

Infrastructure and upgrade works to establish a regional processing centre on Manus Island, Papua New Guinea

- 8.1 The Department of Immigration and Citizenship (DIAC) proposes to construct a permanent regional processing centre (RPC) on Manus Island, Papua New Guinea.
- 8.2 The purpose of the project is to implement the recommendations of the Expert Panel on Asylum Seekers Report, by establishing the capacity to process transferee claims at permanent facilities on Manus Island. The permanent RPC will replace the temporary facility currently in use.
- 8.3 The cost of the project is \$171.69 million.
- 8.4 The project was referred to the Committee on 21 March 2013.

Conduct of the inquiry

- 8.5 Following referral to the Committee, the inquiry was advertised on the Committee's website, by media release and in *The Australian* and the *Australian Financial Review* newspapers.
- 8.6 The Committee received one submission and eleven supplementary submissions from DIAC. The Committee also received submissions from various organisations and individuals. The list of submissions can be found at Appendix A.
- 8.7 The Committee received a private briefing on the project and conducted a public hearing and an in-camera hearing on 1 May 2013 in Melbourne.
- 8.8 A transcript of the public hearing and the submissions to the inquiry are available on the Committee's website.¹

1 <www.aph.gov.au/pwc>

Need for the works

- 8.9 The Expert Panel on Asylum Seekers Report outlined an expectation that asylum seekers who have their claims processed on Manus Island will be provided with protection and welfare arrangements consistent with Australian and Host Nation responsibilities under international law.
- 8.10 Those protections and welfare arrangements include treatment consistent with human rights standards, appropriate accommodation, appropriate physical and mental health services, and access to educational training programs. For these reasons, the proposed works will provide a level of amenity consistent with the features of Australian mainland immigration detention centres.
- 8.11 Transferees may be accommodated on Manus Island for an extended period in consideration of the 'no advantage' principle which states that Refugee Status Determination (and re-settlement of those found to be refugees) will not receive a higher priority than for refugees in transit countries. As a result, there is an urgent need to establish permanent facilities.²
- 8.12 The existing temporary facility has a very limited life span, provides little amenity for transferees, and does not have the adequate infrastructure required to support the processing of claims.³
- 8.13 The Committee is satisfied that there is a need for the works.

Scope of the works

- 8.14 The works will include the following facilities:
- A 600 person regional processing centre able to accommodate families and other vulnerable groups and other cohorts if required
 - Health, welfare and recreational facilities
 - Staff accommodation for 200
 - All engineering infrastructure to support the facility.⁴
- 8.15 The Committee finds that the proposed scope of works is suitable to meet the need.

2 DIAC, Submission 1, p. 5.

3 DIAC, Submission 1, p. 7.

4 DIAC, Submission 1, p. 7. See also DIAC, Submission 1, p. 14.

Cost of the works

- 8.16 The project cost is \$171.69 million. The Committee received a confidential supplementary submission detailing the project costs and held an in-camera hearing with the proponent agency on these costs.
- 8.17 The Committee is satisfied that the costings for the project provided to it have been adequately assessed by the proponent agency.

Project issues

Land agreement and lease arrangement

- 8.18 The RPC will be built on a site called Portion 244 near Lorengau, Manus Island. DIAC stated that final agreement on the land and the lease arrangements are yet to be confirmed, although there is a high level of certainty that this will occur:

... we have been given agreement from the Papua New Guinea government that 244 is agreed. The processes that need to occur within the Papua New Guinea government for the transfer of title to the Papua New Guinea Immigration & Citizenship Service Authority, who will then proceed to negotiate a lease with the Australian government for access to it. We do not have a lease in place yet. Our intention therefore would be to include in that lease a term of 15 years with options for further renewal. That is consistent with what we have achieved on Nauru, where we have a 20-year lease for the sites that we are constructing on Nauru.⁵

- 8.19 DIAC also indicated that a memorandum of understanding and the underpinning administrative arrangements have been agreed between Australia and Papua New Guinea. These agreements refer to the lease.⁶

Committee comment

- 8.20 The Committee is satisfied that DIAC has taken all required steps to ensure the required land and lease agreements for the RPC will be confirmed in the near future.

5 Mr K. Douglas, DIAC, *transcript of evidence*, 1 May 2013, p. 5.

6 Mr K. Douglas, DIAC, *transcript of evidence*, 1 May 2013, p. 6.

Size and location of Portion 244 and the RPC

- 8.21 The current temporary site is approximately 2.5 hectares and has capacity for approximately 500 clients. In comparison, Portion 244 is 102 hectares, of which approximately 40 to 50 hectares at the front of the site will be used for the RPC. It would have capacity for 600 clients and 200 staff.⁷ The site is located on the outskirts of the town of Lorengau.
- 8.22 DIAC also clarified that the new site is approximately a 45 minute drive from the temporary site.⁸

Committee comment

- 8.23 The Committee notes that Portion 244 is significantly larger than the existing temporary site, without a proportional increase in the number of clients.

Design of the RPC

- 8.24 DIAC explained that the RPC is not an immigration detention centre, and as such, would have different security arrangements:

The intention of all three governments – Nauru, Papua New Guinea and Australia – in agreeing to establishing the regional processing centres was that they would be open – that is, that transferees would have the capacity, once effective arrangements were developed and agreed and put in place, for people to come and go during daylight hours. There would be an evening curfew, largely for the safety of transferees, and in the event that there were public disturbances that occurred, once again, for the safety of the remainder of the community, a gate would be able to be closed that would prevent freedom of access from inside – movement both sides of the centre.

As you know, in immigration detention centres in Australia and on Christmas Island in particular, there is quite sophisticated electronic detection and deterrent system fencing in place. That would not be in place for the regional processing centres. The type of fencing that would be in place would be standard what we would call pool-fence perimeter fencing. There would be a standard gate – no more than you would see in many rural properties or industrial properties in Australia – that could be

7 Mr K. Douglas, DIAC, *transcript of evidence*, 1 May 2013, pp. 3-4.

8 Mr K. Douglas, DIAC, *transcript of evidence*, 1 May 2013, p. 7.

closed or opened to regulate access, to operate both in normal operation and, if necessary, the closed down operation.⁹

- 8.25 Accordingly, although the design of the facility is based on DIAC's *Standards for the Design and Fitout of Immigration Detention Facilities*¹⁰, there are some key differences:

The design for the Manus Island Regional Processing Centre has been guided by the performance criteria of the [standards] but will apply its own acceptable design solution that addresses the unique site conditions, local climate and that can provide flexibility in accommodating different client cohorts and family groupings. The Centre therefore does not differ from the [standards] but uses the design principles embodied in them to inform the masterplan.¹¹

- 8.26 DIAC believes that the design of the RPC meets all of the recommendations of the report of the Expert Panel on Asylum Seekers.¹²
- 8.27 DIAC confirmed that the design provides for the physical separation of clients, such as children and single adult males.¹³
- 8.28 DIAC has consulted with key stakeholders, including the Papua New Guinea government, and will conduct ongoing consultation with them, existing and future service providers and transferees as the project progresses.¹⁴ DIAC also noted that it receives input from a ministerial council on asylum seekers and a health immigration advisory committee.¹⁵
- 8.29 The design of the RPC will provide suitable facilities for the Manus Island climate. DIAC explained that air conditioning will be included in the staff quarters, but not throughout the general living facility:

The standard of accommodation that we are looking to provide for the transferees is the standard of accommodation that is available for people who are normally resident on Manus. The staff who are not locals and therefore for whom we need to provide accommodation at the centre are, by and large, at least at this stage, people who have been recruited from Australia. They are used to a standard of accommodation that they would find in

9 Mr K. Douglas, DIAC, *transcript of evidence*, 1 May 2013, p. 4.

10 <http://www.immi.gov.au/managing-australias-borders/detention/facilities/standards-for-design-fitout.htm>

11 DIAC, Submission 1.4, p. 1.

12 Mr K. Douglas, DIAC, *transcript of evidence*, 1 May 2013, p. 11.

13 Mr K. Douglas, DIAC, *transcript of evidence*, 1 May 2013, p. 8.

14 Mr K. Douglas, DIAC, *transcript of evidence*, 1 May 2013, p. 4.

15 Mr M. Cahill, DIAC, *transcript of evidence*, 1 May 2013, p. 5.

Australia and many of them may not necessarily live in a tropical environment. So we are trying to provide the balance between sympathy with the local community and the capacity to attract and retain skilled staff to deliver the services.¹⁶

... while the client accommodation in the three compounds is not air conditioned, they do meet better practice design, as I understand, in terms of how air can flow through them and such. So while you have got the local Manus population and what they have got, the design of these is quite contemporary in terms of ventilation and a range of other areas – not being air conditioned but not being something that does not get the air flow.¹⁷

- 8.30 This design principle has also been implemented in Nauru. DIAC reported that this has significantly improved ventilation and cooling in the Nauru accommodation.¹⁸

Committee comment

- 8.31 The Committee is satisfied that the design of the RPC addresses the specific requirements of Manus Island, and meets DIAC's standards.
- 8.32 The Committee appreciates DIAC's willingness to engage in consultation regarding the design of the RPC. The Committee expects DIAC to continue this approach and to enable increased consultation wherever possible, particularly with the organisations that provided submissions to this inquiry.
- 8.33 The Committee notes that some communal areas will be air conditioned. The Committee expects DIAC to monitor this and other design issues and address them where necessary.

Delivery of the project

- 8.34 DIAC assured the Committee that it has the experience to deliver this project on time, on budget and fit-for-purpose:
- We have an onshore detention network of 23 centres that we have worked on over time. In the course of the last five years, I think we have done between 12 and 15 of those.¹⁹
- 8.35 DIAC indicated that despite Nauru being a challenging environment, DIAC is on track to complete the facilities there. DIAC also confirmed that

16 Mr K. Douglas, DIAC, *transcript of evidence*, 1 May 2013, p. 11.

17 Mr M. Cahill, DIAC, *transcript of evidence*, 1 May 2013, p. 11.

18 Mr K. Douglas, DIAC, *transcript of evidence*, 1 May 2013, p. 11.

19 Mr K. Douglas, DIAC, *transcript of evidence*, 1 May 2013, p. 9.

it has learnt from the experiences of past on- and off-shore facilities, and has engaged with the relevant experts to ensure this RPC meets best practice.²⁰

Committee comment

- 8.36 The facilities in Nauru were subject to an urgency motion in the House of Representatives, thus excluding them from an inquiry by the Committee. Despite this, DIAC has provided to the Committee regular updates on the progress of the works in Nauru. The Committee thanks DIAC for enabling scrutiny of the project in this manner.
- 8.37 Given DIAC's experience in delivering these projects, and the fact that this project is based on the ones in Nauru, the Committee expects that it will also be delivered on time, on budget and fit-for-purpose.

Climate, health and education

- 8.38 Climate, health and education concerns were raised during the public hearing. DIAC described the climate of Manus Island as similar to that of northern Australia:

[Manus Island] is situated a few degrees south of the equator. It is a very tropical environment, not dissimilar to that which you would encounter in northern Australia and Christmas Island. Rather than the traditional four seasons, it is more like a monsoonal two seasons—a wet season and a dry season. It has very lush, tropical vegetation, which comes about because of heavy rains during the wet period. It is not affected by cyclones, but it is affected by monsoonal rain. There are times of the year when it is quite hot and has high humidity. There are other times of the year when it is less hot but still quite warm without necessarily the high levels of humidity.²¹

- 8.39 DIAC provided a supplementary submission that demonstrated that flooding of the RPC site had been considered and was not an issue.²²
- 8.40 The RPC will have self-sufficient waste management systems and power supplies, although DIAC intends to use local drinking water:
- The intention is to make use of the Lorengau town water supply.
The indication so far is that that water supply is of very good

20 Mr M. Cahill, DIAC, *transcript of evidence*, 1 May 2013, p. 9.

21 Mr K. Douglas, DIAC, *transcript of evidence*, 1 May 2013, p. 6.

22 DIAC, Submission 1.4, pp. 3-5.

quality, but we will also be putting in place water management arrangements in the centre which will further ensure that we have good quality water made available for transferees.²³

8.41 The RPC will draw on both local and imported food supplies:

If you look at what we have done in Nauru, for example, our garrison provider has initially brought in supplies from offshore and, in the process of establishing, has looked at local providers and proceeded to develop in concert with those local providers a strategy where gradually we shift from total importing arrangement to a joint procurement arrangement with the local providers so that we do not all of a sudden swamp the local market and denude it of its full access to products. It is the same sort of approach we are adopting in Manus. Initially we bring in all of our supplies externally and then over time develop arrangements with local providers to gradually replace that with local providers.²⁴

8.42 However, DIAC would ensure that it would have contingency measures:

So in the event that we had supply difficulties we would have identified alternative supply measures. It also goes to the quantity of material that is held in supply, to cover off that eventuality. It is the same experience that we had in place, for example, with Christmas Island. We go through the same sort of contingency planning because of the high reliance on Christmas Island around a regular ship transport of foodstuffs, goods and materials. Sometimes there are weather problems that delay that ship, so it goes to things like that around managing inventory supplies.²⁵

8.43 With regard to health, malaria is a key issue on Manus Island:

We have put in place a very active management strategy for managing that risk. We would propose to continue with an active management strategy in the permanent centre once it is operating.²⁶

8.44 DIAC has undertaken health risk assessment activities for the existing temporary site and the proposed RPC:

Together with our healthcare provider IHMS, we have done a full health risk assessment prior to the establishment of the temporary centre. We will continue to work with them to manage any

23 Mr K. Douglas, DIAC, *transcript of evidence*, 1 May 2013, p. 7.

24 Mr K. Douglas, DIAC, *transcript of evidence*, 1 May 2013, p. 10.

25 Mr K. Douglas, DIAC, *transcript of evidence*, 1 May 2013, p. 10.

26 Mr K. Douglas, DIAC, *transcript of evidence*, 1 May 2013, p. 7.

additional risks that might emerge and obviously, as we get closer to the operation – the stand-up of the new centre – and as we move into an operational mode, there will be a full operational risk assessment from a health perspective for that permanent site. We will be consulting with them throughout the design and construction process as well.²⁷

8.45 DIAC also provided further details on the assessments undertaken in a supplementary submission.²⁸

8.46 DIAC outlined its strategy for managing the risk of malaria:

... we already have a very active management strategy for managing the risk of malaria with, for example, extensive fogging programs undertaken at the site. We will put in place appropriate management plans to deal with ... health risks in the site. Once we get closer to finalising the construction we will have a better idea of the topography of where the various risk elements lie and what the different strategies are that we need to put in place to manage that. It would be the same as what we have done, for example, with the operation of Wickham Point where one of the risks identified during the commissioning phase there was a large number of biting insects. I believe this is the first facility we have in Australia with a biting insect management plan. That is unique to that particular site. We would similarly have a full risk assessment and the implementation of appropriate plans to deal with those health risks.²⁹

8.47 Regarding education and recreation, DIAC stated that a range of facilities would be available:

... for example, faith rooms for the different cultural groups who might be accommodated there to worship in. There will be a classroom to provide lessons for children. There will be a programs and activities space where a range of activities could occur that could be as diverse, say, as English language classes through to cooking demonstrations, bingo or card playing. There will be a basic gymnasium space for people to have physical exercise and a range of those facilities similar to what you would see in our onshore detention network would be made available.³⁰

27 Mr K. Douglas, DIAC, *transcript of evidence*, 1 May 2013, p. 7.

28 DIAC, Submission 1.4, p. 6.

29 Mr K. Douglas, DIAC, *transcript of evidence*, 1 May 2013, p. 8.

30 Mr K. Douglas, DIAC, *transcript of evidence*, 1 May 2013, p. 6.

- 8.48 This will include ensuring that children will have access to relevant educational facilities. DIAC stated that the teachers currently on Manus Island hold full teaching accreditation in Australia.³¹

Committee comment

- 8.49 The Committee is satisfied that DIAC has considered these climate, health and education issues. The Committee expects DIAC to continue to assess the suitability of its services, and to adapt them to meet the needs of clients.

Final Committee comment

- 8.50 The Committee was satisfied with the evidence provided by the Department of Immigration and Citizenship regarding the proposed project. The Committee is satisfied that the project has merit in terms of need, scope and cost.
- 8.51 Proponent agencies must notify the Committee of any changes to the project scope, time and cost. The Committee requires that a post-implementation report be provided on completion of the project. A template for the report can be found on the Committee's website.
- 8.52 Having regard to its role and responsibilities contained in the *Public Works Committee Act 1969*, the Committee is of the view that this project signifies value for money for the Commonwealth and constitutes a project which is fit for purpose, having regard to the established need.

Recommendation 7

The Committee recommends that the House of Representatives resolve, pursuant to Section 18(7) of the *Public Works Committee Act 1969*, that it is expedient to carry out the following proposed work: Infrastructure and upgrade works to establish a regional processing centre on Manus Island, Papua New Guinea.

31 Mr M. Cahill, DIAC, *transcript of evidence*, 1 May 2013, p. 8.