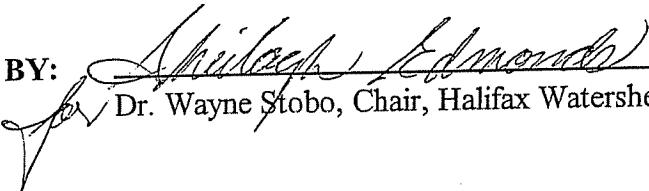




PO Box 1749
Halifax, Nova Scotia
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11.3.1

TO: Western Region Community Council
North West Community Council
Marine Drive Valley & Canal Community Council
Peninsula Community Council
Chebucto Community Council

SUBMITTED BY: 
Dr. Wayne Stobo, Chair, Halifax Watershed Advisory Board

DATE: August 8, 2005

SUBJECT: Halifax Watershed Advisory Board - Amendment to Terms of Reference

ORIGIN

June 15, 2005 meeting of Halifax Watershed Advisory Board.

RECOMMENDATION

It is recommended that Community Council approve the revised Terms of Reference of the Halifax Watershed Advisory Board as outlined in Attachment 'A' to this report.

BACKGROUND

At the May and June 2005 meetings of the Halifax Watershed Advisory Board, the Board reviewed and agreed to revisions to its Terms of Reference. It was felt that an overall review and updating was required since it had been some time that this had been done.

DISCUSSION

The revisions are minor in nature, and highlighted in italics in the Attachment 'A'. The revisions are summarized as follows:

- Section 2.0 COMPOSITION:
 - 2.1 was revised to ensure that those individuals wanting to serve on the Board have broad based interest in watershed issues, and are not simply representing a group which is focussed on a particular issue.
 - 2.2 (b) was removed (a representative from the HRDA would be a member of the Board).
 - 2.2 (b). Originally read as, "one (1) citizen representative from each electoral district within the Municipality; and"; and has been revised to read, "*one (1) citizen from each electoral district within the jurisdiction of the Board.*"
- Section 9.0 REPORTING was added to the Terms of Reference.
- Section 10.0 QUORUM :
 - Quorum had been set at 25 percent of membership. The requirement for a quorum has been revised to be *50 percent plus 1.*
- Section 11 APPOINTMENTS:
 - 11.5 was revised by removing the words, *if requested to do so* at the end of the sentence.
- Section 13 ABSENTEEISM:
 - This was revised to state that if a member fails to attend *three* meetings without reasonable cause, their membership will cease. Previously, the Terms of Reference stated that membership would cease if two consecutive meetings were missed without reasonable cause.
- Throughout the Terms of Reference, any place where the word '*waterways*' was used, this was changed to '*watercourses*'.

BUDGET IMPLICATIONS

None.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

ALTERNATIVES

Maintain the status quo with regard to the Board's Terms of Reference. This is not recommended.

ATTACHMENTS

Attachment 'A' - Terms of Reference (revisions noted in italics)

Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Sheilagh Edmonds, Legislative Assistant

HALIFAX WATERSHED ADVISORY BOARD

TERMS OF REFERENCE

1.0 PURPOSE

1.1 The Halifax Watershed Advisory Board is established to advise Community or Regional Council on all matters related to the management and alteration of the lakes, rivers, watercourses, coastal inlets and their watersheds within Halifax Regional Municipality¹, and to act as an advisory resource in providing Community or Regional Council with recommendations for their sustainable use.

Without limiting the generality of the above, the Board shall have the following principal responsibilities:

- (a) To provide leadership, promote public awareness and education, and identify issues and action on matters related to the Municipality's lakes, rivers, watercourses and coastal inlets (to the citizens of Halifax Regional Municipality);
- (b) To provide input to Community or Regional Council and the Community Planning Advisory Committees, on all applications for development agreements, rezonings, amendments to any land use by-law, and major project proposals of the Halifax Regional Water Commission, with regard to potential impact on the Municipality's lakes, rivers, watercourses and coastal inlets;
- (c) To monitor studies being conducted and regulations being formulated by various levels of government and comment and provide recommendations to Community or Regional Council on these with respect to their impact on the Municipality's lakes, rivers, watercourses and coastal inlets;
- (d) To cooperate with other similar agencies in addressing issues affecting directly or indirectly the Municipality's lakes, rivers, watercourses and coastal inlets;

¹ Where the words "Halifax Regional Municipality" or "the Municipality" are stated, this shall refer to those areas as defined on the accompanying map setting out the area of jurisdiction of the Board.

- (e) To liaise with and encourage input from local community based organizations involved in watershed protection and related activities; and
- (f) To advise on any other matters which Community or Regional Council and the Community Planning Advisory Committees deem necessary.

2.0 COMPOSITION

2.1 The Board may include one representative from community based organizations which are recognized by HRM and the Board as having broad-based interest in watershed protection and related activities within the geographical area of responsibility of the Board. Groups with interest in a single issue would not be considered for membership. Such groups would be encouraged to make a presentation to the Board.

2.2 The Board may also include:

- (a) one (1) Councillor appointed by each Community Council within the area of jurisdiction of the Board, as *ex-officio* members;
- (b) one (1) citizen from each electoral district within the jurisdiction of the Board.
- (c) such other members as determined from time-to-time by Community or Regional Council in consultation with the Board.

2.3 Staff shall be made available to the Board for consultation purposes as required.

3.0 COMMITTEES

3.1 The Board may appoint ad-hoc committees to deal with issues as needed.

4.0 CHAIR AND VICE-CHAIR

4.1 The Board shall have a Chairperson from among its members. The Chairperson shall hold office for a period of one year from the date of election or for the remainder of his/her term of office as a member of the Board whichever is less.

4.2 The Board shall elect a Vice-Chairperson from among its members, who shall hold office for a period of one year from the date of election or for the

remainder of his/her term of office as a member of the Board, whichever is less. The Vice-Chairperson shall act as Chairperson at all times when the Chairperson is absent.

4.3 A person designated by the Municipal Clerks Office shall act as the Recording Secretary for the Board.

5.0 MEETINGS

5.1 The Board shall meet monthly or at the call of the Chair.

5.2 Where a development application has been referred to the Board pursuant to Section 1.1 (b), time shall be of the essence.

6.0 RULES OF ORDER

6.1 All meetings of the Board shall be open to the public and shall include a public participation component. The Board shall function by consensus, but where necessary the Board shall follow the Rules of Order approved for the Committee of Council. In the absence of such approved Rules of Order, the rules shall be identical to those for Community Councils.

7.0 RELATIONSHIP TO COMMUNITY OR REGIONAL COUNCIL

7.1 The Board shall act only in an advisory manner to Community or Regional Council. Any plan, program or proposed development activity within any watershed likely to have an effect on any lake, river waterway or coastal inlet shall be referred to the Board for its consideration and subsequent recommendations to Community or Regional Council.

8.0 RELATIONSHIP TO INTERNAL AND EXTERNAL BOARDS, COMMITTEES, COMMISSIONS AND DEPARTMENTS

8.1 The Board may, with the approval of Community or Regional Council, advise and/or appoint a representative to serve as a liaison with any internal or external board, committee, or department.

9.0 REPORTING

9.1 The Board's recommendations will be submitted to the applicable HRM regulatory body, HRM staff, the proponent, and a copy correspondence to other government departments as the Board deems appropriate.

10.0 QUORUM

10.1 Fifty percent plus one shall constitute a quorum of the Board.

11.0 APPOINTMENTS

11.1 All appointments to the Board shall be made by Community or Regional Council and shall stay in effect until a new appointment is made by Community or Regional Council.

11.2 All appointments shall become effective November 1st of each year.

11.3 The appointment of members of Community or Regional Council shall be made by the Community or Regional Council in November of each year.

11.4 All appointments shall be for three (3) years, with a provision that appointees may remain for subsequent terms, if reappointed by Community or Regional Council. One half of the first appointments to the Board shall be for two (2) years and the other one half shall be for three (3) years. All subsequent appointments shall be three (3) years.

11.5 Any organization (as described in Section 2.1) who wishes to have representation on the Board shall provide Community or Regional Council with a copy of its Memorandum of Association.

11.6 The appointment of a representative from an organization (as outlined in Section 10.5) shall not apply to an individual specifically, but rather, shall apply to any member of that organization who is designated by that organization to sit on the Board as its representative.

11.7 Citizens shall be sought in the usual manner of advertisement. Community or Regional Council shall, on the recommendation of the Board, select appointees from the list of volunteers.

12.0 RESIGNATIONS

12.1 Any resignation from the Board shall be tendered in writing to the Chairperson and Community or Regional Council.

12.2 If the resignee is a citizen appointee, Community or Regional Council on the recommendation of the Board, shall select an appropriate replacement from the list of volunteers, or shall actively seek a replacement from the community. Such replacement to fill a vacancy shall complete only the

unexpired term, but shall be eligible for re-appointment.

13.0

ABSENTEEISM

13.1

In the event a member fails to attend three meetings without reasonable cause, membership will cease.

(July, 2005)