



## IDENTIFICATION

| Department                     | Position Title                             |                 |
|--------------------------------|--|-----------------|
| Environment and Climate Change | Director, Land Management & Administration |                 |
| Position Number                | Community                                  | Division/Region |
| 23-04469                       | Yellowknife                                | HQ              |

## PURPOSE OF THE POSITION

The Director, Land Management & Administration (Director) is responsible for managing and administering all public land within the Northwest Territories, as well as having a role in managing the use of some private lands. The Director has been delegated this role on behalf of the Minister of Environment and Climate Change. The Director provides overall leadership, strategic advice and planning, and interpretation and enforcement of all legislation, regulations, policies, programs and services in relation to land management and administration for the Department of Environment and Climate Change (ECC).

## SCOPE

The Director is located in Yellowknife, and reports to the Assistant Deputy Minister (ADM), Regulatory, Assessment and Authorizations. The incumbent oversees a total of approximately twenty-four staff, delivering a broad range of land management functions, including administration of land tenure and land sales, Section 35 Consultation and engagement with Indigenous governments and Indigenous organizations and other stakeholders; and assists in regulatory reviews and the provision of geotechnical advice, land policy development, geomatics involving land data and mapping, and legal survey reviews and approvals. The Director provides leadership, direction and oversight in the management and administration of all NWT public lands. The Director ensures inspections of public lands are conducted to assess compliance with applicable legislation, policy, and the various terms and conditions of tenure instruments.

The Director operates comprehensively within the context of Government of the Northwest Territories (GNWT) legislation, Aboriginal Rights and Indigenous Land Claim and Self Government Agreements, regulation and policies, and the political, social and economic context of the NWT. The Director must promote and support the sustainable use and development of



natural resources, and is also tasked to protect, conserve and enhance the NWT environment for the social and economic benefit of all NWT residents.

ECC is mandated to promote and support the sustainable use and development of natural resources and to protect, conserve, and enhance the NWT environment for the social and economic benefit of all NWT residents. Natural resources include both renewable and non-renewable resources. Within this mandate, the Director is tasked to operate within a changing legal environment, including contract, property and administrative law, Indigenous Rights law, and common law; whereby various parties including Indigenous governments and organizations, community governments, and the private sector have competing rights, priorities and land interests.

To achieve its mandate, the Director promotes sustainable development of renewable and non-renewable resources in a diverse environment, and the sustainable use and conscientious protection of NWT land, air, water, wildlife, forests and natural resources, as they are integral to the economic, cultural and social fabric of life in the NWT. The diversity of the NWT adds a layer of complexity to the role with its five distinct administrative regions, each with nuanced variables; such as settled and unsettled land claims, self-government, which create legislative differences with the Inuvialuit Settlement Region and the *Mackenzie Valley Resource Management Act*. The Director is responsible to ensure an a healthy environment for future generations, and is accountable to balance traditional lifestyles and rights with a modern economy.

The Director promotes land management that recognizes connected activities. The position ensures collaboration, coordination, cooperation and communication occur within the division, and by extension, the department. The Director works in partnership with other GNWT departments to achieve government-wide objectives.

The Director manages authorities within the legislative framework which includes administering the *Northwest Territories Lands Act and Regulations*; *Commissioner's Land Act and Regulations*; *Public Land Act and Regulations* (when brought into force); the *Area Development Act and Regulations*; *Community Planning and Development Act and Regulations*; *Land Titles Act*, and the *Mackenzie Valley Resource Management Act and Regulations*, as well as the settled Lands, Resources and Self-government Agreements within the NWT. The Director also works within a Cabinet approved policy framework by administering the Land Pricing Policy and the Limitation of Land Sales Policy.

The Director is accountable for operational policy analysis and development to support land claim and self-government negotiations, including the provision of expert financial, socio-economic and environmental impact analysis of existing or proposed land withdrawals in the NWT and how they may impact the Department and all GNWT Departments. The position leads



research, development, and evaluation efforts with respect to policy related to land management, including transformative changes to legislation and regulation. The Director also co-chairs a GNWT inter-departmental working group on land management in support of the Department of Executive and Indigenous Affairs to facilitate the analysis of land and resource agreements and self-government negotiations, and understanding the current and future impacts on GNWT interests.

The Director is accountable to lead transformative changes to the strategic and operational policy and regulatory environment that will facilitate the responsible development of the NWT's public land. The Director provides strategic and expert advice on management of public land and leads the GNWT's and department's initiatives related to management, acquisition and disposition of land, including process to transfer land for housing purposes.

The Minister delegates the Director to be accountable to meet the Crown's evolving and comprehensive responsibilities regarding its duty to consult. Where appropriate, the Director must accommodate adverse impacts to asserted or established Aboriginal and/or Treaty rights. This requires managing legal, relationship and political risks on every land transaction in the Northwest Territories, and may involve leading and participating in legal litigations and challenges against the GNWT. The Director must balance the complex interests of the public, Indigenous governments, Indigenous organizations, community governments and private entities, collaborating with them to determine appropriate outcomes. Improper management of these risks may result in consequences such as judgments against the GNWT, multi-million-dollar settlement costs, and increases in the use of human and financial resources to conduct court-ordered consultations.

While administering land tenure instruments, the Director is responsible to ensure detailed risk and liability assessments are completed to determine appropriate restoration conditions and securities are held in land tenure instruments, which also includes determination of necessary and appropriate lease conditions and assessments of operational management and closure plans submitted to regulatory boards to avoid regulatory duplication.

Public land is a valuable public asset of the Government of the Northwest Territories. The Director is responsible for more than 4000 legal tenure instruments (covering over 102,000 hectares), not including land sales, for multiple types of land use and licensed dispositions, ranging from surface leases for operating diamond mines to recreational leases for cabin owners. The assessed/appraised values of these tenured lands in the NWT are in excess of \$100 million dollars. The remaining public land across the NWT, in which the Director is also responsible for, amounts to 135,500,000 hectares.

The Director works with a complex array of interested parties and decision makers including industrial and government proponents, regulatory boards, federal and GNWT departments, Indigenous governments and Indigenous organizations, special interest groups, and the general



public. Multiple interests and perspectives must be considered when establishing policy and making decisions. This requires a high level of coordination, negotiation and accommodation. Engaging and forging strategic alliances and consultative relationships to ensure collective perspectives, needs, and issues, are considered in the administration, development, delivery and enhancement of divisional services is critical to the success of the position. The Director fosters collaborative relationships at senior levels within this complex environment, paying particular attention to relations with Indigenous governments, who have inherent rights and are significant land owners in the NWT. The incumbent represents the GNWT in meetings and negotiations and has to find common ground in order to determine a balanced approach for the GNWT.

The incumbent is the ultimate decision maker when it comes to a broad-based multi-faceted consultation and engagement process. Decisions can be, but are rarely, subject to senior level review as they are designed to facilitate Indigenous communities, non-government organizations, the GNWT and the Federal Government working together at all stages of the land management process, with a focus on enhancing Indigenous participation in the development and management of land. The position is often requested to work with Indigenous governments and Indigenous organizations to manage and administer land.

The Director's final land administration decisions can represent a loss or gain of hundreds of millions of dollars in investment in the NWT, as well as liability exposure at a similar scale for restoration of sites. Decisions, once made, result in legally binding tenure instruments that government must abide by, usually for the life of the tenure instrument and, in the case of resource development projects, for the life of the project, including closure and remediation.

The Director has a significant amount of latitude provided that the policies, guidelines and interests of the GNWT are complied with. When exercising this latitude, the Director focuses on providing consistent and coherent interpretation of policies, guidelines and interests, in order to ensure clarity and comprehensive understanding to the public; to encourage political support, particularly Indigenous governments, and project proponents. The Director frequently briefs and provides advice to the Minister, Standing Committees, Executive Counsel and Department senior management on land management issues.

The Director is also responsible for the review, analysis, and final approval authority on all subdivision applications (i.e., legal land surveys) in the Northwest Territories. The Director's approval of these surveys creates the final legal and binding legal land boundaries and defines property rights to the holder of the parcel(s) of land. As part of this role, the Director is also responsible to ensure these interests are updated accordingly into the GNWTs geographic information system ATLAS to provide real-time information on land authorities to the public in the NWT.



As the subject matter expert for ECC, the Director is often called on to represent the interests and position of the GNWT and the Department in federal/provincial/territorial fora among other levels of government, Indigenous governments, special interest groups and industry on matters related to land management and administration.

Partnerships are fundamental to the initiatives within the Division and the position must nurture interagency and multi-party collaborative relationships routinely. The Director works closely with other GNWT Departments, Federal Government Departments, Indigenous Governments, regional and national organizations, academia and non-government organizations. The Director must consider broad GNWT interests in land management and integrate these into strategic initiatives and decisions of the Division. The Director's leadership and management responsibilities demand creative approaches and the clear articulation of the GNWT's and Departmental plans, priorities and expectations for managers and staff to achieve desired outcomes.

The Director manages the resources of the Division with economy, probity, and prudence, consistent with departmental and government objectives; and provides exemplary leadership in demonstrating the corporate values and ethics of the GNWT. The Director participates as a member of the Department's Senior Management Committee, leads and contributes to decision making and to the identification, review and formulation of plans, strategies, policies, frameworks, objectives, standards and processes governing the programs falling within the Department's mandate.

## **DIMENSIONS**

- Reporting Positions (5 direct, and 19 indirect)
- Compensation & Benefits \$3,125,000
- Operations & Maintenance \$546,000
- Public land under tenure agreements \$100 Million
- Public Land Administration and Control 135 Million Hectares

## **RESPONSIBILITIES**

1. Upholds and consistently practices personal diversity, inclusion, and cultural awareness, as well as safety and sensitivity approaches in the workplace. Practice and ensure that any subordinate management and supervisory roles also prioritize staff mentorship and on-the-job training, including staff development in annual general objectives.
2. Leads legislative and policy development related to land management that considers and balances complex rights based, technical, administrative and contract law principles. The Director initiates and oversees all legislative, policy and program assessment, analysis and enhancements, in particular the development of new regulations and implementation



requirements that reflect the developing relationships with Indigenous governments, Indigenous organizations, community governments, public and private parties.

3. Lead the GNWT and the Department's expert in the management and administration of land and represents the Department at the most senior levels across government, with Indigenous governments, Indigenous organizations, and community representatives, other levels of government, industry CEOs and cooperative boards.
4. Provides strategic advice to the Minister, the Deputy Minister and the Assistant Deputy Minister and briefs and makes recommendations to the Minister, Standing Committees, and Executive Council on issues related to areas and scope of the Director's role and responsibilities.
5. Directs the development, delivery, evaluation and continuous improvement of transformative policies, programs and services across the areas of the Director's responsibilities to ensure responsive management of land and resources and the maintenance of environmental quality are consistent with government objectives.
6. Provides expert advice and recommendations to leadership on the GNWT's procedural and decision-making responsibilities in relation to areas and scope of the Director's role and responsibilities.
7. Oversees and makes final determinations regarding engagements and consultations on areas of land management and administration and directs the analyses and reconciliation of the views and concerns of those consulted with GNWT policy on areas.
8. Represents the GNWT at the territorial, inter-jurisdictional, national and international levels.
9. Collaborates and maintain strong partnerships and intergovernmental relationships with Indigenous, Federal, Provincial, Territorial, and Municipal Governments, co-management boards, and community leadership on matters of common interest with respect to areas of the Director's responsibilities. This collaboration includes taking into account accumulated historical information, reconciliation, UNDRIP and Traditional Knowledge.
10. Provides executive support and expertise in the overall management of the department through involvement in the development of business plans, main estimates, transition planning and program and service development and delivery.
11. In collaboration with Regional Operations, provide direction and guidance in the planning and coordination of inspections and enforcement activities, to ensure compliance with land and environmental regulation; leases, licences and authorizations; and ensures the most



efficient allocation of resources to minimize significant financial and environmental risks associated with various land use activities.

- 12.** Accountable for the management and delivery of public land administrative responsibilities within established client service standards, including decision-making authority, on behalf of the Commissioner, for all tenure instruments (leasehold, easement, right-of-way and licenses) and sale of land in fee simple including assignments, amendments, surrenders, terminations and construction approvals.
- 13.** As delegated by the Minister, must ensure the necessary and appropriate terms and conditions are established to adequately risk manage all tenure instruments. This includes the establishment of the security to mitigate any potential liability to taxpayers and the GNWT, and ensure tenure instruments is coordinated within the regulatory process to ensure no duplication (securities, closure plans, management plans, etc.).
- 14.** Tasked with the review, analysis and final approval authority on all subdivision applications (legal surveys) in the Northwest Territories. Decisions result in final legal and binding surveys which creates the legal boundary and defines property rights to the holder of the parcel(s) of land.
- 15.** Responsible to ensure all information gathered for the purposes of managing or administering land. It must be properly detailed, recorded and accounted for in the Division's data and information systems, LOTS and ATLAS, for internal administrative purposes, as well as making accurate public land information available to the public.
- 16.** Fosters and maintains positive, meaningful and respectful partnerships with Indigenous government, Indigenous organizations, community government, the public, other stakeholders and industry and collaborates to advance, promote, and develop the Division's initiatives.
- 17.** Financial responsibility for the establishment of lease rates and rent reviews, including collection of revenue from instruments, securities and land sales.
- 18.** Oversees and identifies opportunities for training and capacity building within the department and with external clients, with respect to Divisional initiatives.
- 19.** Plans and directs the work of the Division to ensure that approved objectives and budgets are met in an effective manner consistent with the operational policies and procedures of the Department and GNWT.
- 20.** Participates constructively in the senior management team of the Department and contributes to the senior leadership of the Department.



## **WORKING CONDITIONS**

### **Physical Demands**

No unusual demands.

### **Environmental Conditions**

No unusual conditions.

### **Sensory Demands**

No unusual demands.

### **Mental Demands**

This position is subject to public scrutiny, changing priorities, working to tight deadlines, and being the path of escalation for issues involving dissatisfied clients.

The incumbent is required to travel approximately 4-6 trips per year for approximately 3 to 5 days at a time, depending on the specific location.

## **KNOWLEDGE, SKILLS AND ABILITIES**

- Knowledge of or ability to acquire knowledge of Departmental Acts, agreements, frameworks, strategies and policies as they relate to NWT land management and administration and regional services including: the *Northwest Territories Lands Act and Regulations*; *Commissioner's Land Act and Regulations*; *Public Land Act and Regulations (once in place)*; *Area Development Act and Regulations*; *Community Planning and Development Act and Regulations*; and *Mackenzie Valley Resource Management Act and Regulations*.
- Knowledge of the settled Lands, Resources and Self-government Agreements within the NWT.
- Knowledge of and ability to acquire knowledge of evolving consultation and engagement requirements including staying abreast of new case law on the Crown's duty to consult.
- Knowledge of the historic and modern treaty and the role of reconciliation in exercising the duties of public government, particularly in the NWT, including implementation of the United National Declaration on the Rights of Indigenous Peoples.
- Knowledge of land rights, contract, administrative, property and common law, including inherent land rights and land use.
- Knowledge of, or ability to acquire knowledge of, the Land Pricing Policy; the Limitation of Land Sales Policy; existing Lands, Resources and Self-government Agreements; Interim Land Withdrawals; Interim Measures Agreements; Devolution Final Agreement; Land Use Sustainability Framework.
- Knowledge of principles and best practices related to public sector management, socio-



economic research and analysis, strategic analysis, policy development, evaluation and negotiation.

- Knowledge of the political and social history of northern cultures, and an understanding of the economic potential of the north.
- Ability to acquire knowledge of key partners and stakeholders including industry, NGOs, Indigenous governments, municipal governments, and federal departments, their interests and key contacts among them.
- Written and verbal communication skills, including the ability to maintain professional communications in challenging circumstances.
- Ability to read, interpret and apply legislation.
- Ability to work to deadlines and respond effectively to frequently changing deadlines.
- Ability to prioritize and work on multiple priorities and advance them together.
- Ability to organize work and deliver on time.
- Ability to manage a diverse team.
- Ability to work effectively within a larger Senior Management team.
- Ability to work and build relationships in a cross-cultural environment.
- Ability to manage multiple demands including maintaining projects on budget and ensuring fiscal responsibility.
- Ability to work in a highly politicized environment, subject to external criticism.
- Ability to collaborate and/or negotiate with internal and external stakeholders.
- Ability to represent the interests of the Department before Cabinet, Cabinet Committees, Standing Committees, DM Committees and other jurisdictions.
- Ability to commit to actively upholding and consistently practicing personal diversity, inclusion, and cultural awareness, as well as safety and sensitivity approaches in the workplace.

**Typically, the above qualifications would be attained by:**

Completion of a graduate degree in Resource Management, Land Management or a related field, such as Business Administration, Geography, Environmental Science, or Environmental studies, and 8 years of relevant experience, including a minimum of 3 years of experience managing people and financial resources.

Equivalent combinations of education and experience will be considered.

**ADDITIONAL REQUIREMENTS**

**Position Security (check one)**

- No criminal records check required.
- Position of Trust – criminal records check required.
- Highly sensitive position – requires verification of identity and a criminal records check.



**French language** (check one if applicable)

French required (must identify required level below)

Level required for this Designated Position is:

ORAL EXPRESSION AND COMPREHENSION

Basic (B)  Intermediate (I)  Advanced (A)

READING COMPREHENSION:

Basic (B)  Intermediate (I)  Advanced (A)

WRITING SKILLS:

Basic (B)  Intermediate (I)  Advanced (A)

French preferred

**Indigenous language:** Select Language

Required

Preferred