

TO: CITY MANAGER 2002 August 20

FROM: DIRECTOR PLANNING AND BUILDING OUR FILE: 01.227

SUBJECT: **LMTAC DRAFT DISCUSSION PAPER ON REGIONAL GOVERNANCE AND GOVERNANCE IN THE REGION**

PURPOSE: To provide comment on the LMTAC *Draft Discussion Paper on Regional Governance and Governance in the Region*.

RECOMMENDATION:

1. **THAT** a copy of this report be sent to the Lower Mainland Treaty Advisory Committee at 4th Floor, 4330 Kingsway, Burnaby, B.C. V5H 4G8.

REPORT

1.0 BACKGROUND

Governance has been identified as a priority topic at treaty tables in the Lower Mainland. Two treaty tables in the Lower Mainland - namely Tsawwassen and Katzie - are active, with the first interim agreement expected to be reached with the Tsawwassen First Nation as early as 2003. As local governments have a variety of interests, both general and specific, on the issue of future governance in the region, the Lower Mainland Treaty Advisory Committee (LMTAC) passed a recommendation at its regular meeting of 2002 June 26 to distribute the *LMTAC Draft Discussion Paper on Regional Governance and Governance in the Region* to member councils and regional districts for review and comment by 2002 September 16 (Council has a representative that sits on LMTAC). This report addresses this request.

2.0 DRAFT DISCUSSION PAPER SUMMARY

2.1 Purpose and Context

The discussion paper is intended as a basis for initial discussion and further research on the topic of regional governance and governance in the Lower Mainland region. As such, it provides an overview of the legislative framework of local government (including regional and municipal) in British Columbia, with emphasis on the adopted regional government structure currently utilized by the GVRD. It outlines the principles of regional districts, voting procedures, typical services provided, benefits as a model, and the differences of regional governments in B.C. versus other provinces.

The discussion paper also describes existing examples of First Nation participation on regional district boards, including Sechelt and Nisga'a, and sets out options and possible implications for regional districts. A number of options for First Nation participation in regional governance are outlined, ranging from no representation (periodic joint meetings of the First Nation government and the regional board to primarily exchange information and build relationships, but no First Nation representation on the regional board itself) to full membership on the regional board, with all the rights and responsibilities of other municipal members.

2.2 Action Items

The draft discussion paper recommends three action initiatives for continued debate on regional governance. The first proposes incremental First Nation participation on regional district boards with representation similar to Electoral Areas, subsequently leading to full municipal membership, as an opportunity for both First Nations and regional districts to test the arrangement prior to a long-term partnership commitment.

The second initiative suggests that there is a need for a dialogue on governance, in which governments work collaboratively with other governments and sectors of society to achieve "integrated decision-making" on sustainability issues. The Sustainable Region Initiative, launched by the GVRD in September 2001, is cited as an example of such a dialogue.

Finally, the discussion paper proposed that a new principle to be added to the *GVRD Principles for Treaty Negotiations* and LMTAC's *First Principles*, as follows:

If treaty settlements are to recognize and respect the authority and jurisdiction of the Federal, Provincial, First Nation and Local Governments, and if the development of a regional governance model through treaty negotiations has any potential or specific implications on the authority of the Regional District, then a process must be established among all parties involved, including the Regional District, in order to promote cooperation, provide effective and necessary regional services, and resolve future conflicts. Any such discussions must involve the direct participation and commitment of the GVRD Board of Directors from the very outset.

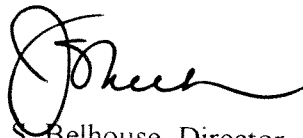
The GVRD Board of Directors adopted the above principle at its meeting of 2002 July 26.

3.0 CONCLUSION

The LMTAC *Draft Discussion Paper on Regional Governance and Governance in the Region* provides a basis for initial discussion on issues surrounding governance in the Lower Mainland region as it relates to First Nation participation.

The draft principle regarding regional governance is sound, as it stresses the need for the involvement of regional government in the formulation of any post-treaty decision-making processes. The discussion paper suggests that incremental membership by First Nation governments in the regional district has strong advantages, *but this assertion needs to be closely examined with additional research and vetted against the proposed principle*. That is, any involvement of First Nations in the regional decision-making structure needs to be addressed by the GVRD. Municipal LMTAC representatives provide the mechanism to both inform local government, as well as to bring member concerns to the discussion, if necessary. With regard to a dialogue on regional governance that addresses sustainability issues, the GVRD's Sustainable Region Initiative is identified as a suitable vehicle.

As further research is conducted on the subject, Council will be kept apprised of the process.



J.S. Belhouse, Director
PLANNING AND BUILDING

KSF

cc: Deputy City Manager
City Solicitor

