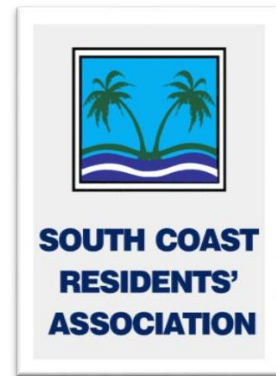


SOUTH COAST RESIDENTS ASSOCIATION (SCRA)

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Kwale County, Kenya



Date: June 13, 2026

Ref: SCRA/ADV/DEV/2026/01

To: All Residents, Developers, and Property Owners, South Coast Region (Diani, Kwale County)

SUBJECT: ADVISORY ON RESPONSIBLE PROPERTY DEVELOPMENT, COMMUNITY CONSULTATION, AND LEGAL COMPLIANCE FRAMEWORKS

Dear Residents and Developers,

The South Coast region, particularly Diani and the wider Kwale County, is widely celebrated for its unique coastal ecosystem, rich wildlife habitat, and serene residential neighborhoods. As our community continues to grow, it is vital that we balance infrastructure development with environmental conservation and neighborly harmony. Recent enforcement actions within our locality—including immediate site closures and project suspensions by the National Construction Authority (NCA)—underscore the urgent need for strict adherence to physical planning laws and community engagement protocols.

To avoid unnecessary legal tussles, financial loss, or bad blood between neighbors, the Association strongly advises all property owners to prioritize open communication and full regulatory compliance **before** commencing any physical works on site.

1. THE VALUE OF NEIGHBORHOOD CONSULTATION

Constructing or remodeling a property significantly affects adjacent households, impacting privacy, ambient light, natural drainage, and peace of mind. A common trigger for project suspensions is formal complaints filed by aggrieved neighbors to regulators like the NCA or the National Environment Management Authority (NEMA). We highly recommend discussing your architectural concept and timeline with immediate neighbors beforehand. Resolving concerns proactively fosters mutual respect and ensures your project proceeds seamlessly without costly legal obstructions.

2. ENVIRONMENTAL PRESERVATION & HABITAT CARE

Our coastal environment is highly sensitive. Construction activities must consciously protect local biodiversity, including indigenous trees, marine life catchments, and local wildlife corridors (such as those used by the endangered Colobus monkeys). Developers are legally obligated to prevent toxic runoff, contain dust, manage noise levels, and guarantee that sewage treatment infrastructure strictly conforms to public health laws. Preserving our natural habitat directly sustains the long-term aesthetic and economic value of your property.

3. KEY MANDATORY LEGAL FRAMEWORKS & GUIDELINES

Before breaking ground, every developer must ensure compliance with Kenyan statutory requirements. Essential prerequisites include:

- **County Government Approvals:** Pursuant to the *Physical and Land Use Planning Act (No. 1 of 2019)*, you must obtain formal development permission and approved architectural/structural blueprints from the Kwale County Government Planning Department.
- **NEMA Licensing:** Under the *Environmental Management and Co-ordination Act (EMCA, 1999)*, an Environmental Impact Assessment (EIA) or summary project report must be submitted to secure a NEMA license, validating that your project will not degrade the fragile coastal ecosystem.
- **NCA Registration:** According to the *National Construction Authority Act (No. 41 of 2011)*, your project must be registered with the NCA, and works must be executed exclusively by a registered, licensed contractor.

4. CRUCIAL SITE COMPLIANCE REQUIREMENTS (NCA STANDARDS)

To prevent immediate enforcement orders or penalties (which under Section 23(3a) of the NCA Act can include fines up to one million shillings or imprisonment), your operational site **must** permanently feature the following elements:

- **Valid NCA Compliance Certificate:** Documented proof of project approval clearly displayed on-site.
- **Approved Site Board:** A visible signage board detailing all official project approvals, licenses, and the professional credentials of the engaged consultants (Architects, Engineers, and Project Managers).
- **Safety and Welfare Measures:** Full provision of Personal Protective Equipment (PPE) for all personnel, active implementation of clear safety signs, and the deployment of certified, accredited skilled workers and site supervisors.
- **Environmental Containment:** Structural installation of appropriate hoarding, perimeter fencing, and dust/debris netting to prevent encroachment, visual blight, or hazard to public pathways and neighboring properties.

Building a vibrant community requires a shared commitment to order, safety, and the rule of law. Let us work collaboratively to protect our pristine environment and maintain the harmonious neighborly spirit that makes the South Coast an exceptional place to live.

For further guidance or access to planning checklists, please do not hesitate to contact the Association's secretariat.

The Executive Committee - South Coast Residents Association Email: admin@scra.co.ke

This document serves as a community advisory based on prevailing statutory provisions including the NCA Act No. 41 of 2011, EMCA 1999, and the Physical & Land Use Planning Act 2019.