The board that hears the decision being appealed shall, subject to subsection 44(3) of the Act, retain the fee paid to the board.

(5) Where an appeal of a decision and the required fee is not received by a board in accordance with this section and Part VI of the Act, the right to appeal that decision shall be considered to have been forfeited.

Appeal registration

7. (1) Upon receipt of an appeal and fee as required under the Act and these regulations, the secretary of the board as referred to in subsections 6(1) and (2), shall immediately register the appeal.

(2) Where an appeal has been registered the secretary of the board shall notify the appropriate authority of the appeal and shall provide to the authority a copy of the appeal and the documentation related to the appeal.

(3) Where an authority has been notified of an appeal that authority shall forward to the appropriate board a copy of the application being appealed, all correspondence, council minutes, plans and other relevant information relating to the appeal including the names and addresses of the applicant and other interested persons of whom the authority has knowledge.

(4) Upon receipt of the information under subsection (3), the secretary of the board shall publish in a newspaper circulated in the area of the appropriate authority, a notice that the appeal has been registered.

(5) A notice published under subsection (4) shall be published not fewer than 2 weeks before the date upon which the appeal is to be heard by the board.

Development prohibited

8. (1) Immediately upon notice of the registration of an appeal the appropriate authority shall ensure that any development upon the property that is the subject of the appeal ceases.

(2) Sections 102 and 104 of the Act apply to an authority acting under subsection (1).

(3) Upon receipt of a notification of the registration of an appeal with respect to an order under section 102 of the Act, an authority shall not carry out work related to the matter being appealed.
Hearing notice and meetings

9. (1) A board shall notify the appellant, applicant, authority and other persons affected by the subject of an appeal of the date, time and place for the appeal not fewer than 7 days before the date scheduled for the hearing of the appeal.

(2) A board may meet as often as is necessary to conduct its work in an expeditious manner.

Hearing of evidence

10. (1) A board shall meet at a place within the area under its jurisdiction and the appellant and other persons notified under subsection 9(1) or their representative may appear before the board and make representations with respect to the matter being appealed.

(2) A board shall hear an appeal in accordance with section 43 of the Act and these regulations.

(3) A written report submitted under subsection 43(2) of the Act respecting a visit to and viewing of a property shall be considered to have been provided in the same manner as evidence directly provided at the hearing of the board.

(4) In the conduct of an appeal hearing, the board is not bound by the rules of evidence.

Board decision

11. A decision of the board must comply with the plan, scheme or development regulations that apply to the matter that has been appealed to that board.
CONSOLIDATED NEWFOUNDLAND AND LABRADOR REGULATION 997/96

Regional Appeal Boards Establishment Order
under the
Urban and Rural Planning Act
(O.C. 96-174)

Under the authority of section 7 of the Urban and Rural Planning Act and the Subordinate Legislation Revision and Consolidation Act, the Lieutenant-Governor in Council makes the following Order.

ORDER

Analysis

1. Short title
2. Regional Appeal Boards
3. Repeal

Short title

1. This Order may be cited as the Regional Appeal Boards Establishment Order.

921/78 s.1

Regional Appeal Boards

2. The following Regional Appeal Boards are established to hear, decide and issue orders respecting appeals within their respective areas of jurisdiction in all cases where, under the Urban and Rural Planning Act or regulations, an appeal board is required to do so:

(a) Eastern Newfoundland Regional Appeal Board, having jurisdiction over the Avalon Peninsula, the Burin Peninsula, the Bonavista Peninsula and the Isthmus of Avalon and more particularly described as all that area of the Island of Newfoundland situated east of a line drawn from Port Blandford to Terrenceville and including both of those communities;
(b) Central Newfoundland Regional Appeal Board, having jurisdiction over Central Newfoundland and more particularly described as all that area of the Island of Newfoundland situated east of a line drawn from Hampton to Rose Blanche excluding both of those communities and west of a line drawn from Port Blandford to Terrenceville and excluding both of those communities;

(c) West Newfoundland Regional Appeal Board, having jurisdiction over Western Newfoundland and more particularly described as all that area of the Island of Newfoundland situated west of a line drawn from Hampton to Rose Blanche and including both of those communities; and

(d) Labrador Regional Appeal Board having jurisdiction over Labrador.

921/78 s2: 140/79 s1

Repeal

3. The Regional Appeal Boards (Establishment) Order, 1973, Newfoundland Regulation 921/78, is repealed.

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NEWFOUNDLAND AND LABRADOR
REGULATION 51/97

Regional Appeal Boards Appeal Fee Regulations
under the
Urban and Rural Planning Act

(Filed May 15, 1997)

Under the authority of section 8.1 of the Urban and Rural Planning Act, I make the following regulations.

Dated at St. John’s, April 29, 1997.

Arthur Reid
Minister of Municipal and Provincial Affairs

REGULATIONS

Analysis

1. Short title

2. Fee

3. Fee required before registration

Short title

1. These regulations may be cited as the Regional Appeal Boards Appeal Fee Regulations.

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Fee

2. The required appeal fee shall be $100.

Fee required before registration

3. An appeal that does not include the required appeal fee shall not be registered.

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April 1, 2011

Mr. Druce Strong

Dear Mr. Strong:

Eastern Newfoundland Regional Appeal Board

You have been nominated to serve as a member of the Eastern Newfoundland Regional Appeal Board. The Regional Appeal Board hears appeals made by applicants who are dissatisfied with decisions on their development applications made by municipal councils and the Government Services Centre. The Board has the authority to confirm, modify or reverse those decisions within the parameters established by the Urban and Rural Planning Act, 2000.

Appointments are for a period of three (3) years, and you will be paid a per diem of $145.00 for each full day sitting and $70.00 for each half day sitting, plus reasonable out of pocket expenses. The Board consists of five (5) persons, three of whom constitute a quorum and, therefore, you would almost certainly be expected at hearings when appeals are dealt with from your particular area. However, the Appeal Board Rules of Procedure established pursuant to Section 41 of the Urban and Rural Planning Act, 2000 prohibit you from sitting on the Board when the Board hears any appeals against the Town of Clarenville, given that you served on that Council within the past two terms.

I would be pleased to receive confirmation of your interest in serving in this capacity but if, before doing so, you require further information, you should contact Corrie Davis, Manager of Land Use Planning, at 729-5409 or corriedavis@gov.nl.ca. Should you accept this appointment, staff will arrange an appropriate orientation session before you hear any appeals.

Yours sincerely,

KEVIN O'BRIEN
Minister
April 1, 2011

Ms. Mary Thorne-Gosse

Dear Ms. Thorne-Gosse:

**Eastern Newfoundland Regional Appeal Board**

You have been nominated to serve as a member of the Eastern Newfoundland Regional Appeal Board. The Regional Appeal Board hears appeals made by applicants who are dissatisfied with decisions on their development applications made by municipal councils and the Government Services Centre. The Board has the authority to confirm, modify or reverse those decisions within the parameters established by the Urban and Rural Planning Act, 2000.

Appointments are for a period of three (3) years, and you will be paid a per diem of $145.00 for each full day sitting and $70.00 for each half day sitting, plus reasonable out of pocket expenses. The Board consists of five (5) persons, three of whom constitute a quorum and, therefore, you would almost certainly be expected at hearings when appeals are dealt with from your particular area. However, the Appeal Board Rules of Procedure established pursuant to Section 41 of the Urban and Rural Planning Act, 2000 prohibit you from sitting on the Board when the Board hear any appeals against the Town of Torbay, given that you served on that Council within the past two terms.

I would be pleased to receive confirmation of your interest in serving in this capacity but if, before doing so, you require further information, you should contact Corrie Davis, Manager of Land Use Planning, at 729-5409 or corriedavis@gov.nl.ca. Should you accept this appointment, staff will arrange an appropriate orientation session before you hear any appeals.

Yours sincerely,

KEVIN O'BRIEN
Minister
Ms. Victoria Connolly

Section 40 (1)

Dear Ms. Connolly:

Eastern Newfoundland Regional Appeal Board

You have been nominated to continue your role as Chair of the Eastern Newfoundland Regional Appeal Board. The Regional Appeal Board hears appeals made by applicants who are dissatisfied with decisions on their development applications made by municipal councils and the Government Services Centre. The Board has the authority to confirm, modify or reverse those decisions within the parameters established by the Urban and Rural Planning Act, 2000.

Your re-appointment as Chair is effective retroactively to March 15, 2012 and will expire on March 14, 2015. The role of Chair of the Eastern Newfoundland Regional Appeal Board is to run the Hearings and speak on behalf of the Board at those Hearings. The remuneration for the Chair is $190.00 for each full day sitting and $95.00 for each half day sitting, plus reasonable out of pocket expenses. The Board consists of five (5) persons, three of whom constitute a quorum. As Chair, you will be called upon to preside at all hearings of the Eastern Newfoundland Regional Appeal Board, subject to your personal availability.

I would be pleased to receive confirmation of your interest in serving in this capacity but if, before doing so, you require further information, you should contact Carrie Davis, Manager of Land Use Planning, at 729-5409 or carrie.davis@gov.nl.ca. Should you accept this appointment, staff will arrange an appropriate orientation session before you hear any appeals.

Yours sincerely,

KEVIN O'BRIEN
Minister

P.O. Box 1700, St. John's, N.L. Canada A1B 4M6 709-729-3098 709-729-6033
April 1, 2011

Mr. Harold Porter

Dear Mr. Porter:

Eastern Newfoundland Regional Appeal Board

You have been nominated to serve as a member of the Eastern Newfoundland Regional Appeal Board. The Regional Appeal Board hears appeals made by applicants who are dissatisfied with decisions on their development applications made by municipal councils and the Government Services Centre. The Board has the authority to confirm, modify or reverse those decisions within the parameters established by the Urban and Rural Planning Act, 2000.

Appointments are for a period of three (3) years, and you will be paid a per diem of $145.00 for each full day sitting and $70.00 for each half day sitting, plus reasonable out of pocket expenses. The Board consists of five (5) persons, three of whom constitute a quorum and, therefore, you would almost certainly be expected at hearings when appeals are dealt with from your particular area.

I would be pleased to receive confirmation of your interest in serving in this capacity but if, before doing so, you require further information, you should contact Corrie Davis, Manager of Land Use Planning, at 729-5409 or corriedavis@gov.nl.ca. Should you accept this appointment, staff will arrange an appropriate orientation session before you hear any appeals.

Yours sincerely,

[Signature]
KEVIN O'BRIEN
Minister
Dear Ms. Downey

Eastern Newfoundland Regional Appeal Board

You have been nominated to continue to serve as a member of the Eastern Newfoundland Regional Appeal Board. The Regional Appeal Board hears appeals made by applicants who are dissatisfied with decisions taken by authorities on their development applications. The Board has the authority to confirm, modify or reverse those decisions within the parameters established by approved Municipal Plans.

Appointments are for a period of three (3) years, and your appointment is retroactive to March 15, 2012 and would end on March 14, 2015. You will be paid a per diem of $145.00 for each full day sitting and $70.00 for each half day sitting, plus reasonable out of pocket expenses. The Board consists of five (5) persons, three of whom constitute a quorum and, therefore, you would almost certainly be expected at hearings when appeals are dealt with from your particular area.

I would be pleased to receive confirmation of your interest in serving in this capacity but if, before doing so, you require further information, you should contact Corrie Davis, Manager of Land Use Planning, at 729-5409.

Yours sincerely,

KEVIN O'BIREN
Minister
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.
MUNICIPAL AND INTERGOVERNMENTAL AFFAIRS

LANDS

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LANDS (Cont'd)

CURRENT

3.1.05. LAND USE PLANNING

Appropriations provide for developing and implementing policies, providing advice and training to municipalities, preparing municipal and other plans, undertaking research and planning studies, and investigating boundary changes and incorporations.

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<td>02. Operating Accounts</td>
<td>86,800</td>
<td>75,000</td>
<td>86,800</td>
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<tr>
<td>Amount to be Voted</td>
<td>815,600</td>
<td>672,900</td>
<td>711,400</td>
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<tr>
<td>02. Revenue - Provincial</td>
<td>(5,200)</td>
<td>(7,500)</td>
<td>(5,200)</td>
</tr>
<tr>
<td>Total: Land Use Planning</td>
<td>810,400</td>
<td>665,400</td>
<td>706,200</td>
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TOTAL: LANDS

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TOTAL: LANDS

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