



**HALIFAX REGIONAL COUNCIL
COMMITTEE OF THE WHOLE MINUTES
January 14, 2014**

PRESENT:

Mayor Mike Savage
Deputy Mayor Darren Fisher
Councillors: Barry Dalrymple
David Hendsbee
Bill Karsten
Lorelei Nicoll
Gloria McCluskey
Waye Mason
Jennifer Watts
Linda Mosher
Russell Walker
Stephen Adams
Reg Rankin
Matt Whitman
Brad Johns
Steve Craig
Tim Outhit

STAFF:

Mr. Richard Butts, Chief Administrative Officer
Mr. John Traves, Municipal Solicitor
Ms. Sherryll Murphy, Deputy Clerk
Ms. Sheilagh Edmonds, Legislative Assistant
Mr. Quentin Hill, Legislative Assistant

The following does not represent a verbatim record of the proceedings of this meeting.

*A video recording of this meeting is available:
http://archive.isiglobal.ca/vod/halifax/archive_2014-01-14_live.mp4.html*

*The agenda, supporting documents, and information items circulated to Council are available
online: <http://www.halifax.ca/council/agendasc/140114cow-Agenda.html>*

The meeting was called to order at 10:00 a.m., and recessed at 12:20 p.m. Committee of the Whole (COW) reconvened at 1:00 p.m. COW adjourned at 2:09 p.m.

1. CALL TO ORDER

Mayor Savage called the meeting to order at 10:00 a.m.

2. APPROVAL OF THE MINUTES – NONE

3. Integrated Solid Waste Resource Management Strategy Review – Final Report

The following items were before the Committee:

- Staff Recommendation Report dated January 8, 2014
- Integrated Solid-Waste Resource Management Strategy Review – Final Report Handout Package
- Correspondence from Jack Mitchell, Halifax Waste-Resource Society; Cameron Ells, Cameron Consulting Incorporated; Peter McInroy; John Cascadden; Bob Blundell; Jim Carwardine; John Wimberly; and David Wimberly.

Councillor Rankin welcomed members of the public who were seated in the gallery for the meeting. He recognized the following people in attendance: Jack Mitchell, Chair of Halifax Waste Resource Society; Peter Lund; John Cascadden; MLA Ian Rankin; Ken Meech; and Ken Donnelly.

Mayor Savage welcomed members of the Community Monitoring Committee (CMC) and members of the public who were in attendance for the meeting.

Mr. Richard Butts, CAO outlined the staff presentation to Council. He advised that the review process was based on the July 10, 2012 Council directive of the following three criteria:

1. Assess system performance based on original 1995 strategy vision and objectives.
2. Conduct industry benchmark analysis and comparative best practice assessments.
3. Identify options and recommendations to enhance system effectiveness and efficiency.

The CAO noted that after staff had reviewed the system they came to the following conclusions:

- The citizen-led integrated resource management strategy works and provides the most sustainable environmental protection.
- The strategy's long term financial goals cannot be met with the current approach.
- The Municipality's long-term waste disposal predictability and security should be a priority.
- Recommendations provide financial capacity for system infrastructure renewal.

Mr. Butts continued the presentation and highlighted each of the staff recommendations from the January 8, 2014 staff report. The recommendations outlined in the report would result in the following:

- Efficient and environmentally sustainable long-term waste disposal security for HRM.
- Significantly improved financial performance of the waste program mitigating overall budget pressures for decades.
- Improved system adaptability and utilization of methane gas for energy through the use of a campus model.
- Per capita waste decreases from 393kg/person to less than 300kg/person
- HRM diversion increases from 62% to over 65% within 5 years.
- Residential diversion would rise from current 52% to 64% by year 5.
- Deferral of the opening of cell 7 by 20 years.

Mayor Savage thanked Mr. Butts and staff for the presentation.

In response to questions from Council, Mr. Butts clarified that flow control is included in all three scenarios of the staff presentation. He further clarified that the cost of a new Materials Recovery Facility (MRF) would be determined by the amount of tonnage that would be processed at it. He added that the decisions made by Council on the Solid Waste report would determine how large a new MRF would be needed.

Deputy Mayor Fisher wondered if there was the possibility of having pickup days for hazardous waste. He also wanted to know if a public hearing process would be required to implement the use of clear bags. He also asked when staff would anticipate coming back to Council with a transition plan for landfill operations at the Otter Lake Landfill site.

The CAO advised that staff would not recommend having pickup days for hazardous waste, noting there were safety concerns to consider. Staff would recommend to:

- Increase the number of depots that accept hazardous waste
- Create a strategy to reach residents who have limited or no access to the hazardous waste depots
- Increase the profile of depots through education
- Extend the hours of operation

The CAO further explained that staff would come back with a transition plan once they had seen the impact on the infrastructure at Otter Lake from changes made in the source separation and flow control. He noted that they would have discussions with the operator, CMC and the community.

Mr. Traves explained that the obligation to have public hearings only relates to the zoning and land use bylaws. To hold a public hearing on mandating clear bags is at the discretion of Council.

Councillor Outhit asked if staff are able to quantify the savings of using clear bags.

The CAO advised the main reason for the use of clear bags is diversion.

Mr. Helm advised that there is the ability to provide a calculated cost savings from switching to clear bags.

In response to comments from Council, Mayor Savage advised that the Committee would consider and vote on each of the staff recommendations individually.

Councillor Walker questioned if the compost facilities at Goodwood would still be included in any changes to the solid waste strategy.

Mr. Helm replied that the compost program includes all existing infrastructure and making changes to it would be based on outcomes in the business case analysis. He added there is no need to expand the Goodwood site.

In response to Councillor Rankin, Mr. Traves clarified that Council could hear from CMC or any other group if it chose. The obligation to hear from the CMC arising out of the agreement states that notice must be given to the Chair of the CMC and an opportunity to appear before Council. The Solicitor noted that obligation would not be met at the current Committee of the Whole session.

Councillor Nicoll requested clarification on what items would be brought back to Council from the transition plan.

Mr. Butts explained that the items that would be included in any transition plan would be predicated on what decisions Council made.

Councillor McCluskey questioned if there would be room for the replacement of the MRF at the current locations. She also wanted to know what would happen to waste if people refused to use a clear bag.

Mr. Butts stated that the footprint of the current facility is very small and would likely require new infrastructure and a new building. He added that if Council passed the clear bag recommendation, garbage placed in traditional garbage bags would not be collected.

Mr. Helm added that residents would be allowed to place one opaque bag nested in each of the four clear bags permitted at the curbside.

Councillor Craig requested clarification of the source of the materials in the flow control model and the composition of the garbage in the waste stream they are hauling.

Mr. Butts explained that the sources are businesses, Industrial, Commercial Institutional (ICI) community; industrial community and the secondary sources are investment properties with over six (6) units.

Mr. Helm stated that the current diversion rate from ICI sources is 60% of the material. He added that ICI sources contain organics and recyclables in their waste stream.

Councillor Craig asked if the ICI sources would represent the biggest opportunity to reduce the amount of recyclables that end up at the landfill. He also asked what the challenges are for source separation when dealing with apartment buildings over six units.

Mr. Helm stated that ICI sources do represent the biggest contributors to recyclables that end up at the landfill. He further added that recommendation 5 and 6, were intended to; increase staffs ability to apply new measures; provide monitoring and education programs; as well as work closely with the ICI sector.

Mr. Butts stated that ease of access to garbage infrastructure at apartment buildings is a major challenge when trying to implement diversion programs in large apartment buildings. The ability for someone to anonymously drop their garbage down a chute does not provide any incentive to sort the waste. He added that resident turnover rate in apartment buildings is high and there is a continual need for source separation education and training. Mr. Butts further added that getting support and commitment from building superintendents would be important in making changes at apartment buildings.

Councillor Whitman questioned what type of public input would be required to implement any of the recommendations.

Mr. Butts replied that there has been public input to put together the report and staff recommendations. He noted that if public input is required for any environmental permits for the establishment of an Integrated Solid Waste Campus that would be completed as required.

Councillor Adams felt that there has not been proper input from CMC and MIRROR NS. He added that it appears that recommendation 8 has already determined the transition plan for the WSF and FEP.

Mr. Butts responded that there could be a variety of scenarios come out of the consultation with CMC and MIRROR NS and nothing had been predetermined.

MOVED by Councillor Dalrymple, seconded by Councillor Craig that Regional Council:

- 1. Confirm the objectives of the Community Stakeholders Committee Integrated Resource Management Strategy 1995:**
 - a. Maximize reduction, reuse, and recycling of waste resources;**
 - b. Maximize environmental and fiscal sustainability of the waste program;**
 - c. Foster public stewardship and conservation**

- 2. Direct staff to initiate development of a business case for the source separated organics program to introduce an Anaerobic Digestion processing capability and other program changes to improves system cost performance and compost quality and return to Regional Council with a revised plan by 30 June 2014;**

3. **Initiate By-law amendments to improve organics collection, processing and finished compost product quality for residential source separated organics by:**
 - a. **Removing boxboard as a mandated green bin product (while still permitted as a kitchen scrap material catcher;**
 - b. **Mandating use of kraft paper bags for separate collection of leaf and yard waste; and**
 - c. **Banning grass clippings from collection**
4. **Direct staff to site a second household special handling waste depot and introduce annual district household special handling waste events;**
5. **Initiate by-law amendments to:**
 - a. **Mandate clear bags (with one nested opaque bag) for residential collection.**
 - b. **Reduce bag limits from 6 to 4.**
6. **Direct staff to increase:**
 - a. **Curb-side education and monitoring**
 - b. **Apartment tenant education and monitoring**
 - c. **ICI load monitoring and inspections at the landfill**
7. **Amend by-law S-600 to allow for the export of ICI residual waste (garbage) outside HRM and amend Administrative Order 16 to provide for an increase in fees for ICI residual waste from \$125 a tonne to the assessed system cost of \$170 a tonne**
8. **Direct Staff to initiate consultation with MIRROR NS and the CMC on options for changes in the operating model (front end processor facility, waste stabilization facility, residual disposal facility) at Otter Lake landfill site A, returning to Council with a transition plan for landfill operations at the site based on diversion outcomes resulting from the changes outlined in this report.**
9. **Extend operations at Otter Lake beyond 2024 and direct staff to increase the vertical height of existing and future cells by 15 meters and establish an Integrated Solid Waste Management Campus at the site to support new facilities and alternative technologies as they become viable.**

MOVED by Councillor Dalrymple, seconded by Deputy Mayor Fisher that Committee of the Whole consider recommendations 1-6 individually, and refer recommendations 7,8, 9 to the Environment and Sustainability Standing Committee for discussion, additional information and report back the Regional Council.

Councillor Dalrymple explained that he felt that recommendations 1-6 were discussed over the past couple of years and Council would be able to arrive at a solution. He added recommendations 7-9 have massive financial, environmental and community implications. He stated it would be difficult for Council to come to a unanimous decision without further information and discussion.

Mr. Traves advised that each of the recommendations could be voted on separately and recommendations 7, 8, 9 could be referred to the Environment and Sustainability Standing Committee (ESSC).

Councillor Craig advised he would vote against the motion to refer as he felt that it should be vetted before all Council members.

Councillor Outhit suggested that items 7, 8, and 9 should be deferred to another Committee of the Whole at a later date.

Councillor Adams requested that Council remove recommendation 7 from referral to the ESSC and be debated at the current COW.

Councillor McCluskey felt that all of the items should be addressed at the current session and she was not in favor of referring any of the items to the ESSC.

The motion to refer was now before the Committee. **MOTION PUT AND DEFEATED.**

MOVED by Councillor Dalrymple, seconded by Deputy Mayor Fisher that Committee of the Whole consider recommendations 1-6 individually, and defer recommendations 7,8, 9 to a subsequent meeting of Committee of the Whole.

MOVED by Councillor Adams, seconded by Councillor Rankin that recommendation 7 be removed from deferral and be dealt with at the current Committee of the Whole session.

Mr. Traves advised that the motion put forward by Councillor Adams would allow for discussion and debate on recommendation 7.

The motion to remove recommendation 7 from deferral was before the Committee. **MOTION PUT AND PASSED.**

The motion before the Committee is as follows:

MOVED by Councillor Dalrymple, seconded by Deputy Mayor Fisher that Committee of the Whole consider recommendations 1-6 individually, and defer recommendations 8 and 9 to a subsequent meeting of Committee of the Whole.

MOTION PUT AND PASSED.

Council recessed at 12:20 p.m. and reconvened at 1:09 p.m. The following motion was on the floor:

MOVED by Councillor Dalrymple, seconded by Councillor Craig that Halifax Regional Council:

- 1. Confirm the objectives of the Community Stakeholders Committee Integrated Resource Management Strategy 1995:
 - a. Maximize reduction, reuse and recycling of waste resources;**
 - b. Maximize environmental and fiscal sustainability of the waste program;**
 - c. Foster public stewardship and conservation.****

- 2. Direct staff to initiate development of a business case for the source separated organics program to introduce an Anaerobic Digestion processing capability and other program changes to improve system cost performance and compost quality and return to Regional Council with a revised plan by 30 June, 2014;**

- 3. Initiate By-law amendments to improve organics collection, processing and finished compost product quality for residential source separated organics by:
 - a. removing boxboard as a mandated green bin product (while still permitted as a kitchen scrap material catcher);**
 - b. mandating use of kraft paper bags for separate collection of leaf and yard waste; and**
 - c. banning grass clippings from collection;****

- 4. Direct staff to site a second household special handling waste depot and introduce annual district mobile household special handling waste events;**

- 5. Initiate By-law amendments to:
 - a. mandate clear bags (with one nested opaque bag) for residential collections; and,**
 - b. reduce garbage bag limits from 6 to 4;****

- 6. Direct staff to increase:
 - a. curb-side education and monitoring;**
 - b. apartment tenant education and monitoring; and,**
 - c. ICI load monitoring and inspections at the landfill;****

- 7. Amend by-law S-600 to allow for the export of ICI residual waste (garbage) outside HRM and amend Administrative Order 16 to provide for an increase in fees for ICI residual waste from \$125 a tonne to the assessed system cost of \$170 a tonne**

Mayor Savage advised that Council will proceed with the 7 recommendations, dealing with one at a time, voting on each one separately.

Recommendation 1:

MOVED by Councillor Dalrymple, seconded by Councillor Craig that Halifax Regional Council confirm the objectives of the Community Stakeholders Committee Integrated Resource Management Strategy 1995:

- a. Maximize reduction, reuse and recycling of waste resources;**
- b. Maximize environmental and fiscal sustainability of the waste program;**
- c. Foster public stewardship and conservation.**

MOTION PUT AND PASSED.

Recommendation 2:

MOVED by Councillor Dalrymple, seconded by Councillor Craig that Halifax Regional Council direct staff to initiate development of a business case for the source separated organics program to introduce an Anaerobic Digestion processing capability and other program changes to improve system cost performance and compost quality and return to Regional Council with a revised plan by 30 June, 2014.

MOTION PUT AND PASSED.

Recommendation 3:

MOVED by Councillor Dalrymple, seconded by Councillor Craig that Halifax Regional Council initiate By-law amendments to improve organics collection, processing and finished compost product quality for residential source separated organics by:

- a. Removing boxboard as a mandated green bin product (while still permitted as a kitchen scrap material catcher);**
- b. Mandating use of kraft paper bags for separate collection of leaf and yard waste; and**
- c. Banning grass clippings from collection**

In response to a question from Councillor Mason concerning the impact on green bins, the CAO advised that at the peak of summer there will be weekly pickup. He added that staff may come back to Council eventually with a recommendation for year-round weekly pickup.

In response to a question from Councillor Adams, the CAO advised that best practice is to leave grass clippings on the lawn and this is standard across the country.

Councillor Nicoll expressed concern that this recommendation will result in the public having to invest in kraft paper bags, and mulchers for their lawn mowers, and she questioned if staff have a plan to provide incentives to the public.

The CAO responded that over time the marketplace will evolve to accommodate the demand for lawnmowers with mulchers. He also pointed out that there will have to be a public education component and staff will develop policies to moderate the growing pains of the change. He

added that the investment in kraft bags pays off because it will make for a more saleable product, and, overall, it will lead to a better, more sustainable system.

In response to further questioning on leaving grass clippings on the lawn versus putting them in the compost, the CAO explained that it is preferable because it is an easier way to recycle and it is odourless. He advised that grass is a problematic product as it is more difficult to break down than other compost products.

Councillor Hendsbee questioned why pet waste was not included in the compost collection, and in response the CAO advised the problem occurs when, for example, parks that accept pet waste end up putting a large amount at one time into the system, and this can skew the system. When bulked together, the product can end up being unusable.

MOTION PUT AND PASSED.

Recommendation 4:

MOVED by Councillor Dalrymple, seconded by Councillor Craig that Halifax Regional Council direct staff to site a second household special handling waste depot and introduce annual district mobile household special handling waste events.

MOTION PUT AND PASSED.

Recommendation 5:

MOVED by Councillor Dalrymple, seconded by Councillor Craig that Halifax Regional Council initiate By-law amendments to:

- a. mandate clear bags (with one nested opaque bag) for residential collections; and,**
- b. reduce garbage bag limits from 6 to 4;**

Councillor Rankin advised that with regard to recommendation 5a there is no mandate to carry this out and that he believed a public hearing was in order.

MOVED by Councillor Rankin, seconded by Councillor Watts that the motion be amended to require 5a be subject to a public hearing.

The Municipal Solicitor pointed out that Recommendation 5 is to 'initiate By-law amendments', and this process includes public consultation.

Councillor Outhit advised that he supported public consultation, adding that prior to a public hearing he would like information on the cost savings, and what happens in situations for people who use garbage cans, or grey and/or black bins.

Councillor Craig advised that he would like to hear the public feedback on this topic; in response, Mr. Bruce DeBaie, Managing Director, HRM Corporate Communications advised that

a survey showed mixed results, with essentially a 50/50 split for those in support and those opposed—49 percent “No” and 51 percent “Yes”.

MOTION TO AMEND WAS PUT AND PASSED.

The Mayor advised that with the amendment passed, the main motion as amended was now on the floor, as follows:

MOVED by Councillor Dalrymple, seconded by Councillor Craig that Halifax Regional Council initiate By-law amendments, including a public hearing, to:

- a. mandate clear bags (with one nested opaque bag per clear bag) for residential collections; and,**
- b. reduce garbage bag limits from 6 to 4;**

In response to a question from Councillor Mosher to define ‘opaque bag’ Mr. Gord Helm, Manager, Solid Waste Resources explained that a grocery store bag is an example of an opaque bag. He further clarified that it is intended for use in a bathroom and not kitchen compost. Councillor Mosher also noted that other municipalities which require their residents to use clear bags, allow the clear bag to be placed in a garbage bin, and in response, Mr. Helm advised that garbage cans would be permitted. Councillor Mosher advised that she did not support a reduction in the garbage bag limits, and added that the principles of the previous Council are not being followed.

Councillor Watts suggested that for the public hearing, it would be helpful if staff prepared a FAQ (Frequently Asked Questions).

Councillor Hendsbee advised that he did not support reducing the bag limit from 6 to 4 and he felt it would lead to more illegal dumping.

Deputy Mayor Fisher suggested that it may be redundant to reduce bag limits, given the amount of material that is being re-directed into the blue stream. He advised that Council has not received a recent report on the effectiveness of the blue bag program. Mr. Helm advised that the blue bag program has had an uptake, and the focus is now on the people who are not using it.

Councillor Walker noted that his district had many apartment buildings and, while this initiative is targeting single family residences, nothing is being done in regard to apartment buildings. In response, the CAO advised that the issue is that the Municipality currently has no mechanism for monitoring or controlling in multi-unit buildings.

Councillor Dalrymple advised that he was generally supportive of this recommendation, however he noted that Council needs to be cognizant of exceptions, for example, private roads. He noted that all the residents along a private road take their garbage to the end of the road, and that could end up with, for example, 50 bags at the end of a road for pick-up.

Deputy Mayor Fisher questioned the timeframe on the roll-out of the program should the public hearing be held and Council approves this idea. The CAO responded that if it were approved,

staff would come back with an implementation strategy and timeframe. He added that there would be substantial lead time, and education provided.

MOTION PUT AND PASSED.

Recommendation 6:

MOVED by Councillor Dalrymple, seconded by Councillor Craig that Halifax Regional Council direct staff to increase:

- a. curb-side education and monitoring;**
- b. apartment tenant education and monitoring; and,**
- c. ICI load monitoring and inspections at the landfill**

MOTION PUT AND PASSED.

Recommendation 7:

MOVED by Councillor Dalrymple, seconded by Councillor Craig that Halifax Regional Council amend By-law S-600 to allow for the export of ICI residual waste (garbage) outside HRM and amend Administrative Order 16 to provide for an increase in fees for ICI residual waste from \$125 a tonne to the assessed system cost of \$170 a tonne.

Mayor Savage advised that Councillor Adams was requesting the motion be split into 7a and 7b—7a would deal with amending By-law S-600 and 7b would deal with amending Administrative Order 16.

Councillor Adams referenced the motion to amend By-law S-600 and advised that previously the Municipality went to court to defend this part of the By-law. He added that it gives the Municipality security and control over its waste, and that the Municipality should deal with its own waste.

Councillor Mason concurred with Councillor Adams comment, adding that by sending the ICI waste outside of HRM, the Municipality is sending out the un-separated garbage of 50,000 apartment dwellings. He added that he would like to see an approach on ICI to provide incentives for apartment owners to separate their garbage.

Councillor Walker advised that he had mixed feelings with this recommendation because he has 5000 units this affects, and an increase in the fee by \$50 a ton will be significant for these units. Councillor Walker noted that it was misleading to state that nothing is currently being exported outside the Municipality because there are shipments going to Queens County each week.

Councillor Outhit suggested that the Municipality has, in a way, created a monopoly and the monopoly is losing money. If the Municipality raised its price and did not allow garbage to be exported outside, it is in a sense, raising rents.

Councillor Hendsbee advised that he would rather see processing on-site, and suggested that recommendation 2 include an ICI processing capacity.

Councillor Craig advised that with the report Council received there is information dating back to 2002 as well as the recent staff report. He indicated that it is a substantial amount of material to review and he would like the opportunity to review it thoroughly, in order to fully understand before making a decision on this item.

MOVED by Councillor Craig, seconded by Councillor Walker that recommendation 7 be deferred to a Committee of the Whole meeting.

The Municipal Solicitor advised that the motion to defer rescinds the motion from this morning's session, therefore two-thirds majority vote is required.

The Mayor clarified that the motion is to defer recommendation 7 to the Committee of the Whole meeting at which Council will be dealing with recommendations 8 and 9.

MOTION TO DEFER RECOMMENDATION 7 PUT AND PASSED.

5. ADJOURNMENT

The meeting was adjourned at 2:58 p.m.

Cathy J. Mellett
Municipal Clerk