

Petition Read by the Speaker  
on 22<sup>nd</sup> June, 2023 and  
Committed to the Sub-  
Committee on Planning &  
Housing  
22/6/23

COUNTY GOVERNMENT OF NAIROBI CITY



NAIROBI CITY COUNTY ASSEMBLY  
(THIRD ASSEMBLY- SECOND SESSION)



[PUBLIC PETITION PURSUANT TO STANDING ORDER 213]

BY MEMBERS OF TAZAMA LANE RESIDENTS ASSOCIATIONS, PARKLANDS  
WARD

WE, THE UNDERSIGNED citizens of Kenya who are Members of Tazama Lane Residents Associations and residents of Parklands Ward, Nairobi City County;

DRAW the attention of Nairobi City County Assembly to the following;

THAT, aware that the Constitution of Kenya under Article 37 and Section 15 and 88 of the County Governments Act, 2012, provide the right for citizens to petition authorities or County Governments on any matter;

THAT WHEREAS, the Fourth Schedule to the Constitution of Kenya grants County Governments powers to control County planning and development;

THAT WHEREAS, we are the residents, owners and occupiers of houses erected on parcels of land known as LR. No. 209/7544, 7545, 7546, 7547, 7548 and 7550 located along Tazama Lane, off City Park Drive in Parkland;

THAT WHEREAS, as residents of the said area, we have noted an ongoing illegal and irregular construction of a building of unknown number of floors on LR No. 209/7549 along Tazama Lane, off City Park Drive in Parklands;

THAT WHEREAS, prior to 2020, the said property was developed with three (3) and four (4) bedroomed maisonettes similar to other neighboring properties. However, in a turn of events, in September, 2020 the said houses were demolished and the unknown developer began constructing high end 3 and 4 bedroom apartments contrary to the development conditions of the area;



**THAT WHEREAS**, upon inquiry, we established that the developer lacked requisite approvals. We reported the matter to the National Construction Authority (NCA) who suspended the construction until the necessary approvals were obtained. However, later on the developer proceeded with the construction;

**THAT WHEREAS**, we established that NCA had issued a certificate to one company known as **Sustainable Development Solutions**. We later discovered that the Certificate was issued based on false information provided during application as the professionals who had enlisted as consultants on the development had disassociated themselves from the project and further that the suspension notices were still in force;

**THAT WHEREAS**, we further established that the approval issued by the National Environmental Authority (NEMA) was based on a misleading environmental impact assessment report since the area cannot sustain the project due to lack of a sewer line to accommodate the huge population that would occupy the properties. In addition, the project would cause unintended complications on the environment due to a high human and vehicular traffic that would arise;

**THAT WHEREAS**, we reported the matter to the defunct Nairobi Metropolitan Services (NMS) and despite their full knowledge that the construction was illegal, they failed to take any remedial measures. For the last three years, the construction activities have adversely affected the neighboring residents due to spillage of sewer occasioned by destruction of manholes of private sewer lines, dust and noise pollution. Currently, the construction is still ongoing and is on the 16<sup>th</sup> floor despite the dire environmental consequences it possess when completed.

**AND WHEREAS**, all the matters in respect of which the petition is raised are not pending before any court of law or constitutional body and the petitioners' efforts to directly engage the NCA, NEMA and the County Executive on this matter have not been fruitful;

**NOW THEREFORE** your humble petitioners **PRAY** the Nairobi City County Assembly intervenes to ensure that: -

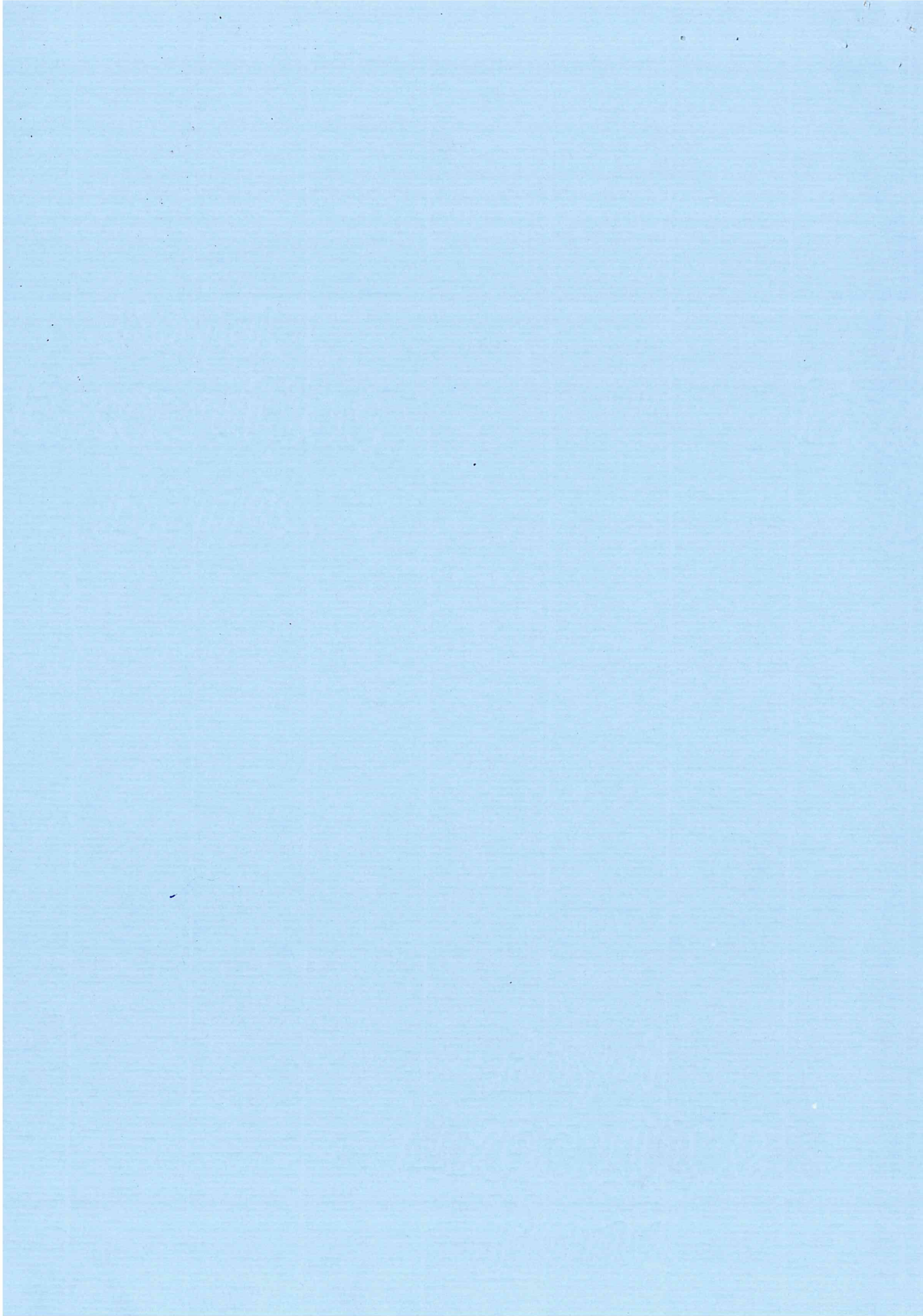
- (i) The ongoing construction on LR No. 209/7549 along Tazama Lane, off City Park Drive in Parkland is stopped for failure to comply with all property development laws and regulations and the adverse impact on the environment and the neighboring properties/residents.**



- (ii) Investigate and establish under what circumstances an illegal construction was allowed to proceed despite the relevant authorities having been notified on the illegalities and ensure that action is taken against all public officers who might have abated the illegalities.

And your Petitioners will forever pray.

Presented by the Hon. Speaker,  
Hon. Kennedy O. Ng'ondi, MCA.





# TAZA LANE RESIDENTS ASSOCIATION

TAZA LANE. OFF CITY  
PARK DRIVE,  
PARKLANDS, NAIROBI  
Contact: 0722785000  
Email: tazalaneresidents@  
gmail.com

27<sup>th</sup> April 2023

The Speaker of the County Assembly  
Nairobi City County Government  
City Hall  
Nairobi.



① DLS  
kindly deal  
in line with the  
relevant S/O  
DLS (10)  
ADITY  
31/5/2023

① Pch E  
Kindly note and  
deal  
Chrys  
31/5/2023

Dear Sir,

## RE: PETITION TO THE HEALTH SERVICES COMMITTEE of NAIROBI CITY COUNTY ASSEMBLY

Over

### ON GOING ILLEGAL & IRREGULAR CONSTRUCTION ON L.R No. 209/7549 TAZA LANE, OFF CITY PARK DRIVE IN PARKLANDS

We are the residents, owners and occupiers of houses erected on parcels of land known as L.R NO. 209/7544, 7545, 7546, 7547, 7548 and 7550 located at Taza Lane, off City Park Drive in Parklands in Nairobi County. At the time of this complaint there is an illegal and irregular construction of unknown number of floors ongoing on L.R No. 209/7549 Taza Lane, City Park Drive, Parklands within Nairobi County (hereinafter "the subject property").

Prior to September, 2020 the subject property was developed with 3 No. 4 bedroomed maisonettes and similar to other neighboring properties awaiting sub-division. On September

To - Rosemary  
Please Peruse and  
let us discuss.  
Mphah  
PCA CLS/P1  
31.5.23

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① PCA L&P  
Kindly check if it meets the  
provision of SO 217/217.  
Consider to change it to the  
required format.  
STP  
DLS  
31/5/2023

ESDS YAM B L

1207

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2020 we were rudely awakened by demolitions ongoing on the subject property. Due to confusion on what was occurring we reported the same to the National Construction Authority (NCA) who visited the site on 1<sup>st</sup> October, 2020 and suspended all activities on the property as the developer lacked the proper approvals and was required to comply before receiving a lifting notice. To date we have no knowledge whether a lifting notice was ever obtained however construction resumed immediately without pause. Despite several suspension notices being issued by NCA including but not limited 5<sup>th</sup> January 2021, 18<sup>th</sup> January 2021, 21<sup>st</sup> May 2021 and 8<sup>th</sup> September 2021, no action, legal or otherwise has been taken despite NCA having full knowledge of ignorance or disobedience of the same.

Upon due diligence being conducted by the residents we were able to gain knowledge on the proponents and details of the development. We were also able to establish that a Certificate of Compliance had been issued by NCA to one company by the name Sustainable Development Solutions Limited (hereinafter referred to as “developer”. We later found out that the said Certificate is illegal, irregular, null and void on the grounds that the information that had been provided for during its application was false as the professionals who had been enlisted as consultants on the development had disassociated themselves with the project and further that the suspension notices were still in force.

At about the same time, the developers had erected a project signboard showing that they intended to construct high end 3 and 4 bedroom residential apartments. These revelations were alarming and astounding to the residents as they wondered how approvals for such a mammoth project in a place where there exists no public sewer line intended to serve the residents of the building. The unintended complications of the said project on the environment due to high human and vehicular traffic would be highly negative and irreversible. Acting on the information provided on the project sign board we established that the National Environment Management Authority (NEMA) had issued a license to the Developer on the basis of a misleading Environmental Impact Assessment report that stated there was a sewer line running along the periphery of the subject property where the residents would discharge their





Our request is that the Health Committee takes very urgent action on the on-going development on L.R. No. 209/7549 by putting an immediate stop to any further activities and thereafter, conduct very thorough investigations on how the illegalities and irregularities now obvious to us and the general public have been allowed to go on since September 2020, and take and/or recommend appropriate action.

Signed for: Taza Lane Residents Association

*Arubani - 0722785000*

Date: *28/4/2023*

