

LOCAL GOVERNMENT–FIRST NATION PARTNERSHIPS

**Forging strong relationships among municipal, regional
and First Nation governments in British Columbia**

Report prepared for the Union of British Columbia Municipalities

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EXECUTIVE SUMMARY

The purpose of this report is to explore practical approaches to encourage and support partnership building among local and First Nation governments in British Columbia. Public servants in B.C., particularly those working in local government and First Nation communities, are increasingly engaged in finding ways to improve local government–First Nation relations. Elected officials and staff can benefit from best practices and lessons learned from existing local government–Indigenous community partnerships in B.C. and other jurisdictions.

Both local governments and First Nations have a critical interest in improving their relationships with one another. After all, they live side-by-side or within the vicinity of each other. Land use planning and economic development ventures in urban areas and smaller communities alike, especially when municipalities and First Nation reserves are adjacent to one another, must be pursued in a collaborative manner so that one community would not be adversely affected by the actions of the other. Acrimonious relationships could result from a lack of coordination by local and First Nation governments.

This report presents recommendations to B.C. local governments and First Nations on how to establish successful local government–First Nation partnerships. It also offers recommendations to B.C. and federal governments to assist them in their role as senior governments in encouraging such partnerships. Finally, recommendations to the Union of British Columbia Municipalities (UBCM) and First Nations Summit (FNS) are put forward to support their ongoing collaborative work on promoting strong relationships between local governments and First Nations communities throughout the province.

The report concludes that B.C. is home to a number of notable local government–First Nation partnerships, including those in the areas of collaborative governance, land and resource co-management, and economic development. However, it is not clear how widespread partnership building is among local governments and First Nations in B.C. since no comprehensive studies have been undertaken to quantify and evaluate existing partnerships.

Some B.C. partnerships explored here, along with those from the rest of Canada, Australia, New Zealand and the United States, offer valuable lessons to B.C. local governments and First Nations on how to form successful partnerships. These partnership experiences highlight the seven enabling factors identified by the literature on how best to approach successful partnership building. Different stakeholders, most prominently local governments and First Nations themselves, as well as senior governments, UBCM and FNS, have roles to play in promoting local government-First Nation partnerships and ensuring their success.

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LIST OF ACRONYMS

C2C	Community to Community (as in Regional C2C Forum Program)
CMAR	Centre for Municipal-Aboriginal Relations
DNV	District of North Vancouver
FCM	Federation of Canadian Municipalities
FNLC	First Nations Leadership Council
FNRC	First Nations Relations Committee
FNS	First Nations Summit
INAC	Indian and Northern Affairs Canada
<i>LGA</i>	<i>Local Government Act 2002</i>
LGASA	Local Government Association of South Australia
LGNZ	Local Government New Zealand
LMTAC	Lower Mainland Treaty Advisory Committee
LTN	Lheidli T'enneh Band
MARR	Ministry of Aboriginal Relations and Reconciliation
MCS	Ministry of Community Services
MCD	Ministry of Community Development
MOE	Ministry of Environment
MOU	Memorandum of Understanding
OKIB	Okanagan Indian Band
P3	Public-Private Partnership
RCAP	Royal Commission on Aboriginal Peoples
RDFFG	Regional District of Fraser-Fort George
<i>RMA</i>	<i>Resource Management Act 1991</i>
SCC	Supreme Court of Canada
SCRD	Sunshine Coast Regional District
SFN	Snuneymuxw First Nation
SIB	Sechelt Indian Band
TAC	Treaty Advisory Committee
TLEFA	Treaty Land Entitlement Framework Agreement
TWN	Tsleil-Waututh Nation
UBCM	Union of British Columbia Municipalities

1 | INTRODUCTION

When we reach a place where we understand and respect each other's values and beliefs, and appreciate our shared history, we can start building meaningful and mutually beneficial relationships.

– Brenda Ireland, Fort Nelson First Nation (FNS, INAC, MARR, MCS & UBCM, p. 16)

Public servants in Canada, particularly those working in local government and First Nation communities, are increasingly engaged in finding ways to improve local government–First Nation relations. Servicing arrangements have traditionally been the basic interface between local governments and First Nations, with local governments often providing basic services such as road maintenance and fire protection to First Nations. In British Columbia, the B.C. Treaty Process continues to bring local governments and First Nations together to address common issues and interests in preparation for a post-treaty environment. The federal Additions to Reserve policy and the differing taxation scheme in “Indian” lands have also contributed to close consultations among local governments and First Nations.

Today, there are a number of opportunities for collaboration among neighbouring local governments and First Nations. Elected officials and staff from these governments can benefit from best practices and lessons learned from existing local government–Indigenous community partnerships in B.C., the rest of Canada and elsewhere around the world. This report explores those partnerships and concludes by offering recommendations on how to build, and encourage the formation of, local government–First Nation partnerships in B.C.

Purpose

The purpose of this report is to explore practical approaches to encourage and support partnership building among local and First Nation governments in British Columbia. Neighbouring local and Indigenous governments in Canada and abroad enter into partnerships in a wide range of areas, including governance, environmental management and economic development. Partnerships in Canada, Australia, New Zealand and the United States offer significant lessons from which B.C. local governments and First Nations can learn.

This report presents recommendations to B.C. local governments and First Nations on how to establish successful local government–First Nation partnerships. It also offers recommendations to B.C. and federal governments to assist them in their role as senior governments in encouraging such partnerships. Finally, recommendations to the Union of British Columbia Municipalities (UBCM) and First Nations Summit (FNS) are put forward to support their ongoing collaborative work on promoting strong relationships between local governments and First Nations communities throughout the province.

The report is guided by these three critical questions:

- How can existing relationships among local governments and First Nation communities in B.C. generally be characterized?
- What lessons can be learned from innovative practices in B.C. and elsewhere designed to improve relationships among local and First Nation governments?
- What is the role of the various stakeholders – most prominently local, First Nation, provincial and federal governments – in building more productive working relationships among local and First Nation governments?

Methodology

To answer these questions, the following steps were undertaken:

- literature review on successful partnership building;
- examination of existing partnerships among neighbouring local governments and First Nations in B.C., including two partnership case studies;
- jurisdictional scan of local government–Indigenous community partnerships in other parts of Canada, Australia, New Zealand and the United States; and
- examination of practices by local government associations in Canada, Australia, New Zealand and the United States to promote local government–Indigenous community partnerships.

The literature review focused on academic articles describing the key factors critical to the success of partnership building. Literature on a number of different types of partnerships, including public-private partnerships (P3s), health care service delivery partnerships and community-university partnerships, was consulted to determine the “enabling factors” required for successful local government–First Nation partnerships in British Columbia.

Next, existing partnerships among neighbouring B.C. local governments and First Nation communities were examined to determine the current state of relationships in the province. Government publications, such as reports, news releases and websites; academic literature; media stories; final reports by forum hosts of the Regional Community to Community (C2C) Forum Program, which promotes relationship building among local governments and First Nations in B.C.; and UBCM publications, such as the *C2C Connect* newsletters featuring stories of local governments and First Nations working together, were reviewed. The success factors identified through the literature review were used in the examination and analysis of these partnerships.

Potential local government–First Nation partnerships were then selected as case studies. In the end, two partnerships were included in the report – one in the northern part of the province and one on Vancouver Island – both of which are formalized by Memorandum of Understanding (MOU) and Protocol agreements. In addition to the examination of existing local government–First Nation partnerships, the selection of these case studies was based on informed recommendations by persons knowledgeable about the subject. They included officials from the Province of British Columbia’s Ministry of Aboriginal Relations and Reconciliation (MARR), Ministry of Community Development (MCD) and Ministry of Environment (MOE), as well as staff of UBCM and FNS.

Case studies were included in this report to highlight – and to examine more closely – the experiences of successful partnerships in B.C. from which other local governments and First Nations can learn. Elected officials and staff from local governments and First

Nation communities chosen as case studies were invited to participate in interviews to discuss their partnership experiences. In the end, only local government officials were interviewed. Repeated attempts were made to conduct interviews with First Nation elected officials and staff. However, due to varying circumstances, First Nation representatives were unable to participate. Therefore, it is important to note that the case studies below are presented exclusively through the perspectives of municipal and regional district officials.

A jurisdictional scan of local government–Indigenous community partnerships in other parts of Canada, Australia, New Zealand and the United States was also undertaken to explore how partnership building is done in other jurisdictions. Again, the success factors identified through the literature review were used in this cross-jurisdictional review.

Finally, an examination of practices by local government associations in promoting local government–Indigenous community partnerships in these countries was completed to identify valuable activities which UBCM and its partner FNS may adopt and utilize. This part of the research process was important to inform this report of the partnership-building practices employed by UBCM’s counterparts in other jurisdictions.

It is worth noting that the available literature on local government–Indigenous community partnerships and relationships is sparse. There is a considerable lack of information on the topic – a reality that could be attributed to the fact that policies related to Indigenous peoples in Canada, Australia, New Zealand and the United States are the responsibility of their federal or national governments. It appears that it was not until the last several years that more attention was given to how Indigenous and non-Indigenous communities can work together at the local level, as evidenced by the academic literature and government publications consulted for this report. Different levels of government, including local and Indigenous governments themselves, have begun to recognize that bringing neighbouring local and Indigenous governments together to deal with common issues and concerns affecting the broader community is to the benefit of all residents – both Indigenous and non-Indigenous.

Report Structure

The report is structured as follows:

- **2 | Background** provides the context for local government–First Nation relations in British Columbia today. It also discusses what role local governments can play in Aboriginal relations as well as the authority of local governments and First Nation bands as delegated by the provincial and federal governments, respectively. This section offers readers the basic knowledge critical to understanding the subject.
- **3 | Partnership Building** discusses the results of the literature review. It explains that partnership is one mechanism for horizontal management, discusses the differing definitions of partnership, and describes the value added by partnerships in public administration. Most importantly, this section identifies and discusses the key enabling factors in partnership building.
- **4 | Local Government–Indigenous Community Partnerships** explores partnerships in B.C., the rest of Canada, Australia, New Zealand and the United

States. The two B.C. case studies are included here. Partnership-building practices by local government associations in these countries are also explored.

- **5 | Analysis and Recommendations** analyzes the findings from the previous section and answers the three critical questions posed in this report. The analysis informs the report's recommendations.
- **6 | Summary of Recommendations** presents the recommendations to local governments, First Nations, senior governments, UBCM and FNS.
- **7 | Conclusion** summarizes the research and offers final insights on the subject.

2 | BACKGROUND

We are all here to stay. We agree to a new government-to-government relationship based on respect, recognition and accommodation of aboriginal title and rights. Our shared vision includes respect for our respective laws and responsibilities. Through this new relationship, we commit to reconciliation of Aboriginal and Crown titles and jurisdictions.

– *Province of B.C. and FNLC, p. 1*

B.C. and Canadian Context

There remains a sense of unease and mistrust in today's relationship between Aboriginal and non-Aboriginal people in Canada. Because of Canada's colonial history, effects of land dispossession, displacement to residential schools, outlawing of cultural institutions like the potlatch, and other government actions that were damaging to Aboriginal peoples' way of life linger to this day. At the same time, there is awareness among non-Aboriginals of the historical wrongs and their lasting impacts. As Thornton points out, "The official attitude of the Canadian government towards Aboriginal people has become one of reconciliation and an acceptance of past wrong-doing" (Thornton & Todd, p. 7). In fact, the federal government offered a formal apology to former students of residential schools as recently as June 2008, after the establishment of the Truth and Reconciliation Commission – which will document the experiences of residential schools' students – and the creation of a \$1.9-billion compensation plan for victims.

The federal and B.C. governments took a historic step towards reconciliation in the early 1990s when they agreed to begin modern treaty-making with First Nations of British Columbia. Aboriginal people have long fought against their displacement from traditional territories. In fact, several First Nations in the province met with provincial, federal and British governments to advance their land claims from 1906 to 1915 (INAC, n.d.). However, it was not until the 1970s that Aboriginal title was finally recognized by the country's highest court. The Supreme Court of Canada (SCC) unanimously ruled in the *Calder* case that Aboriginal title was part of Canadian common law, even though the judges were split on whether Aboriginal title still existed. This precedent-setting decision led to the creation of a federal comprehensive land claims policy. Then, in the early 1990s, the B.C. Treaty Process was established. Not only does it address land settlements and access to natural resources in traditional territories, it also defines First Nations' right to self-government and resolves a wide range of jurisdictional matters related to that self-governance.

Perhaps one of the key factors to the establishment of the B.C. Treaty Process was the *Constitution Act, 1982*. This critical addition to Canada's constitution brought in significant changes to how the country is governed, including the provisions set out in section 35. This section recognizes both Aboriginal and treaty rights. Subsection 35(1) states that, "The existing aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed." Moreover, subsection 35(3) defines what treaty rights are: "For greater certainty, in subsection (1) 'treaty rights' includes rights that now

exist by way of land claims agreements or may be so acquired.” SCC’s 1997 decision on the *Delgamuukw* case further affirms the existence of Aboriginal title. The need for treaty settlements has become more and more amplified.

Most recently, the B.C. government and the First Nations Leadership Council (FNLC), comprised of representatives from FNS, the Union of B.C. Indian Chiefs and the B.C. Assembly of First Nations, agreed on a “new relationship” with respect to Aboriginal matters. This “New Relationship with First Nations and Aboriginal People” states that:

We agree to work together in this new relationship to achieve strong governments, social justice and economic self-sufficiency for First Nations which will be of benefit to all British Columbians and will lead to long-term economic viability (Province of B.C. & FNLC, p. 1).

This New Relationship, which includes the B.C. Treaty Process, serves as a government-wide policy direction for Aboriginal relations in the province. Each provincial ministry, in effect, is supposedly guided by this concept. For instance, the Ministry of Advanced Education and Labour Market Development’s Aboriginal Service Plans initiative, a collaborative multi-year strategic and operational plan by a post-secondary institution and Aboriginal communities in the region it serves, is rooted in the goals of the New Relationship. Moreover, MOE sees its collaborative management agreements with First Nations as one mechanism in realizing the New Relationship.

It is important, however, to note that some First Nations are questioning the provincial government’s commitment to the New Relationship. Government actions which neglected First Nation consultation and accommodation have angered First Nation leaders. For instance, the provincial government’s removal of private lands from a tree-farm licence in Vancouver Island sparked a lawsuit by the Hupacasath First Nation against the Province on the grounds that the First Nation was not consulted. Chief Judith Sayers remarked that “The new relationship seems like it’s the old relationship....So maybe we need a newer relationship that actually recognizes reconciliation. Is that too much to ask?” (The Canadian Press).

Undoubtedly, building a new relationship with B.C.’s First Nations is crucial for the future of the province. The importance of this cannot be underestimated especially when the province’s demographics are taken into account. According to the 2006 census, about five per cent of B.C.’s population is Aboriginal (4.8 per cent), an increase of 15.3 per cent from 2001. This is a significant increase considering that in the same period, the province’s total population increased by only 5.3 per cent and the non-Aboriginal population only saw an increase of 4.9 per cent. In fact, the Aboriginal population in B.C. went up by 38.5 per cent in just ten years, from 1996 to 2006 (Statistics Canada).

With this context in mind, the matter with which this report is concerned is the promotion of improved relationships among Aboriginal and non-Aboriginal communities at the local level through partnership building. The federal and provincial governments are active parties in the B.C. Treaty Process, and the B.C. government engages with First Nation communities and Aboriginal organizations through aforementioned ministry initiatives. Where does the third level of government in B.C. fit in Aboriginal relations?

Local Governments and Aboriginal Relations

Local governments have a critical interest in improving Aboriginal relations. After all, local non-Aboriginal communities are the ones living side-by-side or within the vicinity of First Nation communities. When treaties are initialled, ratified by governments and ultimately implemented, local governments are the ones which will work often and closely with newly established First Nation self-governments. Land use planning, taxation, economic development, infrastructure construction, municipal-level service delivery and other issues are dealt with at the local and regional level. Therefore, neighbouring local governments and First Nation governments must have effective working relationships. (Figure 1 below, a map showing the Statement of Intent areas under negotiation at the B.C. Treaty Process, illustrates the spatial relationships among local governments and First Nation communities throughout British Columbia.)

Outside the treaty process, local governments and First Nation communities would benefit from good working relationships as well. Land use planning and economic development ventures in urban areas and smaller communities alike, especially when municipalities and First Nation reserves are adjacent to one another, must be pursued in a collaborative manner so that one community would not be adversely affected by the actions of the other. Acrimonious relationships could result from a lack of coordination by local and First Nation governments. For instance, an economic development project in southern Vancouver Island has strained relations among members of Aboriginal and non-Aboriginal communities. It involved a golf, housing and hotel development on Bear Mountain that was approved by the City of Langford on lands sacred to the Songhees First Nation (Dickson). A collaborative approach to development might have prevented the conflict and tension which ensued.

In fact, the Royal Commission on Aboriginal Peoples (RCAP) recognizes the role of local governments in the process of reconciliation. With regard to economic development, the Royal Commission recommends in its 1996 report that “Leaders of municipalities, counties and larger regional bodies and their Aboriginal counterparts consider how to reduce the isolation between them and develop a mutually beneficial relationship” (Volume 2, Appendix A, 2.5.8). It further recommends that “Aboriginal cultural identity be supported and enhanced in urban areas by...all governments co-operating to set aside land in urban areas dedicated to Aboriginal cultural and spiritual needs” (Volume 4, Appendix A, 4.7.1(c)).

Local Governments in B.C.

For the purposes of this report, the term “local government” is used to refer to municipalities and regional districts, a definition consistent with the B.C. *Local Government Act*. Other local government bodies such as school districts and regional health boards are outside the scope of this report.

Unlike the federal and provincial governments in Canada, local governments are not established by the Canadian constitution. In British Columbia, the legal framework for the establishment of local governments is the *Local Government Act*. This statute, along with the *Community Charter* and other provincial statutes which are administered by the Ministry of Community Development, sets out the powers, functions and activities of local governments. (The *Vancouver Charter* is the legislation governing the City of Vancouver.) Municipalities, for example, are permitted to collect taxes on lands within

their boundaries and are required to provide police protection services for their residents. Regional districts may regulate for the purposes of maintaining public health and sanitary conditions, and can provide waste disposal and recycling services to residents of its member municipalities and electoral areas. As the third level of government in the province, local governments act as an administrative arm of the provincial government.

Increasingly, urban areas have become a major generator of economic growth in B.C. and the rest of Canada – through innovation and new job creation – as the economy shifted from natural resource exploitation to secondary and tertiary industries such as processing and services (Clemens & Bish, pp. 27, 33). Local governments contribute to economic growth by formulating policies that attract economic investment within their boundaries (Kitchen; Bish). Moreover, in addition to the provision of a wide range of services, municipalities and regional districts have regulatory functions in land use planning and spatial pattern development in their communities. To fulfill these regulatory functions, local governments design and enforce bylaws which apply within their jurisdictions.

First Nation Governments in B.C.

For the purposes of this report, the term “First Nation government” is used to refer to a band council, the governing or administrative body of a band as defined by the *Indian Act*. A band is a body of Aboriginal people who occupy lands set aside by the Government of Canada. These lands are commonly known as reserves and are held in trust by the Crown (INAC, n.d.).

Unlike local governments, First Nation governments are under the federal government’s purview. Section 91(24) of the *Constitution Act, 1867* stipulates that the federal government has legislative authority for “Indians, and Lands Reserved for the Indians.” Through the federal *Indian Act*, band councils are mandated to fulfill functions similar to local governments. Section 81 of the *Indian Act* outlines the powers of band councils, including the construction and maintenance of infrastructure such as roads and bridges; the regulation of traffic; and the zoning of lands. First Nation governments are also permitted to enact bylaws with respect to the health of residents on the reserve. It is stipulated in section 81 that First Nation governments can enact bylaws on these specific policy areas even when those bylaws are inconsistent with the *Indian Act* and any regulations created by the federal cabinet or minister responsible. However, subsection 82(2) still gives the minister the power to disallow any bylaw adopted by band councils.

It is important to note that this governance structure is foreign to First Nations, which had their own customary and hereditary governance structures before colonization. Because of this, amendments were made to the *Indian Act* which give bands the option to return to their traditional governance systems. These systems recognize the authority of select individuals in their communities, such as Elders and Hereditary Chiefs.

Even though the scope of this report is limited to band councils, the analyses and recommendations provided here may be applied to other First Nation governments in the province. There are communities which have self-governance powers outside the *Indian Act*, such as the Nisga’a Lisims Government which was created through a modern-day treaty finalized outside the B.C. Treaty Process and which took effect in April 2000. The Tsawwassen First Nation and Maa-nulth First Nations will soon establish their own self-governments, after successfully negotiating treaties with the provincial and federal

governments through the B.C. Treaty Process. In addition, there are other First Nations, including the Westbank First Nation and the Sechelt Indian Government District, which do not operate solely under the provisions of the *Indian Act*.

The rationale for defining “First Nation governments” strictly as band councils in this report is the fact that the vast majority of First Nation communities in B.C. today are formally recognized as bands that are governed by band councils. With this context, it is most useful to focus the report’s analysis on this particular governance model. In addition, most of the successful B.C. local government-First Nation partnerships from which local governments and First Nations can learn involve band councils – again, an actuality that can be attributed to the fact that band councils are the most common governance structure. Furthermore, the majority of local government-Indigenous community partnerships in the rest of Canada, Australia, New Zealand and the United States, some of which are examined below, do not involve full-fledged self-governing Indigenous communities. Nevertheless, as explained later in the report, the factors of partnership building are generic and can be used in different types of partnerships, from collaborative social service delivery to P3s.

Union of British Columbia Municipalities and First Nations Summit

The Union of British Columbia Municipalities is the umbrella organization for all municipalities and regional districts in the province. It is a policy-based advocacy organization which serves as the voice for local governments in B.C. UBCM has a First Nations Relations Committee (FNRC) whose role includes overseeing the organization’s policies on matters related to Aboriginal issues.

Among other activities, FNRC provides assistance to treaty advisory committees (TACs) on organizational and policy matters. Many local governments have chosen to coordinate their participation in the B.C. Treaty Process through a formal structure called the treaty advisory committee. Each local government in an area subject to treaty negotiations nominates one representative to the TAC. These representatives form the TAC’s board which, in turn, appoints one individual to serve as the TAC’s representative at a particular treaty table. Local governments are members and respected advisors of provincial treaty negotiating teams, and the TAC representative effectively becomes the local government representative to the provincial treaty negotiating team. For instance, the Lower Mainland Treaty Advisory Committee (LMTAC), comprised of representatives from local governments in Metro Vancouver and other municipalities and regional districts in the lower mainland, was an active participant during the negotiations of the Tsawwassen First Nation Final Agreement. LMTAC brought forward the issues, concerns and interests of its member local governments affected by the treaty. While this TAC structure is used in a number of areas across the province, there are local governments which chose not to form a treaty advisory committee and, instead, opted to coordinate their participation through a municipal council and/or a regional district board (UBCM, unpublished, *Case studies handbook: Promising practices and lessons learned for local governments in treaty negotiations*, p. 2).

In addition, FNRC actively promotes relationship building between its members and First Nation communities. It has produced a number of resources on dispute resolution and relationship building which member municipalities and regional districts may use. For instance, the *Building Relations with First Nations: A Handbook for Local Governments*,

now in its second edition, is a useful tool for local governments thinking of establishing open dialogue with their First Nation neighbours and drafting formal government-to-government agreements. The handbook includes a compendium of Memoranda of Understanding, Protocols and other agreements signed by local governments and First Nations as at February 2005 (UBCM & LMTAC).

Moreover, UBCM enjoys a strong working relationship with the First Nations Summit, a provincial Aboriginal organization whose membership is comprised of the majority of First Nations and tribal councils in British Columbia. It represents the interests of these communities in the B.C. Treaty Process. The two organizations signed, and have since renewed, a protocol on cooperation and communication to promote information sharing and relationship building among local governments and First Nations. In fact, UBCM's First Nations Relations Committee organizes workshops with FNS to bring local governments together to facilitate information sharing on how to build effective relations with First Nation communities. Moreover, the two organizations jointly administer the Regional Community to Community Forum Program, funded by the B.C. Ministry of Community Development and INAC. The program supports relationship building activities between neighbouring local governments and First Nations across B.C., and it has played a key role in bringing local governments and First Nations together since its inception more than a decade ago. It remains a popular program in the province and is considered a best practice on local government–Aboriginal relationship building throughout Canada (Tamera Services Ltd., p. 4; FCM, Land Management Project, p. 4).

The C2C program consists of two streams: province-wide forums and regional forums. The program began with a province-wide forum in January 1997 organized by UBCM and FNS to discuss common goals and opportunities for collaboration. Because of the forum's success, local communities saw the value of such a forum in the regional level to bring together municipalities, regional districts and First Nations and discuss local-specific issues. The first regional C2C forum was held in March 2000 and, since then, there have been approximately 250 forums held throughout the province (UBCM, unpublished, *Regional Community to Community Forum Program: Status report*, p. 4). There were also three more province-wide forums that were held in 2001, 2003 and 2006. In addition, UBCM and FNS began publishing the *C2C Connect* periodical in 2005 to highlight the experiences of local governments and First Nations collaborating on economic development, sub-regional governance, protection of culturally significant sites, and other initiatives. The two organizations have also worked together, with the support of INAC, MCD and MARR to produce the *Guide to Community to Community Forums in British Columbia*, a resource designed to assist local governments and First Nations in applying for and planning a regional C2C forum.

This report supports the work of UBCM's First Nations Relations Committee in promoting effective relationships among UBCM's members and First Nation communities. UBCM will be sharing this report and its recommendations with the First Nations Summit to help advance the two organizations' collaborative efforts on relationship building.

FIGURE 1: STATEMENT OF INTENT AREAS AT B.C. TREATY PROCESS



Source: Indian and Northern Affairs Canada, n.d., Treaty negotiations in British Columbia, http://www.ainc-inac.gc.ca/bc/fnbc/mps/trynega_e.pdf, June 16, 2008.

3 | PARTNERSHIP BUILDING

We live in a global society. It is no longer effective for organizations to work alone. Within the public, private and voluntary sectors, the need for partnership working, often cross-sectoral working or working beyond the boundaries, is recognized as a vital component of success.

– V. Wildridge et al., p. 3

Partnership as a Mechanism of Horizontal Management

From the provision of social programs to the construction of public infrastructure, Canada's public sector continues to engage in collaborative arrangements, whether within a particular government, between governments, or with external organizations in the non-profit and private sectors. Social programs such as adult literacy and immigrant settlement services, for instance, are delivered in partnership between B.C. ministries and/or with non-profit organizations, while the development and operations of public infrastructure, including roads and hospitals, are carried out through public-private partnerships which involve the business sector.

Horizontal management – that is, “the coordination and management of a set of activities between two or more organizational units, where the units in question do not have hierarchical control over each other and where the aim is to generate outcomes that cannot be achieved by units working in isolation” (Bakvis & Juillet, p. 8) – is not new. According to Bakvis and Juillet, “Canadian governments have been preoccupied since Confederation with the age-old quest for ‘coordinated government’”, and while coordinating activities were initially “highly political”, central agencies such as the Treasury Board Secretariat and the Privy Council Office began supporting the federal cabinet during the post-war years in its coordinating role (pp. 9-10).

In the 1990s, the concept of horizontal management began to percolate down to all levels in government. Coordination of policy and administration was no longer exclusive at the political and central agency levels. There is now a “preoccupation with coordination at all levels,... especially out in the field” (Bakvis & Juillet, p. 10). Complex issues, such as homelessness, are to be solved using “new insights into ways this can be done” (Bakvis & Juillet, p. 11).

This includes partnership building. As Bourgault and Lapierre point out, “Partnership is one type of horizontal management: actors identify, individually and vertically, their interests in a deal and the possibility to take part on a contract basis in a common project as partners” (p. 1). Horizontal management can refer to intragovernmental coordination, that is, the consolidation of resources from multiple departments of a single government to address a particular policy problem. Homelessness, literacy and aquaculture are just a few of the many complex, multi-faceted issues which require coordination between governmental departments. As Bakvis and Juillet explain:

...horizontalities in the present era appear to be much more issue driven: climate change, US-Canada relations, the skills and innovation agenda, the urban agenda, public security in the post-9-11 era, international trade agreements, for example are all issues that by definition involve the interests and expertise of two or more departments. Policy issues such as these have made the management of horizontal issues much more visible and pressing than before (pp. 10-11).

Equally important is that horizontal management can also refer to the inclusion of non-profit and private sectors in public administration. Also known as “network governance” – a more appropriate term for this type of coordination – horizontal management can mean interorganizational alliances. As mentioned above, public-private partnerships and the partnerships between governments and the non-profit sector are already commonplace in service delivery.

Peach shows that governments are striving to achieve the public administration goal to “better coordinating government, and better connecting it to other social actors and citizens, to more effectively respond to challenging, multifaceted social problems” (p. 25). Partnerships help governments attain that goal.

Definitions of Partnership

The term “partnership” have many, diverse meanings depending on the level of collaboration in which partners are engaged. In fact, it has been suggested that there is “No universally accepted definition of partnership” (Wildridge et al., p. 4). The Government of Canada and the Treasury Board Secretariat even refer to the entire concept of horizontal management as “partnerships,” along with the other interchangeable terms “interdepartmental actions,” “alliances,” “joint ventures” and “co-actions” (Bourgault & Lapierre, p. 1). While there is no single definition, academics, public administrators, social services practitioners, and other commentators acknowledge the varieties of partnering employed by governments.

For example, Gray distinguishes between cooperative, coordinating and collaborative partnerships. Cooperation is characterized by informal arrangements, while coordination entails formal relationships. Gray defines collaboration as “a temporary and evolving forum for addressing a problem” and can involve both cooperative and coordinating activities. To demonstrate the process of collaboration, Gray has designed a collaborative framework which includes planning, strategies, dialogues and negotiated settlements (Wildridge et al., p. 4).

Meanwhile, Langford suggests that collaboration entails and emphasizes true equality among partners. That is, no one partner is in charge. Collaboration “implies sharing and in the case of partners this means shared vision, authority, information, planning, decision making, financial risk, responsibility and accountability.” Langford differentiates collaboration from consultation, which is characterized by information seeking and sharing; from a contributory partnership that revolves around financial support and sponsorship; and from an operational partnership, which is designed to promote work sharing (Edwards & Langford, pp. 69-70). Other commentators support Langford’s definition of collaboration. Fosler observes that collaboration “suggests less than authoritative coordination and something more than tacit cooperation” while Gazley and Brudney view collaboration as one of equal relationship: “principal-principal rather than principal-agent” (Gazley & Brudney, p. 391).

The definition of partnership in which this report is rooted is Langford's characterization of collaboration. Collaborative arrangements are partnerships in the "truest sense" and while this can be formalized by a contract or other formal agreements, the partnership is not one of client-contractor relationship but one of equality in which partners have come together in pursuit of common purpose and corresponding joint action (Edwards & Langford, p. 69).

Value of Partnerships

Existing literature on partnerships largely emphasizes the benefits generated by collaboration. As Gazley and Brudney point out, "Advocates of collaboration have amassed an extensive list of the potential benefits of interorganizational cooperation" (p. 392). The United Kingdom's Audit Commission, an independent body which evaluates the outcomes of local public services, views collaboration as a force for creative problem solving, while Gray cites better quality of solutions and enhanced relationships between stakeholders as among the advantages of partnership (Wildridge et al., p. 9).

One of the more salient benefits of partnership building is the ability of partners to find solutions which would have been otherwise elusive if not for the collaboration of the parties involved. Sink notes that collaboration is "the process by which organizations with a stake in a problem seek a mutually determined solution [pursuing] objectives they could not achieve working alone" (Gazley & Brudney, p. 390) and the Audit Commission points out that, "although partnership working is challenging, and more partnerships fail than succeed, successful partnerships can achieve goals that individual agencies cannot" (Wildridge et al., p. 4). Other potential benefits of partnership are: cost savings; higher quality service or end product; organizational learning; access to new skills or markets; increase in competitive advantage; dispute resolution or avoidance; stronger sense of community; and greater public accountability (Gazley & Brudney, p. 392).

However, some have suggested that the discussion on the value of partnerships has, to a large extent, misses the institutional costs of entering into partnerships. Ferris, A. Gray, Gronberg and Shaw contend that loss of autonomy, financial instability, mission drift, huge investment of time and resources and other costs should be taken into account, leading Gazley and Brudney to conclude that "comprehensive research on the collaborative motivation must include both factors that compel and factors that restrain the impetus to cooperate" (p. 392).

Still, Bakvis and Juillet recognize that applying cost-benefit analysis to horizontal management endeavours can be difficult. For instance, achievement of objectives and crafting of solutions might not have been possible if it were not for a partnership. Therefore, there are no other alternatives to which the partnership's results can be compared. They also point out that cost-benefit analysis presumes that the costs and benefits can be easily measured, which is not the case with horizontal management. Despite these concerns, Bakvis and Juillet recognize the need for evaluation and acknowledge that, "there is still value in raising cost-benefit type questions" when evaluating

whether a particular horizontal exercise was worthwhile, whether it could have been done better and what lessons might have been learned. Furthermore, even if the choice is between doing a project horizontally and not doing it at all, such a

question still fits the broad notion of cost-benefit analysis in the sense that the final results achieved may or may not be considered to have outweighed the resources invested (p. 20).

Enabling Factors for Successful Partnerships

Questions remain on the applicability of cost-benefit analysis in evaluating the value added by partnerships in public administration. Nevertheless, academics and public administrators have identified important factors to ensure that partnerships are worthwhile in the end. The following seven “enabling factors” must be present to help ensure that partnerships work. These factors form the basis of the report’s conceptual framework.

Triggers

Firstly, prospective partners must have a compelling reason to collaborate. This first enabling factor mirrors what the Nuffield Institute for Health identifies as the first principle in the partnership process: “to recognize and accept the need for partnership” (Wildridge et al., p. 9). The reason(s) to partner could be internal or external: “However complex the issue, organizations need to start by acknowledging the need for partnership working, because of either internal or external rationales. The ‘internal’ rationale is a belief that working in partnership rather than alone has benefits that outweigh the costs.... The usual ‘external’ reason is central government imperative” (Wildridge et al., p. 6). The Audit Commission points to what it calls “wicked issues” as the common impetus for partnership. That is, problems at hand are so complex and span boundaries that the only way to resolve them is for affected organizations to work together (Wildridge et al., p. 6).

Environment

The second enabling factor is related to context – or environment – in which the partnership process unfolds: “Individual partnerships operate within very specific, localized contexts. They are strongly dependent on the history of past relationships between the organizations involved” (Wildridge et al., p. 3). The Wilder Research Centre agrees and notes that the success of a partnership partly depends on the history of collaboration or cooperation between the partners (Wildridge et al., p. 10). Wildridge et al. point out as well that partnerships are subject to “local requirements and circumstances” (p. 3). Ourpartnership.org.uk, a cabinet office project in the United Kingdom which helps public sector and voluntary organizations engage in partnerships, acknowledges that relationship building is important and recognizes that there should be forums for “potential partners [to] get to know each other and plan their future activities together” (Wildridge et al., p. 10). The Wilder Research Centre also identifies two additional environmental factors: the collaborative group is seen as a legitimate leader, and the partnership enjoys a favourable political and social climate (Wildridge et al., p. 7).

Purpose

Clear purpose is the third enabling factor and it entails common vision, goals and objectives. Although Wilson and Charlton suggest that this is “plain common sense,” a successful partnership must have a vision shared by the organizations involved (Wildridge et al., p. 7). In addition to a shared vision, partnerships must also possess “concrete, attainable goals and objectives”; in other words, as the Wilder Research

Centre suggests, the partnership must have a “unique purpose” (Wildridge et al., p. 8). The Nuffield Institute for Health suggests that partners should “develop clarity and realism of purpose” (Wildridge et al., p. 9). Gazley and Brudney add that “enduring partnerships” depend on, among others, “the mutuality of interests and opportunities for both parties to gain by the partnership” (p. 392).

Principles

The fourth enabling factor is a set of principles or values which guide the approach and actions of the organizations and individuals involved in the partnership process. Langford points out that, “If these value foundations are not evident in the partnering organizations, there is little chance that appropriate managerial structures, processes or skills will be enough to make the alliance a success.” The value foundations – or principles – Langford identifies as critical to the organizational culture of an alliance candidate are trust, collaboration, information sharing, horizontality, networking, negotiation, consensus, and flexibility (Edwards & Langford, p. 71). The Wilder Research Centre also mentions mutual respect, understanding, open and frequent communications, and compromise as key principles to which partners should adhere (Wildridge et al., p. 8).

Two of the most cited principles in the existing literature are trust and commitment. Bakvis and Juillet note that “trust ties between participants from different units is the all-important lubricant that makes horizontal arrangements work” (p. 9). Likewise, Langford observes that trust is the “most basic and significant value building block” and, without it, “other key values such as collaboration and information sharing are likely to be weak” (Edwards & Langford, p. 72). The Nuffield Institute for Health’s fourth principle is for partners to “develop and maintain trust” while Child and Faulkner suggest that developing trust is one of the primary steps to partnership building (Wildridge et al., pp. 9-10). As Wildridge et al. conclude, “The consensus is that, although it is possible to work jointly with little trust between partners, the most successful partnerships have (and, through hard work, maintain) a strong level of mutual trust” (p. 7).

It is important to note that trust, unlike the other principles or value foundations, is an outcome of the unfolding partnership process. While partners can agree to be flexible, to make decisions by consensus, or to share information right at the outset of the partnership, trust between partners requires time and effort to develop and maintain. In essence, trust is not a characteristic of the partnership, like flexibility, consensus and information sharing. Rather, it is a product of the partnership arrangement employed over time.

Similarly, commitment is crucial to any partnership. Hardy et al., and Powell and Exworthy, remark that constant and visible commitment by individuals in positions of leadership is always critical (Wildridge et al., p. 7), and along with the principle of ownership, the Nuffield Institute for Health recommends that partners ensure their commitment to the process (Wildridge et al., p. 9). Moreover, Brown, O’Toole and Brudney conclude that, “Improvements in perceived outcomes arising from partnership arrangements appear to be related to the leader’s ability to inspire dedication” to the partnership (p. 522), while Ball and Pence point out:

The commitment to work in partnership is a conscious decision to harness the potential that exists in the networks of relationships that define us as human

beings. This commitment requires us to open ourselves to the possibility of mutual transformation and to focus our attention on the resources that are available from moment to moment – in ourselves, in our partners, and in the environment – to support a dynamic, unfolding partnership process (p. 17).

Structures and Processes

The fifth enabling factor for successful partnerships is the establishment of appropriate structures and processes to manage the partnership's implementation. One of the key stages of partnership building, according to the Nuffield Institute for Health, is the creation of "robust and clear partnership working arrangements" (Wildridge et al., p. 9). The Wilder Research Centre expands on this and identifies a number of aspects relating to structures and processes: multiple layers of participation; clear roles and policy guidelines; flexibility and adaptability; and appropriate pace of development (Wildridge et al., p. 8). Ourpartnership.org.uk also recommends that partners have the means "to manage the inevitable conflict between partners" and "to keep the momentum going when the partnership is going well" (Wildridge et al., p. 10). Moreover, Hardy et al., Gray, the Audit Commission and the Institute for Public Policy Research point out that partnerships should have effective means to ensure accountability (Wildridge et al., p. 7). After all, partners must share responsibility for the outcomes produced (Gazley & Brudney, p. 391).

In terms of specific working arrangements, McClelland suggests:

If the key goal is to encourage collaborative effort between the sectors on a more informed and respectful basis, the main response should aim to foster the situations and cultures in which such efforts take place....joint activities in areas such as research, training, and service quality improvement; organized staff exchanges; and longer-term agreements that allow for stability and trust to develop (Edwards & Langford, p. 94).

Langford adds: "In the more rigid forms of partnering such as joint ventures, structures such as the board of directors and its various committees can be used to enhance the bond among partners, make decisions, and resolve disputes" (Edwards & Langford, p. 74).

Overall, in their review of existing literature, Wildridge et al. came to the conclusion that "a planned and phased approach is necessary" (p. 9). Both structures and processes are crucial but, according to Gray, Hudson and Hardy, and the Audit Commission, any successful partnership will keep its principal focus on process and outcomes, and not on structure and inputs (Wildridge et al., p. 7).

Capacity

The sixth enabling factor relates to the partnering organizations' capacity to manage the partnership's implementation. This factor is related to the principle of commitment identified above. Each partner makes contributions to the partnership, whether "material" or "symbolic" (Gazley & Brudney, p. 391), because financial and non-financial resources are required to achieve the purpose – vision, goals and objectives – set out in the beginning of the partnership process. Gray suggests that one of the initial steps to partnership building is "identifying resources" (Wildridge et al., p. 10). These resources include sufficient funds, staff, materials and time, as well as skilled leadership (Wildridge

et al., p. 8). Other resources include knowledge and local legitimacy (Wildridge et al., p. 7).

Evaluation

The assessment of partnerships is the seventh and final enabling factor. Two types of evaluation may occur: assessment for readiness and performance measurement.

There are tools to assess whether a particular partnership is appropriate and whether the building blocks for a successful partnership are in place. By undertaking this type of evaluation, prospective partners are able to consider if they should and/or can proceed with collaboration. If a partnership is appropriate but the enabling factors are “lacking or poorly developed,” the assessment tools can help partnership organizations consider how to develop those factors to the point where organizations are ready for partnership. For instance, Ireland’s Institute of Public Health has developed a framework to guide groups in creating new partnerships, while the United Kingdom’s Department of Health has a Learning Disabilities guidance audit tool to identify and develop partnership building blocks and to determine the appropriate partnership model by considering local history, structures and arrangements (Wildridge et al., p. 11).

In addition, even though it is difficult to design useful indicators, performance measurement is always critical, according to the Audit Commission, Glendinning, Wilson & Charlton, Rose, and Banks (Wildridge et al., p. 9). Partnerships can be evaluated to assess progress and to determine the extent to which the purpose set out at the outset has been achieved. Gray remarks that partnership organizations must engage in monitoring activities, and the Nuffield Institute for Health adds the need to “measure and learn” (Wildridge et al., pp. 9-10). In addition to helping groups establish new partnerships, the framework by Ireland’s Institute of Public Health is also valuable for evaluating existing partnerships (Wildridge et al., p. 11).

Glendinning contends that evaluation tools are useful but they should be re-designed when “wider academic and public policy concerns” such as “context and generalisability; stakeholders and success criteria; timescales; attribution and causality; and political considerations” are not considered. According to Glendinning, the following should be included in any partnership evaluation criteria: effectiveness; efficiency; equity; acceptability; accessibility; appropriateness; accountability; ethics; responsiveness and choice; implementation and roll-out (Wildridge et al., p. 11).

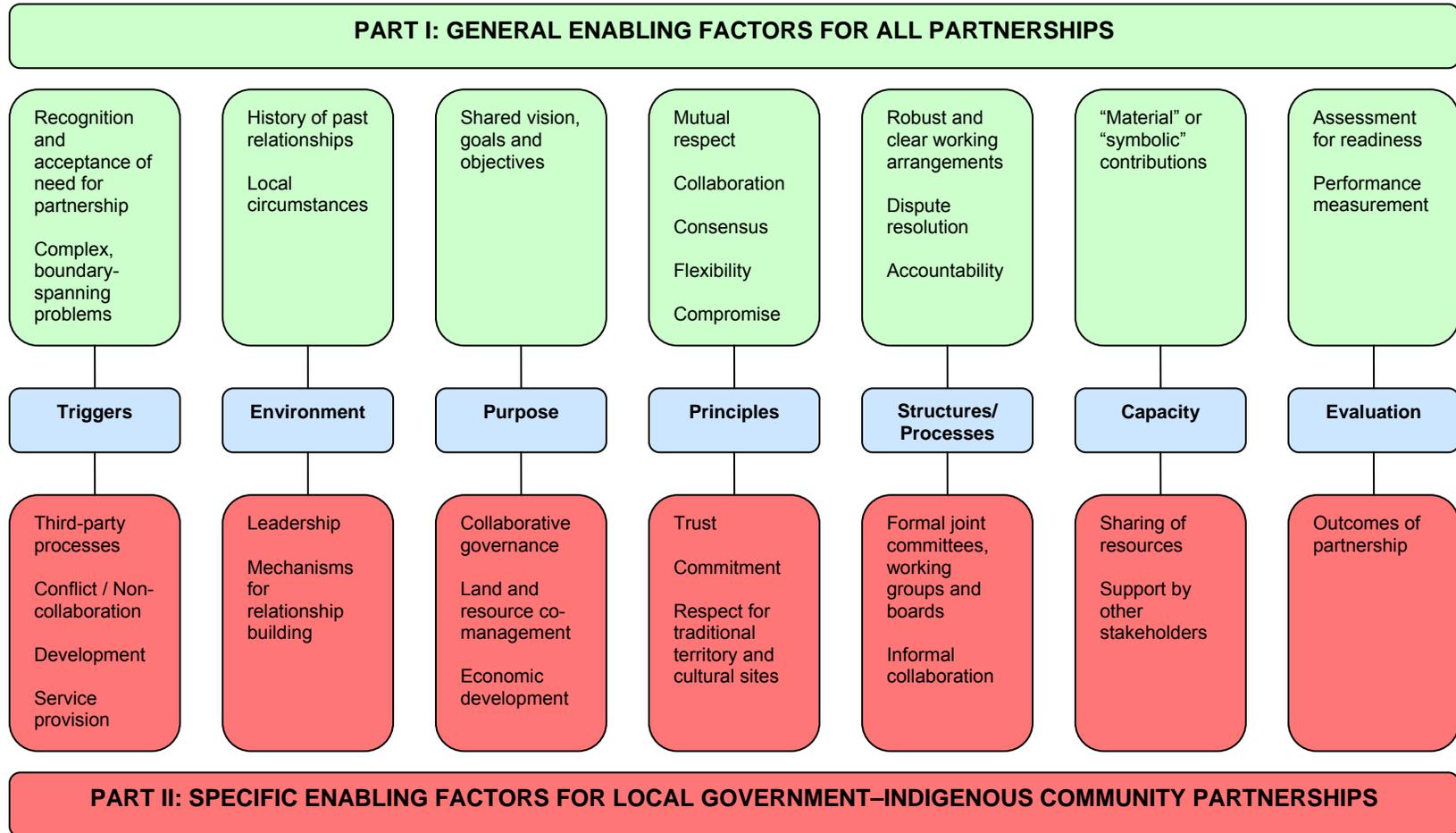
Conceptual Framework

Figure 2 below shows the report’s conceptual framework for understanding the process of partnership building. Not only does it show the enabling factors necessary for successful partnerships as identified by existing literature, it also captures the specific enabling factors for successful local government–Indigenous community partnerships drawn from particular partnership experiences in B.C. and elsewhere that will be explored in the following sections.

The framework demonstrates that general partnership factors recognized in the literature can be applied to the building of partnerships between local governments and Indigenous communities. There are general enabling factors that must be present in *all* partnerships in order for collaborative arrangements to become successful (Part I), but

there are also specific factors unique to successful local government–Indigenous community partnerships which can be adopted in British Columbia (Part II).

FIGURE 2: CONCEPTUAL FRAMEWORK – ENABLING FACTORS FOR SUCCESSFUL PARTNERSHIPS



4 | LOCAL GOVERNMENT–INDIGENOUS COMMUNITY PARTNERSHIPS

Practical results have followed when negotiators shared an understanding of local conditions: the social, cultural, spiritual and political realities, the legal system, the continuity of the relationship between Indigenous and non-Indigenous populations and the benefits which all parties may reasonably hope to obtain by reaching agreement. Successful negotiations have grown out of respect and trust among the negotiators. Respect and trust lead to consensus on terms of agreement and to support for its implementation.

– *The Hon Sir Gerard Brennan AC, KBE, former Chief Justice of the High Court (Langton et al., pp. v-vi)*

This section explores some of the partnerships among local governments and Indigenous communities in B.C., the rest of Canada, Australia, New Zealand and the United States. The two B.C. partnership case studies begin the discussion.

Case Studies in B.C.

As indicated earlier, these case studies are presented through the perspective of local government officials. One elected official and two senior staff were interviewed from the Regional District of Fraser-Fort George (cited as “Interviewee #1-3”), while one senior staff participated from the City of Nanaimo (cited as “Interviewee #4”).

Regional District of Fraser-Fort George & Lheidli T’enneh Band

The partnership between the Regional District of Fraser-Fort George (RDFFG) and the Lheidli T’enneh Band (LTN) is guided by their MOU and Protocol agreements on cooperation and communication signed in July 2002.

Their relationship prior to these agreements is characterized as merely one of “awareness” (Interviewee #1). While there was no hostility between the two governments, there was also no meaningful collaboration. When LTN entered the B.C. Treaty Process, their interactions became more frequent and their relationship more cordial. Like other local government–First Nation relationships in B.C., the treaty process was key to bringing together elected officials and staff of RDFFG and LTN. The Regional District began consulting with LTN to consider its interests on land use planning and development, and on other matters that could have potential impacts on its traditional territory. LTN became increasingly involved in the Regional District’s administration of utilities, solid waste management, parks and other services. Consideration of LTN interests became “implied” in the day-to-day operations of RDFFG because of the B.C. Treaty Process, but the MOU and Protocol agreements “formalized” that practice (Interviewee #2).

Treaty making, then, was the impetus for the formal agreements and the resulting partnership between the two communities. In fact, the MOU states that the two signatories have a “common interest in the successful and timely conclusion of treaties” and that they have “shared interests in cooperative Intergovernmental relationships...before and after treaties are signed” (RDFFG & LTN, 2002a). Another reason for the MOU was the recognition that collaboration between governments would be beneficial to both communities: “Collaborative action in areas such as economic development and natural resource management contribute directly to the health and well being of all communities” (RDFFG & LTN, 2002a). Because of regional economic progress that was occurring at that time, the partners acknowledged that “meaningful relationship with neighbours who have interests in the land base” was critical (Interviewee #1).

The MOU also lays out four principles which guide the two parties in their interaction with one another: mutual respect for each other’s authority; information sharing; collaboration on projects that are of mutual interest; and acknowledgement that good relations are beneficial to the entire community. In addition, RDFFG and LTN agreed on three general objectives:

- Promote understanding of the interests of First Nations and local governments in a province-wide context, including participation in each other’s events wherever appropriate; and
- Provide opportunities for relationship building between First Nations and local governments, such as through annual Community to Community Forums, which allow dialogue between community leaders on areas of common interest. This includes economic development, natural resource management, efficient and affordable service delivery and cooperative land use planning; and
- Encourage and promote effective methods of dispute resolution between First Nations and local governments (RDFFG & LTN, 2002a).

To implement the agreements and achieve these objectives, the MOU states that a Joint Action Committee “will meet to review joint initiatives and projects as well as the general progress on goals and objectives” (RDFFG & LTN, 2002a). Meanwhile, the Protocol agreement provides that the Regional District and LTN “commit to the sharing of information, technology and staff resources in order to encourage better coordinated and efficient provision of services to the members” of both communities (RDFFG & LTN, 2002b). The composition of the Joint Action Committee is not articulated in the MOU nor a meeting by the committee has occurred since the signing of the agreements. However, “a lot of informal work goes on both politically and administratively” and the Regional District and LTN come together to embark on joint initiatives in the spirit of the MOU and Protocol agreements (Interviewee #3).

Elected officials from both parties have ongoing communication on community issues (Interviewee #1), while staff members are in “constant dialogue” on a wide variety of issues (Interviewee #3). For instance, RDFFG and LTN staff share information on land use planning when developments might have an effect on the residents of their partnering community. In addition, LTN was an active participant in the development and revision of the Regional District’s industrial land study. This study examined air quality issues associated with heavy industrial growth and its implications to the airshed outside the greater Prince George area. LTN’s participation was particularly important in this study considering that most of the airshed is on LTN’s traditional territory. LTN was also

included in the regional emergency management feasibility study's working group, and LTN representatives participated in the Regional District's review of its solid management plan. These joint initiatives reflect the principles, and advance the objectives, outlined in the MOU and Protocol agreements.

To make the partnership work, the Regional District acknowledges the importance of trust and flexibility in the partnership. In order to maintain trust, RDFFG ensures that there is a protocol adhered to at the beginning of every important gathering, and that is to recognize that the event is taking place on LTN traditional territory. Such gestures demonstrate that there is a basic understanding of – and respect for – LTN's history and culture (Interviewee #1). As for flexibility, the Regional District is very aware of LTN's limited administrative capacity. LTN is inundated with requests for consultation and other activities that the Regional District, at this time, is the one making more contact to sustain the partnership (Interviewee #3). The Regional District is also experiencing:

a considerable set of economic activities, and for virtually every piece, there is a responsibility to involve First Nations. [LTN's] ability to respond to that demand is quite limited so finding the flexibility so that everyone is comfortable at the end of the day is probably a credit to the personal/political relationship that exists (Interviewee #1).

Because of the MOU and Protocol agreements, the relationship between the Regional District and LTN “grew quite considerably” (Interviewee #1). These agreements are guiding documents for the Regional District, making LTN's involvement in the Regional District's administrative activities “more prominent for staff in moving forward any kind of initiative or project” (Interviewee #3). RDFFG has learned that it takes time for a partnership to succeed and that personal relationships within formal government-to-government partnerships are crucial. Being aware of LTN's relationship to the land and having the willingness to travel to LTN's community rather than always expecting them to travel to the Regional District are other factors to the partnership's success (Interviewee #1).

It was also suggested that senior governments should encourage, and not force, communities to enter into partnerships: “It's got to be the communities that want to do it. They shouldn't be forced into it.” Instead, provincial and federal governments should provide educational tools explaining how to form partnerships, how partnership building works in other jurisdictions, and why local government–First Nation partnerships are meaningful and beneficial to local government (Interviewee #3).

City of Nanaimo & Snuneymuxw First Nation

The relationship between the City of Nanaimo and Snuneymuxw First Nation (SFN) was “extremely strained” before the two communities decided to come together and forge a new, more positive working relationship. Originally, the interaction between them can be characterized as one of animosity, with governments being “more interested in obstructing each other's initiatives rather than trying to find ways to make them work [for both communities]” (Interviewee #4). Worse, the B.C. Treaty Process “took [the already strained relationship] to a new low,” with some matters under negotiations during the agreement-in-principle stage that were regarded as unacceptable by the City (Interviewee #4). Negotiations at the Snuneymuxw treaty table were derailed and led the three parties to pull out of the treaty process altogether at that time.

Nevertheless, the partnership between the City and SFN has been established – that is, “in spite of treaty, as opposed to as a part of treaty” (Interviewee #4). Both communities realized that the non-collaboration and conflict between them should be overcome. The City had an option to purchase a parcel of Nanaimo Port Authority land from Transport Canada that was critical to the success of a P3 associated with the new Vancouver Island Conference Centre. Inadvertently, the City was unaware that the parcel was an important historical village site for SFN, which had the potential to put the P3 project at risk and threaten the completion of the sale of this land. The City urgently needed to explore options with SFN to allow this important project to proceed.

The consultative exercise inspired the communities to engage in continued dialogue, eventually culminating to an MOU between the City and SFN in April 2005. The MOU commits the two parties to establish a government-to-government relationship based on mutual respect and cooperation. Six months later, the City and SFN signed the Protocol Agreement – the “principal working document which the City and Snuneymuxw will use as the basis for developing further process arrangements and other agreements between them” (SFN & City of Nanaimo, 2005). The Protocol Agreement specifically addresses economic opportunities, service provision, and land use planning and development as key areas for joint action.

To implement the partnership, a permanent Protocol Agreement Working Group was formed. It is comprised of the City’s Mayor, SFN’s Chief, two City councillors, two SFN councillors, and one staff member from each of the City and SFN. Other staff members are appointed as well when required by each party to support the work of the working group. It is chaired by a facilitator hired by the City, but who is also equally available to SFN Chief and council. The facilitator has been involved in the partnership since the beginning of the communities’ new relationship, and is seen by both parties as critical to their ongoing partnership building. Moreover, the working group ensures that the commitments under the agreement are carried out, that lines of communication are kept open, and that each party is working in the spirit of the agreement. Meeting, on average, every two months and as frequently as every two weeks, the working group makes decisions on a consensus basis (Interviewee #4).

The principles guiding the partnership as outlined in the Protocol Agreement include trust, goodwill, mutual recognition and respect, cooperation and compromise. The agreement also mentions that the parties approach the partnership with “a desire for and in recognition of the need for reconciliation, which may be achieved in many different ways” (SFN & City of Nanaimo, 2005). Trust is recognized as the most critical principle in the partnership, followed by mutual respect for each government’s authority, culture and values. The principles of compromise and cooperation are also critical to the success of the partnership. Equally important is the commitment of the two parties in making the partnership work. A city staff suggested that partnering organizations should not enter into agreement unless they are fully committed to the partnership. Anything less would “make a mockery of an agreement” (Interviewee #4).

The City and SFN are currently engaged in a number of initiatives, including one with respect to the improvement of water supply. To meet the City’s anticipated growth, there is a need to substantially increase the area’s water supply. Instead of following the traditional method of acquiring land and consulting with local First Nations, the City approached SFN about a potential partnership on the ownership of a water storage

facility. Even though both parties are still working through the details of such an arrangement, this collaborative effort is seen as a “fairly significant initiative because it’s gone outside the normal working process of local government in securing water. In fact, it’s a departure from the way government works – period” (Interviewee #4).

The partnership has been extremely successful that the City and SFN, along with the Nanaimo Port Authority and the Nanaimo Airport Commission, were given substantial amount of funding by the provincial government to assist in the implementation of their initiatives. It was said that “the timing could not have been better for the Province to come in and reward us for our efforts” (Interviewee #4). Jointly requested by the four organizations through a special proposal sent directly to the Premier’s Office, approximately \$20 million of funding – pooled together from a number of ministries – has been granted to implement the priorities identified. It was said that, “[Provincial funding] would not have happened if SFN and the city were not working together.” Because of the provincial funding, it was suggested that the federal government needs to “step up” to offer the type of support the provincial government has provided (Interviewee #4).

It was also recommended that senior governments facilitate partnerships by providing tools that would help local governments and First Nations in starting or maintaining collaborative arrangements. For instance, provincial and federal governments could allocate funding for a facilitator who would guide the process of partnership building, or offer a “reward at the end” for local governments and First Nations which are involved in successful partnerships, similar to that granted to the City and SFN by the provincial government (Interviewee #4). These incentives may encourage more local governments and First Nations to engage in partnerships. Making partnerships a legislative requirement mandated by either senior government is seen as the wrong approach as local governments and First Nations might feel “threatened” for “being told what to do” (Interviewee #4).

The Protocol Agreement represents a “huge mind shift for both organizations” (Interviewee #4). Now, when an issue arises for each of the partners that may have an impact on the other, the partners ensure that they collaborate so that they can address those issues together. This is especially important since one SFN reserve is located within the City while the remaining three reserves are on the edges of municipal boundaries. It was noted that, “when [the City and SFN] talk now about community, we talk collectively about community rather than two separate entities that are driven by artificial boundaries.... It just so happens that the community has two legislative bodies that run it. And those two legislative bodies both are working towards the same end goal” (Interviewee #4).

In the past, the City and SFN were “floundering without each other and getting in each other’s way.” The parties realized that they “needed each other at that particular moment in time” and are now working together “to become a more sustainable community.” A City official intimately involved in the unfolding of the partnership process remarked:

We had to go to the lowest point of our existence as two communities before we recognized that we had to do something different, and it was unfortunate that we had to do that. But it’s made us very strong as a result and pushed us into the need for a relationship. It would be great if other communities could learn from that and recognize sooner that they can benefit better by working together before

the relationship breaks down to the worst behaviour possible before they actually turn the corner and develop a relationship (Interviewee #4).

Other Partnerships in B.C.

City of Powell River & Sliammon First Nation

“A crisis or conflict situation can be turned into a mutually rewarding project if the parties involved are committed and willing to communicate clearly, listen to each other and seek innovative solutions” (Budke, p. 4). This statement appears in a report written for the British Columbia Treaty Commission on the intergovernmental relationship between the City of Powell River and Sliammon First Nation. Perhaps the most documented local government–First Nation relationship in British Columbia, the successful partnership between the City and First Nation came out of a conflict involving the City’s infrastructure development and Sliammon’s heritage sites. Culturally significant sites, including shell middens and petroglyphs, in the City’s waterfront were disturbed and destroyed when the city began constructing a seawalk in early 2002. Sliammon leaders and community members were angered not only by the damage done to the cultural sites but also by the apparent lack of consultation by the City.

The City did not know about the cultural sites and did not share its development plans with Sliammon. A prolonged and damaging conflict, including legal action, could have resulted from the incident. However, community leaders from both the City and Sliammon came together, were determined to jointly find a solution, and eventually agreed to jointly develop the seawalk, with Sliammon history and culture incorporated in its design. The two governments have since signed a Community Accord and a Protocol Agreement on Culture, Heritage Protection and Economic Development, both committing each party to collaboration and cooperation.

District of North Vancouver & Tseil-Waututh Nation

Similar to the experience of the City of Powell River and Sliammon First Nation, the partnership between the District of North Vancouver (DNV) and Tseil-Waututh Nation (TWN) was triggered by the disturbance of a significant archaeological area, what is now called Cates Park/Whey-Ah-Wichen. What resulted was the signing of a Protocol/Cultural agreement between the two councils in 2001 regarding their interests in the land. DNV interests are related to the operations of the park, but for TWN, it was to ensure that culturally significant and sensitive sites are respected. The agreement commits the parties to the co-management of the land, outlines a number of initiatives, and stipulates target timelines for the implementation of these initiatives.

A joint Steering Committee – comprised of an equal number of members from DNV council and staff, and from TWN council, Elders and planners council – worked to incorporate a cultural component into the master plan for co-managing the land. Using consensus building to establish priorities, the Steering Committee worked diligently and completed the Cates Park/Whey-Ah-Wichen Master Plan and Cultural Resource Interpretive Management Plan within one year. This partnership guides the restoration of the park, which will include a First Nation feast house, new waterfront trails, playground and other renovated facilities. To accomplish this goal, the Steering Committee was turned into an Implementation Committee, raising funds for the construction of the feast house. The success of the partnership is being attributed to the strong political will and

support from DNV and TWN councils, as well as the commitment and flexibility of those elected officials and staff involved.

Sunshine Coast Regional District & Sechelt Indian Band

In the case of the Sunshine Coast Regional District (SCRD) and Sechelt Indian Band (SIB), both varying and common interests facilitated the Joint Watershed Management Agreement signed in October 2005. The only “accord of this breadth and scope” which exists between local governments and First Nations in B.C. (FNS & UBCM, Fall 2005, p. 1), the agreement outlines the co-management of Chapman Creek and Gray Creek watersheds by the two parties. SCR D has the delegated authority from the provincial government to provide the service of potable water to its residents. The watersheds are also located within Regional District boundaries. At the same time, the watersheds are within the traditional territory of the members of SIB.

Of common interest to SCR D and SIB is the protection of the watersheds to guarantee the safety and quality of potable water used by all residents in the area. A joint committee, composed of three Regional District board directors and three Band council members, makes recommendations to the Regional District board and Band council on how to manage the watersheds. Even though the provincial government has the jurisdiction of managing B.C.’s waters as spelled out in the *Water Act*, SCR D and SIB hope that the provincial government will respect the wishes of the two communities on how to manage the watersheds.

City of Campbell River & Campbell River Indian Band

The City of Campbell River and the Campbell River Indian Band (Wei Wai Kum First Nation) have successfully worked together in building the Wei Wai Kum Cruise Ship Terminal, making Campbell River a viable cruise ship destination. The partnership began when the Campbell River Indian Band’s Economic Development Officer approached the City in 1999 to conduct a joint feasibility study to explore bringing in cruise ships to Campbell River. Funding for the study was received from Human Resources and Social Development Canada. The City examined the possibility of docking pocket cruise ships, while the band conducted current modeling and in-water testing at Seymour Narrows. Pocket cruise ships were docking at existing dock facilities by 2001, and with funding from INAC, Western Economic Diversification Canada, the provincial government and the City, existing docks were rebuilt and a new facility was constructed.

City of Vernon & Okanagan Indian Band

The City of Vernon and Okanagan Indian Band (OKIB) signed a Protocol Agreement in February 2003. The agreement outlines “the overall intention of the Band and the City to enter into a more formal arrangement respecting a long term, cooperative working relationship” and articulates three fundamental purposes: effective, adequate communications; cooperation which is aimed at mutual benefit; and partnerships which create lasting benefits (OKIB & City of Vernon). A forum funded by the Regional Community to Community Forum Program was the site of the two governments’ inaugural meeting. They wanted to establish protocols for the relationship and begin to create the foundation for future discussions on areas of mutual interest. In total, the two governments have participated in ten C2C forums, all of which were exclusively with one another. Outside C2C forums, the City and OKIB are meeting and discussing local

issues at hand. For instance, the two parties update each other on the status of developments, and the City has invited OKIB to comment on development proposals in the municipality (UBCM, unpublished, p. 14).

Canada

City of Fredericton & St. Mary's First Nation

The partnership between the City of Fredericton and St. Mary's First Nation in New Brunswick is rooted in the First Nation's need for services. The two parties negotiated servicing agreements, with the City providing water, sewer, and fire and police protection services to the First Nation community. The City and First Nation developed a good working relationship over time, and the service partnership has grown to one of cooperation and collaboration. The two communities have and continue to work together on joint initiatives. Their partnership brought employment opportunities to First Nation members as successful businesses established themselves on reserve land. It also created a favourable business climate for the area that has attracted investment from industries like the information technology sector, benefiting both the City and First Nation.

City of Prince Albert & Peter Ballantyne Cree Nation

In Saskatchewan, the 1992 Treaty Land Entitlement Framework Agreement (TLEFA) continues to facilitate collaboration between local governments and Aboriginal communities. TLEFA is a process through which the province's First Nations can resolve outstanding land claims with the provincial and federal governments. Since First Nations can acquire lands within urban areas, municipalities and First Nations are given an opportunity to cooperate to ensure that a land claim settlement can satisfy the interests and concerns of both communities.

An interest on a farmland was purchased by the City of Prince Albert in 1968 for future housing. When the Canada Mortgage and Housing Corporation, which had 75 per cent interest in the property, offered to sell the land to the City in 1991, the City's Mayor suggested that City council cooperate with the Peter Ballantyne Cree Nation to acquire the property since it was his understanding that the First Nation was considering the land for treaty land claim. The City purchased the land in 1993 with the intention of selling it to the Peter Ballantyne Cree Nation. The land was sold to the First Nation the following year for the same purchase price, but the sale was subject to a services agreement required by the TLEFA. This formal partnership on services, finalized in September 1995, was the result of negotiations between the two parties through the TLEFA process and provides for the ongoing service arrangement between the governments. Two of the factors to which the success of the working relationship has been attributed are "enlightened leadership" and "a strong level of understanding and trust among the leadership" (Barron & Garcea, p. 186).

City of Thunder Bay & Fort William First Nation

An economic development partnership between the City of Thunder Bay and Fort William First Nation in northern Ontario is expected to bring a number of benefits to both communities. An industrial park and a Bowater Mill development project are estimated to generate \$100 million for the Fort William First Nation's economy over 20 years and produce more than 250 direct and indirect jobs not only for First Nation community

members but also for City residents. The land on which the industrial park is situated was previously owned by the Canadian National Railway and was returned to the First Nation in 1999. The City and First Nation collaborated on a study to determine what the best use for the land would be and what services would be needed for such use. The City was also involved in the negotiations to secure a right of way on the land to allow it to install and link water infrastructure on First Nation land to the City's existing infrastructure. The economic spin-offs of these projects would be beneficial to the regional economy.

Federation of Canadian Municipalities: Centre for Municipal-Aboriginal Relations & Land Management Project

The national local government association in Canada, the Federation of Canadian Municipalities (FCM), has undertaken some initiatives to promote relationship building among local governments and Aboriginal communities. First, FCM established the Centre for Municipal-Aboriginal Relations (CMAR) in 1996 with the Indian Taxation Advisory Board to serve as a forum for information sharing and research on intergovernmental relations issues, including governance and service delivery. CMAR conducted the Municipal Aboriginal Adjacent Community Cooperation Project which considered economic development partnerships among neighbouring Aboriginal and non-Aboriginal communities across Canada. The project produced a report called *Partnerships in Practice: Case Studies in Municipal and First Nations' Economic Development Co-operation* which features several case studies from B.C. to New Brunswick. It also highlights lessons learned and parting advice from community leaders involved in the partnerships. The report points out that, "By pooling assets, especially in an area with limited or constrained economic opportunity, communities can improve their local and regional economies" (CMAR, pp. 9-10).

FCM also established the Land Management Project. This project produced some resources, including *Building Capacity through Communication: Municipal-Aboriginal Partnerships in Land Management*. Like the CMAR publication above, it offers lessons learned but, this time, on the area of land management. This resource provides, among other features, recommendations on relationship building between local governments and Aboriginal organizations.

Australia

Alice Springs Town Council & Tangentyere Council

The Alice Springs Town Council and Tangentyere Council in central Australia had a tumultuous relationship before the two parties signed an MOU in November 2000. The Tangentyere Council is an Indigenous community organization established in 1974 to improve living conditions in town camps located in the outlying areas of Alice Springs. Many town camp residents are Arrente people, whose traditional territory includes the town and its surrounding area. Indigenous people from other family or linguistic affiliations also live in the town camps, displaced from their traditional lands across the Northern Territory because of European settlement. When the town expanded in the 1990s to accommodate suburban residential development, the town camps were subsumed within its boundaries.

The issue that sparked their conflict involved the town camps' payment of municipal rates for services provided by Alice Springs. While the town camps' housing associations were paying the rates by using a Commonwealth government grant, Alice Springs Town Council felt that it was not its responsibility to provide direct services to the town camps' residents. For its part, the Tangentyere Council felt that the Commonwealth government grant could be better spent in the provision of other town camp facilities. It refused to pay the municipal rates on the basis that housing associations were public benevolent institutions that should be exempt from payment. A court battle ensued between Alice Springs Town Council and Tangentyere Council. It lasted for six years until the town dropped its case in 1998 right before its High Court appeal.

The protracted conflict became the catalyst for the two parties' MOU, with officials from both governing bodies realizing that letting the conflict fester would only be to the detriment of the broader community. The MOU's purpose is to achieve common goals and objectives with respect to service provision for all Alice Springs residents – Indigenous and non-Indigenous. These services include public and environmental health, community transport, and employment and training. Committed individuals who were well-known and trusted by both communities were credited for making the MOU a reality (Langton et al., pp. 191-2). The early instigator of the MOU was the Alice Springs regional manager of the Aboriginal and Torres Strait Islander Commission at that time, an individual known to Indigenous communities around Alice Springs. The new chief executive officer of Alice Springs was also instrumental in that the Town Council dropped its High Court appeal soon after his appointment in the late 1990s. The executive director of Tangentyere Council participated in the negotiations for a new relationship. The election of new mayor and members of councils in Alice Springs Town Council in 2000 brought a different energy and enthusiasm for the MOU, which was signed in late 2000.

Political change in the Northern Territory also played a key role in the signing of the MOU. The new state government took an approach that was completely different from the previous government, which was in power for 23 years. That former government publicly opposed Indigenous organizations, land rights and self-determination. In contrast, the new Northern Territory government "showed a genuine willingness to negotiate and enter into formal relationships with Aboriginal organizations" which helped shape a more favourable political climate for Aboriginal relations in the state (Langton et al., p. 193).

City of Albany & Noongar

Unlike the Alice Springs Town Council and Tangentyere Council, the City of Albany in Western Australia and its Noongar community did not have a long-standing conflict. The cause for partnership in this case stems from the realization that the historical non-collaboration between Indigenous and non-Indigenous populations in the Albany area could result in divisions within the larger community. However, similar to the experience of Powell River and Sliammon in B.C., the disturbance of Indigenous cultural sites was a catalyst for partnership. There are many Indigenous cultural sites in the city and its surrounding area but the Noongar community of the Meananger (or Mineng) group refused to reveal the locations of their culturally significant sites because of prevailing distrust. The Noongar's cultural sites and artifacts were damaged due to development, concerning both the Noongar community and Albany's City council. The state of Western Australia did not have legislation providing for the protection and conservation of

Aboriginal and Torres Strait Islander sites, remains and objects, unlike the state of South Australia with its *Aboriginal Heritage Act 1988*.

Moreover, some members of the Albany City council felt that the Noongar community might not substantially benefit from the registration of native title claims over the Albany region through the *Native Title Act*, believing that interaction between communities was needed to deal with local issues more effectively. There was also a growing perception that the Noongar community was not involved – and, in fact, increasingly detached – from the City’s social and economic life. Leaders from the City and the Indigenous community worked to rectify the problematic relationship, aiming to change the communities’ non-collaboration to a relationship based on reconciliation and cooperation. The City of Albany and its Noongar community signed the Aboriginal Accord in March 2003. Among other principles, the Accord recognizes the traditional ownership of the area by the Noongar people and respects their culturally significant sites.

Local Government Association of South Australia: Work on Indigenous Issues

The local government association in the state of South Australia is actively working on Aboriginal relations issues. For instance, it published the *Local Government/Aboriginal Service Agreement Project: Case Study and Guide* in 2005, with support from the state government, to assist local councils in developing agreements with Aboriginal organizations. The focus of the publication is the partnership experience of the Coorong District Council and the Raukkan Community Council, but other partnerships along with protocol tips are included as well. The Local Government Association of South Australia (LGASA) has also prepared other tools and resources for its member councils, such as information papers on a variety of Indigenous community issues and strategic policies on reconciliation and Aboriginal affairs. Moreover, in collaboration with South Australia state government through the Office of Local Government and the Department of State Aboriginal Affairs, LGASA published the booklet *Examples of Working Together in South Australia* in 2000 to feature the partnerships between local councils and Aboriginal communities. Though the description for each partnership is short and limited, it identifies the partnership’s implications and achievements.

New Zealand

Partnership as Statutory Obligation

Local authorities in New Zealand enter into partnerships with Maori groups in accordance to the provisions of national legislation, such as the *Local Government Act 2002*, *Resource Management Act 1991* and *Reserves Act 1977*. The type of collaboration required of councils by each of these statutes is explained below. Local Government New Zealand (LGNZ), UBCM’s counterpart in New Zealand, conducted a survey in 1997 “to ‘map’ the processes by which local government consults and undertakes liaison with Tangata Whenua [Maori]” (LGNZ, 1997, p. 5). The results of the survey were published in a paper titled *Liaison and Consultation with Tangata Whenua: A Survey of Local Government Practice*. This was followed up by a similar survey in 2004, the results of which were published in a report called *Local Authority Engagement with Maori: Survey of Current Council Practices*.

Both surveys were intended to create a snapshot of council-Maori collaboration, and the 2004 report shows that the number of collaborative arrangements has significantly increased since 1997. Some of the survey findings are discussed below. The baseline information presented in these reports is considered “useful for establishing the nature and extent of current practices” (LGNZ, 2004, p. 9), for local authorities “to look at the approaches of other councils and consider whether or not they might have value for their own cities, districts or regions” (LGNZ, 2004, p. 3), and because it “provides the basis not only for analysis and debate, but also for the development of improved ways of working as a sector” (LGNZ, 1997, p. 1). Even though the two surveys were not designed to assess or evaluate the effectiveness of each partnership, the findings provide a comprehensive picture of council-Maori engagement in New Zealand. Moreover, LGNZ published two reports which present case studies of several council-Maori partnerships: *Local Government Relationships with Maori* (2002) and *Co-management: Case Studies Involving Local Authorities and Maori* (2007). These reports explore the different collaborative arrangements in detail.

Local Government Act 2002

The *Local Government Act 2002 (LGA)* requires local councils to consult with Maori groups on a wide range of issues. Local councils must provide opportunities for the Maori in decision-making processes; take into account their ancestral relationship to the land, water and other resources; and ensure that consultation processes – which should comply with general consultation provisions – are in place for Maori participation. In the 2004 LGNZ survey, 69 local councils (80 per cent) have implemented formal consultation processes, and 79 (92 per cent) have processes for informal consultation and information sharing. This was in sharp contrast to the numbers in the 1997 survey, when only 16 had formal consultation processes and only 11 had informal consultation and information sharing (LGNZ, 2004, p. 13). Moreover, 42 local councils have established working parties or subcommittees with Maori representation by 2004, compared to the 25 in 1997. Forty-four local councils have also established formal relationship agreements with Maori groups by 2004. Only 22 local councils have done so by 1997. It is evident that, after the enactment of the statute, the number of formal consultation processes, informal consultation and information sharing, formal relationship agreements, and subcommittees with Maori representation increased substantially.

One partnership in New Zealand which meets the provision of *LGA* is the Iwi Consultative Standing Committee established by the Waipa District Council in 1991. Its composition is ten tangata whenua representatives and five council representatives. It meets every three months – alternating between council and Marae premises – and offers recommendations to council on any matter affecting the tangata whenua, including cultural, recreational, health, and resource management. Furthermore, the committee advises council on implications of any council activity with respect to the Treaty of Waitangi (LGNZ, 2002, p. 26).

Resource Management Act 1991

The *Resource Management Act 1991 (RMA)* provides for a decentralized model of environmental and resource management, requiring local authorities to develop their own plans and policies which meet national standards. It requires local authorities to engage Maori communities in their area and provide them with opportunities to participate in *RMA* processes, including the provision of funding for this participation. If

local authorities believe that the interests of the iwi authority or runanga may be negatively affected, they are also required to seek Maori input for the development of local management plans and for the issuance of resource consents. (Resource consents are permits to individuals, businesses and other entities which are planning activities that could have considerable impacts on the environment.) Even though there are no specific powers granted to the Maori under *RMA*, local authorities are expected to consider iwi management plans when developing their own plans. *RMA* was instrumental to the development of the Charter of Understanding between Christchurch City Council and the Te Ngai Tuahuriri Runanga. The same is true for the Declaration of Understanding between the Gisborne District Council and the Maori Liaison Group. These formal agreements commit the parties to collaboration.

Reserves Act 1977

Another statute which requires the partnership of local authorities and Maori groups is the *Reserves Act 1997*. The Ngati Whatua o Orakei Reserve Board is responsible for the management of the Okahu Bay/Whenua Rangatira Reserve. The reserve board, comprised of three representatives from the Ngati Whatua o Orakei Maori Trust Board and three representatives from Auckland City Council, is mandated to develop a management plan for the reserve under the statute. The Whenua Rangatira Reserve Management Plan guides the decisions of the reserve board. The involvement of the trust board in the co-management of the reserve is a statutory requirement under the *Orakei Act 1991*. This statute not only vests the lands in the trust board, but also specifies the trust board's role in the management and use of those lands. Meanwhile, Auckland City Council is also involved because the lands are to be developed and managed for the enjoyment of both Auckland citizens and hapu members.

In addition, the Taharoa Domain Governance Committee of the Kaipara District Council is comprised of two councillors and one representative from the Te Roroa and the Te Kuihi. Responsible for the management of Taharoa Domain (Kai Iwi Lakes), the committee meets every two months and makes decisions by consensus. The Tangata Whenua has a historical connection with the Lakes, with the Taharoa Domain considered as taonga. The committee's decisions are guided by the Taharoa Domain Reserve Management Plan, developed under the *Reserves Act 1977*, which ensures the participation of tangata whenua in the domain's management. The management plan sets out five key aims: partnership, cultural education, environmental sustainability, social/recreational activities and economic development. The committee's decisions, however, must still be approved by the Kaipara District Council.

United States of America

Skagit County & Swinomish Tribe

Unlike the partnership experiences in New Zealand, collaboration between the Skagit County in Washington State and Swinomish Tribe are not mandated by the state or federal governments. State law requires local governments to cooperate with one another on growth management to ensure coherence in regional development. However, Washington State does not require them to coordinate land use planning with neighbouring tribes. In 1986, because of jurisdictional problems resulting from the application of conflicting County and Tribal regulatory regimes on reservation fee lands,

the County and Tribal governments agreed to resolve the issue through a joint planning program.

After six months of discussions, the two governments entered into an MOU, outlining cooperation on land use planning and regulation of reservation fee lands. The Advisory Planning Board identified in the MOU set to work and drafted the Swinomish Joint Comprehensive Plan – the first comprehensive plan between a county and a tribe in the United States – articulating goals, policies, and an implementation strategy that would guide the management of reservation lands and natural resources. Despite changes in political leadership in both governments, collaboration continues. In fact, almost ten years after the first MOU, Skagit County and the Swinomish Tribe signed an MOU in 1996 on the joint administration of land use policy, providing for processes to review land use applications and to settle potential disputes. These collaborative arrangements are beneficial to both governments, with the County doing its part for the state's goal of consistent regional planning and with the Tribe being able to effectively exercise its jurisdictional interests.

5 | ANALYSIS AND RECOMMENDATIONS

The method employs a multijurisdictional, co-regulatory approach in regional governance, where both tribal and non-tribal interests are simultaneously engaged in public policy formulation. This approach avoids conflict by focusing not on who has ultimate jurisdiction but, rather, on solutions for the most pressing issues facing the communities.

– N.C. Zaferatos on coordinated land use planning by Skagit County and Swinomish Tribe, Washington, USA (p. 93)

The review of existing literature on partnership building has provided a general discussion on the definitions and value of partnership. It has also helped explain partnerships' significance in public administration as a mechanism for horizontal management. Meanwhile, the jurisdictional scan of existing local government–Indigenous community partnerships in Canada, Australia, New Zealand and the United States has highlighted the noteworthy partnership experiences and current practices being employed in communities worldwide.

This section analyzes these partnership experiences and practices to extract important lessons for local government–First Nation partnership building in British Columbia. The three critical research questions posed in the beginning of the report guide the following analysis:

- How can existing relationships among local governments and First Nation communities in B.C. generally be characterized?
- What lessons can be learned from innovative practices in B.C. and elsewhere designed to improve working relationships among local and First Nation governments?
- What is the role of the various stakeholders – most prominently local, First Nation, provincial and federal governments – in building more productive working relationships among local and First Nation governments?

Lessons Learned for Local Governments and First Nations in B.C.: Enabling Factors from Partnership Experiences

Triggers

The enabling factors for successful partnerships identified from the literature are evident in the partnership experiences discussed above. Local governments and First Nations in B.C. can learn from these partnerships, especially by paying close attention to the key factors to which success has been attributed. Firstly, the triggers for the partnerships can be grouped into four categories: third-party processes, conflict and non-collaboration, development activities and service provision. These partnerships demonstrate that there is a variety of opportunities for local governments and First Nations to start collaborating and build partnerships.

External, third-party processes facilitated local government–Indigenous community partnerships in British Columbia, Saskatchewan and New Zealand. For the Regional District of Fraser-Fort George and Lheidli T’enneh Band, the B.C. Treaty Process was the impetus for their relationship building as well as their eventual partnership that is guided by the MOU and Protocol agreements on cooperation and communication. Similarly, the City of Prince Albert in Saskatchewan and the Peter Ballantyne Cree Nation were able to partner on a services agreement because of the provincial government’s requirements under the Treaty Land Entitlement Framework Agreement. In New Zealand, meanwhile, local authorities collaborate with the Maori within a specified legislative framework, through statutes such as the *Local Government Act 2002* and *Resource Management Act 1991* which requires the Maori’s involvement in local authority decision-making processes.

While third-party processes are an external impetus for partnership, the remaining three triggers are internal. That is, the reasons for partnership in these cases exclusively involve neighbouring local governments and Indigenous communities. For instance, long-standing conflict facilitated the partnership between the Alice Springs Town Council and Tangentyere Council in Australia. Officials from both governing bodies realized that continuing their conflict would be to the detriment of their communities. Likewise, the City of Powell River and Sliammon First Nation in B.C. were brought together into a partnership because of a conflict resulting from the disturbance of Sliammon’s culturally significant sites. In addition, the partnership between Skagit County and Swinomish Tribe in the United States was borne out of jurisdictional problems related to incompatible County and Tribal regulatory regimes on reservation fee lands. The non-collaboration between Australia’s City of Albany and its Noongar community led to an Aboriginal Accord after leaders from each community realized that the historical non-collaboration between Indigenous and non-Indigenous populations could result in deep-seated divisions within the larger community.

Aside from conflict and non-collaboration, development activities by local governments and Indigenous communities can also instigate the formation of partnerships. The conflict between the City of Powell River and Sliammon First Nation was due to the City’s development in constructing a waterfront seawalk. Likewise, the land co-management between the District of North Vancouver and Tsleil-Waututh Nation resulted from the disturbance of a culturally significant archaeological area in Cates Park/Whey-Ah-Wichen because of the District’s development activities. Another partnership that was established because of development is that between the City of Nanaimo and Snuneymuxw First Nation, whereby collaboration began because of discussions regarding land for the Vancouver Island Convention Centre, a project by the City. In contrast, it was the Campbell River Indian Band’s development prospects which initiated its economic development partnership with the City of Campbell River on Vancouver Island. The Band approached the City to conduct a joint feasibility study to explore bringing in cruise ships to the Campbell River area.

The last internal trigger for partnership is service provision. The partnership between the City of Fredericton and St. Mary’s First Nation in New Brunswick began because of St. Mary’s First Nation’s need for services. However, this partnership had grown substantially into an economic development partnership which brought a favourable business climate to the area.

Recommendation to Local Governments and First Nations

Identify opportunities for collaboration to instigate partnership building.

Environment

As for environment, the partnerships between the City of Powell River and Sliammon First Nation; City of Prince Albert and Peter Ballantyne Cree Nation; District of North Vancouver and Tsleil-Waututh Nation; and Regional District of Fraser-Fort George and Lheidli T'enneh Band all enjoyed a favourable political climate, with community leaders from both local and First Nation governments committed to building and making the partnerships work. Leadership – particularly by those in political positions – was critical to the success of these partnerships. Community leaders from the City of Powell River and Sliammon First Nation were determined to find a solution to the conflict that ensued between the two parties. The City of Prince Albert's Mayor was genuinely committed to cooperating with the Peter Ballantyne Cree Nation to acquire the property identified by the First Nation for its treaty land claim. Similarly, the councils of the District of North Vancouver and Tsleil-Waututh Nation possessed the political will and support for the co-management of Cates Park/Whye-Ah-Wichen. Moreover, the personal relationships within the formal government-to-government partnership between the Regional District of Fraser-Fort George and Lheidli T'enneh Band were identified as critical to the partnership's success.

The partnership experiences in Australia also illustrate the importance of leadership. The regional manager of the Aboriginal and Torres Strait Islander Commission; the new Mayor, council members and chief executive officer of Alice Springs Town Council; and the executive director of Tangentyere Council were committed leaders who made the MOU between Alice Springs Town Council and Tangentyere Council a reality. The new state government in Northern Territory, which demonstrated a sincere willingness to build a better relationship with the Indigenous people in the state, was also credited for creating an environment conducive to improved local government–Indigenous community relations. Likewise, the leaders from the City of Albany and its Noongar community were committed to fix their non-collaborative relationship and move towards reconciliation.

In addition to leadership, mechanisms for relationship building are also important to creating a better partnership environment. For instance, the forums hosted by the City of Vernon through the Regional C2C Forum Program were instrumental to opening the lines of communication between the City and Okanagan Indian Band. The first C2C forum between the two communities was their initial relationship-building event and eventually led to their Protocol Agreement. Additionally, the presence of a facilitator was and continues to be important to the partnership between the City of Nanaimo and the Snuneymuxw First Nation.

Recommendation to Local Governments and First Nations

Community leaders – particularly elected officials – must be committed to partnership building to ensure its success.

Recommendation to Local Governments and First Nations

Participate in relationship-building forums, such as those through the Regional Community to Community Forum Program, to build political and personal relationships among elected officials, staff and other community leaders necessary for sustaining and strengthening partnerships.

Recommendation to Local Governments and First Nations

Consider the employment of a facilitator to guide the communities' relationship building and partnership process.

Purpose

Partnerships must also have a clearly defined purpose. This includes the determination of the type of partnership that is appropriate to the local situation. Three types of partnerships are evident in the partnership experiences discussed above: collaborative governance, land and resource co-management, and economic development

The majority of partnerships are characterized by a general commitment of a local government and an Indigenous government to work together for the mutual benefit of their communities. Referred to in this report as “collaborative governance,” this type of partnership brings together governments to cooperate with one another on common issues, concerns and interests. It is usually formalized by government-to-government agreements such as an MOU and a Protocol, outlining the two governments' pledge to work collaboratively on matters that affect each other's mandates and jurisdiction. Servicing agreements between a local government and an Indigenous government are also a common example of collaborative governance.

The service agreement between Alice Springs Town Council and Tangentyere Council is an example of collaborative governance. The conflict between the parties involved the payment of municipal rates for services provided by Alice Springs Town Council. To resolve the conflict, the parties eventually entered into a service agreement that would ensure the provision of, and payment for, services. This collaborative governance arrangement commits both parties in working towards achieving their common goals and objectives with respect to service provision, such as public and environmental health, community transport, and employment and training, for Indigenous and non-Indigenous residents of Alice Springs. Likewise, the MOU and Protocol agreements between the Regional District of Fraser-Fort George and Lheidli T'enneh Band, and the Protocol Agreement between the City of Nanaimo and Snuneymuxw First Nation, guide the intergovernmental cooperation between communities on a wide range of areas, including land use planning and water supply infrastructure. The purpose of these agreements is to promote cooperation between local government and First Nation in areas in which they have mutual interests.

Land and resource co-management is another type of partnership. The District of North Vancouver and Tsleil-Waututh Nation entered into a partnership to jointly manage Cates Park/Whey-Ah-Wichen. This arrangement ensures that each party's interests – operational for the District, and cultural for Tsleil-Waututh – are addressed. Meanwhile, the Sunshine Coast Regional District and Sechelt Indian Band came together to

formalize their intentions to co-manage the Chapman Creek and Gray Creek watersheds to guarantee the safety and quality of potable water that is used by their residents. Moreover, the partnership between Skagit County in Washington State and Swinomish Tribe on land use planning and regulation of reservation fee lands is guided by the Swinomish Joint Comprehensive Plan, which outlines the goals, policies, and actions for implementation to manage reservation fee lands – a solution to the conflicting County and Tribal regulatory regimes on these lands.

The third type of partnership is related to economic development. The partnership of City of Campbell River with the Campbell River Indian Band was focused on the development of a cruise ship terminal that would make the Campbell River area a viable cruise ship destination. Since the purpose of the partnership was narrowly defined, the City and First Nation were able to concentrate their efforts on this business venture.

Besides determining the appropriate type of partnership, local governments and First Nations must have clear and attainable vision, goals and objectives for their partnership. The City of Nanaimo and Snuneymuxw First Nation outlined in their Protocol Agreement that they intend to further develop agreements and other arrangements to foster collaboration. Specifically, they identified economic opportunities, service provision, and land use planning and development as key areas for joint action. The Regional District of Fraser-Fort George and Lheidli T'enneh Band also outlined three general objectives with respect to understanding each other's interests, relationship building, and promoting methods for dispute resolution. In addition, the Taharoa Domain Governance Committee of the Kaipara District Council in New Zealand is guided by the Taharoa Domain Reserve Management Plan which sets out five key objectives: partnership, cultural education, environmental sustainability, social/recreational activities, and economic development. These vision, goals and objectives assist partners to remain focused on what is to be achieved and serve as a clear reminder of the purpose of partnership.

Recommendation to Local Governments and First Nations

Agree on a type of partnership to ensure that the collaborative arrangement is appropriate to the local situation.

Recommendation to Local Governments and First Nations

Establish a clear and attainable purpose, including vision, goals and objectives, to assist partners in remaining focused on intended results.

Principles

Principles or value foundations guide the actions of partners as the partnership process unfolds. Just as there are a multitude of principles identified in the literature, the partnership experiences from B.C. and elsewhere point to many significant value foundations in which those collaborative arrangements are rooted. Among these values are goodwill, flexibility, cooperation, compromise, and information sharing. However, there are a few select principles which stood out: trust, commitment, consensus, and recognition of, and respect for, Indigenous communities' traditional territory and cultural sites.

Trust is extremely critical. In fact, the local government interviewee from the City of Nanaimo identified this as the most important principle in the City's partnership with Snuneymuxw First Nation. Trust is also one of the first guiding principles identified by both parties in their Protocol Agreement, along with goodwill, mutual recognition and respect, and others. The success of the City of Prince Albert and Peter Ballantyne Cree Nation partnership is attributed to the strong level of trust among the parties' leadership. Furthermore, the communities represented by Alice Springs Town Council and Tangentyere Council trusted the key individuals who spearheaded the drafting and acceptance of the service-provision MOU between the two parties. In essence, this trust gave credence and legitimacy to the negotiation of the service agreement. Again, it should be noted that trust is an outcome, not a characteristic, of the partnership process. Partners can commit to develop and maintain trust as one of the partnership's guiding principles, but both time and effort are required to build, and maintain, it.

Commitment by communities' leadership is also significant in the partnerships. For instance, the conflict between the City of Powell River and Sliammon First Nation was resolved due to the commitment of elected officials and other community leaders. These leaders were determined to find a solution that would satisfy both communities. The Cates Park/Whey-Ah-Wichen Master Plan and Cultural Resource Interpretive Management Plan were also developed because of the commitment by elected officials and staff of the District of North Vancouver and Tsleil-Waututh Nation.

Another important principle is consensus. The Taharoa Domain Governance Committee of the Kaipara District Council in New Zealand, comprised of two councillors and one representative from the Te Roroa and the Te Kuihi, makes decisions regarding the management of Taharoa Domain (Kai Iwi Lakes) only by consensus. As well, the Protocol Agreement Working Group of the City of Nanaimo and Snuneymuxw First Nation has not made decisions which were not reached by consensus.

Lastly, mutual respect and recognition are critical to the partnerships discussed above. These principles are important to any partnership as identified by the literature. However, what differentiates these values for local government–Indigenous community partnerships is the historical context in which these partnerships operate. Particularly in Canada, Australia and New Zealand, there is a strong recognition by “colonial” or settler governments of the past injustices experienced by Indigenous communities as a result of colonization, as evidenced by the partnership experiences discussed above. These partnerships, then, operate in the spirit of reconciliation between Indigenous and non-Indigenous people.

The partnerships of the City of Albany in Australia, the Regional District of Fraser-Fort George and the City of Nanaimo with their neighbouring Indigenous communities are all founded in the recognition of, and respect for, the traditional territories and culturally significant sites by the Noongar community, Lheidli T'enneh Band and Snuneymuxw First Nation, respectively. The Aboriginal Accord between the City of Albany and its Noongar community recognizes the Noongar people's traditional ownership of the area and provides that culturally significant sites are to be respected. A local government interviewee with the Regional District also identifies the understanding of, and respect for, Lheidli T'enneh's history and culture continue to be important to the partnership process. Moreover, the Protocol Agreement between the City of Nanaimo and Snuneymuxw First Nation recognizes Snuneymuxw connections to the land in the Nanaimo region.

Recommendation to Local Governments and First Nations

Determine and agree on guiding principles – including trust; commitment; consensus; and recognition of, and respect for, traditional territory and culturally significant sites – to firmly establish strong personal and working relationships.

Recommendation to Local Governments and First Nations

Demonstrate a genuine and robust commitment to the partnership.

Structures and Processes

Many of the partnership experiences involve structures and processes – formal and informal – to implement the partnerships. For instance, the District of North Vancouver and Tsleil-Waututh Nation formed a Steering Committee, whose membership had an equal number of members from DNV council and staff, and from TWN council, Elders and planners council. The Steering Committee was later turned into an Implementation Committee responsible for carrying out the management plans for Cates Park/Whey-Ah-Wichen. As well, the Sunshine Coast Regional District and Sechelt Indian Band established a joint committee composed of three Regional District board directors and three Band council members. The Ngati Whatua o Orakei Reserve Board in New Zealand is comprised of three representatives from the Ngati Whatua o Orakei Maori Trust Board and three representatives from Auckland City Council. These formal structures and processes are common to local government–Indigenous community partnerships.

In addition, informal collaboration was employed. The Regional District of Fraser-Fort George and Lheidli T'enneh Band, for example, were to implement their partnership through a Joint Action Committee. This committee would review joint initiatives as well as the general progress on goals and objectives identified in the MOU. However, interviewees from the Regional District mentioned that the committee had not been formed. Instead, the collaboration between the two parties has been informal, consulting and inviting the participation of each other on matters of mutual concern.

Both formal structures and processes, and informal collaboration, are viable options for implementing partnerships. Formalized structures and accompanying processes are official mechanisms in which to coordinate partnership activities. They are visible cross-boundary bodies which serve as a concrete entity through which intergovernmental collaboration takes place. Nevertheless, informal collaboration, such as that employed by the Regional District of Fraser-Fort George and Lheidli T'enneh Band, is also effective in implementing and maintaining partnerships.

Recommendation to Local Governments and First Nations

Design formal structures and processes to clarify roles, responsibilities and expectations.

Recommendation to Local Governments and First Nations

Engage in informal collaboration as an alternative to formal structures and processes.

Capacity

Capacity is critical to the attainment of vision, goals and objectives set out by partnering organizations at the beginning of the partnership process. Financial and non-financial resources are required to establish and maintain partnerships, and to develop and implement joint initiatives. Each partner contributes to the capacity of the partnership by sharing its expertise, tools and other resources. This is true for the partnership of the Regional District of Fraser-Fort George and Lheidli T'enneh Band whose MOU stipulates that both parties "commit to the sharing of information, technology and staff resources in order to encourage better coordinated and efficient provision of services to the members" of both communities. On Vancouver Island, the City of Nanaimo funds a facilitator who is instrumental to sustaining its partnership with Snuneymuxw First Nation. Despite being fully funded by the City, the facilitator is made available to Snuneymuxw's Chief and council. Meanwhile, the City of Thunder Bay and Fort William First Nation in Ontario collaborated on a feasibility study which instigated their economic development partnership.

The partnership between the Regional District of Fraser-Fort George and Lheidli T'enneh Band also demonstrates that there are differences in the capacity of partnering local governments and First Nations in B.C. Because it is inundated with requests for consultation, the Lheidli T'enneh Band's capacity has been limited that it is not able to dedicate sufficient resources to carry out its share in sustaining the partnership. The Regional District, understanding Lheidli T'enneh's capacity issues, is therefore contributing more resources to ensure that the partnership is maintained. This partnership experience illustrates that, when there are differences in capacity in a partnering local government and First Nation, the partner(s) must find ways to overcome the difficulties posed by capacity differentials. In this case, the local government is willing to dedicate additional resources by initiating more contact with the First Nation in order to sustain the partnership.

Even though the partnerships are between local governments and Indigenous communities, other stakeholders can assist partners in building their capacity. Two partnerships in British Columbia demonstrate that funding from senior levels of government is important to success. The cruise ship terminal partnership between the City of Campbell River and Campbell River Indian Band benefited from funding by both provincial and federal governments. The initial joint feasibility study was funded by Human Resources and Social Development Canada, while INAC, Western Economic Diversification Canada and the provincial government provided funding to improve existing docks and construct a new facility. The City of Nanaimo and Snuneymuxw First Nation are also benefiting from provincial funding earmarked for the implementation of their joint initiatives.

Recommendation to Local Governments and First Nations

Contribute financial and non-financial resources to ensure that the partnership

has adequate capacity to achieve its purpose.

Recommendation to Local Governments and First Nations

Seek financial assistance from provincial and federal governments to implement initiatives.

Evaluation

As for evaluation, there was no clear indication that an assessment for readiness or a performance measurement of any of the partnerships has been undertaken. However, outcomes for some of the partnerships have been documented and local government interviewees from the B.C. case studies described the partnerships' positive impacts. For instance, because of the MOU and Protocol agreements between the Regional District of Fraser-Fort George and Lheidli T'enneh Band, the communities' relationship has improved significantly. The agreements have also made LTN's involvement on the regional district's administrative activities "more prominent for staff in moving forward any kind of initiative or project." Similarly, the Protocol Agreement between the City of Nanaimo and Snuneymuxw First Nation represents a "huge mind shift for both organizations," which is considered a benefit in itself. In addition, the two governments now consult with one another on common issues. The partnership between the City of Fredericton and St. Mary's First Nation in New Brunswick has brought employment opportunities for First Nation members and created a favourable business climate for the area.

The literature suggests that it is difficult to conduct a cost-benefit analysis of partnerships. The partnership experiences from B.C. and elsewhere are no exception. For example, staff time and other inputs for the establishment and implementation of management plans for Cates Park/Whey-Ah-Wichen may be easily measurable, but it is difficult to quantify the recognition of cultural sites by the District of North Vancouver; the significance of the land to Tsleil-Waututh Nation; and the improved relations between the parties. Nonetheless, partners must be cognizant of the progress in goals and objectives to assess the value of their partnership. A jointly crafted evaluation framework may assist in this type of analysis.

Recommendation to Local Governments and First Nations

Design an evaluation framework to assess the value of partnership.

Role of Other Stakeholders

B.C. and Federal Governments

As mentioned above, provincial and federal governments can contribute to the success of local government–First Nation partnerships by providing financial assistance for the implementation of joint initiatives. The role of senior governments is well-suited to enhancing the partnership capacity of local governments and First Nations. Funding provided to communities involved in strong partnerships would serve as a "reward" for the hard work invested by local governments and First Nations. According to one local

government interviewee, this incentive may encourage other local governments and First Nations to enter into such partnerships.

Recommendation to B.C. and Federal Governments

Provide funding to partnerships to assist with the implementation of joint initiatives.

Senior governments can also facilitate the formation of partnerships by providing educational resources to local governments and First Nations on how to build successful partnerships, as suggested by local government interviewees. These tools may also include information on how partnership building works in other jurisdictions and why local government–First Nation partnerships are valuable. Moreover, even though national statutes in New Zealand requiring local authorities to collaborate with Indigenous groups continue to ensure that partnerships between local councils and Maori communities exist, a top-down approach would most likely be resented by both local governments and First Nations in B.C. After all, each of the B.C. partnerships explored above was not forced by senior governments and other external organizations. Rather, the partners were willing to enter into collaboration and the partnerships developed organically. Local government interviewees were also in full agreement that a directive from senior governments forcing communities to partner would not be welcomed by local governments and First Nations, and might leave local governments and First Nations feeling “threatened” or “being told what to do.”

Recommendation to B.C. and Federal Governments

In collaboration with other stakeholders, create a partnership-building handbook and other educational tools which outline the seven key enabling factors to guide local governments and First Nations in establishing partnerships.

Recommendation to B.C. and Federal Governments

Avoid requiring local governments and First Nations to collaborate to ensure that partnerships develop organically.

Furthermore, the provincial and federal governments should continue to support the Regional Community to Community Forum Program which offers funding to local governments and First Nations which host relationship-building forums. The successful partnership between the City of Vernon and Okanagan Indian Band demonstrates the effectiveness of this program in bringing together neighbouring local governments and First Nation communities.

Recommendation to B.C. and Federal Governments

Continue to fund the Regional Community to Community Forum Program to assist local governments and First Nations with relationship building.

Senior governments can also encourage local government–First Nation building by demonstrating a genuine willingness towards reconciliation and partnership building with Aboriginal people. The resolution of the conflict between Alice Springs Town Council and Tangentyere Council has shown how other levels of government can improve the political climate with respect to Aboriginal relations. The new Northern Territory state government publicly demonstrated that it was sincere in its intentions to negotiate and enter into partnership with Aboriginal organizations – a sharp contrast to the approach of the previous government. As mentioned, the B.C. government has entered into a New Relationship with First Nations and Aboriginal people in the province. However, the provincial government would need to be consistent with its policies – through consultation, negotiation and relationship building – to clearly demonstrate its commitment to a positive, government-to-government relationship with Aboriginal communities. Similarly, the federal government can help establish the political climate for partnership building through its policies.

Recommendation to B.C. and Federal Governments

Demonstrate a genuine willingness towards reconciliation and partnership building with First Nations and Aboriginal people.

UBCM and FNS

The partnership experiences explored above can also assist the ongoing work of UBCM and FNS on relationship building. For instance, UBCM and FNS may collaborate with senior governments in developing educational tools that would assist local governments and First Nations in building successful partnerships. The two organizations have previously produced similar tools. A handbook which describes the seven essential enabling factors would be a valuable addition to existing body of resources. Moreover, UBCM and FNS may wish to put more emphasis on informing elected officials in local and First Nation governments of the importance of building partnerships with their neighbouring communities to secure political will and commitment.

Recommendation to UBCM and FNS

In collaboration with other stakeholders, create a partnership-building handbook and other educational tools which outline the seven key enabling factors to guide local governments and First Nations in establishing partnerships.

Recommendation to UBCM and FNS

Promote the significance of local government–First Nation partnerships to elected officials to secure political will and support for collaboration.

While there are a number of successful partnerships in British Columbia, some of which have been explored above, there continues to be a lack of studies – academic, government, or otherwise – which indicate the extent of partnership building in communities across the province. The Regional C2C Forum Program has sponsored approximately 250 relationship-building forums since its inception in 1999/2000, and successful partnerships have formed because of these forums as illustrated by the Vernon-Okanagan Indian Band experience. However, it is unclear how many concrete

partnerships there are in B.C. and how well those partnerships are, in fact, working. Relationship building among local governments and First Nations are becoming more and more common because, in part, of the active promotion by organizations such as UBCM and FNS through initiatives like the Regional C2C Forum Program. Nevertheless, there is a lack of empirical quantitative and qualitative analyses which present a comprehensive picture of the state of local government–First Nation relationships in B.C. If undertaken, these studies would assist UBCM, FNS and other stakeholders on how best to move forward with relationship-building initiatives. The research approach taken by LGNZ on its 1997 and 2004 surveys would be useful for UBCM to generate quantitative baseline information for B.C. and to track progress over time.

Recommendation to UBCM and FNS

Conduct periodic surveys of local government–First Nation partnerships to create baseline information and to track progress.

Recommendation to UBCM and FNS

Continue to ensure that funding for the Regional Community to Community Forum Program is secured to assist local governments and First Nations in their relationship building.

Moreover, the periodical *C2C Connect*, published jointly by UBCM and FNS, is a useful information-sharing tool for local governments and First Nations. Publishing additional B.C. partnership case studies would allow local governments and First Nations to learn even more from their peers' experiences. The case studies in the Centre for Municipal-Aboriginal Relations' *Partnerships in Practice: Case Studies in Municipal and First Nations' Economic Development Co-operation* effectively show not only the reasons for partnership, but also the important lessons learned and advice from officials involved in partnership building.

Recommendation to UBCM and FNS

Continue to produce publications of case studies to inform local governments and First Nations of successful partnerships in B.C. and to allow them to learn from their peers' experiences.

Furthermore, even though it does not explore partnerships in depth like case studies publications do, LGASA's booklet *Examples of Working Together in South Australia* provides brief descriptions of innovative practices in the state. This kind of publication is another model that UBCM may consider, in addition to purely quantitative surveys intended to create a snapshot of B.C. relationships, and to comprehensive case studies designed to draw attention to partnership building processes and critical lessons learned. This kind of publication would illustrate the variety of partnerships which local governments and First Nations can create.

Recommendation to UBCM and FNS

Consider publishing a booklet which briefly describes the nature and outcomes of all existing partnerships in B.C. to illustrate the breadth and depth of potential partnerships local governments and First Nations can form.

UBCM and FNS may wish to collaborate with the Ministry of Community Development to undertake these research projects. The Ministry could contract the research to the Chief Information Office of the Ministry of Labour and Citizens' Services. The Office's Cross Government Research, Policy and Practice Branch conducts research needed by B.C. government ministries. This arrangement may be beneficial and appropriate for UBCM and FNS, given their limited resources.

6 | SUMMARY OF RECOMMENDATIONS

Recommendations to Local Governments and First Nations

1. Identify opportunities for collaboration to instigate partnership building.
2. Community leaders – particularly elected officials – must be committed to partnership building to ensure its success.
3. Participate in relationship-building forums, such as those through the Regional Community to Community Forum Program, to build political and personal relationships among elected officials, staff and other community leaders necessary for sustaining and strengthening partnerships.
4. Consider the employment of a facilitator to guide the communities' relationship building and partnership process.
5. Agree on a type of partnership to ensure that the collaborative arrangement is appropriate to the local situation.
6. Establish a clear and attainable purpose, including vision, goals and objectives, to assist partners in remaining focused on intended results.
7. Determine and agree on guiding principles – including trust; commitment; consensus; and recognition of, and respect for, traditional territory and culturally significant sites – to firmly establish strong personal and working relationships.
8. Demonstrate a genuine and robust commitment to the partnership.
9. Design formal structures and processes to clarify roles, responsibilities and expectations.
10. Engage in informal collaboration as an alternative to formal structures and processes.
11. Contribute financial and non-financial resources to ensure that the partnership has adequate capacity to achieve its purpose.
12. Seek financial assistance from provincial and federal governments to implement initiatives.
13. Design an evaluation framework to assess the value of partnership.

Recommendations to B.C. and Federal Governments

1. Provide funding to partnerships to assist with the implementation of joint initiatives.
2. In collaboration with other stakeholders, create a partnership-building handbook and other educational tools which outline the seven key enabling factors to guide local governments and First Nations in establishing partnerships.
3. Avoid requiring local governments and First Nations to collaborate to ensure that partnerships develop organically.
4. Continue to fund the Regional Community to Community Forum Program to assist local governments and First Nations with relationship building.
5. Demonstrate a genuine willingness towards reconciliation and partnership building with First Nations and Aboriginal people.

Recommendations to UBCM and FNS

1. In collaboration with other stakeholders, create a partnership-building handbook and other educational tools which outline the seven key enabling factors to guide local governments and First Nations in establishing partnerships.
2. Promote the significance of local government–First Nation partnerships to elected officials to secure political will and support for collaboration.
3. Conduct periodic surveys of local government–First Nation partnerships to create baseline information and to track progress.
4. Continue to ensure that funding for the Regional Community to Community Forum Program is secured to assist local governments and First Nations in their relationship building.
5. Continue to produce publications of case studies to inform local governments and First Nations of successful partnerships in B.C. and to allow them to learn from their peers' experiences.
6. Consider publishing a booklet which briefly describes the nature and outcomes of all existing partnerships in B.C. to illustrate the breadth and depth of potential partnerships local governments and First Nations can form.

7 | CONCLUSION

Agreements between local government and their Indigenous constituents, whether gestures of reconciliation or more formal arrangements such as MoUs or Accords, both foster and sustain important and healthy relationships between Indigenous and non-Indigenous people, with implications reaching beyond the local level.

– Shain, Genat & Wensing (Langton et al., p. 203)

Closing Remarks

British Columbia is home to a number of notable local government–First Nation partnerships. These partnerships are in the areas of collaborative governance, land and resource co-management, and economic development. However, it is not clear how widespread partnership building is among local governments and First Nations in B.C. since no comprehensive studies have been undertaken to quantify and evaluate existing partnerships.

Some B.C. partnerships explored here, along with those from the rest of Canada, Australia, New Zealand and the United States, offer valuable lessons to B.C. local governments and First Nations on how to form successful partnerships. These partnership experiences highlight the seven enabling factors identified by the literature on how best to approach successful partnership building. Different stakeholders, most prominently local governments and First Nations themselves, as well as senior governments, UBCM and FNS, have roles to play in promoting local government-First Nation partnerships and ensuring their success.

Opportunities for Further Research

This report has presented a number of successful partnerships in B.C. and other jurisdictions which exclusively involve local governments and Indigenous communities. Further research on partnerships which involve other stakeholders would offer additional ideas for partnership arrangements. For instance, the City of Nanaimo and Snuneymuxw First Nation co-manage Newcastle Island with the B.C. government. This presents a different partnership dynamic, and stakeholders can learn from this and other types of collaborative arrangement. Again, this report focuses only on local governments and Indigenous communities to limit its scope.

In addition, the two B.C. case studies above are presented solely through a local government perspective. It is extremely important to incorporate First Nation perspectives in case studies to ensure that partnership experiences are told more comprehensively by involving every relevant partner and by integrating all cultural understandings.

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APPENDIX A: EXAMPLES OF COLLABORATIVE GOVERNANCE IN CANADA

LOCAL GOVERNMENT	INDIGENOUS COMMUNITY	PARTNERSHIPS
Central Okanagan (Regional District), BC	Westbank First Nation	<ul style="list-style-type: none"> • Local Services Agreement • Sewer Services Agreements • Statement of Political Relationship
Fraser-Fort George (Regional District), BC	Lheidli T'enneh Band	<ul style="list-style-type: none"> • MOU on Cooperation and Communication • Protocol on Cooperation and Communication
Fraser Valley (Regional District), BC	In-SHUCK-ch Nation	<ul style="list-style-type: none"> • MOU • Protocol Agreement
Fredericton (City), NB	St. Mary's First Nation	<ul style="list-style-type: none"> • Servicing agreements on water, sewer, fire, police and other basic services
Nanaimo (City), BC	Snuneymuxw First Nation	<ul style="list-style-type: none"> • MOU • Protocol Agreement
The Pas (Town), MB	Opaskwayak Cree Nation	<ul style="list-style-type: none"> • Improvement projects such as recycling and homelessness programs • Treaty Land Entitlement service agreement, which includes compatible zoning on adjacent lands and annual fee payments for municipal services • OCN Blizzard hockey team, which is owned by the Opaskwayak Cree Nation and sponsored by The Pas
Powell River (City), BC	Sliammon First Nation	<ul style="list-style-type: none"> • Community Accord • Protocol Agreement on Culture, Heritage and Economic Development • Intergovernmental community planning (with Powell River Regional District and supported by B.C. Treaty Commission and B.C. Real Estate Foundation)
Salmon Arm (District), BC	Adams Lake Indian Band	<ul style="list-style-type: none"> • Service agreement on road maintenance, fire protection, water and sewer
Saskatoon (City), SK	Muskeg Lake Cree First Nation	<ul style="list-style-type: none"> • Service agreement on garbage pickup, water, sewer and fire protection
Sooke (District), BC	T'Sou-ke Nation	<ul style="list-style-type: none"> • MOU

APPENDIX B: EXAMPLES OF COLLABORATIVE GOVERNANCE IN AUSTRALIA, NEW ZEALAND AND THE UNITED STATES

LOCAL GOVERNMENT	INDIGENOUS COMMUNITY	PARTNERSHIPS
AUSTRALIA		
Adelaide (City), SA	Kaurna	<ul style="list-style-type: none"> • Reconciliation Working Party • Reconciliation Statement
Albany (City), WA	Noongar community	<ul style="list-style-type: none"> • Aboriginal Accord
Alice Springs (Town), NT	Tangentyere Council	<ul style="list-style-type: none"> • MOU
Salisbury (City), SA	Northern Metropolitan Aboriginal Council	<ul style="list-style-type: none"> • Martirendi Agreement
NEW ZEALAND		
Kaipara District Council	Te Uri o Hau	<ul style="list-style-type: none"> • MOU
Franklin District Council	Nga Hapu o Waikato	<ul style="list-style-type: none"> • MOU
Waipa District Council	Tainui Ngati Raukawa Ngati Maniapoto	<ul style="list-style-type: none"> • Iwi Consultative Standing Committee
Wellington Regional Council	Tangata whenua tribes	<ul style="list-style-type: none"> • Charter of Understanding
UNITED STATES		
Rancho Mirage (City), CA	Agua Caliente Band	<ul style="list-style-type: none"> • MOU
Skagit (County), WA	Swinomish Tribe	<ul style="list-style-type: none"> • MOU for Cooperative Land Use Planning and Implementation • MOU for Joint Administration of Land Use Policy

APPENDIX C: EXAMPLES OF LAND AND RESOURCE CO-MANAGEMENT

LOCAL GOVERNMENT	INDIGENOUS COMMUNITY	PARTNERSHIPS
CANADA		
North Vancouver (District), BC	Tsleil-Waututh Nation	<ul style="list-style-type: none"> • Cates Park/Whye-Ah-Wichen Protocol/Cultural Agreement
Sunshine Coast (Regional District), BC	Sechelt Indian Band	<ul style="list-style-type: none"> • Watershed Accord • Joint Watershed Management Agreement
AUSTRALIA		
Coober Pedy (District Council), SA	Antakirinja Land Council	<ul style="list-style-type: none"> • Breakaways Reserve Management Plan • Breakaways Reserve Joint Management Agreement
NEW ZEALAND		
Auckland City Council	Ngati Whatua o Orakei Maori Trust Board	<ul style="list-style-type: none"> • Co-management of Okahu Bay/Whenua Rangatira Reserve
Christchurch City Council	Te Ngai Tuahuriri Runanga	<ul style="list-style-type: none"> • Charter of Understanding
Gisborne District Council	Maori Liaison Group	<ul style="list-style-type: none"> • Declaration of Understanding
Kaipara District Council	Te Roroa Te Kuihi	<ul style="list-style-type: none"> • Co-management of Taharoa Domain
Waimakariri District Council	Ngai Tahu	<ul style="list-style-type: none"> • Co-management of Tutaepatu Lagoon

APPENDIX D: EXAMPLES OF ECONOMIC DEVELOPMENT PARTNERSHIPS IN CANADA

LOCAL GOVERNMENT	INDIGENOUS COMMUNITY	PARTNERSHIPS
Campbell River (City), BC	Campbell River Indian Band (Wei Wai Kum First Nation)	<ul style="list-style-type: none"> • Wei Wai Kum Cruise Ship Terminal
Central Okanagan (Regional District), BC	Westbank First Nation	<ul style="list-style-type: none"> • First Nation representation on Regional District's Economic Development Board
Powell River (City), BC	Sliammon First Nation	<ul style="list-style-type: none"> • Protocol Agreement on Culture, Heritage and Economic Development
Saskatoon (City), SK	Muskeg Lake Cree First Nation	<ul style="list-style-type: none"> • "Yes, We Can" program, which recognizes success of young First Nation entrepreneurs • Employer Circle program, which provides cultural sensitivity training to employers and matches prospective First Nation candidates to various positions
Thunder Bay (City), ON	Fort William First Nation	<ul style="list-style-type: none"> • Fort William industrial park • Bowater Mill development project

APPENDIX E: INTERVIEW QUESTIONS

1. Describe your government's relationship with [neighbouring local or First Nation government] before the partnership.
2. Describe your government's partnership with [neighbouring local or First Nation government].
3. What triggered this partnership?
4. What are the goals and objectives for the partnership?
5. What structures are in place to implement the partnership arrangement?
6. What processes are in place to implement the partnership arrangement?
7. What values or principles (e.g. trust, collaboration, and flexibility) underlie the partnership? How did you go about building these in to your partnership?
8. What effect(s) did the partnership have on the relationship?
9. Were the provincial and federal governments and other stakeholders involved in facilitating this partnership? If so, to what extent were they involved, and could they have done more? If not, what role could they have played?
10. Does your government have other types of partnerships with [neighbouring local or First Nation government]?
11. What did you learn about building partnerships from your local experience?
12. What more can local and First Nation governments do to improve their relationships with one another?