

Thursday, 5th December, 2019

MINISTERIAL STATEMENT

ON

STATUS OF LUSAKA EAST LOCAL FOREST NO. 27

BY

THE HON. MINISTER OF LANDS AND NATURAL RESOURCES MS KAPATA, MP

Madam 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 Hon. Gary Nkombo, Member of Parliament for Mazabuka Central on the status of the Lusaka East Local Forest No. 27.

Madam Speaker, the Lusaka East Local Forest No. 27 was set aside as a Forest Reserve No. 27 with an area approximately of 1,814 ha 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 produces at local level while maintaining its biodiversity and continue regeneration.

Madam, in order for the hon. Members of this House and the citizens at large to understand the extent of Forest No. 27, I would like to give a physical description of the area. The forest reserve starts from the junction of Twin Palm Road and the road leading to Bauleni, bordering new Leopards Hill Cemetery. The forest boundary then proceeds to the North East along the Twin Palm Road for about 5 km, encompassing the Zambia Air Force (ZAF) installation and bordering the new National Pension Scheme Authority (NAPSA) developments. The boundary proceeds south-easterly, crossing the Chalimbana River for about 2.4 km and proceeds along the same line for about 2.2 km. The boundary proceeds southwards for about 3.5 km crossing the State Lodge Road. The forest's boundary then proceeds in the north-western direction for about 5 km to the road that leads to the Co-operative College from Bauleni Township. It continues in the north-westerly direction bordering Bauleni Township for about 2.4 km to the junction of Twin Palm Road.

Thursday, 5th December, 2019

Madam Speaker, the first excision of approximately 50 ha was done in 1957 to create two farms that were allocated to 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, the Government decided to regazette it in 1996 through issuance of Statutory Instrument No. 161 of 1996 to continue with its function of protection and production.

Madam Speaker, during the period of cessation, several properties were created, namely Lot/10607/M and Lot/6494/M. Further, it was during this same period that the area was declared a protected area under the Protection Areas Act and ZAF occupied some portions for special projects.

Madam Speaker, it is important for this august House to know that Forest No. 27 is not the first protected forest area to have been excised or degazetted. Among the notable ones are:

- (a) the Lushishi National Forest No. 11, Order 2007, pursuant to Statutory Instrument No. 6 of 2007, which excised an area of 2,880 ha leaving a balance of 3,513 ha in Lufwanyama;
- (b) the Ichimpe National Forest No. 8, Order 2007, pursuant to Statutory Instrument No. 2 of 2007 which excised an area of 3,579 ha leaving a balance of 5,665 ha in Kitwe;
- (c) the Mufulira Local Forest No. 42, Order 2007, pursuant to Statutory Instrument No. 3 of 2007, which excised an area of 1,200 ha leaving a balance of 5,233 ha; and
- (d) the Lusaka South Local Forest No. 26, Order 2007, pursuant to Statutory Instrument No. 82 of 2007, which excised an area of 3,957 ha leaving a balance of 2,698 ha.

Thursday, 5th December, 2019

Madam Speaker, I wish to state that after the 1957 excision and developments between 1983 and 1996, Lusaka East Forest No. 27 remained with the area of 1,764 ha. As earlier stated, approximately 716 ha remains as a protected forest area following partial degazetion undertaken as follows:

- (a) in August 2017, 67 ha was excised pursuant to Statutory Instrument No. 62 of 2017 and 109 properties were created and allocated to individuals;
- (b) in July 2018, 504 ha was excised pursuant to Statutory Instrument No. 59 of 2018, and allocated to the Zambia Air Force (ZAF) to continue with its special projects; and
- (c) in February 2019, 477 ha was excised pursuant to Statutory Instrument No. 13 of 2019. The purpose of this excision was to regularise the ZAF housing project which occupies about 367 ha. The remaining 110 ha was re-planned into 347 plots for residential and mixed use and subsequently allocated to members of the public.

Madam Speaker, the above areas have been excised pursuant to the Forest Act No. 4 of 2015 of the Laws of Zambia. 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, the Government decided to excise Lusaka East Local Forest No. 27 to allow Lusaka District meet its growing development needs.

Madam Speaker, hon. Members may wish to know that when arriving at the decision to make this excision, environmental concerns were taken into account. These include the need for common user services such as water and sanitation minimising the felling of trees as developers undertake developments, the need to minimise paving by the developers and maintaining the ecosystem close to its original state.

Thursday, 5th December, 2019

Madam Speaker, the remaining area of 716 ha will ensure that the Lusaka Local Forest No. 27 continues to perform its initial purpose of gazetion and serve as a protection and a production area.

Madam Speaker, there has been a lot of debate following the Government decision to partially degazette Lusaka East Local Forest No. 27. Petitions to withdraw Statutory Instrument No. 62 of 2017, Statutory Instrument No. 59 of 2018 and Statutory Instrument No. 13 of 2019 have been submitted.

Madam Speaker, 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 could 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.

Madam Speaker, with regard to the statement that was issued in the media, where some councillors of the Lusaka City Council (LCC) alleged not to be aware that planning permission was granted to seven would-be developers to carry out building works in the area, I must be quick to mention that after investigation, I was reliably informed that all councillors dissociated themselves from the media report.

Madam Speaker, 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 submission of the above committee.

Madam Speaker, the building permits in question were approved in accordance with the Urban and Regional Planning Act of 2015. In order to mitigate any potential negative environmental effects due to the consequence of the partial degazetion of Lusaka East Local Forest No. 27, my ministry is engaging relevant key stakeholders to address environment issues in this area as stipulated in the following laws:

Thursday, 5th December, 2019

- (a) the Water Resource Management Act No. 21 of 2011;
- (b) the Urban Regional Of Planning Act No. 3 of 2015; and
- (c) the Environmental Management Act No. 12 of 2018.

Madam Speaker, I wish to inform this august House that my ministry has since engaged key stakeholders, namely the Zambia Environment Agency (ZEMA), the Ministry of Local Government and the Water Resource Management Authority (WARMA). These are on board to advice on environmental matters to ensure that the environment is protected.

Madam Speaker, on the way forward, my ministry shall continue to consult all relevant stakeholders concerned before any excision or degazation of protected forest areas for any developments in ecologically sensitive areas is considered.

Madam Speaker, as I conclude, I wish to state that the ministry always undertakes careful evaluation of any protected forest area proposed for excision or degazation before making any decision in favour or against. Furthermore, the 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.

I thank you, Madam Speaker.