

RESETTLEMENT PLAN

Fiji: Transport Infrastructure Investment Sector Project

Queens Road Rehabilitation Project (QRRP B): Site 4C – Vatukarasa Septic Tank Relocation



ADB Project Number: 48141
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Abbreviations

ADB	-	Asian Development Bank
CR5	-	China Railway
GOF	-	Government of Fiji
GSA	-	Greater Suva Area
HQ	-	Headquarters
LARDD	-	Land Acquisition and Resettlement Due Diligence
LARF	-	Land Acquisition and Resettlement Framework
QRRP	-	Queens Rd Rehabilitation Project
TIISP	-	Transport Infrastructure Investment Sector Project
WB	-	World Bank

1.0 Executive Summary and Project Description

1. With loan funding from the Asian Development Bank (ADB) and World Bank (WB), together with funding from the Government of Fiji (GOF), the Fiji Roads Authority are implementing the Transport Infrastructure Investment Sector Project (TIISP). TIISP will improve access to socio-economic opportunities by upgrading and rehabilitating land and maritime transport infrastructure across the Fiji Islands. The overall objectives of the Project are improved access to markets, employment opportunities, and social services. The outcome will be improved safety and resilience of land and maritime transport infrastructure for users of project roads, bridges and rural jetties and wharves.
2. One of the sub-projects proposed under this package is the Queens Road Rehabilitation Package B (QRRUP B) sub-project. QRRUP B sub-project involves the rehabilitation and upgrade of four sections of sealed road in the Western Divisions (Nadroga Province) with an approximate total length of 20km. The sub- project involves road pavement upgrades, small sections of road widening within the existing road reserve, footpath repairs and footpath installations. The approximate total cost of this sub-project is FJ\$50m.
3. The objective of the sub-project is to lower the overall road maintenance costs, improve the safety of road users (drivers and pedestrians) and improve the travel comfort of road users. Other outcomes expected from the sub- project will be lower road user costs through reduced damage to vehicles. This will be achieved by rehabilitating the existing road pavements that have reached the end of their serviceable life.
4. In 2020 a Queens Road Rehabilitation Project B Land Acquisition and Resettlement Due Diligence (LARDD) Report was prepared by the Fiji Roads Authority (FRA)¹. The LARDD Report screened the sub-project for land use and involuntary resettlement impacts. In 2022, the TIISP project management unit identified some cases of unforeseen physical and economic displacement impacts that were not included within the 2020 LARDD Report. As such, the FRA have instigated a review and verification of sites under construction, yet to be constructed and already completed to ensure compliance with the Project's social safeguards legal covenants. This corrective action is in keeping with social safeguards policy and process guidance outlined within the Project's Land Acquisition and Resettlement Framework (LARF)².
5. This Resettlement Plan (RP) focuses on project impacts to septic tanks of two (2) houses in Vatukarasa Village that were built by household users within the Road Reserve at QRRP B: Site 4C.
6. The findings of this QRRP RP for Site 4C confirms that septic tanks for 2 houses will be impacted and two new septic tanks will be provided to the households on their own properties to allow for construction of planned drainage channel. No costs will be borne to the households. During consultations, the affected families and village headman agreed to allow instillation of the new septic tanks to replace the impacted septic located in the road reserve. Two new septic tanks will be installed onto the households own land before the existing septic tanks are removed from the road reserve, this will ensure that households are not negatively impacted by the road upgrading.
7. This RP has been prepared and submitted to the Asian Development Bank (ADB) and World Bank (WB) in compliance with the Project social safeguards obligations set out within the Project Legal Agreement. The RP adherences to the Project LARF, following ADB/WB approval of the RP, disclosure of the RP on the FRA/ADB/WB website and implementation of the RP (including compensation and assistances provided), the FRA will provide the contractors with "No Objection" to construct physical works at Site 4C.

¹ <https://www.fijiroads.org/wp-content/uploads/2022/10/ADB-Queens-Road-LARDD-Report-10-June-2020.pdf>

² <https://www.fijiroads.org/wp-content/uploads/2022/10/Land-Acquisition-and-Resettlement-Framework-May-2016.pdf>

2.0 Scope of Land Acquisition and Resettlement

8. CR5 the approved contractor for QRRP B has confirmed that a portion of footpath that will be repaired and upgraded in Section 4C along Vatukarasa village. During screening activities the contractor identified that two (2) septic tanks belonging to 2 households have encroached on the state land that is fronting the Main Queens Road. The septic tanks have been constructed within the road reserve.

9. In order to complete the footpath repairs and upgrade that is part of the project, the affected households were consulted and have agreed to the contractor installing two new septic tanks onto their own land to make way for a drainage channel in the road reserve.

10. An investigation conducted by FRA in collaboration with the contractor and affected households has confirmed suitable relocation areas for the new septic tanks close to the houses.

11. The FRA and contractors have furthermore confirmed that no land acquisition for the footpath repairs and upgrade is required as all proposed works fall within road reserve under the FRA jurisdiction. The relocation area for the Septic tanks, is outside the FRA road reserve on the private property of the 2 households and well within the Vatukarasa Village boundary. Access and approval for instillation of the new septic tanks has been sort from the appropriate land owning group. Necessary consultations with the 2 affected households and concerned authorities was undertaken. Supporting documentations for the approval and support is annexed for reference.

3.0 Socio economic Information and Profile

12. The proposed septic tank relocation will affect 2 households. The following are the information regarding the two household:

Household 1

Head of House : ██████████, 45 years old
Marital Status : Married
Number in the Family : 9 members
Occupation: Hotel Employee
Existence of Septic Tank : 15 years

Household 2

Head of House : ██████████, 35 years old
Marital Status : Married
Number in the Family : 8 members
Occupation: Hotel Employee
Existence of Septic Tank : 13 years

13. The families were approached by FRA and its contractors and the location of the septic tanks discussed. The project staff explained how the location of the septic tanks would obstruct the current footpath repairs and proposed upgrades. Affected households confirmed their understanding of the project benefit and also agreed upon the need to install new septic tanks on their land. The affected households suggested and agreed to allocate a place near their respective homes for the septic tank relocations. The area of relocation is within the Vatukarasa Village boundary and support of the use of the relocation area was given by the Village Headman and the governing institution; Nadroga Navosa Provincial Council. No land acquisition is required for the project upgrade or new septic tank sites. All supporting documentations is annexed for references.

Figure 1 – Locality of the 2 Affected Houses



4.0 Information Disclosure, Consultations, and Participation

14. The Vatukarasa village consultation regarding the QRRP B project was conducted on 22 June 2020 and a follow up consultation on 24 November 2021 just before the project works started.

15. Consultation activities were focused on the two affected households with septic tanks jointly with the Village Headman. The remaining road sections were screened for involuntary resettlement impacts, and none were identified.

16. Household 1 – [REDACTED]'s family was consulted on 22nd November 2022. Household 2 – [REDACTED] family was consulted on 6th December 2022. The families were advised that their septic tanks are currently located within road reserve which is targeted for footpath repairs and upgrade as part of the TIISP. The FRA and contractor safeguards specialists explained to them that a drainage channel is anticipated in the current road design. However the current location of the 2 septic tanks would obstruct works; the households agreed to receive new septic tanks that would be installed on their land at no cost to them.

17. The 2 families understood well, accepted the reasoning and agreed to the relocations. The families further advised that they would allocate an area beside their homes for the new septic tanks. The discussions for a way forward to relocate their septic tanks was agreed with and supported by both the families. The 2 family heads have signed on the screening forms after being consulted to show their agreement; the village headman also confirms his support of the installation of new septic tanks through his letter. All documents annexed.

18. The families were further advised that all the works including new septic tanks will be provided and done for them by FRA through their Contractor, no costs will be borne to the affected households. Further, the planned scope of work was explained; that the new septic tanks will be installed first and tested before the disconnection to their old septic tanks in the road reserve is severed. This will ensure that families have continued and uninterrupted access to their toilet facilities. After the connections to the new septic tanks are established, the old septic tank will be bailed out by registered waste bailing company.

19. The village headman was also part of both the consultation and inspections; who would later be reporting the same to the Nadroga / Navosa Provincial Council (governing authority).

5.0 Grievance Redress Mechanisms

20. The 2 households were advised of the contact numbers that they could get in touch with if they have any concerns regarding the septic tank installations; before, during and after the installation has occurred. The process below was explained to them.

21. Affected persons were provided with details of the TIISP GRM which is available at the FRA website <https://www.fijiroads.org/contact-us/>, toll free number: 5720 or email: info@fijiroads.org

22. The key functions of the GRM is to (i) record, categorize and prioritize the grievances; (ii) settle the grievances in consultation with complainant(s) and other stakeholders; (iii) inform the aggrieved parties about the solutions; and (iv) forward the unresolved cases to higher authorities.

23. The subproject manager or engineer supported by FRA's Safeguards Manager will be the grievance focal point to receive, review and address project related concerns and to resolve disputes relating to the septic tank resettlement in coordination with the relevant authorities. Affected persons will be made fully aware of their rights during consultations about the relocation requirements under the Project. No costs will be charged for anybody making a complaint. APs/DPs will be exempted from any fees associated with resolving the grievance pursuant to the project's grievance redress procedure.

24. Complaints will be recorded and investigated by FRA's Safeguards Manager working with relevant staff of the individual subproject. The FRA will be immediately informed/updated of any complaints from affected persons by FRA's Safeguard Manager. A complaints register will be maintained which will show the details and nature of the complaint, the complainant, the date and actions taken as a result of the investigation. It will also cross-reference any safeguard compliance report or other relevant documentation.

25. When subproject implementation starts at the septic tank site, a sign will be erected at the site providing the public with updated project information and summarizing the grievance redress mechanism process including contact details of FRA's Safeguard Manager. All corrective actions and complaints responses carried out on site will be reported back to FRA. FRA will include information from the complaints register and corrective actions/responses in its progress reports to the ADB and WB. In the whole process, relevant Fiji agencies (DOL, TLTB, etc.) will be available to review public complaints and advice on the FRA's performance for grievance redress.

26. A description of the steps of the Grievance Redress Process are available within the Project's LARF which is described in table 1 below:

Table 1

Stage	Process	Duration
1	DP/village head or traditional chief takes grievance to FRA's social impact manager	Any time
2	FRA's social impact manager reviews and finds solution to the problem in consultation with village head or traditional chief and relevant agencies	2 weeks
3	FRA's social impact manager reports back an outcome to village/traditional chief/DP	1 week
If unresolved or not satisfied with the outcome by FRA's social impact manager		
4	DP/village head or traditional chief take grievance FRA CEO.	Within 2 weeks of receipt of decision in step 3
5	FRA CEO reviews and find a solution in coordination with relevant agencies	4 weeks
6	FRA CEO reports back the solution/decision to DP/village head or traditional chief	1 week
If unresolved or at any stage if DP is not satisfied		
DP/village head or chief can take the matter to appropriate court		As per judicial system

6.0 Legal Framework

27. The LARF has been prepared on the basis of the following legal and policy requirements:

- (i) the State Acquisition of Lands Act (SALA) of Fiji (Chapter 135 of Laws of Fiji)
- (ii) the ADB Safeguard Policy Statement
- (iii) World Bank Operational Procedures: Involuntary Resettlement (OP/BP 4.12)

28. The SALA guarantees compensation to those with recognized legal rights or interests in land. Compensation is paid at market values effective from the date at which notice of the State's intention to acquire the land is given. Structures are, however, compensated only at book/depreciated values. Compensation includes for land, crops and trees, damage to portions of land not acquired (if any), changes in use and restrictions on use of any un-acquired portions – and any reasonable expenses associated with necessary changes of residence or places of business.

29. ADB and WB policies on resettlement address both:

- (i) social and economic impacts, permanent or temporary, caused by acquisition of land and other fixed assets; and
- (ii) changes in the use of land or restrictions imposed on land as a result of a Bank operation.

An affected or displaced person (AP/DP) is one who experiences such impacts. The objectives of the policy are:

- (i) to avoid resettlement impacts wherever feasible;
- (ii) to minimize resettlement impacts by choosing alternative viable project options; and
- (iii) to ensure that affected people receive assistance, so that they will be at least as well off as they would have been in the absence of the project.

30. As part of Gap Filling measures; the main objectives of the LARP are that:

- (i) Any adverse impacts on existing human settlements, land, buildings and other assets and livelihoods, will be avoided or minimized to the greatest extent possible; and
- (ii). In the case of any adverse impact, affected persons will be compensated and assisted so that they are able to maintain or improve their standard of living, access to basic services and infrastructure, production levels, and income earning capacity.

31. In the context of this RP, the affected households have received replacement and improved facilities as a result of the displaced septic tanks located in the road reserve.

7.0 Entitlements, Assistance and Benefits

32. The relocation works and expenses of the septic tanks for the 2 households will be undertaken by FRA through its contractors CF 5. The 2 household will each get 2 new and empty septic tanks.

8.0 Relocation of Housing and Settlement

33. The relocation area of the septic tanks of the 2 households are not that far from their homes. It was at the 1st consultation with the households that they had pointed out the best location for their new septic tanks which was later jointly inspected by the project team and the Village Headman.

34. The Village headman confirmed that the area is within their current village boundary and the proximity to the affected houses was a best location. Instillation of the new septic tanks on the household lands has been supported by the Nadroga / Navosa Provincial Council the governing authority for Vatukarasa Village.

35. The 2 families have proposed the area to have their new septic tanks installed at a location approximately 5 meters away from the current one for [REDACTED] Family and approximately 2m for [REDACTED] Family; as shown in Figures 2 and 3 below.

Figure 2 – Picture of [REDACTED] Family's Septic Tank & Proposed Relocation Site

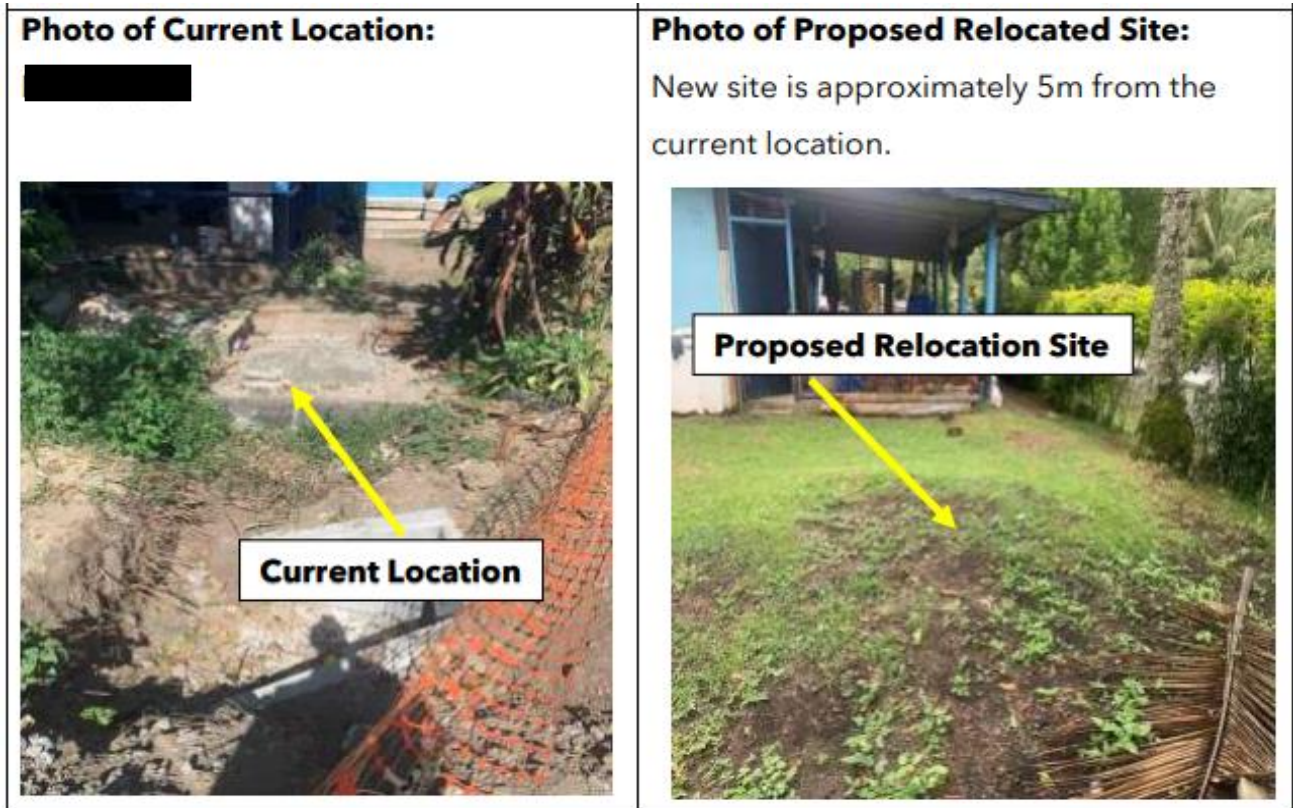


Figure 3 – Picture of [REDACTED] Family's Septic Tank & Proposed Relocation



9.0 Resettlement Budget and Financial Plan

36. Plans are made to have the new septic tanks constructed first, have the channels tested, reconnect channels to the new one then bail/disconnect the current septic tanks. It is estimated that it will take 8 days to complete the instillation of the new septic tanks. There will be no restrictions on the use of their normal toilet facilities.

37. The FRA through its contractor will be replacing the old septic tanks with new ones and all constructions will be done by the Contractors. Therefore, the 2 households does not need to contribute financially or physically to this relocation.

10.0 Implementation Schedule

38. As soon as FRA receives a No Objection from ADB and WB, an appointed date will be set for construction works. The date and time scheduled will be communicated to the 2 households. Works will be done simultaneously and it will take approximately 8 days to fully complete the new septic tank instillation for both the households.

Table 2

STEPS	ACTIONS	PARTY
1	Constructions of new septic tanks.	CRFG
2	Laying of required channels and chambers.	CRFG
3	Inspections works to test if newly constructed is functioning with no issues.	CRFG
4	Connecting toilets to the new septic tank.	CRFG
5	Bailing out of waste of the current septic tank chamber by registered waste company.	Registered Waste Company
6	Demolition of current chamber.	CRFG
7	Disposal of Construction Waste at approved site at Vatukarasa Village	CRFG

11.0 Monitoring and Reporting

39. The following are to be noted for monitoring and reporting:

- a. Prior to instillation of the new septic tanks, information about the Resettlement Plan and Grievance Redress Mechanism will be provided and advertised widely with the affected Village should there be any issues raised regarding the new septic tank instillation.
- b. The team Sheladia Associates, Inc. / CR 5 Safeguards reps will be present on the 1st day of the works for Septic Tank instillation to monitor and ensure that the Resettlement Plan is actioned appropriately without any disputes or other disturbances.
- c. A report with photographic evidence at the completion of the relocation construction of the 2 septic tanks site will be submitted by the contractors to FRA.
- d. Implementation of this Resettlement Plan and associated photo evidence will be included with the TIISP Safeguards Bi-annual Report.

Annexure 1 – Consultation Report

Septic Tank Relocation Work at Vatukarasa Brief Update	
Site:	Section 4C - Vatukarasa Village
Issue:	Septic tank Relocation
Number of Septic Tank to be relocated:	2
Affected People:	1. [REDACTED] 2. [REDACTED]
Summary of Consultation:	<p>Mr. [REDACTED] was consulted on the 22nd of November, 2022 and Mr. [REDACTED] was consulted on the 6th of December, 2022. The two parties were informed of the need to relocate their individual septic tank. They were also informed that the current location of their septic tank is within the road reserve boundary and moreover a drainage channel will be constructed. The current location of the septic tank is obstructing the planned construction works.</p> <p>The two parties have agreed to the relocation as they do understand the issue at hand and they have also identified the relocated site and have proposed it.</p> <p>The <i>Supplementary Form 1 to LARF Screening Form</i> was used as a guide during these two consultations. Copies of the two forms are attached for reference.</p>
Septic Tank Relocation Work Plan:	The brief summary of the relocation works are as follows:

- Construction of the new septic tanks will be carried out first.
- Laying of the required channels and chambers.
- Inspection works to see that the newly constructed chamber is functioning with no issues.
- Proceed with the bailing out of waste by a registered waste company of the current septic tank chamber.
- Demolition of the current chamber.
- Disposal of the construction waste at the approved site at Vatukarasa village.
- Construction works will take around 6 - 8 days.

Photo of Current Location:

Mr. [REDACTED]



Photo of Proposed Relocated Site:

New site is approximately 5m from the current location.



Mr. [REDACTED]:



New site is approximately 2m from the current location.



Inspection Officer:

Miliana Navia (CR5G Environment and Social Safeguard Manager).

Annexure 2 – Interviewing Forms

Supplementary Form 1 to LARF Screening Form

Date: 22/11/2020 Inspecting Officer: EM Signature: M. D. D.

Project Title: _____

Subproject: _____

Location and impact area: _____ *Picture consent:*

Name: _____ Signature: _____

Description of Structure: Septic tank (Stall, House, Driveway, Other)

Size: _____ (Photos to be taken) *male:*

- * 1. Use of the Structure: _____ (Selling What?)
- 2. How many years of existence: 10 year (Yrs of operation)
- 3. Any other Users / Sharing the Structure : Yes _____ No: (if yes pls fill in another form for the others) *No. of users:*
- 4. Marital Status : Single: _____ Divorced: _____ Separated : _____ Widow : _____ *married:*
- 5. How many family members: 9
- 6. Details of Family (Eg. 2 Sons (30yrs / 19 yrs), 1 Daughter in Law (34) 2 Grandson (2yrs / 8yrs):

- 7. Source of Livelihood: _____
- 8. Bread Winner of the family: _____
- 9. Any family member sickly / physically challenged (disable): Yes _____ No
- * 10. How often do they use the structure: _____ Hours _____ Days
- * 11. Approximate Income / Day: _____ Peak Day of Income: _____
- 12. Do they understand what the construction is about? YES
- 13. Do they understand that the current set up area will need to be cleared? YES
- 14. Where will they relocate their stall? _____
- 15. Distance of Relocation area from this current area: YES

Supplementary Form 1 to LARF Screening Form

Date: 02/02/2022 Inspecting Officer: EM Signature: [Signature]

Project Title: _____

Subproject: _____

Location and impact area: _____

* Picture consent

Name: [Redacted] Age: [Redacted] Signature: [Redacted]

Description of Structure: Septic tank (Stall, House, Driveway, Other)

Size: 8ft x 4ft (Photos to be taken) Mobile: 241 9745
3.2m x 1m

1. Use of the Structure: septic tank (Selling What?)
2. How many years of existence: 13 years (Yrs of operation)
3. Any other Users / Sharing the Structure: Yes ___ No: (if yes pls fill in another form for the others)
4. Marital Status: Single: ___ Divorced: ___ Separated: ___ Widow: ___ Married
5. How many family members: 8
6. Details of Family (Eg. 2 Sons (30yrs / 19 yrs), 1 Daughter in Law (34) 2 Grandson (2yrs / 8yrs): Mother - 65, brother - 39, nephew - 14, niece - 17
7. Source of Livelihood: Indeaway
8. Bread Winner of the family: Yes
- * 9. Any family member sickly / physically challenged (disable): Yes ___ No ___
- * 10. How often do they use the structure: ___ Hours ___ Days
- * 11. Approximate Income / Day: _____ Peak Day of Income: _____
12. Do they understand what the construction is about? Yes
13. Do they understand that the current set up area will need to be cleared? Yes
14. Where will they relocate their stall? Yes
15. Distance of Relocation area from this current area: 1m

Annexure 3 – Vatukarasa Village Headman Support Letter

Vatukarasa Village,
Conua,
Nadroga Navosa

13th December, 2022.

To Whom It May Concern

Dear Sir/Madam,

RE: Consent letter

I, Iferesini Navoso the Turaga ni Koro (Village headman) of Vatukarasa village am aware of the two septic tanks that needs to be relocated. I was part of the joint inspection by China Railway No.5 Engineering Group and the Consulting Engineers. The joint inspection was carried out in June, 2022 whereby the following were identified that lies within the road reserve and the need for it to be either relocated or removed:

- Road side vegetation
- Roadside Stalls
- Septic tanks

All the above was communicated back to villagers and specifically to the owners during our village meetings and my house-to-house visitations.

Thank you.

Iferesini Navoso
Mobile: 2346965

Annexure 4 – Nadroga / Navosa Provincial Council Support Letter



"A Transformed Itaukei Family for a Better Fiji "

Talenavuruvuru, Lawaqa, Sigatoka | P. O Box 267, Sigatoka
Telephone: 6500004/7766004 | Email:nadroganavosapcoffice@gmail.com

28/12/22

The Environment Manager,
China Railway 5 Engineering Group,
Sawau Street,
Mead Road,
Suva.

Dear Madam,

RE: SUPPORT FOR RELOCATION FOR RESIDENTIAL SEPTIC TANKS – VATUKARASA VILLAGE

This letter serves to inform you of the above mention. The relocation of septic tanks within the project site for the Queens Highway project at Vatukarasa village has been consented with consultation carried out by the company and the 2 families identified (Inia Tukere, Jale Bolakoro)

This office fully support the project and the relocation of the residential septic tanks to a suitable location after following proper procedures with stakeholders with both families agreeing to the new site as resolutions of the consultation by CR5EG.

Yours Sincerely,



For Roko Tui Nadroga Navosa.