

# **LAND MANAGEMENT BRANCH**

## **LAND APPLICATION APPEAL POLICY**

### **1. Purpose**

In the event that you decide to appeal a land application decision, this policy outlines:

- What can be appealed;
- How to submit an appeal; and,
- The timeframe for submitting an appeal and getting a response.

### **2. Objective**

Our objective is to provide a fair, consistent, timely and transparent process for reviewing decisions on land applications.

### **3. Grounds for a land application appeal**

**3.1** In order to file an appeal you must be the land applicant. If you disagree with a Land Management Branch decision on your land application, you can appeal the decision, on the following grounds only:

A. You believe that there was an error made by Yukon government during the land application review process, or that there was an error in the interpretation of the policy under which you submitted the land application.

OR

B. You believe that Yukon government did not consider, or did not consider properly, some previously provided information relevant to the decision.

### **3.2 You cannot appeal land application decisions for other reasons including the following:**

- A. If your appeal is based on factors that are not within Land Management Branch's mandate or authority.
- B. You require approvals from other agencies regarding your land application.
- C. Your land application has been deferred because Land Management Branch requires additional information.

### **4. How to appeal a land application decision:**

You must submit your appeal in writing (known as the "appeal letter") to the Assistant Deputy Minister of Sustainable Resources at Energy, Mines and Resources within 30 days of the date the Decision Letter was sent to you.

You can submit one appeal only. In your appeal letter, you must include complete details of the grounds for the appeal. This includes all supporting documentation, the land application number, and the applicant's full name, address and contact information.

Where there is more than one applicant named on your application, your appeal letter must be signed by all the applicants.

<b>Submit your appeal in person at:</b>	<b>Or by mail to:</b>
Land Management Branch Elijah Smith Building, Room 320 300 Main Street, Whitehorse, Yukon Open: Monday to Friday, 8:30 am to 4:30 pm	Government of Yukon Land Management Branch Box 2703 (K-320) Whitehorse, Yukon, Y1A 2C6

### **5. Considering your land application appeal**

On receiving your appeal letter, the Assistant Deputy Minister will confirm receipt of it.

The Assistant Deputy Minister will determine whether there are legitimate grounds for an appeal.

The Assistant Deputy Minister will consider only the information that you have provided in your appeal letter.

## **6. The decision on your appeal**

The Assistant Deputy Minister will provide a written decision on your appeal within 30 days of receiving your appeal letter, and will confirm, vary or overturn the original application decision.

The Assistant Deputy Minister's decision on the appeal is final.

## **7. Summary**

### **Step 1**

- Submit a written appeal letter to Assistant Deputy Minister (ADM) within 30 days of the date on the Decision Letter.

### **Step 2**

- ADM determines whether there are legitimate grounds for an appeal.

### **Step 3**

- Within 30 days of receiving your appeal letter, ADM provides written decision, and will confirm, vary or overturn the original application decision. This decision is final.

If you have further questions about this process, you can call the Land Management Branch at 867 667-5215 or toll free in Yukon at 1-800-661-0408 ext: 5215. You can also email us at [land.disposition@gov.yk.ca](mailto:land.disposition@gov.yk.ca)