

REPUBLIC OF KENYA
COUNTY ASSEMBLY OF MACHAKOS
OFFICIAL REPORT

Tuesday, 20th February, 2024

The House met at 2.55 p.m.

[The Speaker (Hon. (Mrs.) Kiusya) in the Chair]

PRAYERS

Hon. Speaker: I think we do not have quorum so can the Serjeant at Arms ring the Quorum Bell for 10 minutes to alert Members to come in.

(Quorum Bell rung)

PAPER LAID

COUNTY BUDGET REVIEW AND OUTLOOK PAPER REPORT 2023

Hon. Speaker: May invite Hon. Dominic Ndambuki to come forward and lay this Paper? Anybody holding brief for him?

Hon. Nicholas Nzioka (Machakos Central, WDM-K): Thank you, Hon. Speaker. I am holding brief for Hon. Dominic Ndambuki who is the Chairperson Budget and Appropriations Committee. Hon. Speaker, pursuant to Standing Order 190(5), I beg to lay the following Paper on the floor of the House today Tuesday, 20th February, 2024; the Report of the Budget and Appropriations Committee on the Machakos County Budget Review and Outlook Paper, 2023.

Hon. Speaker: Thank you, Hon. Member.

(The Paper was laid on the Table)

NOTICE OF MOTION

COUNTY BUDGET REVIEW AND OUTLOOK PAPER REPORT 2023

Hon. Speaker: May invite Hon. Dominic Ndambuki to come forward and give a notice of motion. Hon. Nzioka.

Hon. Nicholas Nzioka (Machakos Central, WDM-K): Thank you, Madam Speaker. I am still holding brief for Hon. Dominic Ndambuki, Chairperson Budget and Appropriations Committee.

Hon. Speaker, that aware that Section 118 of the Public Finance Management (PFM) Act, 2012 requires that each County Treasury prepares County Budget

Review and Outlook Paper (CBROP) in respect of their County for each financial year;

Aware that the CBROP presents the actual fiscal performance in the reporting period compared to the budget, updated economic and financial forecasts with sufficient information to show changes from the forecasts in the most recent County Fiscal Strategy Paper (CFSP), information on how actual financial performance for the previous financial year may have affected compliance with the fiscal responsibility principles or the financial objectives in the latest CFSP and the reasons for any deviation from the financial objectives together with proposals to address the deviation and the time estimated to do so;

Further aware that the CBROP aims to provide a review of the fiscal performance for the FY 2022/23 and how the outcomes impacted the County's financial objectives and fiscal responsibility principles as envisaged in the PFM Act, 2012; Noting that the County Budget Review and Outlook Paper 2023 was submitted to the Assembly on 19th October, 2023 and tabled in the House on 7th November, 2023 and subsequently committed to the Budget and Appropriations Committee; Hon. Speaker, I wish to give notice of motion THAT this House discusses and approves the report of the Budget and Appropriations Committee on the Machakos County Budget Review and Outlook Paper, 2023.

Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Member.

STATEMENT

BUSINESS FOR THE HOUSE FROM 21ST FEBRUARY TO 13TH MARCH, 2024

Hon. Speaker: May I invite Hon. Nicholas Nzioka, Majority Leader and MCA Machakos Central Ward to come forward and make a statement.

Hon. Nicholas Nzioka (Machakos Central, WDM-K): Thank you, Madam Speaker. Hon. Speaker, the House Business Committee met today 20th February, 2024 to prioritize business for the House as forwarded by Committees and Hon. Members pursuant to the provisions of the Standing Order 151(6)(d). The Committee balloted business as follows:

Wednesday, 21st February, 2024

Morning at 10.00 a.m.

- a. Report on the County Budget Review and Outlook Paper, 2023 by Hon. Dominic Ndambuki.
- b. Report of the Budget and Appropriations Committee on Intergovernmental Agreement on the Establishment of County Aggregation and Industrial Parks and the Intergovernmental Conditional Allocations Transfer Agreement between the National Government and the County Government of Machakos by Hon. Dominic Ndambuki.

Afternoon at 2.30 p.m.

- a. Report of the Auditor-General on Receiver of Revenue financial statements for FY 2021/2022 by Hon. Philip Ndolo.

- b. Motion on Alternation of the Calendar of the Assembly to Adjourn the House on 21st February, 2024 and resume on 12th March, 2024 by Hon. Nicholas Nzioka.

Tuesday, 12th March, 2024

Morning at 10.00a.m

- a. Statement response on solid waste disposal within the County by Hon. Brian Kisila.
- b. Report of Auditor General on the financial Statements of Machakos County Bursary Fund for the year ended 30th June, 2022 by Hon. Philip Ndolo.

Afternoon at 2.30 p.m.

- a. Statement Response to a statement sought on the strategies put in place to ensure conservation and rational utilization of forest resources in Kithatani, Ngulini and Kanzokea forests in Kangundo Central Ward by Hon. Fredrick Kitetu.
- b. Report of the Finance and Revenue Collection Committee on Inquiry on the state of revenue collection within the County by Hon. Francis Kitaka.

Wednesday, 13th March, 2024

Morning at 10.00 a.m.

- a. Response to a statement on safety of employees at Golden Africa (K) LTD by Hon. Joshua Mwonga.
- b. Motion on establishment of Youth centers and sports incubation centres by Hon. Anastasia Mutevu.

Thank you, Madam Speaker.

Hon. Speaker: Thank you very much, Hon. Member.

MOTION

DIGITIZATION OF APPROVAL PROCESSES FOR BUILDING PLANS

Hon. Speaker: May I invite Hon. Ndwiki, Mlolongo/ Syokimau Ward to come forward and move the motion.

Hon. Daniel Ndwiki (Mlolongo/Syokimau, WDM-K):

Hon. Speaker, THAT aware that every person has the right to accessible and adequate housing, and to reasonable standards of sanitation as provided under Article 43(1)(b) of the Constitution;

Further aware that the Kenya National Housing Policy provides for goals and objectives of housing and one of the objectives is to facilitate progressive realization of the right to adequate housing by all;

Informed that in every financial year, the County Government of Machakos enacts a Finance Act, which is a policy document guiding on revenue raising measures and that building approvals is one of the leading revenue streams in terms of funding own source revenue collection which is a sub set of the County Budget;

Cognizant that the building industry is one of the fastest growing industries in the Counties following the high demand for housing and the rapid rural to urban migration;

Noting that this fast growth has made Machakos County an investment destination for many Kenyans resulting to numerous construction of homes and other commercial buildings;

Appreciating that the process of approving building plans is rigorous and requires that the individuals concerned to physically present before the office of the County Director Planning, the proposed building plans and other relevant documents;

Noting that almost all Government services have been digitized in line with the National Government ICT Policy which includes online transactions and other web - based management information systems;

Hon. Speaker, I wish to move the Motion THAT, this House urges that the County Executive Committee Member for Lands, Housing and Urban Development to develop a digital platform to support online approval of building plans in order to increase efficiency in the approval process and seal loopholes of loses of revenue collection.

Thank you, Madam Speaker. I call upon Hon. Rosina to second.

Hon. Speaker: Thank you, Hon. Member. Hon. Rosina.

Hon. Rosina Kanini (Nominated, WDM-K): I do second. Thank you.

Hon. Speaker: Thank you very much.

(Question proposed)

I now invite Members to debate this motion. Members the floor is yours to debate this very important motion. Hon. Nzioka.

Hon. Nicholas Nzioka (Machakos Central, WDM-K): Thank you, Madam Speaker. I stand here to strongly support digitization of the approval process for building plans. Mainly for two things; firstly, it is becoming increasingly very expensive for a developer either when doing residential or commercial property for you to keep coming to offices checking from one office to another whether the approval has been given. If we can get this online the digital way it will mean that I will be seating in the comfort of my chair at home or in the office and monitor the progress from one stage to the other as I seek my approval. That will actually cut the costs for the investor in terms of following up the process.

Secondly, we have seen the County Government incur a lot of expenses in trying to enforce the building costs. As to whether the building plans have been approved or not we normally see the enforcement and revenue teams all over inspecting building per building. But if we go the digitized way or the online way they can actually do it from the comfort of their offices. So for those two reasons I really support. Most importantly we will also be able to map the kind of buildings we have in our residential areas and that ultimately helps in the overall idea of urban planning.

We will easily know where we have a high concentration of high-rise buildings and where we have low concentration for middle class housing and with that the town planners are able to plan for other infrastructure like roads, sewer line, electricity, solid waste management services among others. This is going to go a very long way in ensuring the overall service delivery in as far as urban planning management is concerned.

So I highly thank Mheshimiwa and I also associate with this, you know we come from very urbanized wards me and Mheshimiwa Ndwiki so we suffer the same problems and I think this is one tool that can be used to cure that problem. Thank you very much, Madam Speaker.

Hon. Speaker: Thank you very much for that input. Members this is a very important motion. Hon. Johana.

Hon. Johana Munyao (Mutituni/Ngelani, MCCP): Thank you, Madam Speaker. I stand to support the motion on digitalization of building plans approvals in the county. Madam Speaker, we are living in times of technology and we appreciate the beauty with which the same technology comes with and by digitalizing the building plans approvals we will be saving on costs which are incurred in terms of paper work and even in terms of storage space, time we may take to retrieve documents for approval and also trace the history of such documents.

Madam Speaker, with digitization it is also very possible to ensure that we have data security in case of either accidents or maybe losses which may result from natural calamities with proper back up we are assured of being able to access the data and we may not worry of such either intentional or non-intentional accidents which may either occur in order for us to avoid somebody to conceal some information which may have been used may be either to trace some processes or may be to make follow up on work in progress.

Madam Speaker, again with digitization we are saying there will be also an enhanced accessibility. We can either share the documents regardless of geographical location of the offices or where the approvals are being done and the same works worked on in real time.

The same can be shared decentralized and worked with digitization so Madam Speaker that thought is very contemporary, it is a thought which really is going with times and that appreciates the essence of technology and I therefore support that motion and encourage we move as a County with speed to even look at the other processes across the County and aim towards even digitizing everything revenue collection so that we can make our work easier and also save the costs incurred in the bureaucracies which currently may be in place in the County. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Member. Members, there is so much loss of revenue through this particular process of approvals of plans. This is a cash cow for some people, just a few individuals. So I think this is a very important motion and thank you Hon. Ndwiki for bringing this motion up because it is going to reduce the so-called the cartels. There are cartels in this particular area. Can I have more; Hon. Kaloi.

Hon. Jeremiah Kaloi (Athi River, WDM-K): Thank you very much, Hon. Speaker. I rise to support this motion mainly in two or three things especially where I come from in Athi River, you can see a lot of buildings, a lot of construction happening and I happen to interact with investors and usually the cry is there is a delay in approval of this building plans. Digitization is the only way that will hasten the processes and accountability and accuracy in collecting the

revenue for the County Government of Machakos it is the only way is going to achieve 100 per cent by digitizing the system of approvals.

The issue also of missing files; if you happen to be in Mavoko, the files are all over, some are missing, the clients are complaining, they take time but when we embrace this system, I am sure our people down there will even increase in construction of the factories and houses and at the end of the day our County will grow. The only thing that will embrace the issue of approvals on this building is going the digital way.

Already when you go to Nairobi lands office when you want to do search of land parcels, they have gone digital. All processes are going digital. So it is high time the motion is coming at the right time so I stand to support this motion. Thank you, Madam Speaker.

Hon. Speaker: Thank you very much, Hon. Member. Hon. Lucky

Hon. Lucky Nzau (Matungulu West, WDM-K): Thank you, Hon. Speaker, for catching my eye. Madam Speaker, I stand to support and vehemently say that this is a long overdue action that should have been passed time immemorial. Madam Speaker, I stand to support it because we are seeing a lot of buildings coming up but revenue collection is not commensurate to the rate the buildings are coming up.

I support it purposely to increase the revenue collection of the County for us to have money to serve our people and at the same time be accountable of the collection and the action that is taking place in our County. Madam Speaker, I support and request you to put the question that we pass the Motion and have it done once and for all. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Lucky. I thought I should not leave you out. I will give you an opportunity so Hon. Mulinge proceed after which Hon. Katiti.

Hon. Joseph Mulinge (Muvuti/ Kiima Kimwe, MCCP): Thank you, Madam Speaker. Madam Speaker, I rise to support the Motion. Digitization of planning in Machakos is overdue and very important and we are trying to emulate what is happening in the developed countries and Counties. Madam Speaker, digitization is improving the efficiency of services, accessibility of the information and also sharing of the information. Madam Speaker, understanding the importance of technology and being the hub of technology in Machakos County with Machakos County hosting Konza City, I am supporting the Motion. Thank you so much.

Hon. Speaker: Thank you very much, Hon. Member. Hon. Katiti.

Hon. Boniface Katiti (Muthetheni, UDA): Thank you, Hon. Speaker. In 21st century we should no longer be talking about doing things manually because of the culture of technology. First we must acknowledge that technology when it comes to building approvals mostly the workflow is speeded up, errors are minimized and there is access to information because internet does not lie. The culture of losing files can be sorted through embracing the culture of digitization in building approvals. I support the mover of the Motion and I say it is long overdue. Thank you, Madam Speaker.

Hon. Speaker: Thank you very much, Hon. Member. I now call upon Hon. Ndwiki to come and reply.

Hon. Daniel Ndwiki (Mlolongo/Syokimau, WDM-K): Thank you, Hon. Speaker. I want to take this opportunity to thank my colleagues Hon. Members for supporting this Motion. Madam Speaker, Machakos is growing very fast and in most parts of Machakos like Machakos town, Mavoko, Tala, Matuu, Mwala and other parts and we have investors coming to invest in our County.

Madam Speaker this Motion will help this County attract more investors in our area and also make it easy for the local citizens of Machakos to have access to approvals of their buildings and building plans. Madam Speaker, this is a noble Motion and I thank you for this opportunity and thank everyone for the support of the Motion. I hope that it will be acted upon as soon as possible because as you know we have been losing a lot of revenue through the approval loopholes because in the manual approvals, some developers have approvals which cannot be verified whether they are from the County Government and others which have not been verified.

This is a program which will be a win-win to the developers and the County. Thank you, Hon. Members, for the support and thank you, Hon. Speaker for supporting the Motion. Thank you, Hon. Speaker.

Hon. Speaker: Thank you very much, Hon. Ndwiki. I agree it is not enough to pass Motions here and implementation of the same should also be taken very seriously.

(Question put and agreed to)

Thank you, Hon. Members

ADJOURNMENT

Hon. Speaker: The House adjourns to Wednesday, 21st February, 2024 at 10.00 a.m. in the morning. Thank you Members; see you then.

The House rose at 3.42 p.m.