

Mainstreaming Disaster Risk Reduction into approval permits of development activities in the coastal areas of Sri Lanka



A Priority Implementation Partnership (PIP) undertaken by the Disaster Management Centre (DMC), Ministry of Disaster Management and the national agencies responsible for planning, construction and approving housing related development in Sri Lanka.

Under the Regional Consultative Committee on Disaster Management (RCC) Program on Mainstreaming Disaster Risk Reduction (DRR) into Development in Asia.

implemented by



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AusAID



■ Introduction

Being an island nation, the 1620 square kilometre of coastline with geomorphological features such as headlands, bays, lagoons, peninsulas and islets, plays an important role in the socio-economic development of Sri Lanka. It is highly populated with 59 per cent of the total population residing along the coast. For example the south-western coastal districts stretching from north of Colombo to Galle, constitute of 15 per cent of the total land area, but more than 40 per cent of the island's total population reside in this area. This growing increase in population has increased the demand for proper infrastructure, employment opportunities, service facilities and housing stock along the coastal zone. This creates pressure on the land, which is scarce. Furthermore, it also increases the exposure of coastal development to impacts of natural hazards such as flooding, storm surges, sea level rise and tsunamis. For example in the 2004 Indian Ocean Tsunami, approximately 80,000 houses were completely destroyed and more than 40,000 partially impacted (ADB, 2005).

The importance of reducing impact of hazards on the coastal development is increasingly being recognized by Government of Sri Lanka and especially after the 2004 Indian Ocean Tsunami. Thus the Coastal Zone Management Plan calls for adoption of non-structural and structural mitigation measures in planning and implementation of development activities.

To address some of these problems through a partnership based approach, the Disaster Management Centre (DMC) under the Ministry of Disaster Management, Sri Lanka, has been implementing the Priority Implementation Partnership (PIP) on mainstreaming disaster risk reduction (DRR) into housing sector in Sri Lanka. The Phase 1 of the PIP was implemented in 2008-2009 and the phase 2 over the period of 2009-2011. The primary objective of

this initiative is to strengthen the partnership between national agencies involved in housing development and provide support through each other and through relevant national technical agencies in integrating DRR in on-going and planned housing development initiatives including approval procedures. The adjacent box shows the composition of the Technical Working Group (TWG) formed in year 2008 to implement the PIP under the leadership of Ministry of Disaster Management.

With the rapid development of the coastal zone in the country, it was recognised by the PIP that the Coast Conservation Department (CCD) under the Ministry of Defence has a vital role in integrating DRR in the approval and regulatory process of development activities in the coast. Accordingly the PIP recommended to provide technical support to CCD in integrating DRR in the approval permits of development activities along the coast and integrating DRR in the Coastal Zone Management Plan of Sri Lanka.

This case study describes the activities undertaken by CCD under the PIP to integrate DRR in the approval permits of development activities along the coast.

PIP-TECHNICAL WORKING GROUP

Chair

Disaster Management Centre

Members

Ministry of Construction, Engineering Services,
Housing and Common Amenities

Ministry of Nation Building and Estate Infrastructure
Development

Ministry of Public Administration and Home Affairs

Ministry of Local Government and Provincial
Councils

Ministry of Fisheries and Aquatic Resources

Ministry of Irrigation and Water Management

Central Environmental Authority

Coast Conservation Department

Urban Development Authority

National Physical planning Department

National Housing Development Authority

Sri Lanka Land Reclamation and Development
Corporation

National Building Research Organisation

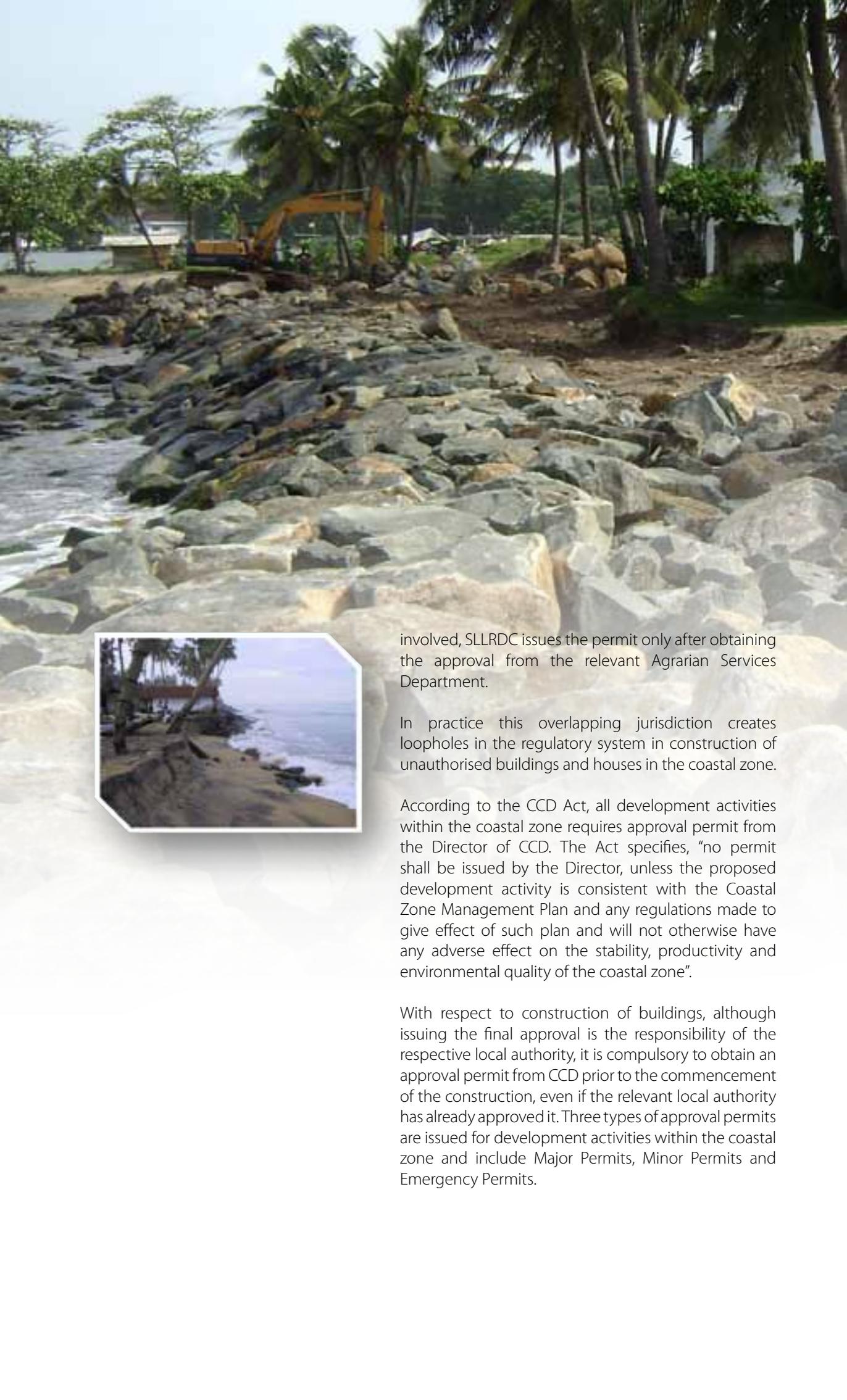
Rana Viru Sewa Authority



■ Integrating DRR in approval permits of coastal development activities

In coastal areas, two agencies, namely, CCD and the Urban Development Authority (UDA) are responsible for planning and regulation of development activities. In fact, one kilometre from the Mean High Water line of sea is designated as “**urban development area**” under the UDA regulations and subjected to planning and regulatory requirements. Hence all construction in coastal zone requires an approval from the CCD. In areas declared as urban areas the primary approval is by the UDA, and then by the respective urban local authorities (ULAs), prior to which CCD permit is a requirement. Other areas, not declared as urban generally come under the authority of the National Physical Planning Department (NPPD). While no formal approval is required from the NPPD, the local authorities (LAs) grant approval for the new development after obtaining the CCD permit. In both situations, with respect to minor activities such as construction of houses, authority for the issuance of CCD permits has been delegated to the respective divisional secretaries/authorised officers in the coastal areas. For larger projects including large housing schemes, CCD directly issues the permits.

There are other agencies that have some regulatory authority in coastal areas, viz., Central Environmental Authority (CEA), Sri Lanka Land Reclamation and Development Corporation (SLLRDC) and National or Provincial Agrarian Services Departments as relevant. While no approval is required from CEA for minor activities such as housing, Environmental Impact Assessment (EIA) is a requirement for larger categories of projects including large housing schemes. For filling of low land for development SLLRDC permit is a requirement. If filling of abandoned paddy lands are



involved, SLLRDC issues the permit only after obtaining the approval from the relevant Agrarian Services Department.

In practice this overlapping jurisdiction creates loopholes in the regulatory system in construction of unauthorised buildings and houses in the coastal zone.

According to the CCD Act, all development activities within the coastal zone requires approval permit from the Director of CCD. The Act specifies, "no permit shall be issued by the Director, unless the proposed development activity is consistent with the Coastal Zone Management Plan and any regulations made to give effect of such plan and will not otherwise have any adverse effect on the stability, productivity and environmental quality of the coastal zone".

With respect to construction of buildings, although issuing the final approval is the responsibility of the respective local authority, it is compulsory to obtain an approval permit from CCD prior to the commencement of the construction, even if the relevant local authority has already approved it. Three types of approval permits are issued for development activities within the coastal zone and include Major Permits, Minor Permits and Emergency Permits.



MAJOR PERMITS

Major Permits are directly issued either by the Director or any other authorised officer of CCD. According to the regulations published in the Gazette of the Democratic Socialist Republic of Sri Lanka no 260/22, 1983, development activities are not to;

1. Infringe on public access to the beach
2. Result in the discharge of unacceptable level of effluents or toxic substance
3. Reduce the quality of beaches or effect their preservation
4. Dislocate any fishing activity
5. Affect the ecosystem where such development activity is located in or adjacent to an area declared a marine sanctuary
6. Be located or sited in places of religious worship
7. Be located in recreational areas or wildlife habitats.

Most important, the proposed development activity is to be sited so as to allow an adequate buffer zone to accommodate the dynamics of coastal processes.

MINOR PERMITS

Minor permits are issued for selected activities initiated based on the 1990 Coastal Zone Management Plan, by the Divisional Secretary or an authorised officer to whom authority is delegated by the Director CCD under section 5 of CCA no 57 of 1981 and its amendment no 64 of 1988. Minor permits are issued only for the construction or extension of houses which have total floor area not more than 1500ft² and commercial structures which have total floor area not more than 350ft² located in coastal zone landward of 100m buffer zone for Southwest and South coast landwards of 200m buffer zone for Northwest and East coast. In addition to that Divisional Secretaries are responsible for issuing minor permits for the removal of sand up to two cubic meters from the location specified by the CCD in coastal zone.

EMERGENCY PERMITS

Under emergency conditions such as natural hazard or any distraction caused to life of people or public/private property, director CCD or Divisional Secretary of a divisional secretariat or an authorised officer can issue an emergency permit as a temporary measure, validity period not exceeding one week.

LOCAL AUTHORITY APPROVAL PROCESS

The Local Authorities practice a separate process for approval permits. They are mandated to undertake physical planning, and deal with several partners at national and provincial levels while doing so. These include the UDA, NPPD, CCD, and provincial councils. All new construction and modifications to current buildings need to be approved by the appropriate local authority. A planning committee exists in every LA to facilitate the approval procedure, and is generally headed by the Mayor/Chairman. Once the application is submitted to the LA for approval, the team of technical officers (in ULAs) or Public Health Inspectors (PHIs) (other LAs) usually undertakes site inspection. Local Authority officials typically consider compliance with existing planning regulations, ventilation requirements, street line certificates, fire gaps, distance between toilets, etc. The inspection report is submitted to the planning committee, which in addition must include the recommendation from UDA. The committee grants approval if the application fulfils the conditions. The approval process generally takes 40-50 days. At the completion of both new construction and modifications, the Local Authority issues a Certificate of Conformity (COC). Buildings not carrying a COC are considered as illegal constructions.

REVIEW OF CCD APPLICATION FORM UNDER PIP

Under the PIP, the application form of CCD was reviewed. It was recognised that the approval procedure simply requires the name and address of the applicant, the nature and location of the proposed development activity, existing uses and an indication of whether the area is subject to erosion and accretion. Those who apply for other permits are also required to indicate relevant information in the application form. Copy of the design of the building foundation and survey plan prepared by a licensed surveyor indicating the location of the activity relative to the high water mark and the permanent vegetation line are required to be attached with the application form. A CCD official visits the site of each application as part of the review process.

Based on these findings the PIP recommended to add additional specifications in the approval permit form, which would ensure that the proposed project is not at risk from natural hazards and at the same time would not contribute to the risk. These specifications include categorisation of the hazard zone under which the proposed development activity falls, certification of building codes and construction practices by engineers. In addition, regardless of the size of the construction or type of development project in coastal areas, the developer should undertake the Environmental Impact Assessment (EIA) with DRR integrated in it. CCD would include these recommendations as an annexure to the current approval permits.



■ Way Forward

Apart from implementing the recommended activities in order to make the approval permits for development along the coast more effective, the PIP recommended issuing of joint approval permits by the Local Authority and CCD. This process would have several advantages. First of all the capacity within the CCD is not enough to keep up with the rapid pace of development along the coastline and to be involved in monitoring the post construction process of development activities. However, if the processes are merged, the Local Authorities could accomplish the task of monitoring, which is already responsible for undertaking regular monitoring. In specific cases, the CCD could be consulted. The Regional Engineers of CCD can be a part of the planning committee under the Local Authority and responsible for ensuring accordance of the applications with the development regulations of the coast.

Secondly, the local population is better aware of the approval procedures of the Local Authorities compared to the ones by CCD. Thus merging the two processes would simplify the procedures and ensure higher chances of proper approval processes being followed. This would also enable involvement of CCD in the issuance of Certificate of Conformity.

The PIP also suggested that the current approval procedures within CCD could further be improved with decentralizing the process and involving the local engineers who have a better knowledge of the coasts and the local risks.

The CCD is also in the process of developing risk maps and which when made available to development planners in future would contribute towards planning and implementation of safer development along the coast.



This case study is part of a series of case studies developed to share the experiences of the Priority Implementation Partnership (PIP) in Sri Lanka on mainstreaming DRR into the housing sector. Coast Conservation Department (CCD) of the Ministry of Defence has led the activities described here in partnership with the Disaster Management Centre under the Ministry of Disaster Management of the Government of Sri Lanka. The Asian Disaster Preparedness Center (ADPC) and AusAID provided technical and financial support to the PIP respectively.

The PIP has been implemented under the Program of the Regional Consultative Committee on Disaster Management (RCC) on Mainstreaming disaster risk reduction into development. For more information on the program please visit www.rccdm.net

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