



Date: 12th January 2026

The County Executive Committee Member (CECM)
Land, Housing & Physical Planning Department (LHPP)
County Government of Kiambu - Kenya



Attention: LHPP - Land, Housing & Physical Planning Department & UMD - Upper Midland Zone

CC: County Director of Physical Planning, Kiambu County, County Enforcement / Compliance Unit, NEMA County Director (Kiambu) - for information, National Construction Authority (NCA) - for information, Migaa Management Company / Home Afrika Ltd - for information

RE: URGENT PROTEST AND REQUEST FOR COUNTY ENFORCEMENT - CONTINUED DEVELOPMENT ACTIVITY CONTRARY TO THE REGISTERED MIGAA MASTER PLAN (OCT 2011) AND WITHOUT RESIDENTS' PARTICIPATION / APPROVAL

Pursuant to the letter written on 19 November 2025 on annexure C, we write on behalf of the Migaa Residents Association (MRA) and the Steering Committee, represented by the Chairman, regarding continued development activity within Migaa Golf Estate in areas residents believe are being developed contrary to the Registered Migaa Master Plan (October 2011) and without lawful public participation or residents' approval of any material changes.

1. Background and purpose of this letter

MRA previously submitted a formal protest to Home Afrika Ltd / Migaa Management Company concerning repeated, unapproved changes to the Migaa Master Plan. That protest was copied to the County Government of Kiambu, including the LHPP department.

Despite this, development activity continues unabated in the area highlighted/circled on the shared master plan extract (the "Contested Area"). Residents remain concerned that development control decisions and approvals may be proceeding based on a revised plan version that residents did not approve and which has not been subjected to lawful public participation consistent with the Constitution and applicable planning laws.

2. Residents' position: approvals must align to the registered/approved plan

We respectfully request the County to confirm and enforce the principle that only plots and development footprints that appear on the registered/approved Migaa Master Plan (Oct 2011), or any other lawfully amended plan that has demonstrably complied with statutory approvals and public participation, can lawfully be used as the basis for:

- Processing building plan applications;
- Granting development permission;
- Issuing occupation/compliance endorsements; and
- permitting subdivision, change-of-user, densification, or reallocation of common/green areas.

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Registered no. BO673532 P.O. Box 16976 - 00620 Nairobi

Kevin Kabutha Wanjau (Chairman), Adrian Mbogua (Deputy Chairman), Sam Kamau (Secretary), Peter Kariuki (Deputy Secretary), Ursula Nomkhoni Mahluza-Warui (Treasurer), Ann Wamiti (Deputy Treasurer -Interim) & Anthony Karimi (Administrative Officer)



Approving development based on an alternative plan version that was not lawfully adopted and publicly participated in prejudices residents' rights, including the principles of public participation, transparency and accountability (Article 10), protection of property (Article 40), and fair administrative action (Article 47) of the Constitution of Kenya, as well as the Fair Administrative Action Act (2015).

Further, the Physical and Land Use Planning Act (2019) requires that development control and material plan changes follow due process and public participation safeguards. Where such process has not been followed, approvals granted on that basis are vulnerable to challenge and undermine lawful planning administration.

3. Specific requests to LHPP and UMD (Upper Midland Zone)

In view of the continuing activity in the Contested Area, we formally request LHPP/UMD to take the following actions urgently:

1. Immediate verification and confirmation (in writing) of the currently registered/approved master plan on record for Migaa Golf Estate and the applicable zoning and land-use allocations.
2. Immediate suspension / non-processing directive for any building plan applications, development permissions, or related approvals that do not align with the registered/approved plan, pending verification and lawful regularisation (if any).
3. A site inspection by the County (LHPP/UMD officers) within 7 days, with an inspection report confirming: (i) the exact nature of works ongoing; (ii) the parcel(s) affected; (iii) the approvals presented by the developer/contractor; and (iv) whether the works comply with the registered/approved plan and County permissions.
4. Where works are proceeding without proper approvals and/or contrary to the registered plan, issuance of the appropriate enforcement notices / stop orders and requirement for immediate compliance.
5. Disclosure to MRA (and residents) of the approvals and documents relied upon for the works in the Contested Area, including development permissions, approved drawings, any approved amendments to the master plan (if any), minutes/records of public participation (if any), NEMA environmental approvals / EIA licences (if applicable), and any conditions issued by the County.

4. Why this is urgent

Residents purchased into Migaa based on the original registered concept, particularly in relation to density, land-use mix, green spaces/common areas, and the overall lifestyle/golf estate design. Any material deviation without resident/public participation and lawful approvals undermines residents' legitimate expectations and creates irreversible harm to the estate's planning integrity.

5. Our plea to the County

We respectfully plead with the County Government of Kiambu (LHPP and UMD) to only approve building and development applications for plots that are on the registered/approved Migaa Master Plan, and to treat reliance on alternative unapproved plan versions as a serious compliance risk and potential violation of residents' rights.



6. Timelines requested

Kindly provide:

- Written acknowledgement of this letter within 3 working days; and
- A substantive written response within 14 days, including confirmation of the registered plan on record, the County's position on approvals, and actions taken regarding the ongoing works.

7. Attachments

For ease of reference, we attach / enclose the following:

- Annex A: Registered Migaa Master Plan - October 2011 (copy).
- Annex B: Map extract showing the Contested Area (circled) where development continues.
- Annex C: Prior MRA protest letter to Home Afrika / Migaa Management Company and proof of copy to the County.

We remain available for a joint meeting/site visit and can provide additional resident submissions, photographs, and correspondence as required.

Yours faithfully,



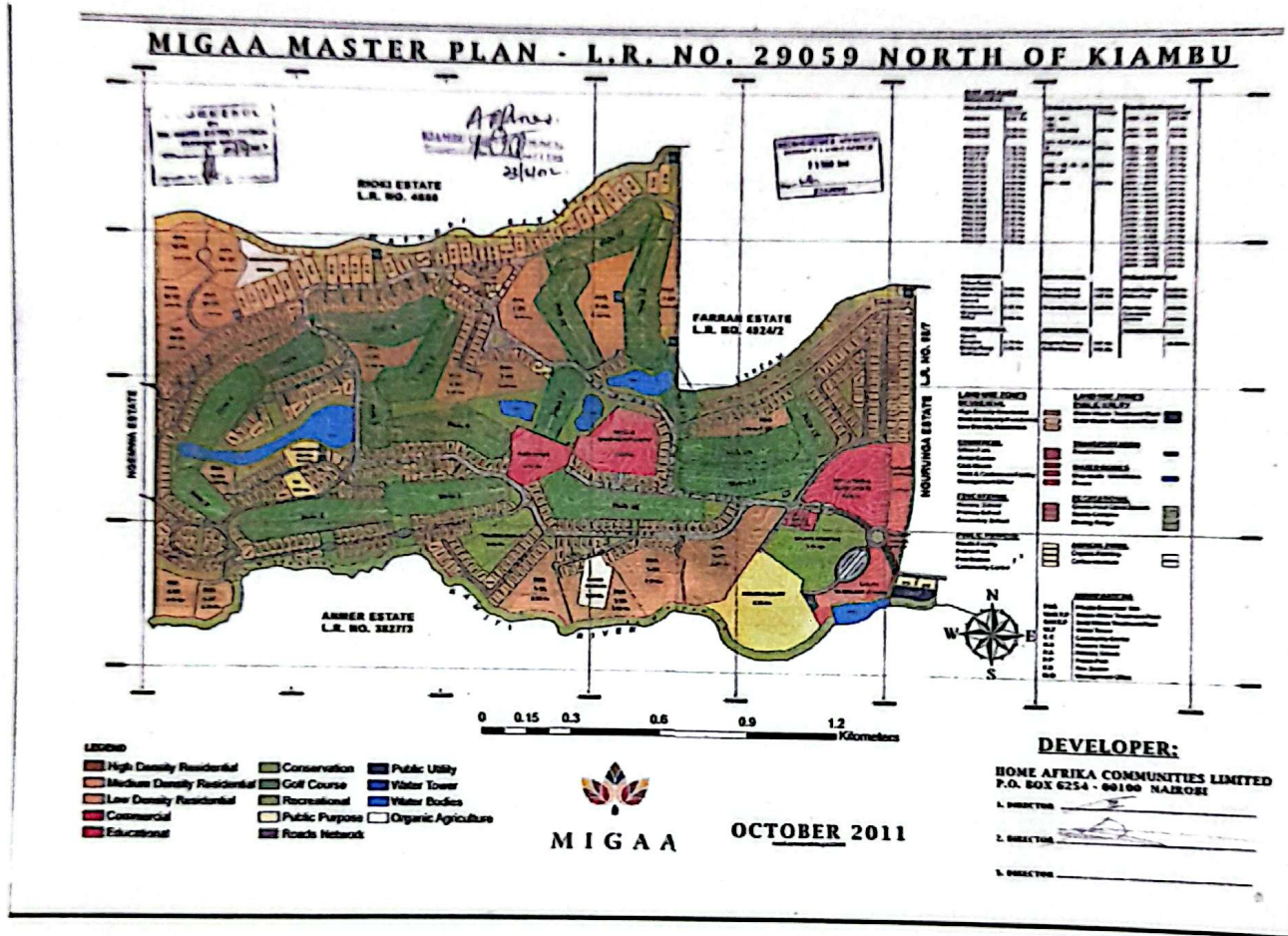
Kevin Wanjau – Chairman MRA

For and on behalf of MIGAA RESIDENTS' ASSOCIATION (MRA) - STEERING COMMITTEE

Tel: 0720100785



Annex A: Registered Migaa Master Plan - October 2011 (copy).

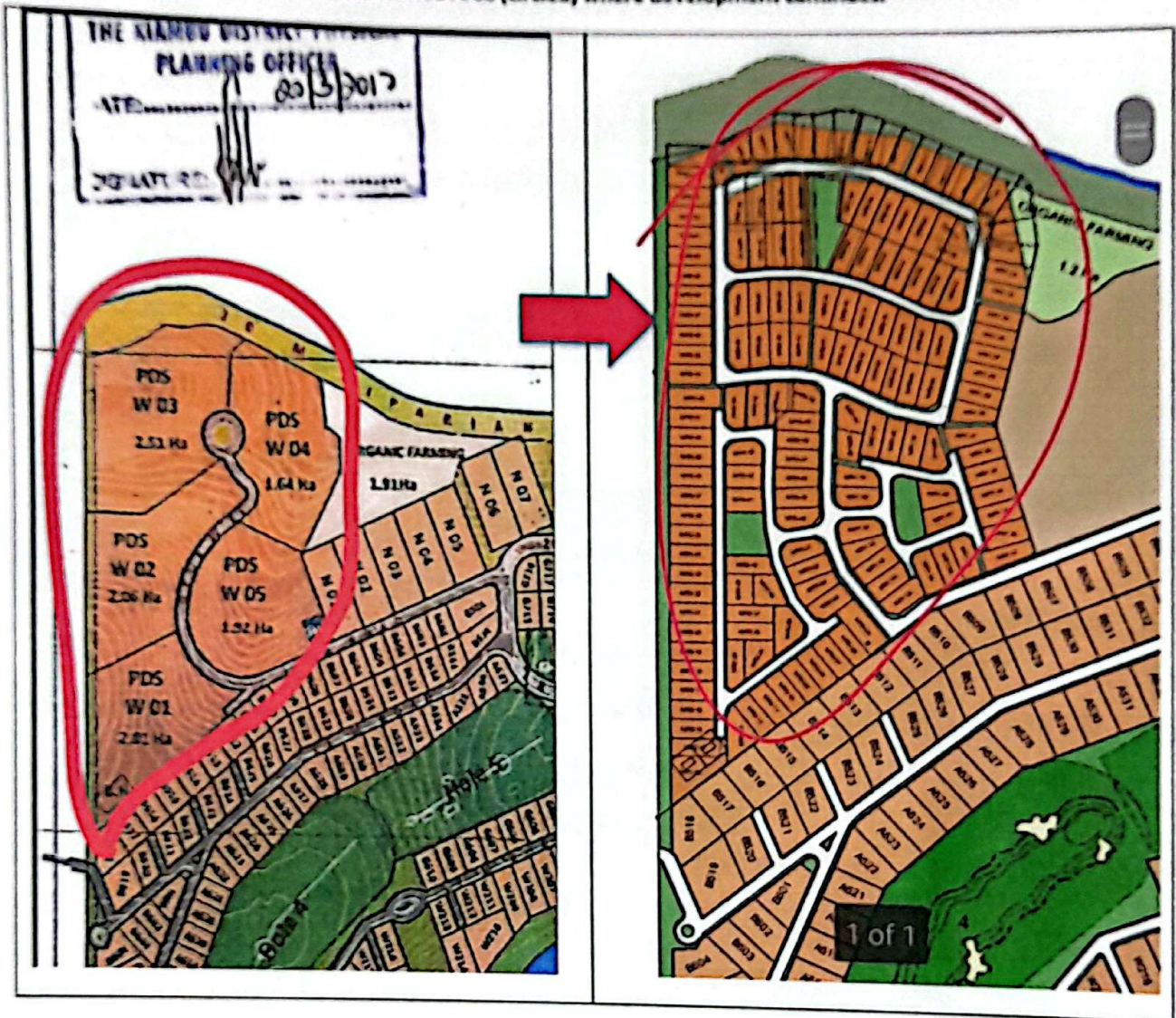


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Annex B: Map extract showing the Contested Area (circled) where development continues.





Annex C: Prior MRA protest letter to Home Afrika / Migaa Management Company and proof of copy to the County.

19 November 2025

The Management
MIGAA Management Company/Home Afrika Limited
P.O Box 6254-00100
Nairobi, Kenya

RE: FORMAL PROTEST AND DEMAND FOR IMMEDIATE REDRESS REGARDING UNAUTHORISED AND REPETITIVE MODIFICATIONS TO THE MIGAA DEVELOPMENT MASTERPLAN

Dear Sir/Madam,

We, the residents and property owners of Migaa Golf Estate, hereby lodge this formal protest against Home Afrika Limited for the repeated, untransparent, and legally questionable modifications to the Migaa Development Masterplan. These alterations have violated statutory planning requirements, breached legitimate expectations, and materially prejudiced investors who bought into the estate based on a clearly defined vision sold by the developer.

1.VIOLATION OF STATUTORY AND REGULATORY REQUIREMENTS

The modifications to the masterplan—carried out without genuine, structured, and documented stakeholder engagement—are in breach of:

- The Physical and Land Use Planning Act, 2019 (PLUPA)
- The Constitution of Kenya, 2010
- Environmental Management and Co-ordination Act (EMCA), 1999
- The Fair Administrative Action Act, 2015

2.BREACH OF LEGITIMATE EXPECTATION AND CONTRACTUAL INDUCEMENTS

The original Migaa concept presented by Home Afrika Limited was the basis upon which the majority of us purchased land, invested millions in construction, and committed to long-term residency.

3.NEGATIVE CONSEQUENCES ALREADY AFFECTING RESIDENTS

The repeated alterations have resulted in:

- Refusal or delay of building approvals
- Shrinking common areas
- Loss of green spaces
- Unpredictable high-density developments
- Erosion of property values

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4. OUR DEMANDS

We hereby demand:

- Immediate cessation of all alterations
- Release of full masterplan alteration history
- Legally compliant public participation forum
- Harmonization of the masterplan with Kiambu County
- Restoration of common areas and green zones
- Written assurance of compliance

5. NOTICE OF INTENDED ESCALATION

Failure to respond within 14 days will result in escalation to:

- Kiambu County Government
- NCA
- NEMA
- Ombudsman
- Environment and Land Court

CONCLUSION

We therefore expect your written response within fourteen (14) days. Yours faithfully,

Dr Tonnie K Mulli
(Secretary, Migaa Residents Association)