DRAFT Exemption conditions for small-scale cemetery developments in low-environmental risk settings with effect from [Date] [Month] [Year].

The following conditions apply to any burials of human remains, other than a burial of human ashes from crematoria, within any existing operational cemetery or proposed new cemetery development.

1. A burial within a cemetery must not cause pollution of surface water or groundwater.

2. A burial within a cemetery must not be within 10 metres of any field drain, including any dry ditch.

3. A grave must have at least 1 metre clearance between the base of the grave and the top of the water table and must not have any standing water in it when dug.

4. A burial must not be undertaken directly into groundwater.

5. A grave must not be dug in unaltered or unweathered bedrock.

6. A grave must not be dug in an area susceptible to groundwater flooding.

7. A grave must be deep enough so at least 1 metre of soil will cover any part of the coffin or body.

8. A grave plot must not be less than $5m^2$ in area.

The following conditions also apply to any proposed new cemetery development started on or after [Date] [Month] [Year].

9. The cemetery must not be located within a groundwater Source Protection Zone 1.

10. The cemetery must not be located within 250 metres of any well, spring or borehole that is used to supply water for domestic drinking or food production purposes.

11. The cemetery must not be within 30 metres of any spring or watercourse.

12. The cemetery must be located either:

    12.1 Entirely on strata which is unproductive strata.

    OR

12.2 Entirely on strata which is a Secondary B aquifer or entirely on strata which is Secondary undifferentiated rocks, where the number of burials being less than 100 burials per annum.

OR

12.3 Entirely on a Secondary A aquifer, where the number of burials being less than 50 burials per annum

OR

12.4 Entirely on a Principal Aquifer AND not in a Source Protection Zone 2 where the number of burials being less than 30 burials per annum

OR

12.5 On any combination strata mentioned in condition 12.1, 12.2, 12.3 and 12.4, subject to condition13.

13. Where a cemetery is, pursuant to condition 12.5, partly located on strata mentioned in 12.2, 12.3 or 12.4, the restrictions on numbers of burials per annum in condition 12.2, 12.3 or 12.4 (as the case may be) apply to the area of the cemetery located on that strata.

14. The cemetery must not be in, or within 50 metres of, a Special Area of Conservation (SAC), Special Protection Area (SPA), Ramsar site or biological Site of Special Scientific Interest (SSSI), and must not be in an Ancient Woodland.

15. The cemetery must not need ongoing active control measures to be in place to protect the environment.

For the purposes of these conditions, the following definitions apply:

Principal Aquifer means “geological strata that exhibit high intergranular and/or fracture permeability. They usually provide a high level of water storage and can support water supply and/or base flow to rivers, lakes and wetlands on a strategic scale.”

Secondary A Aquifer means “permeable strata capable of supporting water supplies at a local rather than strategic scale and in some cases forming an important source of base flow to rivers, lakes or wetlands.”

Secondary B Aquifer means “predominantly lower permeability strata which may in part have the ability to store and yield limited amounts of groundwater by virtue of localised features such as fissures, thin permeable horizons and weathering.”

Secondary undifferentiated means “rock deposits (or strata) with variable permeability and storage proprieties that are neither consistently Secondary A nor Secondary B.

Unproductive strata means “geological strata with low permeability that have negligible significance for water supply or river base flow. They consist of deposits that naturally offer protection to any aquifers that may be present beneath.”

Groundwater flooding means “When the water table beneath the ground rises and causes water to seep out at ground level. This is often seasonal.”