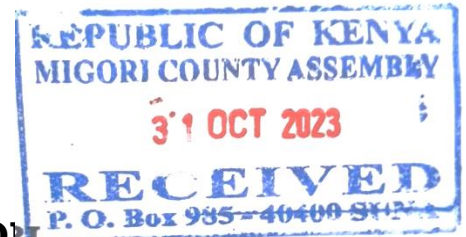


- Tabled by Chair Lands on 31/10/2023
- Notice given by Chair Lands on 31/10/2023



COUNTY ASSEMBLY OF MIGORI

THIRD ASSEMBLY – SECOND SESSION

**THE REPORT OF THE COMMITTEE ON LANDS, HOUSING AND
PHYSICAL PLANNING
ON**

**THE CONSIDERATION OF INTEGRATED AND STRATEGIC
URBAN DEVELOPMENT PLANS FOR MUNICIPALITIES**

NOVEMBER 2023

PREPARED BY

Legislative & Procedural Department

Committee Services

MIGORI COUNTY ASSEMBLY

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ABBREVIATIONS

CECM	County Executive Committee Member
ISUDP	Integrated Strategic Urban Development Plan
IDeP	Integrated Development Plan
UDG	Urban Development Grant
UACA	Urban Areas and Cities Act
CoG	Council of Governors
RPDP	Regional Physical Development Plan
RSP	Regional Spatial Plan
CSP	County Spatial Plan
H.E	His Excellency
CoK	Constitution of Kenya (2010)
SONY	South Nyanza Sugar Company
LSP	Local Spatial Plan
CGA	County Government Act 2012
NSP	National Spatial Plan
LPDP	Local Physical Development Plan
CIDP	County Integrated Development Plan
GIS	Geographical Information System
PPA	Physical Planning Act
PPP	Public Private Partnerships
CIP	Capital Investment Plan
GPS	Global Positioning System
MTPs	Medium Term Plans

1.0 CHAIRMAN'S FORWARD

Mr. Speaker, Article 176 of the Constitution of Kenya, 2010 requires every County Government to decentralise its functions and provision of its services to the extent that it is efficient and practicable. Therefore, County Governments are under obligations to transfer governance and service delivery responsibilities to other County institutional agencies established by law.

Section 48 of the County Government Act No. 17 of 2012 establishes **THAT** the functions and provision of services by County Governments shall be decentralised to Urban areas, Municipalities and Cities in the County as established in accordance to Urban Areas and Cities Act, 2011.

Mr Speaker, The Constitution has divided urban planning responsibilities between National and County Governments. Specifically, Part 2(8) of the Fourth Schedule apportions the function of County Planning and Development which includes:- *Statistics, land survey and mapping, boundaries and fencing, housing and electricity and gas reticulation and energy regulations* on county governments.

The County Department of Lands, Housing and Physical Planning developed the 10 year Integrated Strategic Urban Development Plans (ISUDPs) for Kehancha Municipality and 5-years Integrated Development plans (IDeP) for each municipality in the County. These plans are aimed at providing a guided framework for urban planning, development and control needs for the municipalities of Kehancha, Migori, Rongo and Awendo. The ultimate goal for these plans is to ensure that development in our municipalities are controlled to increase economic opportunities for the municipalities, provide cleaner air and water, affordable housing and improved public transportation systems in a most resourceful and economic manner.

Mr. Speaker, the Municipality Plans were laid before this honourable House on 24th October, 2023 for consideration and approval. Consequently, it was committed to the Committee on Land Housing and Physical Planning. The Committee first sat on 25th October, 2023 to examine and consider these plans. The Committee retreat was held on 26th -30th October, 2023 at Great Lakes Hotel in Kisumu for consideration of the report on the Integrated and Strategic Municipality Development Plans.

This report therefore highlights the undertakings of the Committee on the ISUDP for Kehancha Municipality and the IDePs for Kehancha, Awendo, Rongo and Migori Municipalities. Through this report, the Committee seeks to highlight and inform this County Assembly on the urban planning and development frameworks as set out in the integrated development plans for each municipality.

NOW THEREFORE, PURSUANT to Section 111 (6) and 14 (3) of the County Governments Act, 2012, and **Section 38 and 39** of the Urban Areas and Cities Act, 2011, I lay the reports of the Committee before this House; *on the consideration for approval of Integrated/Strategic Urban Development Plans (ISUDP & IDeP) for various municipalities in the County.*

Signed:



.....
HON. Mirimbo Julias Otieno (MCA)- Wasimbete Ward

Chairperson: Lands, Housing and Physical Planning Committee

1.2 COMMITTEE MANDATES

Established pursuant to the provision of Standing Order No.192, the sectoral Committee on Lands Housing and Physical planning derives its sectoral mandate from Standing Order No.192(5): which specifically provides **THAT**; the Committee shall,

- a. Investigate, inquire and report all matters related to Lands, Housing, Settlement, County planning and Development including statistics, land survey and mapping, boundaries and fencing.*
- b. Study the programme and policy objectives of departments and the effectiveness of the implementation;*
- c. Study and review all county legislation referred to it;*
- d. Study, assess and analyse the relative success of the departments as measured by the results obtained as compared with their stated objectives;*
- e. Investigate and inquire into all matters relating to the assigned departments as they may deem necessary, and as may be referred to them by the County Assembly;*

Paragraph (a) of this Standing Order expressly gives the Committee mandates to :-

Investigate, inquire and report all matters related to Lands, Housing, Settlement, County planning and Development including statistics, land survey and mapping, boundaries and fencing.

From the above citation, the Committee has a legitimate mandate to study and consider policy documents regarding County Planning matters as may be referred to it.

1.3 COMMITTEE MEMBERSHIP

Mr. Speaker, the Lands Committee comprises of the following members:

Hon. Mirimbo Julius Otieno	Chairperson
Hon. Elizabeth Ochaye	Vice chair.
Hon. Mathew David Chacha	Member
Hon. Clarice Oyoo	Member
Hon. Owiyo Otieno Nestroy	Member
Hon. Philister Atieno Makabongo	Member
Hon. Wambura Caleb Philip	Member
Hon. Kiyeye Ann Beryl	Member
Hon. Martine Tobius Okelo	Member
Hon. Agai Collins Ochieng	Member
Hon. Chagoche Matinde	Member
Hon. Chris Hani Kwenya	Member
Hon. Okwanyo Felix Odhiambo	Member

The following Member were in attendance: -

The Hon. Brian Osodo

The Hon. James Wansima

The Secretariat comprised of the following:

1. Mr. Sidwaka Aggrey -Clerk Assistant
2. Mr. Luke Ouma -Clerk Assistant
3. Ms. Andy Ondong -Serjeant-at-Arms
4. Ms. James Odhiambo -Hansard Officer
5. Mr. Zacharia Moses Wambura -Research Officer

1.4 TERMS OF REFERENCE

Mr. Speaker, while considering these plans for approval, the Committee Sought to: -

- i. Examine whether preparation of Municipality ISUDP and IDePs was participatory, procedural and guided by framework related to Urban Planning guidelines.
- ii. Check on compliance of these plans with regard to constitutional requirements and other spatial planning guidelines relating to the Urban Areas, Cities and municipality Planning, Development and Controls.
- iii. Assessing whether the ISUDP and IDePs address local planning needs for various Municipalities.
- iv. Identify strategic interventions for measures put in place to facilitate implementation of the ISUDP and IDePs.

1.5 ACKNOWLEDGEMENT

Mr. Speaker, production of this report comes as a result of the commitment and sacrifice by Members of the Committee who despite their busy schedules were able to spare their time to attend the meeting during the consideration of this report. The Committee appreciates the planning, coordination and facilitation of this activity by the offices of the Speaker and the Clerk of the County Assembly.

We also note the efforts made by the secretariat that provided both technical and legal support during the consideration for approval of these Plans.

NOW THEREFORE, PURSUANT to Section 111 (6) and 14 (3) of the County Governments Act, 2012 and the Migori County Assembly Standing Order No. **180 (4)** the committee presents to this House the report; on the consideration of Integrated/Strategic Urban Development Plans (ISUDP & IDeP) for various Municipality in the county for approval by this House.

2.0 INTRODUCTION

Mr. Speaker, County governments are charged with the responsibility of county planning and development under **Part II Section 8** of the Fourth Schedule of the Constitution. In undertaking this mandate, counties are expected to perform the functions of;

- Formulating County specific policies,
- strategies and guidelines,
- preparation of County Spatial Plans and Urban Spatial Plans,
- implementation of the plans,
- undertaking of research on spatial planning within their area of jurisdiction and
- participating in the preparation of regional spatial development plans.

Preparation of ISUDP and IDeP for municipalities was anchored on the above provision to facilitate the mapping and identification of existing infrastructure, spatial structure, population and economic establishments of municipalities within the County for purposes of planning. **WHEREAS** each municipality has a unique development needs, they have been experiencing rapid growth and development that is unplanned, uncoordinated and uncontrolled. This required a specific development strategy that achieves the urban development goals.

It is not in doubt that these urban development needs for municipalities require long-term plans such as ISUDPs and IDePs for a sustained development. The opportunity lies in the Kenya Urban Support Programme (KUSP) which finances investments in urban infrastructural and development.

Mr. Speaker, the Urban Development Grant (UDG) structured to provide incentives for counties and urban boards to deliver plan-based urban infrastructure developments. With this in mind, our municipalities have taken steps to develop integrated strategic development plans, some of which have been approved by this House before.

Mr. Speaker, the provision of **Section 110 (4)** of the County Government Act, 2012 provides that each county spatial plan **SHALL** be reviewed every five years and such revisions be approved by the respective County Assembly.

Following the conferment of municipal charter to the municipalities of (MIGORI, RONGO and AWENDO), the County Government of Migori through the Department of Lands, Housing and Physical Planning prepared the Integrated Strategic Urban Development Plans for three municipalities covering the period between 2018-2038.

The conferment of KEHANCHA Municipality has led to the preparation of Kehancha Integrated Strategic Development Plan (ISUDP 2023-2033) and the Integrated Development Plans (IDeP 2022-2027) which are long-term spatial urban planning tool that seeks to address Kehancha municipality development challenges. The plans are going to provide improved urban service delivery in the municipality and provide frameworks for urban governance, municipality restructuring, financing and strengthening of Kehancha urban planning mechanism.

The main goal of Strategic Development Plans (ISUDP 2023-2033) and the Integrated Development Plans (IDeP 2022-2027) being; to provide a framework for future growth and development of the municipalities over the next 5-10 years.

2.1 LEGAL FOUNDATION FOR PREPARATION OF MUNICIPALITY PLANS

Mr. Speaker, the Constitution of Kenya 2010, under the **Fourth Schedule, Part 1(21)** assigns significant functions of land planning and coordination to counties. **Article 184** specifically provides **THAT** a national legislation shall provide for the governance and management of urban areas and cities and **SHALL** establish criteria for classifying areas as urban areas and cities. Further, **Section 104 & 111** of the **County Governments Act, 2012** obligates each County Government to develop for each city and municipality a plan that shall be instrumental for the development within respective municipalities.

Sections 36-40 of the Urban Areas and Cities Act, 2011 provides for the objectives, contents, preparation and approval of integrated urban development plans; specifically **Section 36 (1) d) iv)** provides the basis for preparation of annual strategic plans for a city or municipality.

The Urban Strategic Development Planning seeks to determine which model is needed to ensure that energy and resources are spent in the right places. It involves the coordination of private and public efforts towards creating the desired planning outcomes. **Mr. Speaker**, this therefore brings the question as to why the preparation of Integrated Strategic Urban Development Planning is necessary.

The answer to this lies in the legal provisions of **Section 36 (1)** which states that every city and municipality established under the Urban Areas and Cities Act shall operate within the framework **THAT:**

- a) give effect to the development of urban areas and cities as required by the Act and any other written law;*
- b) strive to achieve the objects of devolved government as set out in Article 174 of the Constitution; contribute to the protection and promotion of the fundamental rights and freedoms*
- c) contained in Chapter Four of the Constitution and the progressive realisation of the socio-economic rights*

d) *be the basis for—*

- i) *the preparation of environmental management plans*
- ii) *the preparation of valuation rolls for property taxation;*
- iii) *provision of physical and social infrastructure and transportation;*
- iv) *preparation of annual strategic plans for a city or municipality;*
- v) *disaster preparedness and response;*
- vi) *overall delivery of service including provision of water, electricity, health, telecommunications and solid waste management; and*
- vii) *the preparation of a geographic information system for a city or municipality;*

e) *nurture and promote development of informal commercial activities in an orderly and sustainable manner;*

f) *provide a framework for regulated urban agriculture; and*

g) *Be the basis for development control.*

Section 2 of the Act state that an integrated urban or city development plan shall bind, guide and inform all planning development and decisions and ensure comprehensive inclusion of all functions **WHEREAS** Section (3) enforces that a county government shall initiate an urban planning process for every settlement with a population of at least two thousand residents.

Mr Speaker, having considered the above set legal requirement, it is of concern that with rapid urbanisation, our municipalities and towns as currently established may reach limits of their resource and infrastructure.

Therefore, there is a need to plan for management of the ever increasing population in these municipalities. Approval of the Integrated Urban Strategic Development Planning and Strategic Development Plan (ISUDP) and the Integrated Development Plans (IDePs) will then become an effective tool to address the gaps of anticipated municipality challenges.

This planning approach enables town and Municipality Management Boards to manage and control such emerging challenges in their respective municipalities.

With such plans in place, there is a guarantee of improved quality of life for the dwellers of these municipalities. Since people move in and out of urban spaces, it is not possible to just follow the approach once.

In these plans, the planning was informed by the following factors:

- a. The nature, scale and requirements of developmental needs of each municipality.
- b. Availability of resources, scale, characteristics and/or constraints and the need to attain synergies.
- c. The tools, requirements and constraints defined in relevant legislation.
- d. Public policy goals and directives (e.g. developmental goals and policies, spatial and sector priorities).
- e. The need to meet existing and projected demands for economic development, housing, infrastructure and services as well as being conscious of environmental needs.
- f. The need to identify and indeed create points of opportunity and choice, define key projects and ensure their implementation and development to enable and leverage further development.
- g. The need to ensure access for all sectors of the population to services.
- h. The function and role of the towns as a regional, economic, administrative and cultural centre.
- i. The critical function and role of the town as home and environment to its residents.

2.2 EFFECTIVE STRATEGIC URBAN PLANNING PROCESS

Mr. Speaker, as highlighted above, part of the Urban Strategic Development Planning process entails decisions regarding growth goals for the various municipality areas. The decisions include, but are not limited to determining how to improve and protect quality of life and how to use and protect the current economic base of the municipalities and urban areas within their areas of coverage.

Mr. Speaker, it is necessary that this House is informed of what makes or entails a comprehensive and effective Integrated Strategic Development Planning process. In this examination, the Committee was guided by the County Spatial Planning Guideline, 2018 developed by the Ministry of Lands and Physical Planning in collaboration with the Council of Governors (CoG).

It was noted that, for the success or failure of any Integrated Strategic Urban Development Planning process, there are many factors combined to add to the success of these plans. For example, the plans focus on the future and aim at predicting how each municipality's environment will look and function within a specified period of time. For the case of ISUDPs and IDePs, the period for various municipalities spans as follows: -

Municipality	ISUDP Planning period	Reviewed IDeP Planning Period
Migori	2018-2038	2020-2023
Rongo	2018-2038	2019-2023
Awendo	2018-2038	2019-2023
Kehancha	2023-2033	2022-2037

The Spatial planning guidelines provides **THAT**:

- i. The plan should be flexible enough to give a true reflection of the ongoing and expected changes in the municipality or town.
- ii. Project the direction of the development to align with the municipalities' or urban environment.
- iii. The framework of planning municipalities for the future is based on an in-depth analysis of the municipality development potential.

Mr. Speaker, it is viewed **THAT**, with such a strategic development focus, our municipalities can respond to growth opportunities, development trends and challenges. The other aspects of determination was to check on whether the planning process was an effective and inclusive process by establishing whether citizens were involved in the planning process and whether public participation

which plays a crucial role in modelling the success of the planning process was undertaken.

Mr. Speaker, this is not just a constitutional requirement but a determinant of whether the planning outcomes reflect the collective vision of respective town dwellers.

In this process, dialogue amongst the many stakeholders is key. This entails getting answers about the current state of development, the preferred direction of development and how to collectively achieve the desired outcomes from the entire process.

2.3 THE PHASES OF PLANNING PROCESS

Mr. Speaker, it is guided that the formulation of Strategic Urban Development Plans just like preparation of Spatial Plans **SHALL** be done in phases where the first phase involves the initiation process. At this stage, it is expected that the process shall entail the following: -

- a) Planning needs assessment;
- b) Rapid appraisal of the area which contains the analysis of the municipality area where a profile is created regarding the current urban situation and an assessment is made regarding the investment capacity;
- c) Preparing a concept paper;
- d) Technical workshop for development of concept paper;
- e) Preparation of Terms of Reference (ToRs);
- f) Procurement of consultancy services (when outsourcing);
- g) Advertisement for consultancy services;
- h) Presentation of inception report technical workshop and
- i) Publication of the notice of intention to plan in the local dailies or electronic media.

The commissioning of the planning activity by the consultant is carried out upon completion of the plan and the County Director shall do the following: -

- i. Publish a notice of completion of the plan.
- ii. Consider any comments received.

- iii. Prepare a justification brief to the CECM on the need for approval.

The next phase entails a submission of the plan to the County Executive for adoption where the CECM in charge of the planning shall undertake the following:

-

- i. Present the draft plan to the County Executive Committee together with the justification brief prepared by the County Director.
 - ii. The draft plan can be adopted without comments or the County Executive Committee can issue comments which the County Director should consider and incorporate in the draft plan before the plan is tabled in the County Assembly.
 - iii. Prepares a justification brief to the County Assembly on need for approval.
- This is followed by The County Executive Member in charge of planning presenting the draft plan to the County Assembly for deliberation and approval of the plan.

2.4 URBAN PLANNING NEEDS

Mr. Speaker, Sir, in order to effectively achieve urban planning need, the municipalities plans must have consideration of the following issues:

- a. Adequate, efficient and high-quality physical infrastructure.
- b. Adequate, efficient and high-quality social infrastructure.
- c. High quality services to the inhabitants.
- d. Clean and healthy environment.
- e. Opportunities for innovation and expansion.
- f. Good transportation system.
- g. Accessible and adequate housing.

2.5 OBJECTS OF THE ISUDP PLANS

Mr. Speaker, the four municipalities are entities of Migori County Government which by law are supposed to operate in their respective corporate names and are semi-autonomous. Pursuant to **Section 12** of the Urban Areas and Cities Act 2011, the management of municipalities shall be vested in the county government and administered on its behalf by a Municipal Board, a Municipal Manager and such other staff or officers as the County Public Service Board may determine.

From this, it is of major concern that municipalities are currently experiencing rapid growth and development that is unplanned, uncoordinated and uncontrolled. It is therefore important to ensure that this growth and development is actively managed in a logical and sustainable manner. The County Government of Migori is under obligation to implement constitutional and legal requirements for establishment, operationalization and strengthening of municipalities for effective and efficient delivery of services to the citizens.

As enshrined in **Section 36** of the **Urban Areas and Cities Act; No. 13 of 2011**, the Integrated Urban Development Plan is meant to provide the following:

1. Give effect to the development of the municipalities as urban areas.
2. Achieve the objects of devolved government as set out in **Article 174** of the Constitution.
3. Promote socio-economic development and provision of easy access to services in the municipalities.
4. Recognize the right of the municipalities' residents to manage their own affairs and to further their development.
5. Contribute to the protection and promotion of the fundamental rights and freedoms to the people of Migori, Rongo Migori and Kehancha as contained in Chapter 4 of the Constitution e.g. shelter.
6. Be the basis for development control in the two municipalities.

2.6 TRANSFER OF FUNCTION TO MUNICIPALITIES

Mr. Speaker, following the creation and gazettement of the four Municipalities of ie **Rongo, Awendo, Migori** and **Kehancha** in accordance to the Urban Areas and Cities (Amendment) Act, 2019 and other applicable laws, the following Functions were transferred and gazetted as functions of all municipalities. **THAT**, the municipality shall perform the following functions:

- a) Promotion, regulation and provision of refuse collection and solid waste management services;*
- b) Promotion and provision of water and sanitation services and infrastructure (in areas within the Municipality not served by the Water and Sanitation Provider);*
- c) Construction and maintenance of urban roads and associated infrastructure;*
- d) Construction and maintenance of storm drainage and flood controls;*
- e) Construction and maintenance of walkways and other non-motorized transport infrastructure;*
- f) Construction and maintenance of recreational parks and green spaces;*
- g) Construction and maintenance of street lighting;*

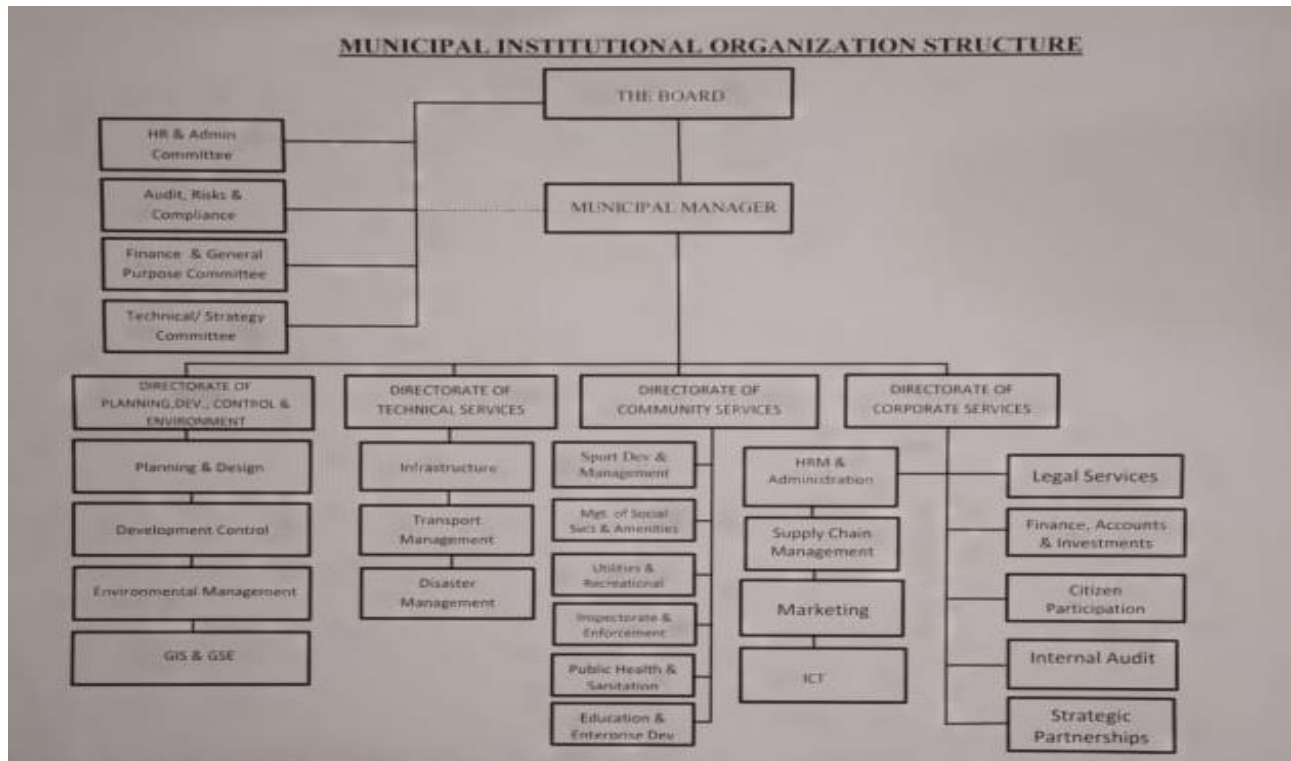
- h) Construction, maintenance and regulation of traffic controls and parking facilities;*
- i) Construction and maintenance of bus stands and taxi stands;*
- j) Regulation of outdoor advertising;*
- k) Construction, maintenance and regulation of municipal markets and abattoirs;*
- l) Construction and maintenance of fire stations; provision of fire-fighting services, emergency preparedness and disaster management;*
- m) Promotion, regulation and provision of municipal sports and cultural activities;*
- n) Promotion, regulation and provision of animal control and welfare;*
- o) Development and enforcement of municipal plans and development controls;*
- p) Municipal administration services (including construction and maintenance of administrative offices);*
- q) Promoting and undertaking infrastructural development and services within municipality and*
- r) Any other function that may be delegated by the County Executive Committee.*

2.7 THE ESTABLISHMENT AND MANAGEMENT STRUCTURE OF MUNICIPALITIES,

Pursuant to section 12 of the Urban areas and cities Act 2011, the The management of a city and municipality shall be vested in the county government and administered on its behalf by—

- (a) a board constituted in accordance with section 13 or 14 of this Act;
- (b) a manager appointed pursuant to section 28; and
- (c) such other staff or officers as the county public service may determine.

The adopted institutional organisation structure for all municipalities in the county shall have the following Management structure;



3.0 HIGHLIGHTS OF THE PLANS

3.1 MIGORI MUNICIPALITY IDEP

3.1.1 Municipality Profile

The municipality covers an area of approximately 49km² with an estimated population of 91,768. The boundaries of the municipality is set to cover an area of approximately 202km² surrounding its five neighbourhood centres which include; Suna Central, Kakrao, Oruba-Ragana, Wasweta II and God Jope. It covers the whole of Suna Central, Oruba-Ragana and parts of Kakrao, God Jope and Wasweta II Wards.

3.1.2 Vision of the Plan.

Mr. Speaker, in fulfilment of Article 196 of the Constitution of Kenya 2010, the people of Migori Municipality had a vision to have a liveable municipality.

3.1.3 Strategic Objectives of the Migori IDEP

Mr. Speaker, the strategic objectives of the plan includes the following: -

1. To have a safe and healthy municipality.
2. To have an infrastructure-led municipality.
3. To be a social municipality.
4. To have a sustainable human settlement municipality.
5. To have a well governed municipality.

3.1.4 The Planning Area.

Mr. Speaker, the planning area of Migori Municipality covers 202km² and it spans from Kakrao to the North, Kadika, Migori Polytechnic, Osingo market to the East, Lichota Ranch, Nyanchabo to the South, Nyamanga, Nyabisawa, Nyangubo and Masara areas to the West. Locally, River Migori and the three

hills/forests (Magina, Ombo and Aroso) are key attraction resources providing enhanced recreational and conservation opportunities. These spaces, along with additional pocket park spaces meet the needs of the future population.

3.1.5 Development Strategies

Mr. Speaker, in the course of scrutinising the plan, the Committee noted that the plan incorporates development strategies that focus on developing strategies of managing the following: -

1. Liquid and solid wastes.
2. Managing the urban transport network.
3. Water, sanitation and sewerage system.
4. Managing a housing programme.

3.1.6 Investment Plan

Mr. Speaker, the Committee realised that physical planning in the past has suffered from lack of proper planning tools that attracts investors. The other challenge has been the split between planning and implementation of the existing plans.

Therefore, **Mr. Speaker**, provision of a Capital Investment Plan (CIP) is intended to help bridge the gap by providing practical and realistic guidance on capital development aspects for the municipality.

It has also specified the capital investment projects namely; air transport, roads, bus parks, multi-level car parks, water, sewerage, storm water, solid waste management, firefighting facilities, public cemetery and crematoria, site and service, sports and recreation, markets, community centre, public library and ICT.

3.1.7 Financing the Projects

In this part, **Mr. Speaker**, the plan provides for the existing sources of revenue and the respective projects they can fund. The sources of revenue include; County

revenue, partnering with the National Government, public-private partnerships, donor financing, development levy and betterment levy/Land value.

3.1.8 Implementation Strategies

Mr. Speaker, Sir, as clearly stated in the Committee's terms of reference, I wish to apprise this honourable House that during the scrutiny of Migori Integrated municipality Development Plan, the Committee noted that, in order to ensure efficient and effective implementation of the proposed projects, the plan proposes the prioritisation of projects and also provides ways and means for sourcing of funds for financing the same.

Mr. Speaker, additionally, a timeframe for each action/project has been explicitly given indicating the expected implementation time i.e. immediate, continuous, short term, medium term and long term. It also identifies the relevant institutions that are crucial to the implementation of various action programmes.

3.2 AWENDO MUNICIPALITY IDEP

3.2.1 Municipality Profile

The municipality comprises the core of urban Awendo town and stretches to SONY Sugar area which is approximately 5.96 Km² together. The municipality covers three nodal centres of Mariwa, Rapogi and Kokuro which translates to an approximate area of 117.2 km². Awendo municipalities as currently published in the 2019 census reports indicate that the municipality has an estimated population of 24248 persons.

3.2.2 Vision of the Plan

Mr. Speaker, the vision of the municipality is to become a green, clean, safe and economically vibrant municipality that delivers quality services to its residents.

3.2.3 Strategic Objectives

Mr. Speaker, the strategic objectives of the plan include the following: -

1. To ensure effective and efficient urban development and management
2. To provide effective Urban Governance and management
3. To provide adequate public land through land banking
4. To promote environmental conservation and disaster management

3.2.4 The planning area.

The planning area of Awendo Municipality covers the following satellite areas Awendo townshio, SONY, Mariwa, Rapogi and Kokuro.

3.2.5 Development Strategies

Mr. Speaker, in the course of scrutinising the plan, the Committee noted that the plan incorporates development strategies that focus on

- a) Ensuring effective and efficient urban governance and management;
- b) Providing adequate public land through land banking;
- c) Promoting Environmental management conservation and disaster management;
- d) Improving infrastructural and utility services;
- e) Enhancing capacity development;
- f) Promoting trade tourism and socio-economic development;
- g) Promoting public health services;
- h) Improving informal settlements;
- i) Eliminating social imbalances;
- j) Enhancing security; and
- k) Mobilising resources.

3.3 RONGO MUNICIPALITY IDEP

3.3.1 Municipality Profile

Rongo Municipality covers an area of approximately 29km² with its boundaries set to cover Okusu area of approximately 43.39km². The estimated population of the core urban area is 32,216 people, however the census report of 2019 establishes that the entire municipality has a population of 81,968 people.

3.3.2 Vision of the Plan.

Mr. Speaker, Rongo Municipality Spatial Development Plan has a vision of being a well-planned and managed municipality with good infrastructure and services, clean environment and opportunities for employment, investment and residence.

3.3.3 Strategic Objectives of the Rongo IDEP

The strategic objectives of the plan includes the following: - To have

- a) an infrastructure-led municipality.
- b) sustainable human settlement Municipality.
- c) safe and healthy municipality.
- d) social municipality.
- e) transparent and accountable municipality.
- f) an economically sustainable municipality.

3.3.4 The Planning Area.

Mr. Speaker, the planning area of Rongo Municipality covers an area that will be expanding its boundaries to address the current accelerating urbanization. Rongo Municipality is set to cover an area of approximately 43.39Km², surrounding its four major neighbourhood centres which include; Opapo, Riosir, Rakwaro, and Okusu.

3.3.5 Development Strategies

Mr. Speaker, in the course of scrutinising the plan, the Committee noted that the plan incorporates development strategies that focus on developing and managing the following;

- a) Liquid and solid wastes.
- b) Urban transport network.
- c) Water, sanitation and sewerage system.
- d) Housing programme.

3.4 KEHANCHA MUNICIPALITY ISUDP/IDEP

3.4.1 The Municipality Profile

The municipality covers an area of 171.3 km² and has a population of 100,433 persons according to Kenya National Population and Housing Census 2019.

3.4.2 Vision of the Plan.

Mr. Speaker, Kehancha Municipality has a vision of being a municipality with enabling environment for sustainable development, optimising social economic opportunities and efficient service delivery to municipal residents

3.4.3 Strategic Objectives of the IDEP

The strategic objectives of the plans are to: -

- a) Promote integrated socio-economic development activities.
- b) Provide and develop a sustainable environment and Human resource system.
- c) Preserve and protect existing features and fragile ecosystems.
- d) Create the town's character and ensure compactness of the urban form and design.
- e) Provide policy framework for socio-economic investments, economic use of space, preservation of community facilities, and infrastructural services.
- f) Provide framework of plan implementation, organisation and administration requirement and resources for implementing the plan

3.4.4 The planning area.

Mr. Speaker, the planning area of Kehancha Municipality covers 5 wards: Bukira East, Bukira Central, Gokeharaka/Getambwega and parts of Nyabasi West (Maeta Location, Nyabikongori and Kemakoba Sub-locations) and Masaba (Nyamagagana).

3.5.5 Strategies Approaches of the Plans

Mr. Speaker, in the course of scrutinising the plans, the Committee noted that the plans adopted a holistic, inclusive and integrated approach of strategic planning which focuses on the Planning of township, Local governance, gender and equity among others.

4.0 COMMITTEE OBSERVATIONS

Mr. Speaker, in light of the considerations made by the Committee on the Integrated Development Plans for Kehancha, Migori, Awendo and Rongo Municipalities, the Committee observed **THAT**:

1. On whether the preparation of Municipality ISUDP and IDePs was participatory, procedural and guided by frameworks established under Urban Planning Process, the Committee is satisfied that the planning process went through all the required phases including, public participation. This was established through pictorial evidence of meetings included in the plan.
2. As to whether Preparation of these plans complied with constitutional and statutory legislations established for municipality and urban areas planning, the Committee is satisfied that the plans are in compliance with criteria and provisions set out in the Urban Areas and Cities Act, 2011.
3. As to whether the ISUDP and IDePs plans address local planning needs for various municipalities, the Committee established that each Municipality Integrated Development Plan focuses and highlights specific development and control needs within the municipality planning area.
- iv. As to whether these plans identify interventions and measures put in place to facilitate their implementation, the Committee established **THAT** the municipality development plans recognizes the autonomous need of municipalities as County Government agencies to collaborate with urban development partners and other stakeholders in delivering vibrant and well-governed municipalities.

5.0 RECOMMENDATIONS

Mr. Speaker, in light of this, the Committee recommends **THAT**:

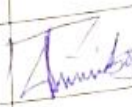


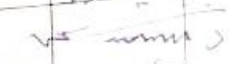






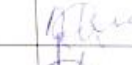

1. This County Assembly **APPROVES** the following Municipality Development Plans pursuant to **Section 111 (6)** and **14 (3)** of the County Government Act, 2012 and **Section 38** and **39** of the Urban Areas and Cities Act, 2011: -
 - I. The Migori Municipality Integrated Development Plan (2020-2025)
 - II. The Awendo Municipality Integrated Development Plan (2019-2024)
 - III. The Rongo Municipality Integrated Development Plan (2019-2023)
 - IV. The Kehancha Municipality Integrated Development Plan (2022-2027)
 - V. The Kehancha Municipality Integrated Strategic Urban Development Plan(2023-2033)
2. All Municipality Boards should develop By-laws that shall govern and regulate activities, management and operations of these municipalities in line with functions and powers bestowed upon them in the **section 56 of the Urban Areas and Cities Act 2011**) and present to the County Assembly for approval.
3. The department responsible for Lands and Urban Planning to prepare and update valuation rolls for each municipality within 6 months upon approval of this report.
4. To enhance full establishment and bridge the human resource gaps in municipalities in line with the adopted institutional organisational structure, all necessary officers required to be seconded or employed into these Municipalities by the County Public service Board should be employed within 6 months of adoption of this report.
5. To achieve some level of Autonomy and independence of the municipalities, all transferred functions should be adhered to in line with each municipality charter of service.

6.0 CONCLUSION

Mr. Speaker, in view of the above observations, the Committee is satisfied that the plans are in conformity with the laid down procedures and processes of their preparation which meets all legal requirements necessary for their approval.

MEMBERS' AFFIRMATION

Mr. Speaker, Pursuant to the provision of the Migori County Assembly Standing Order No.180 (4), the report was adopted and signed by the following members of Lands, Housing and Physical Planning Committee:

	NAME	DESIGNATION	SIGN
1.	Hon. Mirimbo Julius Otieno	Chairperson	
2.	Hon. Elizabeth Ochaye	Vice-Chairperson	
3.	Hon. Mathew David Chacha	Member	
4.	Hon. Clarice Dolly Oyoo	Member	
5.	Hon. Owiyo Otieno Nestroy	Member	
6.	Hon. Philister Atieno Makabongo	Member	
7.	Hon. Wambura Caleb Philip	Member	
8.	Hon. Kiyeye Ann Beryl	Member	
9.	Hon. Martine Tobius Okelo	Member	
10.	Hon. Agai Collins Ochieng	Member	
11.	Hon. Chagoche Matinde	Member	
12.	Hon. Chris Hani Kwenya	Member	
13.	Hon. Okwanyo Felix Odhiambo	Member	

Minutes of the Committee Proceedings

COUNTY  MIGORI

Meeting: Committee on Lands

Venue: Assembly Board Room

Dates: 31st October 2023

Members Present:

1. Hon. Mirimbo Julius Otieno	Chairperson
2. Hon. Elizabeth Ochaye	Vice chair.
3. Hon. Clarice Dolly Oyoo	Member
4. Hon. Wambura Caleb Philip	Member
5. Hon. Kiyeye Ann Beryl	Member
6. Hon. Martine Tobius Okelo	Member
7. Hon. Philister Atieno Makabongo	Member
8. Hon. Agai Collins Ochieng	Member
9. Hon. Chagoche Matinde	Member
10. Hon. Chris Hani Kwenya	Member
11. Hon. Okwanyo Felix Odhiambo	Member
12. Hon. Mathew David Chacha	Member
13. Hon. Owiyo Otieno Nestroy	Member

In attendance:

Mr. Sidwaka Aggrey	Clerk Assistant
Mr. Jared Nyamwala	Sergeant -at-Arm

Order of Business

1. Preliminaries (Call to Order, Prayers, Apologies, adoption of the agenda)
2. Confirmation of Previous Minutes
3. Matters Arising
4. **AGENDA: The adoption of the committee report on Approval of Integrated Strategic Urban development plan for Kehancha municipality and the Integrated Development Plans for the Municipalities of Rongo, Awendo. Migori and Kehancha.**
5. Any other Business

6. Adjournment

Preliminary:

The meeting was called to order at **0833hrs** by the Chairperson.

The opening prayer was conducted in the manners prescribed in the standing order by Chairperson

Min: 04/ LD. COMM/October/31/2023. Reading and confirmation of committee minutes

Minutes of the committee meeting held on 30/ 10/ 2023 were read. Content of this minute focuses on the recommendations of the Committee regarding the approval of the committee's report on the consideration of the Integrated Strategic Urban development plan for Kenhancha municipality and the Integrated Development Plans for the Municipalities of Rongo, Awendo. Migori and Kehancha

Matters Arising: There were no matters arising from the previous Minutes.

Min: 05/ LD. LD. COMM/October/31/2023. The approval of the Committee's report on the consideration of the Integrated Strategic Urban development plan for Kehancha municipality and the Integrated Development Plans for the Municipalities of Rongo, Awendo. Migori and Kehancha

The Chairperson tabled the draft committee report for consideration by the committee; this was in regard to ***the consideration of the Integrated Strategic Urban development plan for Kehancha municipality and the Integrated Development Plans for the Municipalities of Rongo, Awendo. Migori and Kehancha.***

The committee discussed the report and resolved to adopt the report in its entirety. THAT all the Plans be approved as earlier examined and discussed in Kisumu.

The Chairperson proposed the question for adoption of the report **which was.**

THAT “ *the reports of the committee on the consideration of the **Integrated Strategic Urban development plan for Kenhancha municipality and the Integrated Development Plans for the Municipalities of Rongo, Awendo. Migori and Kehancha** be adopted in line with provisions of standing order 180 (4)” be recommended for approval:*

The report was unanimously adopted.

RESOLVED:

The Committee was satisfied that the ISUDP and IDEP were in conformity with the laid down procedures and processes of their preparation which meets all legal requirements necessary for their approval. Subsequently, it was adopted under **Standing Order 180 (1) (2) (4) & (6)** with the following recommendation:

THAT:The Committee

1. **PROPOSES** to the County Assembly to **APPROVE** the following Municipality Development Plans pursuant to **Section 111 (6)** and **14 (3)** of the County Government Act, 2012 and **Section 38** and **39** of the Urban Areas and Cities Act, 2011: -
 - a. The Migori Municipality Integrated Development Plan (2020-2025)
 - b. The Awendo Municipality Integrated Development Plan (2019-2024)
 - c. The Rongo Municipality Integrated Development Plan (2019-2023)
 - d. The Kehancha Municipality Integrated Development Plan (2022-2027)
 - e. The Kehancha Municipality Integrated Strategic Urban Development Plan(2023-2033)
2. **DIRECT** Municipality Boards to develop By-laws that shall govern and regulate activities, management and operations of these municipalities in line with functions and powers bestowed upon them in the **section 56 of the Urban Areas and Cities Act 2011)** and present to the County Assembly for approval.

3. ASK department responsible for Lands and Urban Planning to prepare and update valuation rolls for each municipality within 6 months upon approval of this report.

4. DIRECT the County Public services Board facilitate full establishment of municipalities in line with the adopted institutional organisational structure, by seconded or employing the officers into respective Municipalities within 6 months of adoption of this report.

5. ENFORCE Autonomy and independence of the municipalities, by seeking adherence to municipality charters of service.

ADJOURNMENT: There being no other business, the meeting was adjourned at 0915hrs

APPROVED BY:

Signed..........Date.....

Hon. Mirimbo Julius MCA (Wasimbete Ward)

Land Housing and Physical Planning Committee