

No checks and balances, *Flying Shingle*, p.6a, November 2004

With voting day fast approaching, the time for indecision is past, or so thought many of the mostly partisan crowd that filled Raspberry's Jazz Café to overflowing on Tuesday night. Allan Warnke, the guest speaker of the Vote Rural-Vote No Campaign, is currently a professor at Malaspina University-College, and as MLA for Richmond-Steveston from 1991-96, he was a member of the BC Liberal party until shortly after the party leadership was won by Gordon Campbell.

The theme of his talk was the "BC Community Charter", legislation very much dear to Premier Campbell's heart, which, along with the "Local Government Act", now determines how municipalities operate in BC. The full intent of the Charter was, Allan explained, to establish as nearly as it could without running afoul of the Canadian Constitution, an independent third order of government. Municipalities are, under the Charter, given legislative powers that previously belonged to the Provincial Government. Under the new rules, municipalities have full discretion in the exercise of their powers to meet local conditions, and all a Council has to do to obviate Provincial Government interference, is to declare a project or an issue to be in the "local interest".

Critics of the Charter, like Allan Warnke, see none of the constitutional checks and balances needed to ensure that municipalities do not misuse their powers, a situation which Allan envisages as being a potential "developers' paradise" where only the approval of a local Mayor and Council is needed to implement pro-development policies.

Questions and comments from the audience, including from former residents of Whistler and Delta, dwelt mostly on the fear that running Gabriola as a business enterprise might unduly put the interests of business people before the need to keep taxes low and protect the environment. This is a flaw that our current system of local governance, which does not permit borrowing, and which was specifically created to contain development pressures, does not have. Many present also seemed unhappy with the BC Liberal Government, but debate of that issue was something for another day. More on Allan Warnke's views can be found at

<http://www.npsnet.com/cdd/warnke.htm>

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