

# **Fresh water conservation and WASH Integration Community of practice meeting**

**Theme: Rapid urbanization, infrastructure development  
and water catchment conservation in Kenya**

**Sub-Theme: Physical/ Spatial Planning and the future  
impacts of urbanization on FW-WASH**

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# Defining spatial planning

- **This refers to the process and activity of organizing space to accommodate human activities otherwise referred to as land uses on the basis of per-determined criteria as envisioned.**



# Roles of Spatial planning

- To enhance spatial order and harmony between adjacent land use
- To enhance public safety and public order and health
- To protect public interests and morality over individual interests
- To ensure optimal, equitable and prudent use of available space/land and land based resources
- To enhance national security and defense
- Protection of the environment especially fragile ecosystems
- Provision of space for laying of infrastructure and other auxiliary utility facilities and services
- **Fulfillment of the legal provisions as provided for in planning law** in the Constitution of Kenya 2010 articles 60 and 66, Physical and Land Use Planning Act (N0. 13 of 2019), County Government Act 2011, Land Act 2012 (Amended 2016), UACA (2011) that all land in Kenya must be defined by the constitution article 5 must be planned.

# **Role of Physical Planning in WASH/WRM, urbanization and infrastructure**

- **Mapping out of all environmentally sensitive areas and provision of elaborate protection and management mechanisms**
- **Provision of development control standards and guidelines to guide and manage urbanization, infrastructure provision and WRM.**
- **Re-modelling of human settlements to structure a balance between the urban, peri-urban and rural systems in terms of linkages, infrastructure and service provision.**
- **Development of Land Information System to provide up to date information on all land and its resource endowment**

# In the absence of physical planning?

- **Pollution of water systems**
- **Encroachment unto water towers and systems**
- **Lack of sufficient clean drinking water**
- **Wanton destruction/extinction of our water systems**
- **Urban decay**

# **How best can we manage urbanization for effective fresh water conservation**

- **Strict adherence to the provisions of planning and environmental law (PLUPA 2019, UACA 2011, EMCA Cap 387, Water Act (N0. 43 of 2016) etc**
- **Forward planning-envisioning urbanization and planning in advance**
- **Reduction of urban poverty- (60% Urban poor vs Survival?)**
- **Enhance efficiency in urban governance as provided for in Law such as UACA 2011 especially on public participation (onsite, adverts, media, neighbourhood outreach)**
- **Efficient development control to manage urban sprawl-so as to protect water towers, rivers, streams, swamps, dams and forests.**
- **Effective development, implementation and monitoring of urban development plans for cities, towns and urban areas**

## **.....continued**

- **Provision of elaborate waste management and disposal systems for both solid and liquid waters including trunk sewer infrastructure right from household level to city wide scale (waste separation, recycling, re-use where applicable and reduction of pollutive packaging materials)**
- **Enhancement of security of urban land tenure (article 60 (1) (b))**
- **Clear delineation of boundaries of our urban areas to manage run-away urban sprawl.**

# Policy framework for urbanization in Kenya

- **National Land Policy 2009 (Sessional paper No. 03 of 2009)** sections 3.6.9, 101-117 & 130-141. (Framework on how land shall be owned, managed and utilized including Urbanization, land reforms.
- **National Environment Policy 2013** -Broad framework for environmental management and protection in the process of urbanization and infrastructure development
- **Environment and Development Policy (Sessional paper no. 6 of 1999)** whose legislative process culminated into development of EMCA No 08 of 1999
- **National Urban Development policy (Draft)** contributed immensely to the drafting of UACA (2011)



# Policy continued.....

- ▶ **Sustainable Development Goals (SDGs) 2015-2030** which is part of the UN resolution 70/1-the Global 2030 Agenda-Kenya is a signatory. Goals No. 06-Clean water and sanitation
  - 09-industry, infrastructure and innovation
  - 14-conservation & sustainability in urbanization
- ▶ **Kenya Vision 2030-Social pillar** -urbanization, water and sanitation
- ▶ **The Kenya National Spatial Plan (NSP 2015-2045)**

# Legal Framework

- ▶ **Constitution of Kenya, 2010**
- ▶ **County Government Act, 2012**
- ▶ **The Physical and Land Use Planning Act, (No. 13 Of 2019)**
- ▶ **The Land Act 2012, (Amended 2015)**
- ▶ **National Land Commission Act, 2012 (Revised 2016)**
- ▶ **Urban Areas and Cities Act, 2011**
- ▶ **Environmental Management and coordination Act ( Cap 387)**
- ▶ **Survey Act (Cap 299) of 2012**
- ▶ **Water Act (NO. 16 Of 2016)**



# Way forward

- **Cross sectoral partnerships**
  - **Public participation**
  - **Forward planning**
  - **Implementation of plans as approved**
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**Asanteni sana**



**Thank you**