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Nunavunmi Parnaiyiit  
Nunavut Planning Commission  
Commission d'Aménagement du Nunavut

# Nunavut Planning Commission Internal Procedure

## Monitoring Land Use Plan Implementation

March 2015

Effective Date:

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Effective Date of Revisions	Summary of Changes

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## PURPOSE

The purpose of this procedure is to identify the approach the Executive Director of the Nunavut Planning Commission (referred to herein as either the Commission or NPC) will use for monitoring land use plan implementation.

## AUTHORITY

This procedure is made in accordance with the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada* (the Nunavut Land Claims Agreement or NLCA).

Section 11.4.4 of the NLCA states;

*“Consistent with the Agreement, the NPC shall;*

*...*

*m) report annually to the Ministers and the DIO on the implementation of land use plans.”*

This procedure is also made in accordance with the Nunavut Planning and Project Assessment Act (NUPPAA), not yet in force (reproduced from the version current to February 4, 2015 for ease of reference)<sup>1</sup>. Relevant sections of NUPPAA are reproduced from the version current to February 4, 2015 for ease of reference in Appendix A.

## APPLICATION

This procedure applies to the monitoring of land use plan implementation.

## DEFINITIONS

Unless the context requires otherwise, words and phrases in this procedure have the same meaning as in the NLCA Agreement and the NUPPAA. If there is any inconsistency between the NLCA and NUPPAA, the meanings of words and phrases in the NLCA apply.

**Planning Partner** means an individual, group or organization, either public or private, interested in participating in the land use planning process and includes: both Inuit and Non-Inuit residents; not for profit community and Inuit organizations; municipalities; the business

community; industry; environmental non-government organizations; Designated Inuit Organizations; territorial and federal government department and agencies; the Nunavut Impact Review Board (the NIRB); the Nunavut Water Board (the NWB); the Nunavut Wildlife Management Board (the NWMB); any other community, regional, territorial or national organization with an interest in the social, cultural, economic and environmental impacts and benefits associated with land use in the Nunavut Settlement Area (NSA).

## PROCEDURE

### 1 Monitoring Land Use Plan Implementation

1.1 The NPC will maintain a record of the following information for each fiscal year:

- (a) the number and nature of applications for project proposals for conformity determination;
- (b) the number and nature of project proposals found not to conform with the land use plan;
- (c) the number and nature of land use plan amendments that have been accepted or rejected;
- (d) the number and nature of minor variances that have been granted or refused;
- (e) the number and nature of project proposals that have been referred to the Nunavut Impact Review Board (NIRB) for screening because of concerns regarding cumulative impacts;
- (f) the number and nature of project proposals that have been granted or refused a ministerial exemption;
- (g) the number and nature of projects that have been found not to be operating in conformity with the applicable requirements of a land use plan, and the enforcement activities taken in response to the violations;
- (h) the time taken for the NPC to process applications associated with items (a), (c), and (d);

1.2 The NPC will review each licence, permit or other authorization sent to the NPC by a regulatory authority to confirm that it implements the applicable requirements of the land use plan.

<sup>1</sup> Department of Justice Canada, Justice Laws Website, online: [laws-lois.justice.gc.ca](http://laws-lois.justice.gc.ca) (accessed February 19, 2015)

1.3 The NPC will accept and consider feedback and / or recommendations from Planning Partners on the implementation of land use plans on an on-going basis.

1.4 Occasionally, the NPC may survey regulatory authorities, the designated Inuit organizations and selected Proponents on various land use plan implementation factors, including but not limited to the administration of planning services, such as conformity determinations, land use plan amendments, and minor variances;

## 2 Annual Report

2.1 The Executive Director will prepare an annual report on plan implementation that considers various factors, including:

- (a) the information identified in 1.1 of this procedure;
- (b) the results of 1.2 of this procedure; and
- (c) the feedback and / or recommendations received under 1.3 and 1.4 of this procedure.

2.2 In the annual report, the Executive Director may include recommendations for improving land use plan implementation, within the NPC and by the federal and territorial ministers, departments, agencies, and municipalities, including by recommending measures such as:

- (a) potential land use plan amendments to be initiated by the Commission; and
- (b) changes to the NPC's land use planning procedures.

2.3 The annual report may include statements or recommendations relating to the monitoring, status, or other factors relating to the ecosystemic and socio-economic environment as per s. 227 of NUPPAA.

2.4 The Executive Director will provide the annual report to the Commission to review and either adopt the report as written or with revisions as decided upon by the Commissioners, or reject the report with directions, in which case the Executive Director will prepare a new annual report under 2.1 of this procedure and in accordance with the Commissioner's direction.

2.5 If the Commission approves the annual report with or without revisions:

- (a) the Executive Director will include the annual report on the NPC's website; and

- (b) the Executive Director will provide the annual report to the federal Minister, the territorial Minister and the designated Inuit organizations.

## APPENDIX A: RELEVANT SECTIONS OF NUPPAA

### "14. Additional powers, duties and functions

In addition to its powers, duties and functions specified elsewhere in this Act, the Commission must

...

"(b) report annually in writing to the federal Minister, the territorial Minister and the designated Inuit organization on the implementation of the land use plan;

### "48. Contents of land use plan

(1) A land use plan must provide for the conservation and use of land and guide and direct resource use and development and must, in particular, provide for a strategy regarding the implementation of the land use plan and take into account

- (a) the broad planning policies, priorities and objectives established for the designated area;
- (b) the specific planning objectives and planning variables identified for any applicable planning region;
- (c) the factors referred to in section 11.3.1 of the Agreement; and
- (d) Inuit objectives for Inuit owned lands."

### "General Monitoring

#### "227. Plan

(1) The Government of Canada and the Government of Nunavut must, in cooperation with the Commission, develop a plan for the general monitoring of the long-term state and health of the ecosystemic and socio-economic environment of the designated area and must direct and coordinate that general monitoring and the collection of information relating to it.

### "Commission

(2) The Commission must, in accordance with the plan developed under subsection (1), collate information provided by industry, departments or agencies and others and prepare periodic reports on the ecosystemic and socio-economic environment of the designated area. The Commission must use that information in the exercise of its powers and the performance of its duties and functions under this Act.