

Semi-Annual Environmental and Social Safeguards Monitoring Report

August 2017

VAN: Port Vila Urban Development Project

Prepared by Ministry of Infrastructure and Public Utilities for the Asian Development Bank.

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Semi-Annual Environmental and Social Safeguards Monitoring Report

Project Number: 42391

ADB Loan: .2832-VAN (SF)/G0275-VAN/G0276-VAN

Contract No. VAN005

PORT VILA URBAN DEVELOPMENT PROJECT

Period: July – December 2016

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ACRONYMS

ADB	Asian Development Bank
CBD	Central Business District
CCECC	China Civil Engineering Construction Corporation
CEMP	Construction Environment Management Plan
CSF	Communal Sanitation Facilities
DDR	Due diligence report
DEPC	Department of Environmental Protection and Conservation
DSCD	Design and Supervision Consultant
EA	Executing Agency
EMP	Environment Management Plan
ESMO	Environment and Social Mitigation Officer
GKD	George Kalsakau Drive
GoV	Government of Vanuatu
HIV	human immunodeficiency virus
IA	Implementing Agency
IEC	Information Education Communication
IEE	Initial Environment Examination
KAP	Knowledge Attitude Practices
MIPU	Ministry of Infrastructure and Utilities
MFEM	Ministry of Finance and Economic Management.
MLNR	Ministry of Land and Natural Resources
MOU	Memorandum of Understanding
NGO	Non-Government Organization

PAM	Project Administration Manual
PHAST	Participatory health and sanitation
PSF	Public Sanitation Facility
PWD	Department of Public Works
PVMC	Port Vila Municipal Council
PVUDP	Port Vila Urban Development Project
R&D	Roads and Drainage
RI	Roughton International
RP	Resettlement Plan
SEMP	Site Environment Management Plan
SPS	Safeguard Policy Statement
STI	Sexual Transmitted Infection
STP	Septage Treatment Plant
TOT	Training of Trainers
USD	United States Dollars
VPMU	Vanuatu Project Management Unit
VUV	Vatu (currency)
WV	World Vision

I. INTRODUCTION

A. Background & Purpose of Report

1. The Port Vila Urban Development Project (PVUDP) under the ADB Loan: 2832-Van (SF)/G0275-Van/Go276-Van, commenced in February 2013. The Ministry of Finance and Economic Management (MFEM) is the project executing agency (EA). The Public Works Department (PWD) under the Ministry of Infrastructure and Public Utilities (MIPU) and the Department of Environmental Protection and Conservation (DEPC) are the key implementing agencies (IA). Project management is being delivered by the Vanuatu Project Management Unit (VPMU) assisted by the Design Supervision and Capacity Development (DSCD) consultant, Roughton International in association with Qualao Consulting Ltd (RI).
2. The DSCD was established in the latter part of 2013 and also consists of Gender & Community Participation Specialist (GCPS), Community Liaison Officer (CLO), an International Environmental Specialist (IES), National environmental Specialist (NES) and an International Resettlement Specialist (IRS).
3. Specifically, the Project Administration Manual (PAM) outlines under Safeguards Monitoring and Reporting that: “The Borrower shall do the following or cause the Project Executing Agency to do the following:
 - Submit semi-annually Safeguards Monitoring Reports to ADB and disclose relevant information from such reports to affected persons promptly upon submission;
 - If any unanticipated environmental and/or social risks and impacts arise during construction , implementation or operation of the Project that were not considered in the IEE, the resettlement plan or the indigenous people’s plan, promptly inform ADB of the occurrence of such risks or impacts, with detailed description of the events and proposed corrective action plan; and
 - Report any actual or potential breach of compliance with the measures and requirements set forth in the EMP, the resettlement plan or the indigenous people’s plan promptly after becoming aware of the breach.

This report is the second semi-annual Environmental and Social Safeguards Monitoring Report prepared for the PVUDP. The overall safeguards requirements are set out in a number of documents including laws of Vanuatu (including any conditions on permits issued), the loan agreement, initial environmental examination (IEE).

4. A monthly environmental monitoring report of each sub-project is being provided by the DSCD IES and NES to the VPMU Environment and Social Mitigation Officer (ESMO). A quarterly social safeguards monitoring report is also provided by the GCPS to VPMU ESMO. VPMU will then submit a semi-annual reports to the government and ADB as part of its monitoring commitment under the project.

B. Description of the Project

5. The Port Vila Urban Development Project has been established to contribute to the sustainable urban development of Port Vila. The Project outcome will be the improvement of the infrastructure for Port

Vila and the improvement of the mechanisms which are to assist the Government to efficiently manage its infrastructure. The outcome will be realized through the following Project outputs;

- Output 1 : The Government has improved the road network and drainage system in greater Port Vila.
- Output 2 : The Government has improved the sanitation system in greater Port Vila.
- Output 3 : Central area and settlement communities use improved hygiene facilities.
- Output 4 : Government agencies and community user organizations have the capacity to effectively and efficiently manage sanitation, roads, and drainage systems
- Output 5 : Efficient project management services will be provided.

6. The project is classified as category B for environment and category C for involuntary resettlement. Social and environmental safeguards due diligence following SPS and country safeguard systems has been completed and approved by the government and ADB.

7. The PVUDP comprises of the following sub-projects for civil works, as presented in the tables below;

Table 1. Description of Sub-Project

	Site	Scope of Sub-Project
1	George Kalsakau Drive (GKD)	Rehabilitation and upgrading of the existing GKD, including supply and installation of new drainage, new concrete kerb and channel, new coronous base-course to road pavement, new concrete pavement to carriageway and parking areas, new concrete speed-tables and disabled-access ramps, all road furniture and pavement markings.
2	Roads and Drainage Phase 1 (R&D Phase 1)	Road and drainage improvements; 13 km of roads and footpaths and traffic facilities and approximately 4.5 km of improved drainage, soakaways utilizing natural land depressions for detention and infiltration that have been designed to discharged into existing government land.
3	Communal Sanitation Facilities (CSF)	The CSFs are located in the urban and peri-urban areas of Port Vila. The recommended and approved sites are for refurbishment of 4 existing multi-purpose CFS (Seaside Paama, Seaside Futuna and 2 facilities for Seaside Tongoa, construction of 4 new CSF facilities (1 in Blacksands Tongariki and 3 small CSF facilities in Waisisi).
	Community Engagement Facilities (CEF)	The CEFs are located in Port Vila settlements of Ohlen Nabanga and Tokyo Buninga. These are community constructed facilities; 9 semi-private toilet/shower blocks in Tokyo Buninga and 1 Community Hall with sanitation facilities in Ohlen Nabanga.
4	Septage Treatment Plant (STP)	The STP is located 9.8 km from the CBD. There is a need to improve the ability to hygienically and effectively dispose of and process sewage. A total area of approximately 2 hectares is required to construct 2 primary and parallel lagoons or

		pools to contain the sewage material.
5	Public Sanitation Facilities (PSF)	The PSFs are located public areas of Port Vila. The recommended and approved sites are for refurbishment of existing facilities in the Maternity & Womens Health Unit at Central Port Vila Hospital and new facilities at Fatumaru Bay (associated with VTIP improvements), Independence Park, and replacement of current facilities at the Central Market

C. Compliance With Statutory Requirements

8. The PVUDP has adopted and complied with relevant in-country and donor safeguard requirements, within this reporting period, and which are applicable to all the sub-projects, namely the George Kalsakau Drive, Roads and Drainage, Septage Treatment Plant and Communal Sanitation Facilities. Please refer to Annex C for list of statutory requirements.
9. Within this reporting period, there have been no instances where the works and activities of the Contractor have been in breach of any of the identified legislation and regulations. There have also been no sanctions or penalties made against the Contractor or the PVUDP as a whole.

Table 2. Environmental Category

	Site	Category	SEMP Submitted/Approved	CEMP Submitted/Approved
1	George Kalsakau Drive	B	SEMP approved by the DEPC on 3 rd August 2015.	CEMP Approved by Employer on 16 th May 2016. CEMP approved by the Resident Engineer on 29 th January 2016.
2	Roads and Drainage Phase 1	B	SEMP approved by the DEPC on 8 th February 2016.	CEMP approved by the Resident Engineer on 18 th May 2016.
3	Communal Sanitation Facilities	B	SEMP approved by the DEPC on 3 rd August 2015.	CEMP Approved by the Resident Engineer on 16 th May 2016.
4	Septage Treatment Plant	B	SEMP approved by the DEPC on 15 th December 2015.	CEMP Approved by the Resident Engineer on 16 th March 2016.
5	Public Sanitation Facilities	B	Not yet submitted	Not yet tendered out

Table 3. Involuntary Resettlement Category

	Site	Category	Resettlement Action Plan/Due Diligence Report Submitted/Approved
1	George Kalsakau Drive	C	Resettlement Action Plan approved.
2	Roads and Drainage Phase 1	C	Resettlement Action Plan approved.
3	Communal Sanitation Facilities	C	Due Diligence Report approved.
4	Septage Treatment Plant	C	Resettlement Action Plan approved.
5	Public Sanitation Facilities	C	Due Diligence Report not yet submitted

II MONITORING ACTIVITIES AND STATUS OF SAFEGUARDS COMPLIANCE DURING REPORTING PERIOD

Monitoring of environment and social safeguard activities was conducted by the DSCD through the following methods:

1. Spot checks
2. Baseline (benchmarking) of important conditions
3. Site visits
4. Inspection of the works, using CEMP compliance checklists

For each of the five subprojects VPMU reviewed the various safeguards monitoring reports prepared by the DSCD's safeguards team. These reports include:

1. Gender reporting quarterly reports plus the annual GAP progress report in the updated format
2. Environmental reporting through the monthly checklist reports (April report just submitted)
3. UR&D access and consultation items captured in the DSCD weekly report.
4. UR&D safeguards issues captured in HELP DESK, particularly disputes and grievances
5. Community Liaison Committee meetings reported through circulated minutes

The tables below summarize the status of environmental and social compliance issues for each subproject during the reporting period as identified in the reports above.

Table 3. Status of Environment Safeguards Compliance During the Reporting Period

Sub-Project	Key environment safeguards Activities Implemented During the Reporting Period (Jul – Dec 2016)	Issues, if any	How They Were Resolved?	Outstanding Issues, if any	Way Forward (How, who and when)
1. George Kalsakau Drive (GKD)	Monthly environmental monitoring using checklist	1. Contractor's environmental monitoring reports/checklists not provided to DSCD	Not resolved during reporting period despite repeated requests during reporting period	3 unresolved	Monthly environmental checklists do not monitor compliance against the CEMP. DSCD to amend checklist so

Sub-Project	Key environment safeguards Activities Implemented During the Reporting Period (Jul – Dec 2016)	Issues, if any	How They Were Resolved?	Outstanding Issues, if any	Way Forward (How, who and when)
					as consistent with approved CEMP.
2. Septage Treatment Facility (STP)	Monthly environmental monitoring using checklist				
3. Road and Drainage Project (R & D)	Monthly environmental monitoring using checklist	<p>1.Silt/sediment management measures breached in heavy rain</p> <p>2.At times safety signage for pedestrians was inadequate</p> <p>3.Communications with public on road closures/interruption to traffic</p> <p>4.Construction waste not removed from site</p> <p>5.At times traffic management measures and safety inadequate</p>	<p>Issues 1,2,4,5&6 not resolved during reporting period despite issues being continuously raised with Contractor</p> <p>3. PVUDP Communication Liaison officer facilitated improved communications with public through radio and TV advertising.</p>	<p>Issues 1,2,4 & 5 raised to code Red (significant noncompliance requiring immediate action) in October after several months of no action by contractor.</p> <p>Issues remain largely unresolved</p>	<p>VPMU to support DSCD as far as possible in enforcing contractor compliance using available contractual means eg) withholding progress payment</p>

Sub-Project	Key environment safeguards Activities Implemented During the Reporting Period (Jul – Dec 2016)	Issues, if any	How They Were Resolved?	Outstanding Issues, if any	Way Forward (How, who and when)
		6. Checking contractors checklists for compliance should be improved			
4. Community Sanitation Facilities (CSF)	Monthly environmental checklist	<p>The following issues were identified in respect to most of the CSF construction sites.</p> <p>1.Sites not secured by exclusion fences including exposure to equipment and supply storage – public safety risk</p> <p>2.Construction waste and rubbish not removed from sites – public and sanitary safety risk</p> <p>3.Insufficient safety signage and access.</p>			VPMU to support DSCD as far as possible in enforcing contractor compliance using available contractual means eg) withholding progress payment

Sub-Project	Key environment safeguards Activities Implemented During the Reporting Period (Jul – Dec 2016)	Issues, if any	How They Were Resolved?	Outstanding Issues, if any	Way Forward (How, who and when)
		<p>4.Limited use of PPE</p> <p>5.No silt traps and other sediment containment measures around works areas</p> <p>6. Environmental monitoring reports/checklists not provided by Contractor</p>			
5. Public Sanitation Facilities (PSF)	Preparation of draft SEMP to support EP application based on detailed design of PSF.	ADB has provided comments	Comments not yet addressed to ADB's satisfaction	ADB comments to be addressed and document resubmitted	ADB comments to be addressed and document resubmitted
6 Water Quality Monitoring Program	WQPM Commenced with baseline monitoring undertaken in September & November. Investigations commenced in December of potential sewage/septic connections to CBD storm water drains.	Monitoring is ongoing			

Table 4. Status of Social Safeguards Compliance During the Reporting Period

Sub-Project	Key Social Safeguards Activities Implemented During the Reporting Period (July Dec 2016)	Issues, if any	How They Were Resolved?	Outstanding Issues, if any	Way Forward (How, who and when)
Sanitation Hygiene & Awareness Raising	<p>World Vision (WV) in partnership with Wan Smolbag (WSB), commenced 19 September 2014 and completed its engagement with the project on 30 September 2016.</p> <p>Program reach was 1690 women, 961 men, 2717 girls and 2805 boys</p> <p>Program delivered a total of 200 days of education and training and 68 theatre presentations on sanitation and hygiene</p>	None	N/A	N/A	<p>Key recommendations from WV evaluative report for PVUDP and similar future projects include:</p> <ol style="list-style-type: none"> 1. Provide ongoing support to Sanitation Committees 2. Monitor Community Sanitation Facility use and solid waste management 3. Encourage greater community participation in facility O&M 4. Identify and work with existing community

Sub-Project	Key Social Safeguards Activities Implemented During the Reporting Period (July Dec 2016)	Issues, if any	How They Were Resolved?	Outstanding Issues, if any	Way Forward (How, who and when)
					structures 5.Seek greater engagement with youth and children
Gender & HIV Mainstreaming					
George Kalsakau Drive (GKD)	Contractor (CCECC) has fallen behind on delivery of HIV awareness and reporting against gender action since July 2016	CCECC non delivery of HIV awareness and reporting against gender action since July 2016	Unresolved DSCD is issue a new notice to CCECC and request them to explain in writing their reasons for failing to provide this training.	To date unresolved DSCD to issue notice to CECC asap	VPMU to support DSCD as far as possible in enforcing contractor compliance using available contractual means
2. Septage Treatment Facility (STP)	The Contractor has a very small labour force working on the STP component and while they have been able to hire local community members to serve as security guards they have not been able to employ any women.	N/A	N/A	N/A	N/A
3. Road and Drainage	RMS provided employment opportunities for women, with 46% of Ni-Vanuatu personnel being	None	N/A	N/A	N/A

Sub-Project	Key Social Safeguards Activities Implemented During the Reporting Period (July Dec 2016)	Issues, if any	How They Were Resolved?	Outstanding Issues, if any	Way Forward (How, who and when)
Project (R & D)	<p>women and 8% of expatriate personnel being women. Ni-Vanuatu women have received training as traffic controllers as well as on the job skills training in setting concrete, using road compaction machinery and levelling footpaths.</p> <p>Community consultations undertaken to ensure that the general public, government and private sectors are well informed about possible traffic interruptions.</p> <p>RMS worked with the DSCD Community Liaison Officer (CLO) to establish a traffic management working group (TMWG) and to network with 26 Port Vila based Churches as conduits for information sharing. Information regarding road closures and detours was sent out weekly through the TMWG, which reaches all emergency service providers as well as media outlets</p>				
4. Community	1.Contractor (David's Construction)	1.David's Construction	1. Contractor reports that	1. The community	1. DSCD team will

Sub-Project	Key Social Safeguards Activities Implemented During the Reporting Period (July Dec 2016)	Issues, if any	How They Were Resolved?	Outstanding Issues, if any	Way Forward (How, who and when)
Sanitation Facilities (CSF)	<p>has had personnel on-site since mid-May. HIV awareness was carried out by WSB for the Contractors personnel and Seaside community members in August and in September for Contractors personnel and Mele Waisisi and Blacksands Tongariki community and again in December for Seaside communities.</p> <p>2.30% of the labour force for David's Construction are women.</p> <p>3.DSCD Consultants and VPMU carried out a series of consultations and negotiations to settle landowner disputes in Blacksands Tongariki. A Land Use MOU was signed with Landowners and the Government in August.</p>	<p>has failed to actively engage with the communities through a Contractor's Community Liaison Officer (CLO). The lack of a CLO and delays in payment to community-based personnel, as well as non-payment of VNPF contributions has led to tensions between community members and the contractor</p> <p>2 None</p> <p>3. The MOU was subsequently challenged by another Landowner family.</p>	<p>VNPF payments now up-to-date. DSCD team has followed up with community-based employees for confirmation.</p> <p>2. N/A</p> <p>3 VPMU was involved in negotiations to settle the dispute. Construction of the sanitation facility has continued uninterrupted</p>	<p>members are slow to respond with their VNPF statements</p> <p>2 N/A</p> <p>3 None</p>	<p>continue to follow-up with community-based employees and sub-contractors to ensure all payments are made before close of this contract</p> <p>2. N/A</p> <p>3. N/A</p>
5. Public	Not yet tendered out	N/A	N/A	N/A	N/A

Sub-Project	Key Social Safeguards Activities Implemented During the Reporting Period (July Dec 2016)	Issues, if any	How They Were Resolved?	Outstanding Issues, if any	Way Forward (How, who and when)
Sanitation Facilities (PSF)					

III. GRIEVANCE REDRESS ISSUES

A complaint was raised by a property owner in the Port Vila CDB about insufficient parking space for his tenants. The CLO and the Team Leader and the GCPS for DSCD discussed the matter on multiple occasions with the concerned person without any agreement reached. The DSCD engaged a third party mediator to deal with the issue raised. The decision was taken by MIPU to proceed with the works as planned. The landholder has agreed to disagree and has allowed works to proceed as planned.

The road corridor area being constructed by CCECC in GKD is within the government road reserve area, but given that it is not a main arterial road, the road reserve is less than the normal standard (about 6 metres wide). PVUDP has noted some possible impacts to property owners in the GKD area specifically in terms of temporary loss of vehicle parking space. Mitigation plan to address these impacts have been consulted with the affected persons and will be implemented during construction. These include creation of temporary parking spaces and installation of appropriate signage to direct traffic. The Grievance Redress Mechanism will address any grievances by the affected persons. To date, PVUDP has not received any complaints from adjacent tenants and property owners.

IV. STAKEHOLDER CONSULTATIONS

DSCD Consultants are conducting monthly presentations to the Port Vila Municipal Council to ensure that physical planning and public works department as well as the Town Clerks office are fully informed and are actively consulting on each subcomponent of the project. DSCD Consultants have developed a communications strategy, which is being implemented to ensure that the general public, government departments and the private sector are fully aware of the project objectives and progress against outcomes. Key activities being implemented within the strategy include; monthly newsletters, public notice board, electronic notice board, traffic management working group, community liaison committee, regularly scheduled radio program and active engagement with the news media.

VPMU have developed a "VPMU Flash" radio program whereby information on the project are aired to the public on a weekly basis.

The DSCD have subcontracted NGO, World Vision (WV), working in partnership with Wan Smolbag to deliver the Sanitation and Hygiene Awareness and Education Program. The 4 main expected outcomes from the program include;

- 1) Improved hygiene, water, sanitation and nutrition practices
- 2) Improved care for pregnant mothers and children under 5 years of age
- 3) Increased access to and maintenance of improved water and sanitation facilities
- 4) Sanitation committees have the capacity to collect and utilize funds from the community for the ongoing upkeep and maintenance of community facilities

Within that initiative, there have been a lot of consultations and interactions with targeted communities.

The project has established a Help Desk to detail any inquiries, requests for design change or complaints and accompanying correspondence. The Help Desk processes ensure that all concerns are dealt with in a timely manner and the consultation process is well documented.

The DSCD team continue to consult and engage with property owners on a one to one basis on the proposed designs for the road and drainage works.

V. SUMMARY AND CONCLUSIONS

- 10.** Throughout the 4 sub-project areas of the PVUDP, works has been progressing but there have also been practical challenges and issues arising. One key issue that needs to be rectified by the PVUDP environmental team is to amend the environmental monitoring checklist so that it conforms with the approved CEMP. It is only through unequivocal noncompliance to the contractually approved CEMP that gives the DSCD the contractual means to enforce compliance. Combined with this, improved communication and coordination between the DSCD's environmental team and Contracts Manager is needed to facilitate an efficient and effective environmental monitoring and supervision process that will lead to improved environmental compliance by the Contractor.
- 11.** The DSCD has also worked closely with VPMU to ensure that monitoring of social safeguards, including resettlement, are addressed in accordance with the relevant SEMP, CEMPs, DDRs and RPs.

APPENDIX A: Photographs



Works at George Kalsakau Drive



Works at George Kalsakau Drive (cont'd)



Drainage works, Roads and Drainage Phase 1



Road patching work under Roads and Drainage Phase 1

APPENDIX B: List of Statutory Requirements

National requirements:

- Environmental Protection and Conservation Act 2002 (CAP 283 the Environment Act)
- Environmental Impact Assessment Regulations Order no. of 2011
- Foreshore Development Act: Volume 90 (CAP 90), which requires the written permission of the Minister to approve any development on the foreshore or coast;
- Ports Act (CAP 26), no. 11 of 1998 and no. 32 of 1999. Volume 26;
- Health and Safety at Work Act; Volume 47 (CAP 195);
- Land Acquisition Act of 1992 and 2000 which establishes procedures to acquire land for public purposes or easements, including compensation for acquiring land;
- Preservation of Sites and Artefacts; Volume 39 (CAP 39);
- Control of Nocturnal Noise Act (Cap.40)
- Custom Land Management Act (gazetted in 2015);
- Mines and Minerals Act 1986 (all quarried material must be from approved quarries only);
- Mines and Minerals Act, Quarry Permit Regulation. Order No. 8 of 2005;
- Maritime (Conventions) Act;
- Employment (Amended) Act 2010; and
- Road Traffic (Control) Act

International obligations:

12. Vanuatu is a signatory to a number of international agreements. Listed below are some of the more applicable agreements to the dredging and marine activities:

- The Convention on Biological Diversity (CBD); 1992;
- The United Nations Framework Convention on Climate Change (UNCCD); 1992;
- Agreement on International Dolphin Conservation Program – 2003;
- Agreement Establishing the South Pacific Regional Environment Programme (SPREP); 2005;
- Multilateral Treaty on Fisheries and Related Amendments; 2005;
- The Stockholm Convention on Persistent Organic Pollutants; 2005;
- International Convention for the Prevention of Pollution from Ships (MARPOL 73);
- London Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter; and
- Convention on the Elimination of all Forms of Discrimination Against Women