



**COUNTY ASSEMBLY OF MOMBASA**  
**THE HANSARD**

Wednesday, 30<sup>th</sup> July, 2025

Third Assembly – Fourth Session  
FOURTY FIRST SITTING

*[The County Assembly met at 10:54a.m at the County Assembly Buildings]  
[The Temporary Speaker (Honourable Abdikadir Abdirahman) in the Chair]*

**PRAYERS**

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): Honourable Members, ladies and gentlemen please take your seats. Yes Clerk?

**COMMUNICATION FROM THE CHAIR**

Good Morning Honourable Members, ladies and gentlemen I am pleased and warmly welcome the students and teachers from Dungicha Secondary School who have joined us this morning and they include;

1. Everline Mwango Kaingu
2. Micheal Mwinyi
3. Rukia Jira Mohamed
4. Loice Thuva
5. Samson Karisa
6. Eunice Katana
7. Winnie Charo
8. Anderson Karani
9. Lydiah Kabibi
10. Omar Hare
11. Nathaniel Mangi
12. Ivonne Mumbi
13. Samson Kaingu
14. Saumu Juma
15. Grace Neema
16. Patoe Katana
17. Ali Kaingu
18. Tatu Mwaro
19. Shamsa Kalama
20. Mary Sidi

21. *Mariam Habert*
22. *Hussein Ishmail*
23. *Jamila Kadzo*
24. *Mariam Karisa*
25. *Dalmus Nia Kazungu*
26. *Nickson Hiyari Kazungu*
27. *Saumu Jefwa*
28. *Purity Rehema*
29. *Amin Konde*
30. *Vivian Kadesa*
31. *Emanuel Bakari*
32. *Samuel Vuwe*
33. *Nuru Mramba*
34. *Cosmus Nyanje*
35. *Asha Rashid*
36. *Caroline Kiti*
37. *Ramela Jilani*
38. *Gift Baya*
39. *Hussein Tumaini*
40. *Baraka Kalama*
41. *Calvin Baraka*
42. *Hadija Kabibi*
43. *Eunice Kadzo*
44. *Lucy Kahindi*
45. *Jane Thiani*
46. *Faida Samini*
47. *Ashley Wambugha*
48. *Amina Karisa*

*Teachers;*

1. *Mr. Maurice Sanga Mwagambo*
2. *Madam Matrona Chokwe*

It is always a great honour to host young minds eager to learn about the working of the County Assembly and the democratic process that guides governance in Mombasa. Your presence here today is a testament to your curiosity, ambition and dedication to education. We hope the visit inspires you to take you to take an active interest in leadership, civic responsibility and community service. On behalf of the entire Assembly, we wish you a fruitful and enlighten experience. *Karibuni sana*. Thank you. Yes Clerk?

### STATEMENT

ILLEGAL DISPOSAL AND BANNING OF HAZARDOUS WASTE IN MAGONGO AREA

*[Consultations]*

Okay, before I allow Honourable Milka to issue the statement, I will give Honourable Makanga an opportunity to welcome the learners. Honourable Makanga please.

**Hon. Makanga:** Thank you Mr. Speaker. May I take this opportunity to welcome our students from Dungicha. I believe that is in Kilifi County karibuni sana Mombasa and I hope you will be able to learn. In this assembly we have several young leaders myself included and that is a testament that you as young people especially those of you who are in Form 4, maybe immediately you come out of school, you can have your ambitions and aspirations and you can become a Member of County Assembly or even an MP or a Governor in your County. That is Kilifi County. So, we wish you well and we pray that your being here will be a moment for you to learn and to be able to share your experiences as you go back. To the teachers keep doing the good work of inspiring, leading, and teaching the young Turks to become better people in the modern society. Thank you so much and welcome to Mombasa County Assembly.

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): Thank you and I will also give an opportunity to the Chief Whip Honourable Priscillah to welcome them properly as well.

**The Majority Chief Whip** (Hon. Mumba): Morning, everyone Thank you Mr. Speaker as you have said my name is Hon. Priscillah Mumba and I am the Majority Whip in this county. I stand here to welcome you students from Dungicha, I hear that you come from Kilifi County, I also come from Kilifi County that is my homestead near Mavueni area that is where I live but I'm in this Mombasa County because I'm a Kenyan and you can work anywhere in the country, just feel at home feel free to ask any question. You are welcome to learn and observe that one day the people you see here down used to be students like you but now we are here and we will leave this place preparing for you youngsters to come and take over. The country belongs to everybody every stage after stage that today you are learning but tomorrow you will be leaders like us. Just welcome and feel free to ask any question after not now. Thank you.

**Temporary Speaker** (Hon. Abdirahman Abdikadir): Thank you. Let us get down to the business at hand. Yes, Honourable Milka Moraa Ngare please issue your statement.

**Hon. Ngare:** Thank you Mr. Speaker for the opportunity. But just like my colleagues have stated before I read my statement may I also take this opportunity to welcome students from Dungicha Secondary School in Kilifi. Having been a professional teacher for a long time before I plunged into politics, I want to thank the teachers for exposing the children to a practical experience here today and I know what that means to the students. So welcome and thank you so much teachers for undertaking this initiative.

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): Honourable Milka, I have heard you say that you were a teacher perhaps could you elaborate which subject you have been specializing in?

**Hon. Ngare:** I did specialize in English and Social Studies those were my best subjects.

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): Brilliant.

**Hon. Ngare:** And having been a Social Studies teacher I did these kinds of trips every time and they were my best part of teaching so, I know how the students are feeling and the teachers. Thank you so much.

*Mr. Speaker Sir, allow me to issue my statement on illegal disposal and burning of Hazardous Waste in Magongo area. Honourable Speaker, pursuant to Standing Order 41(2) (C), I rise to request for a statement from the Chairperson of the Committee of Health regarding the illegal dumping and burning of hazardous waste within a residential zone in Magongo, specifically around Calvary Church and Hans Junior School.*

*The County Government of Mombasa, through the Department of Health, issued a notice dated 15<sup>th</sup> May, 2025 under Section 119 of the Public Health Act, Cap 242, citing serious health risks posed by the indiscriminate disposal and incineration of waste in this area. The affected zone is a densely populated residential neighborhood with educational and religious institutions.*

*It has come to my attention that children residing in this area have begun to develop respiratory illnesses believed to be linked to the persistent exposure to harmful emissions from unsanitary waste conditions.*

Honourable Speaker, I therefore seek to have the Chairperson address the following:

- 1. Could the Chairperson confirm whether the County Department of Health has taken enforcement action following the issuance of the Public Health Notice dated 15 May, 2025?*
- 2. What measures have been undertaken to ensure full compliance with the directives outlined in the said notice?*
- 3. Has the Department conducted a medical or environmental assessment to determine the extent of harm, especially the respiratory illnesses now being reported among children?*
- 4. What immediate and long-term action is the Department implementing to safeguard residents in Magongo from future exposure to such health hazards?*

And finally,

- 5. How is the Department of Health collaborating with other relevant departments, including the Department of Environment to enforce waste disposal laws and prevent unlawful burning or dumping of waste in residential areas?*

Honourable Speaker, this is a matter of great concern to the residents of Magongo, particularly vulnerable children attending nearby schools. I urge the Committee to respond urgently and comprehensively. Thank you so much, Mr. Speaker.

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): Honourable Members, is there any Member wishing to add their voice to this statement? Yes, Honourable Frankline?

**Hon. Makanga:** Thank you, Mr. Speaker but from the onset, maybe we need clarity from the one who has requested the statement Honourable Milka Ngare did she mean Magongo or Magogoni? Because as a resident of Changamwe Constituency I have never heard of such a school!

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): Yes, Honourable Milka Ngare?

**Hon. Ngare:** Thank you, Mr. Speaker. I meant Magongo. It is a place that I have visited I can share with you pictures of the area of the school, Hans School and the church and the dump site itself. Thank you and I can even give you the PIN number to take you to that very area, I do not know which area of Changamwe you reside. I am sorry, Honourable Makanga.

*[Interruption]*

**Hon. Makanga:** PIN number! So, nowadays locations have PIN numbers! Thank you, Mr. Speaker. But as well, I am a bit concerned as a Member of the Health Committee noting that the whole issue here begins with illegal dumping. So, I thought maybe this statement would be directed to the Committee on Environment because the effects we are dealing with here on health are a result of illegal dumping so I think this statement needs to be reconsidered, be redirected to the right Committee, then we come in as invited or interested parties, but we are not the main committee to handle this, Mr. Speaker. The matter is very clear that it should be under Environment because the whole issue is about illegal dumping the effect that comes thereafter of burning and having them set on fire at that place, that is when now the issue of health exposure comes in so this statement needs to be withdrawn, taken back to the House Business, let it go through the right Committee and then we as Health Committee will be able to come to help the responsible member make the right response as far as the whole issue is concerned. Thank you, Mr. Speaker.

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): Thank you for your submission. Honourable Milka, perhaps tell us why you feel that this matter lies in the domain of the Health Committee and not the Environment Committee?

**Hon. Ngare:** Thank you, Mr. Speaker. This matter lies in the Department of Public Health because of the extent where it has reached however, I have also tagged along and said that the Chairperson Committee of Health must liaise with the Committee of Environment, and I see the Chairman of Environment seated in the House...

*[Interruption]*

Mr. Speaker, protect me from unnecessary shouts from Members who do not understand the procedures of the House, already, to put matter into this, to put more sense into this, the Public Health Chief Officer has already issued a notice to the people concerned and the process of actually even going to court is being handled but the person who is carrying out this heinous activity very dangerous to the children has not yet heeded to the instructions that were given. I have the notice with me; it was issued to one Sammy Wachira on 15<sup>th</sup> May. Only that I'm not able to read the handwriting very well, but probably if I print it out, we might be able to get the contents of the same, so it has already been taken up by the Department of Public Health, but the process is slow not moving so we need to come in as Members of this County Assembly to prevent children, young children from having to go through such kind of very unfortunate illnesses coming out because of this illegal dumping. Thank you, Mr. Speaker.

**Hon. Makanga:** Mr. Speaker, you know this House is a House of...

**The Temporary Speaker** (Hon Abdirahman Abdikadir): Honourable Makanga, you just...

*[Interruption]*

**Hon. Makanga:** Okay, sorry Mr. Speaker.

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): You cannot just stand up and, there are procedures. You have to stand, and I have to give you the permission to make your contribution now.

**Hon. Makanga:** Am I now officially allowed?

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): Please do.

**Hon. Makanga:** Thank you. Mr. Speaker, you see, Honourable Milka is jumping the gun. The fact that she is in good books with the Chief Officer of Public Health and has managed to secure a notice being served does not mean that that process is the right process or procedure to be followed. Mr. Speaker, it is clear in our Standing orders that matters environment which includes collection, dumping, segregation and how those waste are managed is a core function of the Environment Department and by so mentioned it solely lies under the Committee on Environment in this Assembly, so we cannot be dealing with the effects which have been caused by illegal dumping which is clearly stated in this statement that the whole issue emanates from illegal dumping, Mr. Speaker and therefore, committing this statement to the Committee on Health defeats natural justice and the powers that each and every Committee has as their mandates outlined in our Standing Orders.

It is very important that it goes on record that the Committee on Health can only be invited as interested parties, in this whole statement but the request should be made to the right Committee which is the Committee responsible for the illegal dumping that is the only way that we can get a cure to this otherwise, we will be dealing with the effects leaving out the cause and we will not be able to make any good progress unless the Standing Committee or the Sectoral Committee on Environment is fully committed from our record that they should handle this and then we as the Committee on Health we come forth maybe to add weight as regards the health aspect in the illegal dumping and the burning of those wastes. I think Mr. Speaker from your seat, you have the Constitution, you have the County Government Act, you have the Standing Orders and with the wisdom that I know God allowed you to have when you were born I know you will be able to make the right directions by directing the relevant Committee to handle this and further to advise the senior Honourable Member who happens to be my mother-in-law Honourable Milka Ngare, to retreat and get this statement redone in the right manner, procedure, order, and within the presence of our Standing orders. Thank you, Mr. Speaker.

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): Honourable Members, I have heard both of your submissions whereas the matter at hand is very grave in nature and Honourable Milka has made her case that the children residing in those areas have begun to develop a respiratory illness it is incumbent upon us as a House to look into this matter. It is not a matter of, it is not a matter of confusing which Department should take, but nonetheless Honourable Milka Moraa I want to also remind you that the mandate to handle waste management lies squarely in the Department of Environment, but in this case I can see you cited that there is a banning of hazardous waste perhaps that is where the Department of Public Health

might be looped in but nonetheless we can as well direct the Department or rather the Committee on Waste, the Committee of Environment and I am sure the Chairperson is here as well, should take it upon themselves and ensure that this matter is addressed and not only do we expect to receive a response, but we expect relevant Committee to conduct a site visit if possible. Honourable Chair please take your seat! Chairperson, please take your seat! I am giving a direction and perhaps it is of concern to you as a Chair. So, Chairperson, Committee on Environment, please take it upon yourself and your Committee that this matter is addressed and the House is furnished with a report, preferably from your site visit to the area. This being an issue of great concern not only to the residents of Magongo, but it is a cardinal responsibility as members of the County Assembly that we expeditiously handle this matter so we expect the reports, a very comprehensive report, I am sure the Honourable Member has raised at least five points. The report should be ready and the response ready in a week's time unless your Committee is fully committed in very, very important duties. I will give you an opportunity to make your case as to why we should not receive a response by Wednesday next week.

**Hon. Juma Mwalimu:** Ahsante Mheshimiwa Spika kwa kunipa fursa hii mimi kama Mwenyekiti wa Kamati ya Mazingira. Saa hizi Kamati yangu imeshikika sana kwanza akili haiko Kenya, akili ziko Ghana saa hizi na pia vile vile Mawaziri ma *Chief Officers* wa Kamati wako huko ambao pia wanaweza kutusaidia kutupatia ripoti. Kwa hivyo wiki moja haitoshi inahitaji wiki kama tatu hivi ya kufanyia kazi hili jambo. Mheshimiwa Milka Moraa utasaidika vipi na Idara pia inafaa itoe ripoti yake? Mimi siwezi kutoa ripoti yangu ki vyangu, ndio na wewe vile umesema hapana, lakini hatuwezi kukupatia ripoti saa hizi bila Waziri bila, *Chief Officers* na kama unavyojua hawako saa hizi kwa hivyo tupatie muda wa wiki tatu angalau baada ya hapo ndio tuweze kutoa majibu kamili uone kama Kamati haiwezi kutoa ripoti kuhusu hio *illegal dump site*. Ahsante Mheshimiwa Spika.

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): Honourable Juma Mwalimu Kambi, I hear your point but I also want to appeal to you that this is not an issue that we will take lightly. I understand that in the absence of Waziri and the Chief Officers, I am sure there are relevant officers within the Department who are still working so I will advise you as a Committee to please conduct the site visit and report back to the House in two weeks.

*[Applause]*

I think I have been fair enough to you so we expect a response from the Committee. Yes, Clerk?

## ADJOURNMENT

Honourable Members, thank you for your indulgence. This House stands adjourned until Wednesday, 30<sup>th</sup> July, 2025 at 2:30p.m. Thank you.

The House rose at 11:23a.m