

Environmental and Social Monitoring Report

Semestral Report (July – December 2021)
January 2022

Samoa: Enhancing Safety, Security and Sustainability of Apia Port Project

Prepared by Samoa Ports Authority for the Asian Development Bank

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ABBREVIATIONS

ADB	Asian Development Bank
CCP	Communication and consultation plan (for the project)
CEMP	Construction environmental management plan (of the contractor)
CHEC	China Harbour Engineering Company (the civil works contractor)
CSC	Construction supervision consultant
CSS	Country safeguards system
DC	Development consent
DDR	Due diligence report
EMP	Environment management plan
ESSSAP	Enhancing safety, security, and sustainability of Apia port project
HSP	Health and safety plan (part of the CEMP)
GRM	Grievance redress mechanism (for the project)
GPI	Green port initiative component
IEE	Initial environmental examination
IWS	Independent Water Scheme
LIMP	Labour Influx Management Plan (subplan of the CEMP)
PMU	Project management unit (within SPA)
MCR	Ministry of Customs and Revenue
MOF	Ministry of Finance
MNRE	Ministry of Natural Resources and Environment
MNRE (DEC)	Ministry of Natural Resources & Environment, Division of Environment & Conservation
MWTI	Ministry of Works, Transport, and Infrastructure
NCS	National communication specialist
PAM	Project administration manual
PEAR	Preliminary Environmental Assessment Report (under the CSS)
PUMA	Planning and Urban Management Agency (within MWTI)
QEIA	Quarry Environmental Impact Assessment (currently under development by the contractor)
QMP	Quarry management plan (currently under development by the contractor)
QTMP	Quarry Traffic Management Plan (currently under development by the contractor)
SEAH	Sexual exploitation, abuse or harassment
SECP	Stakeholder engagement and consultation plan (part of the CEMP)
SMR	Semi-annual safeguards monitoring report
SPA	Samoa Ports Authority
SPS	Safeguard policy statement 2009 (of ADB)
TMP	Traffic management plan (part of the CEMP)

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EXECUTIVE SUMMARY

Purpose of the report. This is the second semi-annual social and environmental safeguards monitoring report (SMR) for the Enhancing Safety, Security, and Sustainability of Apia Port Project (the Project), covering the period July to December 2021. It details the social and environmental safeguards activities undertaken to date with a focus on planning and pre-commencement activities and reporting the status against the project covenants as included in the project agreements and project administration manual (PAM).

The Project. The Project is financed with a grant of \$75.03 million from ADB and \$12.77 million from other sources and is scheduled to be completed on 21 March 2024. The outputs of the project are focused on:

Output 1: safety and capacity of port infrastructure

Output 2: climate and disaster resilience of port operations

Output 3: border security and trade facilitation; and

Output 4: gender sensitive green port initiatives.

Institutional arrangements. The implementing agencies are the Samoa Ports Authority (SPA) (for outputs 1, 2 and 4) and Ministry of Customs and Revenue (MCR) (for output 3) and the executing agency is the Ministry of Finance (MOF). A project management unit (PMU) is established to deliver the project and a construction supervision consultant (CSC) is supporting the PMU including implementation of safeguard requirements which includes, amongst other matters, ensuring the contractor is aware of the approvals required under national laws and regulations, providing advice on the preparation of the construction environmental management plan (CEMP) and making sure that the contractor is aware of their safeguard's obligations under the contract. In terms of safeguards support, the PMU currently includes a national social safeguards consultant; a national social safeguards and environmental consultation consultant; an international social safeguards and gender specialist; and an international environmental safeguards specialist. The recruitment of an environmental management officer, as a permanent role within SPA, is in progress.

Progress and status. In 2019 a development consent was obtained for the overall project (excluding materials sourcing) from the Planning and Urban Management Agency (PUMA), then located in Ministry of Natural Resources and Environment (MNRE), but since moved to Ministry of Works, Transport, and Infrastructure [MWTI]).

Project progress by the contractor includes the preparation of the key project documentation, construction of the site compound, mobilisation of plant and equipment, and offsite fabrication site investigations to ascertain the fuel valve relocation scope and associated pricing. The main safeguards activities have been the ongoing reviews of the construction environmental management plan (CEMP) and engagement with CHEC over a change in proposed quarry site.

The CEMP has been split into two parts, part 1 covers the port landside works and workers accommodation with part 2 covering the quarry and breakwater. Part 1 of the CEMP and the associated 18 annexes were submitted to the CSC and ADB for review in September 2021: in summary the documentation was lacking sufficient details and needed to be strengthened in a number of key areas/sections.

The quarry management plan (QMP), quarry waste management plan (QWMP) and quarry traffic management plan (QTMP) were submitted to the CSC in late 2021. The CSC review found several issues which are being worked through including sediment and erosion control around the stream. Waste management was also raised as an issue alongside the rehabilitation of the quarry site after project completion. CHEC is currently updating these plans addressing the matters raised by the CSC.

Consultation and grievances. Consultation with village communities and resource/landowners at a new proposed quarry site in Lauli'i will need to be undertaken during the next SMR reporting period to support the quarry development consent process. The QMP will be included as part of the CEMP once reviewed and cleared under the country system and by ADB.

The ADB-engaged national communication specialist¹ assisted SPA in drafting the project's communications and consultation plan (CCP), which was updated in August 2021. The elements of the CCP relevant to construction have been included in the CEMP.

Formal consultations recommended in the previous SMR with affected communities and resource/landowners relating to the quarry sites have not yet been undertaken given the quarry site is still to be confirmed. Once confirmed, consultations are expected to start in February 2022.

The project's grievance redress mechanism (GRM) has been established by the SPA, the process has been refined and updated several times, including after the initial process was presented to stakeholders in a workshop in June 2021. As part of their CEMP, CHEC developed a grievance redress procedure, based on the project's GRM, and which includes the process for reporting confidential or sensitive complaints such as sexual exploitation, abuse or harassment (SEAH). These complaints will follow a separate approach in order to ensure they are survivor-centred. The strengthened project GRM was finalised during this reporting period and is included in this SMR

There have been no complaints or grievances reported in this reporting period.

Monitoring. During implementation, monitoring inspections and audits will be undertaken following the project EMP; the usual periodic updating will be undertaken in line with the SPS requirements.

Actions required for the next reporting period include:

- Finalisation of the CEMP
- Confirmation that phyto-sanitary certificates have been issued and compliance with any conditions of certificates
- An approved service provider is engaged to deliver communicable disease awareness and prevention program
- An environmental audit to be completed and actions implemented for compliance.

¹ This specialist provides support and guidance across a number of ADB-financed investments and technical assistance programs in Samoa.

1. INTRODUCTION

1.1. Background and Purpose of the Report

Context for the project. Samoa comprises the islands of Upolu, Savai'i, Manono and Apolima in the South Pacific Ocean, together with all other adjacent islands, and lying between the 13th and 15th degrees of south latitude and the 171st and 173rd degrees of longitude west of Greenwich. The total land area is 2,831 square kilometres with a 2016 population of 192,126 split 77% and 23% between Upolu and Savaii islands respectively.

The city of Apia is the commercial and political centre of Samoa and is its main international maritime port. The 2016 population was 35,744, comprising of 5,929 households, with a male/female split of 50.25% and 49.8% respectively. The Apia Urban Area comprises of 58 villages and sub-villages located to the east, west and south of the Apia port. Land within the Apia Urban Area immediately surrounding the Apia port is mainly freehold and Government owned, with small pockets of customary land owned by two villages – Apia and Matautu. The port serves nearly 100% of Samoa's international trade and accounts for 90% of Samoa Ports Authority's (SPA) revenue. It provides a base for passenger and freight movement via international and coastal vessels. Operational characteristics include acceptable dwelling times for ships in port, occasional queuing of vessels, and limited operation times. At present there are around 150 vessels operating out of the harbour every day. It is estimated that additional capacity that caters to 100 vessels per day would be required to support the urban centre development.

The Government of Samoa (the government) requested assistance from the Asian Development Bank (ADB) to upgrade the infrastructure and operations at the Apia port. The Enhancing Safety, Security and Sustainability of Apia Port (the Project) will improve efficiency, safety and environmental sustainability of seaport in Apia, Samoa (the Port). It will upgrade terminal infrastructure to enhance safety and capacity, strengthen the existing breakwater to enhance resilience to climate change and severe storms, and construct a customs facility with a new container X-ray scanner to facilitate effective border management. The project will also support green port initiatives (GPI) to promote clean and sustainable port operations and management, and which are gender sensitive.

Institutional arrangements. The SPA and Ministry of Customs and Revenue (MCR) are the project's implementing agencies, and the Ministry of Finance (MOF) is the executing agency. The SPA has established a project management unit (PMU) which is supported by a construction supervision consultant (CSC)—Beca International—engaged on 8th February 2021. In terms of safeguards support, the PMU includes both national and international social, environmental, and gender specialists. The civil works contractor—China Harbour Engineering Company (CHEC)—was awarded the construction contract on 29th March 2021. They have employed a community liaison officer (CLO) and an environmental health and safety officer (EHSO) from Think Environment Consult who is developing the CEMP. For the EIA consultation, CHEC have employed a consultant from INSPIRE Consult, who is organising and planning the quarry consultation for the project.

Purpose of the report. Preparation and disclosure of the semi-annual social and environmental safeguards monitoring report (SMR) is a requirement under the ADB Safeguard Policy

Statement 2009 (SPS), ADB Access to Information Policy 2018, the project administration manual (PAM) and country safeguards system (CSS). The SMR is prepared by the SPA as the implementing agency and submitted to both MOF and ADB. This is the second SMR for the project and it complies with the ADB's and government requirements with regards to implementation, monitoring, and information disclosure. The purpose of this SMR is to document the activities of SPA and MCR in ensuring that all necessary environmental and social safeguards are properly implemented for the Project and reporting the status against the project covenants as included in the project agreements and PAM.

The project has been screened and classified as category B for environment and category C for both involuntary resettlement and Indigenous Peoples. The Planning and Urban Management Agency (PUMA) of Ministry of Works, Transport and Infrastructure (MWTI) issued a development consent for the overall project on 29 October 2019, subject to 37 conditions (see Annex A).

1.2. Project Description

The project impact will be to improve safety, security and competitiveness of trade and maritime services; and environmentally sustainable, energy efficient, and socially responsible transport sector. The outcome will be efficiency, safety and environmental sustainability of Apia International Port improved. The project (Figure 1.1) includes the following outputs:

- Output 1: Safety and capacity of port infrastructure enhanced
- Output 2: Resilience and preparedness of port operations to climate change and natural hazards enhanced
- Output 3: Border security and trade facilitation capacity enhanced; and
- Output 4: Gender sensitive green port initiative (GPI) piloted.

The project is estimated to cost USD\$74.16 million. The Enhancing Safety, Security and Sustainability of Apia Port (ESSSAP) civil works contract was awarded to China Harbour Engineering Company Limited (CHEC), on the 29 March 2021. The construction supervision contract was awarded to Beca International Consultants Limited on the 08 November 2020 and signed on 8th February 2021. The port civil Works contract commenced on the 16 August 2021 with a duration of 730 days.

The scope of the works under output 1 (in brief) include:

- Reconstruction of the breakwater
- Installation of aids to navigation
- New pavements and repairs to existing pavements and storm water drainage
- New buildings and upgrading to existing buildings
- New and repaired/rehabilitated services provision across the port (electricity, water, parking etc.)
- New area lighting across the container storage area
- A section of wharf deck replacement and minor fencing works
- Ancillary works in the terminal:
 - Recladding the existing Shed 2 to convert it to a devanning facility
 - Design and construction of an equipment maintenance workshop
 - Demolition of a section of Shed 1, modifications, new cladding to the wall

- Design and construction of a building to house an X-ray scanner
- Design and construction of a Customs inspection shelter

Figure 1.1. Satellite view of Apia port



The areas included in the scope of works are shown in Figure 1.2 below. A second site is proposed to include leased land at Lauli'i to develop a quarry for the required rock (shown on Figure 3.1 page 11). The rock has been tested in New Zealand and has shown it meets the project strength and density requirements. The ability to quarry rock of suitable size and dimension will be confirmed once quarry operations commence. The contractor is currently working with the PMU for the consultations (as part of the environmental assessment process) to enable the development consent to be applied for.

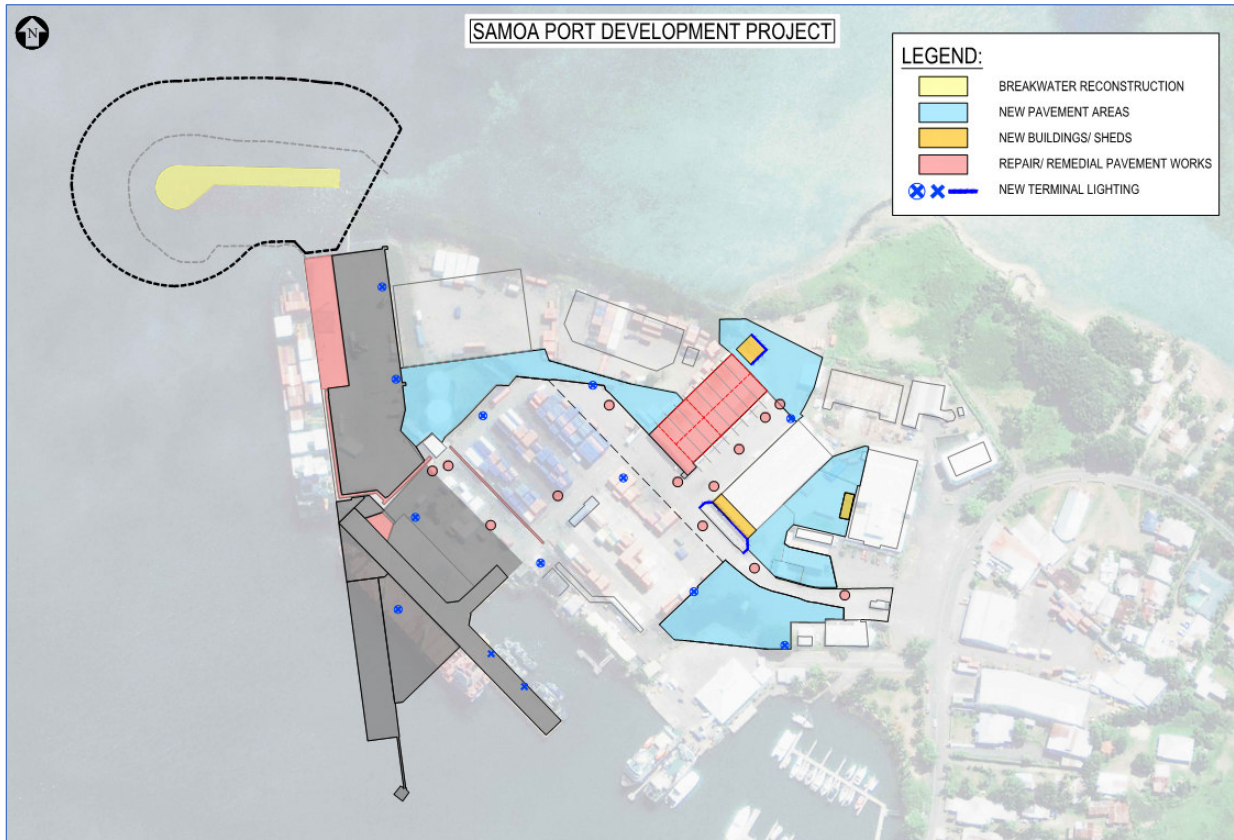


Figure 1.2. Layout of works at Apia Port

2. PROJECT PROGRESS

2.1. Project Overview

Key milestone dates for the project are included in Table 2.1

Table 2.1: Key project dates

Item	Date
ADB Board project approval	09-Sep-19
Declaration of project effectivity	18-Oct-19
MWTI – PUMA approved and issued development consent	29-Oct-19
Contract for the GPI signed with Haskoning DHV Nederland B.V	18-Nov-20
CSC contract awarded to Beca International	8-Nov-20
Contract for CSC signed with Beca International	08-Feb-21
Letter of Acceptance for CHEC	29-Mar-21
Civil works contract signed with CHEC Ltd	29-Mar-21
Commencement Date of CHEC's mobilisation for civil works	16-Aug-21
Contractual completion date of construction project	15-Aug-23
Estimated completion date of construction project	15-Aug-23
Commencement date – Section 1 – X-Ray building	16-Aug-21
Original completion date of Section 1	11-Feb-22
Estimated completion date of Section 1	04-May-22
Commencement date – Section 2 – remaining terminal works	16-Aug-21
Original completion date of Section 2	15-Aug-22
Estimated completion date of Section 2	15-Aug-22
Commencement Date – Section 3 – breakwater reconstruction	16-Aug-21
Original completion date of Section 3	15-Aug-23
Estimated completion date of Section 3	15-Aug-23

2.2. Safeguards Instruments Overview

The overall safeguards requirements are set out in a number of documents including those prepared to comply with the CSS (including any conditions on consents such as the development permit issued by PUMA and quarry license - yet to be applied for and issued), project grant agreements, PAM, the preliminary environmental assessment report (PEAR) and land due diligence report (DDR).

Environment. The project is categorized as B for environment in accordance with the SPS. An environmental assessment was conducted during the project preparation and updated during the detailed design as a preliminary environmental assessment report (PEAR)² as required for the development consent application under the Planning and Urban Management Act 2004. The PEAR was cleared by ADB and approved by PUMA with the issue of the development consent 29th October 2019. The development consent includes 37 conditions (refer to Section 3.4 and Annex A).

Social. The project is category C for involuntary resettlement and indigenous peoples. A due diligence report was prepared during project preparation, confirming that civil works will be within the existing port area which belongs to SPA and the breakwater footprint is owned by the government. At the time, the project was not expected to create any physical and economic displacement, and it was agreed that any unanticipated land acquisition during implementation will be done through negotiated settlement and will not result in any compulsory acquisition by the government. This will be reviewed as the proposed quarry site is assessed for environmental and social impacts.

Prior to contract signing, SPA undertook initial activities in relation to the relocation of one lessee from the port area, as their lease expired. This was implemented in compliance with ADB safeguards policy with more detail provided in the DDR of May 2019 and the SMR of January – June 2021.

Indigenous People. There are no indigenous peoples considered distinct and vulnerable. The population of Samoa is ethnically and culturally homogenous with no minority groups. (Census data on citizenship shows non-Samoan citizens to total 3,598, or 1.9 percent of the population.)

2.3. Safeguards Implementation Arrangements

Before the recruitment of the national social safeguards and gender specialists by the PMU, ADB arranged for a national communications specialist to provide support in updating and implementation of the communications and consultation plan (CCP) and grievance redress mechanism (GRM). SPA has undertaken initial activities in implementing the CCP.

The PMU safeguards team comprises:

- international social and gender specialist
- national social safeguards and gender consultant
- international environmental specialist
- national social safeguards and environmental consultation consultant
- environmental management officer which will be an ongoing position in SPA after project is completed - yet to be recruited

The CSC will provide training and capacity building of SPA and PMU staff as required. This training is awaiting the appointment of the environmental management officer and will be done in collaboration with the GPI as required.

² The PEAR is considered by ADB to be equivalent to an initial environmental examination as required for category B projects under the SPS.

In addition, CHEC has engaged a full-time environment, health and safety officer (EHSO) and a community liaison officer (CLO). The EHSO is responsible for ensuring the approved construction environmental management plan (CEMP) is implemented and monitored. The CLO will assist SPA in implementation of the CCP focusing on information to be provided to the community by the contractor, and will serve as the facilitator between CHEC and all stakeholders including the community as well as being the first point of contact for implementation of the elements of the GRM to be implemented by the contractor. The CEMP includes a stakeholder engagement and communications plan (SECP) of the contractor which is based on the updated CCP.

From the work completed during the project preparation and based on GRMs successfully implemented in other projects in Samoa, the SPA held a workshop to discuss the project's GRM requirements (as proposed in the PEAR and DDR) with the PMU on 30th June 2021. Discussions identified several areas for strengthening and customising the GRM to better suit the Project's requirements. The PMU has completed a revised GRM flowchart, register, and form to register complaints. These are attached to this SMR in Annex B.

2.4. Green Port Initiatives Coordination Updates

The GPI consultant has not been able to commence work due to the global COVID-19 pandemic, which is unfortunate. This project output will foster a collaborative approach in developing a gender sensitive green port policy, and assist in the development of a green port practice manual and multi-hazard disaster preparedness plan. These will be developed in a participatory manner involving all relevant stakeholders. The identification of training needs and employment opportunities for women in SPA will be undertaken in cooperation with the GPI consultant, among others, such as managers and human resources staff.

There are no further updates at this stage.

3. ENVIRONMENTAL SAFEGUARDS PERFORMANCE AND MONITORING

3.1. Status of CEMP Submission and Implementation

The contractor has employed a specialist subcontractor, Think Environment, to prepare their CEMP, which details their construction approach and work methods and sets out the measures required to manage the risks and impacts, based on the project EMP. As outlined in the Project PAM, the CEMP, annexes and site specific subplans must be reviewed and cleared by the PMU CSC and ADB.

Once the PMU is satisfied with the CEMP and annexes, it will be submitted to ADB for review. Once cleared, the contractor will be issued a 'no objection' to commence works and the approved CEMP will be submitted to PUMA for information. The CEMP will be disclosed on the ADB website.

The proposed CEMP was split into two parts so works around the port could be progressed ahead of the quarry. As such Part 1 covers the Port landside works and workers accommodation with Part 2 covering the quarry and breakwater.

Table 3.1: CEMP and Components Overview

Document	Status	Responsibility	Comment
CEMP – Part 1 (including annexes)	For CEMP Part 1: CHEC submit rev 1 – 24 Aug 21 Beca reply to rev 1 – 03 Sept 21 CHEC submit rev 2 – 07 Sept 21 Beca reply to rev 2 – 24 Sept 21 CHEC submit rev 3.1 – 19 Oct 21 Beca reply to rev 3.1 – 01 Nov 21 CHEC submit rev 3.2 – 01 Dec 21 Beca reply to rev 3.2 – 22 Dec 21 CHEC submit rev 4 – in progress	CHEC	<ul style="list-style-type: none"> Part 1 CEMP and Annexes submitted to ADB 9 September 2021. Feedback received from ADB 21 September 2021. CHEC is updating the CEMP based on feedback
Traffic Management Plan	Submitted and reviewed with CEMP packages.	CHEC	<ul style="list-style-type: none"> Part 1 CEMP and Annexes submitted to ADB 9 September 2021. Feedback received from ADB 21 September 2021. CHEC is updating the CEMP based on feedback
Health and Safety Management Plan	Submitted and reviewed with CEMP packages.	CHEC	<ul style="list-style-type: none"> Reviewed 10 Nov. Workshops on COVID-19 preparedness have been held and CHEC are preparing a specific sub-plan for COVID-19 and the effect of changed alert levels.
CEMP – Part 2 (including annexes)	In progress. Yet to be submitted to the Engineer for review.	CHEC	<ul style="list-style-type: none"> Part 2 CEMP and Annexes are currently under development.

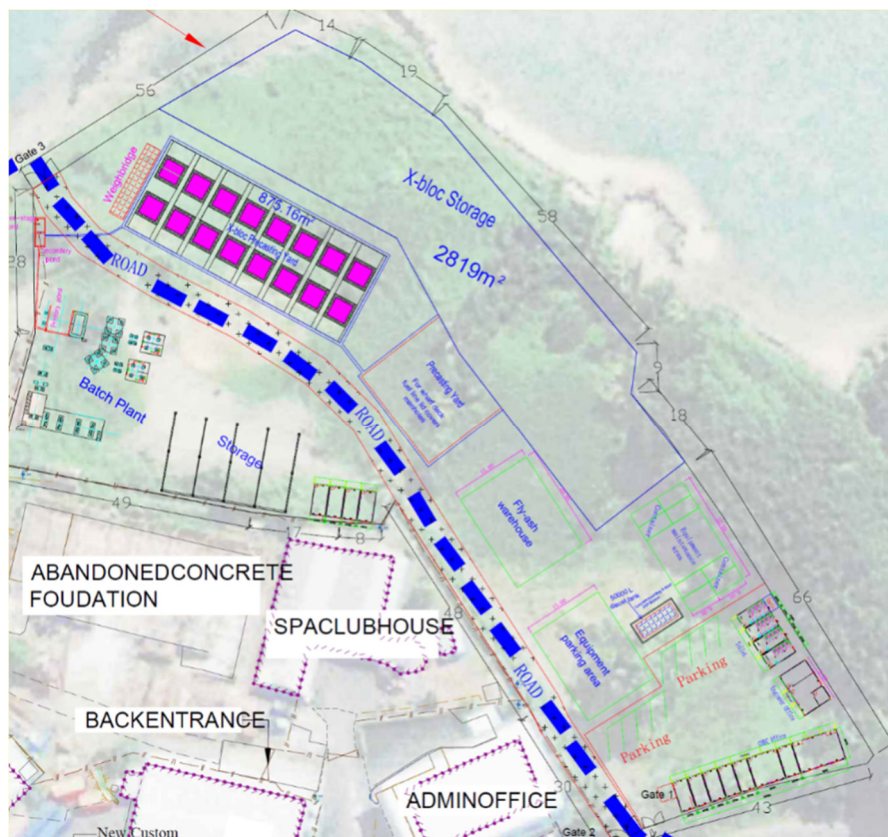
Document	Status	Responsibility	Comment
Grievance Redress Procedure	Completed	SPA PMU	<ul style="list-style-type: none"> • Procedure aligned with project's GRM • Workshop conducted 14-15th June 2021

3.2. CEMP Part 1

An early draft of the CEMP Part 1 (and 18 annexes) were submitted to ADB for review in September 2021. ADB's review concluded that the documentation was lacking sufficient details and needed to be strengthened. The CEMP Part 1 and supporting documents, such as the traffic management plan (TMP), and the health and safety Plan (HSP) were reviewed and comments provided back to the contractor to revise further.

CHEC has been working with Beca to finalise a number of issues raised in the reviews including sediment and erosion control for the cement plant, wastewater management and dust control. This is currently being finalized for submission to ADB in 2022. Figure 3.1 shows the location and layout of CHEC's site compound and batch plant at the port.

Figure 3.1: Location and Layout of CHEC's Compound and Batch Plant



3.3. CEMP Part 2

The Part 2 CEMP (quarry and breakwater) is under development, including the environmental assessment, consultations, and quarry management plan (for subsequent development consent and permit applications). These documents will be reviewed by CSC and PMU once completed and then sent to ADB for review ahead of submission to PUMA.

There is one major site proposed as part of the works (Figure 3.2 and 3.3) beyond the port boundary, which will have environmental impacts on the surrounding areas. This is the quarry and crusher site at Lauli'i.

Since the previous SMR CHEC has changed its intention from leasing the Eva quarry and crusher site³ and began negotiations for another site to open as a new quarry operation at Lauli'i initially using a subcontractor, Transworks. Subsequently, the subcontractor has been proposed as L&J Civil who would lease the land from the customary owners (the village) and sublease it to CHEC. The lease of the quarry site is still under negotiation with the landowners.

PMU safeguards staff held a meeting with the Lauli'i village representatives⁴ on 14 October 2021 to ensure they were informed of the role of MNRE in providing information and advice to customary landowners and to encourage them to seek this assistance. The village chiefs⁵ and CHEC representative also met with MNRE⁶ on 4 November 2021 regarding the land lease requirements and approvals process, and in particular, to clarify the public notification requirement of six months, and to explore if there are any exceptions to this requirement. They were told that the six months' notice period was mandatory, but another option would be to avoid a lease, and simply get signed village consent to use their land for quarrying.

The quarry management plan (QMP), quarry waste management plan (QWMP) and quarry traffic management plan (QTMP) were submitted to the PMU and CSC by CHEC in late 2021. Their review found several issues including sediment and erosion control around the stream, waste management, and the rehabilitation of the quarry site at project completion; these issues are currently being worked through by CHEC.

The PMU and ADB will review the environmental assessment and QMP, QWMP and QTMP before finalisation to ensure it covers all necessary requirements and safeguards. This also includes any other local requirements under the Building Code, Codes of Environmental Practice and the National Historic Places Act for the quarry before lodgement with the relevant authorities.

³ The rationale for the change of site is because of the failure of land negotiations with Eva village.

⁴ Village paramount chief and one of the two landowners.

⁵ Village delegation comprised of the village paramount chief, the two landowners and five other village chiefs.

⁶ ACEO – Land Management Division; ACEO – Legal Division.

The PMU will continue to work closely with the contractor to ensure they are aware of responsibilities for environmental and social impact management: this includes checking that the CEMP is updated and revised to include all necessary site-specific management plans and mitigation actions. The CHEC EHSO recruited from Think Environment Consult, is working closely with the Contractor to update the CEMP.

Figure 3.2: Lau'i Quarry and Crusher Site in relation to Apia Port



Figure 3.3: Location of Lau'i Quarry and Crusher Site location



3.4. Implementation of the CEMP

Table 3.2 shows the progress of implementing pre-construction actions for the CEMP and those actions which need to be completed.

Table 3.2: Summary of Pre-Construction Actions from the CEMP

Actions	Responsibility	Status	Timeline
CEMP (Part 1) and the associated Annexes submitted September 2021	Contractor	Completed	Q3 2021
PMU reviewed CEMP and annexes including TMP and QMP and provided feedback	PMU/CSC	First review completed	Q3 2021
ADB review and returned Part 1 CEMP with comments	ADB	First review completed	Q3 2021
CEMP Part 2 and QMP and annexes updated.	Contractor	To be completed	Q4 2021
Confirm and plan monitoring requirements and responsibilities	CSC, PMU, and contractor	Completed	Q4 2021

Approvals for commencement of all other works will depend on a satisfactory review of the contractors' CEMP and associated documents by the PMU, and then by ADB prior to approval. During implementation monitoring and auditing of the CEMP will be undertaken and, where required, corrective actions will be noted and forwarded on to the contractor and recorded in the database. While construction has yet to begin aspects of the CEMP have been implemented including the importation of machinery and plant for the works in late 2021. Planned monitoring of the CEMP is shown in Annex C: this will record the progress of the CEMP and any actions which need to be completed.

3.5. Health and Safety

Status

The contractor has submitted the HSP for the works (including transportation of materials, equipment and plant) and covering the quarry operations. Reviews by PMU and ADB and subsequent finalisation and approval of the HSP will be undertaken as necessary and reported on in the next SMR period.

Implementation

The PMU has completed four safety inspections within this period, which have focused on the contractor's site compound. These have also been supplemented with identification of unsafe activities through the daily site inspections. Any issues have been communicated to the contractor in person and confirmed by email to ensure clear communication and recording of issues. Table 3.3 summarises the repeatedly identified safety issues and actions to address and improve these.

Table 3.3: Summary of Safety Issues and Actions

Issue	Description	Requested Actions
Unsafe working at height	Personnel standing on containers, formwork and materials without the necessary edge protection or safety harnesses. Safety harnesses continue to be worn incorrectly although this has been repeatedly pointed out to the Contractor who has been told that toolbox talks are required.	Daily site visits by the CSC to identify any unsafe working at height issues. CSC verbally instructs the contractor's safety manager immediately to rectify the issue before work continues.
Lack of PPE	Personnel and visitors without any PPE have been identified. Workers using non-safety gumboots for concrete works - despite the Contractor having been instructed to plan competently and secure suitable resources accordingly.	Contractor has been instructed to amend their work methods to enable workers to use their standard safety boots (i.e. not working in concrete). Contractor has communicated that they have procured safety gumboots and are in transit to Samoa.
Uncapped reinforcement steel	Pack of protection on reinforcement steel bars protruding from ground / reinforcement cages - exacerbated at times by unsafe working at height in close proximity.	Contractor has communicated that they have procured reinforcement protection caps and are in transit to Samoa. Work methods to be amended until reinforcement protection caps arrive.

The contractor has submitted Near Miss and Incident Reports as and when required in which they provide a monthly summary and overall safety statistics within the contractor's monthly report.

PMU continues to monitor closely and complete safety audits with the contractor to ensure safety requirements are enforced. The safety audits have been sent as per an Engineer's Instruction instructing the Contractor to remedy the safety issues within the timeframe denoted in the safety audit summary table.

SPA, supported by the CSC, has undertaken a project COVID-19 risk assessment to identify project-wide risks (SPA, MCR, CSC and CHEC) of anyone associated with the project testing positive for COVID-19, an outbreak of the pandemic, or a change in alert level, to identify measures and controls for preparedness and response to be integrated into various plans and protocols. The contractor has provided a Prevention and Control of Coronavirus Disease chapter as part of the HSP. During this reporting period, surveys were provided to Government Ministries, port users and CHEC to inform the preparation of the COVID-19 preparedness and response plans with further workshops held with port users and CHEC. COVID-19 preparedness and response plans have been provided by the CSC and CHEC (in draft form) with SPA's plan in progress.

As part of the HSP and CEMP, (in accordance with PEAR and project EMP), the contractor is required to engage an approved service provider to deliver a communicable disease (STI, HIV/AIDS, COVID-19, malaria etc.) awareness and prevention program to workers and the community (ahead of construction activities commencing). CHEC is in negotiation with Samoa Family Health Association to deliver these programmes.

3.6. Environmental Audit

As part of the PEAR development an audit of existing SPA facilities and operations was undertaken to determine compliance with the SPS and good industry practice and whether any corrective actions were required.

Audit findings and actions required for compliance for Port Operations.

The audit of existing facilities and operations of Apia Port concludes that the environmental impacts arising from current port activities are, for the most part, not significant. However, some matters require attention in order that existing operations comply with the SPS. The recommended actions for SPA to undertake to achieve environmental compliance with the SPS are shown in the table below.

Table 3.4 Audit findings and actions required for compliance with Port Operations.

Actions	Responsibility	Status	Timeline
Raise awareness of environmental management as part of SPA's operational requirements.	SPA	Completed	Q2 2021
Remove all oil contaminated soil from the machinery park and dump at MNRE's designated hazardous waste area	CHEC --contractor	First review completed	Q3 2022
Refurbish the machinery park with a covered and concrete paved area equipped with bunds and oil interceptor to prevent discharge of	SPA	To be completed	Q3 2023
Update Emergency Response Plan to include procedures and actions in the case of a marine oil spill.	SPA	Completed ⁷	Q3 2021
Improve traffic safety within port area by relocating shipping agent paperwork function outside the port to avoid the need for container truck drivers to get out of trucks at the port.	SPA	Completed	Q3 2021
It is also recommended that an audit of MWTI capacity and compliance with United Nations – International Maritime Organisation (UN-IMO) in regard to oil spill containment equipment, procedures, be undertaken by an appropriately qualified and experienced expert.	SPA	To be completed	Q2 2022

3.7. Environmental Corrective Actions

The environmental corrective actions for this period centre around preparatory tasks such as CEMP and securing subconsultants. As the contractor has yet to provide a CEMP of suitable quality, there has been limited actions outside of these preparation and planning tasks due to no

⁷ To be further reviewed under the Greenports Initiative.

works commencing on site. Table 3.5 summarises the environmental corrective actions with the full details included in Annex D.

Table 3.5 – Summary of Environmental Corrective Actions

Environmental Issue	Corrective Action	Owner	Actions completed this period
CEMP not of suitable quality.	Finalise CEMP	CHEC	CHEC in progress of revising CEMP as per ADB comments issued in Sept 2021. Revised CEMP reviewed by CSC prior to ADB review.
CEMP <ul style="list-style-type: none"> • Phyto-sanitary certificates. • Samoa Quarantine Services clearances issued. • CHEC compliance with any conditions of Certificates issued. 	Monitor CEMP – Confirm that Phyto-sanitary certificates have been issued and compliance with any conditions of Certificates	PMU	Monitoring in progress as plant and equipment is delivered to Samoa.
Health and Safety. Lack of awareness and education related to communicable diseases and prevention.	Engage an approved service provider to deliver a communicable diseases awareness and prevention program to both workers and community (as per EMP and contract)	CHEC	CHEC in progress of sourcing approved service provider.
Issues identified in Environmental Audit	Implement actions for compliance	SPC	Due to lack of progress on site (i.e. no CEMP approved, therefore no work can commence on site) a full audit has not been completed this period. The safety audit completed by the CSC in which the Contractor joins, contains environmental items to check. Waste management, dust prevention and security worker facilities have been identified and since rectified by the contractor.

3.8. Monitoring Development Consent Conditions

The project development consent was issued by the PUMA on the 29th of October 2019. The status of the each of the conditions is provided in Annex A.

As noted in Section 3.1, the current environmental assessment and consent do not include the materials source site/quarry because that information is to be determined by the contractor following due diligence. The environmental and risk assessment, development of QMP and development consent application have yet to be finalized by the contractor.

4. SOCIAL SAFEGUARDS PERFORMANCE AND MONITORING

Table 4.1 below provides a summary of progress to date.

Table 4.1: Compliance with SPS and CSS

Requirement	Compliance status	Responsibility
Social Requirements		
Engagement of the international social and gender specialist	Completed	CSC/PMU
Engagement of an in-country national social safeguards Officer	Completed	SPA-PMU
Engagement of a national social safeguards and environmental consultation consultant	Completed	CSC/PMU
Engagement of a CLO	Completed	Contractor (CHEC)
Update the revised SECP (Annex S of the CEMP: based on updated CCP)	In progress	Contractor (CHEC)
Inputs into social safeguards and compliance reports	First SMR completed; second SMR in progress	PMU
Review of social aspects of contractor's CEMP and quarry documentation	In progress	PMU
Preparation of a due diligence report on acquisition of quarry sites	Not yet started, but quarry site has been surveyed	Contractor (CHEC)

There were no site visits specifically for monitoring of social safeguard activities conducted during the reporting period due to the early stage.

4.1. Land Acquisition/Ownership and Resettlement

The Apia port is located on a natural peninsula bounded by sea on three sides and connected by a single public road on the land side. The maximum land area on the site is 9.5 hectares, with 1.8 hectares dedicated as a sealed container yard. The land belongs to the SPA. In the past, SPA occupied only part of the land, and the rest of the port area was leased out to various parties. Details of previous Port leases are provided in the safeguards monitoring report for the previous reporting period, January – June 2021.

There are several land acquisition activities related to the quarry and associated sites which have not yet been completed. Within the reporting period, CHEC changed its intention to lease the Eva quarry and crusher site and began negotiations for another quarry at Lauli'i using a subcontractor, Transworks. Since then, this has changed to L&J Civil who would lease the land from the village and sublease it to CHEC. Several meetings have been held to guide CHEC and ensure they are following ADB safeguards guidelines and Samoa Government laws. PMU has also had discussions with the Lauli'i village representatives to ensure they are informed about the Samoa Government customary land lease process, and to encourage liaison with MNRE regarding assistance in surveying, and valuation of land and other affected assets. PMU recognizes that the quarry lease is a negotiated land acquisition and as such, does not trigger ADB's Involuntary Resettlement Policy. However, the SPS does cover both physical and economic displacement, and any restricted access to natural resources, (whether involuntary or negotiated) such as loss of access to downstream fishing grounds or decrease or pollution of the water supply. PMU is working with the Contractor to ensure any such issues are addressed

in the Quarry EIA and Quarry Management Plan (QMP). The PMU’s safeguards team is liaising closely with the contractor and providing advice to the land-owning community to ensure they are fully informed and have access to the relevant information to assist them in lease negotiations.

A QMP is currently under development with the PMU undertaking their first review in December 2021. A due diligence report for the quarry site must be prepared which the PMU and ADB will review. The PMU will check the necessary development consent application for the quarry/ies before it is lodged with PUMA and confirm that (i) due diligence process undertaken has been properly documented (including community consultation); (ii) resource/landowner consent has been obtained; and (iii) the development consent/quarry license has been obtained, before works at any of the sites commence. The SPS stipulates that a “negotiated settlement will offer adequate and fair price for land and/or other assets” (SPS, 2009, p.48 Appendix 2). The SPA will work closely with other agencies of the Government of Samoa as the Borrower, to ensure that any negotiations with displaced persons openly addresses the risk of asymmetry of information and bargaining power of the parties involved in such transactions. (SPS, p.49). For this reason, the PMU will engage a third-party verifier to ascertain whether correct procedures have been followed by all parties involved.

Table 4.2: Land acquisition/occupation of Lau’i quarry site

Site	Ownership	Affected persons	Consultation	Lease Arrangements
51 acres Inland from Lau’i 3.1km southwest of East Coast Road	Customary Land Land for the primary and secondary locations belong to two separate land owners.	Landowners Lau’i village community Rural communities along the haulage routes	Informal consultation undertaken by CHEC with village paramount chief, the affected land owners and members of the village development committee.	No lease provided to date. CHEC has stated that they have been given consent by the Matai Sa’o of the families. Awaiting formalised confirmation through further planned consultation with village council and community in Q1 2022. Commercial agreement dated 10 th June 2021 between village paramount chief and landowner or matai sa’o and L&J Civil on behalf of CHEC
			PMU consultations with MNRE Legal Division regarding lease requirements and approval processes, (especially duration of lease public notification period.)	MNRE confirmed customary land lease process requirement for 6 months public notification before lease is signed, (if there are no objections.) Option to expedite quarry permit process is to avoid leasing the land. PUMA advised that quarry permit can be issued if there is a signed village consent to use their land for quarrying in addition to EIA, QMP and other sub-plans being satisfactory.
			Separate CHEC consultations with Lau’i chiefs and MNRE re: lease process	
Haulage routes	No land required apart from quarry site (all roads are state owned)	Rural communities along haulage routes	Further consultation planned for wider impact area	No lease necessary. Disclosure/Consultation on expected impacts planned for Q1 2022.

5. CONSULTATION, INFORMATION DISCLOSURE & CAPACITY BUILDING

5.1. Consultation Activities

As documented in the previous SMR, during project preparation, six formal stakeholder consultations were conducted in April and August 2017, and again during preliminary design stage in February, March and May 2019. Participants in meetings in April 2017, February 2019 and May 2019 were limited to representatives of industry, donors, port operators and lessees, and government agencies. The objective was to introduce the general project concept and initial design and invite reactions and feedback. Consultations undertaken in 2019 included two groups of invited participants:

- (i) Representatives of industry, government and donors, and
- (ii) NGOs, village representatives, women's groups and the public at large.

Two meetings were held with local villages in May 2019. Information in the form of a project brief (translated into Samoan) was provided at the public consultation. A DDR, produced in May 2019, provided a comprehensive summary of the issues and concerns raised during the meetings, and a consultation report. Consultations complied with ADB's SPS and Access to Information Policy 2018 with full minutes of meetings provided together with lists of those who attended.

The NCS has worked with SPA to update the CCP.

CHEC has noted in the draft CEMP that previous consultation with local communities has confirmed that there is a cultural site of significance adjacent to the Port. This is called "Malaeomatagofie" or "Pilot Point", to the northeast of the port. As all the works are within port boundaries and there is no proposed machinery or vehicle access allowed to this culturally significant site, there are not expected to be any impacts. Consultations will be undertaken with adjacent stakeholders and resource/landowners for the potential quarry sites, as well as people living along the haulage routes. These consultations will be documented in the due diligence report to be compiled by the contractor.

The draft SECP (Annex S of the CEMP) has been provided to the PMU and feedback sent back to CHEC. The key feedback was that it needed to be updated to include consultation relating to the quarry sites and more clearly reflect the requirements and processes of the updated CCP. The PMU is awaiting the revised SECP as part of the CEMP.

As noted above, there have not been any public consultations undertaken during this SMR reporting period. There have, however, been several meetings between the village, CHEC and the Independent Water Scheme (IWS) to discuss and assess the potential impacts on the river and village water intake, and to explore alternative sites for relocating the intake upstream of the proposed quarry site. Other key stakeholders for consultation including MNRE (Environment and Conservation Division, and Water Resources Division) are expected to be part of the EIA

consultation for which CHEC’s EIA consultant is responsible. PMU has already advised CHEC’s EIA Consultant of the need for a flora survey to support a comprehensive description of the existing environment and suggested to her, specific experts in MNRE (DEC) that she can approach for information and assistance. PMU will monitor and follow up on these requirements and ensure that plans for IWS to move the village water intake undergo a full consultation and are documented for public disclosure and scrutiny.

5.2. Consultation Activities Planned for January – July 2022

Consultations with affected people at the Lauli’i quarry site locations, including sensitive receptors and along the haulage routes, are mandatory requirements for PUMA’s EIA process but were delayed to early 2022 while awaiting the test results of rock samples from the sites. These results arrived in late December; therefore the community consultations will proceed as planned. PMU will ensure consultations comply with ADB’s SPS and country safeguards requirements.

Formal negotiations for the lease of customary land involving the landowning village of Lauli’i are being monitored to ensure correct procedures under Samoan law and the SPS are followed. It is presumed that CHEC will be sub-leasing the land from the original leaseholder L&J Civil. Therefore, CHEC will produce a DDR for PMU/CSC to review, documenting the process used, highlighting steps taken to ensure transparency, inclusivity and informed decision making. An independent third party will also be engaged to verify the process to ensure it is fair, transparent, and without coercion, confirming that owners were able to make informed decisions. The planned consultations are detailed in Table 5.1.

Additional consultations may be required for the preparation of safeguards instruments for the temporary wharf and access road. An initial screening will be conducted to identify the applicable safeguards category and corresponding safeguards instruments required. Depending on the initial categorization, the required instruments should be prepared within the next reporting period (January – June 2022). This will also result in changes to the finalized CCP.

These activities (as identified within the draft CEMP including SECP, TMP and CCP) are listed in the table below.

Table 5.1: Planned pre-construction consultations to occur

Consultation subject	Responsibility	Audience
Quarry-related site impacts (e.g. noise, dust, traffic, safety, ownership and access, benefits)	CHEC, SPA to support	Lauli’i Village, ; DEC, Forestry Divisions, Water Resources Division of MNRE, Ministry of Commerce, Industry of Labour and MWCSD
Finalising land lease agreements with communities and landowners;	CHEC PMU / /MNRE Lands Division to support	Customary landowners or leaseholders; Lauli’i village council
Consultations for temporary works – wharf and access road	CHEC/PMU	Port users; village(s) near port site (Matautu)
Meetings with CHEC staff to familiarise them with the social protocols and code of conduct	CHEC PMU safeguards team	All staff of CHEC before contracts are signed

Consultation subject	Responsibility	Audience
Consultation with MCR on planned x-ray installation	PMU / CHEC	Ministry of Customs and Revenue, import companies, wharf/port lessees and users
Consultation on output 3, Green Port Initiative component	SPA, CHEC and Haskoning DHV Nederland B.V.	SPA, CHEC, port users
General pre-commencement consultation with SPA and stakeholders – introducing CHEC	CHEC, SPA	SPA and PMU staff; other relevant government agency staff

5.3. Capacity Building and Training

Due to the early phase of this project, capacity building and training has not begun and there is no update since the previous reporting period. The following activities are expected to occur:

- CHEC will run an induction for workers on requirements of the CPP, GRM and protocols established for contact between local communities and contractor/workers
- Undertaking a baseline gender audit
- Development of gender monitoring framework
- Development of gender awareness training programmes for SPA/CHEC technical and management staff (gender equity, equal opportunities, gender-based violence, sexual harassment, sexual exploitation and abuse, trafficking)
- Contractor to recruit an approved service provider to deliver communicable diseases awareness and prevention programs to both workers and community
- Green jobs' skills building and technical training through co-ordination with gender sensitive green port initiative component

6. GRIEVANCE REDRESS MECHANISM

A GRM workshop was held over the 14-15th June with Port stakeholders and ADB communications specialist, where a draft GRM flowchart was created. Following this work, a meeting was held with the SPA General Manager, SPA PMU Project Manager, SPA Finance Officer / Safeguards, Beca Deputy Resident Engineer, Beca Site Engineer, Beca Social Safeguards Lead and Social Safeguards Assistant on 30 June 2021 to provide feedback. Discussions identified several areas of amendments for SPA's GRM so as to customize it to the project's requirements. This feedback was centred on ensuring there were clear timeframes, a process for confidential complaints, and explicit communication requirements.

Over the reporting period the revisions to the GRM process were finalized and operationalized. CHEC will implement a complaints mechanism based on the project's overall GRM for handling construction and implementation-related complaints and enquiries from the public and community. The mechanism will be made available in both Samoan and English languages to give the complainants the choice to access and use his/her language of preference.

The GRM will also help to detect unanticipated or recurring problems and manage them. It will accommodate all issues, not just those about land acquisition, environmental impacts, or compensation (e.g. labour influx issues, sexual exploitation⁸, abuse⁹ or harassment¹⁰ (SEAH) etc.) Complainants will be referred to police and other service providers where appropriate (e.g. in case of gender-based violence complaints).

The success of the GRM depends on:

- wide publicity and accessibility.
- transparency of the processes.
- the credibility of the decision-making process and structure.
- confidentiality and protection from any retaliation.
- effectiveness of processes to resolve grievances.

The revised GRM also stipulates how SEAH complaints will be handled (the investigation procedures) and the disciplinary action for any violation of the Code of Conduct¹¹ by workers. At all times CHEC and SPA-PMU will follow an ethical survivor-centred approach with people who have experienced sexual or other forms of violence, creating a supportive environment in

⁸ Sexual exploitation: any actual or attempted abuse of a position of vulnerability, differential power or trust for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another. (*UN Glossary on Sexual Exploitation and Abuse 2017, p.6*)

⁹ Sexual abuse: actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions (*UN Glossary on Sexual Exploitation and Abuse 2017, p.5*)

¹⁰ Any unwelcome sexual advances, request for sexual favours, and other verbal or physical conduct of a sexual nature.

¹¹ The Code of Conduct will be signed by all workers, management, and consultants, and will be attached to their contract.

which the survivor's interests are respected and prioritized, and in which the survivor is treated with dignity and respect. The GRM process is designed to protect the confidentiality of those making complaints. The GRM contact point will normally be the CLO, but any SEAH complaints will be referred to the gender-based violence awareness and prevention service provider (Samoa Family Health) for support.

The GRM procedure, the grievance register, and the grievance complaint form template are provided in Annex B.

6.1. Grievances Received

There have been no complaints or grievances lodged during the reporting period. More work will be done on publicizing the revised GRM in the next quarter in particular in all remaining planned stakeholder consultations.

7. SUMMARY AND CONCLUSIONS

Although many plans have been submitted, minimal practical safeguards work has been undertaken on the ground during this reporting period, as the project is just getting started. The most significant achievement has been to get the safeguards teams working effectively together and staff recruited to fill roles. There is still one outstanding position to be filled as a priority: the EMO for SPA.

Uncertainties over the sourcing of materials have delayed some activities, in particular the changes of proposed sites for a quarry, and the associated land negotiations, consultations, and permits required to satisfy CSS and donor standards. Sending rocks from the proposed site to New Zealand for quality testing, has also taken some time. PMU and CSC have been very active in providing thorough feedback to CHEC on documents submitted, and have also insisted that MNRE are made fully aware of proposed resource extraction plans at an early stage of discussions.

The decision to split the proposed CEMP into two parts (the port landside works and the quarry and breakwater wall), was a pragmatic one, designed to ensure that works can commence at the port without being held up by long negotiations and approval processes required for the quarry development. CEMP Part 1 has been through several iterations, and final revisions should be completed early in the next quarter. CEMP Part 2 requires much more research and due diligence (particularly regarding sediment and erosion control, plans for the village water supply, and rehabilitation of the mine site on project completion), as well as satisfactory community consultation outcomes, so will take longer to complete.

The most pressing tasks going forward include the finalization of the CEMP (Part 1), safeguards instruments for the quarry and quarry related community consultation. Safeguards requirements for temporary works need to be confirmed and any stakeholder consultations required will be supported and expedited.

7.1. Recommendations for follow up actions

Table 7.1 provides a list of follow-up actions identified in this report.

Table 7.1: Recommendations for follow-up actions

Action	Responsibility
Undertake community consultations at quarry related site according to ADB guidelines, CSS requirements and local protocols	CHEC CLO, PMU EMO/SSGC
Document the consultation undertaken for the quarry site and distribute consultation reports	CHEC
Prepare DDR that details the leasing process and any impacts and arrange third party verification	CHEC Review - PMU
Obtain signed leases with approved representatives/owners of lease sites and verification report	CHEC/PMU
Seek clearance of land DDR and verification report from ADB	PMU
Undertake due diligence for quarry (including consultations)	CHEC
Update QMP, QWMP, and QTMP	CHEC

Action	Responsibility
Submit CEMP Part 2 (including annexes) to PMU and ADB for review	CHEC
Apply for quarry development consent and licence	CHEC
Finalise traffic management plan after review by PMU	CHEC
Update QMP, QWMP, and QTMP	CHEC
Update CCP to include quarry	CHEC / PMU
Finalise CEMP Part 1 (including annexes) following ADB review	CHEC
Confirm temporary works; confirm ESS categorization and required safeguards instruments in consultation with PUMA.	PMU/PUMA
Prepare safeguards instrument for temporary works as confirmed, undertake stakeholder consultations as required.	CHEC
Provide signage at all sites to ensure safety and security	CHEC

Annex A: Development Consent conditions status

No.	Condition	Status
1.	The proposed activity(s) shall be carried out in accordance with the plans and all information submitted as part of the application DCA 628/19, being: a) Report titled “ <i>Initial Environmental Examination Samoa: Enhancing Safety, Security and Sustainability of Apia Port Preliminary Environmental Assessment Report</i> ”, prepared by Samoa Ports Authority and dated June 2019, submitted on 21 August 2019.	In progress.
2.	Any other development works not included in this development consent application (including construction of building(s) or other structures on site), requires a separate development consent application.	Development Consent granted for the demolition of the Old Customs building. Temporary works in progress of being designed. DCA(s) to be submitted once design finalised.
3.	The consent holder must obtain a Building Permit from the Asset Management and Building Division of MWTI (Level 4, TATTE) to ensure compliance with the National Building Code of Samoa and before any works take effect on land.	In progress
4.	No dredging is to take place within the harbor unless required for the breakwater works only.	Breakwater construction expected Q1 2022
5.	The consent holder shall ensure that the area for processing cement is at least 15 meters from the sea.	No works on site
6.	The consent holder shall notify the Planning and Urban Management Board (“the Board”) of any incident with actual or potential significant off-site impacts on people or the biophysical environment as soon as practicable upon becoming aware of the incident. The consent holder shall provide full written details of the incident to the Board within 7 days of the date in which the incident occurred.	No works on site
7.	The consent holder shall ensure that all works carried out on site shall be in accordance with the <i>Occupational, Health and Safety Act 2002</i> .	No works on site

No.	Condition	Status																																																		
8.	The consent holder shall ensure that all works on site shall be in accordance with the Marine Pollution Prevention Act 2008.	No works on site																																																		
9.	The consent holder shall implement all practicable measures to prevent and or minimize any harm to the environment that may result from construction and/or operation of the project.	No works on site																																																		
10.	The consent holder shall be responsible for environmental impacts resulting from actions of all persons on-site, including contractors, subcontractors and visitors.	No works on site																																																		
11.	The use and development shall be managed so that the amenity of the area is not compromised, by excessive noise, excessive dust, visually offensive signage, poor airspace, excessive traffic generation, smell, fumes and waste materials.	No works on site																																																		
12.	All storm water discharged from the subject land shall be conveyed by means of an open drain and absorbed on site by means of absorption trenches and/or storage tanks.	No works on site																																																		
13.	On site retention treatment and re-use of storm water is encouraged.	No works on site																																																		
14.	Onsite drainage systems including connection to the major drainage network shall be designed to minimize potential for accumulation of silt and waste, including provision for its collection and removal at accessible locations.	In progress																																																		
15.	Any material that is to be stockpiled on site is to be stabilized and covered.	No works on site																																																		
16.	<p>The consent holder shall ensure that noise during construction activities shall be minimized to achieve the Agency's <i>Noise Policy 2011</i> standards. Noise levels shall not exceed the following limits:</p> <table border="1"> <thead> <tr> <th rowspan="3">"Noise Source" (Average dBA, L_{10mins})</th> <th colspan="12">"Receiving Property" (LAeq, 10 minutes)</th> </tr> <tr> <th colspan="3">Residential Use</th> <th colspan="3">Commercial Use</th> <th colspan="3">Religious Use</th> <th colspan="3">Industrial Use</th> </tr> <tr> <th>Day</th> <th>Even*</th> <th>Night</th> <th>Day</th> <th>Even*</th> <th>Night</th> <th>Day</th> <th>Even*</th> <th>Night</th> <th>Day</th> <th>Even*</th> <th>Night</th> </tr> </thead> <tbody> <tr> <td>Construction works</td> <td>75</td> <td>60</td> <td>-</td> <td>75</td> <td>60</td> <td>-</td> <td>75</td> <td>60</td> <td>-</td> <td>75</td> <td>65</td> <td>-</td> </tr> </tbody> </table> <p>*Note: Day period is defined as 0700 to 1800, evening period is defined as 1800 to 2200 and night period is defined as 2200 to 0700. Construction activities conducted at times not specified in the table above will require special approval from relevant authorities. These may include the Night period, Sundays and all other times within Residential and Tertiary Educational compounds.</p>	"Noise Source" (Average dBA, L _{10mins})	"Receiving Property" (LAeq, 10 minutes)												Residential Use			Commercial Use			Religious Use			Industrial Use			Day	Even*	Night	Day	Even*	Night	Day	Even*	Night	Day	Even*	Night	Construction works	75	60	-	75	60	-	75	60	-	75	65	-	No works on site
"Noise Source" (Average dBA, L _{10mins})	"Receiving Property" (LAeq, 10 minutes)																																																			
	Residential Use			Commercial Use			Religious Use			Industrial Use																																										
	Day	Even*	Night	Day	Even*	Night	Day	Even*	Night	Day	Even*	Night																																								
Construction works	75	60	-	75	60	-	75	60	-	75	65	-																																								
17.	The consent holder shall enclose the construction site with warning signs to warn the public.	No works on site																																																		
18.	Precautions shall be taken to restrict the transfer of mud and materials to public roads and places.	No works on site																																																		

No.	Condition	Status
	Should debris be transported onto the road, it must be cleaned forthwith.	
19.	The loading and unloading of all vehicles and stockpiling of materials and equipment associated with the development must take place within the site boundaries of the application.	No works on site
20.	All stockpiles and waste materials associated with the proposed development shall be stored on site and then disposed of at the Tafaigata landfill as soon as works are completed or if required, certain waste materials shall be shipped overseas for proper disposal.	No works on site
21.	The hours of construction shall be limited to between the hours of 7:00am and 6:30pm on Mondays to Saturdays and no activities must be carried out on Sundays or public holidays unless there is a written agreement with the Planning and Urban Management Agency ('the Agency').	No works on site
22.	The consent holder shall ensure that throughout the construction of the proposed development, proper traffic management must be adhered to and proper diversion of traffic must be in place to guide ongoing traffic.	No works on site
23.	All large vehicles (trucks / heavy machinery) with or without loads are to slow down when going through the villages of Matautu, Vaiala and Vaipuna to ensure public safety and that these trucks must not park at the Vaiala seawall area.	TMP drafted by CHEC and currently in review by CSC.
24.	The consent holder shall sweep or remove sediment from paved or sealed areas properly.	No works on site. Contractor implementing condition at site compound entrance.
25.	The consent holder shall ensure that heavy machinery must be transported to site correctly without damage to the road seal.	No works on site. Mobilisation activities implementing this condition.
26.	The consent holder shall ensure that all machinery must not be parked on the road seal or within the road reserve.	No works on site. Mobilisation activities implementing this condition.
27.	The consent holder shall ensure that all machinery and equipment are cleaned before leaving the subject site to avoid any debris falling on the road.	No works on site.
28.	The consent holder shall provide adequate car parking spaces on site and shall be in accordance with the <i>Parking Policy and Standards 2006</i> . At least one car park shall be allocated for the	NA – Operational requirement

No.	Condition	Status
	disable and to be located near the entrance to the new buildings and be in accordance with requirements of the <i>Disability Access Guideline 2008</i> .	
29.	The consent holder shall provide adequate space on site for the loading and off-loading of containers and these areas are clearly marked to ensure no entry by any unauthorized personnel.	NA – Operational requirement
30.	The surface of the car park shall be sealed to allow for safe and clear operation of the car park and appropriately line marked to aid traffic circulation.	NA – Operational requirement
31.	Pollution incidents causing or threatening harm to the environment shall be reported to the Agency as soon as practicable on telephone 21611.	NA – Operational requirement
32.	The consent holder shall ensure that all/any waste oil generated from the development during construction and operation is safely stored in Intermediate Bulky Containers (IBC) or in good suitable containers.	NA – Operational requirement
33.	The consent holder shall contact the Ministry of Natural Resources and Environment for the disposal of all waste oil collected on site.	NA – Operational requirement
34.	There are to be no emissions discharged from the premises which will give rise to an offence.	NA – Operational requirement
35.	The consent holder shall ensure that the forecourt and surroundings of the building including pavements and gutters are to be kept clean and free of litter at all times.	NA – Operational requirement
36.	The consent holder shall ensure that fire control measures and on-site drainage are regularly maintained.	NA – Operational requirement
37.	Any temporary signs used during construction activities, and all areas which were disturbed by the development shall be stabilized as soon as works are completed.	NA – Restoration requirement

Annex B: Grievance Redress Mechanism

Extract from CEMP:

Grievance Redress Mechanism

CHEC will implement a complaints mechanism based on the project's overall Grievance Redress Mechanism (GRM) for handling construction and implementation-related complaints and enquiries from the public and community. The mechanism will be made available in both Samoan and English languages to give the complainants the choice to access and use his/her language of preference. The purpose of the GRM is to specifically:

- a. Allow the complainants or stakeholders the opportunity to raise comments/concerns.
- b. Structure and manage the handling of comments, responses and grievances, and allow monitoring of the effectiveness of the mechanism; and
- c. Ensure that comments, responses, and grievances are handled and resolved in a fair, timely, and transparent manner, in line with the applicable framework.

The GRM will also help to detect unanticipated or recurring problems and manage them. It will accommodate all issues, not just those about land acquisition, environmental impacts, or compensation (e.g. labour influx issues, sexual exploitation and abuse¹² or sexual harassment (SEAH)¹³ etc.) Complainants will be referred to police and other service providers where appropriate (e.g. in case of gender-based violence complaints).

The success of the GRM depends on:

- a. wide publicity and accessibility
- b. transparency of the processes
- c. the credibility of the decision-making process and structure
- d. confidentiality and protection from any retaliation
- e. effectiveness of processes to resolve grievances

The project will also put in place the necessary protocols and mechanisms outlining how any SEAH allegations that may arise can be addressed confidentially (see section 3 below).

¹² Sexual exploitation: any actual or attempted abuse of a position of vulnerability, differential power or trust for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another. (*UN Glossary on Sexual Exploitation and Abuse 2017, p.6*)

Sexual abuse: actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions (*UN Glossary on Sexual Exploitation and Abuse 2017, p.5*)

¹³ Any unwelcome sexual advances, request for sexual favours, and other verbal or physical conduct of a sexual nature.

The project grievance redress mechanism follows a centralised system in which the SPA-PMU Project Manager processes all grievances for the project. The following table specifies the Contractor's role within the Grievance Mechanism, except in the case of any SEAH complaints which will follow a separate confidential pathway.

Table 1: GRM process for all complaints (except SEA/SH)

Project GRM Step & Description		CHEC Action	Timeline of CHEC Action
1.	PMU Office receives, registers, files and acknowledges any complaint, reviews and sorts accordingly.		
1.1	All grievances will be lodged at the PMU office where they will be registered (PM/GSS/EMO) into the grievance register.	If CHEC receives grievance through letter, email, phone call, or the complainant appears in person the staff member receiving the complaint will explain the grievance redress process to the complainant and recommend that the complainant visits the SPA-PMU Project Office to lodge the complaint. CHEC refers the complainant to the SPA-PMU.	Same day as complaint received.
1.2	If grievance is of a sensitive nature (requires confidentiality, e.g. sexual harassment) it will be referred directly to the PM. Complaint and all communications/files, etc relating to this complaint will be handled exclusively by the PM.	If the grievance relates to SEAH, CHEC will make available a trained female project staff member (and the local GBV service provider) for the PM to refer the grievance to. Details of the complaint will be kept confidential. (see Table 3).	Same day as complaint received.
1.3	Complaint is acknowledged by PMU within 1 working day / 24 hours (from receipt).	No action required by the Contractor.	Not applicable.
1.4	Complaints are reviewed, sorted and allocated to the appropriate party to be resolved. Complaint to be addressed within one week.	No action required by the Contractor.	Not applicable.
2	Resolution of the complaint via the SPA-PMU or the Contractor (via the Engineer)		
2.1	Complaint is addressed and if resolved, complainant is notified by the PMU (copy to be registered into the grievance register).	If a complaint can be resolved by CHEC, the complaint and the required actions will be provided to the Contractor by the Engineer.	As per the instructed timeline provided by the Engineer.
2.2	If the complaint is not resolved, complaint to be forwarded to the GM for his review and appropriate actions. PMU to advise the claimant accordingly and give anticipated timeframe to resolve.	No action required by the Contractor.	Not applicable.
2.3	This step can include the complainant (direct discussion with	If instructed by the Engineer, CHEC shall work with the complainant to	As per the instructed timeline

Project GRM Step & Description		CHEC Action	Timeline of CHEC Action
	Beca, PM, etc.) if he/she prefers.	resolve the complaint as necessary.	provided by the Engineer.
3	Resolution by the SPA General Manager		
3.1	Complaint is addressed and if resolved, complainant is notified by the PMU (copy to be registered into grievance register).	If a complaint can be resolved by CHEC, the complaint and the required actions will be provided to the Contractor by the Engineer.	As per the instructed timeline provided by the Engineer.
3.2	If complaint is not resolved, GM will request the Board Chairman to call a GRM Committee (Board) meeting within 14 days. PMU to advise the claimant accordingly and give anticipated timeframe to resolve.	No action required by the Contractor.	Not applicable.
4	Resolution by GRM Committee (SPA Board)		
4.1	Complaint is addressed and if resolved, complainant is notified by the PM (copy to be registered into grievance register).	If a complaint can be resolved by CHEC, the complaint and the required actions will be provided to the Contractor by the Engineer.	As per the instructed timeline provided by the Engineer.
4.2	If complaint is not resolved, GM will call meeting of the Project Steering Committee. PMU to advise the claimant accordingly and give anticipated timeframe to resolve.	No action required by the Contractor.	Not applicable.
5	Resolution by PSC Committee		
5.1	Complaint is addressed and if resolved, complainant is notified by the PM (copy to be registered into grievance register).	If a complaint can be resolved by CHEC, the complaint and the required actions will be provided to the Contractor by the Engineer.	As per the instructed timeline provided by the Engineer.
5.2	If complaint is not resolved, PM will inform the complainant accordingly and advise to lodge their complaint with the necessary authorities so that it can be dealt with in a Court of Law.	No action required by the Contractor.	Not applicable.
6.	Feedback to Complainant and Closure of Complaint		
6.1	Complainant is informed accordingly via the complainant's chosen method of feedback. Solution is recorded in Grievance Register.	Any feedback regarding the complaint will be communicated to the Contractor via the Engineer. Any lessons learnt may be discussed with SPA-PMU and Beca via a close out meeting to prevent reoccurrence.	Any actions will be agreed between all parties and if necessary, instructed by the Engineer with the associated timelines.

GRM processes for resolution of SEAH complaints

This GRM stipulates how allegations of SEAH will be handled (investigation procedures), and the disciplinary action for violation of the Code of Conduct (CoC) by workers. At all times CHEC and SPA-PMU will follow an ethical survivor-centred approach with people who have experienced sexual or other forms of violence, creating a supportive environment in which the survivor's interests are respected and prioritized, and in which the survivor is treated with dignity and respect. It is important to protect the confidentiality of those survivors' making complaints, recognizing them as principal decision-makers in their own care, respecting their needs and wishes. Consent for data collection, even as part of a confidential file, should be gained, and if possible, anonymity guaranteed.

CHEC will emphasize prevention, taking a risk-based approach which is outlined in the Labour Influx Plan, and with detailed provisions regarding fraternisation with community members outlined in the worker's Code of Conduct to be signed as part of their contracts. The CoC will include prohibitions against sexual activity with anyone under the age of 18. Mistaken belief regarding the age of the child and consent is not a defence for engaging in sexual activity with minors.

The sanctions that may be applied if an employee is confirmed as a SEAH perpetrator need to be proportional to the violation and be carried out in a manner consistent with local labour legislation and applicable industrial agreements. Prior to the imposition of sanctions, if a worker raises a credible challenge to an alleged violation of the CoC, the worker will be placed on administrative leave pending a full review to determine the veracity of the allegations. Examples of potential sanctions include:

- informal warning
- formal written warning
- additional training
- loss of up to one week's salary
- suspension of employment for a minimum of one month, up to a maximum of six months
- termination of employment; and/or
- referral to the police or other authorities as warranted

CHEC will ensure that all project management and community staff are trained on SEAH and how to protect the safety of women, but specific grievances will be dealt with by the female Community Liaison Officer in the first instance and then referred to the GBV service provider. Women may suffer physical harm or other forms of violence if perpetrators or partners discover they have been talking to others about their personal relationships. Those making SEAH complaints need to be referred to the local GBV service-provider, Samoa Family Health organisation, which can provide support services such as: referral to health services, psychosocial support, shelter, legal aid, and safety/security services.

To address SEAH, training and sensitizing of workers is essential: note that this includes all civil works contractors, including sub-contractors and suppliers and their workers, supervising Engineers, consultants, as well as SPA staff. Training on SEAH will be thorough and include:

- what SEAH is and how the project can exacerbate SEAH risks
- roles and responsibilities of actors involved in the project (with the standards of conduct for project staff captured in CoCs)
- SEAH allegation reporting mechanism (a separate channel of the GRM), accountability structures, and referral procedures within CHEC and SPA-PMU for community members

to report cases related to project staff

- services available for survivors of GBV
- any follow-up activities to reinforce training content

The GRM staff should not ask for or record information on more than the following related to a SEAH allegation:

- The nature of the complaint (what the complainant says in her/his own words without direct questioning)
- If, to the best of the survivor's knowledge, the perpetrator was associated with the project
- If possible, the age and sex of the survivor; and
- If possible, information on whether the survivor was referred to services (health, police etc)

The GRM contact point/CLO should assist SEAH complainants by referring them to the GBV service provider (SFH) for support immediately after receiving a complaint directly from a survivor. The information kept must be confidential, especially when related to the identity of the complainant. For SEAH allegations, the confidential GRM channel should primarily serve to: (i) refer complainants to the Samoa Family Health service provider; and (ii) record resolution of the complaint.

Samoa Family Health organisation has its own case management process to gather the necessary detailed data to support the complainant and facilitate resolution of the case referred by the Project GRM. CHEC / SPA-PMU will enter into an information-sharing protocol with the SFH organisation to deal with any cases. This should not go beyond the resolution of the incident, the date the incident was resolved, and the closing of the case, with CHEC and SPA-PMU involved in determining the appropriate sanctions to be applied for violations of the CoC. It should be noted that service providers are under no obligation to provide case data to anyone without the survivor's consent. Even with the complainant consents to data being shared with CHEC and SPA-PMU, this can only be done if it will not put the survivor or SFH at risk of experiencing more violence.

The confidential GRM complaints process for addressing and responding to SEA/SH is outlined in Table 3 below:

Table 3: Confidential GRM Pathway - Responding to SEA/SH

No.	Step	CHEC & SPA-PMU redress action	Timeline
1	Awareness raising among workers & communities to sensitize them to risks of SEAH and inform people about how to report cases of SEAH to contact points confidentially through a separate GRM channel	<p>1.1 Prepare separate confidential GRM channel and agreement between SPA-PMU, CHEC and Beca on the process.</p> <p>1.2 Train specialist SEAH contact point(s) who will assess the nature of complaints and handle them.</p> <p>1.3 CoC to be signed by incoming workers / all staff and consultants (making sure the provisions are understood together with sanctions for violations)</p>	Before civil works commence

No.	Step	CHEC & SPA-PMU redress action	Timeline
2	CHEC or SPA-PMU receives grievance which is referred to specialist SEAH contact point	<p>1.4 Disseminate CoC to discuss with communities, so they are aware of the process.</p> <p>2.1 CHEC refers grievance to SPA-PM immediately.</p> <p>2.2 SPA-PM refers the grievance to the specialist SEAH contacted point.</p> <p>2.3 Trained contact point receives and acknowledges the grievance. Process of GRM pathway for SEAH is explained, and complainant is assured confidentiality and safety.</p> <p>2.4 Grievance is recorded in a confidential file which is not accessible to others. No identifiable information on the complainant should be stored in the general Grievance Register.</p> <p>2.5 Complainant/survivor to be referred to the Family Health service provider for support.</p>	Time grievance is received
3	Investigation	<p>3.1 Investigation to be carried out by trained service provider (SFH)</p> <p>3.2. Discussion between SFH and SPA-PMU on resolution.</p> <p>3.3 If the survivor does not wish to place an official complaint with the employer, the complaint is closed.</p> <p>3.4 If the complaint cannot be resolved by the SPA-PM then the complaint is forwarded to the GM as per the Project GRM. GRM steps 3-5 remain the same except for confidentiality of sensitive information to ensure protection of the complainant/survivor.</p>	<p>Within 3 days of complaint being made</p> <p>Within 7 days of referral to service provider</p> <p>3.4 Within the allocated timeframes as per the GRM flowchart (refer to Table 2).</p>
4	Resolution	<p>4.1 If the complainant is satisfied with the resolution/action taken, record resolution on confidential file to close the case.</p> <p>4.2 Any applicable sanction on perpetrator conveyed to worker. The</p>	As per the GRM flowchart (refer to Table 2).

No.	Step	CHEC & SPA-PMU redress action	Timeline
		appropriate party who employs the perpetrator (i.e. contractor, consultant or implementing agency) takes the agreed disciplinary action in accordance with local legislation, the employment contract and the CoC. The case is then closed.	
5	Escalation of case to relevant authorities and/or court	5.1 If complainant not satisfied, SPA-PMU to support reporting of case to relevant authorities (police and/or courts)	As per the GRM flowchart (refer to Table 2).
6	Documentation of proceedings: Notification and reporting	6.1 SPA-PMU to notify ADB of any SEAH complaints, with the consent of the survivor. No reporting should have identifiable information on individual cases. There will be reporting to ADB of SEA/SH during implementation.	Monthly reporting

For CHEC, all community enquiries and complaints will be directed to the Emergency Contact details below:

Contact: Yang Shuangjie

Deputy HSE Manager
Telephone (Mobile): 7368689
Email: Young.Sj@foxmail.com
China Harbour Engineering Company Limited
CHEC SPA Site Office Matautu, Apia

Contact: Filipo Taotua

Community Liaison Officer
Telephone (Mobile): 7325107
Email: info@Gmail.com
China Harbour Engineering Company Limited
CHEC SPA Site Office Matautu, Apia

Contact: Zhang Qinqin (Female)

Human Resource Officer
Telephone (Mobile): 68566998
Email: Zhang qinqin@Foxmail.com
China Harbour Engineering Company Limited
CHEC SPA Site Office Matautu, Apia

The above contact information will be posted on the project sign board at CHEC's Compound. Grievances and related information will be recorded in a Grievance Register (TEMP04). Template and information required for complaints please refer to GRM Record (TEMP05). These records will be made available to the Engineer, SPA-PMU and PUMA, MWTI on request, and reported on a monthly basis.

GRIEVANCE REGISTRATION FORM

Grievance Registration ID:	
Name:	Email:
Gender:	Phone No.:
Village:	P.O Box:
Date complaint was made:	
Do you wish to keep your personal details confidential?	
<input type="checkbox"/> No <input type="checkbox"/> Yes	
Complainant (check boxes)	
<input type="checkbox"/> Affected Person/s <input type="checkbox"/> Affected Person's Representative <input type="checkbox"/> Port Users	<input type="checkbox"/> Government Ministry <input type="checkbox"/> Other (please specify) -----
Mode of Complaint:	
<input type="checkbox"/> Letter <input type="checkbox"/> Phone Call <input type="checkbox"/> Email	<input type="checkbox"/> In-person Complaint (walk-in) <input type="checkbox"/> Other (please specify) -----
Type of Complaint (check boxes):	
<input type="checkbox"/> Land (Customary Related) <input type="checkbox"/> Land (other) <input type="checkbox"/> Dispute with contractors <input type="checkbox"/> Water Quality <input type="checkbox"/> Air Quality <input type="checkbox"/> Sanitation Issues <input type="checkbox"/> Safety Issues <input type="checkbox"/> Traffic Congestion/Block Private Access <input type="checkbox"/> Gender harassment	<input type="checkbox"/> Damage to Property <input type="checkbox"/> Damage to Roads <input type="checkbox"/> Flooding <input type="checkbox"/> Noise <input type="checkbox"/> Vibration <input type="checkbox"/> Smell <input type="checkbox"/> Cultural Issues <input type="checkbox"/> Other (please specify)
Documents comprising the complaint (For example: land documents, other supporting documents, photos and sound recordings etc.) 1. 2. 3. 4.	

Short description and SPECIFIC location of the problem.				
Short description of what COULD have caused the problem.				
Person/Agency responsible for causing the problem: <input type="checkbox"/> Project Implementing Agency (SPA, MCR) <input type="checkbox"/> Village/Individuals <input type="checkbox"/> Contractor/s <input type="checkbox"/> Other (please specify) <input type="checkbox"/> Government / SOE <input type="checkbox"/> Private Company <p style="text-align: center;">-----</p>				
Have you discussed or lodged this complaint with anyone else? Initially Reported: Date: _____ Time: _____ What was their response?				
Once your grievance has been resolved/responded to, how would you like to receive feedback/decision? (tick boxes) <input type="checkbox"/> Email <input type="checkbox"/> Letter <input type="checkbox"/> Phone Call <input type="checkbox"/> In-person <input type="checkbox"/> Other _____				
<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">Signature of Complainant:</td> <td style="width: 50%; border: none;">Date:</td> </tr> <tr> <td style="border: none;">-----</td> <td style="border: none;">-----</td> </tr> </table>	Signature of Complainant:	Date:	-----	-----
Signature of Complainant:	Date:			
-----	-----			

FOR OFFICE USE ONLY

Confirmation of Receipt

Our office has received your Grievance form. This slip is stamped with the date your form was received. Forms sent by email will be acknowledged by email.

Grievance Registration ID:	<input style="width: 90%;" type="text"/>	Date Received:	<input style="width: 90%;" type="text"/>
Name of Complainant:	<input style="width: 90%;" type="text"/>	Email/Postal Address:	<input style="width: 90%;" type="text"/>
Name of Person Receiving Grievance:	<input style="width: 90%;" type="text"/>		

FOR OFFICE USE ONLY

Grievance Identification ID:


Name of Person receiving the Grievance:			
Position:		Division:	
Actions Taken			
Action 1	Action 2	Action 3	Action 4
Short description of Action:	Short description of Action:	Short description of Action:	Short description of Action:
Action Officer:	Action Officer:	Action Officer:	Action Officer:
Division:	Division:	Division:	Division:
Date Actioned:	Date Actioned:	Date Actioned:	Date Actioned:

Decisions/recommendations by GRC or Project Steering Committee:

Signature of SPA GM:

Date:

Grievance Register

CHINA HARBOUR ENGINEERING COMPANY LIMITED		
	Contract No: ESSSAP-W-01 Project Name: Enhancing Safety, Security, and Sustainability of Apia Port Project	Document No. CHEC/CEMP/GR Rev. 0

GREIVANCE REGISTER

Name of complainant	Village	Gender / Age	Contact Details	Type of communication	Person receiving the complaint	Action taken

Annex C: CEMP Monitoring Plan

Environmental issue/project activity	Environmental Monitoring Parameter	Monitoring/Responsibility	Action	Status
Identification of suitable materials sources	<ul style="list-style-type: none"> Development Consent Application and approvals for the Quarry. PMU and CSC approval of Quarry Site; 	<ul style="list-style-type: none"> PMU-PM CSC PUMA 	Testing material completed. Accepted with comments.	CHEC able to proceed with Lauli'i quarry on the basis that another set of rock samples are tested once rock is extracted.
Introduction of invasive and/or alien species	<ul style="list-style-type: none"> Phyto-sanitary certificates issued for imported equipment/plant, vehicles and construction materials. Samoa Quarantine Services clearances issued. CHEC compliance with any conditions of Certificates issued; 	<ul style="list-style-type: none"> CSC Samoa Quarantine Services 	Certificates to be issued - in progress	To be completed
Provision of temporary access	<ul style="list-style-type: none"> CHEC compliance with bid document regarding installation of temporary access. CEMP approval by CSC. CEMP approval by PUMA; 	<ul style="list-style-type: none"> PMU-PM CSC ADB 	Planning underway (Q4)	To be completed
ACM management	<ul style="list-style-type: none"> Engagement of licensed asbestos assessor or surveyor; risk assessment and survey 	<ul style="list-style-type: none"> PMU-PM CSC PUMA 	Undertake management tasks (Q4)	No works on site ACM plan approved by

Environmental issue/project activity	Environmental Monitoring Parameter	Monitoring/Responsibility	Action	Status
	conducted. <ul style="list-style-type: none"> • ACM Disturbance and Response Procedure prepared and implemented. • Consultation with DEC regarding the disposal of ACM. • CHEC implementation of ACM-related provisions in the WMP; 	<ul style="list-style-type: none"> • DEC 		MWTI-PUMA. Development Consent issued for the demolition works.
Water quality impact due to breakwater reconstruction and site runoff from temporary works area	<ul style="list-style-type: none"> • Direct drainage discharge to the surrounding sea. • Booms/curtains placed around breakwater to reduce sediment dispersion. • Silt curtains placed along the existing port revetment during placement to suppress sediment dispersion. • Incident of petrochemicals spillage in the sea. • Stockpiles positioned on impermeable surfaces (e.g. geotextile or concrete hard stand) and covered; • Safe storage of curing compound and other chemicals away from drainages, etc. • Waste management procedures implemented. • Toolbox talks on construction 	CSC	Not commenced	No works on site

Environmental issue/project activity	Environmental Monitoring Parameter	Monitoring/Responsibility	Action	Status
	impacts on water quality, etc.			
Construction activities generating dust and emissions - air quality	<ul style="list-style-type: none"> Emissions from construction vehicles and machinery. Dust generation activities like concrete cutting, uncovered stockpiles of materials in storage yard and during transportation. Temporary enclosure in place for dust containment within the area of works. Exposed dusty surfaces and windy conditions. 	CSC	Not commenced	No works on site
Materials management	<ul style="list-style-type: none"> Materials Management Plan (MMP) in place. CHEC implementation of the MMP provisions. 	<ul style="list-style-type: none"> CSC PUMA 	CHEC preparing MMP (Q4)	To be completed
Solid waste management	<ul style="list-style-type: none"> CHEC implementation of the WMP provisions. Waste generation in terms of type and volume. Waste reduction, reuse and recycling methods used. Methods for treatment and disposal of all solid and liquid wastes. Designated waste storage area, disposal schedule and area of disposal. Garbage bins provided for construction offices/facilities and 	<ul style="list-style-type: none"> CSC PUMA 	Planning underway (Q4)	<p>Site compound in progress of being constructed. Garbage bins provided for offices/facilities.</p> <p>Designated waste disposal area provided.</p>

Environmental issue/project activity	Environmental Monitoring Parameter	Monitoring/Responsibility	Action	Status
Management of contaminated soil	<p>work's yard;</p> <ul style="list-style-type: none"> • Contaminated soil quantified by CHEC and Design Report Audit by CSC. • Removal and disposal of contaminated soil at an approved facility in consultation with • MNRE and sealing of site to prevent future rainwater infiltration; 	<ul style="list-style-type: none"> • CSC • DEC • PUMA 	To be commenced (Q1 2022)	No works on site
Use of hazardous substances and hazardous waste disposal	<ul style="list-style-type: none"> • Waste Management Plan (WMP) in place that includes provisions on hazardous substances and waste disposal. • CHEC implementation of the related provisions of WMP. • Steps for removal of oil contaminated soil from the existing machinery park. • Contaminated Soils Disposal Plan updated and implemented by CHEC in consultation with MNRE. • Safe storage of fuel, other hazardous substances and bulk materials approved by SPA and comply with internationally recognized good practice. • Storage of hydrocarbon and toxic material in adequately protected sites consistent with national and 	<ul style="list-style-type: none"> • PMU-PM • CSC • DEC • PUMA 	To be commenced (Q1 2022)	To be completed

Environmental issue/project activity	Environmental Monitoring Parameter	Monitoring/Responsibility	Action	Status
	local regulations and codes of practice. <ul style="list-style-type: none"> • Disposal of hazardous waste only at MNRE's designated hazardous waste storage area. • Availability of spill kits (e.g. PPE gear for clean-up, absorbent pads, etc.) on site before works commence. • CHEC Toolbox talks on spill kits use. • CHEC implement of the ACM Disturbance and Response Procedure. 			
Temporary increase in suspended sediment affecting marine habitat	<ul style="list-style-type: none"> • Booms/curtains placed around breakwater to reduce sediment dispersion. • Silt curtains placed along the existing port revetment during dolos placement to suppress sediment dispersion. • Direct drainage discharge to the surrounding sea. • Stockpiles positioned on impermeable surfaces (e.g. geotextile or concrete hard stand) and covered; • Waste management procedures implemented. • CHEC Toolbox talks on construction impacts on marine 	<ul style="list-style-type: none"> • CSC • PMU-PM 	Works to be commenced	No works on site

Environmental issue/project activity	Environmental Monitoring Parameter	Monitoring/Responsibility	Action	Status
	habitats, etc. <ul style="list-style-type: none"> • Visual observation of the sediment plume especially during rainy periods. • TSS monitoring plan and procedures prepared by CSC. • Incidents of spillage of petrochemicals into the sea. 			
Establishment of site offices and works yards etc	<ul style="list-style-type: none"> • Labor Influx Management Plan prepared and implemented by CHEC. • Induction for workers on requirements of the CPP and GRM. • CHEC implementation of CPP updated by CSC. • CHEC implementation of GRM established by SPA. • Construction notice boards installed. • Construction camp and site facilities fenced off and sign-posted with unauthorized access by public prohibited. • Availability onsite of portable water, clean water for showers, male and female hygienic sanitation facilities/toilets with sufficient water supply, worker canteen/rest area and first aid facilities. 	<ul style="list-style-type: none"> • CSC • PMU-PM 	To be commenced (Q4)	No works on site

Environmental issue/project activity	Environmental Monitoring Parameter	Monitoring/Responsibility	Action	Status
	<ul style="list-style-type: none"> • Many local people (including women) recruited and trained for unskilled activities and labor. • Site fully cleaned up and rehabilitated to the satisfaction of SPA PMU after construction and/or use. • Recruitment of approved service provider to implement communicable disease awareness and prevention program targeting risk of spread of STIs and HIV. 			
Access and traffic	<ul style="list-style-type: none"> • Traffic Management Plan (TMP) prepared in accordance with COEP 12), approved by CSC and implemented. • Flaggers and spotters and other traffic control measures employed as required along haulage routes. • Construction vehicles compliance with speed limits at different areas. • Schedule of materials transportation and Police assistance requests. • Notification of personnel travelling high traffic and sensitive receptors haul routes and areas. • Supply and availability of road traffic safety equipment for use 	<ul style="list-style-type: none"> • CSC • PMU-PM 	TMP in preparation (Q4)	To be completed

Environmental issue/project activity	Environmental Monitoring Parameter	Monitoring/Responsibility	Action	Status
	when works commence. <ul style="list-style-type: none"> • Drivers and operators having valid driving licenses. • Drivers following the designated routes and road safety rules. 			
Noise and Vibration	Noise baseline conducted by CHEC: <ul style="list-style-type: none"> • Schedule of construction activities within normal working hours (8am – 5pm) Monday to Saturday. Earlier and/or later hours approval. No work on Sundays. • Grievance register activated and maintained. • Noise and vibration from construction vehicles and machinery. • Noise generation activities like concrete demolition and cutting. • Temporary noise barrier/baffle installed around the site for noise containment within the area of works. • Advance notification including signage for neighboring residences announcing work activities, especially when work is being undertaken outside normal working hours. 	<ul style="list-style-type: none"> • CSC • PMU-PM 	Monitoring noise and vibration to be commenced	No works on site
Occupational Health and Safety	HSP prepared and approved by CSC:	<ul style="list-style-type: none"> • CSC • PMU-PM 	Monitoring Occupational	Site compound construction in

Environmental issue/project activity	Environmental Monitoring Parameter	Monitoring/Responsibility	Action	Status
	<ul style="list-style-type: none"> • Accident registers and reports. • CHEC implementation of HSP and ACM Disturbance and Response Procedure. • Training for all workers on environmental, safety and hygiene. • Regular meetings to maintain awareness levels of health and safety issues and requirements. • Workers provided with appropriate PPE and trained on use before they start work. • Provision of potable water supply in all work locations. • First aid facilities including first aid kits provided in office/yard and construction vehicles. • Construction sites securely fenced and erected with warning signs and unauthorized entrants. • CHEC compliance with normal working hours and official holidays; Excavations effectively marked and cordoned off with safety signage and barriers. • Adequate spill kits provided at work sites and workers trained in their deployment. • Child and trafficked labor strictly prohibited for any activities 		Health and Safety to be commenced (Q4)	progress. Four safety audits completed in this period.

Environmental issue/project activity	Environmental Monitoring Parameter	Monitoring/Responsibility	Action	Status
	associated with the project.			
Community health and safety	<ul style="list-style-type: none"> • CHEC proper implementation of HSP and TMP. • Grievance register activated and maintained. • Training delivery (incl. attendance lists). • Project communication through public/community consultation in accordance with the CPP. • Implementation of TMP community health and safety provisions such as speed control through villages, signage, travel routes, etc. • Barriers (e.g. fence) and signboards installed around the temporary works area to deter access to or through the site. • Warning signs provided at the periphery of the site warning the public not to enter. All notice boards and signage to be in Samoan and English. • Speed limits imposition along access through residential areas and where other sensitive receptors are located. 	<ul style="list-style-type: none"> • CSC • PMU-PM 	<p>Monitoring Community Health and Safety to be commenced (Q3)</p> <p>Grievance register activated.</p>	<p>No works on site</p> <p>No Grievances to date</p>
Physical cultural resources	<ul style="list-style-type: none"> • Chance Finds Protocol prepared as part of CEMP in consultation 	<ul style="list-style-type: none"> • CSC • PMU-PM • DEC 	Monitoring excavations to	No works on site

Environmental issue/project activity	Environmental Monitoring Parameter	Monitoring/Responsibility	Action	Status
	with PUMA/MNRE. • Monitoring of excavations for any accidental discovery of physical cultural resources within port boundaries etc.	• PUMA	be commenced	

Annex D: Corrective Actions

The following table gives a summary of those corrective actions required in the next reporting period.

Environmental Issue	Corrective Action	Responsibility	Timeline	Corrective action completed
CEMP	Finalise CEMP	CHEC	Q1 2022	No
CEMP <ul style="list-style-type: none"> • Phyto-sanitary certificates issued for imported equipment/plant, vehicles and construction materials. • Samoa Quarantine Services clearances issued. • CHEC compliance with any conditions of Certificates issued. 	Monitor CEMP – Confirm that Phyto-sanitary certificates have been issued and compliance with any conditions of Certificates	PMU	Q3 2021	No
Health and Safety	Engage an approved service provider to deliver a communicable diseases awareness and prevention program to both workers and community (as per EMP and contract)	CHEC	Q3 2021	Being negotiated/ In progress
Environmental Audit	Implement actions for compliance	SPC	Q3 2021	No