

Approved for tabling. ~~Rat~~ SNA  
1/3/17

Paper Laid  
by ~~Chair Person~~  
Departmental Committee  
23/17 on Environment  
Danz

REPUBLIC OF KENYA



THE NATIONAL ASSEMBLY



ELEVENTH PARLIAMENT – FIFTH SESSION – 2017

DEPARTMENTAL COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

REPORT ON THE PETITION BY RESIDENTS OF INDIAN BAZAAR IN KIAMBU  
COUNTY REGARDING THE POLLUTION AND ESTABLISHMENT OF GIOTO  
DUMPSITE IN HEKIMA ESTATE PRESENTED BY HON. JUDE NJOMO, M.P.

10

DIRECTORATE OF COMMITTEE SERVICES,  
CLERK'S CHAMBERS  
PARLIAMENT BUILDINGS  
NAIROBI

MARCH, 2017

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## **CHAIRPERSON'S FOREWORD**

The petition was tabled before the House by Hon. Jude Njomo, MP on behalf of the petitioners. This is in accordance with the provisions of Standing Order No. 225 (2) (a). The petition requests the National Assembly through the Departmental Committee on Environment and Natural Resources to intervene and ensure the closure of Gioto Dumpsite, recommends that the relevant authorities establish a dumpsite away from human habitat, ensures that the petitioners plight are addressed and makes any other order or direction that it deems fit in the circumstances of the petition.

In considering the petition, the Committee held meetings with the Hon. Jude Njomo, MP, who appeared on behalf of the petitioners. The Committee also carried out an inspection visit on the dumpsite on 3<sup>rd</sup> February, 2017. On the same day, the Committee also held a public hearing forum with the residents of Indian Bazaar where it received their views. The Committee established that the Committee found out that the dumpsite was unlicensed and further that it was next to residential homes, churches and schools, and, with the stench emanating from the site, it made the area inhabitable. The dumpsite was also next to River Riara and when it rained, the storm water would ooze into the river.

The Committee appreciates the assistance provided by the Office of the Speaker and the Clerk of the National Assembly that enabled it to discharge its functions in considering the petition. On behalf of the Committee, and pursuant to Standing Order, 227 it is my duty to table on the Floor of the House the Report of the Committee on the petition.

**Hon. Amina Abdalla, CBS, MP**

## **EXECUTIVE SUMMARY**

This report has considered and responded to the prayers sought by residents of Kiambu Constituency in a petition regarding pollution and establishment of Gioto dumpsite in Hekima estate. The Committee established that the prayers pursued by the petitioners were reasonable given that there is a large amount of uncollected garbage dumped next to residential homes, school, church and River Riara thereby making the area uninhabitable.

The report entails presentations by Hon. Jude Njomo, M.P who appeared before the Committee on behalf of petitioners. It also includes submission by residents of Indian Bazaar during a public hearing forum held on 3<sup>rd</sup> February, 2017. After presentations and deliberations, the Committee found out that the dumpsite was unlicensed and further that it was next to residences and with the stench emanating from the site, it made the area inhabitable;

In the Constitution of Kenya, Article 42 provides that every person has the right to a clean and healthy environment, Part 2 of the fourth Schedule in the Constitution also explicitly provides that the County Governments shall be responsible for; refuse removal, refuse dumps and solid waste disposal. Section 9 (1) of the EMCA, 1999 provides that the National Environment Management Authority (NEMA) is responsible for exercising general supervision and co-ordination over all matters relating to the environment and to be the principal instrument of Government in the implementation of all policies relating to the environment.

The Committee recommends that the Ministry of Environment through the National Environment Management Authority should close Gioto dumpsite because it is unlicensed and also because it was a health hazard to the residents of Indian Bazaar and the schools and churches next to the dumpsite. Further, the County Government of Kiambu should expedite the process of looking for an alternative site for a dumpsite far from human habitat while in the meantime adhere to the ten minimum points provided as stipulated by the National Environment Management Authority;

The Committee also recommends that the Ministry of Environment and Natural Resources through the relevant agencies should clean and rehabilitate River Riara to make it suitable for human use. Additionally, the County Government of Kiambu should consider the youth working at the dumpsite when looking for an alternative site and upgrading to a garbage recycling plant.

## **MANDATE OF THE COMMITTEE**

The Departmental Committee on Environment and Natural Resources is established under the National Assembly Standing Orders No. 216(1). The functions and mandate of the Committee are also contained under the National Assembly Standing Orders, No. 216(5) as:-

- a) Investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned Ministries and departments;
- b) Study the program and policy objectives of the Ministries and departments and the effectiveness of the implementation;
- c) Study and review all legislation referred to it;
- d) Study, access and analyze the relative success of the Ministries and Departments as measured by the results obtained as compared with its stated objectives;
- e) Investigate and inquire into all matters relating to the assigned Ministries and departments as they may deem necessary, and as may be referred to them by the House;
- f) Vet and report on all appointments where the constitution or any law requires the National Assembly to approve, except those under Standing Order 204; and
- g) Make reports and recommendations to the House as often as possible, including recommendation of proposed legislation.

The subject matter of the Departmental Committee on Environment and Natural Resources are stated in the Second Schedule of the National Assembly Standing Orders No. 216 (f) as follows: climate change, environment management and conservation, forestry, water resource management, wildlife, mining and natural resources, pollution and waste management.

## **OVERSIGHT**

In executing its mandate, the Committee oversees the following Government Departments namely:-

- i. The State department for Water Services;
- ii. The State Department of Environment;
- iii. The State Department for Natural Resources; and
- iv. The Ministry of Mining

## MEMBERS OF THE COMMITTEE

The Committee comprises of the following Members;

1. Hon. Amina Abdalla, CBS, M.P. - **Chairperson**
2. Hon. Alexander. K. Kosgey, M.P. - **Vice Chairperson**
3. Hon. Alice Ng'ang'a, M.P.
4. Hon. Ndiritu Samuel Mathenge, M.P.
5. Hon. Richard Makenga, M.P.
6. Hon. Ejidius NjoguBarua, M.P.
7. Hon. Jude Njomo, M.P.
8. Hon. Moitalel Ole Kenta, M.P.
9. Hon. Kathuri Murungi, M.P.
10. Hon. Sunjeev Kaur Birdi, M.P.
11. Hon. Rop Jackson Kipkorir, M.P.
12. Hon. Abdinoor Mohamed Ali, M.P.
13. Hon. Emanikor Joyce Akai, M.P.
14. Hon. Farah Abdulaziz Ali, M.P.
15. Hon. Tonui, Ronald Kiprotich, M.P.
16. Hon. (Dr.) Wanyonyi Reginalda N, M.P.
17. Hon. Irea Gideon Mwiti, M.P.
18. Hon. Dukicha Hassan Abdi, M.P.
19. Hon. Ganya Francis Chachu, M.P.
20. Hon. Wandayi James Opiyo, M.P.
21. Hon. Geni Charles Mongare, M.P.
22. Hon. (Dr.) Ottichilo Wilber Khasilwa, M.P.
23. Hon. Joyce Lay, M.P.
24. Hon. Ogalo George Oner, M.P.
25. Hon. (Major) Muluvi Marcus Mutua, M.P.
26. Hon. Mohamed Diriye Abdullahi, M.P.
27. Hon. Peter Kinyua, MP.
28. Hon. Shukran Hussein Gure, M.P.
29. Hon. Opiyo Wandayi, M.P.

**COMMITTEE SECRETARIAT**

**Second Clerk Assistant**

Ms. Tracy Chebet Koskei

**Third Clerk Assistant**

Mr. Hassan A. Arale

**Legal Counsel II**

Mr. Ronald Walala

**Senior Research Officer**

Mr. Ahmed Hassan Othowa

**Fiscal Analyst III**

Ms. AmranYunis

## **LIST OF RECOMMENDATIONS**

The Committee recommends the following:

1. The Ministry of Environment through the National Environment Management Authority should close Goto dumpsite because it is unlicensed and also because it was a health hazard to the residents of Indian Bazaar and the schools and churches next to the dumpsite;
2. The County Government of Kiambu should look for an alternative site for a dumpsite far from human habitat while in the meantime adhere to the ten minimum points provided as stipulated by the National Environment Management Authority;
3. The Ministry of Environment and Natural Resources through the relevant agencies should clean and rehabilitate River Riara to make it suitable for human use;
4. The County Government of Kiambu should consider the youth working at the dumpsite when looking for an alternative site and upgrading to a garbage recycling plant; and,
5. The Ministry of Environment and Natural Resources should work on a stand-alone legislation on waste management which will ensure compliance to environment standards in the Country.



## 1.0 INTRODUCTION

On 18<sup>th</sup> October, 2016, Hon. Jude Njomo, M.P the member for Kiambu Constituency presented a petition on behalf of residents of Indian Bazaar in Kiambu Sub-County, Kiambu County regarding pollution and establishment of Goto Dumpsite in Kiambu Constituency.

The petition sought to draw attention to the following, that:

- i. Article 42 of the constitution grants every person the right to a clean and healthy environment and that a clean environment is a key to well-being of residents,
- ii. The Kiambu county government has established a dumpsite referred to as Goto Dumpsite in one of the estates in Kiambu town without following due process,
- iii. The said dumpsite is located in the middle of a human settlement, neighbouring Hekima Estate, several schools, churches, business premises and other public utilities;
- iv. The dumpsite emits a bad stench which is a health hazard to the residents, pupils and business communities in the area;
- v. The residents are incurring immense medical expenses due to ailments occasioned by the pollution from the dumpsite;
- vi. The dumpsite is a security threat to the residents as a number of organised criminal gangs hide in the said dumpsite;
- vii. Further, there is no waste management system in place resulting in encroachment into the neighbouring land; and,
- viii. On several occasions petitioners have consulted and pleaded with the relevant authorities to resolve the matter to no avail;

The petitioners prayed that the National Assembly through the Departmental Committee on Environment and Natural Resources;

- I. Intervenes and ensures closure of Goto Dumpsite;
- II. Recommends that the relevant authorities establishes a dumpsite away from human habitat;
- III. Ensures that the petitioners plight are addressed; and
- IV. Make any other order or direction that it deems fit in the circumstances of the petition

The Hon. Member further informed the Committee that, the dumping is done during the night and the garbage is set on fire which burns for long. The burning has been causing respiratory problems to the residents. He further reiterated that the dumpsite was in the wrong place and urged the committee to visit the dumpsite and assess the problem on their own.

## **2.0 EVIDENCE**

The following is the evidence collected by the committee on the matter of the petition;

### **2.1 Meeting at the Kiambu County Commissioner's Office**

#### **A. Submission by Mr. Wilson Wanyanga, MBS - County Commissioner Kiambu County**

The Committee paid a courtesy call to the County Commissioner, who informed the Committee the following:

- i. The Gioto dumpsite had become a nuisance to the community living around it due to the stench emanating from it;
- ii. There is always smoke from the dumpsite making the area inhabitable;
- iii. The dumpsite is gazetted, however its site is wrong and an alternative site should be found;
- iv. During rainy season, storm water from the dumpsite oozes into Riara river which is next to the dumpsite

#### **B. Submission by Mr. Stephen Kimutu;- National Environment and Management Authority County Director for Environment**

- i. Increase in population has led to increase in waste at the dumpsite. The dumpsite was serving a very large population and yet the site is very small compared to the waste that is disposed off in the area;
- ii. Failure to man the dumpsite had resulted to haphazard dumping and dumping outside the designated area. This had resulted to blocking of the entrance of the dumpsite;
- iii. The area was also insecure due to criminal gangs who have occupied the dumpsite;
- iv. NEMA had had various talks with The County Government of Kiambu, and the county was looking for an alternative site for the dumpsite;
- v. There was need for the matter to be given priority as the dumpsite is next to a river
- vi. While waiting for a solution, NEMA had given the county government Ten (10) Minimum points for solid waste management to adhere to as follows:

##### **Waste collection**

1. Ensure that the waste collection areas are zoned;

2. Ensure timely and regular collection of all solid waste either through door to door collection or from centralized collection points;
3. Ensure waste collection facilities such as skips, bulk containers and waste cubicles are regularly emptied and do not become eye-sores;

#### **Waste transportation**

4. Ensure that all the collected waste is transported using NEMA licensed vehicles to designated disposal sites.

#### **Waste disposal site**

5. Ensure there is a designated site(s) for waste disposal
6. Ensure that the disposal site is secured with a fence and a gate manned by a county government official to control dumping and spread of waste outside the disposal site;
7. Ensure all incoming waste is weighed or estimated and the quantities recorded in tonnes;
8. Develop and maintain motorable roads inside the site to ensure ease of access during disposal;
9. Ensure the waste is spread, covered and compacted at regular intervals;
10. Put in place appropriate control measures for the management of dumpsite fires;
11. Enhance security and control of the disposal sites so that illegal activities are contained;

#### **Requirement for licensing**

12. Ensure waste transportation vehicles have NEMA licences;
13. Obtain licences to operate waste disposal sites.

## **2.2 Inspection of Gioto Dumpsite**

The Committee accompanied by NEMA County Officials, church leaders, local leaders and residents carried out an inspection of the dumpsite and established the following:

- i. Dumping was done outside the designated dumpsite making it hard to access;
- ii. The dumpsite was next to a river and therefore garbage oozed into the river;
- iii. The dumpsite was next to residences and with the stench emanating from the site, it made the area inhabitable;
- iv. There were youth in the area who made a living through sifting through the garbage and selling the garbage for recycling.

### **2.3 Public Hearing Forum**

The Committee held a public hearing forum at the Indian Bazaar and received submissions from the following:

#### **A. Ms. Josephine Wambui- Area Resident**

Ms. Wambui informed the Committee that she had been a resident in the area for a long time and the youth had made their living through selling garbage for recycling. Criminal activities had only escalated after the closure of the dumpsite which had rendered the youth jobless. She suggested that as a solution the dumpsite should be Fenced and the road to the dumpsite be repaired, further since all Kiambu sub-Counties are dumping there, there is need to relocate to a bigger dumping site. She also said that in the past the garbage would always be separated before being brought to the dumpsite, there was therefore need to resort back to the system.

#### **B. Mr. James Mwangi:- Hekima Estate Resident**

Mr. Mwangi informed the Committee that, he lived in the estate built by the National Housing Corporation. Initially the site was a cemetery and not a dumpsite and suggested the relocation of the dumpsite. He also proposed that a solid waste management plant be put up at the site to process the waste and also employ the youth. He further urged the government to protect them from diseases and also guarantee them their right to a clean environment.

#### **C. Mr. James Gacheru Kariuki**

Mr. Kariuki submitted the following:

- i. NEMA should enlighten the residents of the regulations and standards of solid waste management;
- ii. Riara river was next to the dumpsite and NEMA should enforce standards on how far the site should be from the river;
- iii. He requested that relevant government agencies to involve the residents in catchment protection;
- iv. While waste management is a county function in the Constitution, the county government was not doing enough and requested the intervention of the national government to bring a solution at the dumpsite.

#### **D. Mr. Anthony Mwaniki Gikonyo**

Mr. Gikonyo submitted that every Kenyan has a right to clean environment, however the residents have been suffering with children always falling sick due to the poor

environment they were living in. He urged the county government to take up its mandate and provide an alternative site for the dumpsite.

**E. Ms. Wambui Nyota:- Business Woman in Waste Recycling**

Ms. Nyota submitted that she sells waste materials to a recycling company in Kitengela. The youth usually sort out the waste materials and sell it to her. The dumpsite was source of livelihood for many youth, a fact that was echoed by the youth in the forum. She further submitted that closing the dumpsite had denied the youth an income therefore increasing cases of insecurity in the area.

### **3.0 FINDINGS**

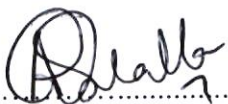
During its meetings with the petitioners and other stakeholders and fact finding visit to the dumpsite, the Committee established the following:

- i. The dumpsite was not licensed however to manage the site, NEMA had given the County government of Kiambu ten (10) Minimum points to adhere to while looking for an alternative to relocate the dumpsite;
- ii. Dumping was done outside the designated dumpsite making it hard to access the site;
- iii. The dumpsite was next to River Riara and therefore when it rained storm water oozes into the river;
- iv. iii. The dumpsite was next to residential homes, churches and school, and, with the stench emanating from the site, it made the area uninhabitable;
- v. There were youth in the area who made a living through sifting through the garbage and selling the garbage for recycling.

#### 4.0 RECOMMENDATIONS

The Committee recommends the following:

1. The Ministry of Environment through the National Environment Management Authority should close Gioto dumpsite because it is unlicensed and also because it was a health hazard to the residents of Indian Bazaar and the schools and churches next to the dumpsite;
2. The County Government of Kiambu should look for an alternative site for a dumpsite far from human habitat while in the meantime adhere to the ten minimum points provided as stipulated by the National Environment Management Authority;
3. The Ministry of Environment and Natural Resources through the relevant agencies should clean and rehabilitate River Riara to make it suitable for human use;
4. The County Government of Kiambu should consider the youth working at the dumpsite when looking for an alternative site and upgrading to a garbage recycling plant; and,
5. The Ministry of Environment and Natural Resources should work on a stand-alone legislation on waste management which will ensure compliance to environment standards in the Country.

Signed.  ..... Date 18/02/17 .....

**Hon. Amina Abdalla, CBS, MP**  
**Chairperson, Departmental Committee on Environment and Natural Resources**

# ANNEXES

## A. ADOPTION LIST







**DEPARTMENTAL COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES**

**ADOPTION LIST OF THE REPORT ON THE PETITION BY HON. JUDE NJOMO, M.P  
ON BEHALF OF THE RESIDENTS OF INDIAN BAZAAR REGARDING THE  
POLLUTION AND ESTABLISHMENT OF GIOTO DUMPSITE IN HEKIMA ESTATE**

	<b>NAME</b>	<b>SIGNATURE</b>
1	Hon. Abdalla, Amina, CBS, MP-CHAIRPERSON	
2	Hon. Alexander Kosgey, MP <b>Vice Chairperson</b>	
3	Hon. Dukicha, Hassan Abdi, MP	
4	Hon. Emanikor, Joyce Akai, MP	
5	Hon. Ganya, Francis Chachu, MP	
6	Hon. Geni, Charles Mongare, MP	
7	Hon. Gure, Shukran Hussein, MP	
8	Hon. Ole Kenta, Richard Moitalel, MP	
9	Hon. Mohamed, Diriye Abdullahi, MP	
10	Hon. Murungi, Kathuri, MP	
11	Hon. Ogalo, George Oner, MP	
12	Hon. Sunjeev Kour Birdi, MP	
13	Hon. Tonui, Ronald Kiprotich, MP	
14	Hon. Dr. Wanyonyi, Reginalda N, MP	
15	Hon. Farah, Abdulaziz Ali, MP	
16	Hon. Barua, Ejidius Njogu, MP	
17	Hon. Irea, Gideon Mwiti, MP	
18	Hon. Muluvi, Marcus Mutua, MP	
19	Hon. Opiyo wandayi, MP	
20	Hon. Ndiritu, Samuel Mathenge, MP	



21	Hon. Ottichilo, Wilber Khasilwa, MP	
22	Hon. Rop, Jackson Kipkorir, MP	
23	Hon. Abdinoor, Mohammed Ali, MP	
24	Hon. Ng'ang'a, Alice Wambui, MP	
25	Hon. Peter Kinyua, MP	
26	Hon. Richard Makenga, MP	
27	Hon. Zuleikha Hassan Juma, MP	
28	Hon. Jude Njomo, MP	
29	Hon. Joyce Lay, M.P	

**CHEBET KOSKEI**  
**FOR -CLERK OF THE NATIONAL ASSEMBLY**

ANNEXES B. PETITION



**PUBLIC PETITION**

**BY RESIDENTS OF INDIAN BAZAARIN IN KIAMBU COUNTY  
REGARDING POLLUTION AND ESTABLISHMENT GIOTO DUMPSITE  
IN HEKIMA ESTATE**

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viii) **THAT**, on several occasions Petitioners have consulted and pleaded with the relevant authorities to resolve the matter to no avail;

ix) **THAT**, the issues in respect of which this Petition is made are not pending before any court of law or any constitutional or legal body;

**THEREFORE** your humble Petitioners **PRAY** that the National Assembly through the Departmental Committee on Environment and Natural Resources: -

- i. Intervenes and ensures closure of Gioto Dumpsite;
- ii. Recommends that the relevant authorities establishes a dumpsite away from human habitat;
- iii. Ensures that the Petitioners' plight are addressed; and
- iv. Makes any other order or direction that it deems fit in the circumstances of the Petition.

And your **PETITIONERS** will ever pray.

**PRESENTED BY,**

**HON. JUDE NJOMO, MP**  
**MEMBER FOR KIAMBU CONSTITUENCY**

Date ..... 14/10/2016

ANNEXES C - MINUTES OF THE COMMITTEE

**MINUTES OF THE 10<sup>TH</sup> SITTING OF THE DEPARTMENTAL COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES, HELD ON SATURDAY 18<sup>TH</sup> FEBRUARY, 2017 AT 10.00 AM IN IMPERIAL HOTEL, KISUMU CITY.**

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**PRESENT**

1. Hon. Abdalla Amina, M.P. – **Chairperson**
2. Hon. Tonui Ronald Kiprotich, M.P
3. Hon. Dr. Wanyonyi Reginalda N. M.P.
4. Hon. Dr. Ottichillo K. Wilber, M.P.
5. Hon. Richard Makenga, M.P
6. Hon. Jude Njomo, M.P.
7. Hon. Wandayi James Opiyo, M.P.
8. Hon. Geni Charles Mong'are, M.P.
9. Hon. Rop Jackson Kipkorir, M.P.
10. Hon. Sunjeev Kaur Birdi, M.P.
11. Hon. Abdinoor Mohammed Ali, M.P.
12. Hon. Ndiritu Samuel Mathenge, M.P.
13. Hon. Ole Kenta Richard Moitalel, M.P.
14. Hon. Farah, Abdulaziz Ali, M.P.
15. Hon. Peter Kinyua, M.P.
16. Hon. Ogalo George Oner, M.P.

**APOLOGIES**

1. Hon. Alexander Kosgey, M.P. – **Vice Chairperson**
2. Hon. Ganya Francis Chachu, M.P.
3. Hon. Kathuri Murungi, M.P.
4. Hon. Muluvi Marcus Mutua, M.P
5. Hon. Dr. Barua Ejidius Njogu, M.P.
6. Hon. Ng'ang'a Alice Wambui, M.P.
7. Hon. Dukicha Hassan Abdi, M.P.
8. Hon. Irea Gideon Mwiti, M.P.
9. Hon. Joyce Lay, M.P
10. Hon. Gure Shukran Hussein, M.P.
11. Hon. Mohamed Diriye Abdullahi, M.P
12. Hon. Emanikor Joyce, M.P.
13. Hon. Zulekha Hassan, M.P

**IN-ATTENDANCE - SECRETARIAT**

1. Ms. Florence Abonyo - Director Committee Services, National Assembly
2. Ms. Tracy Chebet Koskei - Clerk Assistant II
3. Mr. Hassan A. Arale - Clerk Assistant III
4. Mr. James Muguna - Research Officer III

- |                       |                                  |
|-----------------------|----------------------------------|
| 5. Mr. Lilian Amuga   | - Public Communication Assistant |
| 6. Mr. Nickson Mutai  | - Audio Officer                  |
| 7. Mr. Mohamamed Said | - Serjeant at Arms               |

**MIN.NO. DC/ENR/036/2017: PRELIMINARIES**

The meeting was called to order at 10.30 am after which prayers were said. The Chair then welcomed the members to the meeting.

**MIN.NO. DC/ENR/037/2017: ADOPTION OF THE REPORT ON THE PETION BY HON.JUDE NJOMO M.P ON BEHALF OF RESIDENTS OF INDIAN BAZAAR IN KIAMBU COUNTY REGARDING THE POLLUTION AND ESTABLISHMENT OF GIOTO DUMPSITE IN HEKIMA ESTATE**

The Members considered and confirmed the report on the as the true reflection of the Committee’s deliberation and findings after it was proposed and seconded by Hon. Sunjeev Birdi, M.P and Hon. Dr. Wilber Ottichilo, M.P respectively.

**MIN.NO. DC/ENR/038/2017: ADOPTION OF THE REPORT ON THE AFRICA DOWN UNDER CONFERENCE HELD IN OCTOBER, 2016 IN WESTERN AUSTRALIA**

The Members considered and confirmed the report on the as the true reflection of the Committee’s deliberation and findings after it was proposed and seconded by Hon. Dr. Reginalda Wanyonyi Hon. Charles Geni Mongare respectively.

**MIN.NO. DC/ENR/039/2017: ADOPTION OF THE REPORT ON THE WORLD WATER WEEK IN STOCKHOLM SWEDEN ON 28<sup>TH</sup> AUGUST TO 2<sup>ND</sup> SEPTEMBER, 2016**

The Members considered and confirmed the report on the as the true reflection of the Committee’s deliberation and findings after it was proposed and seconded by Hon. Rop Jackson Kipkorir, M.P and Hon. Wandayi James Opiyo, M.P respectively.

**MIN.NO.DC/ENR/040/2017: ADJOURNMENT**

There being no other business the meeting was adjourned at 12.30pm.

**SIGNED.....**  
**(Chairperson)**

**DATE.....**

**MINUTES OF THE 81<sup>st</sup> SITTING OF THE DEPARTMENTAL COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES, HELD ON THURSDAY 24<sup>th</sup> NOVEMBER, 2016 AT 10.00 AM IN CPA ROOM, PARLIAMENT BUILDINGS.**

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**PRESENT**

1. Hon. Abdalla Amina, M.P. – **Chairperson**
2. Hon. Alexander Kosgey, M.P. – **Vice Chairperson**
3. Hon. Ganya Francis Chachu, M.P.
4. Hon. Tonui Ronald Kiprotich, M.P.
5. Hon. Dr. Barua Ejidius Njogu, M.P.
6. Hon. Muluvi Marcus Mutua, M.P.
7. Hon. Ndiritu Samuel Mathenge, M.P.
8. Hon. Ottichillo K. Wilber, M.P.
9. Hon. Abdinoor Mohammed Ali, M.P.
10. Hon. Richard Makenga, M.P.
11. Hon. Jude Njomo, M.P.
12. Hon. Wandayi James Opiyo, M.P.

**APOLOGIES**

1. Hon. Rop Jackson Kipkorir, M.P.
2. Hon. Dukicha Hassan Abdi, M.P.
3. Hon. Emanikor Joyce, M.P.
4. Hon. Geni Charles Mong'are, M.P.
5. Hon. Ole Kenta Richard Moitalel, M.P.
6. Hon. Kathuri Murungi, M.P.
7. Hon. Dr. Wanyonyi Reginalda N. M.P.
8. Hon. Peter Kinyua, M.P.
9. Hon. Irea Gideon Mwiti, M.P.
10. Hon. Joyce Lay, M.P.
11. Hon. Gure Shukran Hussein, M.P.
12. Hon. Farah, Abdulaziz Ali, M.P.
13. Hon. Mohamed Diriye Abdullahi, M.P.
14. Hon. Ogalo George Oner, M.P.
15. Hon. Ng'ang'a Alice Wambui, M.P.
16. Hon. Sunjeev Kaur Birdi, M.P.

**IN-ATTENDANCE - SECRETARIAT**

1. Ms. Tracy Chebet Koskei - Clerk Assistant II
2. Mr. Hassan A. Arale - Clerk Assistant III
3. Mr. James Muguna - Resercher
4. Mr. Wilson Angatangoria - Serjeat at Arms



**MIN.NO. DC/ENR/284/2016:      PRELIMINARIES**

The meeting was called to order at 10.30 am after which prayers were said. The Chair then welcomed the members to the meeting.

**MIN.NO. DC/ENR/285/2016: CONSIDERATION OF THE PUBLIC PETITION BY THE RESIDENTS OF INDIAN BAZAARIN IN KIAMBU COUNTY REGARDING POLLUTION AND ESTABLISHMENT OF GIOTO DUMPSITE IN HEKIMA ESTATE:**

The Hon. Member presented the petition on behalf of residents of Indian Bazaar in Kiambu Sub-County, Kiambu County as follows,

- I. That, article 42 of the constitution grants every person the right to a clean and healthy environment and that a clean environment is a key to well-being of residents,
- II. That, the Kiambu county government has established a dumpsite referred to as Gioto Dumpsite in one of the estates in Kiambu town without following due process,
- III. That, the said dumpsite is located in the middle of a human settlement, neighbouring Hekima Estate, several schools, churches, business premises and other public utilities;
- IV. That, the dumpsite emits a bad stench which is a health hazard to the residents, pupils and business communities in the area;
- V. That, the residents are incurring immense medical expenses due to ailments occasioned by the pollution from the dumpsite;
- VI. That, dumpsite is a security threat to the residents as a number of organised criminal gangs in the said dumpsite;
- VII. Further that, there is no waste management system in place resulting in encroachment of the neighbourhood;
- VIII. That, on several occasions petitioners have consulted and pleaded with the relevant authorities to resolve the matter to no avail;
- IX. That, the issues in respect of which this petition is made are not pending before any court of law or any constitutional or legal body;

The petitioners prayed that the National Assembly through the Departmental Committee on Environment and Natural Resources;

- I. Intervenes and ensures closure of Gioto Dumpsite ;
- II. Recommends that the relevant authorities establish a dumpsite away from human habitat;
- III. Ensures that the petitioners' plight is addressed ; and
- IV. Make any other order or direction that it deems fit in the circumstances of the petition

And your petitioners will pray.

The Hon. Member further told the committee that, the dumping is done during the night and the garbage is set on fire which burns for long hence causing respiratory problems and therefore in the wrong place and urged the committee to visit the dumpsite and assess the problem on their own.

**COMMITTEE OBSERVATION:**

The members observed as follows, that,  
The prayer number one is a devolved function but on a general petition the committee will visit first and ask NEMA to close the dumpsite.

**MIN. NO. DC.ENR/286/2016. ADOPTION OF THE REPORT ON HYDROLOGIST, BILL, 2016.**

The Committee adopted the report after it was proposed and seconded by Hon. Dr. Wilber Ottichilo M.P and Hon. Ronald Tonui, M.P respectively.

**MIN.NO.DC/ENR/287/2016:**

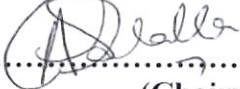
**ANY OTHER BUSINESS**

1. The Members observed that, there is need to invite Water Services Boards to brief members on the progress of the water projects.
2. Hon.Dr. Wilber Ottichilo, M.P briefed the members on the climate change conference in Marrakech, Morocco in November 2016 and informed the members that, it was very a good learning experience on emerging technologies in combating climate change. He also informed the members that, the American Secretary of State Mr. John Kerry assured the global community that the American government will not withdraw funding to climate change initiatives. Further, Hon. Ottichilo, M.P that Kenya was lauded by the global community for have a law on climate change, and was the only other country other than Ireland that had a climate change law in place;
3. The meeting was informed that the Committee would meet the Cabinet Secretary for the Ministry of Environment and Natural Resources, the following week on Tuesday regarding the Paris Climate Change Agreement.

**MIN.NO.DC/ENR/288/2016:**

**ADJOURNMENT**

There being no other business the meeting was adjourned at 11.05am.

SIGNED.....  
  
(Chairperson)

DATE.....  
24/01/2017

