



New Plymouth District Council Bylaw 2008

# Cemeteries and Crematoria

The purpose of this part of the bylaw is to facilitate the orderly, safe, and efficient management of cemeteries and crematoria under the control of the council; and minimise the potential for offensive behaviour in cemeteries and crematoria under the control of the council.



**NEW PLYMOUTH DISTRICT COUNCIL**  
[newplymouthnz.com](http://newplymouthnz.com)

## 1. Authority

1.1 This part is made under:

- a) Sections 145 and 146(b)(v) of the Local Government Act 2002; and
- b) Sections 16 and 40 of the Burial and Cremation Act 1964.

## 2. Purpose

2.1 The purpose of this part is to:

- a) Facilitate the orderly, safe, and efficient management of cemeteries and crematoria under the control of the council; and
- b) Minimise the potential for offensive behaviour in cemeteries and crematoria under the control of the council.

*Note: Please refer to the Burial and Cremation Act 1964 and Cremation Regulations 1973 for general rules and procedures relating to burial and cremation.*

## 3. Application of this part

3.1 This part applies to all cemeteries and crematoria under the control and management of the council.

3.2 This part does not apply to urupa or any other cemetery, crematorium or burial ground that is under the control of another organisation.

## 4. Interpretation

4.1 This part shall be in addition to the definitions within the Burial and Cremation Act 1964 and the provisions of Part 1 Introductory and if this part is inconsistent with Part 1 Introductory then the provisions of this part and the Burial and Cremations Act 1964 shall prevail.

4.2 In this part, unless the context otherwise requires:

### Definitions

**Approved Person** means a person who is approved by an authorised officer to carry out works in any cemetery or crematorium, and shall include any funeral director.

**Ashes** mean the cremated remains of a deceased person.

**Assignee** means the person or persons to whom an exclusive right of burial is transferred to on the death of the holder of the exclusive right of burial.

**Body** means the body of a deceased person.

**Cemetery** means any cemetery that is under the control and management of the council.

**Cemetery Office** means the location of the administration services for the cemeteries and crematorium.

**Crematorium** means any crematorium under the control and management of the council.

**Cremation plaque area** means a part of any cemetery consisting of plaques of a specified size to commemorate any person whose ashes are buried.

**Decorate** means place or attach any flowers, vase, figurine or ornament.

**Funeral Director** means a person, who in the course of their business, carries out burials and related matters.

**Gardens of Remembrance** means the gardens of remembrance within the consecrated land of a crematorium or cemetery.

**Limited lawn** means a part of any cemetery where memorials are limited to the specifications to be placed on the memorial strip provided.

**Memorial strip** means the ground area provided by the council for placement of memorials.

**Open memorial area** means a part of any cemetery where upright memorials of dimensions and materials approved by the council are permitted.

**Plan** means the official plan of a cemetery deposited in the cemetery office.

**Plot** means a lot in a cemetery that is laid off and shown on the plan for the purposes of interment.

**Purchaser** includes the executors, administrators and assigns of a purchaser of the exclusive right of in a plot, and owner of such exclusive right.

**Physical works** means the installation, modification, maintenance, repair, or removal of any plot, monument or headstone, and includes the planting of any tree, shrub or flower.

**Returned Services Cemetery** means all portions of a cemetery set aside for service personnel and their spouses and in which no kerbing, fences or monuments other than headstones provided by Veterans' Affairs New Zealand may be constructed.

## 5. Appropriate behaviour in cemeteries

5.1 Every person entering or remaining in a cemetery shall comply with any rules made by the council under this bylaw.

5.2 No person entering or remaining in a cemetery or crematorium shall:

- a) Behave in a manner that creates a nuisance or is offensive to another person; or
- b) Bring into or exhibit in the cemetery any article that is a nuisance or is offensive to another person; or

**Behaviour in  
cemeteries and  
crematoria**

- c) Bring any animal into the cemetery or crematorium without prior approval from an authorised officer. *(Note: the definition of animals does not include dogs, which are covered by the dog control bylaw and must be leashed or under control in all public places, including cemeteries and crematoria).*
- d) Damage any council property, or damage or interfere with any monument, decoration, or the property of another person; or
- e) Take any photograph or make video recordings for commercial or editorial purposes, or for the purposes of publication, without prior approval from an authorised officer and the funeral director.

**5.3** Notwithstanding clause 5.2(e), funeral directors may take photographs or make video recordings for trade or commercial purposes, provided they have family consent.

**5.4** Without limiting clause 5.1, every person entering or remaining in a cemetery for the purposes of monetary reward must obtain prior approval from the council and comply with any conditions of that approval.

**Trading in cemeteries**

**5.5** Except with the prior permission of an authorised officer and without limiting clause 5.1, every person driving or in charge of any vehicle in a cemetery shall:

**Vehicles in cemeteries**

- a) Drive only in the direction indicated by any traffic sign at a speed not exceeding that indicated on the road or, if no maximum speed is indicated, not exceeding 20 kilometres per hour; and
- b) Give an unconditional right of way to any funeral procession; and
- c) Remove the vehicle from the cemetery during the hours the cemetery gates are closed.
- d) Comply with any request of an authorised officer.

## **6. Conditions of burial**

**6.1** Any body may be buried in any plot in a cemetery provided that:

**Exclusive rights of burial and burial warrants**

- a) Either:
  - i) The Exclusive right of burial has been purchased for that plot and for that body; or
  - ii) The consent of the purchaser of that exclusive right of burial or their assignee for that plot has been obtained; and
- b) A burial warrant has been received by the council and any other notification required under rules made by the council under this bylaw; and
- c) The burial complies with any rules made by the council under this bylaw; and
- d) All applicable fees have been paid or arrangements for the fees to be paid have been made with the council.

- 6.2 Section 10 of the Burial and Cremation Act 1964 applies to the sale of the exclusive right of burial in any part of a cemetery.

## 7. Opening and closing of the ground for burial

- 7.1 Only an authorised officer or approved person shall open a grave or open the ground for a burial.
- 7.2 Any person being the family or friends of the deceased may close any grave or area opened for burial under the supervision of an authorised officer.

## 8. Disinterment of bodies or remains

- 8.1 This clause is subject to section 51 of the Burial and Cremation Act 1964.

- 8.2 Before a body or the remains of any body may be removed from its burial place in a cemetery, the person wishing to remove the body or remains shall obtain: **Approval required**

- a) A licence from the Minister of Health under section 51 of the Burial and Cremation Act 1964; and
- b) Prior approval of the council.

- 8.3 The removal of a body or remains of a body under this clause shall only take place in the presence of: **Disinterment procedure**

- a) The relevant authorised officers; and
- b) A funeral director and necessary staff; and
- c) The relevant Ministry of Health inspectors; and
- d) Any other person who has the prior approval of the council to be present.

- 8.4 If a body or the remains of a body have been removed from a burial plot:

- a) The owner of the exclusive right of burial or their assignee or subsequent purchaser shall be made aware that the plot has previously been used for a burial.
- b) The council is not liable to refund to any person any fees charged for the original burial; and
- c) The person holding the disinterment licence under section 51 of the Burial and Cremation Act 1964 is liable for any cemetery maintenance costs associated with the removal of the body or the remains, unless otherwise agreed by an authorised officer.

## 9. Plot specifications and number of interments

- 9.1 The minimum depth of a grave for a first interment is 1.8 metres, unless otherwise approved by an authorised officer.

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| <b>9.2</b> | On the application of the holder of the exclusive right of burial to a plot, or his or her assignee, the council may permit a second interment in that plot provided there must be at least 1 metre of covering at the average surface level of the ground over the casket last buried. | <b>Second interments</b> |
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## **10. Decorating plots**

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| <b>10.1</b> | Subject to clauses 10.2 to 10.7, the holder of the exclusive right of burial to a plot, or his or her assignee, may decorate the plot by placing or attaching flowers, vases, figurines, or ornaments. Any other adornments will require the approval of an authorised officer. | <b>Permitted decorations</b> |
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| <b>10.2</b> | No person shall, without the prior approval of an authorised officer, remove from any cemetery any kerb, headstone, monument or tablet. | <b>Removing monuments etc</b> |
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| <b>10.3</b> | No person shall, without the prior approval of an authorised officer, remove or take from any cemetery any vase, wreath, plant, flower, or any other object. |  |
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| <b>10.4</b> | No person shall place any object on any plot or garden of remembrance except during the period of five days following interment. Any wreath or floral tribute must be placed in a position that would not inhibit maintenance and management of the cemetery. | <b>Placement of objects on plot</b> |
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Any wreath or other floral tribute must be removed at the completion of such period or placed on or within the memorial strip, while providing at least 150mm clearance from the front and back edges of the memorial strip.

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| <b>10.5</b> | The council may remove any vases, planters or containers not on the concrete berm, or which are neglected, unsafe or broken. | <b>Removal of unsafe objects</b> |
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| <b>10.6</b> | Any person may provide or donate, subject to the approval of an authorised officer, memorial plants, shrubs, trees or flowers, for inclusion in a cemetery or garden of remembrance. However, the placement of these will be restricted to designated areas. | <b>Donation of plants for memorials</b> |
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| <b>10.7</b> | Although family members may have donated memorial plants, shrubs, trees or flowers for safety reasons and for cemetery maintenance, the council may be required to trim, remove or cut back vegetation (including donated plants, shrubs, trees or flowers) in a cemetery or garden of remembrance. | <b>Council responsible for donated plants</b> |
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## **11. Physical works associated with plots**

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| <b>11.1</b> | Physical works may only be undertaken in a cemetery by an approved person. | <b>Approved persons</b> |
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| <b>11.2</b> | An approved person undertaking physical works, including the placement of memorials and headstones, associated with any plot shall: |  |
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| a) | Obtain prior approval from the council for the physical works and that approval shall be subject to such conditions as the council thinks fit; and |  |
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- b) Comply with any rules made by the council under this bylaw; and
- c) Pay all applicable fees or make arrangements for the fees to be paid to the council; and
- d) Adequately protect the surrounding plots, monuments and cemetery infrastructure; and
- e) Not deposit any tools, debris, or materials on any adjacent plot, without prior approval from the holder of the exclusive right of burial or his or her assignee to that adjacent plot; and
- f) Remove all tools, debris, or materials used for the physical works as soon as practicable on the completion of the physical works; and
- g) Not obstruct any footpath or roadway when carrying out physical works unless prior approval has been obtained from an authorised officer.

**11.3** If an approved person undertaking physical works fails to comply with any conditions of the approval given under clause 11.2, the council may revoke that approval and remove any physical works or part of them that fails to meet those conditions.

**11.4** The council may remove any unauthorised physical works in a cemetery, or any other physical works which, in the opinion of an authorised officer, may cause offence or be a safety hazard to visitors to the cemetery.

**Council may remove unauthorised works**

## **12. Maintenance of plots**

**12.1** The holder of the exclusive right of burial to a plot, or his or her assignee, is responsible for maintaining every decoration, monument and other physical works associated with that plot, which includes:

**Families to maintain plots**

- a) Appropriately securing all decorations; and
- b) Ensuring that the decorations do not inhibit the proper maintenance of the cemetery; and
- c) Maintaining all physical works on the plot so that they do not fall into a state of disrepair or create a risk to the health of any other person.

**12.2** The council may carry out any physical works necessary to maintain any plot if:

**Council may undertake in plot maintenance**

- a) The council has given three months written notice to any known person entitled to maintain the plot, requiring that person to maintain or repair the plot; and
- b) The repairs or maintenance have not been carried out or have not been carried out to the council's satisfaction.

**12.3** The holder of the exclusive right of burial to a plot, or his or her assignee, is responsible for meeting any costs incurred by the council under clause 12.2.

**Costs**

- 12.4** Clause 12.2 is subject to the Burial and Cremation (Removal of Monuments and Tablets) Regulations 1967 so that if the council proposes to remove any dilapidated or neglected monument or tablet from a cemetery it must comply with those regulations.

### **13. General conditions of cremation**

- 13.1** Any person may be cremated in a crematorium if:

**Cremation conditions**

- a) An application for cremation, and all necessary certificates required by the Cremation Regulations 1973 have been received by the council; and
- b) The council has received any notification required under rules made by the council under this bylaw; and
- c) The casket and its contents complies with any rules made by the council under clauses 14 or 15 of this bylaw; and
- d) All applicable fees have been paid or arrangements for the fees to be paid have been made with the council; and
- e) The council has received a declaration from the funeral director or the person presenting the body that to the best of his or her knowledge the casket contains no substances prohibited under this part.

- 13.2** The cremation of the body shall take place in accordance with the Cremation Regulations 1973.

- 13.3** Representatives of the deceased person may see the casket placed in the charging hall, subject to written approval of an authorised officer but no inspection of the actual process of incineration is permitted.

- 13.4** No casket may be opened after admission to the crematorium except in accordance with Regulation 10 of the Cremation Regulations 1973.

- 13.5** The authorised officer may require the removal of any casket furnishings prior to cremation and these shall be disposed of in such a manner as the council or an authorised officer decides.

**Removal of casket furnishings**

### **14. Style, design, and materials of any casket in which a person is to be cremated**

- 14.1** A casket for cremation:

**Caskets**

- a) Must be constructed so that it will not distort or collapse on being subjected to the kind of handling to which a casket is likely to be subjected to during the normal course of events leading up to a cremation.
- b) Shall be constructed from materials that will when combusted not exceed the crematorium's Taranaki Regional Council Air discharge permit (attached to this part as Appendix 2) or any subsequent amendment of the discharge permit or include any of the materials listed in Appendix 1 of this part.



- c) Shall not exceed 220cm long x 80cm wide (including handles) x 68cm deep.
- d) Shall have a flat bottom.
- e) Subject to clause 14.2, must be lined internally with impervious material that is at least 100 µm thick and of such a nature as to prevent the leakage of body fluids from the casket.
- f) Shall not contain any bottle, can or other thing or object which may explode or release carcinogens into the atmosphere, cause the crematorium to exceed its air discharge permit from the Taranaki Regional Council, or cause harm or damage to persons or property during cremation.
- g) Must bear a name plate, label or inscription stating the family name and at least one other name of the deceased whose remains are to be cremated in the casket.

**14.2** A casket need not be lined with impervious material if:

- a) The body, when placed in the casket, is completely enclosed in a bag made of impervious material at least 100 µm thick; and
- b) The bag is effectively sealed so as to prevent leakage of body fluids from the body into the casket.

**14.3** Materials that are unsuitable for combustion in the course of a cremation may be used on the exterior of a casket if they can be removed easily prior to cremation.

## **15. The council may make rules relating to cemeteries and cremation**

**15.1** The council may from time to time, by resolution, make rules relating to one or more cemeteries and crematoria on the following matters:

- a) The days and hours during which a cemetery will be open for burials and a crematorium will be available for cremations.
- b) The persons who may dig a grave or open the ground for a burial, and who may close any grave or area opened for burial.
- c) The notification period required before a burial may be made at a cemetery or a cremation at a crematorium.
- d) The form of a burial warrant, the information to be supplied in the burial warrant, and who must complete the burial warrant.
- e) The location and dimensions of plots for burials and the burial of urns and ashes (including the maximum number of urns that may be buried in a plot).

- f) The conditions for undertaking physical works in a cemetery including:
  - i) The information required for the approval of physical works, including the style, design, material and size of any physical works associated with any plot and the wording of any inscriptions; and
  - ii) The minimum requirements that must be met in undertaking any physical works.
- g) The types of physical works that may be erected in a cemetery and the places where those works may be erected.
- h) The placement of decorations, trees and shrubs.
- i) The period in which ashes must be collected from the crematorium.
- j) Items prohibited from cremation.
- k) The condition of the body for cremation.

## APPENDIX 1

This appendix is for information only. The appendix is not part of the New Plymouth District Council Bylaw 2008.

In accordance with clause 15 of Part 3 of the New Plymouth District Council Bylaw 2008, the council resolves the following rules in relation to cemeteries and crematoria.

### 1. Days and hours for burial and cremations

- 1.1 Burial services shall take place between the hours of 8am and 4pm on Mondays to Fridays inclusive and 8am and 1pm on Saturdays and public holidays, excluding Christmas Day, New Year's Day, Good Friday and Anzac Day. *Other times shall be approved on specific request and may incur additional charges.*
- 1.2 Cremation services shall take place between the hours of 9am and 4pm on Mondays to Fridays inclusive and 8am and 1pm on Saturdays and public holidays excluding Christmas Day, New Year's Day, Good Friday and Anzac Day. *Other times shall be approved on specific request and may incur additional charges.*

### 2. Notification period for cremation and burial

- 2.1 Application for an intended burial or cremation shall be given to an authorised officer:
  - a) At least one clear working day prior to the time fixed for the funeral or the cremation; or
  - b) At least one clear working day before the burial of ashes.

### 3. Conditions for undertaking physical works in cemeteries

- 3.1 No person shall in any cemetery construct, erect or place any physical works over a grave or plot unless:
  - a) A plan and a copy of the proposed physical works has been previously submitted to the council and has been approved by an authorised officer; and
  - b) All persons constructing the physical works are approved persons within the meaning of the bylaw or have undertaken a site and safety induction before undertaking any work at the cemetery; and
  - c) All foundations for the physical works will be laid to the satisfaction of the council and in compliance with the New Zealand Standard for Headstones (NZS 4242:1995 or its subsequent amendments).

### 4. Types of physical works permitted

- 4.1 The following restrictions apply to any physical works in a cemetery:
  - a) No memorials, plaques or grave markers shall be placed within the Gardens of Remembrance:
  - b) In an open memorial area fences, kerbs or vaults may be constructed.

- c) No fence or enclosure shall exceed 1 metre in height.
- d) All concrete memorial strips shall not protrude above ground level.
- e) In those areas designated as a Returned Services Cemetery, all monuments and headstones shall be constructed in accordance with the requirements of the Veteran's Affairs New Zealand memorials handbook.
- f) In those areas designated as limited lawn, fences and monuments shall not be constructed; however, memorials that meet the following requirements are permitted:
  - i) The memorial shall be placed on the memorial strip provided by the council.
  - ii) The concrete based work shall not stand higher than 150mm above the highest point of the memorial strip or ground level, whichever is the higher and must be a maximum depth (front to back) of 450mm.
  - iii) A space of 150mm clear of the memorial foundation base shall be maintained, both back and front.
  - iv) Memorials shall not exceed one metre above the highest part of the memorial strip or ground level.
- g) In those areas designated as a cremation plaque area, memorials shall be constructed so as to ensure that the plaque fits within the memorial strip provided by the council.

## **5. Items prohibited from cremation**

### **5.1** The items prohibited for cremation are:

- a) Alcohol.
- b) Ammunition or explosive material.
- c) Batteries.
- d) Crash helmets/hardhats.
- e) Die cast metals/aluminium/copper (large items only).
- f) Footwear made of PVC/rubber.
- g) Garden spades, forks etc.
- h) Lighters.
- i) Laptop computers.
- j) Mattresses (usually external).
- k) Mobile phones.
- l) Motorcycle leathers.
- m) Pacemakers.
- n) Prosthesis limbs.
- o) PVC in all forms.
- p) Soft toys – over 300mm long.
- q) Wet suits and surfboards.
- r) Products containing polystyrene foams.
- s) Products that are volatile (may explode, burn fiercely or be hazardous to the environment and crematorium operators).

## **Condition of the deceased for cremation**

- 6.1** Because of the responsibilities under The Health and Safety in Employment Act 1992, the council requires that before a body will be accepted for cremation, a certificate must be produced confirming that enquiries have been made of the family or medical practitioner whether the deceased has been treated with strontium-89 (for bone metastases), or iodine-125 (for prostate cancer).
  
- 6.2** If the enquiries produce an answer in the affirmative, the safety of cremation must be confirmed with the medical practitioner licensed under The Radiation Protection Act 1965 who prescribed the treatment before the cremation is permitted to proceed.

Consent 5205-2.0



**Discharge Permit**  
**Pursuant to the Resource Management Act 1991**  
**a resource consent is hereby granted by the**  
**Taranaki Regional Council**

Name of Consent Holder: New Plymouth District Council  
Private Bag 2025  
New Plymouth 4342

Decision Date: 12 May 2015

Commencement Date: 12 May 2015

**Conditions of Consent**

Consent Granted: To discharge emissions into the air from the operation of a crematorium

Expiry Date: 1 June 2032

Review Date(s): June 2020, June 2026

Site Location: 629 Junction Road, New Plymouth

Legal Description: 1696418E-5669150N

Grid Reference (NZTM) Pt Lot 1 DP 8125 Blk X Paritutu SD  
(Discharge source & site)

*For General, Standard and Special conditions  
pertaining to this consent please see reverse side of this document*

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Please quote our document number in your reply

Working with people | caring for Taranaki

Doc# 1508787-v1

## Consent 5205-2.0

### General condition

- a. The consent holder shall pay to the Taranaki Regional Council all the administration, monitoring and supervision costs of this consent, fixed in accordance with section 36 of the Resource Management Act 1991.

### Special conditions

1. The consent holder shall at all times adopt the best practicable option, as defined in section 2 of the Resource Management Act 1991, to prevent or minimise any actual or likely adverse effects on the environment arising from discharges to air from the site.
2. The consent holder shall undertake the activity in general accordance with the application for this consent (5205-2.0) and the application for the expired consent (5205-1.0). If there is a conflict between the applications the later application shall prevail, and if there is a conflict between the applications and consent conditions the conditions shall prevail.
3. Prior to undertaking any alterations to the plant, process, or operations, which may significantly change the nature or quantity or concentration of contaminants emitted from the site, the consent holder shall consult with the Chief Executive, Taranaki Regional Council, and shall obtain any necessary approvals under the Resource Management Act 1991 and any amendments.
4. The consent holder shall notify the Chief Executive, Taranaki Regional Council, at least 2 working days before any maintenance that may affect or include the calibration, monitoring, or process control of the cremators. Notification shall include the consent number and a brief description of the work to be done, and be emailed to [worknotification@trc.govt.nz](mailto:worknotification@trc.govt.nz).
5. The consent holder shall at all times operate, maintain, supervise, monitor and control all processes so that emissions authorised by this consent are maintained at a practicable minimum.
6. The cremators and all duct work shall be maintained leak proof and gas tight to prevent the discharge of gases from the duct work or cremator, other than through the stack.
7. The stack flue and duct work leading to the stack shall be adequately insulated to avoid, as far as practicable, the condensation of liquids or the formation of soot smuts.
8. The consent holder shall take all reasonable steps to reduce and minimise the quantity of materials (such as PVC, metals, and other materials listed in the guidelines published by the Australasian Cemeteries and Crematoria Association (May 2004): *Contents of coffins delivered for cremation*) combusted within the cremator.

## Consent 5205-2.0

9. The cremators shall be interlocked so as to prevent the introduction of a coffin to the primary chamber unless the temperature in the secondary combustion zone exceeds 650°C for the Elecfurn cremator and 720°C for the Newton cremator.
10. The minimum stack height for the discharge of exhaust emissions from the cremators shall be eight metres above ground level.
11. The incineration of the waste gases in the secondary chamber for both cremators shall be undertaken such that waste gases are held at a minimum temperature of 850°C for a minimum period of 2 seconds.
12. In any one cremation cycle of the Elecfurn cremator, not more than two one-minute averages of the opacity readings shall exceed 20% obscuration or Ringelmann Scale 1.
13. In any one cremation cycle of the Newton cremator, not more than two one-minute averages of the opacity readings shall exceed 2% obscuration or Ringelmann Scale 1.
14. The consent holder shall continuously record the temperature of gases within or at the outlet of the secondary chamber.
15. The consent holder shall maintain the schedule of maintenance and calibration of each unit including but not limited to its controlling, recording, and monitoring equipment and systems.
16. The consent holder shall control all emissions of carbon monoxide, nitrogen dioxide, fine particles (PM<sub>10</sub>) and sulphur dioxide to the atmosphere from the site, in order that the maximum ground level concentration of any of these contaminants arising from the exercise of this consent measured under ambient conditions does not exceed the relevant ambient air quality standard as set out in the Resource Management (National Environmental Standards for Air Quality Regulations, 2004) at or beyond the boundary of the property.
17. The consent holder shall control all emissions to the atmosphere from the site of contaminants other than those expressly provided for under special condition 16, in order that they do not individually or in combination with other contaminants cause a hazardous, noxious, dangerous, offensive or objectionable effect at or beyond the boundary of the property.
18. The discharges authorised by this consent shall not give rise to an odour at or beyond the boundary of the site that is offensive or objectionable.



## Consent 5205-2.0

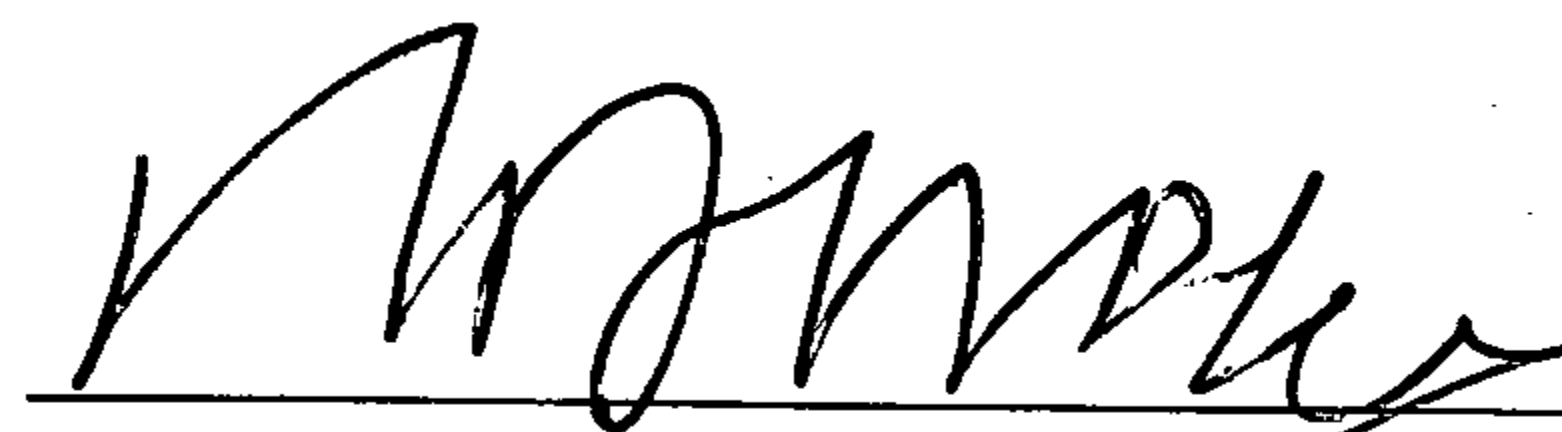
19. For the purposes of special conditions 17 and 18, without restriction, an odour shall be deemed to be offensive or objectionable if:
- a. it is held to be so in the opinion of an enforcement officer of the Taranaki Regional Council, having regard to the duration, frequency, intensity and nature of the odour; and/or
  - b. an officer of the Taranaki Regional Council observes that an odour is noticeable, and either it lasts longer than ten (10) minutes continuously, or it occurs frequently during a single period of more than one (1) hour; and/or
  - c. no less than three individuals from at least two different properties, each declare in writing that an objectionable or offensive odour was detected beyond the boundary of the site, provided the Taranaki Regional Council is satisfied that the declarations are not vexatious and that the objectionable or offensive odour was emitted from the site at the frequency and duration specified in (b). Each declaration shall be signed and dated and include:
    - i. the individuals' names and addresses;
    - ii. the date and time the objectionable or offensive odour was detected;
    - iii. details of the duration, frequency, intensity and nature of the odour that cause it to be considered offensive or objectionable;
    - iv. the location of the individual when it was detected; and
    - v. the prevailing weather conditions during the event.
20. At the written request of the Chief Executive, Taranaki Regional Council, the consent holder shall undertake emission test on discharges from the cremator. This emission testing shall:
- a. be undertaken for all pollutants that are requested to be tested in writing by the Chief Executive, Taranaki Regional Council, for the volumetric flow of combustion gases, and for the oxygen concentration at the exit of the secondary chambers and at the test ports;
  - a. for each sample, be conducted over a complete cremation cycle, commencing as soon typical operating conditions have achieved, ending once calcining is complete, and over a period of at least one hour; and
  - b. comprise not less than three separate samples for each type of emission test undertaken, and shall have the concentration results corrected to 0 (zero) degrees Celsius, 1 (one) atmosphere pressure and on a dry gas basis.
21. The consent holder shall provide to the Chief Executive, Taranaki Regional Council, upon request, all monitoring (including results of all tests, relevant operating parameters, raw data, all calculations, assumptions and an interpretation of the results), and calibration and process control data whether generated and held by an operator, any automated process control systems or any agent of the consent holder.

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22. The Taranaki Regional Council may review any or all of the conditions of this consent by giving notice of review during the month of June 2020 and/or June 2026 for the purpose of:
- a) adding, amending or deleting any limit on discharge or ambient concentrations of any contaminant or contaminants; and/or
  - b) requiring the consent holder to adopt the best practicable option to remove or reduce any adverse effect on the environment caused by any discharge to the environment; and/or
  - c) requiring the consent holder to calibrate and/or maintain any monitoring and/or recording device to monitor combustion conditions or environmental performance of the cremator including but not limited to devices for the measurement and/or recording of oxygen and/or carbon monoxide within the secondary combustion chamber and/or exhaust stack; and/or
  - d) ensuring that the conditions are adequate to deal with any adverse effects of the discharge on the environment arising from the exercise of this consent which were not foreseen at the time the application was considered or which it was not appropriate to deal with at the time.

Signed at Stratford on 12 May 2015

For and on behalf of  
Taranaki Regional Council



A D McLay  
Director - Resource Management