

NUNATSIAVUT ASSEMBLY

IL 2017-06

NAIN QUARRY ACT (2017)

**AN ACT TO AUTHORIZE THE NUNATSIAVUT GOVERNMENT TO ISSUE A
LEASE TO THE NAIN INUIT COMMUNITY GOVERNMENT TO DEVELOP
AND OPERATE A SAND QUARRY ON LABRADOR INUIT LANDS PARCEL
LIL-05C, MAP ATLAS SHEET 55**

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WHEREAS the Nain Inuit Community Government has applied to the Nunatsiavut Government for access to a 0.153 hectare piece, parcel or lot of Labrador Inuit Lands within Parcel LIL-05C (shown in Appendix B-1 Part 1 and Map 55 of the Labrador Inuit Land Claims Agreement Appendices) for purposes of operating a sand quarry;

AND WHEREAS the Nunatsiavut Executive Council has approved the application pursuant to clause 2.11(1)(c) of the *Labrador Inuit Lands Act*;

AND WHEREAS the Minister of Lands and Natural resources has obtained all necessary clearances pursuant to subsection 2.28(1) of the *Labrador Inuit Lands Act* and made the determinations required under section 5.3 of the *Labrador Inuit Lands Act*;

AND WHEREAS the Nain Inuit Community Government has, with the consent of the Minister of Lands and Natural Resources, petitioned the Assembly pursuant to Part 5 of the *Labrador Inuit Lands Act* for an Act authorizing access to Labrador Inuit Lands Parcel LIL-05C for purposes of operating a quarry on such terms and conditions as the Assembly may deem necessary and desirable;

NOW THEREFORE BE IT ENACTED by the Nunatsiavut Assembly as follows:

Short Title

1. This Act may be cited as the *Nain Quarry Act (2017)*.

6-7-17
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Interpretation

2. In this Act:

- (a) "Assembly" means the Nunatsiavut Assembly;
- (b) "Environment" has the same meaning as in the Labrador Inuit Land Claims Agreement;
- (c) "Lessee" means the Nain Inuit Community Government; and
- (d) "Minister" means the member of the Nunatsiavut Executive Council responsible for the department of lands and natural resources and the *Labrador Inuit Lands Act*,

Approval of petition and waiver of impacts and benefits agreement

3. The Assembly hereby:

- (a) approves the petition of the Nain Inuit Community Government for access to a 0.153 hectare lot of Labrador Inuit Lands within Parcel LIL-05C for purposes of operating a sand quarry, subject to section 4 of this Act; and
- (b) pursuant to clause 2.11(1)(e) of the *Labrador Inuit Lands Act*, waives the requirement for an impacts and benefits agreement in respect of the development proposed by the Nain Inuit Community Government.

Minister authorized to issue lease

4. The Minister is authorized to lease a 0.153 hectare piece, parcel or lot of land in Labrador Inuit Lands Parcel LIL-05C, identified on Map Sheet 55, to the Nain Inuit Community Government for a term of 3 years under section 4.11 of the *Labrador Inuit Lands Act* on such terms as the Minister deems necessary or advisable subject to the following:

- (a) the lessee shall pay an annual rent of One dollar (\$1.00);
- (b) the lease shall prohibit the lessee from using the land for any purpose other than as outlined in the work plan required in subsection (e) or other such work plan approved by the Minister;
- (c) the lessee shall take all steps and precautions necessary to prevent risk of accidents or harm to persons or property at the site of the quarry or as a result of quarry operations including, without limitation, by the posting of multi-lingual warning signs and notices and the erection of fences and barriers;
- (d) the lessee and its agents and permittees must obtain from the provincial

government all necessary permits and authorizations and comply with all applicable regulations for the development and operation of a quarry and must maintain all such permits and authorizations in good standing at all times during the term of the lease;

- (e) the lessee must submit for the Minister's approval a work plan detailing the proposed development and operation of the quarry in the leased Labrador Inuit Lands, which work plan shall be in a form satisfactory to the Minister and substantially in compliance with the consultation draft of proposed quarry standards provided to the Nain Inuit Community Government on March 22nd 2017;
- (f) the lessee shall comply with any terms, conditions or arrangements for the protection of archaeological material or archaeological sites that may be prescribed by the Minister following completion of an archaeological impact assessment by the Nunatsiavut Archaeology Office; and
- (g) other terms and conditions as required by the Minister.

Coming into effect

5. This Act comes into effect upon its registration pursuant to the *Nunatsiavut Laws Registration Act*.