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**Item No. 12.1.2**  
**Environment and Sustainability Standing Committee**  
**December 7, 2020**

**TO:** Chair and Members of the Environment and Sustainability Standing Committee

**SUBMITTED BY:** Original Signed  
Jacques Dubé, Chief Administrative Officer

**DATE:** March 10, 2020

**SUBJECT:** Supplemental Report: Regional Watersheds Advisory Board Review

**SUPPLEMENTAL REPORT**

**ORIGIN**

On January 10, 2019 the Environment and Sustainability Standing Committee voted down the staff recommendation to dissolve the Regional Watershed Advisory Board. The Committee provided staff with the following direction:

**THAT** the Environment and Sustainability Standing Committee request a supplementary staff report to examine amending the Regional Watershed Advisory Board's Terms of Reference to incorporate recommendations 1, 4, 5, 6, and 7, from alternative 2 as set out in the Alternatives section of the staff report dated November 21, 2018, as well as to examine amending the composition of the Regional Watershed Advisory Board to reduce the number of at-large citizen appointments, and increasing the number of appointments for water related academics and professionals.

**LEGISLATIVE AUTHORITY**

Administrative Order 1, *The Procedures of the Council Administrative Order*, Schedule 5 the Terms of Reference for the Environment and Sustainability Standing Committee (ESSC), Section 13 identifies that the Regional Watersheds Advisory Board (RWAB) is an advisory committee to ESSC.

The Regional Watersheds Advisory Board, Terms of Reference

**RECOMMENDATION**

It is recommended that the Environment and Sustainability Standing Committee recommend that Halifax Regional Council adopt the amendments to the Regional Watershed Advisory Board Terms of Reference as set out Attachment 2 of this report.

## **BACKGROUND**

On January 10, 2019 the Environment and Sustainability Standing Committee received a report, which outlined a review that was conducted on the Regional Watersheds Advisory Board (RWAB). The review concluded that RWAB should be dissolved. In addition, the report suggested that in lieu of the RWAB, that staff would enter a standing offer to obtain expert water sector advice (on an as needed basis) and an annual water resource management presentation to ESSC.

The Environment and Sustainability Standing Committee did not approve the staff recommendation and requested a supplemental staff report, to amend the RWAB's terms of reference, based on a portion of the alternative recommendations proposed by the RWAB.

## **DISCUSSION**

Staff reviewed the request for a supplemental report and determined that some amendments could be recommended to RWAB's Terms of Reference, and the Municipal Clerk's practices could be adapted to respond to the other alternatives in the original report.

### **RWAB Recommendation 1: Advise on joint projects between HRM and Halifax Water.**

Citizen at large input into the activities of Halifax Water is facilitated through longstanding and well-established public engagement protocols and activities. As such, staff do not support expanding RWAB's mandate to include providing input on joint projects undertaken by HRM and Halifax Water.

Given Halifax Water's longstanding engagement of academics and researchers, staff suggest that conferring a Halifax-Water-related advisory role upon the RWAB would be inadvisable. Water resource management expertise is already available to Halifax Water, both through its compliment of on-staff chemists, technicians and engineers and through its connections with academia and professional bodies.

### **RWAB Recommendation #4: Replace the word 'NGO' with Environmental Community Group as more friendly terminology.**

Staff are in agreement with this suggestion and have prepared an amendment as outlined in Attachment 1 to this report, which will read as follows:

Up to two (2) representatives of Environmental **Community Groups** ~~NGO's~~, or Recreational Organizations.

### **RWAB Recommendation #5: Remove the doctoral training clause and have a less limiting academic connection requirement. The individuals should be active professionals.**

Staff do not support the removal of the doctoral training requirement. In addition, at the ESSC meeting, members selected recommendation 4, and then indicated through the course of discussion, that the doctoral training component should remain. Therefore, staff are not recommending any changes to the RWAB's terms of reference with respect to the proposed clause removal.

### **RWAB Recommendation #6: Have formal mechanisms to receive feedback from the outcomes of the recommendation made by the Regional Watersheds Advisory Board.**

Staff are in agreement with this suggestion which can be implemented by a change in practise rather than amendments to the terms of reference.

The Municipal Clerk's Office currently provides updates by way of email to the Committee with respect to items that may be of interest or that have been passed by Committee and forwarded through the committee system for subsequent approvals.

\*Legislative staff regularly provide updates to RWAB on how its recommendations were received by its parent committee, and subsequently Regional Council. The Municipal Clerk's Office will amend any internal documents to ensure that this practice is upheld.

**RWAB Recommendation #7: Have the Environment and Sustainability Standing Committee and other business units, such as Energy and Environment and Solid Waste Resources, provide yearly work plans to the Regional Watersheds Advisory Board.**

Staff are in agreement with this suggestion which can be implemented by a change in practise rather than amendments to the terms of reference.

Going forward, RWAB will be provided with copies of the Multi-Year Budget and Business Plan for Transportation and Public Works and the Multi-Year Budget and Business Plan for Planning and Development. This approach will provide the RWAB with business-unit-level work plans and budgetary overviews. Information yielded from the Multi-Year Budget and Business Plan could help to support the development of a work plan for the Regional Watershed Advisory Board.

**Additional Item as requested by ESSC: Reduce the number of at-large citizen appointments**

Staff are in agreement with this suggestion and have prepared an amendment as outlined in Attachment 1 to this report.

**Additional Item as requested by ESSC: Increase the number of appointments for water related academics and professionals.**

Staff are in agreement with this suggestion and have prepared an amendment as outlined in Attachment 1 to this report.

**FINANCIAL IMPLICATIONS**

As the report is for information purposes, there are no financial implications.

**ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications associated with this report.

**ALTERVATIVES**

Staff have drafted a separate set of amendments to the terms of reference to include the amendments for recommendations 1 and 5. Attachment 3 shows the proposed changes and Attachment 4 is the amending policy required to make all these changes. Staff does not recommend this option for the reasons provided in the discussion section of the report.

If this option is selected, the motion would need to be amended to read:

It is recommended that the Environment and Sustainability Standing Committee recommend that Halifax Regional Council adopt the amendments to the Regional Watershed Advisory Board Terms of Reference as set out Attachment 4 of this report.

**COMMUNITY ENGAGEMENT**

As this is an information report, there has been no community engagement completed.

**ATTACHMENTS**

1. Showing Staff Recommended Changes to Terms of Reference
2. Amending Policy for Staff Recommended Changes to Terms of Reference
3. Showing All Changes to Terms of Reference
4. Amending Policy for All Changes to Terms of Reference

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A copy of this report can be obtained online at <http://www.halifax.ca> then choose the appropriate Standing Committee and meeting date, or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by:       Liam MacSween, A/Deputy Clerk, 902.490.4211

**Attachment 1**  
**(Showing Staff Recommended Changes to Terms of Reference)**

**The Regional Watersheds Advisory Board**  
**Terms of Reference**

**Purpose:** As subject matter experts, with respect to watershed management, the Watersheds Advisory Board:

1. Advises the Environment and Sustainability Standing Committee on municipal policy projects as required under the HRM Charter, the Regional Municipal Planning Strategy, and Secondary Planning Strategies, and as may be specifically assigned by the Environment & Sustainability Committee, excluding advising on Package B respecting the Regional Centre Secondary Municipal Planning Strategy, the Regional Centre Land Use By-law, and any necessary amendments to existing planning documents arising from Package B;
2. As required by the HRM Charter, the Regional Municipal Planning Strategy, and Secondary Planning Strategies, to fulfil the legislated requirements with respect to municipal development activities;
3. Performs duties as directed by Regional Council on matters described in the Municipal Planning Strategies.

**Composition:**

- Up to ~~five (5)~~ seven (7) water related professionals at large, including that one of the seven may be appointed by each Community Councils
- Up to ~~two (2)~~ three (3) seats for current faculty members at post-secondary institutions or for research scientists, with doctoral training, working in watershed management
- Up to two (2) representatives of Environmental Community Groups ~~NGO's~~ or Recreational Organizations
- ~~One (1) Citizen at large may be appointed by each Community Council~~ Repeal.

**Terms:**

To build and maintain technical and procedural expertise, six (6) of the twelve (12) members shall be appointed for a two-year term and the remaining six (6), for a three-year term.

**Governance:**

On behalf of Regional Council, the Environment and Sustainability Standing Committee shall provide oversight to the Advisory Board Workplan, Terms of Reference, Appointments, and other Governance matters.

**Policy Development and Review Projects:**

The Halifax Regional Municipality is enabled through the HRM Charter, as an act of Provincial legislation, to be the primary authority for planning within its jurisdiction. The Municipal Planning Strategies enacted by Regional Council are the overarching municipal policy set. The HRM Charter defines the mandate and

authority of the municipality in planning matters and municipal planning provides statements of policy to guide the development and management of the municipality including establishing policies to provide a framework for the environmental, social and economic development within the Municipality. All assigned policy projects must comply with these policies and legislative directions.

**Officers:**

The Board shall have a Chair and Vice Chair to be elected from among its members at the first meeting following composition and at the first meeting of the calendar year. The Vice Chair shall act a Chair in the absence of the Chair. The Chair and Vice Chair may be reappointed for subsequent terms providing they are still members of the Board.

**Staff Complement:**

The municipality shall supply Board support from the Clerk’s Office. The Manager of Energy and Environment shall be the primary staff liaison.

**Meetings:**

The Board shall meet monthly or as required to conduct the business of the Board. Additional meetings may be scheduled at the discretion of the Chair in consultation with the Clerk’s Office.

**Quorum:**

The quorum for regular meetings shall be in accordance with Section 74 of Administrative Order 1 – Quorum of Committees.

**Appointments:**

The Environment and Sustainability Standing Committee is designed to be both the nominating and appointing body for members of the Board, except for the members appointed by each of the Community Councils, for which the Community Council will serve as both the nominating and appointing body. Appointments shall be made in accordance with the Public Appointment Policy adopted by Regional Council.

**Vacating a Position:**

During the term of Office a member may vacate their position on the Board in accordance to the procedures set out in Section 68 of Administrative Order 1 – Vacating a Position on Committee.

**Procedure:**

Meeting procedures shall be governed by the HRM Administrative Order 1 – Respecting Procedures of Council as it related to Committee Procedures.

Approved February 19, 2013

Amended: May 14, 2013

Amended: January 14, 2020

## **Attachment 2**

### **(Amending Policy for Staff Recommended Changes to Terms of Reference)**

#### **The Regional Watersheds Advisory Board Terms of Reference**

**BE IT RESOLVED** that the terms of reference of the Regional Watershed Advisory Board are further amended as follows:

1. The first bullet under the header "Composition" is amended by:
  - (a) striking out the word, brackets, and number "five (5)" after the word "to" and before the word "water";
  - (b) adding the word, brackets, and number "seven (7)" after the word "to" and before the word "water"; and
  - (c) adding the words and comma ", including that one of the seven may be appointed by each Community Councils" after the word "large".
2. The second bullet under the header "Composition" is amended by:
  - (a) striking out the word, brackets, and number "two (2)" after the word "to" and before the word "seats"; and
  - (b) adding the word, brackets, and number "three (3)" after the word "to" and before the word "seats".
3. The third bullet under the header "Composition" is amended by:
  - (a) adding the words "Community Group" after the word "Environmental" and before the abbreviation "NGO's"; and
  - (b) striking out the abbreviation "NGO's" after the newly added word "Groups" and before the word "or".
4. The fourth bullet under the header "Composition" is repealed.

Done and passed this            day of            , 2020.

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Mayor

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Municipal Clerk

**Attachment 3  
(Showing All Changes to Terms of Reference)**

**The Regional Watersheds Advisory Board  
Terms of Reference**

**Purpose:** As subject matter experts, with respect to watershed management, the Watersheds Advisory Board:

1. Advises the Environment and Sustainability Standing Committee on municipal policy projects as required under the HRM Charter, the Regional Municipal Planning Strategy, and Secondary Planning Strategies, and as may be specifically assigned by the Environment & Sustainability Committee, excluding advising on Package B respecting the Regional Centre Secondary Municipal Planning Strategy, the Regional Centre Land Use By-law, and any necessary amendments to existing planning documents arising from Package B;
2. As required by the HRM Charter, the Regional Municipal Planning Strategy, and Secondary Planning Strategies, to fulfil the legislated requirements with respect to municipal development activities;
- 2A. Advise the Environment and Sustainability Standing Committee on joint projects between the Municipality and Halifax Water respecting the development of policies appropriate to protect water resources in the Municipality.
3. Performs duties as directed by Regional Council on matters described in the Municipal Planning Strategies.

**Composition:**

- Up to ~~five (5)~~ **seven (7)** water related professionals at large, **including that one of the seven may be appointed by each Community Council**
- Up to ~~two (2)~~ **three (3)** seats for current faculty members at post-secondary institutions or for research scientists, ~~with doctoral training,~~ working in watershed management
- Up to two (2) representatives of Environmental **Community Groups** ~~NGO's~~ or Recreational Organizations
- ~~One (1) Citizen at large may be appointed by each Community Council~~ **Repeal.**

**Terms:**

To build and maintain technical and procedural expertise, six (6) of the twelve (12) members shall be appointed for a two-year term and the remaining six (6), for a three-year term.

**Governance:**

On behalf of Regional Council, the Environment and Sustainability Standing Committee shall provide oversight to the Advisory Board Workplan, Terms of Reference, Appointments, and other Governance matters.

**Policy Development and Review Projects:**

The Halifax Regional Municipality is enabled through the HRM Charter, as an act of Provincial legislation, to be the primary authority for planning within its jurisdiction. The Municipal Planning Strategies enacted by Regional Council are the overarching municipal policy set. The HRM Charter defines the mandate and authority of the municipality in planning matters and municipal planning provides statements of policy to guide the development and management of the municipality including establishing policies to provide a framework for the environmental, social and economic development within the Municipality. All assigned policy projects must comply with these policies and legislative directions.

**Officers:**

The Board shall have a Chair and Vice Chair to be elected from among its members at the first meeting following composition and at the first meeting of the calendar year. The Vice Chair shall act a Chair in the absence of the Chair. The Chair and Vice Chair may be reappointed for subsequent terms providing they are still members of the Board.

**Staff Complement:**

The municipality shall supply Board support from the Clerk's Office. The Manager of Energy and Environment shall be the primary staff liaison.

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**Vacating a Position:**

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**Procedure:**

Meeting procedures shall be governed by the HRM Administrative Order 1 – Respecting Procedures of Council as it related to Committee Procedures.

Approved February 19, 2013

Amended: May 14, 2013

Amended: January 14, 2020

**Attachment 4  
(Amending Policy for All Changes to Terms of Reference)**

**The Regional Watersheds Advisory Board  
Terms of Reference**

**BE IT RESOLVED** that the terms of reference of the Regional Watershed Advisory Board are further amended as follows:

1. Section 2A is added after section 2 and before section 3 as follows:
  - 2A. Advise the Environment and Sustainability Standing Committee on joint projects between the Municipality and Halifax Water respecting the development of policies appropriate to protect water resources in the Municipality.
2. The first bullet under the header "Composition" is amended by:
  - (a) striking out the word, brackets, and number "five (5)" after the word "to" and before the word "water";
  - (b) adding the word, brackets, and number "seven (7)" after the word "to" and before the word "water"; and
  - (c) adding the words and comma ", including that one of the seven may be appointed by each Community Councils" after the word "large".
3. The second bullet under the header "Composition" is amended by:
  - (a) striking out the word, brackets, and number "two (2)" after the word "to" and before the word "seats";
  - (b) adding the word, brackets, and number "three (3)" after the word "to" and before the word "seats"; and
  - (c) striking out the words and commas ", with doctoral training," after the word "scientist" and before the word "working".
4. The third bullet under the header "Composition" is amended by:
  - (a) adding the words "Community Group" after the word "Environmental" and before the abbreviation "NGO's"; and
  - (b) striking out the abbreviation "NGO's" after the newly added word "Group" and before the word "or".

5. The fourth bullet under composition is repealed.

Done and passed this            day of            , 2020.

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Mayor

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Municipal Clerk