



**WASAUKSING FIRST NATION  
LANDS AND RESOURCES COMMITTEE (LARC)  
KINAA EH GWUK SII YUNG  
TERMS OF REFERENCE**

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**1.0 Background**

- 1.1 Wasauksing First Nation has a profound relationship with the land that is rooted in respect for the spiritual value of the Earth and the gifts of the Creator. It is the intention of Wasauksing First Nation to maintain Parry Island in its natural state to the greatest extent possible, subject only to the development and use of land in accordance with *Wasauksing First Nation's Community Development Plan* (aka Land Use Plan). The Land Use Plan is founded on the philosophy that as caregivers of the Land, we must take responsibility to ensure that appropriate by-laws, development, rules and regulations are implemented to ensure future concerns of the lands (development or preservation) are adhered to, while allowing for the enhancement of the physical, social, and economic well-being of Wasauksing First Nation and its growing membership.

It is therefore the responsibility of the Lands And Resources Committee (LARC) to oversee the application of the Land Use Plan, and to develop and implement appropriate by-laws, rules and regulations regarding the development of lands and resources on Parry Island, so as to maintain our relationship with the land and Kinaa Eh Gwuk Sii Yung ("all that surrounds us").

**2.0 Mandate and Objectives**

- 2.1 The Chief and Council (Council) of the Wasauksing First Nation has, by motion, established the Lands And Resources Committee (LARC), for the following purposes:
- (a) To make recommendations to Council on all relevant and appropriate land and resource programs and administrative policy matters as required.
  - (b) To draft new or revise existing Wasauksing First Nation land policies regarding land uses, resource uses, and all related application processes.
  - (c) To recommend new or revised land and resource policies to Council for approval, with input from staff, Wasauksing First Nation members, and others, as appropriate.
  - (d) To receive and review lands and resources related documentation, as necessary, and make recommendations to Council, based on the standards of applicable policies.
  - (e) To consult with Wasauksing First Nation members by holding community meeting(s) and/or posting notices for comment whenever major changes in the Land Application Process and/or whenever new lands and resources related policies are proposed.
  - (f) To encourage greater communication and participation from all Wasauksing First Nation members in the lands and resources program.

- (g) To make presentations to the community and/or to Council on any identified issues or recommendations from the LARC, at the request of Council.
- 2.2 The Council has approved these Terms of Reference (TOR) to govern the LARC.
- 2.3 The work of the LARC is expected to result in the following outcomes:
- (a) Recommendations to Council with respect to the *Wasauksing First Nation's Community Development Plan* (aka Land Use Plan);
  - (b) Recommendations to Council for the acceptance of new or revised lands and resource related policies, procedures, guidelines, and/or by-laws, as developed by the LARC;
  - (c) Recommendations to Council regarding the protection and/or sustainable development of lands and resources including, but not limited to: soils, aggregates, water, plants, trees, wildlife, fish, etc.; and
  - (d) Recommendations to Council for the approval/denial of all types of Land Applications in accordance with identified standards and future policies.
- 2.4 For clarity, the LARC serves in an advisory capacity only, and although the LARC may make recommendations to the Council for approval, it has no decision-making authority.

### **3.0 Composition, Eligibility Criteria and Quorum**

- 3.1 The Lands And Resource Committee (LARC) consists of six to ten members, including
- (a) two Appointed Staff members from Wasauksing First Nation Administrative Office (the Lands Manager and the Lands & Membership Clerk, who are both non-voting members);
  - (b) at least one member of the Council (the Council member who holds the LARC portfolio, and if necessary, an alternate Council member);
  - (c) where possible, at least one male and one female Wasauksing member, from each of the following categories: youth (age 18-30), adult (age 31-49), elders (age 50+);
- 3.2 All members of the LARC shall have an interest and understanding of land and resource management and/or personal knowledge of the Wasauksing First Nations traditions, land base and/or natural resources.
- 3.3 All members of the LARC shall be at least 18 years old.
- 3.4 The quorum of the LARC is at least one half of the voting membership, excluding the Appointed Staff members (who are non-voting members of LARC).

### **4.0 Appointment and Term**

- 4.1 The Chair of the Lands And Resources Committee (LARC) will be the Wasauksing First Nation Lands Manager. In the event that the Lands Manager is unable to attend a meeting, a Chairperson will be appointed prior to the start of that meeting. The appointment of the Chairperson must be agreed upon by the committee member being

appointed, and the Chairperson will remain eligible to vote on any items discussed at that meeting.

- 4.2 The Secretary of the LARC will be the Wasauksing First Nations Lands & Membership Clerk. In the event that the Lands & Membership Clerk is unable to attend a meeting, a Secretary will be appointed prior to the start of that meeting. The appointment of the Secretary must be agreed upon by the committee member being appointed, and the Secretary will remain eligible to vote on any items discussed at that meeting.
- 4.3 Wasauksing First Nations members interested in sitting on the LARC must submit a letter of interest to the Lands Manager that includes a brief explanation of how they meet the LARC membership eligibility requirements outlined in Section 3 of this document.
- 4.4 Non-Staff members of the LARC shall be appointed as follows:
- (a) the Lands Manager shall screen and make recommendations to the Council for approval regarding the appointment of the first members of the LARC; and
  - (b) in subsequent terms, the Lands Manager shall identify eligible candidates and shall make recommendations to the Council regarding the appointment of committee members.
- 4.5 Members of the LARC, other than the Appointed Staff members from Wasauksing First Nation Administrative Office, shall serve for a term of two years, and may be reappointed at the end of their term.

## **5.0 Roles and Responsibilities**

- 5.1 The Council shall
- (a) review and approve the Terms of Reference (TOR) for the Lands And Resources Committee (LARC), and any amendments to the TOR;
  - (b) Review and approve/deny recommendations brought forward by the LARC;
  - (c) appoint and remove members of the LARC;
  - (d) approve the budget, human and other resources assigned to the LARC; and
  - (e) together with the Lands Manager, evaluate the LARC on an annual basis.
- 5.2 The Appointed Staff of the LARC shall:
- (a) schedule and notify committee members of all meetings of the LARC;
  - (b) advise the Chairperson and the rest of the LARC when quorum is not obtainable for an upcoming meeting;
  - (c) set agendas for LARC meetings;
  - (d) prepare and send out information packages to LARC members, as necessary, and at least one week in advance of the meeting during which they will be discussed;
  - (e) ensure that the LARC fulfills its mandate and objectives, and produces required deliverables;
  - (f) ensure that accurate minutes are kept for each LARC meeting;

- (g) ensure that LARC meeting minutes are reviewed and approved at the end of each meeting by all LARC members present at that meeting;
- (h) ensure that recommendations from each LARC meeting are forwarded to Council for approval at the next scheduled Council meeting;
- (i) manage the LARC records, including meeting agendas, documents tabled, minutes and reports to Council and the community; and
- (j) establish criteria for evaluating committee members and annually evaluate the members of the LARC.

5.3 The Chairperson of the LARC shall:

- (a) chair the meeting for which they are appointed;
- (b) confirm that there is quorum at the meeting, prior to opening;
- (c) ensure the draft meeting minutes from the meeting for which they are appointed are reviewed and approved at the end of each meeting by all LARC members present at that meeting.

5.4 The Secretary of the LARC shall:

- (a) record accurate meeting minutes for the meeting for which they are appointed;
- (b) ensure LARC members present at the meeting are able to review the meeting minutes prior to the closure of the meeting at which they were recorded; and
- (c) provide Appointed Staff with an electronic copy of the meeting minutes within two business days of the LARC meeting at which they were recorded.

5.5 On an annual basis, the Lands Manager shall work with the Chief Executive Director or the Director of Public Works to make recommendations to the Council for approval regarding the budget for the LARC, as well as for human and other resources required by the committee.

5.6 Members of the LARC shall:

- (a) attend all meetings, subject to reasonable exceptions;
- (b) prepare for all meetings of the LARC by reviewing any documents, information, etc. provided by Appointed Staff in advance;
- (c) keep in touch with the general needs and concerns of Wasauksing First Nation members;
- (d) keep up-to-date with relevant Wasauksing First Nation policies and by-laws;
- (e) review and approve minutes and other documents of the LARC;
- (f) contribute to the work of the LARC, in the best interests of Wasauksing First Nation; and
- (g) complete required tasks, as directed by the Chairperson or Council.

5.7 The LARC responsibilities include:

- (a) preparing an annual work plan for submission to Council at the beginning of each fiscal year;
- (b) preparing an annual report for submission to Council on the LARC progress on items identified in the annual work plan at the end of each fiscal year;

- (c) reporting to Council as required; and
- (d) attending community meetings and reporting to Wasauksing members as directed by the Council.

## **6.0 Meetings**

- 6.1 The Lands And Resources Committee (LARC) generally meets monthly.
- 6.2 Meetings of the LARC are normally held on the second Thursday of the month, from 7pm to 9pm, at the Wasauksing First Nation Council Chambers Meeting Room.
- 6.3 Subject to section 6.4, Appointed Staff of the LARC shall provide members with notice of meetings by email or by phone, at least 7 days in advance of the meeting.
- 6.4 In exceptional circumstances, Appointed Staff may call a meeting on short notice with the consent of the other members, and provided that members have at least 24 hours' notice of the meeting.
- 6.5 Decisions on recommendations to Council from the LARC shall be made by consensus of quorum at the scheduled meetings. When consensus cannot be achieved, a majority of quorum in favour of the recommendation will be achieved at that meeting prior to forwarding the recommendation to Council. In the case of a tie, the Council member who holds the LARC portfolio breaks the tie. Any recommendations made to Council where consensus was not achieved will be reported as such, and any issues or concerns that caused the non-consensus will be brought to the attention of Council.

## **7.0 Conduct Expectations**

- 7.1 Upon appointment to the Lands And Resources Committee (LARC), each committee member shall review and sign the Oath of Confidentiality, which is attached as an Appendix to, and which forms part of, the TOR.
- 7.2 All members of the LARC shall comply with the Wasauksing First Nation Conflict of Interest Policy (COIP), and all other applicable laws and policies.

## **8.0 Removal of Committee Members**

- 8.1 Only Council may remove a member from the Lands And Resources Committee (LARC), and only
  - (a) at the expiry of their term; or
  - (b) for cause, on the recommendation of the Lands Manager, including where the member
    - i. is convicted of an offence under the *Criminal Code*,
    - ii. commits wrongdoing,
    - iii. has unexcused absences from three consecutive meetings,
    - iv. breaches the Oath of Confidentiality,
    - v. no longer meets the eligibility criteria, or

- vi. fails to perform any of their duties in good faith and in accordance with the committee's terms of reference.

## **9.0 Reporting to the Council**

- 9.1 In order to demonstrate compliance with the Terms of Reference (TOR) of the Lands And Resources Committee (LARC), the LARC shall report to the Council at least monthly on topics including
  - (a) dates and agendas of meetings since the last report to the Council;
  - (b) attendance and confirmation of quorums; and
  - (c) meeting outcomes and any recommendations for the Council's consideration.
- 9.2 Monthly reports, as outlined in Section 9.1, will be submitted to Council in writing prior to the Council Meeting in which they will be discussed. If necessary, a representative from the LARC may attend the Council Meeting, at the request of Council, to answer any questions or provide clarification as necessary regarding the monthly report.
- 9.3 The Council may only review and consider recommendations of the LARC if the recommendations are accompanied by approved minutes of the LARC.

**Appendix – Lands And Resources Committee (LARC)  
Oath of Confidentiality**

I, \_\_\_\_\_, understand and acknowledge that:

- 1) as a member of the Lands And Resources Committee (LARC) of the Wasauksing First Nation, I may come into contact with or possession of sensitive and confidential information regarding the Wasauksing First Nation and its Members, businesses, clients or organizations;
- 2) the maintenance of confidentiality is essential to the work that the Wasauksing First Nation carries out;
- 3) my participation in the Lands And Resources Committee (LARC) is dependent, in part, on my signing, and abiding by, this Oath of Confidentiality; and
- 4) any breach of this Oath constitutes just cause for my removal from the Lands And Resources Committee (LARC).

I promise that I will not disclose the affairs of the Wasauksing First Nation or its Members, businesses, clients or organizations to any person, company or firm, directly or indirectly, during or after my term as a committee member, other than as required in the normal course of my position, or as required by law.

I promise that I will not use such confidential information for my, or any other person's, interests, whether or not such interests conflict with those of the Wasauksing First Nation, during or after my term as a committee member.

Agreed to, and signed on the \_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

\_\_\_\_\_  
LARC Member

Witness: \_\_\_\_\_ Signature: \_\_\_\_\_