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The Gazette of the Democratic Socialist Republic of Sri Lanka
EXTRAORDINARY

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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, Patali Champika Ranawaka, Minister of Environment and Natural Resources do by this Order, declare –

- (a) that the limits of the area of land described in the Schedule I hereto shall be an environmental protection area for the purposes of the aforesaid Act and shall be called the “Thalangama Environmental Protection Area”, and
- (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 Thalangama 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.

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

PATALI CHAMPIKA RANAWAKA,
Minister of Environment and Natural Resources.

Colombo,
23rd February, 2007.

SCHEDULE I

LIMITS OF THE THALANGAMA ENVIRONMENTAL PROTECTION AREA

- North* : Commencing from the southern corner of the Pottewela Anicut and proceeded from the centre line of the Depa Ela to the middle line of the Udawatte Road ;
- East* : Proceeding from the centre line of the Depa Ela which flows parallel to Udawatte Road towards Pothuarawa Road, thereafter from the centre of the road along the same line of the Depa Ela to the Eastern boundary of the Avarihena Wewa ; then from the Southern boundary of the lake, across the centre line of Avarihena Road up-to the point that it meets the Heen Ela ; from there along the centre line of the Heen Ela in a South Westerly direction to the centre point of the end of Wewa road ; from there onwards from the centre line of the Southern bank of Depa Ela to the centre point of the Hokandara – Thalawathugoda main Road ;
- South* : From the last mentioned point in a line drawn along the centre line of the Hokandara – Thalawathugoda main road towards left bank of the Thalangama Tank on the centre point of the Depa Ela ;
- West* : From there onwards from the point through the centre line of the Thalangama Tank towards the Northern direction of the left bank of the Thalangama Tank until it crosses the Wewa road and proceeds in a northerly manner from this point across the centre line of the Pothuarawa Road ; from there from the centre line of the Depa Ela to the centre line of the Pottewela Anicut Road ; from there onwards from the centre line of the Pottewela Anicut Road to the starting point.

SCHEDULE II

PERMITTED USES

1. The cultivation of paddy.
2. Fishing.
3. Nature trails.
4. Construction of towers for the observation of Birds.
5. An Environmental Educational Information centre and a sales outlet.
6. Construction of a Security Post.

SCHEDULE III

CONDITIONS SUBJECT TO WHICH PERMITTED USES ARE TO BE CARRIED OUT

- (a) Construction of security posts shall be constructed in limited numbers and shall be of a semi-permanent nature, always ensuring that the environment shall not be disturbed.
- (b) Only the area alongside the Depa Ela and the mud bunds (*niyara*) of the paddy fields can be used for the purpose of Nature trails.
- (c) Construction of bird observation towers shall be constructed in limited numbers and shall be of a semi-permanent nature, always ensuring that the environment shall not be disturbed. Trees existing within the area can be used for this purpose.
- (d) Only traditional fishing activities are permitted within the environmental protection zone. No motor boats will be allowed therein.
- (e) No barriers or activities which hinder the sustainability of the environmental protection zone will be permitted. Any barrier or activity so erected or carried out shall be forthwith removed or stopped by the CEA.
- (f) Permitted uses shall be carried out in such a manner as not to disturb the general life pattern of life and the livelihood of the villagers.

- (g) The permitted uses should be carried out in consultation with the Central Environmental Authority (CEA), the Urban Development Authority (UDA), the Agrarian Development Department (ADD), the Department of Irrigation (ID), the Sri Lanka Land Reclamation and Development Corporation (SLLR & DC), and the relevant Local Authorities and in keeping with the general standards applicable hereto.
- (h) The prior approval of the CEA should be obtained for any development of any infrastructure facilities.
- (i) If the permitted uses described in the Schedule II is a prescribed project under the Part IV C of the National Environmental Act, approval should be obtained accordingly.
- (j) If the proposed project is not prescribed under the Part IV C of the National Environmental Act, an Environment 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.
- (k) The report will be evaluated by an appropriate committee appointed by the CEA.
- (l) A Monitoring Committee will be appointed to monitor the project activities.
- (m) 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.

03-604/1

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, Patali Champika Ranawaka, Minister of Environment and Natural Resources do by this Order, declare –

- (a) that the area of land, the limits of which are described in Part I and Part II of the Schedule I hereto shall together be an environmental protection area for the purposes of the aforesaid Act and shall be called the “Lake Gregory Environmental Protection Area”, and
- (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 Lake Gregory Environmental Protection Area ;
 - (iii) the powers and functions of the Central Environmental Authority (Permitted Uses) shall in relation to the aforesaid Lake Gregory 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.

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

PATALI CHAMPIKA RANAWAKA,
Minister of Environment and Natural Resources.

Colombo,
23rd February, 2007.

SCHEDULE I

LIMITS OF THE LAKE GREGORY ENVIRONMENTAL PROTECTION AREA

PART I

- North* : From the junction at which meets the eastern end of the Dun Short Cut and Upper Lake Road, upto the point which starts the Magastota eastate road on the Upper lake road ;
- East* : From the last mentioned point upto the Magastota junction of the Welimada – Nuwara Eliya main road ;
- South* : From the last mentioned point toward the Western direction until it meets. Race Course Road of the Welimada – Nuwara Eliya main road ;
- West* : From the last mentioned point along the line drawn upto the Eastern end of the Dun Short Cut of the Upper Lake Road.

PART II

- North* : From the starting point of the Abepura Road of the Nuwara Eliya – Welimada Main Road towards the Eastern direction until it meets starting point of Gamunupura road ;
- East* : From the above mentioned point along the Gamunupura Road and Dharmarama temple road upto entrance of the Dharmarama temple and along the Western boundary of the Dharmarama temple until it meets 50 m. contour of the High Flood Level of the Gregory Lake ;
- South* : From the last mentioned point toward Western direction along the 50 m. contour line of the Fully Supply Level until it. intersects the line drawn along weir of the Gregory Lake ;
- West* : From the last mentioned point line drawn along the weir of the Gregory Lake until it meets foot path and along the foot path and Abepura road until it meets the Nuwara Eliya – Welimada main road.

SCHEDULE II

PERMITTED USES

1. In accordance with the Order published in *Gazette Extraordinary* No. 1337/16 of 23rd April, 2004 specifying the Development Plan for the Nuwara Eliya Municipal Council area, establishing and maintaining : –

- (a) Eco-friendly restaurants, semi permanent structure.
 - (b) Parks and play gorunds.
 - (c) Fairs and exhibitions of a temporary nature.
 - (d) Recreational clubs
 - (e) Aquariums.
 - (f) Camping, picnicking site.
 - (g) Small food courts.
 - (h) Utility service relatd structures.
2. Visitor Centres and information centre.
 3. Outdoor fitness facilities.
 4. Caravan parking sites.
 5. Other nature based recreation activities.

6. Water transport if carefully integrated and operated.
7. Water sports : Rowing, Sailing, Pelasure Boating, Pedalos.
8. Jetties and piers.
9. Marsh parks.
10. Theme parks.
11. Forests.
12. Game (Angling) Fishing Decks.
13. Decks on stilts.
14. Foot path, walk ways, Cycle ways, Bridle ways.
15. Ponds and cascades.

SCHEDULE III

CONDITIONS SUBJECT TO WHICH PERMITTED USES ARE TO BE CARRIED OUT

1. All development shall be carried out without disturbing vitally important plant and animal habitats.
2. All areas of outstanding landscape/wildlife habitats/cultural/historicla vlaue should be conserved.
3. All development projects whether existing or proposed should have its own integrated management plan for soil conservation, storm water drainage, waste management and landscape works. The plan should be prepared in consultation with Department of Agriculture, Sri Lanka Land Reclamation and Development Corporation, Urban Development Authority, Central Environmental Authority and Sri Lanka Tourist Board as the case may be. Such plan should thereafter be implementd and maintained accordingly.
4. No structures which will block the acquatic enviromment are allowed.
5. A reservation area of 10 metres from the full supply levl of the lake should be kept.
6. Only environmental friendly recreational infrastructure (temporary) are allowed at specific location within the reservation area.
7. A reservation area should be landscaped in keeping with the approved development plan.
8. A permanent forest cover should be maintained in the area described under Part II of Schedule I.
9. All existing large trees (more than 3 feet GBH) should be protected.
10. The maximum permitted height of the structure from the ground level shall be according to the approved development plan.
11. If the permitted uses described in the Schedule II is a prescribed project under the Part IV C of the National Environmental Act, approval should be obtianed accordingly.
12. If the proposed project is not a prescribed under the Part IV C of the National Environmental Act, an Environmental Assessment should be carried out (in accordance with provision 10H of the National Environmental Act) for evaluation prior to granting the approval of the CEA.
13. The report will be evaluatd by an appropriate committee appointed by the CEA.
14. A Monitoring Committee will be appointd to monitor the project activities.
15. An Adminstrative Levy Scheme will be prepared and adopted by the CEA, in order to process and evaluate Project Proposal and Monitor the project activities.