

# HURUNUI DISTRICT COUNCIL MEETING REPORT



**To:** Amberley Ward Committee

**Report Prepared By:** Hamish Dobbie

**Date:** 29 August 2017

## Racecourse Road Tyres

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### Recommendation

THAT THE INFORMATION IS RECEIVED

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### Executive Summary

There is a tyre storage site on Racecourse Road. The site is subject to ongoing enforcement action and presents a potential environmental and fire risk. Council is considering how the fire risk can be mitigated for next summer.

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### Background

There is a significant tyre storage site on Racecourse Road with reportedly up to 600,000 tyres being stored on site.

Hurunui District Council has issued Abatement notices for tyre stockpiling and issued infringements. ECan has taken enforcement action requiring the stockpiling to cease and the existing stockpile to be removed. In the meantime the tyre stockpile continues to pose an environmental and fire threat.

There was a fire close to the tyre storage site last summer but the fire was extinguished prior to it reaching the tyres.

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### Options to reduce threat

1. Obviously the best option to reduce the threat is for the tyres to be removed. This is being worked on, but appears to be taking a considerable amount of time. Council has been approached by a commercial recycler who has quoted a price of \$350/tonne to bale the tyres and remove them to secure storage.

Whilst the estimates of the tyre volumes on site vary wildly, it is clear that the cost to remove them will be considerable. At the quoted price of \$350/tonne and with an assumption of 250,000 tyres on site the estimated removal cost would likely be between \$600 - \$800k. If the upper end estimate of 600,000 tyres on site is correct the removal cost would be between \$1.5-\$1.9m.

2. The next best option is for a fire break to be constructed in an attempt to lower the potential for fire to reach the tyres. Under the Local Government Act 2002, a territorial authority may require the occupier or the owner of land to remove any growth on the land if the growth is likely to become a source of danger from fire. Council is currently considering this mechanism to reduce the threat posed by the tyres next summer.
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### Attachments

1. Huge Tyre Pile – Stuff
  2. ECan Investigations and Enforcement
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**Report Prepared by:** Hamish Dobbie  
Chief Executive Officer

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**Officer in Attendance:** The report author will be in attendance to speak to this report.

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# Huge tyre pile "will be going"

MATTHEW SALMONS

Last updated 09:38, February 22 2017



Matthew Salmons/Fairfax NZ

The pile of more than 600,000 tyres seen from Racecourse Rd.

A huge pile of more than 600,000 tyres near Amberley in North Canterbury is visible from the road, skirts the border of legality and neighbours fear it as a fire hazard. The owner of the business storing tyres on the Racecourse Rd site, Michael Benny Le Roy, leased the land from owner Warren Heslop.

A representative for Heslop, Angelique Hyde, said landowners had been misled and had "shut out" Le Roy, cancelling his lease. There would be "no more tyres coming in".

"One way or another, the tyres will be going. It's not that we didn't care about it, we did."



Matthew Salmons/Fairfax NZ

A section of the huge tyre pile in Amberley, seen from a neighbouring property.

Hyde said the owners had received backlash from the community and were "not totally innocent" but weren't hiding and were looking to make good on the issue. A recent health scare and the need to follow legal process when cancelling the lease had delayed Heslop's response, Hyde said.



Matthew Salmons/Fairfax NZ

A section of the huge tyre pile in Amberley as seen from a neighbouring property.

She said they were in talks with the Hurunui District Council (HDC) on what could be done about the tyres. Hyde said she met with Hurunui District Council (HDC) compliance officers on Monday.

If Le Roy did not remove the tyres, the owners would be responsible.

"We're left now with a major environmental problem," Hyde said.

Le Roy was handed a High Court injunction on March 10 2016 from having anything to do with tyre recycling until January 2019.

The High Court ruling restrained Le Roy and his companies Jamison Investments Limited and Tyre Recycling Services New Zealand Limited "from having anything to do with tyre recycling or tyre collections on their own behalf, or on behalf of another party ... within the South Island of New Zealand".

The injunction would last for a period of three years from January 26, 2016, or until further notice from the court. HDC regulatory services manager Judith Batchelor said council had issued Le Roy and the land owners an abatement notice in August last year, after an investigation beginning in May.

Surveillance of the site showed no tyres were being removed from the pile – only added.

"We've been issuing infringement notices for [Le Roy's] failure to comply," Batchelor said.

Each notice came with a \$700 fine, none of which had been paid. Batchelor said the issue of non-compliance would soon be heading to court.

Environment Canterbury (ECan) was also investigating the matter as an environmental issue. ECan investigations and incident response regional leader Valyn Barrett said ECan was aware that tyre dumping was a nation wide issue.

"End of life tyres are generally either landfilled or exported to be recycled overseas. But storing these tyres can be problematic as they can leach contaminants and potentially become a fire hazard."

If the tyres were found to be a breach under the Resource Management Act, ECan could "use a range of enforcement options" such as more abatement notices or prosecution.

Hyde said the land owners had been told by Le Roy that the plan was for a small amount of tyres to be stored on site, with as many going out as coming in.

"What we were led to believe did not come to be. We've just got to make good on it."

The HDC could only do so much though, when they had approached Le Roy he told them he was storing them while organising for the recycling of the tyres.

"It's a difficult issue, the district plan doesn't permit the dumping of tyres but it does allow the storage of tyres for recycling," Batchelor said.

A neighbour, who did not wish to be named, said the tyre collection had begun around a year ago and was concerned of its potential as a fire risk after a fire burned metres from the pile last week.

After the fire last Thursday, the neighbour said tyres were again being brought on site within half an hour of the Fire Service's departure.

If the tyres were to ignite, the neighbour said they believed the fire would be unstoppable, destroying the nearby vineyards and farms in the process.

"It'd make international news and the wine industry would be f---d."

**- Stuff**

ECan Investigations and Enforcement

Abatement Notices – Land Use

DETAILS	CONSENT NUMBER	DATE ISSUED	REQUIREMENT	LOCATION	COMPLY BY
LeRoy, Michael Benny (Director)		08/03/2017	Remove all end of life tyres in any form	Racecourse Rd, Amberley	08/03/2017
LeRoy, Michael Benny (Director)		22/02/2017	Cease the discharge of contaminants namely tyres in any form onto land. Cease storage, receiving, and depositing of tyres	Racecourse Rd, Amberley	Continuing Abatement Notice
LeRoy, Michael Benny		22/02/2017	Cease the discharge of contaminants namely tyres in any form onto land. Cease storage, receiving, and depositing of tyres	Racecourse Rd, Amberley	Continuing Abatement Notice
Hislop, Warren Miller		22/02/2017	Cease the discharge of contaminants namely tyres in any form onto land. Cease storage, receiving, and depositing of tyres	Racecourse Rd, Amberley	Continuing Abatement Notice
Tyre Recycling Services NZ Ltd		22/02/2017	Cease the discharge of contaminants namely tyres in any form onto land. Cease storage, receiving, and depositing of tyres	Racecourse Rd, Amberley	Continuing Abatement Notice
Clark, Melodie Anne Merrie		22/02/2017	Cease the discharge of contaminants namely tyres in any form onto land. Cease storage, receiving, and depositing of tyres	Racecourse Rd, Amberley	Continuing Abatement Notice
<a href="#">2016 Tyre Shredding Ltd</a>		22/02/2017	Cease the discharge of contaminants namely tyres in any form onto land. Cease storage, receiving, and depositing of tyres	Racecourse Rd, Amberley	Continuing Abatement Notice

DETAILS	CONSENT NUMBER	DATE ISSUED	REQUIREMENT	LOCATION	COMPLY BY
Bendon, Peter George		22/02/2017	Cease the discharge of contaminants namely tyres in any form onto land. Cease storage, receiving, and depositing of tyres	Racecourse Rd, Amberley	Continuing Abatement Notice
Jamison Investments Ltd		22/02/2017	Cease the discharge of contaminants namely tyres in any form onto land. Cease storage, receiving, and depositing of tyres	Racecourse Rd, Amberley	Continuing Abatement Notice

Excerpt from <https://www.ecan.govt.nz/your-region/your-environment/monitoring-and-compliance/investigations/> taken 21 August 2017.