



Staff Report

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Report To: General Government Committee

Date of Meeting: April 13, 2026 **Report Number:** LGS-017-26

Authored by: June Gallagher, Municipal Clerk

Submitted By: Rob Maciver, Deputy CAO/Solicitor, Legislative Services

Reviewed By: Mary-Anne Dempster, CAO

By-law Number: **Resolution Number:**

File Number:

Report Subject: EFW-WMAC Terms of Reference Update

Recommendation:

1. That Report LGS-017-26, and any related delegations or communication items, be received;
2. That the updated EFW-WMAC Terms of Reference, Attachment 1 to report LGS-017-26, be received; and
3. That all interested parties listed in Report LGS-017-26, and any delegations, be advised of Council's decision.

Report Overview

This report provides an update to the Terms of Reference for the Energy from Waste – Waste Management Advisory Committee (EFW - WMAC) to reflect current governance practices, clarify roles and responsibilities, and ensure continued alignment with the Host Community Agreement and Regional requirements.

1. Background

- 1.1 The Energy from Waste-Waste Management Advisory Committee (EFW-WMAC) is established to provide a forum for public and other stakeholders to monitor, review and liaise with the Regional Municipality of Durham (Durham) on the EFW facility including how the waste is being sorted prior to arriving on-site. The EFW-WMAC (Committee) was established to satisfy the [Host Community Agreement](#) (HCA) with the Municipality of Clarington (Clarington) and the [Commissioner & Medical Officer of Health's Report 2009-COW-01](#) obligations.
- 1.2 The recommendations of Report 2009-COW-01 states, in part:

“That a Durham waste diversion and management advisory committee, or similar advisory group, which is appointed by and is accountable to the Regional Council, is in place to act as a forum for, and comprises Clarington and Durham residents and representatives from Clarington, the EFW facility, Ontario Ministry of the Environment (MOE), and the Region of Durham to assess, monitor, review, and advise the Region on the effectiveness of the environmental surveillance program, independent environmental testing, the quality of public reporting of environmental surveillance data, the environmental performance of the facility, and other related strategic waste diversion and management issues.”
- 1.3 The EFW-WMAC acts in an advisory role to the Durham Works Committee on issues or concerns which arise with waste diversion, waste management, environmental performance and monitoring of the EFW facility, including the construction and operational phases.
- 1.4 The EFW-WMAC comprises volunteers selected at large from Durham. It is comprised of nine members (five members appointed by Durham Regional Council and four members appointed by Clarington Council). The members shall not hold an elected office (municipal, provincial, or federal.)

2. Updated Terms of Reference

- 2.1 In March, the Region of Durham reached out to Clarington Staff and advised that they were preparing updates to the EFW-WMAC [Terms of Reference](#).
- 2.2 Clerk's Division Staff and Melanie Kawalec, Project Manager, Climate Response and Sustainability met with Staff from Durham Region Public Works and Clerk's Department on March 10, 2026 to review the changes.
- 2.3 Region Staff were amenable to some suggestions from Clarington Staff. The result is the attached (Attachment 2) redlined Terms of Reference.
- 2.4 Clarington Staff are bringing this before Council for information, as this is a Regional Committee and therefore Clarington can only provide input.
- 2.5 The Region plans on bringing their report to Regional Council in May.

Housekeeping

- 2.6 For the most part, these are housekeeping changes, while maintaining the Committee's existing mandate, composition, and accountability framework:
 - Update and modernize governance language to be consistent with other Region Committees.
 - Remove some duplication of wording.
 - Explicitly stating that the five regional representatives will be outside of Clarington.
 - Due to the changes in how the Region is able to put the call out for vacancies, the wording has changed to reflect that it will be an "open call" and the Region will follow their appointment policy.
 - Explicitly permitting electronic and hybrid meetings.
 - Providing for instances where quorum is not present, as well as providing for absences, late arrivals and early departures.
 - Standardize agenda publication (changed from being published two weeks in advance to one week in advance).

Changes to Term

- 2.7 The Region plans to change the term from two-years to four-years to be consistent with other Committees. They also plan to reduce the maximum consecutive terms from three to two.

Flexibility in Annual Report

- 2.8 Wording was added to allow that the Chair could report either in writing or in person. This provides flexibility for the Chair and future proofs against possible restrictions in being able to attend in person.

3. Financial Considerations

Not Applicable.

4. Strategic Plan

L.4.1: Increase opportunities for civic engagement for public participation.

5. Climate Change

The work summarized in this report supports the Municipality's ongoing efforts to ensure consistent, effective governance of an environmental and climate-related advisory committee, in alignment with Council-approved committee structures and a regional agreement.

6. Concurrence

This report has been reviewed by the Deputy CAO/Public Services who concurs with the recommendation.

7. Conclusion

It is respectfully recommended that that Committee receive the changes to the Terms of Reference.

Staff Contact: June Gallagher, Municipal Clerk, jgallagher@clarington.net.

Attachments:

Attachment 1 – Redlined Terms of Reference

Interested Parties:

The following interested parties will be notified of Council's decision:

Alexander Harras, Regional Clerk, Region of Durham
Andrew Evans, Director of Waste Management Services, Region of Durham
Clarington's representatives on the EFW-WMAC