

Unauthorized Occupancy

Mr. Speaker, last fall I spoke to you about how enforcing the rules on how public land is used is a critical part of making sure that land and resources in the Northwest Territories are well-managed.

We know that unauthorized occupancy or squatting is a longstanding land management issue across the Northwest Territories and has been for over 50 years. The Government of the Northwest Territories has taken steps to address this issue since taking over the responsibilities for land management after devolution. Last fall, I highlighted that we have stepped up our enforcement efforts to act upon all unauthorized occupants identified since devolution. The Department often receives reports of unauthorized occupancy from the public. We appreciate these reports and follow-up on the information provided, taking legal action toward removal where appropriate.

Today I am here to share with you the approach that the Department of Lands is taking to address the historic unauthorized use of public land. Specifically, Mr. Speaker, I would like to share our plan to address the unauthorized structures that have existed outside of the built-up area of communities since before devolution. It is now time to take action to tackle this difficult issue within the life of the 19th Legislative Assembly.

Unauthorized cabins built before April 1, 2014 will all be evaluated on a case by case basis against standard criteria. These criteria are based on our land management practices, legislation and policy, and include items such as how far a cabin has to be from the water and highways, the maximum footprint and size of the buildings, and whether or not the land is available.

If the structures do not meet the criteria, the Department will initiate legal action to seek removal. If the structures meet the criteria, the occupant may be able to apply for a lease, which will then undergo consultation with Indigenous governments and organizations.

Mr. Speaker, it is important to remember, the Government of the Northwest Territories does not condone the unauthorized use of land. From the outset, the Government of the Northwest Territories has recognized that some untenured cabins, both new and old, may be associated with Indigenous occupants who are exercising their asserted or established Aboriginal or treaty rights. We will continue to work with occupants and Indigenous governments and organizations to identify and confirm these potential rights-based cabins. These cabins will not be subject to current evaluation or further legal action at this time. Instead, the Department will continue to work with Indigenous governments and organizations to identify these structures and work toward an appropriate process for potential rights-based cabins in future. This is a separate but important stream of work that I have committed to work on collaboratively with Indigenous governments.

As Lands Inspectors post initial notices on all untenured cabins across the Northwest Territories, occupants who receive notices are encouraged to follow-up with the Department directly. Contact information, as well as information on how to identify if a cabin may be associated with an Aboriginal or treaty right, will be attached to the initial posting notice and available on the Department's website.

Mr. Speaker, this is a big undertaking and it will take time. We estimate there are upwards of 700 untenured structures on public land, and it will take time to reach every untenured structure on public land across the Northwest Territories. We are getting tough on those who are breaking the law and who have no legal right to build on public land, but we also need to follow due process and do it right. We also need to ensure the process respects Aboriginal and treaty rights.

The Government of the Northwest Territories recognizes the need for residents to access and enjoy the land, now more than ever. This plan is about making a difference for residents of Northwest Territories and to bring about transparency and accountability for access and use of public land for everyone.

Thank you, Mr. Speaker.