

Response due on 5/03/2024

NAIROBI CITY COUNTY GOVERNMENT



APPROVED
20 FEB 2024
SPEAKER

NAIROBI CITY COUNTY ASSEMBLY
THIRD ASSEMBLY – THIRD SESSION

20/02/2024

REQUEST FOR STATEMENT

Hon. Speaker,

Pursuant to Standing Order 47(2) (c), I wish to request for a statement from the Chairperson of the Sectoral Committee on Lands, Planning and Housing regarding irregular Change of Use on a plot known as Le Pax 58 opposite the USA Ambassador's residence along Muthaiga road.

Hon. Speaker, County Governments have been mandated under the Fourth Schedule to the Constitution of Kenya 2010 to oversee County planning and development which includes approving construction of buildings in consultation with other State Agencies. As such, all building development plans must be approved by the County Government and adhered to by all developers.

Hon. Speaker, despite the above requirement, the developer on said property applied for Change of Use which was irregularly issued by the County Government Planning department in complete and blatant disregard of the laid down procedures of the building guidelines. The Change of Use was done without considering the Local Physical and Land Use plan of the area and it is unclear whether Public Participation was conducted. It is required of the CECM Built Environment & Urban Planning to put a notice to the public for their input before approving any Change of User application.

Hon. Speaker, in the statement, the Chairperson should inquire into and report on: -

- i.) The procedure for approving Change of User applications;
- ii.) Proceedings of the public participation exercise with Muthaiga residents conducted in regard to the mentioned Change of Use application;
- iii.) The Local Physical and Land Use plan for the area along Muthaiga road;
- iv.) The Change of Use application and any approvals made and issued to the said developer; and
- v.) Measures the County Executive has put in place to ensure the said developer and any other developer within the City adheres to building guidelines.

Hon. Oscar Lore, MCA
Member for Mathare North Ward

Date 20/2/24