



REPUBLIC OF ZAMBIA

MINISTRY OF LANDS AND NATURAL RESOURCES

**MINISTERIAL STATEMENT BY
HONOURABLE JEAN KAPATA, MP,
MINISTER OF LANDS AND NATURAL RESOURCES
ON A POINT OF ORDER THAT WAS RAISED BY HON. GARY NKOMBO,
MEMBER OF PARLIAMENT FOR MAZABUKA, ON THE STATUS OF FOREST
NO.27.**

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Ministry of Lands and Natural Resources
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LUSAKA

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MR. SPEAKER, I WISH TO THANK YOU FOR ACCORDING ME THIS OPPORTUNITY TO DELIVER A MINISTERIAL STATEMENT TO THIS AUGUST HOUSE AND THE NATION AT LARGE ON THE POINT OF ORDER THAT WAS RAISED ON THE FLOOR OF THIS HOUSE ON TUESDAY 26TH NOVEMBER, 2019 BY HONOURABLE GARY NKOMBO, MEMBER OF PARLIAMENT FOR MAZABUKA ON THE STATUS OF THE LUSAKA EAST LOCAL FOREST NO. 27.

SIR, THE LUSAKA EAST LOCAL FOREST NO. 27 WAS SET ASIDE AS FOREST RESERVE NO. 27 WITH AN AREA APPROXIMATELY 1,814 HECTARES THROUGH GOVERNMENT NOTICES NO.238 AND 272 OF 1942 AND 1957 RESPECTIVELY. THE FOREST AREA WAS GAZETTED FOR PROTECTION AND PRODUCTION PURPOSE IN ORDER TO SUPPLY FOREST PRODUCE AT LOCAL LEVEL WHILE MAINTAINING ITS BIODIVERSITY AND CONTINUE REGENERATION.

IN ORDER FOR HONORABLE MEMBERS OF THIS HOUSE AND THE CITIZENRY AT LARGE TO UNDERSTAND THE EXTENT OF FOREST 27, I WOULD LIKE TO GIVE A PHYSICAL DESCRIPTION OF THE AREA.

MR SPEAKER, THE FOREST RESERVE STARTS FROM THE JUNCTION

OF TWIN PALM ROAD AND THE ROAD LEADING INTO BAULENI BORDERING NEW LEOPARDS HILL CEMETRY. THE FOREST BOUNDARY THEN PROCEEDS DUE NORTH EAST ALONG TWIN PALM ROAD FOR ABOUT FIVE KILOMETRES ENCOMPASSING THE ZAF INSTALLATION AND BORDERING THE NEW NAPSA DEVELOPMENTS. THE BOUNDARY PROCEEDS SOUTH EASTERLY CROSSING THE CHALIMBANA RIVER FOR ABOUT 2.4 KILOMETRES AND PROCEEDS ALONG THE SAME LINE FOR ABOUT 2.2 KILOMETRES. THE BOUNDARY PROCEEDS SOUTHWARDS FOR ABOUT 3.5 KILOMETRES CROSSING THE STATE LODGE ROAD. THE FOREST BOUNDARY THEN PROCEEDS IN THE NORTHWESTERN DIRECTION, FOR ABOUT FIVE KILOMETRES TO THE ROAD THAT LEADS TO THE COOPERATIVE COLLEGE FROM BAULENI TOWNSHIP. IT CONTINUES IN THE NORTHWESTERLY DIRECTION BORDERING BAULENI TOWNSHIP FOR ABOUT 2.4 KILOMETRES TO THE JUNCTION OF TWINPALM ROAD, THE STARTING POINT.

MR SPEAKER, THE FIRST EXCISION OF APPROXIMATELY FIFTY HECTARES WAS DONE IN 1957 TO CREATE TWO FARMS THAT WERE ALLOCATED TO SOME PRIVATE INDIVIDUALS.

ON 27TH JANUARY 1983, A **CESSATION ORDER** WAS ISSUED THROUGH STATUTORY INSTRUMENT NO.20 OF 1983 WHICH MEANT THAT THE FOREST EFFECTIVELY CEASED TO BE A PROTECTED FOREST AREA.

HOWEVER, GOVERNMENT DECIDED TO RE-GAZZETTE IT IN 1996 THROUGH ISSUANCE OF STATUTORY INSTRUMENT NO.161 OF 1996 TO CONTINUE WITH ITS FUNCTION OF PROTECTION AND PRODUCTION PURPOSE.

SIR, DURING THE PERIOD OF CESSATION SEVERAL PROPERTIES WERE CREATED, NAMELY LOT/10607/M AND LOT/6494/M. FURTHER, IT WAS DURING THE SAME PERIOD THAT THE AREA WAS DECLARED A PROTECTED AREA UNDER THE PROTECTED AREAS ACT AND ZAF OCCUPIED SOME PORTIONS FOR SPECIAL PROJECTS.

MR SPEAKER, IT IS IMPORTANT FOR THIS AUGUST HOUSE TO NOTE THAT FOREST NO.27 IS NOT THE FIRST PROTECTED FOREST AREA TO HAVE BEEN EXCISED OR DEGAZETTED. SIR, AMONG THE NOTABLE ONES ARE:

1. THE LUSHISHI NATIONAL FOREST NO.11: (ALTERATION OF

BOUNDARIES) ORDER, 2007 PURSUANT TO STATUTORY INSTRUMENT NO.6 OF 2007 WHICH EXCISED AN AREA SIZE OF 2,880 HECTARES LEAVING A BALANCE OF 3,513 HECTARES IN LUFWANYAMA;

2. THE ICHIMPE NATIONAL FOREST NO.8: (ALTERATION OF BOUNDARIES) ORDER, 2007 PURSUANT TO STATUTORY INSTRUMENT NO.2 OF 2007 WHICH EXCISED AN AREA OF 3,579 HECTARES LEAVING A BALANCE OF 5,665 HECTARES IN KITWE;
3. THE MUFULIRA LOCAL FOREST NO.42: (ALTERATION OF BOUNDARIES) ORDER, 2007 PURSUANT TO STATUTORY INSTRUMENT NO. 3 OF 2007 WHICH EXCISED AN AREA OF 1,200 HECTARES LEAVING A BALANCE OF 5,233 HECTARES; AND
4. THE LUSAKA SOUTH LOCAL FOREST NO.26 (CESSATION) ORDER, 2007 PURSUANT TO STATUTORY INSTRUMENT NO.82 OF 2007 WITH EXCISED AN AREA OF 3,957 HECTARES LEAVING A

BALANCE OF 2,698 HECTARES AMONG OTHERS.

MR SPEAKER, I WISH TO STATE THAT AFTER THE 1957 EXCISION AND DEVELOPMENTS BETWEEN 1983 AND 1996, LUSAKA EAST FOREST NO.27 REMAINED WITH AN AREA OF 1,764 HECTARES. AS EARLIER STATED, APPROXIMATELY 716 HECTARES REMAINS AS A PROTECTED FOREST AREA FOLLOWING PARTIAL DEGAZETTIONS (EXCISIONS) UNDERTAKEN AS FOLLOWS:

1. IN AUGUST 2017, 67 HECTARES WAS EXCISED PURSUANT TO STATUTORY INSTRUMENT NO.62 OF 2017. 109 PROPERTIES WERE CREATED AND ALLOCATED TO INDIVIDUALS;
2. IN JULY 2018, 504 HECTARES WAS EXCISED PURSUANT TO STATUTORY INSTRUMENT NO.59 OF 2018, AND ALLOCATED TO ZAF TO CONTINUE WITH THEIR SPECIAL PROJECTS; AND
3. IN FEBRUARY 2019, 477 HECTARES WAS EXCISED PURSUANT TO STATUTORY INSTRUMENT NO.13 OF 2019. THE PURPOSE OF THIS EXCISION WAS TO REGULARIZE THE ZAF HOUSING PROJECT WHICH OCCUPIES ABOUT 367 HECTARES. THE REMAINING 110 HECTARES WAS REPLANNED INTO 347 PLOTS

FOR RESIDENTIAL AND MIXED USE AND SUBSEQUENTLY ALLOCATED TO MEMBERS OF THE PUBLIC.

SIR, THE ABOVE AREA THAT HAS BEEN EXCISED WAS DONE PURSUANT TO THE FORESTS ACT NO. 4 OF 2015 OF THE LAWS OF ZAMBIA.

MR SPEAKER, THE EXCISIONS HAVE BEEN NECESSITATED BY DEVELOPMENT NEEDS DUE TO INCREASE IN POPULATION WITHIN THE DISTRICT WHICH HAS RESULTED IN INCREASED DEMAND FOR LAND TO BE UTILISED FOR VARIOUS PURPOSES. AS A RESULT, GOVERNMENT DECIDED TO EXCISE LUSAKA EAST LOCAL FOREST NO. 27 TO ALLOW LUSAKA DISTRICT MEET ITS GROWING DEVELOPMENT NEEDS.

SIR, HONORABLE MEMBERS MAY WISH TO NOTE THAT WHEN ARRIVING AT THE DECISION TO MAKE THESE EXCISIONS ENVIRONMENTAL CONCERNS WERE TAKEN INTO ACCOUNT. THESE INCLUDE THE NEED FOR COMMON USER SERVICES SUCH AS WATER AND SANITATION, MINIMIZING THE FELLING OF TREES AS DEVELOPERS UNDERTAKE THEIR DEVELOPMENTS, THE NEED TO MINIMIZE PAVING ON THE DEVELOPMENTS, AND

MAINTAINING THE ECOSYSTEM CLOSE TO ITS ORIGINAL STATE.

SIR, THE REMAINING AREA OF 716 HECTARES WILL ENSURE THAT THE LUSAKA LOCAL FOREST NO. 27 CONTINUES TO PERFORM ITS INITIAL PURPOSE OF GAZZETION AND SERVE AS A PROTECTION AND PRODUCTION AREA.

MR SPEAKER, THERE HAS BEEN A LOT OF DEBATE FOLLOWING GOVERNMENT DECISION TO PARTIALLY DEGAZETTE LUSAKA EAST LOCAL FOREST NO. 27. PETITIONS TO WITHDRAW STATUTORY INSTRUMENTS NO.62 OF 2017, NO.59 OF 2018 AND NO.13 OF 2019 HAVE BEEN SUBMITTED.

SIR, IT MUST BE PUT ON RECORD THAT THE PROCESS OF EXCISION WAS DONE ACCORDING TO THE LAW. DURING ALL THE PROCESSES, THE CHALIMBANA RIVER AND ITS TRIBUTARIES WERE TAKEN INTO ACCOUNT IN ORDER TO ENSURE THAT THE CHALIMBANA RIVER ECOSYSTEM WOULD NOT BE ADVERSELY AFFECTED AS A RESULT OF DEVELOPMENTS THAT WOULD BE UNDERTAKEN. THE HOUSE MAY WISH TO KNOW THAT THE CHALIMBANA RIVER STILL FALLS WITHIN THE REMAINDER OF THE FOREST RESERVE.

MR SPEAKER, WITH REGARDS TO THE STATEMENT THAT WAS ISSUED IN THE MEDIA WHERE SOME COUNCILLORS FOR LUSAKA CITY COUNCIL ALLEGED NOT TO BE AWARE THAT PLANNING PERMISSION WAS GRANTED TO SEVEN (7) WOULD BE DEVELOPERS TO CARRY OUT BUILDING WORKS IN THE AREA, I MUST BE QUICK TO MENTION THAT AFTER INVESTIGATIONS I WAS RELIABLY INFORMED THAT ALL COUNCILLORS DISSOCIATED THEMSELVES FROM THE MEDIA REPORT.

SIR, I ALSO WISH TO PLACE ON RECORD THE FACT THAT ON **2ND MAY 2019** THE PLANNING AND INFORMATION MANAGEMENT SYSTEM COMMITTEE SAT AND APPROVED APPLICATIONS FOR BUILDING PERMITS. FURTHER, THE FULL COUNCIL THAT SAT ON **28TH JUNE 2019** APPROVED THE SUBMISSIONS OF THE ABOVE COMMITTEE.

SIR, THE BUILDING PERMITS IN QUESTION WERE APPROVED IN ACCORDANCE WITH THE URBAN AND REGIONAL PLANNING ACT OF 2015.

SIR, IN ORDER TO MITIGATE ANY POTENTIAL NEGATIVE

ENVIRONMENTAL EFFECTS DUE TO THE CONSEQUENCE OF THE PARTIAL DEGAZETTING OF LUSAKA EAST LOCAL FOREST NO.27, MY MINISTRY IS ENGAGING RELEVANT KEY STAKEHOLDERS TO ADDRESS ENVIRONMENTAL ISSUES IN THIS AREA AS STIPULATED IN THE FOLLOWING LAWS:

1. THE WATER RESOURCE MANAGEMENT ACT NO. 21 OF 2011;
2. THE URBAN AND REGIONAL PLANNING ACT NO. 3 OF 2015;
AND
3. THE ENVIRONMENTAL MANAGEMENT ACT (EMA) NO. 12 OF 2011.

MR SPEAKER, I WISH TO INFORM THIS AUGUST HOUSE THAT MY MINISTRY HAS SINCE ENGAGED KEY STAKEHOLDERS NAMELY: THE ZAMBIA ENVIRONMENTAL MANAGEMENT AGENCY (ZEMA); MINISTRY OF LOCAL GOVERNMENT AND THE WATER RESOURCES MANAGEMENT AUTHORITY (WARMA) WHO ARE ON BOARD TO ADVISE ON ENVIRONMENTAL MATTERS TO ENSURE THAT THE ENVIRONMENT IS PROTECTED.

SIR, ON THE WAYFOWARD MY MINISTRY SHALL CONTINUE TO CONSULT ALL RELEVANT STAKEHOLDERS CONCERNED BEFORE

ANY EXCISION OR DEGAZZETION OF PROTECTED FOREST AREAS FOR ANY DEVELOPMENTS IN ECOLOGICALLY SENSITIVE AREAS ARE CONSIDERED.

MR. SPEAKER, AS I CONCLUDE I WISH TO STATE THAT THE MINISTRY ALWAYS UNDERTAKES CAREFUL EVALUATIONS OF ANY PROTECTED FOREST AREA PROPOSED FOR EXCISION OR DEGAZZETION BEFORE MAKING ANY DECISION IN FAVOUR OR AGAINST. FURTHERMORE, GOVERNMENT WILL ENSURE THAT NEW AREAS ARE IDENTIFIED WHICH CAN BE GAZETTED AS PROTECTED FOREST AREAS TO SERVE AS PROTECTION AND PRODUCTION AREAS ACROSS THE COUNTRY.

MR. SPEAKER, I THANK YOU.