March 25, 2019

Dear [Redacted]—s. 40 (1)

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act, our file # TCIL27.2019

On March 4, 2019 the Department of Tourism, Culture, Industry and Innovation received your request for access to the following records:

"Any and all records, of any nature or medium, which relate to Mabille Labrador Ventures Inc., excluding all information previously provided in response to BTCRD/8/2016, and/or BTCRD/24/2016".

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):

s. 40 (1)

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 questions, please feel free to contact me phone at (709) 729-7084 or by e-mail at blairmatthews@gov.nl.ca

Sincerely,

[Signature]
Blair Matthews
ATIPP Coordinator
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).
From: Devereaux, Paula  
Sent: Thursday, July 12, 2018 2:11 PM  
To: Angelopoulos, John  
Subject: 136846

Hi John,

Did our Department forward comments to Labrador Crown Land Office regarding the above-noted application? It is a Licence to occupy for Mabille Labrador Ventures Inc for Non-Consumptive Adventure Tourism.

Need this ASAP please 😊

Paula Devereaux  
Outdoor Product Development - Hunting and Fishing  
Department of Tourism, Culture, Industry and Innovation  
P.O. Box 8700  
St. John's, NL  
A1B 4J6  
Tel: 709-729-6857  
Fax: 709-729-0474  
Email: pauladevereaux@gov.nl.ca
Matthews, Blair

From: Devereaux, Paula
Sent: Friday, July 13, 2018 7:45 AM
To: Angelopoulos, John
Subject: RE: 136846
Attachments: 136846_Mabille_Labrador_Ventures_Inc_RSN_170385.pdf

I checked my files and Todd approved without it coming to us. I have it attached.

No worries, I will use what I have on file for my report.

Thanks
Paula

From: Angelopoulos, John
Sent: Thursday, July 12, 2018 3:50 PM
To: Devereaux, Paula
Subject: RE: 136846

I don't have anything. I do remember this issue though.
Is the CL # right?

From: Devereaux, Paula
Sent: Thursday, July 12, 2018 2:11 PM
To: Angelopoulos, John
Subject: 136846

Hi John,

Did our Department forward comments to Labrador Crown Land Office regarding the above-noted application? It is a Licence to occupy for Mabille Labrador Ventures Inc for Non-Consumptive Adventure Tourism.

Need this ASAP please 😊

Paula Devereaux
Outdoor Product Development - Hunting and Fishing
Department of Tourism, Culture, Industry and Innovation
P.O. Box 8700
St. John's, NL
A1B 4J6
Tel: 709-729-6857
Fax: 709-729-0474
Email: pauladevereaux@gov.nl.ca
LICENCE
FOR OCCUPANCY OF CROWN LAND
for the purpose of
Non-Consumptive Adventure Tourism

Under the provisions of Subsection 6(1) of the Lands Act, Chapter 36 of the Statutes of Newfoundland and Labrador, 1991, as amended, Her Majesty the Queen in Right of Newfoundland and Labrador (hereinafter called the "Crown") represented herein by the Honourable the Minister of Environment and Conservation for the Province of Newfoundland and Labrador (hereinafter called the "Minister") does hereby issue a LICENCE FOR OCCUPANCY (hereinafter called the "Licence") unto

MABILLE LABRADOR VENTURES INC.

in the Province of Newfoundland and Labrador (hereinafter called the "Licence Holder") his/her or their heirs, executors, administrators and assigns ALL THAT piece or parcel of land delineated in the attached Schedule A, and being situate at Lac Brule (hereinafter called the demised premises), comprising an area not to exceed 1 hectares, TO HAVE AND TO HOLD the demised premises unto the Licence Holder for the term of five (5) years from the 27th day of January, A.D. 2011, SUBJECT to the reservations, terms and conditions hereinafter set out;

YIELDING AND PAYING unto the Crown as the price and consideration of the said Licence the sum of $500.00 per year for the (3) year term of the Licence, the first payment to be made on the execution of this Licence;

PROVIDED that the Licence Holder covenants and agrees to comply in all respects to the terms and conditions as outlined in Schedule B and Schedule C of these presents;

AND FURTHER PROVIDED that this Licence shall not be assigned or conveyed without the prior written consent of the Minister and then only on such terms and upon payment of such fees as the Minister may prescribe.

SIGNED by the Licence Holder
on the 27th day of January, A.D. 2011

SIGNED by the Minister of Environment and Conservation
on the 27th day of January, A.D. 2011
SCHEDULE B

1. The Licence does not authorize the Licence Holder to enter upon private land, to dispute private claims to land, or to obstruct any public right-of-way.

2. The Licence does not convey the right to extract any minerals including, limestone, granite, slate, marble, gypsum, marl, clay, sand, gravel, peat, coal, natural gas, petroleum or salt from or under the demised premises.

3. The Licence Holder shall pay and discharge all taxes and charges that may be levied by any Municipal, Provincial or Federal authority on or in respect to the demised premises.

4. The Licence constitutes the approval of the Lands Branch, Department of Environment and Conservation only and does not waive the required consent of other government departments or agencies.

5. The Licence Holder, hereby indemnifies and saves harmless the Minister and the Government of Newfoundland and Labrador of and from any and all manner of claims, damages, losses, costs and charges whatsoever occasioned to or suffered by or imposed upon the Minister and the Government of Newfoundland and Labrador directly or indirectly in respect of any matter or thing in consequence of or in connection with or arising out of the occupancy or use of the demised premises by the Licence Holder in connection with the occupancy or use of the same by the Licence Holder or in respect of any accident, damage or injury to any person, animal or thing by from or on account of the same. The Covenants of the Licence holder for indemnity herein contained shall extend to all damages and claims for damage by reason of improper or faulty erection or construction of structures erected or installed on or in the demised premises herein described or in connection therewith by the Licence Holder and by reason of an insufficiency in said structures and whether or not the same have been approved by the Minister and the Government of Newfoundland and Labrador, their servants or agents.

6. The Licence Holder shall display on the demised premises and in a conspicuous manner a sign containing the Licence number.

7. The demised premises shall be kept neat and tidy to the satisfaction of the Minister.

8. Disposal of garbage on the demised premises or underwater is not acceptable and shall be disposed of at an approved waste disposal site or burned in an acceptable manner with the written permission of the Department of Environment and Conservation.

9. The Licence is subject to the condition that the demised premises shall be holden upon, under and subject to all other regulations and conditions of the Lands Act, Chapter 36 of the Statutes of Newfoundland and Labrador, 1991, as amended, and to such regulations as are now in force or which may at any time hereafter be made by law.

10. Should the Licence Holder, the heirs, executors, administrators and assigns default in the performance of any of the provisions herein contained, the Minister may give thirty (30) days notice for the termination of this Licence, and upon the expiration of the thirty (30) days, this Licence shall cease and the Licence Holder shall forthwith vacate the demised premises.

11. In the event the Licence is cancelled or not renewed, the Licence Holder shall remove all buildings, structures and personal property from the demised premises and restore the demised premises to the satisfaction of the Minister of Government Services and the Minister of Environment and Conservation within ninety (90) days from the date of cancellation or expiration. Should the Licence Holder fail to comply with this condition, the Minister may remove or demolish all buildings, structures and personal property remaining on the demised premises and restore the demised premises in any manner the Minister sees fit, and the costs incurred by the Minister in the removal or demolition and restoration of the demised premises shall be recovered from the Licence Holder as a debt due to the Minister. Furthermore, the indemnity contained in Condition 5 of this Licence shall remain in full force and effect until all structures and property are removed or demolished and the demised premises is restored to the satisfaction of the Minister of Government Services and the Minister of Environment and Conservation.
SCHEDULE B

12. If during the term of the Licence the Minister requires the demised premises for any reason the Licence may be terminated after thirty (30) days written notice and the Licence Holder shall have the demised premises restored to the satisfaction of the Minister of Government Services and the Minister of Environment and Conservation and the Licence Holder shall indemnify and save harmless the Minister against any loss, cost or damage resulting directly or indirectly from the Licence Holders use, occupation or restoration of the demised premises.

13. The failure of the Crown to insist upon strict performance of any of the covenants and provisos contained in this Licence shall not be deemed a waiver of any rights or remedies that the Crown may have or a waiver of any subsequent breach or default.

14. The Licence Holder shall permit access to the demised premises at all times by Officers authorized by law or by the Minister.

15. This Licence shall be governed by and construed in accordance with the laws of the Province of Newfoundland and Labrador.
SCHEDULE C

LTO NON-CONSUMPTIVE ADVENTURE TOURISM

1. The buildings must be temporary as permanent buildings are not permitted.

2. The land is to be used for Non-Consumptive Adventure Tourism establishment as Licenced under the Tourist Services Regulations of the Department of Tourism, Culture and Recreation.

3. Development shall commence within the first year and be completed within two (2) years in accordance with a development plan approved by the Tourism Branch of the Department of Tourism, Culture and Recreation. An extension to the development period may be approved for a maximum period of one (1) year.

4. The establishment must not be inoperative for a period in excess of two (2) consecutive years without the prior approval of the Minister.

5. Gasoline or other volatile liquids must be stored in accordance with the regulations of the Department of Government Services, Government Service Centre.

6. The Licence Holder must not cut, remove or allow to be cut any timber other than that which is necessary for the construction of any buildings.

7. Sewage disposal facilities are to be installed in accordance with the Sanitary Regulations and Specifications of the Department of Government Services, Government Service Centre.

8. A firebreak, six (6) metres wide, shall be maintained around all buildings.

9. The Licence Holder must comply with all regulations as may be in effect to prevent the start of forest fires.

10. The buildings shall have a fire resistant roof surface and any chimney(s) are to be equipped with a functional spark arrester.

11. The Licence Holder shall ensure that all guests are familiarized with the Wildlife Act, the Fisheries Act and the Regulations under each Act. Any breaches of these Acts or Regulations are to be immediately reported to the Minister.

12. If the Licence Holder is in default of any of the covenants contained in this Licence or if the Licence Holder is convicted of an offence under the Wildlife Act, R.S.N. 1970, c.400 the Crown may at its sole and absolute discretion cancel this Licence by delivering to the Licence Holder notice in writing to that effect, and upon such deliver the Licence shall cease.

13. Pursuant to subsection 7(1) of the Lands Act, a reservation fifteen (15) metres wide, is to be maintained around all waterbodies and the Licence Holder covenants and agrees that:
   a. the Licence does not authorize the Licence Holder to occupy the said reservation;
   b. cutting of trees or development of any type on this reservation is prohibited unless an application to develop is duly processed and approved by the Minister.
   c. all buildings must be constructed not less than thirty (30) metres from the high water mark.
SCHEDULE C

14. The Licence Holder is not permitted to access the site by All-Terrain Vehicles excepted in accordance with the Motorized Snow Vehicles and All-Terrain Vehicles Regulations. Contravention of the Regulations shall constitute grounds to revoke the Licence.

15. The issuance of this Licence does not commit Government to the issuance of a Licence for the purposes of constructing a designated access trail pursuant to the Lands Act and the Motorized Snow Vehicles and All-Terrain Vehicles Regulations.

16. This Licence is subject to the condition that no buffer zone protection shall be provided restricting other developments within eight (8) kilometres of the demised premises.

17. The issuance of a Grant pursuant to this Licence will not be permitted.
Matthews, Blair

From: Durno, Lynn
Sent: Tuesday, July 17, 2018 9:52 AM
To: Angelopoulos, John
Subject: LTO #136846, Mabille Labrador Ventures Inc.
Attachments: img-180717091723-0001.pdf

Attached is a copy of your referral response on Appl #136846, as you requested.

Lynn

Lynn Durno
Lands Officer
Crown Lands Administration Division
Labrador Regional Lands Office
Dept. of Fisheries and Land Resources
2 Tenth Street
P.O. Box 3014, Station B
Happy Valley-Goose Bay, NL
A0P 1E0
Phone 709 896 7948
Fax 709 896 9566
Email ldurno@gov.nl.ca
DEPT OF TOURISM, CULTURE AND RECREATION
MARY TAYLOR-ASH - ASSISTANT DEPUTY MINISTER
P.O. BOX 8700
ST. JOHN'S NL A1B 4J6

This referral has been sent to you for your recommendation. Other referrals have been
sent to the Department(s) and/or agencies on the attached schedule. YOU HAVE
THIRTY (30) DAYS FROM THE DATE OF THIS REFERRAL TO PROVIDE
YOUR RECOMMENDATION ON THIS APPLICATION.

Please be advised that the site on the attached map cannot be altered or relocated in any
way without the prior approval of the Regional Lands Office.

APPLICATION FOR CROWN LANDS - REFERRAL

Applicant: MABILLE LABRADOR VENTURES INC.
346 Beverly St
Labrador City NL
A2V 1N4

Telephone: (709) 743-442936 (O): 5142337434
Application Number: 136846
Application Type: Licence
Purpose: Commercial Outfitters Camp
Use: Eco-Tourism
Location: Lac Brule
Area (hectares): 3.4
Frontage (metres): 0
Map Number: 13J3
Comments:

RECOMMENDATION:

[ ] Approval [ ] Refusal [ ] Held for further investigation

COMMENTS:

________________________________________________________

[Handwritten Signature]

Phone No. Date

Please return only the cover sheet with recommendations and any attachments you may have.