

**ENVIRONMENTAL RELATED DISPUTES OF  
EXPRESSWAY CONSTRUCTION PROJECTS IN SRI  
LANKA**

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179183X

Master of Science in Construction Law and Dispute Resolution

Department of Building Economics

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## DECLARATION

I thus swear that the work I have submitted is entirely original to me, and that no literature submitted for a degree or diploma programme at another university or higher education institution has been used in this dissertation. To the best of my knowledge, it doesn't include any content that has already been published or authored by another author, besides where the recognition is noted in the text.

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### **Statement of the Supervisor**

The above candidate has carried out the research for the Masters Dissertation for Dispute Resolution and Contract Law under my supervision.

Name of the supervisor: Dr. (Mrs) P.K.S.V.S. Gunatilake

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Signature of the Supervisor

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Date

## ABSTRACT

### **Environmental related disputes in expressway construction projects in Sri Lanka**

The generous purpose of constructing and developing the expressways of the Sri Lankan government to facilitate the general public through transportation. The time can be saved by avoiding the highly traffic congested roads and utilizing the expressways. But while implementation of such mega scale projects there is a high possibility to take place the disputes between internal parties or with the external parties. A country like Sri Lanka which is fully blessed with extraordinary environmental values can be affected by expressways construction projects. This study was carried out with the aim of identifying significant environmental related disputes of expressways construction projects in Sri Lanka. The main objectives of the research is to identify the types and causes of the environmental disputes, economic and social impact of them together with identification of the mitigation measures. The objectives are accomplished by the quantitative research approach and data were collected by a questionnaire survey with the aid of a Google form. Findings revealed that the nature of mostly affected in Sri Lankan expressway projects were excessive noise and vibration, bad air quality and disturbance to the drainage and water environments. Significant types of environmental disputes like disturbance to the neighborhood by activities generate too much noise and vibration, health issues affected to the locals and neighborhoods by polluted air and problems raised by the cultivators and farmers. The major causes for the environmental related disputes have been found in the survey as, changing ground conditions, lack of feasibility studies, lack of planning in brownfield sites and poor waste and disposal management system. Identified the impact of environmental related disputes to the economic and social aspects of expressways projects in Sri Lankan context by additional cost, delays to the project and local environment, communities, biodiversity respectively. Recognized the mitigation measures that can be taken to manage the identified environmental disputes like insertion of the necessary provisions to the contracts and have the legislative support.

**Key words:** *causes, environmental disputes, expressways, impact, mitigation, Sri Lanka*

## DEDICATION



*I would like to commit this to my eternal  
late parents, my beloved husband and  
daughter !*



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## LIST OF ABBREVIATIONS

ADR	- Alternative Dispute Resolution
CEB	- Ceylon Electricity Board
CIDA	- The Construction Industry Development Authority
CKE	- Colombo – Katunayake Expressway
CPM	- Critical Path Method
CRED	- Centre for Research on the Epidemiology of Disasters
DETR	- Department of the Environment, Transport & the Regions
EEC	- European Economic Community
EFL	- English as a Foreign Language
EIA	- Environmental Impact Assessment
EJO	- European Journal of Orthodontics
FHWA	- Federal Highway Administration
FIDIC	- International Federation of Consulting Engineers
GDP	- Gross Domestic Production
HSE	- Health Safety and Environment
IEE	- Initial Environment Examination
IESL	- Institute of Engineers Sri Lanka
IPCC	- Intergovernmental Panel on Climate Change
IPS	- Interim Payment Statements
IQSSL	- Institute of Quantity Surveyors Sri Lanka
ISO	- International Organization for Standardization
ISTEA	- Intermodal Surface Transportation Efficiency Act
KPI	- Key Performance Indicators
LII	- Legal Information Institute
LRTAP	- Long-range transport of air pollutants
MRICS	- Member of Royal Institution of Chartered Surveyors
NEC	- New Engineering Contracts
NGO	- Non-Government Organizations
OCH	- Outer Circular Highway
OECD	- Economic Co-operation and Development

RDA	- Road Development Authority Sri Lanka
SBD	- Standard Bidding Document
SE	- Southern Expressway
UNCED	- United Nations Conference on Environment and Development
US	- United States
WHO	- World Health Organization
RII	- Relative Importance Index

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