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Nunavunmi Parnaiyiit
Nunavut Planning Commission
Commission d'Aménagement du Nunavut

A guide for engagement

A guide for the engagement of Designated Inuit Organizations, Federal and Territorial Government agencies and departments, Institutes of Public Government and other organizations in the further development of the Draft Nunavut Land Use Plan

April 2013

Table of content

Executive Summary

1.0	Introduction	1
1.1	Context	1
1.2	Objective	1
1.3	How to read this document	1
1.4	Authority	1
2.0	Policy Framework	2
2.1	Nunavut Land Claims Agreement	2
2.2	The Draft Nunavut Planning and Project Assessment Act	2
2.3	Development and review of the DNLUP in accordance with the NLCA	3
3.0	Framework for Engagement	5
3.1	Introduction	5
3.2	Phase 1 Consultation Phase	5
3.3	Phase 2 Preparation of representation	6
3.4	Phase 3 Public Hearing	6
3.5	Phase 4 Submit the Revised Plan	7
3.6	Timeline	7
4.0	Next Steps	8

Schedule A	Timeline for the Submission of the DNLUP
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Executive Summary

The Nunavut Planning Commission (NPC) has prepared and made public the Draft Nunavut Land Use Plan (DNLUP). Over the next year and a half, the NPC will consult widely on the DNLUP, visiting each Nunavut Community to share and receive important land and resource information in the Nunavut Settlement Area (NSA). This process is being guided by the NPC's Community Engagement Strategy, which can be found at www.nunavut.ca.

In addition to the ongoing work in the Communities, the NPC is committed to engaging with the Designated Inuit Organizations (DIOs), Federal and Territorial Government agencies and departments, Institutes of Public Government (IPG's) and other organisations, herein referred to as "the Parties", to further inform the further development of the DNLUP. To help facilitate and maximise the participation of the Parties the NPC has developed this guide for engagement

This document contemplates four phases leading up to the submission of a revised DNLUP;

- The Consultation Phase;
- Preparation of Representation;
- Public Hearing; and
- Submission;

Details of each phase are outlined in Chapter 3 of this document. A timeline of the process is included as Appendix A.

This document has been designed for the engagement of the Parties. It is intended to provide structure for sharing and receiving information from and with the Parties to ensure maximum clarity, transparency and value. Notwithstanding this, the document does not preclude the participation of any organisation or body. The NPC always welcomes and encourages everybody to participate in the further development of the DNLUP, be it during the NPC's Community visits, during any of the phases outlined in this document or by contacting the NPC directly at any time.

The NPC is committed to the active and informed participation of Inuit, Government and all residents in the further development of the DNLUP. The NPC promotes a planning process that is clear, transparent and open. This document is just one more step the NPC is taking to ensure that the values and priorities of all Nunavummiut are accurately reflected in a Nunavut wide land use plan.

1 Introduction

1.1 Context

The Nunavut Land Claims Agreement (NLCA) provides the overarching policy direction for the development and review of land use plans in the Nunavut Settlement Area (NSA). It directs the Nunavut Planning Commission (NPC) to prepare a draft land use plan and solicit written and oral comments from all appropriate federal and territorial government agencies, DIOs, communities and the general public. Once consultation is completed, the NPC is required to conduct a public hearing and, in light of representations made, revise the DNLUP, as appropriate. The revised DNLUP, along with a written report from the Public Hearing, shall be submitted to the appropriate federal and territorial Ministers.

In accordance with the NLCA, the Nunavut Planning Commission (NPC) has prepared and made public the Draft Nunavut Land Use Plan (DNLUP). Over the next year and a half, the NPC will consult widely on the DNLUP, visiting each Nunavut Community to share and receive important land and resource information in the Nunavut Settlement Area (NSA). The NPC is also returning to each community to present and verify the information that is being collected. This process is being guided by the NPC's Community Engagement Strategy.

In addition to the ongoing work in the Communities, the NPC is committed to engaging with the Designated Inuit Organizations (DIOs), Federal and Territorial Government agencies and departments, Institutes of Public Government (IPG's) and other organisations, herein referred to as "the Parties", to further inform the development of the DNLUP. This document has been prepared to help guide this process.

The NPC's work in the Communities and the process that is outlined herein do not preclude any organisation or body from engaging the NPC at any time. The NPC welcomes and encourages everybody to get involved in the planning process and to contact the NPC at any time with any comments, questions or concerns.

1.2 Objective

The overall objective of this document is to provide a framework to help guide and maximise the participation of the Parties in the further development of the Draft Nunavut Land Use Plan (DNLUP).

1.3 How to read this document

This document is not binding on the NPC or any of the Parties. It has been developed to assist discussion and to maximise participation in the further development of the DNLUP. In preparing this document, the NPC has made every effort to provide realistic and achievable timelines. Notwithstanding this, the NPC recognises that other commitments and constraints may restrict

some Parties from participating fully. NPC staff will receive and consider all comments received up to the date of the Public Hearing, however, for submissions to be considered for updating the Options and Recommendations document (the decisions making tool for the DNLUP), submissions must be received by April 11, 2014. In addition, comments, concerns and submissions can be made directly to the Commission at the Public Hearing. The NPC is available to receive and discuss issues with the Parties, and any other organisation and/or body, at any time.

1.4 Authority

The Nunavut Land Claims Agreement provides the overall policy direction for the development and review of land use plans. In addition, the NPC acknowledges the direction provided for the development and review of land use plans provided in the draft Nunavut Planning and Project Assessment Act (NUPPAA). The Nunavut Planning Commissions Broad Planning Policies and Objectives, which was prepared in conjunction with Government and the Nunavut Tungavik Incorporated, has also been considered in the preparation of this document.

2 Policy Framework

2.1 Nunavut Land Claims Agreement

The Nunavut Land Claims Agreement (NLCA) provides the overarching policy for the development and review of land use plans in Nunavut. Article 11, Part 5, Sections 11.5.1 to 11.5.4 of the NLCA provides direction regarding the development and review of land use plans leading up to the submission of a land use plan to the appropriate federal and territorial Ministers. This section of the NLCA states;

- S.11.5.1** *A Nunavut land use plan shall be formulated by the NPC in accordance with Section 11.5.4 to guide and direct short term and long term development in the Nunavut Settlement Area. Regional or sub-regional components of the land use plan shall be implemented where approved pursuant to Section 11.5.9.*
- S.11.5.2** *The first stage of the formulation of a land use plan, after such consultation as the NPC finds appropriate, shall be the preparation of a draft land use plan by the NPC.*
- S.11.5.3** *The NPC shall prepare a draft land use plan in accordance with Section 11.5.4 and, upon completion, shall make the draft land use plan public and solicit written and oral comments from all appropriate federal and territorial government agencies, DIOs, communities and the general public.*
- S.11.5.4** *The NPC shall;*
- a) Conduct public hearings on the draft plans;*
 - b) Evaluate the draft plans in light of representations made at the public hearings; and*
 - c) As appropriate, revise the draft plans*
- S.11.5.5** *Upon completion of the process in Section 11.5.4, the NPC shall submit the draft plan as revised along with a written report of the public hearings to the Minister of Indian Affairs and Northern Development and the Territorial Government Minister responsible for Renewable Resources. The NPC shall also make the revised draft land use plan public.*

2.2 The Draft Nunavut Planning and Project Assessment Act

The Draft Nunavut Planning and Project Assessment Act (NUPPAA) elaborates on the policy direction provided by Sections 11.5.1 to 11.5.4 of the NLCA. Sections 49 through Section 53 of NUPPAA states;

- S49 *After concluding any consultations that it considers appropriate, the Commission must prepare a draft land use plan for the entire designated area or for one or more planning regions;*
- S50 (1) *Before holding a public hearing in respect of a draft land use plan, the Commission must make the draft plan public and must do so in a manner designed to promote participation in its examination by the public;*
- (2) *The Commission must solicit written and oral comments on the draft land use plan from appropriate departments and agencies, appropriate designated Inuit organisations, affected municipalities, interested corporations and organisations, Inuit and other residents of the designated area and the general public;*
- S51 (1) *After allowing a reasonable period for the submission of comments on the draft land use plan, the Commission must hold a public hearing in respect of it.*
- (2) *The Commission must take all necessary steps to promote public awareness of, and public participation in, the public hearing, including through the choice of date, time and place of the hearing, notice given in relation to them and measures taken to disseminate any relevant information*
- (3) *In conducting a public hearing, the Commission must give great weight to the Inuit traditions regarding oral communication and decision making and must accord to the designated Inuit organisation full standing to appear at a public hearing for the purpose of making submission on behalf of the people it represents;*
- S52 *After the public hearing is held, the Commission must consider any comments made in respect of the draft land use plan under subsection 50(2) or submissions made during the hearing and make any revisions to the draft land use plan that it considers appropriate.*
- S53 *The Commission must submit the original or revised draft land use plan, which it must make public, and a written report of the proceedings at the public hearing held in respect of it, to the federal Minister, the territorial Minister and the designated Inuit organisation.*

2.3 The Nunavut Planning Commissions Broad Planning Policies and Objectives

The Nunavut Planning Commissions Broad Planning Policies and Objectives were prepared by the NPC in conjunction with Government and NTI and in accordance with Section 11.4.1(a) of the NLCA.

The Nunavut Planning Commissions Broad Planning Policies and Objectives promotes a land use planning process that includes;

- *input from a broad and diverse range of interests;*
- *opportunities for dialogue to share values, priorities, land and resource research, data and information, among Government, Regional Inuit Associations, Nunavut Tunngavik Incorporated and other planning partners for inclusion in land use planning decisions; and*
- *products for comment at all steps in the planning process to encourage organizations to actively participate in a collaborative and transparent manner.*

2.3 Development and review of the DNLUP in accordance with the NLCA, NUPPAA and the Nunavut Planning Commission's Broad Planning Policies and Objectives

In accordance with Article 11, Part 5, Sections 11.5.1 to 11.5.5 of the NLCA and Sections 49 to 53 of NUPPAA, the NPC has prepared a draft land use plan (the DNLUP). The DNLUP was made public in September 2012 and the NPC is soliciting written and oral comments from all appropriate federal and territorial government agencies, DIOs, communities and the general public. Once the consultation on the DNLUP is completed, the NPC will conduct a public hearing and, in light of representations made, will revise the DNLUP, as appropriate. The revised DNLUP, along with a written report from the Public Hearing, will be submitted to the appropriate federal and territorial Ministers and the designated Inuit organisation.

The NLCA and NUPPAA promote an integrated, open and transparent process for the development of a land use plan. They provide for input from a broad and diverse range of interests, opportunities for dialogue and encourage organisations to actively participate in the land use planning process. This process is further supported by the Nunavut Planning Commissions Broad Planning Policies and Objectives.

3 Framework for Engagement

3.1 Introduction

The framework for the engagement of the Parties is consistent with the overall policy direction provided in the NLCA and NUPPAA. It also supports the goals and objectives outlined in the Nunavut Planning Commissions Broad Planning Policies and Objectives.

The framework consists of four phases;

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| Phase 1 | Consultation Phase; |
| Phase 2 | Preparation of Representation; |
| Phase 3 | Public Hearing; and |
| Phase 4 | Submission |

Details of each phase are discussed below. A timeline of engagement is attached as Schedule A.

Parties unable to participate in the process outlined below are encouraged to provide feedback on the DNLUP prior to April 11, 2014. This is the last date that NPC staff will receive feedback and submissions for considerations as part of the revised Options and Recommendations Document. Please see Section 3.3 for further description of the Options and Recommendations document.

3.2 Phase 1: Consultation Phase (September 2012 – June 2014)

Phase 1 includes the following;

- a) Initial Workshop (September 2013);
- b) Written Submissions (February 2014); and
- c) Final Meeting with NPC staff (May 2014)

Phase 1 has been developed to reflect the overall policy direction provided in Sections 11.5.3 of the NLCA and Section 50 (1) and (2) of NUPPAA.

a) Initial Workshop – September 2013, Cambridge Bay

The Parties will be invited to participate in an NPC hosted workshop. A detailed agenda will be provided to the Parties ahead of the workshop. Public notice of the workshop will also be posted. The workshops will be held in Cambridge Bay in September 2013.

During the workshop, NPC staff will present the DNLUP and provide reason for its content. The purpose of the workshop is to provide clarity and to inform submissions on the DNLUP.

b) Written Submissions – February 14, 2014

The NPC is encouraging the Parties to provide written submissions after the Initial Workshop and before February 14, 2013. All written submissions will be made publicly available on the NPC's website.

April 11th, 2014 will be the last date that NPC staff will receive and consider written comments on the DNLUP ahead of the Public Hearing for consideration in the revisions to the Options and Recommendations document.

c) Final meeting with NPC Staff - May 2014, Cambridge Bay

Parties who provided written comments ahead of February 14, 2014 will be invited to a meeting with NPC staff in Cambridge Bay. The meetings will be held through the month of May. The purpose of the meeting is for NPC staff to fully understand the content of the submissions made ahead of finalising the revised Options and Recommendations Document. The revised Options and Recommendations Document will form the basis of the NPC staff representation at the Public Hearing and will provide recommendations for amendments to the DNLUP.

3.3 Phase 2: Preparation of representation (June 2014 – November 2014)

During this Phase, NPC staff will review and consider all submissions that were received before April 11, 2014. NPC staff will also consider and review information collected during visits to the Communities and any other available applicable materials. NPC staff will revise the Options and Recommendations document accordingly to include all the additional information. The current Options and Recommendations document used to inform the 2011/2012 DNLUP is available for download in both English and Inuktitut on the NPC website (www.nunavut.ca).

The Options and Recommendations document was created to achieve transparency in decision making in land use planning. The document describes the decision making framework including how information available to the NPC was used to develop policy options and recommendations for the Commission's consideration in the development of land use planning policy.

The revised Options and Recommendations document will form the basis of NPC staff representation on the DNLUP to the Commission at the Public Hearing. It will include all

submissions and information received up to April 11, 2014 and will provide recommendations for changes to the DNLUP.

The revised Options and Recommendations document will be made public before the Public Hearing and the Parties are encouraged to review the document. All comments regarding the revised Options and Recommendations document are to be directed to the Commission at the Public Hearing, either verbally, or in writing, or both. The Options and Recommendations Document will not be revised a second time before submitting for final approval, and is provided publically for information purposes only. The recommendations and options contained in the revised Document will be considered by the Commission in conjunction with other representations made at the public hearing. Any organisations or body that has concerns or comments regarding the options and recommendations contained in the revised document is encouraged to direct them to the Commission at the Public Hearing.

3.4 Phase 3: Public Hearing (November 2014)

In accordance with Section 11.5.4 of the NLCA and Sections 51 (1) through (3) of NUPPAA the NPC will conduct a public hearing on the DNLUP and will receive representations.

During the Public Hearing, NPC staff will present the DNLUP and the revised Options and Recommendations Document, which will contain options and recommendations for revising the DNLUP. Following the NPC staff representation, participants will have an opportunity to make representation.

Details of the Public Hearing, including a detailed agenda, will follow at a later date.

3.5 Phase 4: Submit the Revised Plan (November 2014 – March 2015)

In accordance with Section 11.5.5 of the NLCA and Section 52 and 53 of NUPPAA, The NPC will consider all representations that were made during the Public Hearing. After consideration, the Commissioners will direct NPC staff to revise the DNLUP accordingly. The direction that the Commissioners provide NPC staff will be based upon consideration of all submissions made and justification for their decisions will be provided in a report that will be made publically available.

Once complete, the revised DNLUP will be made publically available and submitted to the appropriate territorial and federal Ministers and the designated Inuit organisation for approval. A report from the Public Hearing will be submitted along with the DNLUP as well as any other supporting materials.

3.7 Timeline

The process outlined in Sections 3.1 through 3.5 is illustrated on the timeline attached as Appendix A. The Timeline also includes the Community Visits being carried out by the NPC for reference.

4.0 Next Steps

4.1 Community Visits and Engagement of Parties

Over the next year, the NPC will continue to visit NSA Communities and engaging neighbouring jurisdictions with interests in Nunavut to discuss important land and resource management issues. Information received during these visits will inform Community Reports, which will be used to inform the further development of the DNLUP. The NPC is committed to re-visiting each NSA community, Nunavik Region, Manitoba and Saskatchewan Denesuline representatives to discuss the Community Reports. Once the NPC has had an opportunity to discuss the Community Reports with Community members and validate and verify the information contained within them, the Community Reports will be released publicly on the NPC's website.

In accordance with the framework outlined in this document, the NPC has committed to workshops to clarify and inform submissions of the Parties on the DNLUP. Details and agendas will be prepared and circulated to the Parties in June. On receipt, the NPC would encourage the Parties to confirm availability and attendance.

The NPC is committed to meeting the timelines and milestones outlined in this document, as well as the commitments it has made to visit the Communities. The NPC reminds the Parties that pursuant to Section 197 of NUPPAA;

If a regulatory authority or a department or agency or municipality that is not a regulatory authority is in possession of specialist or expert information or knowledge, including traditional knowledge, it must, at the request of the Commission, a responsible authority, the Board, a federal environmental assessment panel, a joint panel or the responsible minister, as the case may be, make that information or knowledge available to them, if they require it to exercise their powers or perform their duties or functions.

Every effort will be made by the NPC to ensure that the submission of a revised DNLUP to the appropriate federal and territorial ministers, and designated Inuit organisation, reflects truly and accurately the input of all of the NPC's planning partners. In this respect, we encourage all the Parties to make every effort to fully participate in assisting the NPC in preparing this important document.

Timeline for the Submission of the DNLUP (2012-2015)

- All partners
- Parties + Commission
- Commission
- Phases

