



**HALIFAX REGIONAL COUNCIL
COMMITTEE OF THE WHOLE MINUTES
December 9, 2014**

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

Regrets: Councillors: Darren Fisher
Brad Johns

STAFF: Mr. Richard Butts, Chief Administrative Officer
Mr. John Traves, Municipal Solicitor
Ms. Cathy Mellett, Municipal Clerk
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_2014-12-09_live.mp4.html

The agenda, supporting documents, and information items circulated to Council are available online: <http://www.halifax.ca/council/agendasc/141209rc-agenda.php>

The meeting was called to order at 10:01 a.m. and Committee of the Whole Council adjourned at 11:03 a.m..

1. CALL TO ORDER

Mayor Savage called the meeting to order at 10:01 a.m.

2. APPROVAL OF THE MINUTES – November 18, 2014

Deputy Mayor Nicoll advised that on page seven of the minutes should read that the Cole Harbour Recreation Office is leased from a private developer and not Cole Harbour Place.

MOVED by Councillor McCluskey, seconded by Deputy Mayor Nicoll that the November 18, 2014 minutes be approved as amended. MOTION PUT AND PASSED.

3. Integrated Solid Waste Resource Management Strategy Review – Consultations with Halifax Waste Resource Society Board of Directors with respect to Recommendations #7, #8, and #9 – Continuation from January 14, 2014 and June 24, 2014 (Supplementary Report)

The following was before Council:

- A supplementary staff recommendation report dated November 24, 2014
- Extract from Committee of the Whole on June 24, 2014
- Correspondence from: Jim Cormier, Director (Atlantic) Retail Council of Canada; John Cascadden; Cameron Ells, Cameron Consulting; Members of the Woodens River Watershed Environmental Organization; Luc Erjavec, Vice President Atlantic, Restaurant Association of Canada; Karla Nicholson, General Manager, Quinpool Road Mainstreet District Association; Harry Ward and Peter Lund, Five Bridges Wilderness Heritage Trust; and Kurt Jacobs President, Mirror Nova Scotia.
- Staff presentation dated December 9, 2014
- Community Monitoring Committee presentation dated December 9, 2014

Mayor Savage reminded Committee of the Whole that there had been meeting in January and June 2014 with six recommendations being passed in June 2014. He added that the motion was still considered to be before Council from the last meeting.

Mayor Savage invited Mr. Ken Donnelly and Mr. Ken Meech from the Halifax Waste Resource Society Board of Directors to give a presentation to Committee of the Whole.

Mr. Meech thanked Council for deferring decision on the matter and facilitating further discussion between staff and the society. Mr. Meech specifically thanked Councillors Adams and Rankin for their persistence and commitment to ensure that the society and the Community Monitoring Committee to provide their input.

Mr. Donnelly explained that the discussions with HRM were mostly focused on the vertical expansion of the facility. He noted that there was not enough information for anyone to know what the effects of the vertical expansion. He noted there was significant risk to the surrounding communities; such as visual, odour, noise and impact to the Nine Mile River from siltation from the vertical expansion. Engineers also stated that they did not know what would happen when covers were peeled back on the closed cells.

Mr. Donnelly explained that he would speak on the remaining recommendations before Council. He advised that on recommendation 7 many, including their own board members, felt that HRM should be looking after its own waste and not shipping it to other areas. They felt that Council should hold a public hearing on these changes as residents should be able to provide their input on the matter.

On recommendation 8, Mr. Donnelly stated that the Society was pleased that the Front End Processor (FEP) and Waste Stabilization Facility (WSF) would continue to operate and would not be coming back for discussions until 2019. He acknowledged that there is no legal requirement to close the landfill in 2023, but added that back in the day the landfill was described as only having a 25 year lifespan. They were informed by the engineers that more studies would need to be done in order to mitigate risk. He urged caution on moving on new technologies and designs to determine the same level of community protection.

Mr. Donnelly advised that while the staff report states that the vertical lift is technically possible, the Community Monitoring Committee and the Halifax Waste Society Board would continue to monitor the work being done at the Otter Lake facility and urged Council to be vigilant in keeping Otter Lake Facility commitments to the community fulfilled.

Mr. Jack Mitchell, Chair of the Community Monitoring Committee thanked Councillors Adams, Rankin, and Walker for their support in helping to iron out the issues before this meeting.

Mayor Savage thanked Mr. Meech, Mr. Donnelly and Mr. Mitchell for their presentation. He then invited staff to address Council.

Mr. John Traves, Municipal Solicitor provided the presentation to Council and reminded them that they had approved recommendations 1-6 and were finishing recommendations 7-9. He advised that as Council had requested, staff had met with Halifax Waste Resource Society on the remaining recommendations. He stated that recommendation 7 is the proposed amendment to Bylaw S-600 to allow for the export of Industrial, Commercial and Institutional (ICI) residual waste outside of HRM and amend Administrative Order 16 to provide for increase of fees to dispose of ICI waste from \$125/tonne to the assessed system cost of \$170/tonne.

Mr. Traves advised that the meetings between staff and the society were very productive. The meetings helped both sides understand what the issues were and in particular regarding issues of consultation. As a result of the discussions staff have provided some amendments Council might wish to consider. There may be a desire on Councils part to take a pause as some of the amendments go forward and see what the impacts might be before revisiting things like the FEP and WSF.

Mr. Traves continued by speaking on the highlights from the presentation and finished by stating that the conclusions and outcomes as detailed in the Solid Waste Strategy Review – Final Report remain substantially the same with the proposed amendments before Council.

MOVED by Councillor Rankin , seconded by Councilor Walker that Committee of the Whole recommend to Halifax Regional Council that:

1. The motion with respect to recommendation #7 from staff report dated January 8, 2014 be considered without any amendments to:

Amend By-law S-600 to allow for the export of ICI residual waste (garbage) outside HRM, and amend Administrative Order number 16 to provide for an increase in fees for disposal of ICI residual waste from \$125 per tonne to the assessed system cost of \$170.00 per tonne.

2. The motion with respect to recommendation #9 be amended to read as follows:

Direct staff to defer any action with respect to the siting of a new landfill site in order to assess the implications of system changes currently being implemented and direct staff to increase the vertical height of existing and future cells in accordance with the approach as set out in the report of Conestoga – Rovers & Associates dated October 8, 2014, subject to maintaining the visible isolation of the cells as outlined by the SNC Lavalin Environment balloon study findings with notice to the Chair of the Community Monitoring Committee in accordance with Section 6.05 of

the Agreement for Community Monitoring of Solid Waste Facilities dated February 16, 1999 once an updated design and operations plan has been prepared.

3. Further, that the motion with respect to recommendation #8 be amended to read as follows:

Direct staff to take the necessary steps to maintain the current operating model, including front end processor facility, waste stabilization facility and residual disposal facility other than as directed by Regional Council as a consequence of decisions arising out of the ISWMS Review – Final Report dated January 8, 2014 at the Otter Lake Landfill site.

Further, to assess the effects of the system changes currently being implemented, returning to Regional Council, with input from the Community Monitoring Committee, no earlier than March, 2019 with a report and recommendation respecting the effectiveness of the front end processor facility and Waste Stabilization facilities based on system and other changes since conception including diversion outcomes resulting from the changes currently being implemented.

Councillor Rankin stated that he wanted Council to give recommendation 7 for further opportunity for public engagement through a public hearing; Councillor Rankin thanked the members of Community Monitoring Committee and the members of the Halifax Waste Resource Society for their input to staff and Council.

MOVED by Councillor Adams, seconded by Councillor Dalrymple to amend recommendation 7 to proceed by way of a public hearing and set a date for the public hearing.

Councillor Adams explained that a component of Bylaw S-600 came out of a public hearing, so any changes to it should come by way of a public hearing.

Councillor Hendsbee stated that he could not support the amendment. He felt that there was a responsibility to keep HRM waste within HRM. He felt the greenhouse gas emissions would increase by putting more trucks on the road to move waste around.

Councillor Craig stated that he would support the amendment. He added that there hasn't been enough discussion regarding ICI and looking at the opportunities to increase diversion within HRM. He concluded that it would be an opportunity to talk to the public and those within the sector to see what can be done to reduce the amount of residual waste going to the landfill.

Councillor McCluskey questioned if all commercial waste tipping fees would go from 120/ tonne to 170/ tonne and whether that also included small businesses. She requested that the matter go to a public hearing sooner than later.

Mr. Matt Keliher, Acting Manager Solid Waste clarified that the tipping fee increase, if approved by Council, would include any business that was considered in the ICI sector.

In response to a question from Mayor Savage, Mr. Keliher confirmed that currently the ICI sector is only paying \$120/tonne compared to the actual cost of \$170/tonne.

Councillor Watts stated that she supports the amendment to go to a public hearing on recommendation 7. She questioned if the recommendation for ICI waste to be allowed to go out of the municipality would mean an actual reduction in waste produced. She also questioned if the removal of flow control would amount to greater diversion within the ICI sector or if costs are higher here would that force the ICI sector to further reduce their costs in order to support higher diversion. She also asked if garbage is being trucked around the province would affect the overall environmental impact.

Councillor Outhit stated he supported the amendment. He felt that there was room for greater diversion through the FEP and questioned how additional diversion would be discussed at the public hearing.

Mr. Traves advised that if the amendment proposed passed, there would be a public hearing regarding Bylaw S-600 to allow for the export of residual waste and that would be the extent of the public hearing.

Councillor Outhit suggested that diversion should be added to the amendment.

Mr. Traves explained that it would have to come forward as another amendment.

A brief discussion ensued. The initial amendment was now before the Committee.

MOTION PUT AND PASSED.

The amended motion as follows was now before Committee of the Whole.

MOVED by Councillor Rankin, seconded by Councillor Walker that Halifax Regional Council moves to:

1. **Amend By-law S-600 to allow for the export of ICI residual waste (garbage) outside HRM, and amend Administrative Order number 16 to provide for an increase in fees for disposal of ICI residual waste from \$125 per tonne to the assessed system cost of \$170.00 per tonne.**

And to set a date for a public hearing.

2. **With respect to recommendation #9 be amended to:**

Direct staff to defer any action with respect to the siting of a new landfill site in order to assess the implications of system changes currently being implemented and direct staff to increase the vertical height of existing and future cells in accordance with the approach as set out in the report of Conestoga – Rovers & Associates dated October 8, 2014, subject to maintaining the visible isolation of the cells as outlined by the SNC Lavalin Environment balloon study findings with notice to the Chair of the Community Monitoring Committee in accordance with Section 6.05 of the Agreement for Community Monitoring of Solid Waste Facilities dated February 16, 1999 once an updated design and operations plan has been prepared.

3. **Further, that the motion with respect to recommendation #8 be amended to:**

Direct staff to take the necessary steps to maintain the current operating model, including front end processor facility, waste stabilization facility and residual disposal facility other than as directed by Regional Council as a consequence of decisions arising out of the ISWMS Review –Final Report dated January 8, 2014 at the Otter Lake Landfill site. Further, to assess the effects of the system changes currently being implemented, returning to Regional Council, with input from the Community Monitoring Committee, no earlier than March, 2019 with a report and recommendation respecting the effectiveness of the front end processor facility and waste stabilization facilities based on system and other changes since conception including diversion outcomes resulting from the changes currently being implemented.

Councillor Dalrymple stated that there are a myriad of issues in going to the higher vertical stacks. He wanted to ensure that there was consistent level of contact with the engineers and the Community Monitoring Committee.

Mr. Traves advised that if Council approves the recommendation then the operator would be tasked with going forward with the design needed to implement the changes. They would be required to share that information with the Community Monitoring Committee. The Community Monitoring Committee has the right to appear before Council if they are unsatisfied with the proposal.

MOTION PUT AND PASSED.

5. ADJOURNMENT

The meeting was adjourned at 11:03 a.m.

Cathy J. Mellett
Municipal Clerk