



## St Marks Church Lake River

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### **Submission/Comment on the Draft Burial and Cremation Amendment Bill 2018**

Dear Sir,

We are writing this submission on behalf of the Committee of St Marks Church Lake River at Pisa near Cressy and the Church's founding and foundation families.

We think it appropriate to give you some background information before giving our views on the review

The local community has had and continues to have absolute emotional, financial and physical control of the Church, its grounds, cemetery and burials for a very long time.

The Gatenby family donated the land in 1865 where the Church and graveyard is sited and were significant financial donors to the Church's erection and maintenance. We are to this day in constant contact with the Gatenby family and the other foundation families as well as all the parishioners and the local community. All our community have been contacted over this issue and those who have contacted us are more than a little concerned regarding the Church sale and more specifically how it affects the control, maintenance and vital access to the cemetery.

For at least the last 50 years, St Marks has been self-managed with no input from the Diocese.

Three to four cars a week visit St Marks, primarily to view the gravestones and for genealogical purposes. At least one bus every couple of months would come and visit the Church.

The Church's property and gravestones/burial plots have been well maintained by two small trusts from two families and by donations of time and money from numerous members from the local community.

Not only has our Church been self-sufficient, it has even made contributions to the Cressy Parish and to the Anglican Diocese of Tasmania.

Some children have been buried here at St Marks in recent years following tragic accidents. Their parents and loved ones deserve the right to visit their graves well into the future. We are very grateful to see that the proposed amendment protects the right of access for these grieving parents and others.

On a personal note, my family has been in the district since 1824. All bar three or four of my extended family are buried here at St Marks. My father is buried here as well. My mother, wife and I have a wish to be buried or plaqued at St Marks too. For me and my future family, this burial ground represents a perpetual link to our ancestors and to our history. This is also the case for many other local families in the district.

If this property is sold to an outside party, we are in fear that this valuable community asset will be disrespected and lost forever.

Our position or view on the review is:

We very much welcome all the proposed amendments to the Burials and Cremation Act Amendment Bill 2018. Especially the appointment of a Regulator

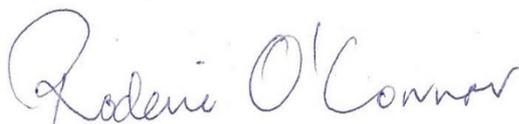
However, there are some points we would like to raise:

1. The requirements of new cemetery managers to be a body corporate should be for perpetual succession rather than limited to a hundred years.
2. In the event of a sale that protection to all the Church ground is given in perpetuity as well as the gravestones and to the burial plots and area specifically set aside for that purpose.
3. The role of the Regulator in the application of the amended Burial and Cremation Act is crucial. Must be effective, on ground and deal with all relevant issues down to a day to day basis.

4. That the function of the regulator be to reflect the views of the wider community and be effective rather than just a bureaucratic process. It is more important for the regulator to be ensuring that cemetery managers do the right thing rather than just filling in copious regulatory forms.
5. Cemetery owners and managers must also have an obligation to maintain the cemetery in a tidy and cared for state. This should be another role of the Regulator.
6. The requirement on cemetery managers to allow public access at any reasonable time is strongly supported. Need to determine what a "reasonable time" is. Reasonable should include variable times covering seven days a week
7. Not to impose a large cost burden on the cemetery manager which could lead to excessive costs of burials.
8. An easily understood template or guideline to direct and inform cemetery managers will need to be undertaken. Processes should be relatively simple to undertake.
9. There is a need to appoint a small committee consisting of individuals from these affected Church communities to advise the Regulator and Minister especially during the transition phase.

We are very pleased of the content of the review and like many thank the Government for their considered, appropriate and timely action in this matter.

Yours Faithfully,

A handwritten signature in blue ink that reads "Roderic O'Connor". The signature is written in a cursive style with a large initial 'R'.

Roderic O'Connor

And Gordon Bayles  
St Marks Church Lake River Committee