



## **IDENTIFICATION**

<b>Department</b>	<b>Position Title</b>	
Environment and Climate Change	Senior Land Administration Advisor	
<b>Position Number</b>	<b>Community</b>	<b>Division/Region</b>
23-14177	Yellowknife	Land Management and Administration/HQ

## **PURPOSE OF THE POSITION**

The Senior Land Administration Advisor (Senior Advisor) is accountable to advise on the administration and management of public land in the Northwest Territories (NWT).

## **SCOPE**

Located in Yellowknife and reporting to the Manager, Land Administration (Manager), the Senior Land Administration Advisor's primary responsibility of the Senior Advisor is to provide expert technical advice and solutions on complex problems related to on the administration and management of public land in the Northwest Territories (NWT).

The mandate of the Department of Environment and Climate Change is to manage, administer, and plan for the sustainable use of public land in the Northwest Territories in a fair and transparent manner that reflects the interests of the people of the Northwest Territories. The Department of Environment and Climate Change operates within the central belief that land management and administration is a core public good and critical asset that needs to be effectively and efficiently managed.

The management and administration of land in the NWT occurs in a unique context and is influenced by distinct social, economic, and cultural factors and complex regulatory considerations. The NWT land management system features a unique land ownership structure that includes public lands, Indigenous-owned settlement lands, federal lands, and private lands; a complex regulatory regime governing the use of land, water, and resources; Lands, Resources, and Self-government Negotiations and Agreements; and Indigenous Rights and Consultation requirements.



The Land Management and Administration Division provides overall leadership, management, expertise, and technical advice on the development of operational policies and procedures for the administration of public land with respect to land tenure. Responsibilities include managing and administering land dispositions and grants, land valuation and pricing, securities, regulatory coordination, consultation and engagement, survey applications, record keeping, maintaining land tenure databases, revenue collection, and unauthorized use and occupancy processes.

The Senior Advisor must possess an in-depth understanding of this distinctly northern environment within which the GNWT's land and resource management and administration obligations are carried out and demonstrate the ability to provide strategic direction and leadership that is reflective of departmental goals, objectives, and priorities.

The Senior Advisor works within a legislative framework which includes the *Public Land Act, Commissioner's Land Act and Regulations; Northwest Territories Lands Act and Regulations; Community Planning and Development Act and Regulations; the Area Development Act and Regulations; and the Mackenzie Valley Resource Management Act and Mackenzie Valley Land Use Regulations*; as well as the settled Lands, Resources and Self-government Agreements within the NWT; Interim Measures Agreements; and the Devolution Final Agreement. The position also works within a Cabinet approved policy framework including the Land Pricing Policy; the Land Lease Only Policy; the Land Use and Sustainability Framework; Northern Lands-Northern Leadership; and the Recreational Leasing Policy.

Land administration in the NWT is primarily managed through the issuance of legal instruments of tenure which include leases, rights-of-way or easements, licences and permissions to occupy. These instruments are collectively referred to as dispositions. Rules of tenure in the NWT define how property rights to land are allocated. Legally binding tenure instruments define how access is granted to rights to use, control, and transfer land, as well as associated responsibilities and constraints. These dispositions are executed between the Government of the Northwest Territories and third parties such as commercial and industrial users or individual residential users. A tenure instrument is not static and may change throughout its lifecycle. At the request of the tenure holder or the Department, changes to the tenure instrument may be required. These changes are broad in scope and could include amendments, assignments to another party, rent reviews, remedies to breaches, surrenders and terminations of the instrument.

The Senior Advisor is responsible to advise on and lead the development of solutions for files where multiple factors intersect to contribute to an issue that is complex in nature. These complex files are typically politically sensitive. The work product on these files includes developing and implementing contractual arrangements and extends to considering the history, compliance monitoring requirements and environmental, social, cultural and ecological



factors that must be considered when rendering a decision. In developing solutions and rendering a decision, the Senior Advisor must rely on their significant depth of knowledge of legislation and regulation to interpret and apply relevant legislation, regulation and policy and apply consistent and fair principles and practices of land management to develop options that are in the public interest.

The Senior Advisor also supports the work of the Policy and Program Implementation Unit and the Major Project Unit and supports the amalgamation of former Commissioner's and Territorial land administration functions including the integration of systems, processes, policies, guidelines, and legislation where applicable.

The Senior Advisor works with a broad range of colleagues, including colleagues within the Department, other Departments in the GNWT, other levels of government (federal, municipal and Indigenous), private sector companies and individuals. The Senior Advisor may work with upset or frustrated clients and must be able to work with and provide service in a professional and courteous manner to all clients. Sound judgment, diplomacy and tact are required in interactions with clients, partners, and stakeholders. In so doing, the Senior Advisor may need to explain complex or sensitive issues and decisions with confidence and professionalism, while relying upon specialized knowledge. Complex or sensitive decisions may be raised to a political level and this position is responsible for ensuring clients are informed in a positive way.

The work of the Senior Advisor is performed under the general direction of the Manager. The Senior Advisor meets weekly with the Manager to review work in progress, to discuss future work requirements, and to prioritize assignments.

## **RESPONSIBILITIES**

### **1. Provides technical advice to the Manager on complex or sensitive land administration files.**

- Reviews complex or sensitive land files to ensure consistency in the application of program policies or direction and develops options and solutions for management's consideration.
- Researches, analyzes and evaluates various legislation, regulations, policies, directives and procedures and provides recommendations on possible political or legal implications to decisions.
- Provides advice on proposed correspondence with clients reflecting complex or sensitive decisions, including advising tenure holders of breaches, defaults and termination of their tenure instruments.
- Identifies and advises on risks associated with the execution of dispositions to ensure compliance with legislation, regulation and policy.



- Researches and investigates record in order to set out pertinent facts and background information to establish and identify legal issues and risks to provide advice and develop recommendations for action or decision-making.
- Recommends appropriate terms and conditions to address complex or unique problems for insertion into dispositions such as leases, licences, sale agreements and reserve letters.
- Drafts and prepares legal opinion requests to the Department of Justice for any identified legal issues.
- Develops performance indicators and related processes and assists in the development of new policies, procedures, guidelines, directives and manuals to meet numerous changing requirements and responsibilities.
- Participates in inter-departmental working groups and meetings, as required, to provide advice and specialist information related to complex or sensitive land administration files.
- Provides regular updates and information on complex or sensitive land administration files to the Land Administration Team Lead.

**2. Supports the Policy and Program Implementation Unit in the development and implementation of legislation, regulation, policies, manuals and standard operating procedures (SOPs).**

- Reviews, analyzes and provides technical expertise into draft legislation, regulations, policies, manuals and SOPs.
- Reviews, analyzes and provides technical expertise into decision support instruments, such as Briefing Notes, Information Items, Decision Papers, presentations for Standing Committees/Committees of Cabinet/Cabinet, and Communications Plans and Strategies.
- Provides input and statistics for reporting on the Department's mandate and commitments.

**3. Collaborates with and supports the Major Projects Unit in the assessment and evaluation of major project files.**

- Reviews, analyzes and provides input into draft land disposition contracts related to major projects, which are often of a complex or politically sensitive nature.
- Advises the Manager on interpretation and application of technical advice provided by the Major Project Unit.
- Advises the Land Administration Team Lead on preliminary assessments of land disposition applications to determine whether technical advice is required from the Major Projects Unit.
- Coordinates and supports the review of required and applicable management plans associated with commercial and industrial applications with the Major Projects Unit.



## **WORKING CONDITIONS**

### **Physical Demands**

No unusual demands.

### **Environmental Conditions**

No unusual conditions.

### **Sensory Demands**

The incumbent spends in excess of 50% of their time in long periods of intense concentration reviewing data and information (transfer forms, file lists, and documents of a legal nature) that requires intense concentration to identify anomalies and to ensure compliance and legislation and procedures.

### **Mental Demands**

The incumbent will require high attention to detail and accuracy in the course of research and in the review of documents being submitted. The incumbent frequently must interact with difficult clients and respond to demands for immediate service.

## **KNOWLEDGE, SKILLS AND ABILITIES**

- Knowledge of legislation, regulation, policies that govern the administration of land and resources.
- Knowledge of and ability to apply the theories, principles and practices related to the management and administration of public land, including, but not limited to, contract law, real property law, real estate practices and environmental law.
- Knowledge of environmental impact assessment legislation, regulations, processes and procedures.
- Knowledge of land claim legislation, land claim negotiations and implementation and Self-Government Agreement negotiations and implementation.
- Knowledge of court decisions dealing with environmental protection and land claims.
- Knowledge of the social, economic, political, and cultural aspirations, needs, structures and mandates of Indigenous Governments, organizations and communities.
- Knowledge of the documentation processes related to the administration of public land.
- Knowledge of accounts receivables processes and procedures.
- Knowledge of negotiating and problem-solving techniques.
- Knowledge of conveyancing processes.
- Knowledge of the principles of legal surveying and survey plan interpretation.
- Interpersonal skills are required to effectively communicate, interact, and work with



individuals and groups.

- Ability to understand cultural differences and how they influence communication, consultation and decision-making with regards to land claims, land use and environmental protection issues.
- Proven time management skills, including the ability to make timely and effective decisions.
- Ability to plan, direct and evaluate research and special project/programs.
- Ability to resolve conflict and mediate disputes, including a knowledge of conflict resolution strategies.
- Knowledge of and ability to use analysis and research methods.
- Ability to communicate at an advanced level both orally and in writing.
- Ability to draft correspondence that conveys controversial decisions.
- 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:**

An undergraduate degree in resource management, land management or planning, or geography, and three (3) years of relevant experience.

Equivalent education & 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