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AAK/RA/MLPWHUD/026/ 60

22nd September 2026

**Hon. Alice Wahome, E.G.H.**
Cabinet Secretary,
Ministry of Lands, Public Works, Housing and Urban Development
Nairobi, Kenya

**AAK SUBMISSION ON THE DRAFT NATIONAL GREEN BUILDING AND SUSTAINABILITY FRAMEWORK, 2026**

Receive warm greetings from the Architectural Association of Kenya (AAK).

AAK is the umbrella professional association representing practitioners across the built environment, including Architects, Engineers, Town Planners, Landscape Architects, Interior Designers, Environmental Design Consultants, Construction Project Managers and Quantity Surveyors. The Association appreciates the opportunity to review and submit comments on the Draft National Green Building and Sustainability Framework, 2026, and commends the Ministry for its efforts to establish a comprehensive framework to guide Kenya's transition towards a sustainable, climate-resilient and resource-efficient built environment.

AAK supports the overarching objectives of the Framework, particularly its emphasis on decarbonisation, resource efficiency, sustainable construction, climate resilience, circular economy principles, green financing mechanisms and improved environmental performance within the built environment. The Association recognizes the Framework as a significant step towards advancing Kenya's climate commitments, promoting sustainable urban development and strengthening the contribution of the building sector to national development goals.

However, following a detailed review, AAK has identified several areas requiring strengthening to improve the Framework's effectiveness, implementation and long-term impact. In particular, the Association notes the need for stronger provisions relating to the retention and adaptive reuse of existing buildings, embodied carbon accounting, heritage conservation, renovation targets, circular economy mechanisms, climate adaptation measures and monitoring and reporting systems. These recommendations are intended to enhance the Framework while aligning it with emerging international best practices and recent developments in the global buildings and construction sector.

In light of the foregoing, AAK submits the accompanying clause-by-clause observations and proposed amendments for consideration by the Ministry. The recommendations provided are intended to support the development of a technically robust, practical and future-oriented framework that advances environmental sustainability while safeguarding Kenya's cultural heritage, promoting innovation and supporting inclusive development.

AAK remains committed to working with the Ministry of Lands, Public Works, Housing and Urban Development and other stakeholders to advance sustainable development within Kenya's built environment and to support the successful implementation of the National Green Building and Sustainability Framework.

Signed,

**GEORGE A. NDEGE, ARCHITECT**
**PRESIDENT, ARCHITECTURAL ASSOCIATION OF KENYA.**

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**SUMMARY OF AAK INPUT ON THE DRAFT NATIONAL GREEN BUILDING AND SUSTAINABILITY FRAMEWORK, 2026**

**Form No.09/2026**

**MINISTRY OF LANDS, PUBLIC WORKS, HOUSING AND URBAN DEVELOPMENT**

**DRAFT NATIONAL GREEN BUILDING AND SUSTAINABILITY FRAMEWORK, 2026.**

| S/No | Part | Section | Provisions on the framework | Proposed Amendment | Rationale for Amendment/ Recommendation (*Where necessary)* |
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| 1 | Preamble | Preamble – recitals ("RECALLING…" / "AFFIRMING…") | The Preamble recalls the UNFCCC, Paris Agreement and NDC and affirms that the building and construction sector is a major emitter but is silent on the existing building stock as a carbon asset and makes no reference to the COP30 (Belém, November 2025) outcomes on buildings, which post-date the Framework's reference Roadmap (October 2025). | Add a new recital: "FURTHER RECOGNISING the outcomes of the 30th Conference of the Parties (Belém, 2025), including the Action Agenda Activation Groups on Sustainable and Resilient Buildings (AG12) and on Culture, Cultural Heritage Protection and Climate Action (AG19), the Global Goal on Adaptation targets 9(e) and 9(g), and the Intergovernmental Council on Buildings and Climate's Belém Call for Action, and recognizing that the retention, retrofit and adaptive reuse of Kenya's existing and heritage building stock is a strategic means of avoiding | The Framework was finalized one month before COP30 and does not reflect it. Anchoring existing-building reuse and cultural heritage in the Preamble aligns the instrument with the current international direction of travel and unlocks technical and finance support under the COP30 voluntary pathways. It also positions Kenya to report against GGA indicators 9(e) (settlements) and 9(g) (cultural heritage). |

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| | | | | embodied carbon and safeguarding cultural identity;" | |
| 2 | Part A | Section 2 – Objects of the Framework (new sub-paragraph) | The objects (2(1)(a)–(u)) cover retrofitting, resource efficiency, NDCs and lifecycle assessment, but nowhere establish retention and adaptive reuse of the existing building stock as an objective. Existing buildings are treated only as retrofit targets, not as carbon assets to be preserved. | Insert a new object 2(1): "( ) Prioritize the retention, repair, retrofit and adaptive reuse of the existing building stock ahead of demolition and new construction, so as to conserve embodied carbon, reduce construction and demolition waste, and extend the service life of buildings;" | This is the single most important omission relative to COP30. Demolition discards decades of embodied carbon and generates waste (construction and demolition waste is up to ~40% of global solid waste). Elevating reuse to an object gives every downstream Part (materials, energy, finance, special categories) a mandate to favour reuse. Mirrors the reuse-first priority of the COP30 Principles for Responsible Timber Construction. |
| 3 | Part A | Section 2(1)(l) | "Promote biophilic design principles and human-nature connection that integrate local biodiversity, cultural heritage, indigenous knowledge systems and ecological relationships into the planning and design of the built environment." Cultural heritage appears only as a sub-clause of a biophilic-design object. | Split cultural heritage into its own object: "( ) Safeguard and draw on Kenya's cultural heritage, vernacular and traditional building knowledge and indigenous climate-smart techniques as sources of low-carbon, climate-resilient design, and align heritage-related reporting with Global Goal on Adaptation target 9(g);" retaining biophilic design as a separate object. | Cultural heritage and vernacular knowledge carry independent weight in adaptation (passive cooling, local materials, thermal mass) and should not be subordinate to biophilia. COP30 AG19 and GGA 9(g) make heritage a trackable adaptation outcome; a stand-alone object makes that operational. |
| 4 | Part A | Section 3 – Guiding principles (new sub-paragraph under 3(1)) | The guiding principles include whole-life performance 3(1)(i) and | Add principle 3(1)( ): "Retain-and-reuse first – in the sequence reuse, renovate, | Converts the reuse objective into an operative decision rule that authorities can apply at approval stage. Directly |

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| | | | full-lifecycle application 3(1)(c) but contain no reuse hierarchy and no presumption against demolition. | extend, and only then demolish-and-rebuild; demolition of a structurally sound building, and of any publicly owned or publicly financed building, shall be permitted only where a documented options appraisal demonstrates that reuse is not reasonably practicable." | closes Roadmap Gap 1. A justification-before-demolition test is the most cost-effective single lever for avoided embodied carbon. |
| 5 | Part A | Section 5 – Interpretation (new definitions) | Section 5 defines "Embodied Carbon," "Major renovation," "Life Cycle Assessment" and "Decarbonization Roadmap," but does not define "adaptive reuse," "existing building," "whole-life carbon," "reuse hierarchy" or "vernacular / traditional building knowledge." | Insert: "'Adaptive reuse' means the conversion, repair or upgrading of an existing building for a continued or new use while retaining its principal structure and, where relevant, its character-defining elements." "'Existing building' means any building completed before the coming into force of this Framework, whether or not designated as heritage." "'Whole-life carbon' means the sum of embodied and operational greenhouse-gas emissions across a building's life cycle, expressed in kgCO2e, including carbon avoided through reuse." "'Reuse hierarchy' means the sequence reuse > renovate > extend > demolish-and-rebuild." "'Vernacular building knowledge' means traditional, locally evolved construction | Defined terms are the connective tissue; the substantive amendments proposed elsewhere in this template rely on them. "Whole-life carbon" is currently unusable because only embodied and operational carbon are defined separately and never combined. |

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| | | | | techniques, materials and settlement patterns adapted to local climate and culture." | |
| 6 | Part C | Section 20 – Embodied carbon assessment (20(1) and new 20(6A)) | 20(1) requires embodied-carbon assessment for new buildings and major renovations. 20(6) allows authorities to require redesign if embodied carbon exceeds baselines. The assessment is never used as an input to the demolition-versus-reuse decision, and "avoided" embodied carbon from reuse is not recognized. | Amend 20(1) to add: "…and, for any proposal involving the demolition of an existing building, the assessment shall quantify the whole-life carbon of a reuse/retrofit option against the demolish-and-rebuild option, including the embodied carbon avoided by retention." Add 20(6A): "Where a whole-life-carbon assessment shows that reuse or retrofit achieves lower whole-life emissions, the permitting authority shall not approve demolition unless reuse is demonstrably not reasonably practicable." | Embodied carbon and reuse are presently disconnected (Roadmap Gap 3). Making the assessment a mandatory input to demolition approvals, and crediting avoided carbon, aligns with the ICBC commitment to whole-life-carbon limits and turns an existing reporting exercise into a decision tool at no new cost. |
| 7 | Part C | Section 20(3) – embodied carbon benchmarks | "Within 12 months of gazettement, the Cabinet Secretary will publish embodied carbon benchmarks per building type and material…" Benchmarks are for new build; no benchmark or credit exists for reuse. | Add 20(3)(a): "The benchmarks shall include a distinct, more favourable pathway for adaptive-reuse and retrofit projects and shall recognize retained structure as avoided embodied carbon in whole-life accounting." | Without a reuse pathway, reuse projects are measured against, and penalized by, new-build metrics. A dedicated benchmark operationalizes the reuse-first principle and rewards retention. |
| 8 | Part C | Section 23 – Material efficiency and construction waste minimization (23(3)) | "The Cabinet Secretary shall set minimum landfill diversion targets, progressively tightened | Amend 23(3): "…shall set quantified construction-and-demolition-waste diversion targets (for example, not less | Closes Roadmap Gap 5. A numeric diversion target and mandatory pre-demolition audit are standard, enforceable circular-economy |

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| | | | per implementation phase…" The targets are undefined and unquantified, and there is no pre-demolition material audit obligation of general application. | than 70% by mass by Phase 3), and shall require a pre-demolition material audit for all major developments as a condition of a demolition or building permit." | instruments; the current open-ended wording is unenforceable and gives proponents no planning certainty. |
| 9 | Part C | Section 24 – Deconstruction and design for disassembly (24(5)) | "Publicly funded projects should prioritize deconstruction over demolition where feasible." Discretionary ("should"), and limited to deconstruction rather than reuse of the whole building. | Replace with: "Publicly funded projects shall prioritize reuse of the existing building over demolition, and where demolition is unavoidable shall prioritize deconstruction over demolition; a written justification shall be recorded before any publicly funded demolition proceeds." | "Should…where feasible" is not enforceable. Government leading by example on reuse is consistent with principle 3(1)(a) (public bodies to lead) and with the Roadmap recommendation that a reuse hierarchy be justified before any public-building demolition. |
| 10 | Part C | Section 30 / Part C generally – material-reuse markets | Section 30 provides for inter-county coordination for recycled and reclaimed material markets and the Roadmap references "circular economy hubs," but no reclaimed-materials marketplace or salvage exchange is formally established. | Add to Section 30: "The Cabinet Secretary, with County Governments and the NCA, shall establish and maintain a national reclaimed and salvaged building-materials marketplace ('circular economy hubs'), including quality and provenance standards for reused components." | Formalizing the reuse marketplace turns a policy aspiration into infrastructure, supports the C&D-waste diversion targets above, and creates a supply channel for reclaimed materials essential to both retrofit and heritage repair. |
| 11 | Part D | Section 48 – Energy audits for existing buildings (new 48(9)) | Section 48 mandates energy audits and 50% implementation of savings for existing buildings but makes no | Add 48(9): "For heritage, historic and identified vernacular buildings, energy audits and any resulting measures shall be carried out in | Prevents a conflict between Part D's prescriptive energy targets and the conservation duty in Section 119. Cross-referencing avoids inadvertent damage to significant fabric while |

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| | | | allowance for heritage or vernacular buildings, whose fabric and character can be harmed by standard efficiency measures. | accordance with Section 119, giving priority to reversible, minimally invasive interventions, and prescriptive targets under this Part may be adjusted to protect significant fabric." | keeping older buildings within the efficiency programme. |
| 12 | Part D / Part J | New Section – National renovation-rate target | The Framework sets no quantified renovation or retrofit rate for the existing stock anywhere. Progress on existing buildings is therefore untargeted and unmeasurable. | Insert a new section: "National renovation rate – (1) The Cabinet Secretary shall set and publish a national building-renovation-rate target consistent with the UNEP/GlobalABC call to triple renovation rates by 2030, commencing with the national and county government building portfolio. (2) Progress shall be reported under Section 124." | Closes Roadmap Gap 2. A headline renovation-rate target, starting with the public estate, gives the reuse agenda a measurable spine and a credible link to the tripling-by-2030 call; without it, Sections 48 and 57 have no aggregate objective. |
| 13 | Part H | Section 95 – Climate finance instruments (95(2)) | Section 95 links finance incentives to green-building and zero-carbon certification, but offers no instrument tailored to adaptive reuse, retrofit or heritage repair, which typically face higher unit costs and weaker access to green finance. | Add 95(2)(d): "dedicated adaptive-reuse and retrofit finance instruments, including concessional lines for the retrofit of public buildings, informal-settlement upgrading and heritage repair, drawing where available on the COP30 Belém Package adaptation finance." | Closes Roadmap Gap 6. Certification-linked incentives favour new, high-performing builds; reuse and heritage projects need bespoke instruments or they remain financially disadvantaged despite lower whole-life carbon. |
| 14 | Part I | Section 119 – Heritage and historic buildings (119(1) and (2)) | Sub-paragraphs 119(1) and 119(2) are identical, verbatim duplicates: both read "This section | Delete the duplicated 119(2) and renumber. Replace it with a scope clause: "(2) For the purposes of this section, | Removes an obvious drafting error and, critically, extends protection beyond formally gazetted monuments to the far larger stock of non- |

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| | | | applies to heritage and historic buildings undergoing renovation, restoration, adaptive reuse, or major repair." | 'heritage and historic buildings' includes buildings and areas protected under the National Museums and Heritage Act, 2006, and non-designated buildings, groups of buildings and conservation areas of recognized architectural, historic, townscape or cultural-landscape value, including within the Historic Urban Landscape of towns such as Lamu and Mombasa Old Town or any future gazetted Conservation Areas." | designated historic and vernacular fabric that carries most of Kenya's urban heritage value and embodied carbon. Aligns with the UNESCO Historic Urban Landscape approach. |
| 15 | Part I | Section 119(3)–(7) – Heritage retrofit substance | Section 119 requires conservation of values, reversible interventions and NMK-issued guidelines, but does not require a heritage/significance assessment before intervention, does not draw on traditional/vernacular climate-smart techniques, and does not link reporting to any adaptation indicator. | Add: "( ) A heritage significance (or Heritage Impact) assessment shall precede any intervention, identifying character-defining elements to be retained. ( ) Retrofit and adaptation strategies shall, where appropriate, apply traditional and vernacular climate-smart techniques (passive ventilation, thermal mass, local materials, shading and orientation). ( ) Outcomes shall be reported in a manner consistent with Global Goal on Adaptation target 9(g) on protecting cultural heritage." | Turns Section 119 from a protective caveat into a positive, low-carbon adaptation pathway. A significance assessment is the accepted first step in conservation practice; vernacular techniques are proven passive-design assets; GGA 9(g) alignment makes heritage a trackable national adaptation contribution (Roadmap Gap 4). |
| 16 | Part I | Section 111 – Informal settlement upgrading projects (111(3)) | 111(3) requires simplified design guides and prototype models | Amend 111(3): "…simplified design guides and prototype models… that prioritize | Most informal-settlement stock is already built; wholesale replacement is neither affordable nor low-carbon. |

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| | | | for green housing in informal settlements, but does not reference incremental reuse of existing structures or vernacular building knowledge. | incremental upgrading and reuse of existing structures and incorporate appropriate vernacular and traditional climate-smart building techniques." | Anchoring upgrading in reuse and vernacular technique keeps costs, carbon and community disruption low while honouring 111(2)(c) on community co-design. |
| 17 | Part J | Section 124 – Review and reporting (124(2)) | Reporting under 124(2) covers green-building/zero-carbon certification progress and KPIs, but there is "little to no reliable data" on existing-building energy and carbon (as the Roadmap notes), and no registry of the existing stock. The "Buildings Decarbonization MRV System" (defined in Section 5) is not applied to existing buildings. | Add 124(2)(d): "the rate and impact of renovation, retrofit and adaptive reuse of the existing building stock, reported through a national existing-building performance registry maintained under the Buildings Decarbonization MRV System and aligned with Global Goal on Adaptation indicators." | Closes Roadmap Gap 7. What is not measured is not managed: a registry and MRV linkage make reuse impacts visible and reportable against GGA indicators, and give the renovation-rate target real teeth. |
| 18 | Part I / Part J | Sections 120 and 121; Section 122(2) cross-reference | Sections 120 and 121 are complete duplicates – both titled "Periodic review of special building category standards" with identical text. Separately, Section 122(2) refers to "Section 135(4)" and Section 13 and 56 refer to "Section 135(4)" / "Section 138," but the Framework ends | Delete the duplicate Section 121 and renumber Part I accordingly. Correct every cross-reference to "Section 135(4)" and "Section 138" to the correct existing provision (the exemption power now sits at Section 128(4)); undertake a full cross-reference audit before gazettement. | Drafting/quality-assurance corrections. Duplicate sections and dangling cross-references undermine legal certainty and enforceability and should be resolved before the Framework is gazetted. |

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| | | | at Section 128, so these cross-references point to non-existent sections. | | |

**Organization:** Architectural Association of Kenya (AAK)

**Date: 22nd September 2026**