

AN EXAMINATION ON THE EFFECTIVENESS OF COASTAL LEGISLATIVE FRAMEWORK TO MANAGE THE DEVELOPMENT ACTIVITIES IN THE SRI LANKAN CONTEXT

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Background

The high population density, a growing demand for food, goods and services to satisfy human needs, and the concentration of a large share of development activity within the coastal region is taking a heavy toll on natural coastal habitats and their finite resources; this often leads to resource user conflicts in coastal zone (Sri Lankan CZMP-2004). Further Ketchum (1972) stated that "Man has only recently come to realize the finite limitations of the coast as a place to live, work, and play and as a source of valuable resources. This realization has come along with overcrowding, overdevelopment in some areas, and destruction of valuable resources by his misuse of this unique environment." Further significant social, environmental and economic issues have appeared in the coastal zone with the expansion of development activities and growth of the coastal zone. Therefore minimizing the coastal user conflict was identified as the most

apparent commitment by current coastal management procedure.

With this common realization including current Sri Lankan coastal management practices further accelerated their coastal zone management legislative arrangements with principle Coast Conservation Act (CCA) No.57 of 1981. Further the major amendments were introduced to the Coast Conservation principle Act in 1988 and 2011.

The increasing rate of coastal development activities without concerning the coast conservation perspectives has been created the misuse of coastal environment. Moreover current Sri Lankan coastal legislative framework has come to the critical level due to the accumulation of coastal development activities and comparable abatement of the coastal natural resources. Therefore the coastal zone became an area of such conflict among

the multiple users that the lack of adequate legal framework combined with a lack of co-operation among agencies. This leads to inadequate management, or simple avoidance of management.

Therefore needed comprehensive analysis to get an idea on role of the existing Sri Lankan coastal legislative framework and actually this legal framework effectively directed development activities towards conserving and managing the coastal zone.

Within this context this research was identified two objectives. 1) To identify the relationship between existing coastal legislative tools and development activities in selected coastal area. 2) To recognize the implementing issues of existing coastal development regulatory mechanism in Sri Lanka.

As identified through the literature, Sri Lankan CCA was highlighted umbrella Act to provide regulatory tools relevant to avoiding the coastal development constrains and minimizing the over development in the coastal region. In this background, the research has been focused on legislations based on the coastal development management approach adopted by Coast Conservation & Coastal Resource Management Department (CC&CRMD) in Sri Lanka.

Methodology

The research methodology basically comprised with four steps. Namely literature review, detail survey, data analysis and findings and conclusions.

Literature Review basically contributed to identify knowledge about the Legislative based Coastal management approach and to recognize existing Sri Lankan coastal development regulatory tools and its role of current coastal management procedure. Further similar case studies had been reviewed to identify other coastal management regulatory tools and approaches. As an outcome of this step, the study developed Classification of Existing Sri Lankan Coastal Development legislative tools based on the CC Principle Act No.57 of 1981, its amendment Acts and CRMP (1997 & 2004 Regulatory Chapters).

Detail survey was comprehensively discussed under the two phases. Phase 01: to carry out the quantitative base analysis conducting the questionnaire survey with selected sample in selected case study area. In here adopted with Simple Random sample method with including all categorized development activities in selected area. And also direct observations have been done in that particular area to study the real situation relevant to identified development management tools. According to Literature derived this field studies' data collection framework presents under table 1. Under the Phase 02: Data collections base on the qualitative approach, it is followed

semi structured interviews method to collect the relevant professional ideas. For that, prepare the interview guide line focuses on the highlighted regulatory tools by Literature Review and sample size was 20.

Through this step, identified data analysis techniques which were focused under each phases. To analysis the relevant data in phase 01 using Chi square Statistical method though the SPSS soft ware. Thereafter Qualitative

base research analysis technique is identified as content analysis method for the investigation of Phase 02.

Experimental results

The case study area was selected base on criteria to examine the ground level regulatory practices on managing the development activities within the coastal zone.

Table 1: Data collection framework for field studies

Existing Coastal Development Regulatory Tool	Data collection criterion	Data collection technique
Multiple setback policy	Stated set-back(Reservation and Restricted Area of Setback)	Secondary data from Galle regional office CC&CRMD
	Current (Available) set-back distance	Questionnaire survey Direct observation (Starlight Images & GPS Codes)
Development permit system	Approved floor area , Existing floor area and Nature of permit conditions Violation	Questionnaire survey Direct observation
	Level of stability of the beach front - Visible signs of erosion - Removal of vegetation	Direct observation photographic survey
Removal of	Demolition orders Issued or	Questionnaire survey

unauthorized structures	Not Issued	Direct observation
Requirement of EIA and IEE	Nature of permit condition Violation	Questionnaire survey Direct observation

The phase one findings have been explained Chi- Squire values basis hypothetical relationships in Unawatuna beach area. According to that, there is not significant relationship

of permit procedure & development activities in Unawatuna beach. Further multiple setback policy was not influenced to managing the particular area development activities. Therefore most of the development activities which were identified in Unawatuna area are unauthorized. And also according to direct observation analysis, those development activities were aggrandized the threat of coastal erosion and removal of vegetation in that particular beach front.

In the phase two was adopted qualitative based professional interview survey to further clarify the effectiveness of existing coastal development regulatory mechanism. According to the professional survey has been identified the issues of permit compliance monitoring, Permanent Vegetation Line (PVL) setback demarcations, enforcement of demolition orders, Public awareness of the legislations and demarcations of the setbacks in new extended coastal zone as the major implementing issues in faced by main responsible agency of

CC&CRM Department. It was identified that the existing regulatory tools have some constrains in managing the development activities in the coastal zone. Most of the issues were raised from the implementing stage.

The research findings have been created the clear path to carry out the comprehensive and pragmatic legislation based decision for minimizing the overdevelopment and managing the development. In addition to can be recommended, in cooperated with other decision making authorities relevant to coastal zone development plan preparation activities and increment of public participation of EIA and IEE procedure enforced to avoiding the long effect negative coastal environmental impacts. Further if not immediately adopted with the inclusive monitoring mechanism relevant to the coastal development permit procedure it will lead to increment of degradation the coastal sensitive environment.

Therefore the existing legislative based implementation mechanism should be directed towards a pragmatic and powerful administrative approach pertaining to manage the development activities within the coastal zone.

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