

Naut'sa mawt Community Accord

"Working Together"



JOINT COMMUNITY REPORT

Inspiring Progress. Milestone Achievements.

FEBRUARY 2016





NAUT'SA MAWT (WORKING TOGETHER) COMMUNITY ACCORD



This Agreement made the 25th day of May, 2012

BETWEEN: TOWN OF LADYSMITH
(hereinafter referred to as "Town of Ladysmith")

AND: STELLENBOSCH FIRST NATION
(hereinafter referred to as "Stellenbosch First Nation")

WHEREAS:

All residents of the Town of Ladysmith and Stellenbosch First Nation (collectively hereinafter referred to as the "Communities") trace their origin to societies of different cultural traditions, beliefs and values and

The Members of Stellenbosch First Nation and the Residents of the Town of Ladysmith have created, or have had created on their behalf, distinct local governing institutions and

town of Ladysmith and Stellenbosch First Nation recognize and understand the foundation of their communities. Paramount is the respect for and appreciation of each other's diverse backgrounds.

Article 1 - Mutual Recognition

1.1 The Communities recognize, acknowledge and respect that the Stellenbosch First Nation:

- a) were the original inhabitants of their Traditional Territory;
- b) have constitutionally-protected rights, which include their asserted Aboriginal rights and title to their Traditional Territory, and their inherent right to self-government; and
- c) are governed by the Chief and Council, which is the legitimate governing authority for the Stellenbosch First Nation and its membership.

1.2 The Communities recognize that nothing in this Accord shall be interpreted in a manner that extinguishes, abrogates or denies Stellenbosch First Nation's Aboriginal rights or title, within the meaning of Sections 25 and 35 of the Constitution Act, 1982.

1.3 The Communities recognize that nothing in this Accord shall limit or diminish any existing or future legal obligations of the federal, provincial or municipal governments to consult and accommodate the Stellenbosch First Nation with regard to issues affecting their Aboriginal rights or title.

1.4 The Communities recognize, acknowledge and respect the Town of Ladysmith as a duly and properly constituted municipal government established under the provisions of the Community Charter and the Local Government Act and having all of the authority and responsibilities of a British Columbia municipality.

1.5 The Communities each have distinct authorities and responsibilities towards their members and residents and acknowledge that the interests of all persons living in the two communities are best served by working together in the spirit of co-operation.

Article 2 - Principles of Co-operation

2.1 The first principle of co-operation between the Communities shall be mutual respect and recognition, as set out under Article 1.

2.2 The second principle of co-operation shall be the reciprocal consideration of common ground and common interests in all dealings between the Communities.

Article 3 - Strengthening Relationship

3.1 The Communities agree that Stellenbosch First Nation Chief and Council and Town of Ladysmith Municipal Council will meet regularly to prepare and encourage open and constructive dialogue (hereinafter referred to as "Joint Meetings").

3.2 The Communities will have working groups to explore and initiate activities designed to facilitate economic diversification, to protect cultural heritage resources, to promote community growth and wellness, to increase investment and to generate employment.

3.3 The Communities will foster inter-community engagement through joint dinners, community events and youth initiatives.

Article 4 - Implementation

4.1 The Communities agree to joint education on issues of mutual interest, including governance and consultation.

4.2 The Communities agree to jointly develop external communication and messaging.

4.3 The Communities agree to jointly develop further agreements such as Memorandums of Understanding, Protocols for Working Committee, Service Agreements and Joint Partnerships.

Article 5 - Inclusion and Information of the Community at Large

5.1 The Communities will hold public meetings to inform, receive community input and feedback.

5.2 Such public meetings shall be co-chaired by representatives of the government, respectively.

Article 6 - Dispute Resolution

6.1 The Communities are committed to open, frank, honest and straightforward interaction with each other in order to communicate effectively and avoid conflict.

6.2 Where a dispute between the Communities arises, either party may, at any time, call a special Joint Meeting to resolve the issue. Where the parties are unable to resolve a dispute, either party may request a dispute resolution workshop.

Article 7 - Ending the Accord

7.1 This document is intended to be a living document, subject to change from time to time, to reflect the relationship between the Communities.

7.2 Any changes to this document must be mutually agreed upon by the Communities.

Article 8 - Termination

8.1 This Accord may be amended by written agreement of the Communities.

8.2 This Accord will remain in effect until July 1, 2015 or until replaced by the Communities with a successor agreement.

8.3 This Accord may be terminated by either Community on (a) 60 months written notice to the other Community stating the reasons for termination.

IN WITNESS WHEREOF the parties hereto have executed the within Accord as of the day and year first above written.

Town of Ladysmith

[Signatures]

Stellenbosch First Nation

[Signatures]

Full copy of the Accord is available online:

<http://www.ladysmith.ca/docs/agreements/2012-05-25-naut'sa-mawt-accord-fully-executed.pdf>



Background

Working Together for a Shared Future

Council members of the Stz'uminus First Nation and the Town of Ladysmith first signed a Community Accord in 2007, in which they pledged to strengthen their relationship and work together on matters of common interest.

These commitments were renewed in 2012 under an updated Accord, titled the Naut'sa mawt Community Accord ("working together" in the Hul'qumi'num language). Updates to the Accord included:

- a new section on implementing joint initiatives;
- a commitment to joint education and communications;
- a pact to develop further agreements together; and,
- language that better reflects the respect and strengthened relationship between the two communities.

The purpose of the Accord remains the same: to formally recognize and understand the common interests and goals of the two communities so that a strong framework is in place for community leaders to pursue, in partnership, initiatives and opportunities that serve greater good. The two Councils celebrate their successes together in this report.



Photo: Joint Community Event – February 23, 2015

Joint Initiatives

Opportunities to Work Together

A new section (“Implementation”) in the 2012 Accord emphasized putting ideas into action. A smaller working committee was formed to meet quarterly or as needed to coordinate that effort, and the communities agreed on the following items for further discussion and possible collaboration. The two Councils will be reviewing and updating the Accord in 2016.

ITEM	WHAT IS THIS?
Liquid Waste Management Plan	This detailed plan was prepared by the Town to ensure that collection, treatment and discharge of liquid waste (including sewage and stormwater) meets or exceeds federal/provincial environmental standards. This Plan also helps us plan for the future and includes capacity at the Town's treatment plant for sanitary sewer services for SFN lands. The SFN was invited to sit on the liquid waste management plan committee. The SFN Council received a detailed presentation and the Council endorsed the Plan. This endorsement included support for the relocation of a midden, resulting in significant savings to the project, a good outcome for both the Town and SFN.
IR 12 (Oyster Bay) and IR 13 (Kulleet Bay & Shell Beach) water/sewer services agreement	These detailed agreements will set out the terms for extending the Town's water and sewer services to SFN lands at the same level of service provided within the Town.
Holland Lake/Stocking Lake pipeline agreement	These lakes provide drinking water for the Town, the Diamond Area, Saltair and will provide drinking water for SFN. This pipeline will connect these two sources of drinking water and it is proposed to be located on Crown land where SFN has an active woodlot.
Watershed management	Landowners, government and service providers are committed to protecting the watershed. The Town and SFN are stakeholders.
Operational services	The Town and SFN are both interested in sharing resources through service arrangements, such as building inspection services or water meter reading
Boundary extension	The proposed boundary extension is for privately owned forest land which is adjacent to the Town and traditional lands of interest to the SFN.
Harbour clean-up	This initiative involves many stakeholders with a long-term aim to restore the health of Ladysmith Harbour.
DL 651 partnership	This partnership focuses on marina development within the water lot adjacent to the Ladysmith Community Marina.
Uniform bylaws for environmental protection	Both communities care about the environment. Through this initiative, we will fulfill LWMP commitments.
Funding opportunities	We are committed to accessing external funding to support our work.
Official Community Plan consultation	Municipalities may develop Official Community Plans that set a long-term vision for their community, including policies related to planning and land use management. Ladysmith's current OCP was adopted in 2003. Each amendment to the Town's OCP is referred to the SFN for comment.
South Ladysmith Stz'uminus First Nation (Crown) land development	The South Ladysmith Industrial Park is located adjacent to the Peerless Road Recycling Centre. Over one-half of the area is Crown land. The Town and SFN are interested in working together to expand the current land available for new economic investment.
Incremental treaty process	The SFN and the Town may work together on Crown land development within the Town.
Inclusion of First Nation's heritage/culture	The first inhabitants of what is now known as Ladysmith were the people of the SFN. The Town is committed to recognizing SFN history and places in the Hul'qumi'num language as a part of its interpretive signage program.
Emergency Preparedness	The Cowichan Valley Regional District provides emergency preparedness support for both the Town and SFN. Joint training is available for the staff of both organizations.
Land Use Strategy	Land development for community, social and economic development purposes is common to both the SFN and the Town. This initiative supports working together to build resilient communities.



Photo: The Naut' sa mawt (Working Together) Community Accord was signed on May 25, 2012; ceremony was held at the Ladysmith Maritime Society's new Welcome Centre.

Progress and Achievements

2012-2015

2012

ACTIVITY	STATUS
Naut' sa mawt (Working Together) Community Accord - development and signing	Complete
Cooperation Protocol and Memorandum of Understanding - development and signing	Complete
Signing Ceremony - joint hosting and related press releases	Complete
Steering Committee – members assigned and Terms of Reference developed	Complete
Funding application to support work of Steering Committee & joint Councils	Complete - \$50,000 awarded
Funding application to support relationship building event (C2C)	Complete - \$2,150 awarded
Liquid Waste Management Plan – consultation, review and sign off	Complete
Wastewater treatment plant (WWTP) site visit to consult on planned expansion	Complete
Services Agreement for first 100 units (IR12)	Commenced
Midden relocation permit (SFN archaeological site within the WWTP expansion footprint)	Complete
Naut'sa mawt Steering Committee meetings	14 held



Photos: Top Left: Honourable John Duncan, MP for Vancouver North, at the 2012 funding announcement for the water and wastewater infrastructure project.
 Top Right & Below: the Olympic Torch Relay in October, 2009 included a traditional blessing of the flame, a canoe entourage and a costume parade ushering the Olympic flame along Ladysmith's main street.

2013

ACTIVITY	STATUS
Services Agreement for first 100 units (IR12)	On-going
Funding application to support relationship building event (C2C)	Complete - \$4,000 awarded
Successful relocation of archaeological midden to enable WWTP expansion	Complete
Relationship Building Workshop with the Joint Councils and senior staff; Lunch hosted by SFN	Complete
Naut'sa mawt Steering Committee meetings	6 held



Photo: Members of the Naut' Sa Mawt Steering Committee give a panel presentation at the Local Government Management Association of BC annual conference in Vancouver June, 2014. This conference is attended by local government staff from communities across British Columbia.

2014

ACTIVITY	STATUS
Services Agreement for first 100 units (IR12)	Complete
Joint Community Event: "Paddling Together" dinner hosted by SFN	Complete – 80 attendees
Funding application to support relationship building event (C2C)	Complete - \$5,000 awarded
Joint letter to Small Craft Harbours seeking update on off-loading site for food fishery	Complete
Midden Sign Marker - First Nation place names	Complete
Building Inspection Services by Town to SFN	Commenced & On-going
Naut'sa mawt Steering Committee joint presentation to the annual conference of the Local Government Management Association of BC	Complete
SFN feasibility study re: water/wastewater services for IR13	In progress
Joint funding application for development of water/wastewater services agreement for remainder of IR12 and IR13	Complete
Develop annual Joint Community Report	Complete
Ludlow Road Pump Station improvements (to service IR12)	Complete
Sanitary sewer connections through sewage treatment plant (for future marine crossing to IR 13)	Complete
Water Supply Study to ensure adequacy of water for the Town, Diamond, Saltair, IR12 and IR13	Complete
Review of servicing implications for connection to IR13	Complete
Naut' sa mawt Steering Committee meetings	4 held

2015

ACTIVITY	STATUS
Joint Community Report for 2015	Complete
Cooperation Protocol	Review complete
Water and Sewer Services Agreement #2	Commenced & On-going
Town Waterfront Area Plan review	Discussion commenced & On-going
DL651	Discussion commenced & On-going
Watershed management & watershed roundtable	Commenced & On-going
Water systems rights of way on Crown land	Commenced & On-going
Transfer Beach Interpretive History Project	Near completion (by June 2016)
First Nation Place Names	Commenced & On-going
Midden Sign Marker	Complete
Thicke Road Upgrade – South Ladysmith Industrial Park	On hold
Revised NSC Terms of Reference	Complete
Communications Plan	Draft complete
TOL participation in SFN's National Aboriginal Day event	Complete
Joint social event for Summer 2015	Complete
Joint participation in Ladysmith Days Parade	Complete
C2C Grant application	Complete - \$3500 awarded
Water and Sewer Capacity Building	Discussion commenced
Letters of Support (SFN reconfirms support) Filtration Project	Complete
Filtration Project information package to SFN for Minister	Complete
Building Inspection Services Agreement	Complete - Draft
Joint Initiatives review and prioritization by Joint Councils	Commenced
Naut' sa mawt Steering Committee meetings	4 held
Joint Council meetings	2 held



What's Next on the Priority List?

- Water and Sewer Services Agreement for remaining 900 units (IR12) and 500 units (IR13).
- Joint planning initiative for the waterfront and Ladysmith Harbour
- Inclusion of Stz'uminus First Nation's history and place names in the Hul'qumi'num language as part of the Town's new interpretive signage program
- Coordination of water system rights of way on Crown Land
- Review of Truth and Reconciliation Commission (TRC) recommendations
- C2C event on March 29, 2016 to discuss further work together



*The Joint Councils and senior staff:
our relationship continues to evolve,
but it is now rooted in a foundation
of friendship and trust.*

Blanketing Ceremony – November 25, 2014

To show appreciation to outgoing Mayor Rob Hutchins, Stz'uminus Chief & Council honour him with a traditional blanketing ceremony. The ceremony acknowledges a new path in life and represents the protecting embrace of the entire Stz'uminus First Nation.



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