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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

අංක 1466/26 – 2006 ඔක්තෝබර් 13 වැනි සිකුරාදා – 2006.10.13

No. 1466/26 – FRIDAY, OCTOBER 13, 2006

(Published by Authority)

PART I : SECTION (I) — GENERAL

Government Notifications

L.D-B. 4/81 (ii).

THE NATIONAL ENVIRONMENTAL ACT, No. 47 OF 1980

Order under Section 24C and Section 24D

BY virtue of the powers vested in me by Section 24C and Section 24D of the National Environmental Act, No. 47 of 1980, I, Maithripala Sirisena, Minister of Environment, do by this Order, declare –

- (a) that the limits of the area of land described in Schedule I hereto shall be an environmental protection area for the purposes of the aforesaid Act and shall be called the “Muthurajawela Environmental Protection Area” ;
- (b) that for so long as this Order is in force –
 - (i) any planning scheme or project within the aforesaid protection area which is in conflict with the provisions of the aforesaid Act, shall cease to operate from the date of the making hereof ;
 - (ii) no person other than the Central Environmental Authority shall exercise any powers or discharge any functions within the limits of the aforesaid Muthurajawela Environmental protection area ;
 - (iii) the powers and functions of the Central Environmental Authority (Permitted Uses) shall in relation to the aforesaid environmental protection area, be limited to those specified in Schedule II to this Order and shall be exercised and discharged in accordance with the conditions specified in Schedule III hereto ; and
- (c) that the Order published under Sections 24C and 24D and published in *Gazette* Extraordinary No. 1358/16 of September 15, 2006, is hereby rescinded.

For the purposes of this Order “Central Environmental Authority” means the Authority established under the National Environmental Act, No. 47 of 1980.

MAITHRIPALA SIRISENA,
Minister of Environment.

Colombo,
12th October, 2006.

SCHEDULE I

LIMITS OF THE MUTHURAJAWELA ENVIRONMENTAL PROTECTION AREA

All that area of State land in extent 206, 678 Hectares in extent, called Kahata Meda Welyaya, Muthurajawela situated in the District of Gampaha in the Western Province in the Ragam Pattu of Pattiyaawela Village in the Divisional Secretary's Division of Wattala depicted as Lots 1, 2 and 3 in Survey Plan No. GRM 2722 of 19.08.1997 and bounded as follows : –

SCHEDULE I - (Contd.)

- North* : by Block 2 of Survey Plan No. 2271 ;
East : by Block 3 of Survey Plan No. 2271 called Muthurajawela Marsh Land ;
South : by a parallel line to the Ela which is located towards the South, proceeding 400 metres from the Northern Bank towards the North, as depicted in the Original Village Plan bearing No 2722 ;
West : by the Ela.

SCHEDULE II

PERMITTED USES

1. Biodiversity Parks (Marsh gardens, exhibiting typical wetland fauna and flora in their natural environment).
2. A golf course. (This should be confined to the Southern end of the Muthurajawela Environmental Portection Area).
3. Nature Parks.
4. Eco-friendly Restaurants.
5. Field / Visitor Centres.
6. Field Laboratories for nature studies by schools.
7. Mini Conference Centres.
8. Raised board walks, decks on stilts.
9. Nature trails, hides, observation towers, canopy walkways and the like.
10. Camping, Picnicking, Bird-watching, and similar activities, whilst ensuring that the natural habitat is not disturbed.
11. Outdoor fitness / Exercise facilities.
12. Visitor cum Information Centres.
13. Wetland Museums.
14. Eco-tourism (*i.e.* only small-scale, eco-friendly, troustic development such as cabanas on stilts).
15. Wetland Adventure Parks.
16. Other nature based recreational activities.
17. Water-transport if carefully integrated and operated.
18. Wetland forestry.

SCHEDULE III

CONDITIONS SUBJECT TO WHICH PERMITTED USES ARE TO BE CARRIED OUT

Development shall be carried out without disturbing vitally important plant and animal habitats with the declared area. Flood storage capacity shall be maintained in accordance with a storm water drainage management plan approved by the SLLRDC. The following conditions shall also be adhered to -

- (a) The minimum plot size shall be 50 ac.
- (b) The maximum permitted filled area, except land used for a golf course, if needed for roads, vehicle parking, toilets and sewage, treatment or septic tanks, shall be 2% of the site area.
- (c) The maximum permitted plot coverage (area covered by buildings) of the total project area shall be 2%, all on stilts except toilets which may be on filled land.
- (d) the maximum area permitted for infrastructure including roads, parking areas, walkways, cycle-ways (whether within or outside filled areas) and sewage disposal / treatment facilities, shall be less than 4% of the site rea.

- (e) The maximum permitted ground floor area of an individual building shall be 100 sq. m.
- (f) The maximum permitted building height from the natural ground level (except in the case of a few look-out posts / observation towers / tower hides which are compatible with the overall concept) shall be 7 metres.
- (g) all buildings except toilets shall be on stilts in wetland (not filled area). They shall be isolated or in aesthetically pleasing clusters, with visually compatible, attractive "rood-scapes". they shall not block views of the open area from adjoining public roads and other public areas and they should be environmentally friendly.
- (h) in any area permitted for filling, sustainable storm water drainage systems shall be used, integrating on-site storage, infiltration, soak ways and aquifer recharge, will be minimizing downstream discharge and preventing increased upstream flooding.
- (i) on areas of outstanidng landscape / ponds / stream / wildlife habitats / cultural / historical value should be conserved.
- (j) a vegetation cover of 15 meters should be maintained along the boundary of the declared environmental protection area, with suitalbe indigenous species.
- (k) if the proposed project is not prescribed under the part IV C of the National Environmental Act, an environmental Impact Assessment should be carried out (in accordance with provision of Section 10H) of the National Environmental Act) for evaluation prior to granting the approval of the CEA.
- (l) if the proposed project is a prescribed under the Part IV C of the National Environmental Act, approval for the project should be obtained under the provisions of the said Part.
- (m) the report will be evaluated by an appropriate committee appointed by the CEA.
- (n) a Monitoring Committee will be appointed to minitor the project activities.
- (o) an Administrative Levy Scheme will be prepared and adopted by the CEA, in order to process and evaluate the Project Proposal and Monitor the project activities.