

**Submission
No 8**

INQUIRY INTO FUNERAL INDUSTRY

Organisation:

Name: Mr and Mrs P.C & P.M Milton

Telephone:

Date Received: 6/05/2005

Theme:

Summary

C. & P. M. MILTON

M/S JAN BURNS WOODS M.L.A., C.
COMMITTEE CHAIR INQUIRY
FUNERAL INDUSTRY
PARLIAMENT HOUSE
MACQUARIE STREET
SYDNEY. 2000.

MONDAY, 2/5/2005.

Dear Madam,

I am writing this letter to see if anything can be done about the existence of the Nulhaba Crematorium and, the disgraceful conditions, under which it operates.

The almost unanimous majority of Nulhaba Residents all strongly object to the Nulhaba Cremator and its shabby operations, and, we would like to see it closed down completely, for the sake of health and well-being of all concerned.

The concerned Nulhaba Residents' Group has held several meetings after which official complaints were lodged to the Essarooh City Council. So far, nothing has been done to ease the problem.

The first meeting of the Nulhaba Residents' Group was held as soon as the application for the construction of the Crematorium was made known. The wife of the Crematorium Owner Mrs. Paul Smyth, addressed the meeting.

During her address she said that no one in Nulhaba had water tanks or vegetable gardens near their homes, so there should not be too much to worry about.

Mrs. Smyth was very wrong on all counts. There have always been water-tanks and vegetable gardens in Nulhaba "including one market garden close to the cremator."

The representative group who lodged the objection to Council in the Mayor's Office, were told that the application would not be passed as it was in the wrong location according to zoning. We were later told that there were two different zonings on the one block of ground, "a De-Consecrated Church on one end and the Cremator on the other end". The old church was then and still is being used as a "Marriage Centre".

The foundations were laid and the walls were up before Essnock City Council gave approval for the construction of the building.

Cremations were performed before the cremator was properly completed to the Council's specifications.

More than forty letters of objections and many photos of evidence were lost by the Council until after their

approval was given.

Offensive smells, brown and black smoke and soot erupted from the under-size chimney-stack and, quite often still do.

Nearest residents complain almost continually, about the vile smell, smoke, and fall-out from the cremator.

The buffer zone virtually does NOT exist. The nearest occupied residence is about fifty meters from the actual cremator, other homes of small children about one hundred meters or less.

The Nulhaba Pre School and Primary School are both very close by and are directly in line with much of the wind from the cremator.

The Seventh Day Adventist Church property joins the crematorium property.

Wedding guests of all Religious Denominations are regularly within a few meters of the Crematorium.

Council justified their approval of the construction on such an inappropriate site, because it was only a small business to cater for "local needs only", requesting permission to cremate 235 to 400 bodies per year. Cessnock City Council granted permission for 400 bodies per

year "maximum". Many conditions were laid down, including all cremations to be carried out at not less than 900° in the primary chamber, specified times of operation — 8.30 AM to 4 P.M. only.

During the first twelve months, bodies were cremated outside the permitted specified times on one hundred and eleven occasions (111).

On three hundred and thirty seven (337) occasions, bodies were cremated at temperatures well under 900° , as stated in the Environmental Resources Management report to Cessnock City Council on 15/12/2003.

During the first year, 451 bodies were cremated — well over the maximum limit specified by Council (400 bodies).

The owner initially stated that the cremator was for local use only, — bodies have been coming from; local Cessnock, Dingleton, Muswellbrook, Sydney and possibly elsewhere.

Car parking facilities are far too inadequate and dangerous. Traffic is often slowed and sometimes stopped with improperly parked cars.

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At one stage, Council approved additional car-parking in the middle of the Council-approved transpiration area for the toilet systems.

Several bodies have been cremated at only 700°. The owner has recently applied to Council to have the maximum required temperature in the primary chamber reduced to 700° for economic reasons, he has also applied to have his specified limit increased from 400 to 1600 bodies per year.

According to Council records and Crematorium records, the tests carried out during the various cremations, were not done properly and, they were done at the wrong times. Tests were incomplete.

There is no refrigeration unit in the building and, bodies have been stored there well beyond the permitted period.

Council either did not do any checks on the proper functioning of the cremator or, if done, the tests were obviously ignored.

Approximately 450 breaches of

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Cessnock City Councils' conditions occurred during the first year of operation. Nothing was done about it until after repeated efforts and complaints by the Mulhaba Residents Group.

When Council finally acted, most of the breaches of conditions were too old to proceed with.

The owner of the business was recently fined a token of \$9,000.00 in lieu of what should have been hundreds of thousands of dollars.

Greed and higher profits are apparently considered much more important than public health and safety.

Paul Smyth has clearly shown his contempt for Cessnock City Councils' laws and conditions, and also for the duty of care, health, and well-being of the residents and future generations of Mulhaba and all of the children and staff in our local Pre School and Primary School.

In the most genuine interests of Occupational Health and Safety, the Mulhaba Residents Group want this disgracefully operated crematorium closed and removed well away

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to a more appropriate area, right
away from Pre Schools, Primary Schools,
Family Homes full of small children,
thriving Churches, Marriage Centres,
and established residential areas.

Yours sincerely,
Pen D. Hamilton

JUSTICE OF THE PEACE,