NAIROBI CITY COUNTY

Statement sought by the Hon.(illegible) on 30th April 2025. Response to be offered (illegible)

NAIROBI CITY COUNTY ASSEMBLY

THIRD ASSEMBLY -FOURTH SESSION

[Stamp: APPROVED 30 APR 2025 HON. SPEAKER]

REQUEST FOR STATEMENT

Subject: Illegal constructions in the County

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 illegal constructions in the County.

Hon. Speaker, Part II of the Second Schedule of the Constitution of Kenya provides that the urban planning function shall be executed by the County Governments. Specifically, County Governments are responsible for approval of developments. In Nairobi County, this is conducted by the Urban Planning Technical Committee. However, cases of buildings collapsing have been reported in recent years because developers either bypass the approval process or obtain the same irregularly and construct way above the stipulated floor levels. Further, some developers construct buildings without public participation in violation of Physical and Land Use Planning Act, 2019.

For instance, a developer is doing a construction on a piece of land designated as LR No. 82/3716 along Upper Savannah Ward along Savannah Road in Donholm allegedly without relevant approvals from the County. In addition, there is no evidence that public participation was conducted prior to the commencement of construction.

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

i) Whether the developer obtained relevant statutory approvals including development approvals from the County;

ii) Whether the developer conducted public participation prior to obtaining the approvals if any;

iii) Whether the approvals, if any, are compliant to the zone's floor level limits; and

iv) Enforcement measures that the County Executive has put in place to ensure developers adhere to development regulations and approved development plans.

HON. STAZO OMUNG'ALA, MCA.
MEMBER OF COUNTY ASSEMBLY, UPPER SAVANNAH WARD.

Date: 30|4|25