

SUBJECT: Consultation on land use laws

OBLIGATION: Consult Nunatsiavut Government on land use policy or development regulation in Labrador Inuit Settlement Area (LISA) outside Labrador Inuit Lands (LIL) or Water Use in LIL
10.2.4

PARTIES: Province - Department of Municipal and Provincial Affairs
Nunatsiavut Government

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Notify Nunatsiavut Government of intent to establish land use policy or development regulation applicable to: a) LISA outside LIL; or b) Water Use in LIL. Provide: i) sufficient details; and ii) reasonable time frame for response.	Province - Department of Municipal and Provincial Affairs	Before establishing any land use policy or development regulation.
2	Review information as provided; prepare and submit views.	Nunatsiavut Government	Within time frame established by Activity 1 (ii).
3	Give full and fair consideration to views presented by the Nunatsiavut Government.	Province - Department of Municipal and Provincial Affairs	After receipt of views and before making a final decision.
4	Make decision on proposed land use policy or development regulation, and notify Nunatsiavut Government.	Province - Department of Municipal and Provincial Affairs	As desired.

PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

Except for Water Use, Provincial policies and development regulations do not apply in LIL (10.2.3).

FINAL AGREEMENT PROVISIONS

10.2.4 The Province shall Consult the Nunatsiavut Government before establishing any land use policy or development regulation under any Provincial Law that applies in or to the Labrador Inuit Settlement Area outside Labrador Inuit Lands or to Water Use in Labrador Inuit Lands.

CROSS-REFERENCED AND RELATED POSITIONS

General Definitions and Interpretation - 1.1.1 - “Consult”, “Water Use”

Land Use Planning 10.2.1 - Chapter 10 does not apply to lands or Tidal Waters under the jurisdiction of Canada.

SUBJECT: Consultation on land use laws

OBLIGATION: Consult Provincial Government on land use policy or development regulation applicable to Labrador Inuit Lands (LIL)
10.2.5

PARTIES: Nunatsiavut Government
Province - Department of Municipal and Provincial Affairs

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Notify Province of intent to establish land use policy or development regulations applicable to or in LIL. Provide: a) sufficient details; and b) reasonable time frame for response.	Nunatsiavut Government	Before establishing any land use policy or development regulation under Inuit Law.
2	Review information as provided; prepare and submit views.	Province - Department of Municipal and Provincial Affairs	Within time frame established by Activity 1(b).
3	Give full and fair consideration to views presented by the Province.	Nunatsiavut Government	After receipt of views and before making a final decision.
4	Make decision on proposed land use policy or development regulation and notify the Province.	Nunatsiavut Government	As desired.

PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

Except for Water Use, Provincial policies and development regulations do not apply in LIL (10.2.3).

FINAL AGREEMENT PROVISIONS

10.2.5 The Nunatsiavut Government shall Consult Newfoundland before establishing any land use policy or development regulation under an Inuit Law that applies in or to Labrador Inuit Lands.

CROSS-REFERENCED AND RELATED PROVISIONS

General Definitions and Interpretation - 1.1.1 - “Consult”

SUBJECT: Transitional Period

OBLIGATION: Approve new land uses for Labrador Inuit Settlement Area (LISA) outside Labrador Inuit Lands (LIL) and outside Labrador Inuit Communities prior to Land Use Plan coming into effect
10.9.1

PARTIES: Province - Department of Environment and Conservation (Lands Branch)
 Nunatsiavut Government

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Review application for proposed new use of land, Water, Tidal Waters or buildings within the Labrador Inuit Settlement Area (LISA) outside Labrador Inuit Lands (LIL).	Province - Department of Environment and Conservation (Lands Branch)	Upon receipt of application, prior to Land Use Plan coming into effect.
2	Notify Nunatsiavut Government regarding intent to permit new use of land, Water, Tidal Waters or buildings within LISA outside LIL and outside the Inuit Communities. Provide: a) sufficient details; and b) reasonable time frame for response.	Province - Department of Environment and Conservation (Lands Branch)	Before permitting new use.
3	Review information as provided; prepare and submit views.	Nunatsiavut Government	As per time frame established in Activity 2(b).
4	Give full and fair consideration to views presented by Nunatsiavut Government.	Province - Department of Environment and Conservation (Lands Branch)	Prior to making a decision.
5	Make decision and notify Nunatsiavut Government.	Province - Department of Environment and Conservation (Lands Branch)	Upon making decision.

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>

PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

For this Activity Sheet it is anticipated that the Nunatsiavut Government will request feedback from its representatives on the Regional Planning Authority prior to presenting its views.

FINAL AGREEMENT PROVISIONS

10.9.1 No new use of land, Water, Tidal Waters, or buildings within the Labrador Inuit Settlement Area outside Labrador Inuit Lands, other than one which conforms to a municipal plan, may be permitted between the Effective Date and the date when the Land Use Plan comes into effect without Consultation with the Nunatsiavut Government.

CROSS-REFERENCED AND RELATED PROVISIONS

General Definitions and Interpretation - 1.1.1 “Consult”, “Land Use Plan”, “Tidal Water”, “Water”

SUBJECT: Transitional Period

OBLIGATION: Approval of new uses of land, Water, Tidal Water, or buildings in Labrador Inuit Communities prior to Land Use Plan coming into effect
10.9.1

PARTIES: Inuit Community Government
Nunatsiavut Government

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Review application for proposed new use of land, Water, Tidal Waters, or buildings within the Labrador Inuit Communities.	Inuit Community Government	Upon receipt of application.
2	Determine whether application conforms to existing municipal plan.	Inuit Community Government	Upon receipt of application.
3	If considering amending municipal plan for proposed new use of land, Water, Tidal Waters, or buildings, notify the Nunatsiavut Government. Provide: a) sufficient details on the application and proposed amendment; and b) reasonable time frame for response.	Inuit Community Government	Upon making a decision to recommend amending existing municipal plan.
4	Review details as provided; prepare and submit views.	Nunatsiavut Government	With time frame established in Activity 3(b).
5	Give full and fair consideration to views presented by Nunatsiavut Government.	Inuit Community Government	Prior to making a final decision on amending existing municipal plan.
6	Notify Nunatsiavut Government of decision.	Inuit Community Government	As soon as final decision is made.

FINAL AGREEMENT PROVISIONS

- 10.9.1 No new use of land, Water, Tidal Waters, or buildings within the Labrador Inuit Settlement Area outside Labrador Inuit Lands, other than one which conforms to a municipal plan, may be permitted between the Effective Date and the date when the Land Use Plan comes into effect without Consultation with the Nunatsiavut Government.
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CROSS-REFERENCED AND RELATED PROVISIONS

General Definitions and Interpretation - 1.1.1 “Consult”, “Land Use Plan”, “Tidal Water”, “Water”

SUBJECT: Transitional Period

**OBLIGATION: Maintain Exempt Mineral Lands
10.9.2**

**PARTIES: Province -Department of Natural Resources (Mines Branch)
Nunatsiavut Government**

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Request consent of Nunatsiavut Government to revise, replace or amend paragraphs F to L, Schedule A, <i>Mineral Regulations</i> in Labrador Inuit Lands (LIL).	Province -Department of Natural Resources (Mines Branch)	Upon intent to make changes to the <i>Regulations</i> prior to the Land Use Plan coming into effect.
2	Make decision and notify Province.	Nunatsiavut Government	As soon as practicable, following receipt of request.
3	Revise, replace or amend <i>Regulations</i> , and notify the Nunatsiavut Government.	Province -Department of Natural Resources (Mines Branch)	Upon receipt of notification of consent from the Nunatsiavut Government.
4	Revise, replace or amend paragraphs F to L, Schedule A, <i>Mineral Regulations</i> in the Labrador Inuit Settlement Area outside Labrador Inuit Lands, and notify the Nunatsiavut Government.	Province -Department of Natural Resources (Mines Branch)	As desired, no sooner than 6 months after the Effective Date.

PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

The Province shall Consult the Nunatsiavut Government before establishing any land use policy or development regulation under any Provincial Law that applies in or to the Labrador Inuit Settlement Area outside Labrador Inuit Lands or to Water Use in Labrador Inuit Lands (10.2.4).

FINAL AGREEMENT PROVISIONS

10.9.2 Paragraphs F to L inclusive of Schedule A to the *Mineral Regulations* (CNR 1143/96) shall not be revised, replaced or amended:

- (a) in Labrador Inuit Lands prior to the date when the Land Use Plan comes into effect without the written consent of the Nunatsiavut Government; and
 - (b) in the Labrador Inuit Settlement Area outside Labrador Inuit Lands, until at least six months after the Effective Date.
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CROSS-REFERENCED AND RELATED PROVISIONS

General Definitions and Interpretation - 1.1.1 “Land Use Plan”
Provincial *Mineral Regulations*, Schedule A, paragraphs F - L

SUBJECT: Regional Planning Activity

OBLIGATION: Establish Regional Planning Authority
10.3.1 - 10.3.3, 10.3.5

PARTIES: Province - Department of Municipal and Provincial Affairs
Nunatsiavut Government
Regional Planning Authority (RPA)

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Commence discussion on the joint appointment of the Regional Planning Authority.	Province - Department of Municipal and Provincial Affairs Nunatsiavut Government	Recommended 2 months prior to the Effective Date.
2	Jointly appoint members of the Regional Planning Authority.	Province - Department of Municipal and Provincial Affairs Nunatsiavut Government	Within 60 clear days of commencement of Activity 1 (recommended on the Effective Date).
3	If there is no agreement on joint appointment, each government will appoint 2 members to the Regional Planning Authority, and notify the other Party.	Province - Department of Municipal and Provincial Affairs Nunatsiavut Government	As soon as practicable after non-consensus within 60 clear days regarding joint appointment to the Regional Planning Authority.
4	Call initial meeting to select chairperson.	Regional Planning Authority	Recommended within 30 days of appointment of members.
5	Notify Parties of selected chairperson.	Regional Planning Authority	As soon as practicable.
6	Adopt internal rules and procedures.	Regional Planning Authority	As desired.

PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

As part of the mandate of the Regional Planning Authority, the procedure for terminating the Regional Planning Authority must be detailed or named in the terms of reference of the Regional Planning Authority.

Public Servants serving on the Regional Planning Authority shall not receive remuneration in excess of that received as a public servant (10.3.6).

FINAL AGREEMENT PROVISIONS

- 10.3.1 There shall be a Regional Planning Authority for the Labrador Inuit Settlement Area composed of four members having knowledge and experience in land use planning who shall be appointed jointly by the Province and the Nunatsiavut Government, as soon as practical after the Effective Date.
- 10.3.2 If the Province and the Nunatsiavut Government fail to agree on joint appointments to the Regional Planning Authority for the Labrador Inuit Settlement Area within 60 clear days from the commencement of discussions for that purpose, each of the Province and the Nunatsiavut Government may appoint two members.
- 10.3.3 The members of the Regional Planning Authority shall select a chairperson from among their number.
- 10.3.5 The Regional Planning Authority may adopt rules for the performance of its functions, including rules for the calling of meetings, the conduct of business and the carrying on of the work of the Regional Planning Authority.

CROSS-REFERENCED AND RELATED PROVISIONS

- 10.1.1 - “Regional Planning Authority”
- 10.3.4 The Regional Planning Authority shall direct the preparation of the draft of the Land Use Plan.

BUDGET AND FUNDING RESPONSIBILITIES

Annex D, Part 6

COMMUNICATION ACTIVITIES

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Publish mandate of Regional Planning Authority through press release.	Province Nunatsiavut Government	Upon establishment of Regional Planning Authority and selection of chair.

SUBJECT: Preparation of Land Use Plan

OBLIGATION: Appoint Planner
10.4.1 & 10.4.2

PARTIES: Province - Minister of Municipal and Provincial Affairs
Regional Planning Authority (RPA)

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Notify the Regional Planning Authority (RPA) of intent to draft terms of appointment of the regional planner, and provide: a) sufficient details; and b) reasonable time frame for response.	Province - Minister of Municipal and Provincial Affairs	As soon as practicable after establishment of Regional Planning Authority.
2	Review information as provided; prepare and submit views.	Regional Planning Authority	Within the time frame established by Activity 1(b).
3	Give full and fair consideration to views presented by RPA.	Province - Minister of Municipal and Provincial Affairs	After receipt of views and before establishing terms of appointment.
4	Establish terms of appointment of planner, and notify RPA.	Province - Minister of Municipal and Provincial Affairs	Recommend within 30 days of receiving views of the RPA.
5	In accordance with the terms of the appointment, establish a selection process and prepare a list of nominees.	Regional Planning Authority	Recommended within 30 days of establishment of terms of appointment.
6	Submit the list of nominees to the Minister.	Regional Planning Authority	Recommended within 3 months of Effective Date of the Agreement.
7	Appoint Planner(s) from list of nominees provided	Minister of Municipal and Provincial Affairs	Recommended within 3 months of the Effective

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
	by the RPA.		Date of the Agreement.

PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

The Planner shall be a fellow or full member of the Canadian Institute of Planners (10.4.2).

Terms of appointment to include participation in public hearing process, and possible revision of the Land Use Plan following public hearings.

Planner to be hired for an initial term of approximately two (2) years, with possible extension to a maximum of three (3) years.

FINAL AGREEMENT PROVISIONS

10.4.1 The Minister shall appoint a planner or planners to prepare a draft of a Land Use Plan referred.

10.4.2 The Planner, who shall be a fellow or full member of the Canadian Institute of Planners, shall be appointed from a list of nominees prepared by the Regional Planning Authority and the terms of the appointment shall be established by the Minister in Consultation with the Regional Planning Authority.

CROSS-REFERENCED AND RELATED PROVISIONS

10.1.1 - “Planner”, “Regional Planning Authority”

10.2.7 - Land Use Plan to be completed in 3 years under Urban and Rural Planning Act, 2000

BUDGET AND FUNDING RESPONSIBILITIES

Annex D, Part 6.

SUBJECT: Preparation of Land Use Plan

OBLIGATION: Establish principles, objectives and other related functions of the Land Use Plan
10.3.9

PARTIES: Regional Planning Authority
Province - Department of Municipal and Provincial Affairs
Nunatsiavut Government
Planner

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Notify Planner of the intent to establish principles, objectives and other functions to guide land use planning in Labrador Inuit Settlement Area (LISA).	Regional Planning Authority	Upon the appointment of Planner.
2	Review details as provided; prepare and submit views.	Planner	Upon receipt of proposed principles, objectives and other functions.
3	Give full and fair consideration to views presented by Planner.	Regional Planning Authority	Upon receipt of views from the Planner.
4	Request agreement from Nunatsiavut Government and the Provincial Department of Municipal and Provincial Affairs to perform any other functions in addition to the principle objectives of the Land Use Plan.	Regional Planning Authority	Recommended within one (1) month of appointment of Planner(s).
5	Approve or deny request to perform other functions.	Province - Department of Municipal and Provincial Affairs Nunatsiavut Government	Recommended within 14 clear days of receipt of request.

PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

As part of “other functions” a termination (close out) plan will be established.

Other functions may be added throughout the preparation of the Land Use Plan, in accordance with the process outlined on this Activity Sheet.

FINAL AGREEMENT PROVISIONS

10.3.9 The Regional Planning Authority shall, after Consultation with the Planner:

- (a) establish principles to guide land use planning in the Labrador Inuit Settlement Area;
 - (b) establish the objectives of the land use plan; and
 - (c) perform any other functions that may be agreed upon by the Regional Planning Authority, the Nunatsiavut Government and the Province.
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CROSS-REFERENCED AND RELATED PROVISIONS

General Definitions and Interpretation - 1.1.1 - "Consult"

10.1.1 - "Planner", "Regional Planning Authority"

10.3.8 - Powers and responsibilities of the Regional Planning Authority

BUDGET AND FUNDING RESPONSIBILITIES

Annex D, Part 6

SUBJECT: Preparation of Land Use Plan

OBLIGATION: Prepare initial draft of Land Use Plan
10.4.3 - 10.4.7

PARTIES: Planner
Regional Planning Authority
Nunatsiavut Government
Province - Minister of Municipal and Provincial Affairs

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Prepare initial draft of Land Use Plan as per section 10.4.3 of the Agreement.	Planner	Upon hiring of the Planner, but recommended within 12 months of Effective Date of the Agreement.
2	Submit initial draft of Land Use Plan to Regional Planning Authority (RPA).	Planner	Upon completion of initial draft of Land Use Plan.
3	Review initial draft of Land Use Plan and: a) return to Planner with recommendations for revisions; or b) approve.	Regional Planning Authority	Upon receipt of draft Land Use Plan, but recommend within 30 clear days of receipt.
4	Submit proposed Land Use Plan to Nunatsiavut Government and the Province - Minister of Municipal and Provincial Affairs for review.	Regional Planning Authority	Upon approval of initial draft.
5	Review draft of Land Use Plan and submit recommendations to RPA.	Nunatsiavut Government Province - Minister of Municipal and Provincial Affairs	Within 60 clear days of receipt of draft Land Use Plan.
6	Direct Planner to make any revisions it deems necessary and submit revised draft of Land Use	Regional Planning Authority	As soon as practicable after receiving recommendations from Nunatsiavut Government

	Plan to the Province - Minister of Municipal and Provincial Affairs and Nunatsiavut Government.		and Province.
7	Adopt in principle draft Land Use Plan.	Province - Minister of Municipal and Provincial Affairs Nunatsiavut Government	When satisfied with draft plan submitted by RPA and prior to public hearings.

PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

The Regional Planning Authority will establish a process for regular review of the work of the Planner prior to submission of the draft Land Use Plan in Activity 2.

FINAL AGREEMENT PROVISIONS

- 10.4.3 The draft of the Land Use Plan must provide for the management of land, water and resource use in the Labrador Inuit Settlement Area and shall take into consideration and account for:
- a) the natural resources of the Labrador Inuit Settlement Area, including Water, and existing patterns of natural resource use;
 - b) the health and quality of life of the residents of the Labrador Inuit Settlement Area;
 - c) the economic needs of, and the economic opportunities that are and may be available to, the residents of the Labrador Inuit Settlement Area;
 - d) Environmental considerations, including Fish, Fish Habitat, Aquatic Plants, Wildlife, Plants and Habitat;
 - e) Protected Areas, National Parks, National Parks Reserves, National Marine Conservation Areas and National Marine Conservation Area Reserves;
 - f) cultural factors and priorities, including the protection and preservation of Archaeological Sites, sites of religious or spiritual significance to Inuit, Inuit burial sites and Aullâsimavet;
 - g) particular local and regional considerations;
 - h) considerations respecting the management of estuarine, coastal and marine ecosystems;
 - i) the rights of Inuit as set out in the Agreement;
 - j) the mandatory and discretionary requirements for plans and regulations under the *Urban and Rural Planning Act, 2000*; and

- k) any other factors that, in the opinion of the Regional Planning Authority and the Planner, are necessary or desirable.
 - 10.4.4 Once the Regional Planning Authority is satisfied with the draft of the Land Use Plan, it shall forward the draft to the Nunatsiavut Government and the Minister.
 - 10.4.5 Within 60 clear days from the date when the draft of the Land Use Plan is forwarded to the Nunatsiavut Government and the Minister under section 10.4.4, the Nunatsiavut Government and the Minister shall provide their recommendations and comments regarding the draft of the Land Use Plan to the Regional Planning Authority. The Regional Planning Authority may direct the Planner to revise the draft of the Land Use Plan.
 - 10.4.6 Upon completion of the process under section 10.4.5, the Regional Planning Authority shall forward the draft of the Land Use Plan or revised draft of the Land Use Plan to the Nunatsiavut Government and the Minister.
 - 10.4.7 The draft of the Land Use Plan referred to in section 10.4.6 shall be adopted in principle by the Minister and the Nunatsiavut Government.
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CROSS-REFERENCED AND RELATED PROVISIONS

General Definitions and Interpretation - 1.1.1 - "Land Use Plan"

10.1.1. - "Planner", "Regional Planning Authority"

10.2.7 - Land Use Plan to be completed in 3 years under *Urban and Rural Planning Act, 2000*

10.3.4 - Regional Planning Authority to direct preparation of the Land Use Plan

10.3.8 - Powers and Responsibilities of the Regional Planning Authority

BUDGET AND FUNDING RESPONSIBILITIES

Annex D, Part 6

SUBJECT: Public Hearings

**OBLIGATION: Conduct Public Hearings
10.3.7, 10.5.1 - 10.5.5**

**PARTIES: Regional Planning Authority (RPA)
Commissioner
Planner
Nunatsiavut Government
Province - Minister of Municipal and Provincial Affairs**

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Appoint commissioner to undertake hearings, as per section 10.5.2 of the Agreement.	Regional Planning Authority	Upon approval in principle of draft Land Use Plan by Nunatsiavut Government and the Province on Activity Sheet 10-9.
2	Determine hearing locations.	Nunatsiavut Government Province - Minister of Municipal and Provincial Affairs	Recommended within 1 month of appointment of Commissioner.
3	Print draft Land Use Plan and distribute to key locations and to interested stakeholders upon request.	Regional Planning Authority Commissioner	Recommended within one month of appointment of Commissioner.
4	Conduct hearings.	Commissioner	As per schedule established in Activity 2.
5	Prepare draft hearing report as per section 10.5.3 of the Agreement, and submit to Regional Planning Authority.	Commissioner	Within 6 months of appointment.
6	Notify Nunatsiavut Government and Province of Commissioner's report. Provide: a) copy of report and other relevant information; and b) reasonable time frame for response.	Regional Planning Authority	Upon receipt and preliminary review of Commissioner's report.

7	Review information as provided; prepare and submit views.	Nunatsiavut Government Province - Minister of Municipal and Provincial Affairs	Upon receipt of Commissioners's report, as per time frame specified in Activity 6(b).
8	Give full and fair consideration to views presented by Nunatsiavut Government and Province.	Regional Planning Authority	Upon receipt of views from Nunatsiavut Government and Province.
9	If necessary, direct Planner to revise the Land Use Plan.	Regional Planning Authority	Upon making a decision the Land Use Plan requires change, following views presented by Government(s).
10	Revise the Land Use Plan.	Planner	Upon direction by RPA.
11	Submit final draft of the Land Use Plan to Minister and Nunatsiavut Government.	Regional Planning Authority	Within 36 months of Effective Date of the Agreement.
12	Close-out operations, including transfer of operations.	Regional Planning Authority Planner	As soon as practicable, after submission of final draft of the Land Use Plan.
13	Terminate Planner, upon recommendation of Regional Planning Authority.	Province - Minister of Municipal and Provincial Affairs	As soon as practicable, after submission of final draft of the Land Use Plan.
14	Disband Regional Planning Authority through written notice.	Province - Minister of Municipal and Provincial Affairs Nunatsiavut Government	Upon completion of close-out functions in Activities 12 and 13.

PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

Public hearings will be scheduled in a suitable time frame to have the Commissioner's report completed within 6 months of appointment.

No more than ten (10) public hearings will be conducted.

The Planner will attend the public hearings.

A plan should be prepared and put in place for the transfer of land use planning records from the Regional Planning Authority and the Planner to the Nunatsiavut Government and the Province.

FINAL AGREEMENT PROVISIONS

- 10.3.7 The Regional Planning Authority shall disband and cease its operations when it has completed its functions under part 10.5.
- 10.5.1 Once the steps required under part 10.4 have been completed and the draft of the Land Use Plan has been adopted in principle by the Minister and the Nunatsiavut Government pursuant to section 10.4.7, it shall be the subject of public hearings to be held within the Labrador Inuit Settlement Area and other locations as determined by the Nunatsiavut Government and the Minister.
- 10.5.2 The Regional Planning Authority shall appoint a commissioner who shall:
- a) hold public hearings and consider representations regarding the draft of the Land Use Plan from any Person;
 - (b) have, for purposes of public hearings under this chapter, the same powers as a commissioner under the *Public Inquiries Act*; and
 - (c) not simultaneously be a member or an employee of a municipal or city council, a regional authority, the Provincial Government or an Inuit Government.
- 10.5.3 Within six months from the date of the appointment under section 10.5.2, the commissioner shall submit a written report to the Regional Planning Authority with respect to the draft of the Land Use Plan. The report must set out in detail the commissioner's recommendations respecting all matters and representations considered by the commissioner at the public hearings together with the reasons for the recommendations and a statement showing objections and representations that came to the attention of the commissioner but were not considered and the reasons why they were not considered.
- 10.5.4 The Regional Planning Authority shall Consult the Nunatsiavut Government and the Minister on the report referred to in section 10.5.3 and following such Consultation may revise the draft of the Land Use Plan.
- 10.5.5 After the Consultation referred to in section 10.5.4 and after making any revisions, the Regional Planning Authority shall submit the draft of the Land Use Plan to the Minister and the Nunatsiavut Government.

CROSS-REFERENCED AND RELATED PROVISIONS

General Definitions and Interpretation - 1.1.1 - "Consult", "Land Use Plan"

BUDGET AND FUNDING RESPONSIBILITIES

Annex D, Part 6

COMMUNICATION ACTIVITIES

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Publicize dates and locations of public hearings.	Commissioner Regional Planning Authority	Recommended, within 1 month of appointment of Commissioner.

SUBJECT: Approval of Land Use Plan

OBLIGATION: Approve and implement Land Use Plan in Labrador Inuit Settlement Area (LISA) outside Labrador Inuit Lands (LIL) and for Water Use on LIL
 10.6.1, 10.6.3, 10.6.4, 10.7.1, 10.7.3

PARTIES: Province - Minister of Municipal and Provincial Affairs
 - Minister of Environment and Conservation
 Nunatsiavut Government
 Inuit Community Governments

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Review draft of the Land Use Plan proposed by Regional Planning Authority for LISA outside LIL and Water Use on LIL for compliance with <i>Urban and Rural Planning Act, 2000</i> .	Province - Minister of Municipal and Provincial Affairs	Within 90 clear days of receipt of draft of the Land Use Plan from Regional Planning Authority.
2	Notify Nunatsiavut Government of intent to approve, modify or reject and substitute Land Use Plan for Water Use on LIL. Provide: a) sufficient details; and b) reasonable time frame for response.	Province - Minister of Municipal and Provincial Affairs	After initial review of draft of the Land Use Plan and before making a decision.
3	Review information as provided; prepare and submit views.	Nunatsiavut Government	As per time frame established in Activity 2 (b).
4	Give full and fair consideration to views presented by the Nunatsiavut Government.	Province - Minister of Municipal and Provincial Affairs	As soon as practicable upon receipt of Nunatsiavut Government views.
5	Approve, modify or reject and substitute draft Land Use Plan for LISA outside	Province - Minister of Municipal and Provincial Affairs	Following consideration of views presented by the Nunatsiavut Government.

	LIL and Water Use on LIL.		
6	Notify Nunatsiavut Government of decision.	Province - Minister of Municipal and Provincial Affairs	Immediately upon decision.
7	Publish notice of registration of Land Use Plan in Newfoundland and Labrador Gazette.	Province - Minister of Municipal and Provincial Affairs	Upon decision.
8	Implement Land Use Plan in LISA outside LIL and outside the Inuit Communities, and for Water Use in LIL.	Province - Minister of Environment and Conservation	Upon publication of the Land Use Plan in Newfoundland and Labrador Gazette.
9	Implement Land Use Plan in the Inuit Communities.	Inuit Community Governments	Upon publication of the Land Use Plan in Newfoundland and Labrador Gazette.

PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

For this Activity Sheet, it is anticipated that the Minister of Municipal and Provincial Affairs will consult with the Minister of Environment and Conservation regarding Water Use on LIL.

FINAL AGREEMENT PROVISIONS

10.6.1 Within 90 clear days from the date of receipt of the draft of the Land Use Plan referred to in section 10.5.5, the Minister shall, with respect to the Labrador Inuit Settlement Area outside Labrador Inuit Lands and with respect to Water Use in Labrador Inuit Lands, review the draft of the Land Use Plan under the *Urban and Rural Planning Act, 2000*. Upon completion of the review, the Minister shall, after Consulting the Nunatsiavut Government pursuant to section 10.6.3:

- (a) approve the draft of the Land Use Plan with or without conditions;
- (b) modify the draft of the Land Use Plan; or
- (c) reject the draft of the Land Use Plan and substitute a Land Use Plan for the Labrador Inuit Settlement Area outside Labrador Inuit Lands and for the Use of Water in Labrador Inuit Lands; and
- (d) forthwith notify the Nunatsiavut Government of the decision.

- 10.6.3 The discretion of the Nunatsiavut Government under section 10.6.2 shall not apply to Water Use in Labrador Inuit Lands, but the Minister shall Consult the Nunatsiavut Government prior to taking any action under section 10.6.1 with respect to Water Use in Labrador Inuit Lands.
- 10.6.4 Once the draft of the Land Use Plan referred to in section 10.5.5 has been approved, with or without conditions, modified or rejected and substituted under sections 10.6.1 and 10.6.2 it shall be brought into effect as the Land Use Plan in accordance with the procedures set out in part 10.7.
- 10.7.1 For matters within Provincial jurisdiction in the Labrador Inuit Settlement Area outside Labrador Inuit Lands, including the Inuit Communities, and with respect to Water Use in Labrador Inuit Lands, the Land Use Plan shall come into effect upon compliance by the Minister with the requirements of the *Urban and Rural Planning Act, 2000* for bringing a plan into force after which the Land Use Plan, as it applies in such lands, shall be binding for purposes of Provincial Law on all Persons other than Canada.
- 10.7.3 The Land Use Plan shall be implemented:
- (a) in Labrador Inuit Lands by the Nunatsiavut Government, subject to section 10.12.2;
 - (b) in the Inuit Communities, except with respect to Labrador Inuit Lands, by the Inuit Community Governments; and
 - (c) elsewhere within the Labrador Inuit Settlement Area by the Minister.
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CROSS-REFERENCED AND RELATED PROVISIONS

General Definitions and Interpretation - 1.1.1 - “Consult”, “Land Use Plan”

10.1.1 - Regional Planning Authority

10.5.5 - After the Consultation referred to in section 10.5.4 and after making any revisions, the Regional Planning Authority shall submit the draft of the Land Use Plan to the Minister and the Nunatsiavut Government.

SUBJECT: Approval of Land Use Plan

OBLIGATION: Approve and implement Land Use Plan in Labrador Inuit Lands (LIL)
10.6.2, 10.6.4, 10.7.2, 10.7.3

PARTIES: Nunatsiavut Government
Inuit Community Governments

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Review draft of Land Use Plan proposed by Regional Planning Authority for LIL, excluding Water Use.	Nunatsiavut Government	Upon receipt of draft Land Use Plan, following public hearings in Activity 11 of Activity Sheet 10-10.
2	Approve, modify or reject and substitute draft Land Use Plan for LIL excluding Water Use and notify the Minister of Municipal and Provincial Affairs of the decision.	Nunatsiavut Government	Within 90 clear days of receipt of draft Land Use Plan from Regional Planning Authority.
3	Publish notice of Land Use Plan for LIL excluding Water Use in registry of Inuit Laws and provide copies to Canada, the Province - Department of Municipal and Provincial Affairs and the Inuit Community Governments.	Nunatsiavut Government	As soon as practicable upon approval of the Land Use Plan.
4	Implement Land Use Plan for LIL excluding Water Use.	Nunatsiavut Government	Upon publication of the Land Use Plan in registry of Inuit Laws.
5	Implement Land Use Plan in the Inuit Communities.	Inuit Community Governments	Upon receipt of notice from the Nunatsiavut Government.

PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

The Nunatsiavut Government may delegate to Inuit Community Governments responsibility for implementation of the Land Use Plan for parcels of Labrador Inuit Lands within the Inuit Communities (17.6.1).

FINAL AGREEMENT PROVISIONS

10.6.2 Within 90 clear days from the date of receipt of the draft of the Land Use Plan referred to in section 10.5.5, the Nunatsiavut Government shall, with respect to Labrador Inuit Lands and subject to section 10.6.3:

- a) approve the draft of the Land Use Plan with or without conditions;
- b) modify the draft of the Land Use Plan; or
- c) reject the draft of the Land Use Plan and substitute a Land Use Plan for a matter within the jurisdiction of the Nunatsiavut Government; and
- d) forthwith notify the Minister of the decision.

10.6.4 Once the draft of the Land Use Plan referred to in section 10.5.5 has been approved, with or without conditions, modified or rejected and substituted under sections 10.6.1 and 10.6.2 it shall be brought into effect as the Land Use Plan in accordance with the procedures set out in part 10.7.

10.7.2 The Land Use Plan shall come into effect in Labrador Inuit Lands when it has been proclaimed and published as an Inuit Law in accordance with the procedures established pursuant to subsection 17.5.1(d), after which the Land Use Plan, as it applies in Labrador Inuit Lands, shall be binding for purposes of Inuit Law on all Persons other than Canada.

10.7.3 The Land Use Plan shall be implemented:

- (a) in Labrador Inuit Lands by the Nunatsiavut Government, subject to section 10.12.2;
- (b) in the Inuit Communities, except with respect to Labrador Inuit Lands, by the Inuit Community Governments; and
- (c) elsewhere within the Labrador Inuit Settlement Area by the Minister.

CROSS-REFERENCED AND RELATED PROVISIONS

General Definitions and Interpretation - 1.1.1 - "Land Use Plan", "Water Use"

Self-Government - 17.5.1- Registry of Inuit Laws

SUBJECT: Amendments to Land Use Plan

OBLIGATION: Conduct 5-year review of Land Use Plan
10.10.1 & 10.10.3

PARTIES: Nunatsiavut Government
Province - Department of Municipal and Provincial Affairs

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Initiate joint review of Land Use Plan.	Nunatsiavut Government Province - Department of Municipal and Provincial Affairs	5 years after the effective date of Land Use Plan, and every 5 years thereafter.
2	Appoint representative(s) to conduct review and notify the other Government.	Nunatsiavut Government Province - Department of Municipal and Provincial Affairs	Upon initiation of the review.
3	Jointly establish procedures for conducting review, including whether to conduct public hearings.	Nunatsiavut Government Province - Department of Municipal and Provincial Affairs	Upon appointment of representatives.
4	Establish budget and funding responsibilities for review.	Nunatsiavut Government Province - Department of Municipal and Provincial Affairs	Upon agreement on establishment of review procedures.
5	Conduct review, including objectives and principles for the Land Use Plan, according to procedures established in Activity 3.	Nunatsiavut Government Province - Department of Municipal and Provincial Affairs	Upon establishment of review procedures and budget.
6	If recommending an amendment to the Land Use Plan, proceed in accordance with Activity Sheet 10-15.	Nunatsiavut Government Province - Department of Municipal and Provincial Affairs	Upon completion of review.

PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

The two governments may decide that a formal review of the Land Use Plan is not required.

FINAL AGREEMENT PROVISIONS

- 10.10.1 The Nunatsiavut Government and the Province shall jointly review the Land Use Plan, including the principles and objectives for the Land Use Plan that are established under section 10.3.9, every five years from the date when the Land Use Plan comes into effect everywhere in the Labrador Inuit Settlement Area.
- 10.10.3 An amendment to the Land Use Plan that is proposed as a consequence of a review under section 10.10.1 or that is recommended under section 10.10.2 shall be dealt with in accordance with this part.
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CROSS-REFERENCED AND RELATED PROVISIONS

General Definitions and Interpretation - 1.1.1 - "Land Use Plan"
10.3.9 Principles and objectives of the Land Use Plan

BUDGET AND FUNDING RESPONSIBILITIES

As agreed in Activity 4.

SUBJECT: Amendments to Land Use Plan

OBLIGATION: Recommendations for amendments outside of 5-year review
10.10.2 & 10.10.4

PARTIES: Nunatsiavut Government
Province - Department of Municipal and Provincial Affairs
- Minister of Municipal and Provincial Affairs

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Determine appropriate jurisdiction relevant to proposed recommended amendment.	Nunatsiavut Government or Province - Department of Municipal and Provincial Affairs	Upon receipt of recommendation for amendment from any Person.
2	Forward recommendation to government with jurisdiction.	Nunatsiavut Government or Province - Department of Municipal and Provincial Affairs	Upon decision regarding governmental jurisdiction.
3	Decide whether or not recommendation merits amending the Land Use Plan.	Nunatsiavut Government or Province - Minister of Municipal and Provincial Affairs	As soon as practicable upon receipt of recommendation.
4	Draft amendment as per Activity Sheet 10-15.	Nunatsiavut Government or Province - Department of Municipal and Provincial Affairs	Upon decision that recommendation warrants amendment of the Land Use Plan.

PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

Recommendations for amendments outside of the five year review process can be brought forward by any Person, including an individual, a partnership, a corporation, a trust, an unincorporated association, a government or any agency or political subdivision of government or other entity and their respective heirs, executors, administrators and other legal representatives.

FINAL AGREEMENT PROVISIONS

10.10.2 Recommendations for amendments to the Land Use Plan may be made by any Person to the Nunatsiavut Government or the Minister at any time after the Land Use Plan comes into effect.

10.10.4 The Government having jurisdiction over the land or matter that is the subject of a proposed amendment shall either reject the proposed amendment or, subject to section 10.10.5, prepare a draft amendment to the Land Use Plan.

CROSS-REFERENCED AND RELATED PROVISIONS

General Definitions and Interpretation - 1.1.1 - "Land Use Plan"

SUBJECT: Amendments to Land Use Plan

OBLIGATION: Preparation of draft amendments
10.10.4 - 10.10.6

PARTIES: Province - Minister of Municipal and Provincial Affairs
Nunatsiavut Government

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Draft amendment to Land Use Plan, taking into consideration: a) current principles and objectives for the Land Use Plan, or b) proposed revisions to the principles and objectives resulting from a 5 year review of the Land Use Plan; and c) relevant factors identified in section 10.4.3 of the Agreement.	Nunatsiavut Government and/or Province - Minister of Municipal and Provincial Affairs	Upon decision to proceed with draft amendment following: a) 5-year review of Land Use Plan (Activity Sheet 10-13); or b) recommendations received outside of the 5-year review (Activity Sheet 10-14).
2	Notify other Government of intent to amend Land Use Plan and provide: a) draft amendment; b) sufficient details; and c) reasonable time frame for response.	Nunatsiavut Government and/or Province - Minister of Municipal and Provincial Affairs	Upon completion of draft amendment.
3	Review details as provided; prepare and submit views.	Nunatsiavut Government and/or Province - Minister of Municipal and Provincial Affairs	Within time frame established in Activity 2 (c).
4	Give full and fair consideration to views presented by other	Nunatsiavut Government and/or	Upon receipt of views and before finalizing draft amendment.

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
	Government.	Province - Minister of Municipal and Provincial Affairs	
5	Make any revisions and submit draft to other Government.	Nunatsiavut Government and/or Province - Minister of Municipal and Provincial Affairs	Following receipt of views from other Government.
6	Adopt in principle the draft amendment.	Nunatsiavut Government and Province - Minister of Municipal and Provincial Affairs	Within 30 clear days of submission of draft amendment.

PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

In this Activity Sheet the Nunatsiavut Government or the Province may initiate amendments to the Land Use Plan either jointly or individually within their respective area of Jurisdiction.

The draft of the Land Use Plan must provide for the management of land, water and resource use in the Labrador Inuit Settlement Area and shall take into consideration and account for:

- a) the natural resources of the Labrador Inuit Settlement Area, including Water, and existing patterns of natural resource use;
- b) the health and quality of life of the residents of the Labrador Inuit Settlement Area;
- c) the economic needs of, and the economic opportunities that are and may be available to, the residents of the Labrador Inuit Settlement Area;
- d) Environmental considerations, including Fish, Fish Habitat, Aquatic Plants, Wildlife, Plants and Habitat;
- e) Protected Areas, National Parks, National Parks Reserves, National Marine Conservation Areas and National Marine Conservation Area Reserves;

- f) cultural factors and priorities, including the protection and preservation of Archaeological Sites, sites of religious or spiritual significance to Inuit, Inuit burial sites and Aullâsimavet;
 - g) particular local and regional considerations;
 - h) considerations respecting the management of estuarine, coastal and marine ecosystems;
 - i) the rights of the Inuit as set out in the Agreement;
 - j) the mandatory and discretionary requirements for plans and regulations under the *Urban and Rural Planning Act, 2000*; and
 - k) any other factors that are necessary or desirable (10.4.3).
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FINAL AGREEMENT PROVISIONS

10.10.4 The Government having jurisdiction over the land or matter that is the subject of a proposed amendment shall either reject the proposed amendment or, subject to section 10.10.5, prepare a draft amendment to the Land Use Plan.

10.10.5 In preparing a draft amendment to the Land Use Plan the Minister or the Nunatsiavut Government, as the case may be, shall:

- (a) apply the principles and objectives for the Land Use Plan that are established under section 10.3.9 unless, as part of the draft amendment, the principles and objectives that have been established under section 10.3.9 are being revised as a result of a review referred to in section 10.10.1;
- (b) take into consideration, and account for, where appropriate, the matters set out in section 10.4.3; and
- (c) Consult the other.

10.10.6 Following the Consultation referred to in subsection 10.10.5(c), the Government having jurisdiction over the land or matter that is the subject of the proposed amendment shall submit the draft amendment to the other Government and both shall, no later than 30 clear days from the date of submission, adopt in principle the draft amendment to the Land Use Plan.

CROSS-REFERENCED AND RELATED PROVISIONS

General Definitions and Interpretation - 1.1.1 - "Land Use Plan"

SUBJECT: Amendment to Land Use Plan

OBLIGATION: Public notification of proposed amendment to Land Use Plan
10.10.7 - 10.10.10

PARTIES: Nunatsiavut Government
Province - Minister of Municipal and Provincial Affairs

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Determine method of giving public notice of proposed amendment to Land Use Plan.	Nunatsiavut Government and/or Province - Minister of Municipal and Provincial Affairs	Upon adoption of draft amendment by both Governments as per Activity Sheet 10-15.
2	Include in public notice: a) draft amendment that has been adopted in principle; b) contents of draft amendment; c) invitation to submit objections and recommendations; d) method for submissions; and e) deadline for submissions, no less than 14 days from the first date of notice.	Nunatsiavut Government and/or Province - Minister of Municipal and Provincial Affairs	As soon as practicable upon deciding methods of public notice.
3	Notify other Government of any submissions received regarding draft amendment including: a) relevant information; and b) reasonable time frame for response.	Nunatsiavut Government and/or Province - Minister of Municipal and Provincial Affairs	Within 10 clear days of the deadline established in Activity 2 (e).
4	Review information as provided; prepare and submit views.	Nunatsiavut Government and/or Province - Minister of Municipal and Provincial	Upon receipt of notification as per time frame established in Activity 3 (b).

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
		Affairs	
5	Give full and fair consideration to views presented other Government.	Nunatsiavut Government and/or Province - Minister of Municipal and Provincial Affairs	Upon receipt of views and prior to making a decision on whether or not to hold a public hearing.
6	Determine within their respective jurisdictions whether or not to hold a public hearing.	Nunatsiavut Government and/or Province - Minister of Municipal and Provincial Affairs	Within 7 days of completion of Activity 5.
7	If decision is not to hold public hearings proceed to Activity Sheet 10-18 for Labrador Inuit Lands (LIL) or 10-19 for Labrador Inuit Settlement Area outside LIL.	Nunatsiavut Government and/or Province - Minister of Municipal and Provincial Affairs	Upon decision not to hold public hearing.
8	If decision is to hold a public hearing, proceed to Activity Sheet 10-17.	Nunatsiavut Government and/or Province - Minister of Municipal and Provincial Affairs	Upon decision to hold public hearing.

PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

Only the Government with the relevant jurisdiction can make a decision whether or not to hold public hearing (10.10.10 (a)).

FINAL AGREEMENT PROVISIONS

10.10.7 Upon compliance with section 10.10.6, the Minister and the Nunatsiavut Government shall forthwith give public notice:

- (a) that they have adopted the draft amendment in principle;
 - (b) of the contents of the draft amendment;
 - (c) that objections and representations may be made with respect to the draft amendment; and
 - (d) setting out the time limit and method for providing objections and representations with respect to the draft amendment.
- 10.10.8 The time limit referred to in subsection 10.10.7(d) shall be no less than 14 clear days from the date of first publication of the notice.
- 10.10.9 Within 10 clear days from the date of expiry of the time limit set out in the notice referred to in subsection 10.10.7(d), the Minister and the Nunatsiavut Government shall Consult each other concerning:
- (a) any objections and representations with respect to the draft amendment that may have been received under subsection 10.10.7(c); and
 - (b) subject to this part, the process that will be followed for the disposition of such objections and representations.
- 10.10.10 Within seven clear days from the completion of the Consultation referred to in section 10.10.9:
- (a) either the Minister or the Nunatsiavut Government within their respective jurisdictions may conclude that a public hearing is necessary or desirable, in which case the Government with jurisdiction over the land or matter which is the subject of the draft amendment shall hold a public hearing;
 - (b) the Minister and the Nunatsiavut Government may agree to a joint public hearing where appropriate, having regard to the subject of the draft amendment and the objections and representations that have been received with respect to it; or
 - (c) the Minister and the Nunatsiavut Government may agree that a public hearing can be dispensed with.

CROSS-REFERENCED AND RELATED PROVISIONS

- 10.10.6 Government having jurisdiction drafts amendment.

SUBJECT: Amendments to Land Use Plan

OBLIGATION: Public Hearings
10.10.11 & 10.10.12

PARTIES: Nunatsiavut Government
Province - Department of Municipal and Provincial Affairs
Minister of Municipal and Provincial Affairs
Commissioner

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Determine whether public hearing will be conducted jointly or solely by Government with jurisdiction.	Nunatsiavut Government Province - Department of Municipal and Provincial Affairs	Upon decision to proceed with public hearing following public notice, as per Activity Sheet 10-16.
2	Establish budget and funding responsibilities for public hearing (s).	Nunatsiavut Government and/or Province - Department of Municipal and Provincial Affairs	After determining whether or not public hearing will be joint.
3	Appoint commissioner for six months or less to undertake hearing(s), as per section 10.5.2 of the Agreement.	Nunatsiavut Government and/or Province - Minister of Municipal and Provincial Affairs	After determining budget and funding responsibilities.
4	Determine hearing locations and schedule, and publish schedule.	Nunatsiavut Government and/or Province - Department of Municipal and Provincial Affairs Commissioner	Recommended within one month of appointment of Commissioner.
5	Conduct public hearing(s).	Commissioner	Within suitable time frame to complete report within term of appointment.
6	Submit written report, as per section 10.5.3 of the Agreement, to the Government(s) who appointed the commissioner, and forward a copy to the other Government.	Commissioner	Within term of appointment.

PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

The Government(s) appointing the Commissioner shall determine an appropriate term of appointment of six months or less depending upon the scope of work entailed in conducting the public hearings.

FINAL AGREEMENT PROVISIONS

10.10.11 If a public hearing is held pursuant to subsection 10.10.10(a), the Government with jurisdiction over the land or matter which is the subject of the draft amendment shall appoint a commissioner who shall:

- (a) hold public hearings at locations to be determined by the Government with jurisdiction and consider representations from any Person regarding the draft amendment;
- (b) have the powers of a commissioner under the *Public Inquiries Act* for purposes of a public hearing under this part;
- (c) not simultaneously be a member or an employee of a municipal or city council, a regional authority, the Province or an Inuit Government;
- (d) within six months from the date of appointment or such shorter period as the Government with jurisdiction over the land or matter which is the subject of the draft amendment determines, submit a written report to that Government with respect to the draft amendment that meets the requirements of section 10.5.3; and
- (e) provide a copy of the report submitted under subsection (d) to the other Government.

10.10.12 If a joint public hearing is held pursuant to subsection 10.10.10(b), the Nunatsiavut Government and the Minister shall jointly appoint a commissioner who shall:

- (a) hold public hearings in the Labrador Inuit Settlement Area and other locations as jointly determined by the Minister and the Nunatsiavut Government and consider representations from any Person regarding the draft amendment;
- (b) have the powers of a commissioner under the *Public Inquiries Act* for purposes of a public hearing under this part;
- (c) not simultaneously be a member or an employee of a municipal or city council, a regional authority, the Province or an Inuit Government; and
- (d) within six months from the date of appointment or such shorter period as the Nunatsiavut Government and the Minister may agree, submit a written report to the Minister and the Nunatsiavut Government with respect to the draft amendment that meets the requirements of section 10.5.3.

CROSS-REFERENCED AND RELATED PROVISIONS

General Definitions and Interpretation - 1.1.1 - “Land Use Plan”
 10.5.3 Criteria for commissioners report.
Provincial Public Inquiries Act

BUDGET AND FUNDING RESPONSIBILITIES

As determined in Activity 2.

COMMUNICATION ACTIVITIES

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Publish schedule of public hearings.	Nunatsiavut Government and/or Provincial Department of Municipal and Provincial Affairs Commissioner	Suggested a minimum of 14 clear days before the public hearings.

SUBJECT: Amendment(s) to Land Use Plan

OBLIGATION: Approve and implement amendments in Labrador Inuit Lands (LIL)
10.10.13, 10.10.15, 10.10.16

PARTIES: Nunatsiavut Government

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Review: a) commissioner's public hearing report and any other relevant information; or b) in the case of no public hearing, the draft amendment which has been adopted in principle.	Nunatsiavut Government	Upon receipt of: a) commissioner's report and any other relevant information; or b) in the case of no public hearing, the draft amendment(s).
2	Review draft amendment(s) for compliance with relevant Legislation.	Nunatsiavut Government	Upon receipt of: a) commissioner's report and any other relevant information; or b) in the case of no public hearing, the draft amendment(s).
3	Approve, modify or reject the amendment(s).	Nunatsiavut Government	Following review for compliance with relevant Legislation.
4	Publish amendment(s) in registry of Inuit Laws.	Nunatsiavut Government	Upon approval of amendment(s).
5	Provide copies of amendment(s) to Land Use Plan to Province - Department of Municipal and Provincial Affairs, Canada and the Inuit Community Governments.	Nunatsiavut Government	Immediately upon publication in registry of Inuit Laws.
6	Implement Land Use Plan in LIL.	Nunatsiavut Government	Immediately upon publication in registry of Inuit Laws.

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>

FINAL AGREEMENT PROVISIONS

10.10.13 Following receipt of the commissioner's report referred to in subsection 10.10.11(d) or 10.10.12(d), the Government with jurisdiction over the land or matter that is the subject of the draft amendment may, in accordance with the procedures set out in the applicable Legislation or Inuit Laws, subject to this part:

- (a) approve the draft amendment with or without conditions;
- (b) modify the draft amendment; or
- (c) reject the draft amendment,

and shall forthwith notify the other Government of the decision.

10.10.15 If, pursuant to subsection 10.10.10(c), the Minister and the Nunatsiavut Government agree that a public hearing is neither necessary nor desirable, the Land Use Plan shall be amended:

- (a) with respect to the Labrador Inuit Settlement Area outside Labrador Inuit Lands and Water Use in Labrador Inuit Lands, in accordance with the procedures set out in the *Urban and Rural Planning Act, 2000*, subject to this part; and
- (b) with respect to Labrador Inuit Lands, in accordance with Inuit Law.

10.10.16 After complying with the relevant procedure referred to in section 10.10.15, the Government with jurisdiction over the land or matter that is the subject of the draft amendment may:

- (a) approve the draft amendment with or without conditions;
- (b) modify the draft amendment; or
- (c) reject the draft amendment,

and shall forthwith notify the other Government of the decision.

CROSS-REFERENCED AND RELATED PROVISIONS

General Definitions and Interpretation - 1.1.1 - "Land Use Plan"
 Self-Government - 17.5.1 Registry of Inuit Laws

SUBJECT: Amendment(s) to Land Use Plan

OBLIGATION: Approve and implement amendments in Labrador Inuit Settlement Area (LISA) outside Labrador Inuit Lands (LIL) 10.7.3, 10.10.13 - 10.10.15, 10.10.16, 10.10.18

PARTIES: Province - Department of Municipal and Provincial Affairs
 - Minister of Municipal and Provincial Affairs
 Nunatsiavut Government
 Inuit Community Governments

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Review: a) commissioner’s public hearing report and any other relevant information; or b) in case of no public hearing, the draft amendment which has been adopted in principle.	Province -Department of Municipal and Provincial Affairs	Upon receipt of: a) commissioner’s report and any other relevant information; or b) in the case of no public hearing, the draft amendment(s).
2	Notify Nunatsiavut Government of intent to approve, modify, or reject and substitute Land Use Plan regarding Water Use in LIL. Provide: a) relevant information; and b) reasonable time frame for response.	Province -Minister of Municipal and Provincial Affairs	After initial review of commissioner’s report or draft amendment and before making a decision on Water Use in LIL.
3	Review information as provided; prepare and submit views.	Nunatsiavut Government	As per time frame established in Activity 2 (b).
4	Give full and fair consideration to views	Province -Minister of Municipal and Provincial	As soon as practicable after receipt of Nunatsiavut

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
	presented by the Nunatsiavut Government.	Affairs	Government views.
5	Review draft amendment(s) for compliance with <i>Urban and Rural Planning Act, 2000</i> .	Province -Department of Municipal and Provincial Affairs	Upon receipt of Nunatsiavut Government views.
6	Approve, modify or reject amendment(s).	Province -Minister of Municipal and Provincial Affairs	Upon compliance with <i>Urban and Rural Planning Act, 2000</i> .
7	Notify Nunatsiavut Government of decision.	Province -Department of Municipal and Provincial Affairs	Immediately upon making a decision.
8	Publish notice of the amendment(s) to the Land Use Plan in the Provincial Gazette.	Province - Minister of Municipal and Provincial Affairs	Upon approval.
9	Implement Land Use Plan in LISA outside the Inuit Communities, and for Water Use in LIL.	Province - Minister of Municipal and Provincial Affairs	Upon publication of the Land Use Plan in the Provincial Gazette.
10	Implement Land Use Plan in the Inuit Communities.	Inuit Community Governments	Upon publication of the Land Use Plan in the Provincial Gazette.

FINAL AGREEMENT PROVISIONS

10.7.3 The Land Use Plan shall be implemented:

- (a) in Labrador Inuit Lands by the Nunatsiavut Government, subject to section 10.12.2;
- (b) in the Inuit Communities, except with respect to Labrador Inuit Lands, by the Inuit Community Governments; and
- (c) elsewhere within the Labrador Inuit Settlement Area by the Minister.

- 10.10.13 Following receipt of the commissioner's report referred to in subsection 10.10.11(d) or 10.10.12(d), the Government with jurisdiction over the land or matter that is the subject of the draft amendment may, in accordance with the procedures set out in the applicable Legislation or Inuit Laws, subject to this part:
- (a) approve the draft amendment with or without conditions;
 - (b) modify the draft amendment; or
 - (c) reject the draft amendment,
- and shall forthwith notify the other Government of the decision.
- 10.10.14 The Minister shall Consult the Nunatsiavut Government prior to taking any action under section 10.10.13 with respect to Water Use in Labrador Inuit Lands.
- 10.10.15 If, pursuant to subsection 10.10.10(c), the Minister and the Nunatsiavut Government agree that a public hearing is neither necessary nor desirable, the Land Use Plan shall be amended:
- (a) with respect to the Labrador Inuit Settlement Area outside Labrador Inuit Lands and Water Use in Labrador Inuit Lands, in accordance with the procedures set out in the *Urban and Rural Planning Act, 2000*, subject to this part; and
 - (b) with respect to Labrador Inuit Lands, in accordance with Inuit Law.
- 10.10.16 After complying with the relevant procedure referred to in section 10.10.15, the Government with jurisdiction over the land or matter that is the subject of the draft amendment may:
- (a) approve the draft amendment with or without conditions;
 - (b) modify the draft amendment; or
 - (c) reject the draft amendment,
- and shall forthwith notify the other Government of the decision.
- 10.10.18 If a draft amendment is approved under section 10.10.13 or 10.10.16 by the Government having jurisdiction over the land or matter which is the subject of the draft amendment it shall be brought into effect in accordance with the procedures set out in part 10.7, making all necessary changes in points of detail.

CROSS-REFERENCED AND RELATED PROVISIONS

General Definitions and Interpretation - 1.1.1 - "Consult", "Land Use Plan"
Urban and Rural Planning Act, 2000

SUBJECT: Appeals

OBLIGATION: Establish Land Use Plan Appeal Board
10.11.2 & 10.11.3

PARTIES: Nunatsiavut Government
Province - Minister of Municipal and Provincial Affairs

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Nominate 2 members for the Appeal Board to the Minister of Municipal and Provincial Affairs.	Nunatsiavut Government	As soon as practicable after effective date of Land Use Plan.
2	Establish the 5-member Appeal Board, including two (2) nominated by Nunatsiavut Government.	Province - Minister of Municipal of Provincial Affairs	Upon receipt of the 2 nominees from Nunatsiavut Government.
3	Appoint Secretary and establish administrative procedures.	Province - Minister of Municipal of Provincial Affairs	As soon as practicable after establishment of the Board.

PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

Members of the Appeal Board will be appointed to a three (3) - year term, as per the provisions of the *Urban and Rural Planning Act, 2000*. Members of the Appeal Board to be compensated according to terms of standard provincial rates, on an as-required basis. Appeal Boards will meet a maximum of once per year in one of the Inuit communities. The Appeal Board may hear appeals via conference call, at its discretion.

The Secretary will be a staff member of the Department of Municipal of Provincial Affairs.

FINAL AGREEMENT PROVISIONS

10.11.2 The Minister shall establish a board to hear appeals made under section 10.11.1 and shall appoint to the board two members from nominations provided by the Nunatsiavut Government.

10.11.3 Appeals regarding the implementation of the Land Use Plan within Labrador Inuit Lands shall be heard by a panel of three members of the Appeal Board, a majority of whom shall be members nominated by the Nunatsiavut Government.

CROSS-REFERENCED AND RELATED PROVISIONS

Urban and Rural Planning Act, 2000

BUDGET AND FUNDING RESPONSIBILITIES

Annex D, Part 6

SUBJECT: Appeals

OBLIGATION: Hear Appeals
10.11.3 - 10.11.5

PARTIES: Appellant
Province - Secretary of the Appeal Board
Department of Municipal and Provincial Affairs
Land Use Planning Appeal Board

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	File appeal with Appeal Board.	Appellant	Upon disagreement with a decision made by a permitting authority.
2	For the purpose of appeals regarding Labrador Inuit Land (LIL), appoint panel consisting of 3 members from the Appeal Board, the majority of whom to be members nominated by the Nunatsiavut Government.	Secretary of the Appeal Board	Upon request for appeal to be heard regarding LIL.
3	For the purpose of appeals regarding Labrador Inuit Settlement Area (LISA) outside LIL and Water Use in LIL, ensure that the Appeal Board has a quorum which includes a majority of members who are residents of LISA.	Secretary of the Appeal Board	Upon receipt of request for appeal to be heard regarding LISA.
4	Hear appeal.	Appeal Board established in Activity 2 or 3	As agreed in Activity 2 or 3.
5	Make final, binding decision and notify the parties to the appeal.	Appeal Board established in Activity 2 or 3	As soon as practicable after hearing appeal.

PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

A decision of the Nunatsiavut Government, the Minister or an Inuit Community Government regarding the implementation of the Land Use Plan may be appealed by a Person directly affected by the decision

pursuant to the appeal provisions of the *Urban and Rural Planning Act, 2000* (10.11.1).

A judicial review of a decision of the Appeal Board may be requested by the appellant, the Nunatsiavut Government or the Minister (10.11.6).

FINAL AGREEMENT PROVISIONS

- 10.11.3 Appeals regarding the implementation of the Land Use Plan within Labrador Inuit Lands shall be heard by a panel of three members of the Appeal Board, a majority of whom shall be members nominated by the Nunatsiavut Government.
- 10.11.4 For appeals regarding the implementation of the Land Use Plan in the Labrador Inuit Settlement Area outside Labrador Inuit Lands and regarding Water Use in Labrador Inuit Lands, the quorum of the Appeal Board shall include a majority of members who are residents of the Labrador Inuit Settlement Area.
- 10.11.5 A decision of the Appeal Board shall be final and binding, subject only to judicial review in accordance with section 10.11.6.
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BUDGET AND FUNDING RESPONSIBILITIES

Annex D, Part 6

SUBJECT: **Municipal Plans**

OBLIGATION: **Consult Nunatsiavut Government and Province in preparation of
Municipal Plans
10.13.1 & 10.13.2**

PARTIES: **Inuit Community Governments
Province - Minister of Municipal and Provincial Affairs
Nunatsiavut Government**

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Notify Nunatsiavut Government and Province - Minister of Municipal and Provincial Affairs of intent to prepare or amend the municipal plan. Provide: a) sufficient details of the proposed plan; and b) reasonable time frame for response.	Inuit Community Governments	Upon preparation of proposed municipal plan.
2	Review information as provided; prepare and submit views.	Nunatsiavut Government Province - Minister of Municipal and Provincial Affairs	As per time frame established in Activity 1 (b).
3	Give full and fair consideration of views of Nunatsiavut Government and Province.	Inuit Community Government	Upon receipt of views from Nunatsiavut Government and Province.
4	Establish municipal plan as per <i>Urban and Rural Planning Act, 2000</i> .	Inuit Community Governments	Upon compliance with <i>Urban and Rural Planning Act, 2000</i> .
5	Notify Province - Minister of Municipal and Provincial Affairs and Nunatsiavut Government of municipal plan.	Inuit Community Governments	Upon establishment of plan in accordance with <i>Urban and Rural Planning Act, 2000</i> .

FINAL AGREEMENT PROVISIONS

- 10.13.1 Subject to section 10.13.2, Inuit Community Governments may establish and amend municipal plans in accordance with the *Urban and Rural Planning Act, 2000*.
- 10.13.2 Inuit Community Governments shall Consult the Minister and Nunatsiavut Government in the preparation and amendment of municipal plans.

CROSS-REFERENCED AND RELATED PROVISIONS

General Definitions and Interpretation - 1.1.1 - “Consult”
Urban and Rural Planning Act, 2000

BUDGET AND FUNDING RESPONSIBILITIES

Inuit Community Governments to assume cost of establishing and publicizing municipal plans.

COMMUNICATION ACTIVITIES

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Publicize Municipal Plan	Inuit Community Governments	Following establishment at Activity 4.