(3) Subsequent to the approval of a land use planning board shall

(a) monitor the implementation of the plan; and

(b) advise as authorized by the plan, consideration of applications for exceptions to the plan.

Changes to plan

43. (1) The planning board for a settlement area may cooperate with any body responsible for a land use planning in any other area, either within or outside the Northwest Territories, that is adjacent to the settlement area.

Joint land use plans

(2) A planning board may, in conjunction with a body referred to in subsection (1), prepare a land use plan for the settlement area and an adjacent area of the Slavey Valley, which shall be subject to the requirements of this Part in respect of the portion of the plan relating to the settlement area.

Compliance with Plans

Land dealings prohibited

44. (1) The Gwich'in and Sahtu First Nations, departments and agencies of the federal and territorial governments, and every body having authority under any federal or territorial law to issue licences, permits or other authorizations relating to the use of land or waters or the deposit of wastes, shall carry out their powers in accordance with the applicable land use plan.

National parks and historic sites

(2) In particular, the establishment of a national park to which the National Parks Act applies and the acquisition of lands pursuant to the Historic Sites and Monuments Act in a settlement area shall be carried out in accordance with the applicable land use plan.

Determination of conformity

45. (1) A planning board shall determine whether an activity is in accordance with a land use plan where

(a) the activity is referred to the planning board by a first nation or a department or agency of the federal or territorial government or by the body having authority under any federal or territorial law to issue a licence, permit or other authorization in respect of the activity, or

(b) subject to the approval of a land use plan, a proponent applies to the planning board for a determination that the activity is in accordance with the plan.

Activities not requiring determination

(2) The planning board may determine that certain activities or classes of activities do not require a determination under paragraph (1)(b).

Terms and conditions

(3) Where the planning board determines that an activity is in accordance with a land use plan, it may specify terms and conditions in relation to the activity.

Variances

46. (1) The planning board may, on application, vary the application of a land use plan in relation to any person, land or water if the board is satisfied that the proposed variance will not substantially affect the implementation of the plan or contravene the intent thereof.

Notice

(2) Before varying the application of a land use plan, the planning board shall give notice of the proposed variance to any person who, in the opinion of the board, may be affected by the variance.

Hearing

(3) The planning board may hold a hearing before varying the application of a land use plan.

Amendments

47. (1) The planning board may, on application, amend a land use plan if the board is satisfied that the proposed amendment is in conformity with the intent of the plan.

Notice

(2) Before amending a land use plan, the planning board shall give notice of the proposed amendment to any person who, in the opinion of the board, may be affected by the amendment.

Hearing

(3) The planning board may hold a hearing before amending a land use plan.

Review of plan

48. (1) The planning board shall review a land use plan at least once every five years.

Amendment or replacement

(2) The planning board may amend or replace a land use plan as a result of a review under subsection (1).

Compliance obligatoire

Obligation de se conformer aux plans

46. (1) Les premières nations des Gwich'in et du Sahtu, les ministères et organismes des gouvernements fédéral ou territorial ainsi que les organismes chargés, aux termes des règles de droit applicables dans la région désignée, de délivrer des permis ou d'autres autorisations relativement à l'utilisation des terres ou des eaux ou au dépôt de déchets sont tenus d'exercer leurs attributions en conformité avec le plan d'aménagement.

Parcs nationaux et lieux historiques

(2) Sans restreindre la généralité de ce qui précède, la constitution de parcs nationaux aux termes de la Loi sur les parcs nationaux et l'acquisition de terres sous le régime de la Loi sur les lieux et monuments historiques sont effectuées en conformité avec le plan d'aménagement.

Décision de conformité

47. (1) L'office décide de la conformité de toute activité avec le plan d'aménagement :

a) en cas de renvoi de l'auteur de la part de la première nation, de ministère ou de l'organisme des gouvernements fédéral ou territorial concerné ou de l'organisme chargé, aux termes de toute règle de droit applicable dans la région désignée, de délivrer les permis ou autres autorisations relativement à l'activité en question;