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MACHAKOS – KENYA  
Third Assembly  
(No. 127)

**REPUBLIC OF KENYA  
COUNTY GOVERNMENT OF MACHAKOS  
COUNTY ASSEMBLY OF MACHAKOS**

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(617)



Third Session  
(617)

**THE COUNTY ASSEMBLY**

**ORDER OF THE DAY**

**WEDNESDAY, 15<sup>TH</sup> MAY, 2024 AT 10.00 A.M.**

**ORDER OF BUSINESS**

**PRAYERS**

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. Notices of motion
7. Statements (As listed in Appendix)

**8\*\*\*MOTION – APPROVAL OF REPORT ON COUNTY RECEIVER OF REVENUE FOR THE FIRST AND SECOND QUARTERS OF THE FINANCIAL YEAR 2023/2024**

*(Hon. Francis Kitaka; Chairperson, Finance and Revenue Collection)*

**Honorable Speaker**, Pursuant to Standing Order 190(5), I wish to move the motion **THAT** this Assembly Adopts the report of the Finance and Revenue Collection Committee on County Receiver of Revenue for the First and Second Quarters of the Financial Year 2023/2024 as laid on the Table of the House on Tuesday, 14<sup>th</sup> May, 2024.

*The House adjourns to Wednesday, 15<sup>th</sup> May, 2024 at 2.30 p.m.*

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\*\*\*Denotes Order of the Day\*\*\*

## APPENDIX (I)

WEDNESDAY, 15<sup>TH</sup> MAY, 2024 AT 10.00 A.M.

### 1. STATEMENTS

#### (a) Response to a statement sought on what the County Government is doing on flood-affected areas in Kinanie Ward – Hon. Fredrick Kitetu, Chairperson, Environment and Natural Resources

Honorable Speaker, on 16<sup>th</sup> April, 2024 a Statement was sought by Hon. Francis Kavyu on what the County Government is doing on floods affected areas in Kinanie Ward and What are the short term and long term measures the County Government is undertaking to:

- (a) Ease mobility in the affected area given that the soil in stated areas is black cotton soil which at this time is water logged and movement in the area has been very difficult.
- (b) Prevent excess storm water from flooding into the roads and villages and their related risks.
- (c) Ensure that the structures constructed within the area have undergone due process of approval.
- (d) Ensure individuals and companies undertake backfilling of any excavation done after excavating murrum or building stones.

The statement was consequently conveyed to the Department of Environment and Natural Resources vide a letter dated 17<sup>th</sup> April, 2024 REF: MKSCA/PCS/CMM/ELENRV/VOL.1/46 requesting for a response within seven days. The response was not conveyed and therefore the House granted the Committee an extension of seven (7) more days to finalize on the said task. A reminder was conveyed to the Department vide a letter dated 24<sup>th</sup> April, 2024 Ref. No. REF: MKSCA/PCS/CMM/ELENRV/VOL.1/47 but still no response was submitted.

Following a resolution of the Committee in a meeting held on 29<sup>th</sup> May, 2024, a last reminder was conveyed to the Department through a letter dated 2<sup>nd</sup> May, 2024 REF: MKSCA/PCS/CMM/ELENRV/VOL.1/48. The Department finally submitted the response on 3<sup>rd</sup> May, 2024 after which the same was tabled before the Committee on 13<sup>th</sup> May, 2024.

The Department responded that, the matter sought required a multi-agency approach and therefore the Department needed more time to carry out its investigations, consult with the relevant agencies and come up with a report. The Department therefore requested that the Committee, grants it more time to finalize on the matter.

The Department further informed the Committee that other flood-related incidents had been reported and investigations and reporting was underway. The incidents include:

#### **1. Flooding at Kiasa Village Dam**

The Department reported that it engaged Officers from Water Resources Authority (WRA) to thoroughly investigate the matter and ensure safety of members of the public. The Department reported that the matter

was under investigation by County Environment Inspectors working hand in hand with WRA officers who approve development of that nature.

## **2. Construction of a Perimeter Wall across a Natural Waterway at Itimboni**

The Department reported that the incident was under investigation by Environment Inspectors and that a comprehensive report would be forwarded to the Assembly once the investigations have been concluded.

## **3. Excavation at murram at Samora**

The Environment Inspectors are also investigating the matter together with the Environmental Inspectors to ascertain compliance of the law by the investors.

### **Site Visit by the Committee**

Honorable Speaker, the Committee in its own initiative carried out a site visit 2<sup>nd</sup> May, 2024 to ascertain the extent of effects of floods in some areas in Kinanie Ward.

### **Committee findings**

That a perimeter wall had been constructed across a natural waterway at Itimboni re-directing flooding water to the all-weather road and homesteads around there. The committee witnessed that water had gotten into some houses and destroyed pit latrines posing health hazard to the people.

That the water re-directed at the roads was draining at Kiasa Village Dam which its banks had broken out due to its capacity.

In a different site in Kinanie ward, the committee noted that farms in riparian areas had been eroded, crops destroyed and homesteads destroyed and the people evacuated to safety to Kinanie Level 4 Hospital where they were provided with essential supplies such as food, bedding and medication. The committee was informed that Emergency responders from Machakos County, alongside personnel from the Kenya Red Cross Society, National Disaster Management Centre and the National Police Service collaborated to assist affected residents. According to residents, the flooding caused significant losses as household belongings were destroyed, marking one of the worst flooding disasters witnessed in the region in the last six decades.

### **Committee Recommendations**

1. The committee gives the Department 14 days to submit its report to the County Assembly.
2. The committee recommends that the County Government collaborates with the National Government to address emerging issues on land, development challenges particularly concerning private developers who have flouted physical planning laws by constructing houses and estates in riparian areas, contributing to the current crisis.
3. That the residents living near or along the banks of Mto wa Mawe and River Athi to evacuate and seek refuge in other parts of the County.

**NOTICE PAPER**

**Tentative Business for**

**Wednesday, 15<sup>th</sup> May, 2024 Afternoon**

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*(Published pursuant to Standing Order 35(1))*

It is notified that the following business is ***tentatively*** scheduled to appear in the Order Paper for Wednesday, 15<sup>th</sup> May 2024 (Afternoon)

**A. MOTION – APPROVAL OF REPORT ON THE IMPLEMENTATION STATUS OF VARIOUS HOUSE RESOLUTIONS.**

*(Hon. Dominic Maitha; Chairperson, Implementation Committee)*

**B. MOTION – ADJOURNMENT MOTION**

*(Hon. Nicholas Nzioka; Leader of Majority/MCA Machakos Central Ward)*