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Official Committee Hansard

JOINT STANDING COMMITTEE ON MIGRATION

Reference: Review of state-specific migration mechanisms

THURSDAY, 28 SEPTEMBER 2000

SMITHTON, TASMANIA

BY AUTHORITY OF THE PARLIAMENT

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JOINT COMMITTEE ON MIGRATION

Thursday, 28 September 2000

Members: Mrs Gallus (Chair), Senators Bartlett, Eggleston, McKiernan and Tierney and Mr Adams, Mr Baird, Mrs Irwin, Mrs May and Mr Ripoll

Senators and members in attendance: Senators McKiernan and Tierney and Mrs Gallus, Mrs May and Mr Ripoll

Terms of reference for the inquiry:

To review and report on the suite of State-specific Migration Mechanisms and the extent to which these meet the needs of State and Territory governments for skilled and business migrants with particular reference to:

- The adequacy of consultations with States/Territories on the mechanisms that have been developed;
- The level to which State and Territory Governments have utilised these mechanisms;
- Steps that might be taken to increase take-up; and
- Other mechanisms that might be developed

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Committee met at 1.00 p.m.

CHAIR—I declare open this public hearing of the Joint Standing Committee on Migration's review of state-specific migration mechanisms. These mechanisms relate to the issue of bringing overseas migrants to regional Australia, so it is appropriate that the committee is holding a public hearing in the regional centre here in Smithton. This review was referred to the committee in June 1999 by the Minister for Immigration and Multicultural Affairs. The purpose of the review is to examine and report on the range of state-specific migration mechanisms and the extent to which these meet the needs of state and territory governments for skilled and business migrants.

The terms of reference focus on: the adequacy of consultation with states and territories on the mechanisms that have been developed; the level to which state and territory governments have utilised these mechanisms; steps that might be taken to increase take-up; and other mechanisms that might be developed. At the conclusion of the review, the committee will table its findings, conclusions and recommendations in the parliament in a report that will be publicly available. The committee has received 59 submissions from state and territory governments, migration agents and people with interests in the issues. The committee normally authorises submissions for publication and they are placed in the committee's web site. If you would like further details of that review please feel free to ask anybody here.

I now turn to the proceedings at hand. The committee will take evidence from witnesses as listed in the program. However, if any member of the audience would like to comment on any aspects that the issues raise, please let Emma know and we will try to make time available. Before I call the witnesses, I ask that submissions 54, 55, 56, 57, 58 and 59 be accepted as evidence in the review of state-specific migration mechanisms and be authorised. There being no objection, it is so ordered. I now welcome the witnesses, Johannes and Caroline, and invite them to give evidence.

[1.02 p.m.]

Van ADRICHEM, Mrs Caroline (Private capacity)

Van ADRICHEM, Mr Johannes (Private capacity)

Mr van ADRICHEM—I am the director of our company together with my wife, who is also a director of our company. We have a dairy farm in Togari.

CHAIR—Although the committee does not require witnesses to give evidence under oath, you should understand that these proceedings are the legal proceedings of the parliament and warrant the same respect as the proceedings of the parliament itself. Giving false or misleading evidence is a serious matter and may be regarded as contempt of parliament.

You have given us your submission, and I presume at this stage there are no changes or corrections you want to make to that submission. Would you like to make an opening statement to the committee? All that you say will be recorded by Hansard. You might like to tell us about your situation and the problems that you face in this area. If there is anything confidential that you feel you would like to pass on to us, you can request that the committee hearing goes in camera and we can make it a private hearing. You always have that option.

Mr van ADRICHEM—I started as a farmer in Holland in 1979 with 11 hectares and 25 cows. We both had full-time jobs as well as the farm. We built up our farm to about 34 hectares and 65 cows. But the pressure on the land in Holland from cities and industries was getting high and there was a lot of red tape around farming. So we said that, if we wanted to farm for another 15 or 20 years, we would have to look around to see if we could find a place where we could farm as we wanted to farm with the expansion possibilities that we wanted.

We had a look around. Most of the common places for Dutch farmers are Canada, New Zealand, and Australia not as much. New Zealand was a bit more expensive than Australia so we thought there was a better opportunity in Australia. Canada was a bit too cold for us. We got someone to give us a hand with the application and things like that. One thing that he said was, 'If you want to go to New Zealand, in three months time I can get you a visa, signed and delivered; Canada, six weeks time, signed and delivered.' He said Australia was a bit more difficult. We said, 'We have been on a holiday to Tasmania and we think it has got a really good climate for dairy farming.' First we went on a holiday together for three weeks. Then I came back later and did a lot of research on the environment and farms and I got a farm adviser to make a business plan and a budget for the business. I took that back to Holland and even had an option on the farm we have now on the condition that our visa would not be a problem.

We went to the embassy in The Hague and took our business plan and all the things with us. It was an informative afternoon there. We showed all our things and they were very impressed with the research we had done and our business plan and everything. They said, 'Well, on such and such a visa you would not have a problem. It is quite easy and no worries.' Then we put our farm on the market in Holland. We sold our farm and put all our things in a container and shipped it over. We started our farm here. We also had an option on the next door neighbour's farm. That turned out not to be as easy as we thought, but then another opportunity came for the

farm on the other side of the road, so we bought that last June, just to make our farm big enough to support two families in the future.

Then we came to the stage that we had to send in our application for a permanent visa, but that turned out to be not as easy as we thought it would be. I have got some figures from our financial statements. In the 1997-98 financial year, we had an operating expense of \$186,966 and about \$60,830 was spent on contractors. We would have thought that they would accept that as employment. In our 1998-99 financial year we had an operating expense of \$178,665 and spent \$35,588 on contractors. But when we sent that in we got a note back from the immigration office saying that they wanted birth certificates of all the contractors we had used over the last two years, signed—

CHAIR—Birth certificates?

Mr van Adrichem—Yes, to make sure they were Australian citizens, and with the amount of hours they had spent on the farm. In the amounts we spent on contractors there was a lot of money for using heavy machinery—it was not all spent on hours. So we broke it down, and in the first year we came to 1100 hours and in the second year about 700 hours. But it was nearly impossible to get copies of birth certificates because as soon as you go to someone and say, ‘Will you sign this?’ they say, ‘Oh, no, not really.’ I do not know if you want to take copies of these—they are the financial years and the contractors we used and the money we spent.

CHAIR—We will check to see if we have got the facilities to copy that.

Mr van Adrichem—At the moment, since we bought another property, the gross value of our business is probably around \$1.3 million or \$1.4 million. That is only our business expenses. With that, you have to put the private expenses for our family. We have got five children and we have to live. We go to sports and do all kinds of things. In a small community like Circular Head, it has a big impact when you compare it with big companies.

Another thing I could not understand was that Tasmania is struggling with a population that goes down every year. We came here with seven people and they made it quite hard to stay here. I was really surprised with that. Even last night there was an ad on the television and it said, ‘We are a proud nation of immigrants.’ I thought, ‘What is going on here?’

CHAIR—Caroline, did you want to add anything?

Mrs van Adrichem—No.

CHAIR—I will start with a couple of questions before I hand it over to the rest of the committee. I understand that you have talked to a Mr Campbell in Hobart. He has told you that, come November, he feels that he will be able to put in an application for your permanent residency.

Mr van Adrichem—Yes.

CHAIR—That is exactly what I understand, too. There will be special concessions made. As long as you have documentation from the Tasmanian government, they believe there are special

circumstances and that requirement for the points will be waived so you can stay. So we both agree with that. But that does not take away from our purpose here which is to work out how the system can be better, because we do not want every case to be an exceptional case. If you can look at the whole system and the way it treated you from the very beginning, what should be changed? How should it be done differently so that your coming here could have worked out better for you? What should have been done?

Mr van Adrichem—I think the Australian Embassy in the Hague did a good job to resource migrants for Australia. But somehow there is some kind of lack of communication or something like that. We were really happy with the help from the local people here, but there was no office to go to, to get information. We have been here for 3½ years and no-one from the government has been to us and asked, ‘How are you doing; how are you getting on with your things?’

CHAIR—There is absolutely no follow up. You dropped yourselves here and then you applied for permanent residency. How long ago did you start applying for the permanent residency?

Mr van Adrichem—Probably about eight months ago.

CHAIR—How far did it get before you realised there was a problem?

Mr van Adrichem—We noticed pretty quick that—

CHAIR—You did not have the points?

Mr van Adrichem—As soon as we got the letter back from the migration office saying that they could not accept a contract as the value of the money we had spent, we thought, ‘We’re going to have a problem’, especially when we had to go to copies of birth certificates and things like that. We said, ‘This is going to be a hard one.’

CHAIR—So you actually got a letter back from Canberra, presumably, or was it from Hobart?

Mr van Adrichem—It went through Alan Campbell and he said, ‘That is going to be a problem.’ Later he said, ‘We can allow the contractors, but then you have to get all the copies of birth certificates.’ We have been going through the list; we had people working on the farm and they have already gone and nobody knows where they are.

CHAIR—Mr Campbell then approached the minister for you and that is when we understood that there would be a change in regulations from November. I understand the you said that everything was fine, except perhaps not enough information was given to you about the process once you got here. Getting here was okay. But it was once you got here that you were let down by the lack of information both on what would happen when you got here and on the requirements for permanent residency. And when you got here, there was nobody to actually give you any advice or assistance. Considering these things, I think it is fantastic that you have done as well as you have. I have one more question before I turn the questioning over to Senator McKiernan. How much would you have brought from the Netherlands?

Mr van Adrichem—How do you mean?

CHAIR—Money. How much money would you have brought out of Europe into Australia?

Mr van Adrichem—I think nearly all of the net assets we took from home.

CHAIR—Can you give me a round figure on that?

Mr van Adrichem—Yes, that is probably about \$850,000-\$900,000.

Senator McKIERNAN—You mentioned in your opening statement that you talked to somebody who got advice about migration not only to Australia but also to New Zealand and to Canada. Was that a migration agent?

Mr van Adrichem—No, that was a man from like what you have with the TFGA in Tasmania—the farmers union. There is something like that in Holland for farmers, and he worked for that union. We went to him for help with our application and things like that. He made us aware that Australia was not as easy as New Zealand and Canada because they were informed if you were allowed to go or not. They can give you the visa in three months time, signed and delivered. It is even quicker in Canada—six weeks or eight weeks time. We had visited Tasmania a couple of times and we really wanted to go this way, so we said, ‘We will push it through and do it.’

CHAIR—I am sorry to interrupt. How long did you have to wait? You said three weeks for Canada, six weeks for New Zealand. How many weeks is it for Australia?

Mr van Adrichem—That was quite a long period. First we went to the embassy to have an information afternoon.

CHAIR—Can you just give us a rough estimate in weeks?

Mr van Adrichem—About three or four months or something like that.

CHAIR—I am sorry. I just wanted to clarify that matter.

Senator McKIERNAN—Did you seek any professional assistance at all in migrating to Australia?

Mr van Adrichem—That is what I just said. The guy from the farmers union in Holland was, I thought, a professional help.

Senator McKIERNAN—The matter that gives me great concern was the information given to you at the embassy in The Hague. Generally you get responses to the questions that are asked. I am wondering were you asking the right questions. Were you putting questions about a business migration to Australia or about permanent residency in Australia? It is permanent residency you have the problem with now rather than migration to Australia because you are here.

Mr van Adrichem—What I understood then was that they could not give you permanent residency straight away. You have to go through a temporary visa for four years and then apply in the four years for permanent residency.

Senator McKIERNAN—Did you make any inquiries about the conditions that would be attached to an application for permanent residency?

Mr van Adrichem—Yes, because we said if we go to Australia we want to go for permanent residency. That is why we took our business plan and everything with us. The embassy were very impressed with all the research and work we have done and with the amount of money spent on contractors. They did not think it was a problem, but we did not have it in writing or anything like that.

Senator McKIERNAN—The schemes that we are talking about, the regulations that we are talking about, are actually in writing. They are part of our migration laws. They are regulations that have to be fulfilled before the officer of the immigration department can issue the visa class. Now it would appear from what you have told us this morning and in your submission that you do not meet the qualifications contained in those regulations.

Mr van Adrichem—We understood that the contractors that were used would make up for the employment.

Senator McKIERNAN—You were led to believe that by the officer in The Hague?

Mr van Adrichem—I do not know how to say that. It was not completely clear then.

CHAIR—It was an assumption that everybody made.

Mr van Adrichem—Yes.

Senator McKIERNAN—Where have you found out that that will not be the case? Have you been formally told by an immigration officer that it will not be the case that money spent—

Mr van Adrichem—As soon as we got in touch with Mr Campbell and said, ‘We put our contractors in as employment,’ he rang us back and said, ‘It is not as easy as you think because you are going to have a bit of difficulty with that, with using contractors as employment, because they only look at direct employment and the amount of hours they have actually worked, not the amount of money you have spent.’ I got in touch with the Industrial Relations Commission and the commission said, ‘If you employ someone who is 16 or 17 years old it will cost you around \$14,000 a year.’ So we thought that the amount of money we had spent on contractors easily covered the employment part.

Senator McKIERNAN—Is it feasible or practicable for a farm, a business the size of yours, to be required to employ two to three people on a full-time basis?

Mr van Adrichem—No.

Senator McKIERNAN—It is not practicable and not feasible?

Mr van Adrichem—No. Another thing with the business skills visa is that if you spent the same amount of money that we spent on the farm in a local business, you would probably use that many employees easily. But a dairy farm is a different business from a local business because we use contractors for a couple of weeks a year or something like that and then they go.

Mrs van Adrichem—And the profit is not so good that you can employ three people.

Mrs MAY—That was all detailed in your plan?

Mr van Adrichem—That we used contractors?

Mrs MAY—Yes. When you put in your business plan first, those sorts of details were in that plan?

Mr van Adrichem—In the business plan was the amount of money we would spent on contractors and things like that.

Mrs MAY—That was all in there?

Mr van Adrichem—Yes.

Mrs MAY—And the term ‘contractors’ was used, rather than employee?

Mr van Adrichem—It was the same as what is there—so much money for silage making, and so on.

Mrs MAY—So it is not specific.

Mr RIPOLL—I want to get a better understanding about what you understood, when you were going through the process and applying, would be the support you would get here and how the process would work. When you were in the migration office at the Hague and you were trying to find out about how you got here, who was going to be looking after you once you got here, how you would meet the criteria and all those sorts of questions, what information was given to you about that? What did you, in your own mind, think you would have once you arrived in Australia?

Mr van Adrichem—Because we already had our option on the farm and everything, they said, ‘You have done a great job, we will go through the process, we wish you luck, start your farm out there.’ They never said anything to us about having to contact an office or department or anything like that. Nobody ever got in touch with us about how we were doing.

Mr RIPOLL—Did you make inquiries about what follow-up you would have to do? Obviously there was some criteria, even if you did not understand it all.

Mr van Adrichem—We got a visa for four years, and in the four years we had to make an application for permanent residence. That was the only thing that was said.

Mr RIPOLL—Maybe you can describe it to me, but I will put it to you in this way. Was it the case, when you were trying to buy the farm and come over here to settle, that in your mind you were saying, ‘We want to live there permanently, therefore let us just try and get through the process and then once we are there, let’s see what happens’? Is that accurate or not? How would you describe what process you went through?

Mr van Adrichem—We were of the understanding that with our business plan behind us it would not be a problem to apply for permanent residence.

Mrs van Adrichem—I still do not understand why they make it so difficult. We have lived here now for more than three years, we have proved that we are not holding our hands up for money, and we do not get anything because we are not permanent residents.

CHAIR—So are saying there should be different criteria for people once they have fulfilled the four years.

Mrs van Adrichem—We have proved that we are here to work. We like it here, we love it here.

Mr RIPOLL—Have you used a migration agent at all to get advice in Australia?

Mr van Adrichem—We tried to, but it was not a big success. When we got our application forms from Hobart for permanent residency there was a list of migration agents we could use to help us fill out the forms and things like that.

Mr RIPOLL—But you have not used any of those?

Mr van Adrichem—I have been ringing them and ringing them and they say, ‘We will get back to you,’ but they never ring back.

CHAIR—They never got back to you?

Mr van Adrichem—No.

Mr RIPOLL—Who is helping you do your forms now?

Mr van Adrichem—At that stage the cows started calving and it was getting too busy, so we went to my accountant and said, ‘Can you put some time in? You have got some ladies in your office here and I cannot spend hours on the phone to sort things out, or wait for someone to ring back that never rings back.’ So he spent quite a bit of time on it. In the end he said, ‘Forget about the migration agent because she never rings us back and we tried to ring her every time.’ And then we came up with Mr Alan Campbell and he was quite supportive of us.

Mr RIPOLL—Where is he from?

Mr van Adrichem—He is from the Tasmanian Department of State Development in Hobart. He helped us quite well with our application and things like that.

Mr RIPOLL—What about the migration officer from the Australian government, from the department, is there any assistance there? Is there a contact person that you have?

Mr van Adrichem—I do not know whether Alan Campbell is a migration officer or not.

Mr RIPOLL—I do not know whether he is either, but through the whole process of coming here, was there one person who would be responsible for your case, a person that you could ring if you got into trouble or did not understand the process? Was there a person or office where you could go for assistance?

Mr van Adrichem—No. From the day we got here we had to sort everything out ourselves. We just went around and asked and asked and went around again.

Senator TIERNEY—Can we just go back to Holland to where the whole process started. Thinking back, what should they have told you before you came out here?

Mr van Adrichem—It would have been a good thing if they had explained better that we were not supposed to use contractors as we did. That was not completely clear to us. It would have been good if we had an office or a person we could turn to if we got in trouble. We never had something like that.

Senator TIERNEY—Which office were you dealing with in The Hague?

Mr van Adrichem—The embassy.

Senator TIERNEY—So all the advice you got or you did not get, that was the source, okay. You mentioned just then the employment criteria and how it was not explained that you had to employ three people, I assume permanently.

Mr van Adrichem—If you had state sponsorship you could have two employees.

Senator TIERNEY—But even that would be a bit unrealistic for dairy farming, would it not?

Mr van Adrichem—Because we have bought another block we have got one permanent employee at the moment. We employ him through NGT, Northern Group Training. I said to the people at NGT, 'I would like to employ him through you but can you clear up for me if they see that as direct employment?' So they went to Sydney, to the immigration office, but they would not give him in writing a statement that that would be seen as direct employment.

Senator TIERNEY—You are running a family business and, particularly with something like dairy farming, a spouse has a major role in the running of the farm and the business, and often children do as well. Do you think the regulations could be softened a little bit in terms of how you count people who are working as a response to the fact that you have set up a dairy

farm in Australia? Do you think in counting those numbers it is a bit unfair not to count your wife, it is a bit unfair to not count some of the work your children are doing as well?

Mr van Adrichem—You could turn it the other way around and let your children work for someone else and then you can employ an Australian citizen on your own farm, but it is a bit—

Senator TIERNEY—It is, and perhaps it could be relaxed a little.

Mr van Adrichem—I think you have to look at the type of business you have got. A dairy farming business is completely different from a local business in town or something like that. It is really hard to compare it.

Senator TIERNEY—So perhaps the regulations could be changed to take into account the nature of the business people are setting up?

Mr van Adrichem—I think so.

Senator TIERNEY—Now that you have been here for over three years—and this touches on a point that Mrs Gallus raised—you are applying for permanent residency. You are indicating, probably quite rightly, that what you have done here perhaps should qualify you. In what ways do you think those rules should be changed to account for the sort of things that you have done that you believe qualifies you for permanent residency?

Mr van Adrichem—That is a hard question. In the nearly four years we have been here, we have proven that we can take care of our family and ourselves. In those four years, we have had to pay all the taxes every Australian citizen does but we are not eligible for any family support or anything like that. I reckon we have proven in those four years that we can take care of ourselves and we are not here for handouts or anything like that. If you look at what we have done in the last three years, you will see how we improved and expanded the business. I think they have to take something like that into account.

Senator TIERNEY—Perhaps they should also take into account your contribution, not just by looking after all your family and paying your taxes, but also your contribution to the local economy.

Mr van Adrichem—Especially in regional areas. I do not know if you were here when it was said that Tasmania is struggling with a declining population. We come in with seven and now they say, ‘I am not sure.’

Senator TIERNEY—Perhaps it would also be appropriate for the government to take into account the nature of the business in the sense that, if you keep dairy farming in that area rather than, say, planting timber, it has a much more positive impact on the economy than just a straight measure of jobs on direct employment.

Mr van Adrichem—As I put in the papers, our business expenses in the last financial years were all spent in the local community and it has an impact on business in the community.

Senator TIERNEY—Thank you very much.

Mrs MAY—Just following on, you mentioned the lack of assistance when you arrived in this country and the lack of information that was available to you. Could you expand on the assistance given to you? You have brought a family. There would obviously be schooling and language problems. Would you say in hindsight now that it would have been helpful to you, first to have all the information you needed about the type of visa you had applied for but also help to settle in this country. You have just arrived with a family of five children. There are obviously going to be problems. Do you feel we could offer a little bit more assistance in that settling in period?

Mr van Adrichem—When we came over here and got an option I went to the schools in town and told them our plans. We asked if they had anything to help us and the schools were really good. They gave us some extra help.

Mrs van Adrichem—For one year.

Mrs MAY—For English?

Mr van Adrichem—For one year to—

Mrs van Adrichem—Help the children.

Mr van Adrichem—bring the children up to speed with language and everything. It was really good. We went to the schools and they told me what help they could supply and things like that. I have never asked for anything further from any government agency or because I went to the school and they told me what they could do. We thought that would be sufficient to get them going in school. I still think it worked out really well. The children are quite happy at school. I have never had any real problem that I could not get around.

Mrs MAY—So you reached into the community yourselves and you found that support come back from the community?

Mrs van Adrichem—Yes.

Mrs MAY—You have become involved in the community. You obviously left family behind. Has it been hard for you settling into the community?

Mrs van Adrichem—Yes.

Mr van Adrichem—Settling into the community is not so hard, especially in the area where we are. You have a community centre there, and neighbours do things together, and that works really well.

Mrs MAY—So you were included in those sorts of days?

Mrs van Adrichem—Yes, but that is also because a lot of New Zealanders are living in Togari.

Mr van Adrichem—They also came from another country; they faced the same problems, probably, as we have.

Mrs MAY—So they recognised what you were going through with your family?

Mr van Adrichem—Yes, because when we came over we had a real struggle with a container with our things in it. It was in the Burnie harbour; we could not get it out of the harbour. But our neighbours supplied us with plates, forks, blankets, everything—we did not have to worry about anything. We rented a house for a while, and there was one table with two chairs—and we were with seven people. We said, ‘What are we going to do?’ So we went into town to the shop and said, ‘This is our situation. We don’t know when they’re going to release our container. We’re without chairs.’ They got five or six cheap chairs for us, for \$50 or \$60. We said, ‘It is only for a few weeks.’ They said, ‘It doesn’t matter. Take them with you and when you’re finished, bring them back.’ I reckon the local community was really supportive. We never had any trouble with that.

Mrs MAY—So you could not really identify another area of difficulty as far as settling in the country? Apart from the migration problems we have all identified, the rest fell into place for you?

Mr van Adrichem—Yes.

CHAIR—I think earlier today you said you did not speak English?

Mrs van Adrichem—No, John could speak a little bit. But that was only school English, and that was 20 years ago.

CHAIR—You could not speak English, Carol?

Mrs van Adrichem—‘Yes’ and ‘No’—that was it.

CHAIR—How did you pick up language? You were isolated on the farm to a certain extent, so it must have been difficult for you?

Mr van Adrichem—Talking to people.

Mrs van Adrichem—Watching television, reading English books.

Senator McKIERNAN—But you have not got an American accent!

Mrs MAY—So you had no formal lessons in English?

Mrs van Adrichem—No, we had a few lessons in Holland, before we left.

Mrs MAY—Before you came?

Mr van Adrichem—We had an evening course for six evenings, or something like that.

Mrs van Adrichem—It was not that much.

Mrs MAY—Do you both write and read English now?

Mrs van Adrichem—Yes. Writing is not so easy but reading is. At home we still speak Dutch.

CHAIR—So you still speak Dutch? Did you insist that you both spoke English for a while, until you got familiar?

Mrs van Adrichem—No.

CHAIR—You all spoke Dutch at home?

Mrs Van Adrichem—That is because a lot of our friends and family are coming over every year, especially our parents. They do not speak any words of English. Otherwise, they cannot speak with our children any more. But our children are speaking more English now than Dutch.

Mr van Adrichem—They are changing over to English now.

CHAIR—As somebody who does not speak any other language except English, I can only but admire you. I suspect that were I in the Netherlands, I would not have anywhere near your proficiency with the language. On behalf of the committee, I thank you very much for coming today. I am sure you have been helping us enormously with the recommendations that we are going to make. We wish you the best of luck, and we hope to see you again as Australian citizens.

Mrs van Adrichem—Hopefully.

Mr van Adrichem—Thank you for that.

CHAIR—The committee wishes to accept the documents tabled by Mr and Mrs van Adrichem as exhibits.

[1.40 p.m.]

MAGEE, Mr Cyril William (Private capacity)

MAGEE, Mrs Joan Wilma (Private capacity)

CHAIR—Welcome.

Mrs Magee—We are here because we are trying to apply for permanent residency. We are currently in Australia on a 457 business skills independent executive visa.

Mr Magee—I am a farmer and a 50 per cent partner in Sunnyside Farm.

CHAIR—Although we do not require you to give evidence under oath, you should understand that these hearings are the legal proceedings of parliament and warrant the same respect as the proceedings of the parliament itself. Giving false or misleading evidence is a serious matter and may be regarded as a contempt of parliament. You have given us a submission. Are there any changes or corrections you want to make to that?

Mr Magee—No.

CHAIR—If at any time there is anything confidential you want to say to the committee, we can always move into camera and have a closed session, so do remember that. Would you like to make an opening statement?

Mrs Magee—In late 1997 Cyril sold the home farm in County Fermannagh. In early 1998 we were trying to decide where to go from there. He still wanted to dairy farm. He went to Canada and looked at farms in Canada. We knew what the criteria for a permanent residency in Canada were. Cyril's best friend and his wife were actually applying at that point in time. He came back from Canada, and we were told by our field officer for the milk company which we supplied that we should look at Tasmania as it was the 'in place' to dairy farm. We basically said, 'Where's that?' We got on the Internet and got information on dairy farms, and we contacted one of the real estate agents in Smithton, who laughed when we said where we were from. He said, 'Okay' and faxed us over lots of farm details and price ranges. We felt at that stage that we could afford to buy a farm here. Cyril thought that we should come out and have a look, so the six of us packed up and came out to Smithton for three weeks, looked at farms but did not buy anything. We went home and looked at more farms in Scotland, and then Cyril decided that he would put an offer on the farm that we are on at the moment on the condition that we could get permanent residency at that stage. The farm was bought within one week of the first offer going on it, still on the condition that we got residency. We contacted Australia House in London, and they basically advised us that we would not meet the criteria for permanent residency, because we did not have a turnover of a million pounds in the last five years—I think it was, at that stage. They suggested that we apply for a 457 business skills independent executive visa, which would take weeks, rather than the normal six months it would take for permanent residency, and that, once we were on shore in Australia, permanent residency would be quite straightforward. We would have to employ one employee, and that is the way we went; we went with the 457 visa.

CHAIR—You have not actually applied yet, have you?

Mrs Magee—No.

CHAIR—But then you heard that in fact one employee was not enough, that you needed two, and you had not actually been given that information before then?

Mrs Magee—No. We were here only about 18 months when we decided we would gather up information as to what we would need. It was at that point that we were told in black and white that we would not make the points test.

CHAIR—You were told that, once you were here, there would not be any problem?

Mrs Magee—Yes.

CHAIR—Did you get that information from the embassy?

Mrs Magee—From Immigration at Australia House in the Strand in London. I would have the name of my first contact somewhere at home.

CHAIR—Was it in a conversation in which they said, ‘Get this visa. You will qualify for this visa. Once you are in Australia, it is pretty straightforward to get permanent residency,’ and you just accepted that?

Mrs Magee—Yes.

CHAIR—In light of your experience, can you think of how the system could be better? When we talked to you earlier you mentioned that you had been asked to do a program about farming in Tasmania but that you were reluctant to do it until you knew about your residency status and what your situation would be. You thought that, if you were to do that program, you would attract other people to come from Ireland to Tasmania. If you had that in mind—if you wanted to attract more people from Ireland to establish businesses of any sort, not necessarily dairy, in Tasmania—how do you think the system would work better?

Mrs Magee—I think all the information should be made available to the person who is considering emigrating. Then it is up to them to make an educated decision based on all the facts before them. We did not have all the facts. Somebody said earlier, ‘Did you ask the right questions?’. If you do not know the right questions you cannot ask them.

CHAIR—That is quite right. Do you think the criteria are too difficult to meet or should be changed in different circumstances?

Mrs Magee—In our circumstances, a dairy farm will not sustain a family of six. If you do not get state sponsorship, there are three full-time employees. It is just not possible. For that same criteria, you must have a turnover of \$200,000. If you are at the minimum amount of \$200,000, at least \$100,000 of that will be needed to pay employees. There is no way \$100,000 can maintain the farm plus a family of six.

CHAIR—You mentioned earlier outside the hearings that your daughter was the only one staying at the hostel in Burnie who was not getting some sort of assistance. Do you find that difficult or do you accept that, as part of the contract you are under, your children do not get any Commonwealth assistance?

Mrs Magee—We accept it as part of that fact, but it is a bit hard for her. Her best friend gets nigh on \$200 a week over the year.

CHAIR—Is that Austudy?

Mrs Magee—She is getting Austudy, isolated allowance and a living away from home allowance. When you add it all up, I think it averages out at somewhere in the region of \$200 a week, which covers her rent, and she has a ransom of pocket money. Shanta gets her rent and she gets \$30 pocket money, which covers her for lunches, any emergencies, toiletries and anything else.

CHAIR—Do you give her that?

Mrs Magee—Yes.

Senator McKIERNAN—When we were on the farm this morning you mentioned that you have an employee who is employed on a group training scheme and you have been told that that will not make you eligible for measuring the extent to which you are meeting the employment criteria.

Mrs Magee—That is Mr and Mrs van Andrichem's situation.

Senator McKIERNAN—Have I got it wrong?

Mrs Magee—Yes.

Senator McKIERNAN—Thank you. I have obviously missed my opportunity to direct a question to them about that. Is it viable for a farm or a business of your size to meet these employment criteria?

Mr Magee—No.

Mrs Magee—No.

Senator McKIERNAN—Do you appreciate why the regulations on business migration and state-sponsored migration schemes are in place?

Mrs Magee—In the migration scheme, the minimum we have to invest in a business is 10 per cent, which can be \$75,000. If there are three employees in that business, that is great. But we have invested a heck of a lot more than \$75,000 and that does not count. We can sell our farm, invest it in stocks and bonds for the government and we can stay. That is a fact. I spoke to

the Rocks in Sydney, we went through everything and she said, 'Yes, you would have to liquidate your farm to be able to buy the government's stocks and shares.'

Senator McKIERNAN—I was alluding to the fact that in years past business migration schemes were rorted by individuals who sought merely to enter Australia. Money transference and a number of schemes that were not above board were implemented, and regulations were subsequently introduced to try to control them. You are facing part of that system at the moment; that is causing your dilemma. Probably the only way out of your predicament would be a specific class of visa to deal with the family farm situation. As you say, there are other businesses which would have less turnover or less capital investment which could meet the employment criteria, but the family farm, the dairy farm, would not be one of those. We really would have to be looking for discrete criteria for the family farm, or the dairy farm in your instance. Have you thought how we could resolve your difficulties at the moment?

Mrs Magee—You could look at an idea that there be a minimum investment where it is going to be guaranteed for X years, for example. The farm is not classified as an investment at the moment, it is classed as a business. It could be classified as an investment of a minimum amount. Do not put millions on it because not every dairy farm is going to cost millions. You could look at it as a long-term investment rather than just a business.

Senator McKIERNAN—You say the application for permanent residency would apply after two years, which is quite generous in international standards for migration countries, only a two-year qualification period. Would you be in agreement that were there to be a relaxation on the qualifying criteria that there ought to be a strengthening of the other requirements, for example, that there be a five-year qualification rather than two years? If there was a relaxation on one hand, should there be a strengthening to balance it up on the other?

Mrs Magee—We feel that we have already put in two years. Once you are granted your permanent resident status you are still not classified as a full Australian for another two years. We believe that people should not come here and buy farms unless they have permanent residency. We should not have been allowed to invest so much money in a dairy farm and be told that we still do not meet this criteria. That is how we feel at the moment.

Senator McKIERNAN—That is getting into the area of foreign investment in the country. That criteria does not apply to people who put millions and millions into mining operations, hotel constructions and so forth. There are few limitations on foreign investment in this country.

Mrs Magee—Yes, but if we wanted to be just foreign investors we could have bought government stocks and shares at the start, rather than to buy a farm.

Senator McKIERNAN—How do you see your way out of the dilemma you are in at the moment?

Mrs Magee—We plan to do is apply for permanent residency, as it stands. If we are turned down we will appeal, and if we are turned down on appeal we will go home. We will sell up and go home.

Senator McKIERNAN—And in the process Australia has lost a new family in this region, a region which needs new families.

Mrs Magee—Yes.

Senator McKIERNAN—Good Fermanagh people!

CHAIR—I will bring you up to date on that. There is apparently to be a change in the regulations which will start on 1 November. If the Magees cannot reach the points, they can apply through the Tasmanian Development Commission, and if the commission says it is an exceptional circumstance and gives them support, then the Magees will be able to apply for their permanent residency. That starts on 1 November. The regulation has not been published yet.

Senator McKIERNAN—That makes it difficult for legislators because all of these regulations, when they come in, like proposals by the government for the parent classification which is supposed to be in existence, is subject to disallowance. It can be overturned by the Senate. These laws, although they are made by government, are subject to the scrutiny of the parliament. What the chair has just told us now could be somewhat of a problem if we have not yet approved, or even been told about the regulations, during the course of a parliamentary inquiry. We have not been told about it by the department, not even a briefing.

CHAIR—The previous couple said that Mr Alan Campbell said that if they put it in now they could get it after November. That is the agreement that the minister has come to with the Tasmanian government. I do not know the details of that.

Senator McKIERNAN—I think that we should alert the department, who are appearing before the committee in Canberra, to ensure that their representatives who are appearing before us are in a position to respond to these changes in regulations, which I am certainly not aware of.

CHAIR—I am not even sure under what they come, but we will discuss that later. That was what the previous couple had been told by Mr Campbell, and I confirm that that is so. I suspect this is also obviously going to apply to you. I take your point that if you are going to invest in a country and move your family here, there is an expectation that, as long as you do the right thing, you would receive your citizenship as a matter of course. I can see that that expectation would be there, and would understand why you had not followed it up further in asking for details.

Senator TIERNEY—I would like to tie this nature of investment question down a little further, because I think it might highlight the problem with the regulations. It is now your understanding that, if you sold up your farm and liquidated it, bought government stocks and bonds and lived off the interest and put your feet up on the Gold Coast and did nothing that, under the current regulations, you would then be allowed to stay.

Mrs Magee—Yes.

Senator TIERNEY—But you would not be allowed to stay if you keep working very hard as dairy farmers?

Mrs Magee—Yes, that is basically it.

Senator TIERNEY—What is your reaction to that sort of a regulation?

Mrs Magee—It is pretty sad. If we sell up and invest the minimum amount in stocks and shares, it means we will not be employing anyone, either directly or indirectly. As we are at the moment, we are employing one part-time lady who would not have a job otherwise—and she enjoys it—and we would not be employing any indirect employees as we are.

Senator TIERNEY—How do you think that particular regulation should change in terms of the way they define employment? Currently, under the regulations, you are not defined as being employed, even though you are working as part of the business.

Mrs Magee—No.

Senator TIERNEY—The children obviously work on the farm as well, and that is not counted either.

Mrs Magee—No.

Senator TIERNEY—If there is a requirement for employment, how do you think we should redefine it? You might also talk about contract work in your answer as well, especially if we redefine employment.

Mrs Magee—The immigration office in the Rocks, which deals with all the business skills applications, works on the hours of employees. For example, if we had X number of hours it would not matter whether they were part time or contract as long as you can prove they have worked so many hours. It is 4,000 or something hours for two years.

Senator TIERNEY—So contractors that you might bring in during the haymaking season, as a total proportion of a year's work, would only count for a very small proportion.

Mrs Magee—Yes.

Senator TIERNEY—Therefore, in terms of your industry—dairying as part of agriculture—how realistic is it to have a requirement that people employ three people on a family dairy farm?

Mrs Magee—It is impossible. The children and I could go out and look for paid employment and then Cyril could employ Australian citizens to do the work that we do.

Senator TIERNEY—That would count then?

Mrs Magee—That would work then, yes.

Senator TIERNEY—Quite a contortion of the way things would normally work.

Mrs Magee—But that is how it would work.

Senator TIERNEY—Do you know any dairy farms in this region that would employ three people outside the family unit?

Mrs Magee—Probably the large farms on Woolnorth would, which is the largest dairy farm in the Southern Hemisphere.

Senator TIERNEY—It is a fair bit bigger than your farm.

Mrs Magee—We are actually classed as hobby farmers by the locals.

Senator TIERNEY—If I could turn to the question of what happened based on information before you came here, with hindsight what should you have been told before you came out here?

Mrs Magee—Everything. Perhaps they should have issued us with actual forms or the information that is on the forms for onshore residency application. They should have told us that no matter what we invested in it did not make a blind bit of difference. And they probably should have told us not to buy a farm.

Senator TIERNEY—When you did make inquiries was any comprehensive information given to you in writing about the conditions under which you were migrating and the sorts of rules that you would be expected to follow in order to get permanent residency eventually?

Mrs Magee—No.

Senator TIERNEY—Was there nothing at all in writing?

Mrs Magee—No, not for permanent residency.

Senator TIERNEY—I take it you got only oral advice over the phone.

Mrs Magee—Yes.

Senator TIERNEY—Which office were you dealing with?

Mrs Magee—Australia House in London.

Senator TIERNEY—Thank you.

Mrs MAY—From talking to you this morning, we learned that you did not have a face-to-face meeting with any immigration officials.

Mrs Magee—No.

Mrs MAY—All your inquiries were made over the phone.

Mrs Magee—Yes.

Mrs MAY—I suppose it was just luck that determined the information you asked for, which they sent.

Mrs Magee—Yes.

Mrs MAY—Was nothing extra offered?

Mrs Magee—No.

Mrs MAY—So you received only what you had asked for and nothing more.

Mrs Magee—That is right.

Mr RIPOLL—I would like to explore a bit because I need to get a better understanding of the actual process that you took before coming to this country. I assume that selling all your possessions and moving to another country is a pretty big life decision. Even if you did not know the right questions to ask—that seems to be a problem—what finally gave you the confidence to say, ‘Yes, we can go over to Tasmania, Australia and buy a farm, reside there for a number of years, then apply for a permanent visa and we will be okay?’ What in your mind made you feel confident that that would happen?

Mrs Magee—We were told that once we were onshore a permanent residency application would be straightforward. We were told that we would have to employ one employee and we reckoned that, if we were milking 200 cows, we would need at least one person. Cyril is a good farmer and he made the decisions to do with the rest.

Mr RIPOLL—So you felt pretty confident about that information? Was that the main issue when you were discussing how you would come here—the visas and so forth? Did that seem like a big hurdle? Did it seem like a major issue or just one of many issues?

Mrs Magee—We wanted to come to Australia as permanent residents. We never wanted to come on a temporary visa, but we were told to go on the 457 visa.

Mr RIPOLL—What about a scale of things that were really important? You probably have to deal with a million things when you go through this process, but were you told at the time about the employment part or the difficulty of meeting the criteria? Were you told that you really had to meet these criteria? Did anyone say, ‘Getting over there is easy, buying a farm is easy, but getting the permanent visa is not easy’?

Mrs Magee—No.

Mr RIPOLL—You have now found out that you have to meet all these criteria. Was that made clear at any stage?

Mrs Magee—No.

Mr RIPOLL—You said before that you have a number of options, including going out and finding a job yourself. Under the visa—

Mrs Magee—I can work.

Mr RIPOLL—That is fine.

Mrs Magee—Yes.

Mr RIPOLL—Can you give us some idea of the amount of money that you estimate—you do not have to give us the exact figures—you would spend on contractors or on hiring other people to work on the farm? Can you translate that work into monetary value?

Mrs Magee—In our first year, the contractors cost in the region of \$20,000. For the last financial year, it would have been about \$13,000. Our employee earns in the region of \$20,000.

Mr Magee—We still need our employee; our plans are not to do without her. Hopefully, somewhere down the line we will employ somebody else so we can take it a bit easier in a year or two. That was the plan.

Mr RIPOLL—You have been here for about two years, is that right?

Mr Magee—Yes.

Mr RIPOLL—When did you first become aware that you would have some difficulties meeting the criteria for the permanent visa?

Mr Magee—About a year after we came.

Mrs Magee—About 12 months to 18 months after we came.

Mr RIPOLL—How did you discover that?

Mrs Magee—After ringing the immigration department and asking for permanent residency application forms. In with that form came the criteria points and everything. I actually got an up-to-date package a few weeks ago.

Mr RIPOLL—Once you discovered the information, what did you do to meet the criteria, or is it just not possible?

Mr Magee—It is not possible.

Mrs Magee—It is just not financially feasible.

Mr RIPOLL—Thank you.

Mrs MAY—In hindsight, with what you do—you are a primary industry—and what you are contributing to this country, do you see any room within the regulations for us to put primary industries in a separate category, particularly in view of the fact that you cannot employ two or three people to meet that criteria?

Mrs Magee—Probably, yes.

Mrs MAY—Because your investment is still large in this country. You have a family, but you cannot meet those criteria for employing people directly. Indirectly it is obviously having an impact on the local community. In primary industry, particularly with the dairy industry, obviously you cannot employ that number of people. Would you know of any other industry, maybe a family business in primary industry, that would fall into that same sort of category—that could not employ and meet that criteria? That may be a hard one to ask yourselves as dairy farmers.

Mrs Magee—We have never investigated other primary industry.

Mr Magee—Do not get us wrong; there is enough work for three employees on a farm but we just could not pay them.

Mrs Magee—We cannot pay them.

Mr Magee—There would not be enough money at the end of the day to cover everything.

Mrs MAY—You need that money to look after your own family and run the farm.

Mr Magee—Yes.

Mrs MAY—You have your own expenses over and above—

Mr Magee—Yes, expenses and improvements.

Mrs MAY—So it is easier working with contractors and having them for a set period of time.

Mr Magee—For the amount of money that we have invested in our farm, we are not getting a good enough return to pay more employees.

Mrs Magee—For the last financial year we had a \$260,000 turnover and, at the end of the day, when everything was paid up at the end of the financial year there was about \$13,000 in the bank.

Mrs MAY—So the overheads are fairly high for the return you are getting?

Mrs Magee—Yes.

Mrs MAY—Thank you.

CHAIR—I will follow that up, because it is sort of associated with this. Obviously, by selling your property, you had income which you decided to invest here, and you have said there is enough work for three people but basically you are doing it with the help of one other person. You must think it is worth it. What is it that makes you think that this was a good thing to do?

Mr Magee—Do you mean as a farm?

CHAIR—Just as a thing to do with your life. You had that money to invest, and you could have invested it in other things, but you thought, ‘No, I want to come here.’ It is hard work, and we saw out there today how much hard work you do on the farm. What is it that makes it worth it?

Mr Magee—I always had a dream. I was brought up on a dairy farm and I have always dairy farmed. I had a dream of dairy farming on a grass based system, which you can do only in Tasmania or New Zealand. When we opted to move we could have gone to New Zealand, but it was too expensive to move to New Zealand so we went to Tasmania. We were fit to afford to buy a property here and set ourselves up, and I could do the type of dairy farming that I wanted to do.

Mrs MAY—It is a real dream that you would do it properly and have a great farm?

Mr Magee—Yes.

Mrs MAY—Why was it more expensive in New Zealand?

Mr Magee—Because land prices are about three times the price.

Mrs MAY—Land prices were more expensive there?

Mr Magee—Yes.

Mrs MAY—Forget about the immigration problems right now, if you can. If you had to sell this to somebody else in Ireland who wanted to come here, what would you say was the great advantage of coming here?

Mrs Magee—The weather.

Mr Magee—Climate. As far as farming goes, you have the same red tape regulations with farming—milk quotas and other things. I would not say farming is easier here, but you do not have the same problems with farming here.

Mrs MAY—Is deregulation of the industry going to affect you at all?

Mr Magee—At this moment, I do not think it is going to affect us too badly. We have had a rise in the milk price which, hopefully, will help us, will compensate. Our deregulation package that we are going to receive should compensate for some of the losses as well.

Mrs Magee—When we came here we did not know it was going to happen. We never planned for it so it did not really have a direct impact on us. Probably farmers who are knee-deep in debt will be affected.

CHAIR—You source Cadbury, so if Cadbury were to source its milk out of Victoria then your livelihood would be threatened?

Mrs Magee—Yes.

CHAIR—Is there any likelihood that that would happen?

Mrs Magee—They have promised they will be around for the next five years.

CHAIR—So for five years.

Mr Magee—At the end of the day, everybody is out to make a buck and, if they are not making that money, they will have a look at other options for their milk. Nobody is sure of their job, no matter what they are doing.

Senator McKIERNAN—In regard to the migration problem you have, what time lines are you working to? What is the currency of your current visa?

Mrs Magee—We have until 16 July 2002. We have nearly two years still to go.

Senator McKIERNAN—What ages are your children?

Mrs Magee—Shanta is 17, Richard will be 16 come November, John is 14 and Luke is 12.

Senator McKIERNAN—When will Shanta be 18?

Mrs Magee—That is one of the reasons why we are looking for our visas now. She will not be 18 for another 12 months.

Senator McKIERNAN—That is part of the reason why I am asking the question.

Mrs Magee—We have 12 months, basically, to get our visas.

Senator McKIERNAN—You mentioned the isolated children's allowance that you are not eligible for. Do you have Medicare under your current visa class?

Mrs Magee—We have—for these last four months.

Senator McKIERNAN—For four months?

Mrs Magee—We have had it for about four or five months, yes.

Senator McKIERNAN—What other government benefits?

Mrs Magee—That is it.

Senator McKIERNAN—You do not have any others?

Mrs Magee—No.

Senator McKIERNAN—That is Commonwealth government benefits. Are you eligible for all state benefits that are available?

Mrs Magee—We get nothing. We have not applied for anything. We do have Medicare now, after a long struggle.

Mrs MAY—Were you told that Medicare was available to you? Was medical one of the things you asked about? Private health insurance is a very costly exercise.

Mrs Magee—We have had private health insurance since we arrived.

Mrs MAY—All the way through?

Mrs Magee—Yes.

Mrs MAY—How did you come to access Medicare in the last few months? Were you entitled to it?

Mrs Magee—Being British citizens, we are entitled to reciprocal health care.

Mrs MAY—Right.

Mrs Magee—Every time we were sick, we would send in our application and they would send it back and say, ‘You have to get a letter from the doctor stating that this is immediately necessary treatment.’ It just became such a chore. Then we wrote to the manager in Hobart—apparently each state decides who does or does not get a Medicare card—and she wrote back and said, ‘If you can prove that you are here permanently, if you can send us a copy of the contract of the sale of your property back home, a copy of the contract of the purchase of the property here, your private health insurance documents and your insurance documents, we will consider your request.’ I sent an large envelope of documents to Hobart all countersigned by a JP, and about two weeks later we got our Medicare card.

Mrs MAY—Was it something you canvassed in your original application or at interview stage? Did you raise that with The Australian Embassy in England when you were first looking at coming to Australia?

Mrs Magee—No.

Mrs MAY—So that was just another wall you met when you arrived here in Australia?

Mrs Magee—Yes.

Mrs MAY—You believed you were entitled to it, and you still had to go through the hoops?

Mrs Magee—We knew we were not entitled to Medicare, but we knew we were entitled to reciprocal health care—which we felt was still not covering us, if you know what I mean. They just made it such a hurdle. Every time we went to the doctor, we had to go back to the doctor and get another letter from him. Instead, they could have told us when they sent us the reciprocal health care card, ‘You are entitled to a reciprocal health care card, but every time you visit the doctor you must forward a letter to us.’ It would have saved a lot of time and hassle for everyone, including the doctor.

Senator McKIERNAN—Is your daughter in Smithton at high school?

Mrs Magee—She is in Burnie, in Hellyer College.

Senator McKIERNAN—Are there plans for her or for any of the older children to go to university?

Mrs Magee—Yes.

Senator McKIERNAN—Are you aware of any probable difficulties in that area because of your current migration status?

Mrs Magee—We have not investigated anything, no. Is there something we should know?

Senator McKIERNAN—I actually think there is but I will talk to you off the record rather than on the record.

CHAIR—Thank you very much for appearing before us today. If we need any additional information, the secretariat will write to you but if you need any as well please contact the secretariat. Hansard will send you a complete record of what was said here today and if you notice any transcript areas where they might have misunderstood your accent and written it down wrongly, please just advise them of any changes you need to make to it. Thank you very much for appearing before us today and we wish you the best of luck.

Mrs Magee—Thanks very much.

[2.17 p.m.]

GOLDSTONE, Mr Mark Andrew, General Manager, Circular Head Council

HINE, Mr William Ross, Mayor, Circular Head Council

OLDAKER, Mr John, Councillor, Circular Head Council

WELDON, Mr Michael, Deputy Mayor, Circular Head Council

CHAIR—Although the committee does not require witnesses to give evidence under oath, you should understand that these hearings are the legal proceedings of the parliament and as such warrant the same respect as the proceedings of parliament itself. Giving false or misleading evidence is a serious matter and may be regarded as contempt of parliament. We have a submission from you. Are there any amendments or changes you would like to make to that submission? Before we commence questioning, would you like to make an opening statement?

Mr Hine—Circular Head Council represents the families here today. We come here in support of them because of the contribution they make to our economy. They have come out and invested heavily into the cornerstone industry of this district in dairy farming. They are hard-working people and we believe these people have made a significant investment in this district and we are here to fully support them, as we would any other family that wants to come to this region and invest in our industries—any industries. We believe that Tasmania has a declining population so why wouldn't we welcome these people who come to this area and invest. Our submission sums up pretty well how we feel about it. I believe, listening to the discussions this morning, that there needs to be more flexibility in the employment requirements, if you like, of the criteria or the regulations where I think that somehow or other we do not take into consideration the efforts made by the family as a whole, with the wives and the children and everybody working together. I believe there needs to be a little bit of flexibility. Overall, I would just like to put our submission which I think sums it up very clearly. I do not know whether any other members would like to speak.

Mr Weldon—I would only like to add that the Circular Head Council has been very proactive in seeking to encourage industrial development and growth in our district. As the Mayor has pointed out, Tasmania has a declining population and it also has problems with attracting and holding significant wealth generating industry.

Circular Head has embarked on a fairly ambitious program of seeking to attract industry. To that extent, we have used whatever avenues we can in the past and we are continuing now to make people aware wherever we can around the world that this is a very good place to invest and to bring industry to. As you are now no doubt aware, we are based on primary industries, dairying and beef, vegetables and a timber industry. So those are our principal industries. They are all wealth generating industries as opposed to the so-called new industries which seem to gobble up a lot of wealth but do not generate much. These primary industries do generate new wealth for the country. So we have been encouraging people to come and invest. These two families, for example, are two families who have come to invest in our primary industry area.

So we feel fairly strongly that people who come to our country to invest in it, to be wealth generators in it, should be encouraged and not discouraged.

We do feel—and I pick up a comment from the last witnesses—that there should be, within the regulations, a clause that does allow for people to invest in primary industry as opposed to investing in the casino or the stock market. Primary industry is directly wealth generating and employment generating and therefore, if people are prepared to come to our country and invest in our primary industries, they should be encouraged to do so, rather than discouraged as the current regulations allow. So that is also one of the reasons why we are here.

CHAIR—Thank you.

Mr Oldaker—I would like to endorse the comments made by the mayor and deputy mayor. I would just like to add that the area where these two families have come to in Tasmania, in Circular Head, has almost 40 per cent of the state's dairy industry, which is the cornerstone of the dairy industry in Tasmania. It is a great wealth creating industry not only for this community but also for Tasmania. We encourage those people, as we have seen a lot of New Zealand people come here into this country and invest heavily in the dairy industry. We would welcome the opportunity to see those people continue to come into our community, because it only adds to the strength of our community. They have been very good citizens in the time they have been here.

CHAIR—Thank you very much. I notice in your submission you have made six points which you think would assist, and they really do relate directly to the two families that we have already had discussions with. From that I gather that you have not experienced this in any other area apart from the primary industries area. Is that because there have been no other migrants in any other area or because the other areas do not have any problems?

Mr Hine—I have not experienced this before at all outside the two families that we have got here today. This is all new to me, so I have not had any experience with it. I do not think other fellow members have either. This is new ground for us.

CHAIR—Are you aware of any other migrants that you are getting to the Circular Head area?

Mr Weldon—We have a number of people in Circular Head who do come from overseas, particularly from the Pacific Islands. We have some from South-East Asia and we have a number of people, particularly medicos, who have sought to come here from South Africa and those countries. Of course, it has been extraordinarily difficult to achieve that. We do have currently in Circular Head enough medicos to supply our community, although we do know that in the not too distant future we are going to be losing some of those and efforts are already under way to try to attract more. One of the difficulties is getting people to come to country areas. There is a problem not only in getting qualified people to come to country areas but also in actually sourcing them. There have been attempts to get them from the UK and from South Africa and places like that but, again, one of the problems has been the particular requirements of the act which have made it difficult. If they come as business migrants or under all of the categories, there are impediments within virtually all of the categories that relate to not only medical practitioners but health professionals in general. There is a huge shortage of nurses

throughout the country and in regional and rural Australia, particularly in Tasmania. Getting qualified health professionals in all categories is very difficult.

CHAIR—Is the problem the migration conditions or the difficulty in having the qualifications recognised?

Mr Weldon—Obviously there are two parts to that, but we are concentrating on migration conditions. Five principal categories currently exist. If, for instance, a medico, wants to come to Australia from, say, South Africa to set up their own business—and therefore be a business migrant—they still have to have a fairly large sum of money to invest in stocks, shares and government securities to be able to do that. So they have not got the money to invest in their practice. Those sorts of things could be overcome, I have no doubt, but what people do when they see these various impediments is to say, ‘I won’t bother, I’ll go somewhere else.’

CHAIR—And you think these impediments do act as an overall impediment to migration?

Mr Hine—Absolutely.

Mr Weldon—Yes. I suspect that part of the reason for this amendment bill and for continually updating the migration legislation is that people have been coming into the country illegally. But we are not talking about illegal immigrants; we are talking about people who have come through the system properly and have fulfilled as best they can all of the requirements necessary, but still are finding impediments within that even though they may be very worthwhile, contributive people to our community.

CHAIR—Did you have any contact with the Magees or the van Adrichems?

Mr Weldon—Yes, we did.

CHAIR—Before they arrived?

Mr Weldon—No, not before they arrived.

CHAIR—Did you know they were arriving?

Mr Weldon—No, I did not. There have been other farming immigrants from the UK that we have been involved with, and they are here as very successful farmers as well.

Mr Hine—I think that goes to highlight the problem we have. The information should be flowing not only to the people involved but also to the municipality itself—the community—that these families are coming to. There should be some sort of introduction package for us and for them so we have the opportunity to meet them and to talk to them.

CHAIR—So, even though they came out under a regional migration scheme, the region was not informed that they were coming?

Mr Hine—No, and that is what I mean. It serves to highlight the problem discussed this morning—that the families themselves should have got the information package when they went and inquired about it in the first place.

Mr Oldaker—Just to highlight this for you, the first that a small communities know of something like this is that you hear that somebody from somewhere—whether it be from Holland or Ireland—has bought a farm, subject to certain criteria. Call it a gravy train, call it what you like, but that is generally the first time that you hear somebody is coming. That happens in small communities.

CHAIR—When you were aware that they had arrived, you made your approaches to them to say, ‘Welcome’?

Mr Hine—No, we did not, and I think that is where we fell down as a council. We did not have any sort of formal information or introduction in the first place because we did not really know. The people who were on the farm settled in for a long time before we even knew they were there.

CHAIR—What we are really asking immigrants to do is not only to immigrate here but also to be very aggressive and to go and introduce themselves to the community, as well as trying to set up their own businesses and everything else?

Mr Hine—Their children and their sport, as we talked about earlier in the day, has been the greatest thing and it is where community integration takes place. There ought to be a process in place where we know as a council that some sort of information comes to us—that the council is advised, ‘You’ve got two new families coming into your area—one is the Magees and one is the Dutch family.’ We needed an opportunity to formally introduce ourselves to them and to ask them whether they had any problems. We could have become involved earlier.

Mr Weldon—That is right.

CHAIR—You said you were aware of other farmers coming here from the UK that you had been involved with. How did you get involved with them?

Mr Weldon—It is interesting. That involvement came through a real estate agent who contacted me a few years ago and said he had a dairy farming family from the UK that wanted to come to Australia and they were having problems understanding the requirements through Australia House and through the authorities here in Australia. In the capacity I was in at the time I was able to make some contacts and phone the people in England. They have settled in quite happily and they are very active.

CHAIR—You took up a direct, almost immigration type of role with them?

Mr Weldon—I had to because at that stage they were having extraordinary difficulty in sorting out the bureaucracy. It was sorted out quite effectively.

CHAIR—From the UK they were having difficulty?

Mr Weldon—Yes.

CHAIR—Did you just explain what was required or were you actually doing things for them?

Mr Weldon—At that time I made some contacts with the department and with Australia House and tried to sort out some of these issues. There was nothing in it that was not within the legislation and the requirements; it was just a matter of sorting through the various problems that existed. The legislation has probably changed a couple of times since then—this was about eight or nine years ago. At that time the difficulty was to buy a farm here in Tasmania and to become part of the dairy farming community and the requirement was that they had to show they were able to do something that was going to bring new skills to the district or the country. We were able to show that indeed they could, so that was resolved.

CHAIR—You played a very concrete role in that. Do you see that councils can play that sort of role if an earlier contact is made?

Mr Weldon—Indeed, yes. The general manager is looking askance!

CHAIR—More work coming up.

Mr Weldon—More and more, local government is involving itself in a wider range of things other than roads, rates and rubbish.

Mr Oldaker—Because most local governments are now getting into economic development we see that as part of that economic development agenda anyway.

Senator McKIERNAN—What is happening within your community at the moment—are you in a growth phase, are you increasing or declining in population?

Mr Hine—The population is about static at the present time.

Mr Weldon—We are not in drought in Circular Head. Much of Tasmania is still in drought, but at Circular Head where we are, in the far north-east, there are the two areas—and they are prime dairy areas too—that are not in drought. In fact, farmers in Circular Head have been supplying fodder to the farmers in the midlands of Tasmania where the drought is pretty severe. That was initiated by our mayor.

Senator McKIERNAN—Where would you see potential growth in the area coming from? In asking this question I accept what was said earlier about primary industry being a wealth generating industry, but I would also put to you that it is not an employment generating industry.

Mr Weldon—That depends on how you look at it.

Senator McKIERNAN—Just on statistics.

Mr Weldon—But statistics can be made to reflect whatever you want them to reflect. As far as primary industries are concerned, we have looked more than once at the multiplier factors of what is produced in this area. Most of it goes out of the area, as you have no doubt become aware, but it is value added and processed and that is generating employment all the way down the line. For instance, even something with a low international price like butter is mainly exported—it is an export industry. So you have got it not only from the farm but right down to the wharf.

Senator McKIERNAN—You are counting the manufacturing side of the industry into the primary industry?

Mr Weldon—Yes.

Senator McKIERNAN—My question was on the primary industry.

Mr Weldon—But if there were no primary industry, there would not be the secondary industry.

Senator McKIERNAN—If that is the way you want to play it, Mr Weldon, then we will stick strictly to direct questions and, hopefully, direct answers. I put it to you then that, in the two cases we have had before the committee during our visit here to Smithton, neither of those enterprises is going to generate any direct employment in this area from their enterprises and businesses?

Mr Hine—We have got 54,000 dairy cows in this area of ours. To handle those 54,000 dairy cows, we have got probably something like 200. So on those farms we would average two people, at least. So there are 400-odd people in employment in the dairy industry in Circular Head—that is our biggest employer.

Senator McKIERNAN—Do you recall the question?

Mr Weldon—Yes. Using statistics it is accepted throughout the dairy industry, outside the farming part and in it—

Senator McKIERNAN—This is frustrating.

Mr Weldon—I am still with you.

Senator McKIERNAN—I have asked you a very direct question—

Mr Weldon—And the answer is yes.

Senator McKIERNAN—because I felt that you evaded my question earlier. So I will come back to a much narrower question related specifically to the two sets of witnesses that preceded you in this hearing. We have their evidence. If you choose not to answer the question, that is your right.

Mr Weldon—I would love to answer the question.

Senator McKIERNAN—We need the evidence as it stands from the witnesses themselves.

Mr Weldon—I would love to answer the question.

Senator McKIERNAN—Please do, and we would appreciate it if it was direct.

Mr Weldon—The answer is yes.

Senator McKIERNAN—You cannot be more direct than that.

Mr Weldon—No.

Senator McKIERNAN—Then go back to where I started my theme with the questions; where do you see the growth potential in this region coming from?

Mr Weldon—Where do we see the growth potential coming from or the growth in employment coming from?

Senator McKIERNAN—Both go hand in glove.

Mr Weldon—Good, I agree with you, they do. So if we can get growth in industry, we get growth in employment. Most of the industry growth will be in processing and developing of our primary products in the district. What we are aiming to do and what we believe will happen is that as our farms can become more profitable, which we hope they can do, then we can employ more people directly on farm. As our industries that rely on farm products grow, so they will employ more people. For instance, at Edith Creek there is a small factory there that now employs 60-odd people and that processes milk. That milk comes directly from the farms around it. There are two sawmills that employ between them about 120 people and they cut the timber that comes from this area. What the council is involved in is trying to stimulate further development of those sorts of industries.

Senator McKIERNAN—What specific skill shortages have been identified from that process?

Mr Weldon—The council has recently conducted a skills audit and an industry audit. We have found that we do need more professionally technically skilled people on our farms, because farming is becoming highly technical and highly skilled. I do not know whether you are aware of it, but we have a partnership agreement with the state government and one of the key parts of that is to improve the education capacities of our young people, especially in the area of primary industry. We are seeking to set our high school as a school of excellence in agriculture and primary industries generally. The reason for that is that we see the increasing need for intellectual and technical skills on farm, intellectual and technical skills in processing, both in factory and sawmills et cetera, for the various value-added products that we are looking for. We need people who are skilled. So we are seeking to improve the skills of our own people. Am I answering your question?

Senator McKIERNAN—Yes, indeed, thank you, I appreciate that.

CHAIR—Are you still on the employment angle because I think another senator wants to take up one of your points on employment.

Senator McKIERNAN—Let me finish with my last question and then I will pass it over to someone else, because it is still on the same theme. The minister on an annual basis has consultations right throughout Australia with various organisations, including state governments and the public. I might add that part of our brief for this inquiry is to examine the consultations that are taking place. I do not believe that the minister has actually come to this area for the consultation and I am not criticising him for that, because you cannot go to every local authority within Australia. In terms of those skill shortages that have been identified here locally, what consultations has your council had directly with the minister's representatives in Hobart?

Mr Weldon—With the federal ministers?

Senator McKIERNAN— Yes, the Department of Immigration and Multicultural Affairs.

Mr Weldon—I am not aware of any and the general manager is not.

Mr Hine—I am not aware of any, either.

Senator McKIERNAN—Have you sought to feed the study you have recently completed into the system?

Mr Weldon—The study that we have been engaged in has been an outcome, if you like, of our partnership agreement with the state government. We have regular consultations with the state government on the progress of the partnership agreement, so the state government is aware of what we are doing, but we have not—

CHAIR—Hopefully they are passing it on.

Mr Weldon— Hopefully—maybe—I really do not know. Our communication has been with the state government.

CHAIR—Senator Tierney wants to follow that line of questioning.

Senator TIERNEY—Thank you, Chair. There are many regions in Australia that once had a thriving dairy industry and that dairy industry has now shut down.

Mr Weldon—Scuttled.

Senator TIERNEY—Well, for varying reasons over the last couple of years. If dairying moved out of this area what would be the effect on the local economy?

Mr Weldon—I could be pretty partisan about this; I was fairly aggressively opposed to deregulation. But let me just say that we have already worked out that dairying is the mainstay

of the local economy and, if it disappeared from Circular Head, the community would inevitably collapse. There is potential, and there is already growth in the forestry industry—plantation forestry—but in terms of employment and in terms of the local economic infrastructure, dairying is what sustains it.

Senator TIERNEY—There was a figure mentioned this morning that I wonder if you would mind commenting on. When a dairy farmer sets up, the downstream effect in the economy, if you go right down to the end of the production line, is that it would employ five people. Given the way that dairying works here in relation to the rest of Australia, the figure would be based on the Tasmanian economy, I take it.

Mr Weldon—That is what I tried to put to Senator McKiernan but he did not want to hear it.

Senator McKIERNAN—The question?

Mr Weldon— I misunderstood the question, Senator.

Senator McKIERNAN—Fair enough.

Senator TIERNEY—But the point is still valid—and this is why I have moved on from what Senator McKiernan was saying—that if the employment is not directly on the farm it is often very indirectly on downstream projects, plus local spending.

Mr Weldon—That is right.

Senator TIERNEY—Do you have any figures to confirm that the multiplier is about five—which is very high, actually, for an industry?

Mr Weldon—There was a study completed in 1995 by Davey and Maynard. They are agricultural consultants and their figures were used extensively throughout the dairy industry to support the need for a review of the income for farmers—particularly in Tasmania but I know that review was looked at in other states as well. The multiplier they used was between five and six. We have found no reason to be disabused of the work that they did.

Senator TIERNEY—So we have a case here, in support of all that, of two migrant families coming out and buying farms and wanting to continue in dairying. Another scenario might have been that, instead of them coming out and buying the farms in this region, someone might have bought the farms and planted trees, which is providing an economic product. But say, suddenly, all your dairy farms turn into tree farms; what is the effect on your economy if that happens?

Mr Weldon—That is very hypothetical, because it has not happened.

Senator TIERNEY—It has happened in some hasn't it?

Mr Weldon—But what we are aware of is that a number of farms, because of the current economic climate for many dairy farmers, have been offered a price by tree farmers that was attractive enough that they sold and their land has gone into trees. Those trees are now growing

but the families that were on those farms previously have left the district. Therefore we have got lower numbers in our schools, fewer people buying from our main street—

CHAIR—It is a buyer effect rather than a multiplier effect.

Mr Weldon—Exactly. The argument from the tree people is that, over time, they will be bringing people into prune the trees and finally harvest the trees. But that could be 30 years down the track. Anyway, that is an argument, and my colleague—

Mr Oldaker—Not wishing to create a disturbance here with my colleague!

CHAIR—Go ahead!

Mr Oldaker—I am one—and I have to use this example to answer your question—who sold a farm to the plantation timber and was able to buy a better place. Not everybody leaves the district, Senator.

Senator TIERNEY—That is good. But the land use does change, doesn't it?

Mr Weldon—It does, indeed.

Senator TIERNEY—Was it blue gums that were planted?

Mr Oldaker—Yes.

Senator TIERNEY—Which take 12 years to grow—very fast—employing people while you plant them, employing people while you fell them and then for 11 years employing no-one.

Mr Weldon—That is right. And we, as a council, have to maintain the roads and the infrastructure and all the rest of it over that time.

Senator TIERNEY—There are those big timber trucks that go over the bridges.

Mr Weldon—Yes—not B doubles; B triples probably.

Senator TIERNEY—That is right. Just returning to another point that was raised—

CHAIR—Before you do that, can I just take one question further. Tasmania has now become quite famous for its cheeses, so is that another value added effect; that, once you have the dairy farms, there is this expansion into various kinds of cheeses? Is that helping this area and creating employment here?

Mr Weldon—Unfortunately, not right now. The difficulty is that Circular Head is currently being used as a provider of raw materials—in this case, the milk—and that is being trucked out of the area every night. There is one small cheese factory in the district. We are seeking to bring factories back in. That is part of council's drive, to actually bring the value adding processing industries back into the district rather than send our raw materials out all the time.

Senator TIERNEY—Are you having any success with that?

Mr Weldon—We are getting there.

Senator TIERNEY—So someone is actually going to come in and set up?

Mr Weldon—We are getting there.

Senator TIERNEY—There are hopeful indications?.

Mr Weldon—There are very hopeful indications, yes.

Mrs MAY—Are there many dairy farms being sold?

Mr Weldon—Since deregulation, in this state some 50 farms have gone out of dairy. There has also been a fairly dramatic drop in the number of dairy cattle. That is since about June-July this year.

Mrs MAY—You would see that continuing at that sort of rate with deregulation?

Mr Weldon—It depends. The tree people are backing off a bit now, so farms are not being sold up quite as quickly. But we are very much in a state of flux right now, so we would not want to predict or project too far on that just yet.

Mr Oldaker—To answer the question, it really depends on the commodity prices as to what they will do, as to whether or not more farms will be put up for sale. It depends on the debt level amongst some young dairy farmers in the future. As to whether the high country goes into trees will depend on what the commodities are paying. If companies like Bonlac or Lactos come out and pay a decent price for milk, farmers will not go into trees.

Mr Weldon—That is right.

CHAIR—But this is always a cyclical thing, isn't it? It could be that the prices for milk go down and people sell out to trees because the tree prices are high. But in five years the whole thing could be reversed. By that time, though, if you have gone out of the dairy, it would be very hard to move back.

Mr Hine—Especially if you have trees growing there.

CHAIR—Especially if you have trees there.

Mr Weldon—That is right.

CHAIR—Just trivially, though, instead of buying King Island cheese, will we be buying Circular Head cheese? Is that a plan for the future?

Mr Weldon—The world prize winning cheeses for the last five years initially came from United Milk, which was here. It has since been bought out by Bonlac, but they are still getting world championships.

Mr Hine—We hope to see Circular Head cheese with a label that says that it has been produced in the cleanest air in the world.

Senator TIERNEY—Finally—and this goes back to a point that was raised earlier about people migrating to this area and the rather hit and miss way of knowing whether or not they are there—do you have any suggestions on what sort of mechanism should be set up between local migration, presumably out of the Hobart office, and your council when people do move into the area?

Mr Weldon—Indeed, yes. Part of the reason for regional migration is to encourage people not to go to Sydney and Melbourne necessarily and fill those places up.

Senator TIERNEY—Our Premier says Sydney is full. He really would like people to go somewhere else.

Mr Weldon—Rural and regional Australia would like to see more people coming out instead of congregating in the cities too. We believe firmly that the real wealth of this country is generated not in the cities where they spin around on the casino of the stock market but in rural areas where the real wealth is produced. We want to see well-educated and well-trained people coming out into regional and rural Australia. The regional migration program which is there to encourage people out into regional areas should be linked very much more closely with local governments so that we can have some input into letting the migration authorities know what is in our districts. In that way, when they are talking to people in Australia House in London they can have a bit more information about what regional areas of Australia can offer people. And we want to be in a position where that information is fed back to us. As the mayor and the general manger pointed out, if we had a little bit more input and a bit more feedback then we would not have the situation that we have now with these two families. Also, we would be getting some really good people coming to our district.

Senator TIERNEY—Is there any link at all between the Hobart office and your council? Is there any flow of information relating to regional migration?

Mr Weldon—No, none at all.

Senator TIERNEY—Not a word, a letter, anything?

Mr Weldon—Not a whisper.

Mr Oldaker—If we are going to have these people come into our regions and invest in agriculture then the impediments that are before these people at the present time have to be addressed. Everybody says we have to get them out of the major centres and into the regions. But if you have got these impediments, that soon gets back to the country where these people come from and they will say, 'Don't go to Australia or Tasmania or any other state for that matter because you have got all these impediments.' These people could have gone to New

Zealand or Canada. If they had gone to New Zealand they could have got their citizenship in four months, and then they could have come into this country unimpeded as New Zealand citizens.

Senator TIERNEY—That's true.

Mr Oldaker—It is absolutely crazy to allow that sort of thing to be going on. If we are going to stand up and get people to come to our regions then that impediment has to be dealt with and dealt with forthwith.

CHAIR—Good point.

Mrs MAY—Going one step further, Mrs Magee was saying to us this morning that she has been invited to become part of a link up with Ireland in promoting the region. Leading on from what you are asking, 'Why would people come?', could you see a role for council getting involved with someone like Mrs Magee, with Irish families who may want to come here as dairy farmers, in promoting the region, you actively becoming involved?

Mr Oldaker—Absolutely.

Mrs MAY—How are you promoting your region now? I notice in your submission that you say you are very active in promoting your region and trying to attract people here. How are you going about that?

Mr Hine—We are probably not doing it very well at the present time. The fact that real estate agents are making contact with the families shows that. We should be talking to the real estate agents, or they should be talking to us. There is a breakdown in communications there because they knew these families were coming and sold them the properties. There has been a breakdown in communications. It is something we need to address ourselves.

Mr Weldon—There are other things that we can and have been doing. We have been doing that through our tourist promotions and our encouragement for business investment and through industry generally. The other way is that we have been getting involved in discussions with sister city relationships and that sort of thing. There was a conference in Darwin where councillors met up with people from all around the world, again promoting our area. Sure, we could set up these sorts of things with countries all over the world. I think the Irish one is probably a very good one, although people seem to be going to Ireland now rather than leaving it. So those are some of the ways that we can do that and we can probably improve on some of the ways we have been doing it. But we have been promoting ourselves, trying to encourage people to come. It is just difficult to do if you are a small community locked away in the far north-west coast of Tasmania.

Mrs MAY—Your resources would be stretched a little, too, as far as the sort of promotion you can do?

Mr Weldon—Yes, but we think it is important to do it, so in the council budget we have put a sum into the economic development program to encourage, in whatever way we can find, development in our district, which includes encouraging the right people to come here.

Mr RIPOLL—You have already answered this question, but I just want to make sure we have got it absolutely correct about what support, advice, assistance, information or anything you get from the federal government in relation to business specific migration. Is there no contact whatsoever? You do not get any brochures, any forms?

Mr Weldon—Nothing.

Mr RIPOLL—There is nothing at all that your council is informed of?

Mr Goldstone—The first time we were notified that this was an issue was just a few weeks ago, when Mr and Mrs Magee approached council. That was the first time we had even heard of the problem. We have had no information, no pamphlets or anything, as far as I am aware. It has been very quiet.

Mr RIPOLL—We have found in a lot of other areas where we have had public hearings that councillors have been actively involved in encouraging people from other countries to come over. They have done skill audits and are trying to fill skill gaps and shortages, so they have been actively involved in trying to encourage people. In doing that, they are also setting up their own support mechanisms. I suppose that, now you have become aware, that might be something you might look at.

Mr Hine—I believe there is an opportunity for us to get involved in that, now that we are aware of it.

Mr RIPOLL—You mentioned earlier that there was a difficulty about people understanding the requirements—I think the mayor said that people do not fully understand what all the requirements are. The Magees from Ireland were mentioned. That raises the question that if people from English speaking nations are finding it difficult to either get the information or communicate all the information, how much more difficult is the situation for people who come from, say, Holland or other non-English-speaking countries?

Mr Hine—It must be very difficult. In discussions this morning out at the farm with the Magees, the question highlighted was why, when they applied to come here, all this information was not given to them in some sort of a kit or package at that time? It seemed to me that they did not know what a lot of the regulations and requirements were. That is a bit unbelievable, especially when someone sells up their farm to move to another country with their family—a big move, a big commitment.

Mr RIPOLL—Your situation here might be a bit unique as it is specifically relating to primary industries and maybe some special circumstances of regional Australia, but is there anything specific you would change now that you understand a bit better what the system is and how it works? What would you make easier, given that you do not want people to abuse the system? I know the families that we have spoken to are very genuine, but any system is always open to abuse. What would you put in place, what would you change?

Mr Weldon—The communication between the authorities and our council, for a start. If somebody came and talked to us and gave us a clear understanding of all of the requirements, then as we relate to the department and with people overseas we would be better informed and

able to make sure that all of the requirements are well understood by us and by those who come. Therefore, communication between the department and us would be the first thing.

Mr RIPOLL—What about the issue of employment? There are very strict criteria on the number of people to be directly employ. What is your view on that, just generally?

Mr Weldon—From what you have heard today—I do not know whether you have heard it around the rest of the country as well—it is fairly clear that, with due respect to your secretary, the bureaucrats have put together these employment requirements and they do not understand what rural and regional Australia is all about. For instance, if you are going to invest \$750,000 or something in a dairying property, to make an income out of that you certainly cannot employ three people as well, but your investment is still there. It is not in a casino of stocks and shares; it is in wealth producing land.

Mr RIPOLL—So what you are saying, if I understand correctly, is that the employment criteria may be appropriate in differing industries but may be different depending on whether it is primary industry or other things.

Mr Weldon—Precisely. From what we have read of the requirements, we feel fairly strongly that there ought to be some consideration given to a section that allows for investment in primary industry or in farming, particularly farming, that does not have that corollary of high employment associated with it.

Mr RIPOLL—With the criteria there is actually a points system. What is your view with the points system? It is fairly straightforward. It is age and you get a certain number of points. I am sure you have seen the system. What is your view in terms of those criteria? Do they seem functional? Do they seem adequate?

Mr Weldon—We have not got an argument against the points system. Obviously you want to encourage a certain level of skill, a certain level of competence and a certain level of financial viability. You want to encourage those sorts of attributes and the points system applies to that, so we can see that.

Mr RIPOLL—Are there any particular ones there that you think might be essential and are well structured or some that probably are not fair? For example, there is language ability, there is age, there is a whole range.

Mr Weldon—You are right. There is a whole range. I have only the investment link one here but there are others.

Mr Hine—There is one there with the business investment attributes. At least \$750,000, that is the lowest amount of money. That seems to be fairly high, doesn't it? Maybe that could be lowered a little bit to, say, \$500,000.

Mr Oldaker—I might add that the points system which is in place—that is, to have to employ three labour units in a farming enterprise—is unfair, given the circumstances. As my colleague has already stated, it might be fair in metropolitan businesses where they are going to

buy into some business that might employ seven or eight people quite easily and justify that, but for a family farm operation to come in and have to meet criteria like that is unfair.

Mr RIPOLL—Is there a relationship there between the net investment and the number of people employed? Obviously to buy a farm is a bigger investment in terms of actually purchasing it.

Mr Weldon—That is one of the facts of farming. It is a huge investment. The average dairy farms in this area are million-dollar enterprises but the average of those farms employs a man and his wife and maybe a bit of part-time help but that is a million-dollar enterprise. Take a million-dollar enterprise in Burnie or Devonport and you are probably employing half a dozen people or more. Farming is a high investment cost for a fairly modest return and it attracts people who have either got experience in it or feel they want to make a positive contribution to their community, to the wealth of the nation or want to live in the country.

Mr RIPOLL—On a slightly different track, migration is always a major issue in our country.

Mr Weldon—We are a migrant country.

Mr RIPOLL—We are absolutely, and that is why I say it is a major issue and it is a very emotive one. How much would you encourage it as a council in an area like this where you are looking for growth? How much do you turn to migrants to come and fill spots that you are missing?

Mr Weldon—The only way we can really answer that is to say we have a number of people in our community who do come from other countries and they make a positive contribution.

Mr RIPOLL—I probably did not phrase that question correctly. It is not so much about migrants coming over, migrants coming in under this specific visa classification which is a business entry. There is a range of different ways you can come in.

Mr Weldon—That is right—categories.

Mr RIPOLL—Particularly under this business category, which clearly identifies that, if people want to come in under this visa system, they have to have a certain amount of investment and meet certain criteria including appointments and so on. How welcome do you think that is in terms of trying to get people into the country?

Mr Weldon—As I think the Mayor has already pointed out, for people, coming into a district such as ours, who could make a positive contribution to the wealth generation of the district and the flow-on employment factors, 750 is a bit high.

Mr RIPOLL—Thank you.

Senator McKIERNAN—You mentioned in your submission about needing professionals in the area. If you found a professional in an overseas country who wanted to come here and you

wanted to sponsor him under the state sponsored migration schemes, do you know where you would go to seek accreditation of that sponsorship?

CHAIR—I think you have just got your answer.

Senator McKIERNAN—You talked about the lack of consultation with your council. Are you aware of any consultations that take place between the minister, the department and local government organisations? I assume there is a Tasmania local government organisation. Do you know of any consultations that take place on these matters?

Mr Hine—Not to my knowledge. I am a representative on the local government association committee, the general management committee. I have only been on it for two years but I have not had any information about that at all.

Senator McKIERNAN—Finally, Mr Hine, you mentioned in one of your earlier comments that the regional sponsored migration scheme was to keep people out of Sydney and Melbourne. Would you be surprised, or indeed shocked, if you found that Melbourne was actually included in the regional sponsored scheme as a designated zone?

Mr Hine—Yes.

Senator McKIERNAN—Specifically, what about Hobart as opposed to the rest of Tasmania? Hobart is included, as is the whole of Tasmania. Do you think there should be some segregation between the capital city and the regional areas of Tasmania?

Mr Hine—Yes, I think there should be.

CHAIR—I thank the Mayor, Mr Hine, the Deputy Mayor, Mr Weldon, the councillor, Mr Oldaker, and the General Manager, Mr Goldstone, for appearing before us today. Your information has been very useful. If we have any questions, we will get back to you. A copy of the *Hansard* record will be sent to you.

[3.09 p.m.]

WOO, Ms Grace Hui (Private capacity)

CHAIR—Although we do not require witnesses to give evidence under oath, these hearings are considered to be proceedings of the parliament of Australia and should be given that respect. Any misleading evidence is regarded as contempt of parliament.

Ms Woo—I am a newly registered migration agent and I was a migrant 10 years ago.

CHAIR—Thank you. You have not given us a submission today. Perhaps you would like to make an opening statement.

Ms Woo—Thank you. I want to express myself just as a citizen and a local resident. There are some things that might not be very accurate and that is the thing I feel need to be improved in the migration laws. First of all, in the regional migration criteria, I feel we are not very flexible. The two people from Circular Head Council area are very lucky that they get the Circular Head Council to support them. We are a regional area and a lot of parts here are different from Melbourne or Sydney. Also, industry there is different from local industry. If you employ three full-time people in the retail area or in the processing area, that is very easy, but for farming it is a different story.

We should give more weight to the role that local council could play in helping this regional migration scheme. The four Circular Head Council people have come here to support these two families. First of all, they know what is going on. They know these people have put massive money in this area. They have generated jobs and they are trying their best. They help the local business and economy. From my point of view, we desperately need more people and migrants living in regional areas to build up the economy here. Any effort should be encouraged and not discouraged. These people have come here and put their money here. They work hard to get through all the difficulties. We should give them credit for whatever they have done. If the local council can prove that they have been trying their best, even though they have not met 100 per cent of the criteria, we should welcome them to Australia. That is my personal point of view.

Turning to the regional migration criteria, we should give more encouragement to people coming to this area not only from an investment point of view but for family reunion as well. At the moment we give five extra points to people having families or relatives migrating to regional areas. I think we should look at it from another point of view. Some people have their families coming here to get a five-point advantage and two years later leave the area because they feel this is not their ideal place to live. We can improve things by having a bit more monitoring where local government can keep an eye on this family. If they stay here only two years just to satisfy the migrant criteria, they should have more contribution to local area as well. That is my personal feeling on these two points.

In the last year I have been working very hard to try to get students to come to this area. To promote Tasmania is very hard. We are a very small place compared to the rest of Australia. We are very little. We do not measure much in the world. We are losing population. We want more people coming here to invest, students and visitors. Any people who can come here and improve the economy we would welcome. I have been trying to get students from China to

come here to study. That is part of my contribution to the local people or economy. Students coming here bring visitors. Then there is the possibility that they bring investment and with investment we can have more employment.

On student visas, there is no specific mention of regional areas for students coming to study in regional areas. That is the part we should put down in immigration laws and regulations. In China we need a family to have 600,000 yuan in a term deposit for half a year and the family to have at least 20,000 yuan, which is \$A4,000 to \$A5,000 income monthly, to be able to sponsor a student coming here. I think we can do something more flexible. In China it is difficult to have a 20,000 yuan monthly income but the family can save up the money. Why don't we use a local government bond system? The family may not have 600,000 yuan in the bank for a term deposit for more than half a year. That is a lot of money. It is \$A100,000 in Australian money. If they do not have a 20,000 yuan monthly income but this family has something like 300,000 yuan or 400,000 yuan, and they want to send their children to study English in an English speaking country, we should give them the chance as they pay their tuition fees and make a contribution to the local economy. The living cost in Tasmania varies highly from that of Melbourne or Sydney.

CHAIR—Can I take that up with you. From your experience, if young Chinese students came to a regional area like Circular Head, wouldn't they find it very isolated? If they were coming here especially to learn English, they would have very few people to communicate with until they could actually speak English. Would that not be difficult for them?

Ms Woo—When I came here, I was 25 years old. If we are talking about being 15 years old, I would probably have a bit of a difference from them. We have overseas students coming to this area in Circular Head as well, in Burnie and Somerset, in Hellyer College, as exchange students. They have about the same background—the only difference is that their family does not pay a big sum of money. They are at a young age. Some of them do not speak a lot of English. These are students who can fit into society well after a certain period of time. So I think there could be problems but they will overcome them in time.

CHAIR—Do you think there would be an interest in China for migration to this area?

Ms Woo—I have had a lot of people inquiring about that. I positively answer that there are a lot of people interested in migration into this area or into Australia. They do not know of any specific area in Tasmania.

CHAIR—Are you working as a migration agent?

Ms Woo—I have just started.

CHAIR—So you have not brought anybody here yet?

Ms Woo—I am just trying to bring two students over.

CHAIR—So you have not got any experience yet. Under the regional migration scheme, they would have to bring something to contribute to the area. What sorts of skills do you think that people, who would be prepared to come here, could contribute to the area?

Ms Woo—In a small community there are a lot of fields where people can bring their skills in—the retail industry, the hospitality industry, tourism, medicine or health. I think that in some of the industries we desperately need people to come here. We should make known the people we want and the sort of people we need in the area.

CHAIR—You made a comment that people could come here but after two years they might even go to a different area. How would you get them to stay in the area?

Ms Woo—We should do things the other way around. If they apply to come to Tasmania or to a regional area, they get five points straightaway. We should encourage investment people to come. Two families from Holland and Ireland came to this regional area themselves. If they apply for their relatives to come, we should give more weight to their application.

CHAIR—Are you saying that we should give more weight to their application or to their relative's application?

Ms Woo—To their relative's application. We should encourage them more on this point to bring their families or their relatives—not coming for the dole.

CHAIR—Yes, I understand.

Senator McKIERNAN—If you were in the two families' shoes, would you be encouraging your relatives to come to Australia with the experiences that they are having now?

Ms Woo—No. Not after what these two families have gone through.

Senator McKIERNAN—Your comments about greater involvement of the local government in migration decisions are worthy of just a bit more exploration. You would be aware, as a migration agent, and having done the courses in order to qualify, that the Migration Act was dramatically changed in 1989 to bring in a system of codification. The criteria for each particular visa class were laid out and publicly available for applicants and for the determining officers. The application had to meet, in some cases, very basic criteria, but in other specialised areas it had to meet much more elaborate criteria. We have talked about some of those criteria this morning. Could I take it that what you are putting to the committee today is a reversal of that process—that you want to go back to more of the word of mouth decision making and influence in decision making?

Ms Woo—Yes. I think local councils or local governments know more than people who sit far away. If we put more weight on the role people play, I think that would be more direct and more accurate.

Senator McKIERNAN—But that decision would be made, in the case of the individuals we have been talking about, in the Hague, the Netherlands, or in London, the United Kingdom or for China the decision would be made in Beijing.

Ms Woo—In Beijing, yes.

Senator McKIERNAN—Where then does the local government involvement come?

Ms Woo—You mean here?

Senator McKIERNAN—No. I am asking you where you see the local government being involved.

Ms Woo—Which local—here or Beijing local?

Senator McKIERNAN—You put the proposition to us.

Ms Woo—If a 457 visa needs to be approved, they have to go back to Beijing. We have people from Australia over there to sign the papers, but a lot of employees over there probably have no idea about what is a specific regional area in Australia. They probably do not have the knowledge.

Senator McKIERNAN—It is in the regulation.

Ms Woo—It is in the regulation, yes. What I mean about the regulation is that it seems like we are looking for Cinderella to fit into the perfect shoes. One industry differs from another industry and one area differs from another area as well. There is also another point in the business migration criteria: the family has to have a personal asset of \$100,000 to be able to meet the criteria for the regional business migration criteria. You can have a look around. In our area, a \$100,000 house in Melbourne is nothing. You can probably only buy a toilet. But here, a lot of average houses are only around \$85,000. Why do we not encourage these people to put their money back into business and employ more people rather than buy a posh house, which is not necessary in the area.

Senator McKIERNAN—So we should encourage them to employ more people: do you think employment ought to be one of those criteria?

Ms Woo—Yes, definitely.

Senator McKIERNAN—Do you think it ought to continue to be?

Ms Woo—I do.

Mrs MAY—I would just like to go back to students. You were saying you were trying to bring in students. We had a talk about this, this morning. A lot of overseas students come into the area I represent. Your high school is trying to be a specific specialised high school, looking at agricultural studies. What happens to those students afterwards? There is no tertiary institution. In the area that I represent, we find that those students come out from high school and they want to be able to go on and do tertiary education. There is no facility in this region to do that tertiary education. What would happen to those students in regard to the continuity of their education? If they were going to finish high school here, where do they go then? If you want to encourage students, you have to have a future plan for them, particularly if they want tertiary education. Where would you see them going then?

Ms Woo—Here, we mostly encourage them to go to Hobart or Launceston for tertiary education.

Mrs MAY—So they are not staying in the region.

Ms Woo—No, because we do not have it and just cannot supply it for them to study. If they study by correspondence, their student visa could be renewed.

Mrs MAY—But isn't that how it could fall down, because you cannot offer that continuity in the region for students?

Ms Woo—Yes.

Mrs MAY—Yet your focus is on bringing in students; that is what you would like to focus on.

Ms Woo—Even though they cannot do their tertiary education here, during the time they do their high school here, they still help local economy. They pay the tuition fee of \$6,000. That helps the local education fund. Their living costs amount to \$100 a week and this helps local business. For the two years they are here, they contribute to the economy and their families can come for visits.

Mrs MAY—We are talking about teenagers leaving a country a long way away and coming into a region that may not have the infrastructure or the support mechanisms for these very young people. You are taking them a long way from home. Do you have hostel facilities or community groups that can support those students while they are here?

Ms Woo—Actually, we have. We have the Lions Club and people can have home stay.

Mrs MAY—So you would do it through a home stay program?

Ms Woo—Yes.

Mrs MAY—Do you think Chinese students would come to this area just for high school and then move into Hobart? That is another move for them, that is another change for them. They are leaving a home stay, they are leaving the environment they have got to know over a two-year period and then they are having to move again. Do you still think that would be attractive to Chinese students?

Ms Woo—Being an English speaking country is the most attractive feature to them. It does not matter where. They cannot tell the difference between Melbourne, Sydney, or even Tasmania. They know about Sydney but not Tasmania. But they come here mainly because they want a proper English education. Their parents want them to speak good English, get an English high school certificate, and then go to an English language university. That is what they are really looking for when they send their children overseas to study.

Mrs MAY—Would the high schools here be in a position to offer that English training? We have specialised schools where I come from for English as a second language. Students actually enrol in an English class for six months before then going into the high school area. In that way they become proficient enough in English so they can undergo their studies in English. You would need that backup as well. I would say you would need that backup.

Ms Woo—Although we do not have that system that you have, we had an overseas student as an exchange student here. The exchange student is going well even though we do not have the specific language backup system.

Mrs MAY—But exchange students can be a different area too because they are usually students learning English at home and they are exchanging with students here learning their language.

Ms Woo—China is the same. They have to learn English when they come into year 6 or year 7 as a foreign language compulsory course.

Mrs MAY—Okay, thank you.

Mr RIPOLL—How much work is there for a migration agent in Smithton or Circular Head in Tasmania?

Ms Woo—For most of the time I was married, apart from the two students I was trying to bring over. One person in Devonport contacted me. His wife was Filipino and he was having difficulty in getting her a visa.

Mr RIPOLL—Do you think it is a growing industry? It just seems that there is not a lot of migration to Tasmania.

Ms Woo—There is not a lot of migration to Tasmania. When I go to study courses and tell them I come from Tasmania, they are all surprised. The first thing they say to me is, ‘There would not be much business for you’, and I quite agree. But I live in this area. I came into this area to start with and I run a local business as well. I would not rely on my migration wages. I try my best to do a big effort.

Mr RIPOLL—That is fine, I was just curious about that. In your view, as a migration agent and with the studies you have done, the courses and so forth, specifically with the state-specific migration mechanisms and the visas we have been discussing with the two families in particular here, what are the changes that need to happen? In a basic format, what are the main changes that need to happen to encourage either more people to come over or to make it easier for them once they are here and they are genuine to stay?

Ms Woo—We need more flexibility. These people have contracted out the work on the farm. We can convert the money they paid into wages, and that equals so many full-time wages. I would say the \$20,000 they paid for contractors equals one full-time wage. That should be taken into consideration when we process their application for migration. Also, we should take local council evidence into consideration as well.

Mr RIPOLL—As somebody who lives here you want to see more employment here, you want to see the place grow. As you said, you want to see the economy moving upwards.

Ms Woo—Yes.

Mr RIPOLL—How much pressure should we put on people who have come over here to employ local people? They knew the criteria when they came out here? How much more emphasis should be on that?

Ms Woo—We should tell them when they first start. The people from Ireland know that they only have to employ three full-time people when they lodge the application. That was 18 months later. We should let them know to start with.

Mr RIPOLL—What I mean is, would you like to see people who migrate here under this specific visa actually employ local people or do you think it is just not possible?

Ms Woo—They employ people directly or indirectly.

Mr RIPOLL—So you think that is okay? As a local, you think this would be good for the economy?

Ms Woo—Yes.

Mr RIPOLL—So whether it is direct or indirect, at the end of the day it is still—

Ms Woo—Yes. It is still contributing to the local economy.

CHAIR—You came here 10 years ago, Ms Woo?

Ms Woo—Yes.

CHAIR—You came to the Smithton area?

Ms Woo—No. I came to Burnie.

CHAIR—What led you to go to Burnie?

Ms Woo—I went to TAFE Tasmania.

CHAIR—So you had employment there?

Ms Woo—No employment. I came to study business computing and when I finished that, I met my husband. He bought his business and wanted me to stay around the business rather than do further study.

CHAIR—Whereabouts in China did you come from?

Ms Woo—The northern part of China.

CHAIR—What were your expectations before you came to Burnie? Did you have anything in mind as to what it was going to be like?

Ms Woo—I knew it was a beautiful seaside beach city. I imagined it was a nice beach city where I could go swimming every summer but, in 10 years, I have only been once. It is too cold.

CHAIR—I can understand that. If we sold Burnie and this area on the north-west coast honestly, I suspect we would point out to people that they would not actually get to swim all that often in the sea because it is a bit cold. Do you think it would then be an attractive place or do you think people coming from China would have pictures of Sydney and would be disappointed when they got here?

Ms Woo—There is quite a big difference.

CHAIR—Would they then see positive aspects about it? Would the reaction be that it would be a good place to stay or do you think they would want to go to the mainland?

Ms Woo—It would vary.

CHAIR—You met a husband here. Not everybody would meet a husband.

Ms Woo—It varies. I have met quite a lot of people. We have Chinese delegations and a couple of them came here. We are trying to put a fishery industry here. We are trying to buy fishery farms. They have a different attitude when they come here to see what it is really like. Some people really love it. It is a clean country. It is beautiful. There is not much population and there is no pollution. But a lot of people also see the business potential in Melbourne or Sydney and they would rather go over there.

CHAIR—Ms Woo, thank you very much for appearing before us today, especially at such short notice. We appreciate it. If we have any questions, we will get back to you. A *Hansard* record will be sent to you.

Resolved (on motion by **Senator McKiernan**):

That this committee authorises publication, including publication on the parliamentary database, of the proof transcript of the evidence given before it at public hearing this day.

Committee adjourned at 3.34 p.m.