

June 13, 2016



Dear 

**Re: Request for Access to Information Under Part II
of the Access to Information and Protection Privacy Act**

On June 13, 2016, the City of St. John's received your request for the following information:

"any list compiled by the City of St. John's of properties that may merit heritage designation"

A list of heritage buildings is publicly available on the City's website at the following link:

<http://www.stjohns.ca/sites/default/files/files/publication/Heritage%20Bldgs%20April%202015.pdf>

Though a list of properties that "may merit" heritage designation does exist, it has not been vetted through the Built Heritage Experts Panel nor the Planning & Development Standing Committee, wherein it would then become a public document. As such, we cannot disclose it to the public. Section 29 (1) (a) of the ATIPP legislation applies:

Policy advice or recommendations

29. (1) The head of a public body may refuse to disclose to an applicant information that would reveal

(a) advice, proposals, recommendations, analyses or policy options developed by or for a public body or minister;

Given the foregoing, we now consider the matter closed. You may appeal to the Information and Privacy Commissioner to review this denial of access as set out in section 42 of the Act (excerpt of this section below). 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.

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

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(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).

The appeal may be addressed to the Information and Privacy Commissioner as follows:

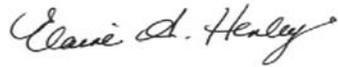
Office of the Information and Privacy Commissioner
2 Canada Drive
P. O. Box 13004, Stn. A

Here is also a link to the entire Access to Information and Protection of Privacy Act, 2015:

<http://www.assembly.nl.ca/legislation/sr/statutes/a01-2.htm#42>

If you have any further questions, do not hesitate to contact me.

Yours truly,



Elaine A. Henley
City Clerk

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