

Land Acquisition and Resettlement Plan

Final Report
November 2012

Indonesia: Metropolitan Sanitation Management and Health Project - Medan City

Prepared by Directorate General of Human Settlements, Ministry of Public Works for the Republic of Indonesia and the Asian Development Bank.

CURRENCY EQUIVALENTS

(as of 9 November 2012)

Currency unit	–	rupiah (Rp)
Rp1.00	=	\$0.0001038422
\$1.00	=	Rp9,630

NOTE{S}

- (i) In this report, "\$" refers to United States dollars.

This land acquisition and resettlement plan is a document of the borrower. The views expressed herein do not necessarily represent those of ADB's Board of Directors, Management, or staff, and may be preliminary in nature.

In preparing any country program or strategy, financing any project, or by making any designation of or reference to a particular territory or geographic area in this document, the Asian Development Bank does not intend to make any judgments as to the legal or other status of any territory or area.



MINISTRY OF PUBLIC WORKS,
REPUBLIC OF INDONESIA
DIRECTORATE GENERAL OF HUMAN SETTLEMENTS

**PROJECT IMPLEMENTATION SUPPORT
FOR
METROPOLITAN SANITATION MANAGEMENT AND HEALTH PROJECT
(MSMHP)
LOAN NUMBER : 2654 - INO**

**MEDAN
RESETTLEMENT PLAN**

NOVEMBER 2012

TABLE OF CONTENTS

A.	Executive Summary	1
B.	Description of Project Development Plan	2
B.1.	Project Overview	2
B.2.	Scope of Project Activities	3
C.	Scope of Land Acquisition and Resettlement	9
D.	Socioeconomic Information and Profile	10
E.	Information Disclosure, Consultation, and Participation	10
F.	Grievance Redress Mechanism	12
G.	Legal Framework	13
H.	Entitlements, Assistance and Benefits	13
I.	Relocation of Housing and Settlements	14
J.	Income Restoration and Rehabilitation	14
K.	Resettlement Budget and Financing Plan	14
L.	Institutional Arrangements	14
L.1.	General MSMHP Implementation	14
L.2.	Institutions for Resettlement	15
M.	Implementation Schedule	16
N.	Monitoring and Reporting	17

APPENDICES

Appendix A.	Photographs of Two Land Parcels to be Acquired	A-1
Appendix B.	Roads (ROW 6.0 m or Less) With Number of Businesses & Vendors With Likely Temporary Impacts	B-1
Appendix C.	Copy of Press Release and Corresponding Clippings of News Articles From Local Newspaper	C-1
Appendix D.	Public Consultation Workshops	D-1
Appendix E.	Project Information Booklet	E-1
Appendix F.	Minutes And Photos Of Initial Consultation With Two Land Owners (Represented By Their Respective Proxies)	F-1
Appendix G.	Details Of Public Consultation Meetings Cost	G-1

LIST OF TABLES

Table 1	Location, Area, and Population of Service Zones Proposed under MSMHP	3
Table 2	Pipeline Length and Construction Methods	3

LIST OF FIGURES

Figure 1	New Sewer Pipeline Network	5
Figure 2	Sewer Pipeline Network in Zones 10 and 11	6
Figure 3	Sewer Pipeline Network in Zone 12	7
Figure 4	New Sewer Pipeline Network in Zone 9	8
Figure 5	Implementation Schedule	16

LIST OF ACRONYMS

ADB	Asian Development Bank (“Bank”)
AHs	Affected households
APs	Affected persons
BPN	<i>Badan Pertanahan Nasional</i> / National Land Agency
DGHS	Directorate General of Human Settlements
EA	Executing Agency
LAC	Land Acquisition Committee
MPW	Ministry of Public Works
MSMHP	Metropolitan Sanitation Management and Health Project (“Project”)
NGO	Non Government Organization
NJOP	<i>Nilai Jual Objek Pajak</i>
PDAM	<i>Perusahaan Daerah Air Minum</i> / State-owned water service local company
PPMU	Provincial Project Management Unit
P2T	<i>Panitia Pembebasan Tanah</i> / Land Acquisition Committee
RF	Resettlement Framework
ROW	Right of Way
RP	Resettlement Plan
SES	Social and Environmental Section
SPS	Safeguard Policy Statement
WWTP	Waste Water Treatment Plant

GLOSSARY

Affected persons (Affected households)	People (households) affected by project-related changes in use of land, water or other natural resources
Compensation	Payment in cash or in kind given to AHs at replacement cost for asset, resources or income acquired or affected by any MSMHP subproject
Entitlement	A range of mitigating measures, such as compensation, transitional allowance, relocation and transfer allowance, income restoration, and relocation, which is provided to Ahs/APs depending on the type and severity of their losses in order to help them restore their economic and social base
Involuntary resettlement	Any resettlement which does not involve willingness of the persons being affected but is forced through an instrument of law
Relocation	Rebuilding housing, housing, assets, including productive land, and public infrastructure in another location
Income restoration	Reestablishing income sources and livelihoods of people affected
Private Land	A piece of land that is covered by formal legal right (<i>hak milik</i>), and customary and traditional right (<i>adat</i> or <i>ulayat</i>).
Resettlement Plan (RP)	A time-bound action plan, which will be prepared for each subproject of MSMHP that entails involuntary resettlement, setting out resettlement strategy, objectives, entitlements, actions, responsibilities, monitoring and evaluation, plus budget.
Significant Impact	when (i) the loss suffered by an AH is equivalent to 10% or more of total productive assets, and/or (ii) when the AH has to relocate because of the project.

RESETTLEMENT PLAN

A. EXECUTIVE SUMMARY

1. The existing sewerage system of Medan City is being managed and operated by PDAM Tirtanadi. Its service area covers 520 ha and the number of people served is 168,000. The sewage pipelines have been constructed in 8 service zones to collect the domestic wastewater (excluding the industrial wastewater) from households, hotels, offices, and other commercial areas.

The Tirtanadi Wastewater Treatment Plant was originally proposed to treat a total of wastewater of 60,000 m³ per day; however, currently only 10,000 m³ of wastewater treated per day. The WWTP, the major engineering components of which are inlet screw pumps, screens, grit chamber, splitter box, UASB reactor, skimming tank, aerated pond, facultative pond, sludge drying beds, and biogas collection/tank, was constructed and commissioned in 1996. At the present time, due to lack of proper design, operation and maintenance of the sewerage system, the whole function is not as good as expected. The development and rehabilitation of sewage pipeline network in Medan will be implemented under the MSMHP to increase the sewage flow of 20,000 m³ per day, which comes from 2,000 house connections proposed to install in the existing service area by the end of the year 2012 and 7,000 house connections in the proposed extension area. It is expected that, after completion of the project, the sewerage system could have optimal function with its capacity of 60,000 m³/day.

2. Land area required for construction of two new pumping stations is 600~800 m² in total, and these two parcels of land belong to private properties. In accordance with Presidential Decree No. 36/2005 and No. 65/2006, land acquisition is carried out through consultation between the party that requires the land and the party that owns the land. In addition, the land acquisition will be handled by P2T (Land Acquisition Committee), with the assistance of an independent land price appraisal institution to evaluate the compensation for land release.
3. Based on the sewerage development plan, all sewage pipelines will be constructed under main roads or lanes in Medan. The relevant construction activities will not cause displacement of residents from their existing settlements. To avoid and minimize impacts on the communities in the project area, the sewage pipelines as well as their associated works will be constructed by using the clean construction method, segment by segment.
4. Despite no displacement of residents, the construction activities will inevitably disturb the daily life of the residents and the economic activities of the street vendors along the sewage pipeline routes. However, through the proper management, these impacts will be significantly mitigated. Nevertheless, socialization to the communities concerned is required. Temporary impacts on road side vendors and shops would be felt mostly on narrow roads/lanes where road space would be reduced during construction works causing difficulty in passing of vehicles. On roads wider than 6.0 m ROW there would

be sufficient space for vehicles to pass without causing much disruption in traffic. In any case, the contractors would be required to provide assistance in traffic management and for temporary access to roadside vendors and shops during the construction phase.

5. Income recovery program is not required for the project because the business sectors will continue running without asset loss and environmental changes after completion of construction activities.
6. MSMHP Medan implementation activities will not result in any displacement of the population and will not have a significant impact. However, these activities need to be properly socialized to the community.
7. Monitoring of the implementation of the project is essential to be fully aware of the progress of land acquisition and the temporary impact on businesses and residents along the project alignment.

B. DESCRIPTION OF PROJECT DEVELOPMENT PLAN

Background of MSMHP Medan

The existing sewerage system of Medan City is being managed and operated by *PDAM Tirtanadi*. Its service area covers 520 ha and the number of people served is 168,000. The sewage pipelines have been constructed in 8 service zones to collect the domestic wastewater (excluding the industrial wastewater) from households, hotels, offices, and other commercial areas.

The Tirtanadi Wastewater Treatment Plant was originally proposed to treat a total of 60,000 m³ wastewater per day. However, currently only 10,000 m³ of wastewater treated per day. The WWTP, the major engineering components of which are inlet screw pumps, screens, grit chamber, splitter box, UASB reactor, skimming tank, aerated pond, facultative pond, sludge drying beds, and biogas collection/tank, was constructed and commissioned in 1996. At the present time, due to lack of proper design, operation and maintenance of the sewerage system, the whole function is not as expected. The development and rehabilitation of sewage pipeline network in Medan will be implemented under the MSMHP to increase the sewage flow of 20,000 m³ per day which comes from 2,000 house connections proposed to install in the existing service area by the end of the year 2012 and 7,000 house connections in the proposed extension area. It is expected that, after completion of the project, the sewerage system could have optimal function with its capacity of 60,000 m³/day.

Project Overview

MSMHP will construct about 25,134 m sewage pipelines in four new service zones, as well as optimizing the existing sewage treatment plant, in Medan. Project development is expected to reduce environmental pollution of surface water and shallow groundwater. Reduced levels of environmental pollution will also affect the level of public health and quality of life in urban areas. Investments in improving sanitation will directly benefit the people and government. The advantages include: (1) increased coverage of sanitation services, (2) Cost recovery of providing sanitation services is increasing, (3) Reduction in pollution caused by

waste water, (4) Increased public health, (5) Increasing the ability of governments and institutions, (6) Increased community participation and empowerment, and (7) Increased economic opportunities, employment creation and poverty reduction in the level of society.

In addition, the project development activities include the rehabilitation of existing wastewater treatment plant system and the sewer pipe lines network development in the new service zones, as well as the rehabilitation of waste management. The sewer pipeline construction will be approximately 25,134 m long across four new service zones (see Figures 1 ~ 4).

Scope of Project Activities

There are four new service zones proposed in the Medan Sewerage System under the MSMHP. Location, area, and population of each zone are given in Table 1. The construction of these sewage pipelines will be divided into three contract packages, namely Package 3 for zone 9, Package 4 for zone 12 and Package 5 for zones 10 and 11. Two construction methods, open excavation and jacking, will be adopted, based on the geological conditions on sites. The major engineering components of new service zones (contract packages) of the project are given in Table 2. The jacking method will be mainly used for crossing roads or railroads. Because the jacking method is very expensive, the length of sewage pipelines constructed by open excavation is longer than that by jacking.

Table 1. Location, Area, and Population of Service Zones Proposed under MSMHP

No.	Zone	Location	Services Area * (ha)	Number of population served (person)
1	Zone 9 (Package-3)	Kec. Medan Perjuangan, Kec. Medan Timur	160	27,057
2	Zone 10&11 (Package-5)	Kec. Medan Timur, Kec. Medan Barat , Kec. Medan Perjuangan, Kec. Maimun	670	91,746
3	Zone 12 (Package-4)	Kec. Medan Perjuangan, Kec. Medan Timur	280	53,009
Total			1,110	171,812 **

* Source: Detail Design Project 2012

** Population Data in 2009

Table 2. Pipeline Length and Construction Methods

No.	Zone (Package)	Location	* Length of Pipe Setting by excavation (m)	* Number of Manhole Excavation (Unit)	*Length of Pipe Setting by Jacking Method (m)	Total Length of Pipe (m)
1	Zone 9 (Package-3)	Kec. Medan Perjuangan, Kec. Medan Timur	3.502	71	1.541	5,043
2	Zone 10 & zone 11 (Package-5)	Kec. Medan Timur, Kec. Medan Barat Kec. Medan Perjuangan, Kec. Maimun	7.177	140	2.932	10,109

3	Zone 12 (Package-4)	Kec. Medan Perjuangan, Kec. Medan Timur	7.534	138	2.448	9,982
Total			18.213	349	6.921	25,134

* Data obtained from the Detailed Design 2012

The proposed sewage pipelines will be constructed under the ground along Jl. Katamso, Jl. Balaikota, Jl. Putri Hijau, Jl. Yos Sudarso, Jl. Moh.Yamin, Jl. Perintis Kemerdekaan, Jl. Tamrin, Jl. Mapilindo, Jl. Pelita I, Jl. Pelita II, Jl. Pelita, Jl. Permai, Jl. Mohtar Basri, Jl. Sutomo, Jl. Durian, Jl. Bukit Barisan, Jl. Sidorejo, and Jl. Sidorukun in Medan. The locations of these pipelines are shown in Figures 1, 2, 3 and 4.

Associated with the construction of sewage pipelines, MSMHP will also build two pumping stations that require a total land area of 600 m² ~ 800 m². The two pumping stations are proposed to locate at the intersection of Jl. Budi Kemakmuran and Jl. Yos Sudarso (or the intersection of Jl. Guru Patimpus and Jl. Putri Hijau, as alternative) and on Jl. Mesjid Taufik respectively.

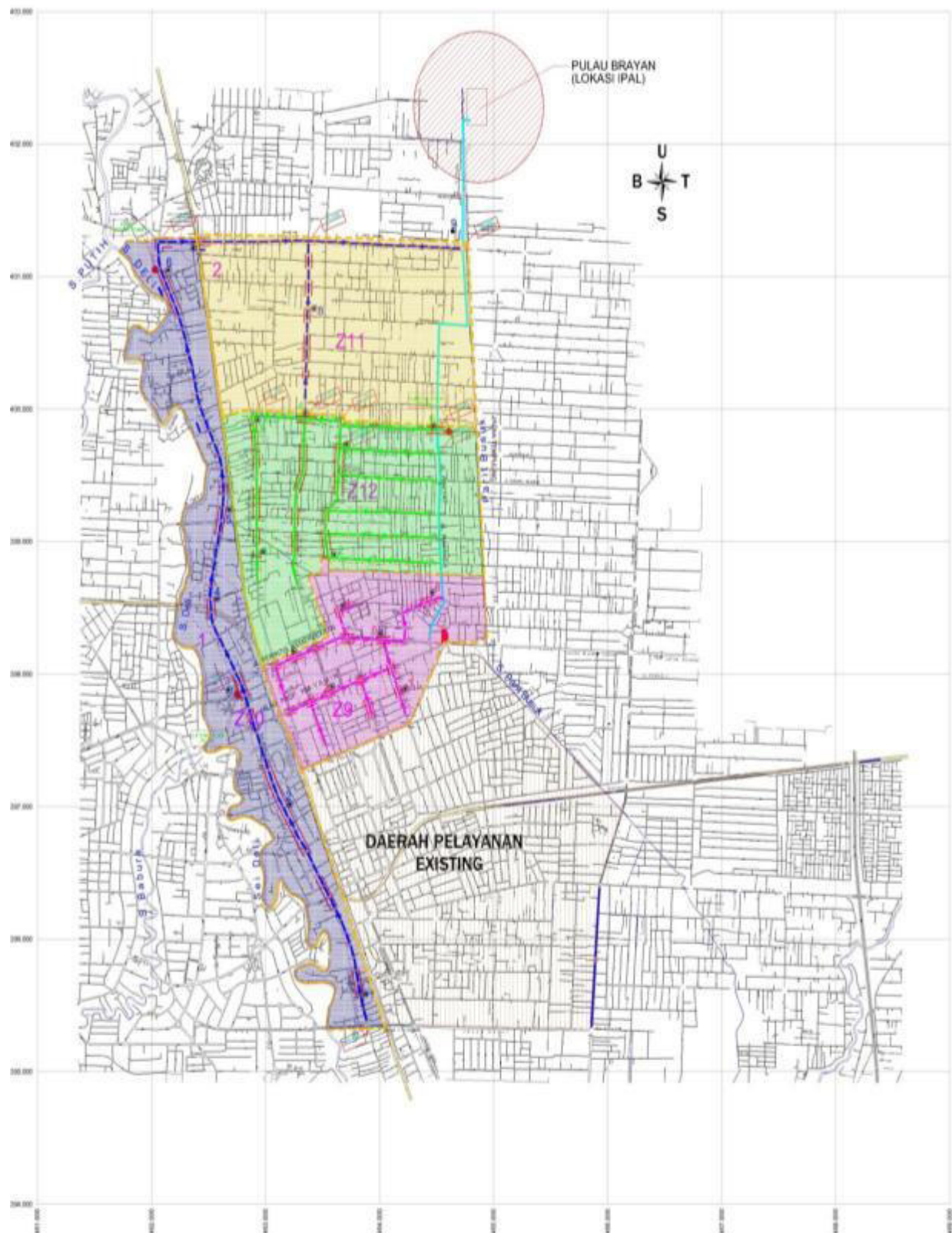


Figure 1. New Sewer Pipeline Network

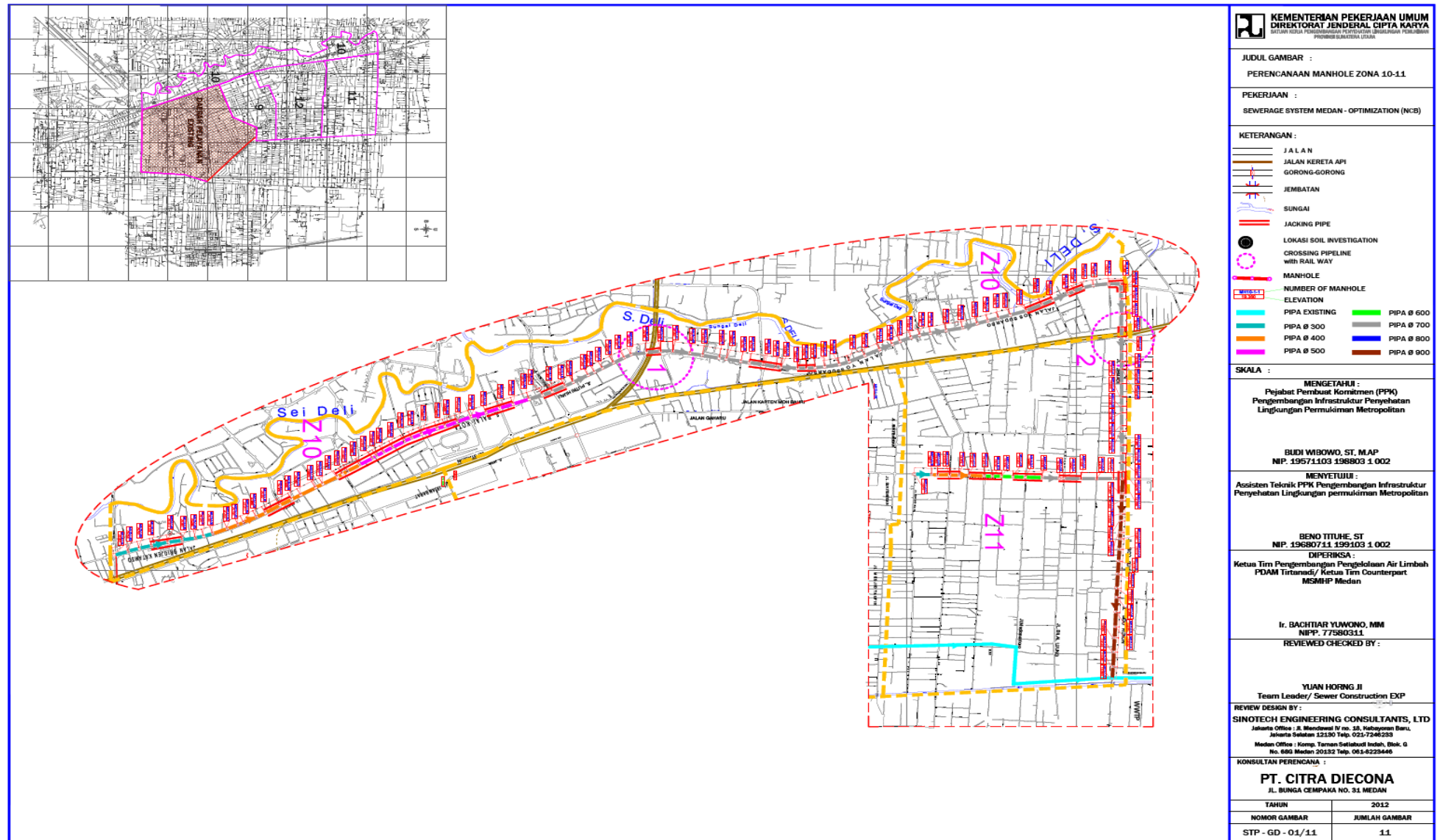


Figure 2. Sewer Pipeline Network in Zones 10 and 11



Figure 3. Sewer Pipeline Network in Zone 12



Figure 4. New Sewer Pipeline Network in Zone 9

C. SCOPE OF LAND ACQUISITION AND RESETTLEMENT

Involuntary resettlement as much as possible will be avoided. However, if it is unavoidable due to project requirements, any measure will be taken to mitigate any and all adverse impacts of MSMHP on AP's/AH's property and/or livelihoods, including compensation, relocation (where relevant) and rehabilitation as needed.

To support the project development, the project requires two parcels of land on permanent basis for the construction of two pumping stations for the lift pumps. The prospective parcels of land which suit the design are privately owned and need to be acquired.

The first prospective location on Jl. Yos Sudarso is a vacant land with an area of 560 m² (16 m x 35 m) without any social or economic activities on it. The land owner, Mr. K. Airul, is a businessmen and lives at different location in the city. A small portion of the land is occupied by a temporary shop with permission from the land owner. The shop owner, Mr. Ricky, does not pay any rent to the land owner. In return the shop owner ensures that the land parcel remains free of any encumbrances or unauthorized occupation. According to the information obtained from the shop owner, he and the land owner have an understanding that as and when the land is sold, he will vacate the land without any compensation and move to some other part of the city.

The second prospective location on Jl. Mesjid Taufik with an area of 434 m² (14 m x 31 m) is also a vacant land. The owner, Mr. Hasbala, has his own coffee business and lives in a different part of the city. However, as in the previous case, a small tea stall operates on the land. The kiosk is about 3 m x 3 m, made of 4 bamboo poles supporting a tin roof, without walls, serving as a small coffee shop. The owner of the tea stall, Mr. Mukhlis, does not pay any rent for the temporary use of the land and in return he ensures that the land is kept free of any encumbrances. According to Mr. Mukhlis he will relocate to some other place if and when the land is sold by the land owner. Photographs of both the land parcels are attached as **Appendix A**.

Temporary Impacts. The sewage pipelines construction activities will be carried out along the roads and road medians of approximately 25.1 km long in total. The activities will not displace households or people nor will they have any permanent adverse socioeconomic impacts on the residences, shops and other commercial establishments along the project roads. However, during the construction phase the civil work activities may cause temporary impacts on the residences, vendors and shops along the roads in terms of inconvenience in access, parking, loading and unloading and also for traffic movement, particularly cars and trucks, etc. Such impacts would be felt more on the narrow roads in the project area. To avoid or minimize such temporary impacts on roadside businesses and traffic movement, the civil work will be carried out in small segments of about 50 m length at one time. It will take about 10-12 days to complete the work: excavation, laying of pipes and restoring the road. Working on small road segments will make traffic management and provision of temporary access to roadside houses and businesses much easier. The contractors will ensure that while working on road segments, the shops and houses are provided with temporary access so that there will be absolutely no loss of business incomes. Vendors along the roads are very mobile and can be easily moved beyond the 50m road segment during the work and can be moved back when the work on a particular road segment is completed. The wider roads will not face such problems as there will be sufficient ROW space for vehicular

movement and for access to roadside businesses. However, small roads and narrow streets, particularly with ROW of about 6.0 m and below may face some problem of traffic movement at the time of civil works. A census of vendors and the businesses operations was conducted between 5 - 7 October, 2012 and between 25 - 30 October 2012 along the narrow roads and streets with ROW of 6.0 m or less that may face some temporary impacts. The details are provided in **Appendix B**. Approximately 320 vendors, 86 temporary shops and 661 permanent shops may be affected temporarily due to the civil works along the narrow roads and streets.

To minimize the impact, special installation technology and method using the pipe jacking method would be applied which further reduce impacts compared with the open excavation. Temporary road covers (steel or wood) over excavation trench could maintain local inhabitant daily access.

D. SOCIOECONOMIC INFORMATION AND PROFILE

Based on information obtained from BPN, the two prospective parcels of land are owned by two individuals who live somewhere else in the city. They are both wealthy business persons who are willing to sell their parcels of land to the project at agreed market values respectively.

In addition to the two land owners, two other business operations, small shops one each on the two land parcels will be affected. As explained earlier in Section C, both the shop owners have occupied the land parcels with the permission of the land owners and have an understanding that they will vacate the land as and when these land parcels are sold without any claim for compensation. Additional details on the socioeconomic conditions are explained below:

- A. The shop owner on the land parcel on Jl. Yos Sudarso, Mr. Ricky, has been occupying the land for the past twelve years. He operates the shop alone, working every day between 7.00 am to 5.00 pm. His average monthly income from the shop is about Rp 3.6 million. He lives with his family of five members at Jl Yos Sudarso, Gg. Lingkungan 13, Kelurahan Glugur Kota. In the event of the sale of the plot for the project, the shop owner will move to some other part of the city but has no indication on the location at this stage.
- B. Owner of the coffee shop on Jl. Mesjid Taufik, Mr. Mukhlis, has been occupying the land for the past three years. He operates the shop alone, working every day between 6.00 am to 6.00 pm, and serving some workers in the area. His average monthly income from the shop is about Rp 3.0 million. He lives with his family of four members at Jl. Mesjid Taufik No. 181, Kelurahan Tegal Rejo. In the event of the sale of the plot for the project, the shop owner will move to some other part of the city but has no indication on the location at this stage.

E. INFORMATION DISCLOSURE , CONSULTATION, AND PARTICIPATION

Public consultation and information dissemination in the MSMHP Medan has been an ongoing activity. Communities along the project roads have been fully informed about the project from the beginning of the field work, which was carried out during 1 March – 14 April 2012. To carry out the PR activities and public campaign programs a PR-PC team was

formed on 13 July 2012 whose members are from PPMU and other related government agencies. A two-day training workshop for this team was conducted on 17 - 18 July 2012. Further, information about the project was shared with the mass media and a press conference was held on 19 October 2012 with the representatives of the major newspapers. Copy of the press release and the corresponding clippings of the news articles appeared in several local newspaper are included as **Appendix C**.

A number of public consultation workshops were held during 25 – 29 October 2012 which were participated by general public, particularly those along the project roads. The public consultation workshops were held in each of the four project zones. Details on public consultation workshops are included as **Appendix D**. During the workshop, the information provided to the participants include:

- Project objectives
- Potential benefits to the communities in the project area and general public
- Potential adverse impacts, both permanent and temporary
- Key provisions of the compensation policy for the assets acquired and assistance provided for temporary impacts during construction
- Grievance redress mechanism as provided for in the project
- Tentative schedule of work.

Responses to the issues and concerns raised by the participants were duly addressed during the workshops and the participants were informed of the name of the contact person, address and contact numbers in case of any complaints or enquiries. Summary of the issues and concerns are included in the appendix.

The MSMHP Medan Public Relations (PR) and Public Campaign (PC) strategy and programs have been prepared. The programs include continued public consultation meetings, dissemination of information using banners, leaflets, and radio talk shows.

The team has since prepared materials for radio talk shows, banners, leaflets, and news release for print media. Public Information Booklet (PIB) prepared for the project is included as **Appendix E**. Copies of the booklet has been provided to the residents and business establishments who may be temporarily impacted during the construction work along the project roads. Furthermore, initial discussions/consultations have been held with two land owners/their respective proxies whose land will be acquired by the Project since the middle of July 2012 (see **Appendix F** for minutes and photos).

Consultations and discussions with residents in the public consultation meetings will be conducted continually during construction. The main topics to be discussed in public consultation meetings are:

- The benefits and impact on society. Documents containing the results of research on the matter will be translated into the Indonesian language and made available in the village Office/kelurahan to be easily accessed by residents;
- The description of the scope of the project will be shown in a banner at the entrance of the project;
- Schedule of the construction work; and
- How the public can participate in support for the project.

The socialization and the discussion aspects will include:

1. Asset affected. Within one month the affected residents can file an objection to the Complaint Handling Team.
2. Consultations and discussions related to the reduced comfort/temporary inconvenience on restaurants (food stalls) and coffee shops activities. Socialization, consultations and discussions with business people to explain the project, observe the activities of citizens and to obtain input/advice from the business community.

Disclosure. General public and particularly the communities within the project areas have been kept fully informed about the project through a variety of means: newspaper articles, Public Information Booklet (PIB), and public consultation workshops. In addition to the project objectives, potential benefits and adverse impacts, provision of assistance to mitigate adverse temporary impacts, general public was fully informed of the grievance redress mechanism in the project. Draft and Final RP have been uploaded on the CPMU website. Once approved by the ADB, the final RP will be uploaded on the ADB website.

F. GRIEVANCE REDRESS MECHANISMS

To ensure that affected people have a way to convey their grievances, a grievance and complaint procedure has been prepared in accordance with Presidential Decree No.55 of 1993, Chapters 19-21 and Regulation 1 of 1994, Chapters 18 & 22. The grievance redress mechanism has also been described in the RF prepared for MSMHP and approved by the GOI and ADB.

Grievances related to any aspect of the project will be handled through negotiation aimed at achieving consensus. Complaints will pass through 3 stages before they could be elevated to a court of law as a last resort as follows.

1. First Stage

An aggrieved AP may bring his/her complaint before any member of PPMU, either in writing or verbally. It is incumbent upon said member of the PPMU to notify the Village Chief about the complaint who, in turn, will inform the *Camat*. The Sub-district Chief together with the Village Chief will have 14 days following the lodging of the complaint by the aggrieved AP to act on the case. He/she may call, as needed, any member of the PPMU, to help him/her come up with an acceptable resolution of the complaint. The *Kecamatan* is responsible for documenting and keeping file of all complaints that it handles.

2. Second Stage

If after 14 days the aggrieved AP does not hear from the *Camat* or the *Desa/Lurah* about the complaint, or if the AP is not satisfied with the decision taken by the *Camat*, the AP may bring the complaint, either in writing or verbally, to the *Walikota* (City Mayor). The *Walikota* in turn will have 30 days following the lodging of the complaint by the aggrieved AP to act on the case. He/she may call, as needed, any member of the PPMU, to help him/her come up with an acceptable resolution of the complaint. The *Kabupaten* or *Kota* (District/City Government) is responsible for documenting and keeping file of all complaints that it handles.

3. Third Stage

If after 30 days the aggrieved AP does not hear from the *Kabupaten* or *Kota*, or if the AP is not satisfied with the decision taken by the *Walikota*, the AP may bring the complaint, either in writing or verbally, to the Office of the Provincial Governor. The Governor has 30 days within which to resolve the complaint to the satisfaction of all concerned. The Office of the Governor is responsible for documenting and keeping file of all complaints that reaches the same.

4. Final Stage, the Court of Law Arbitrates

If after 30 days following the lodging of the complaint, the aggrieved AP does not hear from the Office of the Provincial Governor or if he/she is not satisfied with the decision taken by the Provincial Governor, the complaint may be brought to a court of law for adjudication. The rules of court will be followed in the adjudication of the complaint.

G. LEGAL FRAMEWORK

The resettlement policy framework is based on laws and practices of the Government of Indonesia and the ADB requirements as described in Section II of the RF for MSMHP. The policy framework and entitlements of the Project have been based upon the key legal instruments currently in force in Indonesia that are most relevant to involuntary resettlement, which are Presidential Decree No. 36/2005, entitled “Provision of Land for the Development of Public Interest”, as amended by Presidential Decree No. 65/2006, entitled “On Land Acquisition for Development Purposes in the Public Interest”, and BPN Regulation No. 3/2007 on “Land Acquisition Implementation Guideline for Presidential Decrees No 65/2006 and No 36/2005”. These are consistent with the requirements of the ADB’s SPS.

The core principle of the RP is anchored on the philosophy that Government development projects must serve the public good and that, in the design and implementation of such projects, all efforts will be exerted to help ensure that AHs are not worse off. Moreover, the MSMHP should provide an opportunity for the local population to derive benefits from it. Likewise, the MSMHP should serve as an occasion for the local population to participate in its planning and implementation, thereby engendering a sense of ownership over the Project, subprojects and other components.

H. ENTITLEMENTS, ASSISTANCE AND BENEFITS

Temporarily affected land and communal infrastructure will be restored to pre-project conditions. In these instances where temporary disturbances are caused by the construction project elements, especially drainage and sewerage, for which the EA will establish separate procedures, including: (i) minimize community disruption; (ii) assessment of relevant utility impact; (iii) construction cleaning; (iv) drainage control and sediment control onsite; (v) traffic maintenance; and (vi) noise control.

The land owners of the respective land parcels are entitled to full compensation. The land price is set after negotiation between the P2T and the respective land owners.

The owner of the two shops/coffee kiosk will get some relocation assistance to other nearby vacant land. As an alternative they can be hired later by PDAM as a service staff at the station.

Based on the condition design of MSMHP implementation and the entitlement matrix in RF the impact to the communities at the project site is temporary and not significant except for the owners of the two land parcels and the shops that would be displaced. Although the owners of both the shops have no claims over the land owners, the project will provide some relocation assistance to these temporary structures. Due to the temporary construction type of these two shops there is not likely to be any loss of business incomes during the relocation period.

For the street vendors the EA would assist them to move temporarily during the construction at the segment and move back to the original location after the construction.

I. RELOCATION OF HOUSING AND SETTLEMENTS

As described above the activities of this project will not cause population displacement. Thus relocation is not required for the APs.

J. INCOME RESTORATION AND REHABILITATION

Income restoration and rehabilitation activities are not required since there will be no relocation of the APs.

K. RESETTLEMENT BUDGET AND FINANCING PLAN

The MSMHP Medan resettlement activities include land acquisition, training workshop for PR-PC team, public consultation meetings, public relation activities, relocation of the two shops/coffee kiosk and temporary resettlement of street vendors during the construction period.

The total budget estimated for implementing the RP is about Rp 4.8 Million. The resettlement costs are summarized in the table below and will be mostly financed with the provincial APBD-P (government) budget. The Executing Agency will ensure that needed funds are available as and when necessary for the efficient and timely implementation of resettlement. The relocation of the two shops and temporary resettlement of street vendors will be financed as part of socialization activities in the civil work contracts.

Land acquisition *	Rp 3,948,000,000
Relocation assistance to Shop owners	Rp 4,000,000
Land appraisal consultant fee	Rp 50,000,000
Land certification	Rp 50,000,000
Training workshop for PR-PC team	Rp 22,200,000
Public consultation meetings **	Rp 673,815,000
Internal monitoring	Rp 50,000,000
Total	Rp 4,798,015,000

* Land parcel on Jl. Yos Sudarso = Rp 3,080,000,000 (Rp 5,5 mill per sq. m)
on Jl. Mesjid Taufik = Rp 868,000,000 (Rp 2 mill per sq. m)

** See **Appendix G** for details.

L. INSTITUTIONAL ARRANGEMENTS

General MSMHP Implementation

The Directorate General of Human Settlement of MPW is the Executing agency (EA). A central project management unit (CPMU) has been established at the DGHS and sub-project management units, a PPMU at provincial level and an LPMU at city level, have also been established. A steering committee, chaired by the National Development Planning Board (Bappenas) and including representatives from MPW, Ministry of Health (MOH), Ministry of Human Affairs, Ministry of Environment, and Ministry of National Education, will provide guidance and coordination to the Project, and make policy and strategic decisions.

The CPMU will be fully assisted by a central support team (CST) consisting of international and national consultants with expertise in project management, procurement, finance and accounting, monitoring and evaluation, community organizations and institutions, sanitation technical aspects, urban governance and planning, environmental monitoring, RF implementation, gender, public relations, public marketing, billing and tariffs, contract management and quality assurance, health and hygiene behavioral change, and institutional capacity building.

Institutions for Resettlement

1. CPMU Social and Environmental Section

A social and Environmental Section (SES) at the Central Project Management Unit (CPMU) of the Executing Agency will be organized and will take the lead in ensuring that the RP is prepared and implemented in accordance with the RF and the loan agreement. The SES will provide training sufficient for its staff to be able to satisfactorily discharge their duties.

2. Municipal Government

The *Kota* (Municipal Government) through the office of the *Walikota* (Mayor) will provide the main workforce in the preparation and implementation of the RP. The *Kota* will have the following functions:

- a) Organize the LAC by way of Decree;
- b) Issue a Decree on the unit costs of affected assets based on replacement cost and/or market rates;
- c) Manage and disburse the funds for paying the compensation oh AHs for lost assets; and
- d) Assist in the expeditious and judicious resolution of complaints of APs.

3. Land Acquisition Committee (P2T = LAC)

Project service area is in the city of Medan. The land acquisition will be conducted by the Land Acquisition Committee *P2T* (LAC). The project wil apply to the Governor for the establishment of *P2T* at the provincial level and to the mayor of Medan for the city level. This is in accordance with Presidential Decree. 36 of 2005 and Presidential Decree. 65 of 2006 for land acquisition for development activities for public interest and the Head of BPN No. 3 of 2007 as the implementation of the above two decisions. Therefore, the *P2T* of North Sumatra will be involved in the project land acquisition and completion of the project.

The tasks of the P2T are as follows:

- a) Provide information to landowners or Community.
- b) Conduct a survey and inventory of land, buildings, plants and things related to the land to be released.
- c) Survey the status, legality of land ownership, and letters/document as supporting evidence of ownership of land to be released.
- d) Announce/publish the survey and inventory results of items b and c.
- e) Acquire the value of the land to be released based on the results of the Independent Land Price Appraisal Institute.
- f) Estimate the value of land, buildings, plants and other assets relating to land, based on P2T appraisal.
- g) Meet with landowners and agencies in need of land about the compensation value.
- h) Decide the amount of compensation value of the land to be released.
- i) Monitor the payment of compensation to landowners.
- j) Prepare the letters of change of ownership rights from the old owner to new owner (Project).
- k) Document all land acquisition to archive at the Office of BPN for projects that require land.

4. Independent Land Assessor

A BPN-licensed Land Price Appraisal Institution which will be in charge of determining land prices will be hired by the project. Independent assessors are institutional/professional and independent teams to determine the value/price of land which will then be used by the P2T as a basis for consultation with landowners. After the appointment, the assessment team will conduct a survey to the location where the land is to be released, and other institutions involved in land acquisition process at the project site to determine the value of land prices. Determination of the value of buildings, plant and other asset attached to the land will refer to the local regulations or other regulations issued by the government of the city of Medan.

M. IMPLEMENTATION SCHEDULE

The implementation schedule of resettlement includes: socialization and dissemination of project information to the APs and community, land appraisal, discussion and negotiation of land acquisition with the land owner, payment of compensation, and internal monitoring of RP implementation. Construction activities in the project will begin only after completion of compensation payments. See **Figure 5** below.

N. MONITORING AND REPORTING

Directorate General of Human Settlements (DGHS), as the Executing Agency, will conduct regular monitoring on the updating and implementation of the RP through the SES at the CPMU. This monitoring is intended to ensure that the RP is prepared according to the RF and is implemented as planned, seeing to it that the mitigating measures carried out are

adequate and effective in addressing the adverse social impacts of the subproject for which the RP has been prepared.

No	Activity	2012							2013							2014						
		J	J	A	S	O	N	D	J	F	M	A	M	...	J	F	M	A	M	...		
1	Formation of PR-PC Team																					
2	Training for PR-PC Team																					
3	Preparation of RP																					
4	Public information dissemination																					
5	Public consultation meetings																					
6	Land appraisal																					
7	Land acquisition and payment																					
8	Start of construction																					
9	Internal Monitoring																					

Figure 5. Implementation Schedule

The established PR-PC team in Medan has been tasked, among others, to monitor the implementation of the RP and the temporary impact on business and residents along the project alignment during construction period.

The project will also monitor the progress of land acquisition and resettlement implementation. Monitoring will consist of a series of measures relating to the preparation and implementation of the land acquisition and implementation of civil works.

As the internal monitoring arm of the Executive Agency, the SES will maintain a file of all data gathering in the field, including progress reports from the LAC. The SES will submit monthly monitoring report to the Executing Agency starting from the commencement of RP updating. The EA in turn will include updates on resettlement in its quarterly progress reports to ADB.

REFERENCES

1. Master Plan and Sewerage of Medan City of North Sumatra.
2. Resettlement Framework. INO: Metropolitan Sanitation Management and Health Project, ADB, 2009
3. Safeguard Policy Statement, 2009, the Asian Development Bank
4. Detail Design Project Medan MSMHP.
5. Procurement Manual and Managed Land Resettlement,
6. Policy Framework and Procedural Guidelines for Compensation (In The Projects Obtaining Funds from ADB)
7. Bank Resettlement Policy.
8. Handbook on Resettlement: A Guide to Good Practice, ADB, 1998.

APPENDIX A. PHOTOGRAPHS OF TWO LAND PARCELS TO BE ACQUIRED



(1) Land Parcel on Jl. Mesjid Taufik



(2) Land Parcel on Jl. Yos Sudarso

APPENDIX B. ROADS (ROW 6.0 M OR LESS) WITH NUMBER OF BUSINESSES & VENDORS WITH LIKELY TEMPORARY IMPACTS

No.	Locality/ Zone	Road Name	ROW	Number and Type of Businesses with Potential Temporary Impacts				Remarks
				Vendors	Temp. Shops	Permanen t Shops	Total Businesses	
01.	12	Jl.Durian	5 m	-	-	82	82	<ul style="list-style-type: none"> • Small Businesses • Workshop • Restaurant
02.	12	Jl.Prajurit	4 m	-	-	12	12	<ul style="list-style-type: none"> • Small Businesses
03	12	Jl.Pelita I	4 m	-	2	31	33	<ul style="list-style-type: none"> • Small Businesses
04	12	Jl.Pelita II	4 m	-	-	19	19	<ul style="list-style-type: none"> • Small Businesses
05	12	Jl.Pelita IV	4 m	1	-	25	26	<ul style="list-style-type: none"> • Small Businesses • Workshop • Food stalls
06	12	Jl.Pelita VI	6 m	-	2	31	33	<ul style="list-style-type: none"> • Small Businesses
07	12	Jl.Mapalindo	4 m	-	1	19	20	<ul style="list-style-type: none"> • Small Businesses
08	12	Jl.Mohamad Basri	6 m	-	-	29	29	<ul style="list-style-type: none"> • Small Businesses • Restaurant
09	12	Jl.Bukit Barisan	6 m	1	3	14	18	<ul style="list-style-type: none"> • Small Businesses • Workshop • Restaurant • Food stalls
10	12	Jl.Mesjid Taufik	4 m	-	1	22	23	<ul style="list-style-type: none"> • Small Businesses • Workshop

11	9	Jl.Bedagai	6 m	280	-	134	414	<ul style="list-style-type: none"> • Store • Vegetables stall • Small Restaurant
12	9	Jl.M.Said	5 m	5	10	114	129	<ul style="list-style-type: none"> • Store • Small Restaurant • Photo Copy stall • Cellular Phone stall • Tyre repair stall
13	9	Jl.Sejati	4 m	6	-	6	12	<ul style="list-style-type: none"> • Stall • Small Restaurant
14	9	Jl.Dorowati	4 m	-	28	2	30	<ul style="list-style-type: none"> • Small Coffee shop • Restaurant
15	9	Jl.Ngalengko	4 m	-	4	10	14	<ul style="list-style-type: none"> • Small Coffee shop/restaurant • Cellular phone stall • Laundry
16	11	Jl.Sidorukun	5 m	17	20	55	92	<ul style="list-style-type: none"> • Store • Small Restaurant • Stall • Car and motorcycle workshop • Internet shop • Clinic
17	11	Jl.Merdeka	5 m	10	15	56	81	<ul style="list-style-type: none"> • Store • Small restaurant • Study Course • Drug store • Workshop
TOTAL				320	86	661	1,067	

APPENDIX C. COPY OF PRESS RELEASE AND CORRESPONDING CLIPPINGS OF NEWS ARTICLES FROM LOCAL NEWSPAPER

C-1. Copy of Press Release Given to Newspaper on 19 October 2012

METROPOLITAN SANITATION MANAGEMENT AND HEALTH PROJECT (MSMHP) MEDAN

One of the requirements of a metropolitan city is having a good metropolitan sanitation management to improve public health. The dynamic of city life in Medan invite newcomers both from abroad and outside the city. Population increase results in the increase in need of serious management of wastewater facilities, especially in residential and commercial areas. A projection of sewerage capacity in Medan till 2030 is 430,981.63 m³/day, an equivalent of 107,745 wastewater trucks lining up along the streets of Medan in a day, while the off-site system of piped wastewater service only serves 2.6% of the total population, the rest rely on on-site system of septic tanks which do not meet standards.

Septic tanks have a potential to pollute the groundwater because of infiltration or tank leakage due to lack of maintenance and their low quality.

Survey results show that groundwater pollution in Medan has occurred whereas most of the population are still using groundwater as their water source (using water pumps) for drinking and other daily domestic activities.

Environment is important to public health. According to WHO “environmental health is a health condition that includes physics, mental and social, aspects that are free from diseases and disablement.”

To this end, the City Government of Medan through Dinas Tata Ruang dan Permukiman (the city planning and settlement agency) develops wastewater disposal service through the Metropolitan Sanitation Management and Health Project (MSMHP) by constructing main sewer pipelines facilities that function to channel domestic wastewater, that from commercial buildings (hotels, shops, etc) and institution buildings to the wastewater treatment plant at Pulo Brayan. The treated wastewater can safely be disposed to rivers because it has meet the required standards.

MSMHP activities will include optimization of the existing WWTP and developing new sewerage networks spanning a total length of 25,280 meters and encompassing four sub-districts, i.e Medan Timur, Medan Barat, Medan Perjuangan and Medan Maimun.

The project is expected to give maximum benefits to the efforts of city environmental health in the future, including the following:

1. Groundwater or rivers are safe from pollution.
2. Water organisms develop well and in turn improve the water ecosystem life quality thereby the people can derive the potential benefits of rivers.
3. Organic sludge is decreased in the sewers and rivers therefore decreasing the shallowing process which causes floods.
4. The drainage is clean and not overflown.
5. The environment is clean and healthy.

C-2. Clippings of News Articles From Local Newspaper

1. News Article in 'Waspada' online on 21 October 2012
(http://www.waspada.co.id/index.php?option=com_content&view=article&id=264672:proyek-msmhp-disosialisasikan&catid=14:medan&Itemid=27)

31/10/12

Proyek MSMHP disosialisasikan

31/10/12

Proyek MSMHP disosialisasikan

YI ByClick

WASPADA ONLINE

pusat berita & informasi medan sumut aceh

HOME MEDAN SUMUT ACEH WARTA SPORTS RAGAM ANAK CITIZEN JOURNALISM

LOGIN


SUNDAY, 21 OCTOBER 2012 08:17

Proyek MSMHP disosialisasikan

Warta

RDIN

WASPADA ONLINE



(Ilustrasi)

MEDAN – Proyek Jaringan Pipa Air Limbah yang dikenal dengan nama Metropolitan Sanitation Management and Health Project (MSMHP), merupakan pinjaman pemerintah pusat dari Bank Pembangunan Asia (ADB) yang sudah mulai berjalan di Kota Medan. Proyek ini, akan menjadi kegiatan yang paling serius bagi instansi terkait yang terlibat didalamnya.

Namun proyek tersebut juga akan menuai banyak sorotan di masyarakat, maka dinas yang terkait serta konsultan yang terlibat dalam proyek tersebut mengharapkan masyarakat Kota Medan, untuk mendukung sepenuhnya proyek pemerintah pusat melalui Dirjen Cipta Karya, Kementerian Pekerjaan Umum tersebut.

Dalam sosialisasi kepada media massa tentang MSMHP yang dilaksanakan oleh Konsultan MSMHP, Dinas Tanukim Sumut dan PDAM Tirtanadi di Kantor Dinas Kominfo Sumut Jalan M.Said Medan memaparkan bahwa proyek MSMHP telah dimulai dari Zona 1 sampai Zona 8 di

Kelurahan Kota Maksu. Dan menyusul Zona 9 sampai zona 12 yang penggalian pipenya akan banyak melalui ruas jalan di tiga kecamatan yakni, Kecamatan Medan Perjuangan, Medan Timur, Medan Barat dan Medan Maimun.

Menurut Sri Hartati selaku Publik Relations Konsultan MSMHP, dalam pelaksanaan proyek tersebut pemerintah mengalokasikan dana sebesar US\$ 63,25 juta dengan peruntukan proyek tersebut di Kota Medan sebesar US\$ 20.590.000 dengan lima paket pengerjaan.

Sri Hartati menyebutkan acara sosialisasi proyek MSMHP selain bertujuan untuk memberikan informasi program MSMHP Kota Medan lebih rinci.

"Acara ini juga untuk memberikan pemahaman tentang pentingnya pengolahan sanitasi dan mendapatkan dukungan dari media massa," ujar Sri Hartati, di Medan hari ini.

Sementara itu Kepala Divisi Public Relation (KadivPR) PDAM Tirtanadi Provinsi Sumatera Utara, Amrus menyebutkan untuk Kota Medan program ini dilaksanakan oleh beberapa pihak. Yakni, pemerintah pusat meningkatkan kapasitas Instalasi Pengolahan Air Limbah (IPAL) Cembra dan perluasan jaringan pipa air limbah primer, Pemerintah Provinsi Sumatera Utara melaksanakan perluasan jaringan pipa sekunder, Pemerintah Kota Medan melaksanakan perluasan jaringan pipa tersier dan sambungan rumah baru, sedangkan PDAM Tirtanadi melakukan promosi dan kampanye penyambungan air limbah sekaligus operator pengelolaan air limbah.

"Program MSMHP selama lima tahun (2011-2015) diproyeksikan mendapatkan 13.250 pelanggan baru. Khusus pada tahun 2011 diharapkan mendapat 3.000 pelanggan air limbah," kata Amrus.

Sementara itu, Kadis Kominfo Sumut Aren Nasution dalam sambutannya menyebutkan kalau pihak terkait dalam proyek MSMHP harus memberikan informasi yang seluas-luasnya kepada media agar masyarakat dapat mengetahui sejauh mana perkembangan proyek tersebut. "Berikan informasi kepada media dan bila perlu ajak media untuk melihat langsung jalannya proyek tersebut sehingga dapat dijabarkan dalam pemberitaan guna diketahui masyarakat," ujar Aren.

www.waspada.co.id/index.php?option=com_content&view=article&id=264672:proyek-msmhp-disosialisasikan

1/2

2. News Article in 'Inspirasi Bangsa' online on 20 October 2012
(<http://inspirasibangsa.com/jaringan-pipa-limbah-25-280-m-dibangun-di-medan/>)

INSPIRASI*Bangsa*
Dedikasi anak bangsa untuk kebangkitan Indonesia

[Home](#) [Sektor riil](#) [Komoditi](#) [Peluang Pasar](#) [Asosiasi](#) [Opini](#) [Inspirator](#) [Mahasiswa](#)

You are here: [Home](#) > [Daerah](#) > Jaringan Pipa Limbah 25.280 M Dibangun di Medan Novem

Jaringan Pipa Limbah 25.280 M Dibangun di Medan

Dipostkan oleh inspirasi on October 20, 2012

[Send](#)

[Recommend](#) [Send](#) [Be the first of your friends to recommend this.](#)



Jaringan Pipa Limbah 25.280 M Dibangun di Medan

Medan, inspirasi Bangsa (20/10)— Pipa pengembangan jaringan baru sanitasi air limbah sepanjang 25.280 meter, siap dibangun di Kota Medan pada Januari 2013. Pembangunan pipa itu merupakan bagian dari Metropolitan Sanitation Management and Health Project (MSMHP).

Selsin pembangunan pipa, MSMHP juga mencakup program rehabilitasi Instalasi Pengelolaan Air Limbah (IPAL) PDAM Tirtanadi di Pulau Brayan Bengkel Cemara, optimalisasi pengelolaan limbah pada wilayah yang sudah ada sebelumnya.

Disamping itu, juga dilakukan kampanye publik untuk tujuan peningkatan kesadaran masyarakat akan pentingnya pengelolaan air limbah domestik. Dan untuk memulai teknis rangkaian program ini, sedang dan akan terus dilakukan sosialisasi kepada masyarakat Medan.

"Sebanyak US\$ 20,59 juta kita habiskan nantinya untuk menjalankan MSMHP ini," kata Public Relation MSMHP, Sri Rijadianti, dalam paparannya pada temu pers sosialisasi MSMHP di Kantor Dinas Kominfo Sumut, Jalan HM Said Medan, Jumat (19/10).

Hadir pada temu pers itu, Kadis Kominfo Sumut DR Asren Nasution, Kabid Denni Simamora, Budi dari Dinas Tarukim Sumut, Rahmat dan Lili Barlian dari Sinotech Engineering Consultants LTD dan Bachtier Yuwono selaku Kepala Tim Pengolahan Air Limbah PDAM Tirtanadi.

3. News Article in 'Sumut Pos' e-paper on 20 October 2012 (<http://epaper.hariansumutpos.com/2012/10/20/06>)

Tahun 2030, Kota Medan Tergenang Air Limbah

MEDAN- Tahun 2030 mendatang, Kota Medan akan mengalami timbunan air limbah sebesar 430.981 meter kubik per hari. Dan ukuran itu sesuai dengan Rencana Tata Ruang Wilayah (RTRW) Kota Medan.

Jumlah tersebut setara dengan 107.745 truk tinja, yang berderet di sepanjang jalan Kota Medan. Itu dikemukakan Public Relation (PR) Metropolitan Sanitation Management and Health Project (MSMHP), Sri Rijadianti kepada wartawan di Kantor Dinas Komunikasi dan Informasi (Diskominfo) Sumatera Utara (Sumut), di Jalan HM Said Medan, Jumat (19/10). "Dalam sehari produksi tinja di Kota Medan sama dengan 62 truk," kata Sri Rijadianti.

Dikatakannya, tahun 2013 MSMHP siap

membangun pipa pengembangan jaringan baru sanitasi air limbah sepanjang 25.280 meter di Kota Medan. "Itu bagian dari program kerja MSMHP," akunya.

Sebelum pemasangan pipa itu, Sri menjelaskan, pihaknya terlebih dulu akan meneliti dan menginventarisir cakupan program Instalasi Pengolahan Air Limbah (IPAL) PDAM Tirtanadi, di Pulau Brayan Bengkel Cemara, Medan.

"Jadi untuk optimalisasi pengolahan limbah pada wilayah yang sudah ada sebelumnya," ungkapnya.

Dibutuhkan, kampanye publik dalam merealisasikan program itu dengan tujuan selain masyarakat mengetahui pemasangan pipa, tapi juga supaya muncul kesadaran ma-

sarakat akan pentingnya pengelolaan air limbah domestik. "Kita terus melakukan sosialisasi kepada masyarakat Kota Medan," katanya.



Diterangkannya, program tersebut menghabiskan biaya sebesar 20,59 juta dollar Amerika Serikat (AS), dimana diproyeksikan pembangunannya akan rampung dan berfungsi efektif pada tahun 2014.

Cakupan penelitian dalam rangka pemasangan pipa tersebut di Medan, meliputi empat kecamatan, yakni Medan Perjuangan, Medan Timur, Medan Barat, Medan Maimun.

Dari empat kecamatan itu, meliputi 17 kelurahan serta 30 jalan utama dan jalan peru-

mahan. Ke 17 kelurahan itu, di antaranya Kelurahan Sidorame Barat I, Kelurahan Sidorame Barat II, Kelurahan Perintis, Kelurahan Sidoradi, Kelurahan Gang Buntu, Kelurahan Pandau Hilir, Kelurahan Tegal Rejo, Kelurahan Gaharu, Kelurahan Durian, Kelurahan Glugur Darat I, Kelurahan Pulo Brayan Darat I, Kelurahan Pulo Brayan Kota, Kelurahan Silalas, Kelurahan Kesawan, Kelurahan Aur dan Kelurahan Sukaraja.

Saat ini, lanjutnya, terdapat jaringan pipa limbah dengan 12.150 sambungan rumah (SR) yang mengalir ke IPAL Pulau Brayan Bengkel. "Dengan adanya pemasangan pipa sepanjang 25.280 meter ini, maka Tirtanadi akan dapat melayani pemasangan sambungan rumah sekitar 13.300 SR," ujarnya. (ari)

APPENDIX D. PUBLIC CONSULTATION WORKSHOPS *

No.	Date	Name of Place for Workshop	Description of Stakeholders	Number of Participants	Specific Issues and Concerns Raised
01.	Oct 25,2012	Zone: 09 Place: Jl.Dorowati	Village heads: - Lurah: - Government Officials: 2 Community members: 11 NGO: - Associations:	13	Lack of access due to construction Noise and dust Business Loss, traffic congestion, damage driveway
02.	Oct 25,2012	Zone: 10 Place: Jl.Yos Sudarso	Village heads: - Lurah: - Government Officials: 2 Community members: 7 NGO: - Associations:	9	Noise and dust Business Loss
03.	Oct 29,2012	Zone: 11 Place: Jl.Sidorukun	Village heads: - Lurah: - Government Officials: 2 Community members: 8 NGO: - Associations:	10	Noise and dust Business Loss,
04.	Oct 29,2012	Zone: 12 Place: Jl.Durian	Village heads: - Lurah: - Government Officials: 2 Community members: 12 NGO: - Associations: -	14	Lack of access due to construction Noise and dust Business Loss, traffic congestion, damage driveway

***Detailed minutes of the public consultation workshops including the names of the participants, attendance sheet etc. are maintained at the project office.**

APPENDIX E. PROJECT INFORMATION BOOKLET:

METROPOLITAN SANITATION MANAGEMENT AND HEALTH PROJECT (MSMHP) MEDAN

PIPED WASTEWATER CREATING ENVIRONMENTAL HEALTH AND SANITATION

One of the requirements of a metropolitan city is having a good metropolitan sanitation management to improve public health.

Why is City Sanitation Management Needed in Medan?

The dynamic of city life in Medan invite newcomers both from abroad and outside the city. Population increase results in the increase in need of serious management of wastewater facilities, especially in residential and commercial areas. A projection of sewerage capacity in Medan till 2030 is 430,981.63 m³/day, an equivalent of 107,745 wastewater trucks lining up along the streets of Medan in a day, while the off-site system of piped wastewater service only serves 2.6% of the total population, the rest rely on on-site system of septic tanks which do not meet standards, such as

- The floor is not cemented
- The walls are not plastered
- There is no infiltration due to land limitation (dense residential areas).
- There is surface disposal to the sewers.

Septic tanks have a potential to pollute the groundwater because of infiltration or tank leakage due to lack of maintenance and their low quality.

Survey results show that groundwater pollution in Medan has occurred whereas most of the population are still using groundwater as their water source (using water pumps) for drinking and other daily domestic activities.

Reducing Groundwater or River Pollution Efforts

Environment is important to public health. According to WHO “environmental health is a health condition that includes physics, mental and social, aspects that are free from diseases and disablement.”

To this end, the City Government of Medan through Dinas Tata Ruang dan Permukiman (the city planning and settlement agency) develops wastewater disposal service through the Metropolitan Sanitation Management and Health Project (MSMHP) by constructing main sewer pipelines facilities that function to channel domestic wastewater, that from commercial buildings (hotels, shops, etc) and institution buildings to the wastewater treatment plant at Pulo Brayan. The treated wastewater can safely be disposed to rivers because it has meet the required standards.

MSMHP activities will include optimization of the existing WWTP and developing new sewerage networks spanning a total length of 25,280 meters and encompassing four sub-districts, i.e Medan Timur, Medan Barat, Medan Perjuangan and Medan Maimun.

BENEFITS OF PIPED WASTEWATER MANAGEMENT

1. Groundwater or rivers are safe from pollution.
2. Water organisms develop well and in turn improve the water ecosystem life quality thereby the people can derive the potential benefits of rivers.
3. Organic sludge is decreased in the sewers and rivers therefore decreasing the shallowing process which causes floods.
4. The drainage is clean and not overflowed.
5. The environment is clean and healthy.

Sanitation improvement prevents groundwater and rivers/lakes pollution.

The project is expected to give maximum benefits to the efforts of city environmental health in the future.

LOCATIONS OF SEWERLINES CONSTRUCTION

The Project corridor includes the following streets: Ngalengko, Dorowati, Durian, Sejati, Thamrin, Bedagai, Perintis Kemerdekaan, Gaharu, M. Yamin, Timor, Sidorukun, Jemadi, Krakatau, Yos Sudarso, Putri Hijau, Balai Kota, A. Yani, Pemuda, Brigjen Katamso, Mesjid Taufik, Durian, Bukit Barisan, Pelita I, Pelita II, Pelita IV, Pelita VI, Mapilindo, Gg Kucica 1, Kapt M. Basri, dan Sutomo.

Besides benefits of the project, there will be some adverse permanent impacts on people's properties in addition to temporary impacts during construction phase. Permanent impacts include loss of two parcels of land and relocation of two temporary shop owners who operate on these two land parcels. Temporary impacts during construction phase will be avoided or minimized. However, in case of any damage to private properties due to the construction work the affected owners will be fully compensated by the contractors.

The pipe laying will use the clean construction method, in which for every 50 meter segment the layed pipes will be covered for the safety and convenience of street users. Shoring will be used to prevent the soil to spill back into the entrenchment. Jacking will be done in intersections or railway crossings to prevent traffic jams. Efforts will also be made to manage traffic to minimize inconvenience to roadside businesses and to provide temporary access to houses and shops along the project roads.

The City Government of Medan apologize for the inconvenience due to the construction of wastewater pipelines.

The public is expected to participate in monitoring the development works for smooth project implementation.

MSMHP Medan project has a detailed policy to provide compensation and assistance for permanent loss of assets and temporary impacts affecting private assets and loss of business, if any. The relevant sections of the policy on compensation and other entitlements are summarized in the table below (Entitlement Matrix). This policy will apply to all sub-projects and sub-components of the MSMHP.

Entitlement Matrix

Type of Loss/Impacts	Eligible Persons	Entitlements
Loss of Use of Productive Land within the ROW/Public Land	All farmers utilizing ROW land for productive use.	APs will be allowed to harvest their crops prior to construction and will be allowed to cultivate remaining portion of ROW. If during RP preparation, farmers are found to be severely affected (i.e., the loss is equivalent to 10% or more of their total income capacity) and that these farmers have no other land to cultivate, the PPMU will assist, as much as possible, in finding affordable replacement land with similar productive attributes for these farmers to lease or buy. If there are no available replacement lands, in-kind assistance or ongoing community development programs in the area to be determined during RP preparation.
Impacts on Houses or Shops	Owners with legal rights to land	<p>Compensation based on current market value of structures which is based on bills of quantity and bills of materials including labor necessary to construct a duplicate of a structure without application of depreciation.</p> <p>If owner is required to relocate, provision of relocation assistance and moving cost. Allowance for lost income during transition. Assistance will be in-kind or cash.</p>
	Owners who are within ROW/Public Land	<p>Assistance in cash or in-kind to help dismantle, rebuild, and/or transfer the houses/shops in the residual area of the ROW or outside of the ROW that will be selected by the LAC and which site will be prepared for occupancy by the civil works contractor prior to the transfer of the house. If house not yet available prior to moving, temporary shelter to be provided at no cost to the affected household during dismantling and re-construction of house.</p> <p>Provision of assistance in cash or in-kind to cover relocation cost and lost income during transition.</p>
Temporary Loss of Business Income during construction	Business owners with or without permit that may be required to close shop for a few days.	<p>Compensation for lost income (cash or in-kind) based on business tax records for those who have business permits This will be the average income per day multiplied by the number of days of business disruption.</p> <p>For those who have no permits or who are on public land, cash/in-kind assistance equivalent to minimum salary in the area</p>

		multiplied by the number of days of business disruption.
Loss of, or damage to Crops and trees, aquaculture products (from fishpond)	Owners regardless of tenure status	<p>APs (owners and sharecroppers) will be allowed to harvest annual crops, aquaculture products, and timber products before start of construction.</p> <p>Perennial trees will be allowed to be harvested and cut. For those that can be balled, PPMU will assist in balling the trees and transport them for replanting outside of the ROW. Perennial trees will be compensated based on productive value of tree.</p>
Loss of, or damage to Public Facilities	Local government	To be restored and relocated in accessible areas
Higher risks of hardship due to project impacts due to impacts on house and shops, loss of paddy land and aquaculture land	APs that fall within the official category of "poor" (i.e., earning less than \$1 per day), and those that are headed by females and/or those headed by the disabled and with no other gainfully employed or earning members of the household, Sharecroppers who have no other fishpond land.	Greater care and attention will be provided to these APs during the transfer of their structures which will be spearheaded by the PPMU and civil works contractor to spare them any additional hardship on account of the Project. Will be given priority in any livelihood program, income restoration, and/or social program of the local government.
Impacts during Construction		<ul style="list-style-type: none"> Contractors will be responsible for paying rental in cash for land outside the ROW which will be no less than the net income that would have been derived from the affected property during disruption. Restoration of land will be done immediately after use. Non-land assets within the residual area of the ROW will be replaced through in-kind support while those outside of the ROW that are adversely impacted by construction activities will be compensated in-kind or cash at replacement cost by the civil works contractor.

GRIEVANCE REDRESS MECHANISMS

To ensure that affected people have a way to convey their grievances, a grievance and complaint procedure has been prepared in accordance with Presidential Decree No.55 of 1993, Chapters 19-21 and Regulation 1 of 1994, Chapters 18 & 22. The grievance redress mechanism has been approved by the GOI and ADB.

Grievances related to any aspect of the project will be handled through negotiation aimed at achieving consensus. Complaints will pass through 3 stages before they could be elevated to a court of law as a last resort as follows.

a. First Stage

An aggrieved AP may bring his/her complaint before any member of PPMU, either in writing or verbally. It is incumbent upon said member of the PPMU to notify the Village Chief about the complaint who, in turn, will inform the *Camat*. The Sub-district Chief together with the Village Chief will have 14 days following the lodging of the complaint by the aggrieved AP. The *Kecamatan* is responsible for documenting and keeping file of all complaints that it handles.

b. Second Stage

If after 14 days the aggrieved AP does not hear from the *Camat* or the *Desa/Lurah* about the complaint, or if the AP is not satisfied with the decision taken by the *Camat*, the AP may bring the complaint, either in writing or verbally, to the *Walikota* (City Mayor). The *Walikota* in turn will have 30 days following the lodging of the complaint by the aggrieved AP to act on the case. The *Kabupaten* or *Kota* (District/City Government) is responsible for documenting and keeping file of all complaints that it handles.

c. Third Stage

If after 30 days the aggrieved AP does not hear from the *Kabupaten* or *Kota*, or if the AP is not satisfied with the decision taken by the *Walikota*, the AP may bring the complaint, either in writing or verbally, to the Office of the Provincial Governor. The Governor has 30 days within which to resolve the complaint to the satisfaction of all concerned. The Office of the Governor is responsible for documenting and keeping file of all complaints that reaches the same.

d. Final Stage, the Court of Law Arbitrates

If after 30 days following the lodging of the complaint, the aggrieved AP does not hear from the Office of the Provincial Governor or if he/she is not satisfied with the decision taken by the Provincial Governor, the complaint may be brought to a court of law for adjudication. The rules of court will be followed in the adjudication of the complaint. All the cost incurred by the members of the public in filing the complaints will be covered by the project.

For further project information and complaints, please contact:

SEKRETARIAT MSMHP KOTA MEDAN

Jl. Willem Iskandar No. 9 Medan

Telp: 0852 6082 9257

Email: upm_msmhp@yahoo.co.id

APPENDIX F. MINUTES AND PHOTOS OF INITIAL CONSULTATION WITH TWO LAND OWNERS (REPRESENTED BY THEIR RESPECTIVE PROXIES)

1. Socialization of MSMHP to The Owner of Land Parcel at Jalan Yos Sudarso

Time : Wednesday, 25 July 2012, 11.00 – 11.45

Place : Padang Restaurant

Participants : 1. Pak Zulkifli (the proxy of the land owner)
2. Rusydi (Sinotech Consultant representing PPMU)
3. Ponidi (Sinotech Consultant)

1. The consultant explained about the Government plan to undertake the MSMHP Project in Medan, in which there is a need to acquire the parcels of land at Jalan Yos Sudarso and at Jalan Mesjid Taufik.
2. The consultant asked whether the the owner of the piece of land at Jalan Yos Sudarso is willing to release the piece of land to the government with compensation.
3. The proxy said that the owner is willing to release the land parcel for the Project as long as the compensation is set through a dialogue.
4. The consultant verified the ownership status of the land parcel. It is the inheritance right of Mr Khairul and Mr Suheri.
5. If the project does acquire the land parcel, Mr Khairul and Mr Suheri request that they are given assistance in the certification of the land first.
6. The consultant explained that there will be a follow-up to this meeting by a representative of the city government of Medan.

2. Socialization of MSMHP to The Owner of Land Parcel at Jalan Mesjid Taufik

Time : Thursday, 26 July 2012, 09.00 – 10.00

Place : House of Mr Amir (the proxy of the land owner)

Participants : 1. Mr Amir (the proxy of the land owner)
2. Mr Rusydi (Consultant Sinotech representing PPMU)
3. Mr Ponidi (Consultant Sinotech)

1. The consultant explained about the Government plan to undertake the MSMHP Project in Medan, in which there is a need to acquire the parcels of land at Jalan Mesjid Taufik and at Jalan Yos Sudarso.
2. The consultant asked whether the the owner of the piece of land at Jalan Mesjid Taufik is willing to release the piece of land to the government with compensation.

3. The proxy said that the owner is willing to release the land parcel for the Project as long as the compensation is set through a dialogue.
4. The consultant verified the ownership status of the land parcel and the proxy could provide the certificate of the land in the name of Mr Asbalah.
5. The consultant explained that there will be a follow-up to this meeting by a representative of the city government of Medan.



1. Discussion between PPMU and the owner of land on Jl. Yos Sudarso on 25 July 2012



2. Discussion between PPMU and the owner of land on Jl. Mesjid Taufik on 26 July 2012

APPENDIX G. DETAILS OF PUBLIC CONSULTATION MEETINGS COST

No	DESCRIPTION	UNIT	VOLUME	UNIT PRICE	SUB TOTAL
A. Local Government					
Invitees: 20P Agencies + 4P Camat + 20 reps of comm & local leaders = 44P					
unit cost: Rp 337,000/P					
1	Personnel: (Participant's Transport)				
	Key Speaker (2P)	Person	2	500,000	1,000,000
	Agencies (20P: Bappeda, BLH, Diparda, PU, CK, University, etc)	Person	20	100,000	2,000,000
	Head of Sub District (4P)	Person	4	100,000	400,000
	Reps of Community plus Local Leaders (5P/Sub-district)	Person	20	100,000	2,000,000
		pax (incl. speaker)	46		
2	Operational				
	Lunch+snack (46P pax+7P Cons+5P Contr)	person	58	125,000	7,250,000
	Material/tools kit (only for pax + 5P Contr)	set	51	15,000	765,000
	Banner (1)	set	1	300,000	300,000
	Documentation	set	1	100,000	100,000
3	Media				
	Equipment (TOA, infocus)	set	1	1,000,000	1,000,000
Sub Total Government Level:					14,815,000
B.	Sub_District Level (4 Kecamatan)				
Invitees: 1P Camat + 3 staff Camat + 5P Lurah + 16P reps of comm + 5P Local Ldr. = 30P					
unit cost @Rp 7,900 /meeting; Rp 264,000/P					
1	Personnel: (Participant's Transport)				
	Key Speaker (1P)	Person	4	500,000	2,000,000
	Agencies (2P)	Person	8	200,000	1,600,000
	Head of Sub District - the Host gets @ Rp 250,000	Person	4	250,000	1,000,000
	Staffs of Sub District (3P)	Person	12	100,000	1,200,000
	Head of Village (5P in each Kecamatan)	Person	20	100,000	2,000,000
	Reps of Community (16P) plus Local Leaders (5P) in each kecamatan), THEY'RE NOT KEPLINGS. KEPLING HAS A SEPARATE FORUM	Person	84	100,000	8,400,000
		pax	120		
2	Operational				
	Place (Cleaning Service etc)	-	4	500,000	2,000,000
	Snack and Lunch (pax+speaker+agencies)+(5P Cons+5P Contr)*4	person	172	50,000	8,600,000
	Material/tools kit (only for pax)	set	120	10,000	1,200,000

	Banner (1)	set	4	300,000	1,200,000
	Documentation	set	4	100,000	400,000
3	Media				
	Equipment (TOA, infocus)	set	4	500,000	2,000,000
		Sub Total-1 Sub-district level			31,600,000
		Sub Total-2 Sub-district level			63,200,000
	(Note: Sub-District Level will be done 2x; 1st - Socialisation; 2nd - Consultation)				
C	Village Level (18 Kelurahan) - pls see "List of Kec-Kel" sheet				
	Invitees: 1P Lurah + 2P staff Lurah + 10P Kepling, 12P reps of comm + 5P local leaders = 30P				
	unit cost @ Rp 7,450,000/meeting; Rp 250,000/P				
1	Personnel : (Participant's Transport)				
	Key Speaker (1Px18PCM)	Person	36	500,000	18,000,000
	Agencies (2P): Tarukim - PDAM	Person	36	200,000	7,200,000
	Head of Sub District 1P @ each Sub-District = 18PCM	Person	18	100,000	1,800,000
	Head of Village - the Host gets @ Rp 250,000	Person	18	250,000	4,500,000
	Staff of Head of Village (2)	Person	36	-	-
	Head of Sub Village/Kepling (10P RT/RW in each Village)**	Person	180	100,000	18,000,000
	Reps of Community (12P) plus Local Leaders (5P) in each kelurahan)	Person	306	50,000	15,300,000
		pax (excl. speaker, Camat)	540		
2.	Operational				
	Place (cleaning service, etc.)	-	18	500,000	9,000,000
	Snacks+lunch (pax+18Camat+36Speaker)+(2P Consultant, 2P Contractor, 4P PPMU/Satker)*18	Person	774	50,000	38,700,000
	Material/tools kit - (only for pax)	set	540	10,000	5,400,000
	Banner (1)	set	18	300,000	5,400,000
	Documentation	set	18	100,000	1,800,000
3.	Media				
	Equipment (TOA, infocus)	set	18	500,000	9,000,000
		Sub Total-1 Village level			134,100,000
		Sub Total-2 Village level			268,200,000
	(Note: Village Level will be done 2x; 1st - Socialisation; 2nd - Consultation)				
D	Sub-Village Level (30 Keplings) - pls see "List of Kec-Kel" sheet				
	Invitees: 30P reps of community (community do not receive transportation)				
	unit cost @ Rp 3,640,000/meeting; Rp 122,000/P				
1	Personnel : (Participant's Transport)				
	Key Speaker (2Px30PCM):	Person	60		

	Satker/Tarukim & PDAM			300,000	18,000,000
	Agencies (2Px30PCM): Tarukim & PDAM	Person	60	100,000	6,000,000
	Head of Village 1P @ each Sub-District = 30PCM	Person	30	100,000	3,000,000
	Head of Sub-Village/Kepling - the Host gets @ Rp 250,000	Person	30	250,000	7,500,000
	Reps of community (30P)	Person	900	-	-
		pax (excl. speaker, lurah)	930		
2.	Operational				
	Place (cleaning service, etc)	No.	30	500,000	15,000,000
	Snacks+drink (900 pax+30 lurah+30kepling +60speaker)+(2P Consultant, 2P Contractor, 4P PPMU/Satker)*30	Person	1320	30,000	39,600,000
	Material/tools kit - (only for pax)	set	930	10,000	9,300,000
	Documentation	set	18	100,000	1,800,000
3.	Media				
	Equipment (TOA, infocus)	set	18	500,000	9,000,000
		Sub Total-1 Sub-village level			109,200,000
		Sub Total-2 Sub-village level			327,600,000
(Note: Sub-Village Level will be done 3x; 1st - Socialization; 2nd - Environmental Health Topic - 3rd - Consultation)					
Grand Total					673,815,000