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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

අංක 2336/57 - 2023 ජුනි මස 15 වැනි බ්‍රහස්පතින්දා - 2023.06.15
No. 2336/57 - THURSDAY, JUNE 15, 2023

(Published by Authority)

PART I : SECTION (I) — GENERAL

Government Notifications

NOTICE OF ESTABLISHMENT OF APPEAL COMMITTEE FOR DEVELOPMENT PERMITS AND SECRETARIAT UNDER SECTION 8(J)(5) OF THE URBAN DEVELOPMENT AUTHORITY LAW, No. 41 OF 1978, AS AMENDED BY URBAN DEVELOPMENT AUTHORITY ACT, No. 4 OF 1982

NOTICE is hereby given to the General Public of the Democratic Socialist Republic of Sri Lanka under the statutory provisions of the Urban Development Authority Law, No. 41 of 1978 as amended from time to time that I, Prasanna Ranathunga, Minister of Urban Development and Housing by virtue of the powers vested in me under Section 8(J)(5) of the Urban Development Authority Law, No. 41 of 1978 (as amended by Urban Development Authority (Amendment) Act, No. 4 of 1982), establish a body called the Appeal Committee (hereinafter referred to as the "Appeal Committee for Development Permits") for all such areas declared by the Minister under Section 3 of the said Act as "Urban Development Areas" for the purpose of reviewing the appeals made by persons who are aggrieved by the refusal of the Authority to grant a Development permits as follows :

- (a) Grant a final decision for the appeal on Development Permits, subject to the regulations made under the Urban Development Authority Law, No. 41 of 1978 (as amended)
- (b) Appoint the following members to carry out the duties and functions of the Appeal Committee for Development Permits ;
 - (i) Secretary of Ministry of Urban Development and Housing (Chairman)
 - (ii) Chairman, Urban Development Authority
 - (iii) Chairman, Sri Lanka Land Development Corporation
 - (iv) Board Member of the Urban Development Authority appointed by the Hon. Minister



- (v) Director General, Urban Development Authority
- (vi) Additional Director General, Urban Development Authority
- (c) Summon Deputy Director General (Planning - Zone 1) or a nominated officer, Deputy Director General (Planning - Zone 2) or a nominated officer, relevant Director or an officer, as per the requirement of the Appeal Committee for Development Permits on an invitation.
- (d) Establish a Secretariat for the Appeal Committee under Chairman of Urban Development Authority to handle the matters appealed to the Minister which are refused by the Main Planning Committee, calculate the penalties based on the as-built drawings and forward and present the matters to the Appeal Committee.
- (e) Forward the recommendation of the Appeal Committee for Development Permits to the Hon. Minister for final approval.
- (f) Upon receipt of the final decision of the Hon. Minister, issue the Development permits which have been approved by the Minister, with the signature of the Chairman of the Urban Development Authority.
- (g) Conduct two Appeal Committees per month and take minimum of two files per Committee.
- (h) Follow up below guidelines by the Appeal Committee for Development Permits in regulating the unapproved constructions.
 - (i) When granting approval, the penalty charges should be calculated as follows :

| <i>Variation</i> | <i>Penalty</i> |
|--|---|
| Parking area not provided as per the regulations | Rates apply as the service charges for covering approval (as per the <i>Extraordinary Gazette Notification</i> No. 2235/54 on 08.07.2021) |
| Exceeded FAR | 50% of the estimated construction cost of the prevailing year of approval |
| Exceeded Plot coverage | 75% of the perch value of the prevailing year of approval. |

- (ii) Consider the existing or previous regulation as the prevailing regulation of the area, during the time of the construction for entire approval process :
- (iii) The Appeal Committee should not consider any constructions which violates of the regulation within Special Planning and Building Regulation of Parliament area (applicable only Zone 1 and 2), Independence Square and surrounding Area Development Guide Plan and any other special concern areas in the country :
- (iv) After the date of publication of the *Gazette*, the appeal committee should not consider any violation of the regulation within the Special Primary Residential Zone in Colombo Development Plan:

PRASANNA RANATHUNGA (M. P.),
Minister of Urban Development and Housing.

Ministry of Urban Development and Housing,
17th and 18th Floor,
“Suhurupaya”, Subuthipura Road,
Battaramulla,
15th of June, 2023.

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