



ARCS: 292- 30
File: FNR-2015-50016

February 17, 2015

Sent via email:

Dear

Re: Request for Access to Records
Freedom of Information and Protection of Privacy Act (FOIPPA)

I am writing further to your request received by the Ministry of Forests, Lands and Natural Resource Operations. Your request is for:

Regarding Mackay vs. BC 2013 BCSC 945: All records concerning the Province's appeal of Mackay vs. BC 2013 BCSC 945, which questioned law arising from the requirement that the petitioner obtain and pay for a heritage inspection and investigation as preconditions for granting a site alteration permit under the Heritage Conservation Act, R.S.B.C. 1996, c. 187; Any signed out-of-court settlement, court filings, other legal documentation, internal and external letter correspondence, emails, documents, briefing notes, memoranda, meeting minutes, and media plans. (Date Range for Record Search: From 05/30/2013 To 09/30/2014)

Please find enclosed a copy of the records located in response to your request. Some information has been withheld pursuant to section(s) 13 (Policy advice or recommendations), 14 (Legal advice), 17 (Disclosure harmful to the financial or economic interests of a public body), and 22 (Disclosure harmful to personal privacy) of FOIPPA. A complete copy of FOIPPA is available online at:

http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/96165_00

Additional information is not subject to FOIPPA. It has been removed pursuant to section 3 (Scope of this Act) (a) a court record, a record of a judge of the Court of Appeal, Supreme Court or Provincial Court, a record of a master of the Supreme Court, a record of a justice of the peace, a judicial administration record or a record relating to support services, and, (k) a record of a service provider that is not related to the provision of services for a public body.

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Your file with the Ministry of Forests, Lands and Natural Resource Operations now closed.

You may wish to submit a request to the Ministry of Justice as they may hold additional records responsive to this request.

These records will be published on the BC Government's Open Information website a minimum of 72 hours after electronic release or a minimum of five business days after release by mail in hardcopy. To find out more about Open Information, please access the Open Information website at: <http://www.openinfo.gov.bc.ca/ibc/index.page>

If you have any questions regarding your request, please contact Natalie Appleton, the analyst assigned to your request, at 250 356-9164. This number can be reached toll-free by calling from Vancouver, 604-660-2421, or from elsewhere in BC, 1-800-663-7867 and asking to be transferred to 250 356-9164.

You have the right to ask the Information and Privacy Commissioner to review this decision. I have enclosed information on the review and complaint process.

Sincerely,

Natalie Appleton
Freedom of Information and Privacy Analyst
Information Access Operations

<p>How to Request a Review with the Office of the Information and Privacy Commissioner</p>
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If you have any questions regarding your request please contact the analyst assigned to your file. The analyst's name and telephone number are listed in the attached letter.

Pursuant to section 52 of the *Freedom of Information and Protection of Privacy Act* (FOIPPA), you may ask the Office of the Information and Privacy Commissioner to review any decision, act, or failure to act with regard to your request under FOIPPA.

Please note that you have 30 business days to file your review with the Office of the Information and Privacy Commissioner. In order to request a review please write to:

Information and Privacy Commissioner
PO Box 9038 Stn Prov Govt
4th Floor, 947 Fort Street
Victoria BC V8W 9A4
Telephone 250-387-5629 Fax 250-387-1696

If you request a review, please provide the Commissioner's Office with:

1. A copy of your original request;
2. A copy of our response; and
3. The reasons or grounds upon which you are requesting the review.