

ANNUAL ENVIRONMENTAL PERFORMANCE REPORT 2021



## **Document Control**

### DOCUMENT CONTROL

	Function	Name
Content	Environmental Manager	Conor Foy BSc, MSc, MIEMA, CEnv
Approval	Planning Manager	Declan Owens BSc, MSc, MIPI

### **RECORD OF CHANGES**

Revision Number	Issue Date	Summary of change	Approved
0	03/03/2021	N/A	
1	14/03/2022	Annual Review	
2			
3			

### **DISTRIBUTION LIST**

#	Function Title	Company	Name (optional)
1	HSQE Director	National Broadband Ireland	Grace Kelly
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# Contents

Foreword	1
1.0 Introduction	2
2.0 Company & Project Description	3
2.1 Report Period	4
2.2 Activities to date	4
3.0 Environmental Compliance	5
4.0 Conclusion	13
Annex 1 - Schedule 2.5 - Environmental	14
Annex 2 - Example site audit (Limerick DA057)	17



### Foreword-HSQE Director

The Annual Environmental Report ("AER") is a clear reflection of our dedication to delivering tangible results. National Broadband Ireland's ("NBI") goal is to create a strong foundation by implementing forward-looking policies to manage environmental challenges while helping to increase national awareness. An important part of my mission, as the Director of Health, Safety, Quality and Environment, is to convey this message to both our colleagues and partners.

The sustainability of the environment is of paramount importance to NBI and thus, operating in a sustainable, forward-looking fashion is imperative to ensure our strategic vision. NBI encourages sustainability and it is part of our daily practices. I'm thrilled to say, as at the date of this Annual Environmental Report, NBI successfully gained certification for ISO 14001:2015 on the 08th April 2021, This is a direct reflection of our robust policies, procedures and our comprehensive Environmental Management System.

The Department of the Environment, Climate and Communications (the "DECC"), as the contracting authority, manages the NBP contract governance. A robust governance structure has been established within the DECC to monitor contract compliance in respect of the (i) technical, (ii) governance, (iii) compliance, (iv) financial, (v) commercial and (vi) project implementation workstreams. This also includes the obligation under Schedule 6.5 (Reports and Records) of the contract to compile, provide and make accessible, an annual environmental report (Appendix 1, Ref 30).

Furthermore, Schedule 2.5 (Environmental) of the contract sets out the environmental obligations that NBI must comply with and in accordance with Clause 23 (Health, Safety, Security and the Environment) throughout the Contract Period. NBI is required throughout the Contract Period with the DECC, to satisfy and comply with all the requirements and descriptions set out in, and all other aspects of, Schedule 2.5.

In order to comply with Schedule 2.5 and 6.5 of the contract, NBI has engaged with an independent external consultant, Dynamic Safety Solutions, to review evidence of compliance against Schedule 2.5. This is NBI's second year carrying out an Annual Environmental Report, 2020 been the first report undertaken. 2021 Annual Environmental Report is based on data, documents and evidence provided to Dynamic Safety Solutions, along with various site visits to NBI's partners to assess the organisations compliance against the requirements set in Schedule 2.5 of the contract, see annexe 1.

## 1.0 Introduction

This Annual Environmental Report will assess National Broadband Ireland's ("NBI") compliance with the requirements of Schedule 2.5 (Environmental) of their contract with the Minister for Environment, Climate & Communications to design, build and operate the National Broadband Plan ("NBP") whereby NBI has to satisfy and comply with all the requirements and descriptions in accordance with Clause 23 (Health, Safety, Security and the Environment) throughout the contract period.

NBI successfully achieved certification for ISO 14001:2015 on the 08th of April 2021;, this is a direct reflection of our robust policies, procedures, and our comprehensive Environmental Management System. The ISO 14001 standard provides a systematic framework for integrating environmental management practices by supporting environmental protection, pollution prevention, waste minimisation, as well as energy and materials consumption reduction.

## 2.0 Company & Project Description

The National Broadband Plan is the largest telecommunications project undertaken by the Irish State. It aims to transform the country's broadband landscape through the delivery of high-speed broadband to all parts of Ireland where such services are not available commercially.

The network will be designed, built and operated by National Broadband Ireland, using a combination of State subsidy and commercial investment. NBI will make its services available to the entire rollout area, which accounts for 23% of the population in approximately 544,000 homes, farms, schools and businesses.

#### In summary NBI will provide:

- · A world-class, high-speed broadband network.
- · The largest telecommunications project ever undertaken by the Government of Ireland
- · Around 146,000 kilometres of fibre to connect over half a million homes, covering 96% of Irelands land mass.
- · Up to 1,800 people will be working on the project at its peak.
- High speed broadband to approximately 102,000 farms, schools and businesses in the first two years, with an additional 70,000-100,000 per year after that.
- Before the fibre can be laid, the rollout area will be surveyed completely so that all existing infrastructure can be taken into account.
- In year one, NBI will also deliver approximately 300 Broadband Connection Points (BCPs) offering high-speed broadband access across every county in the nation.
- $\cdot$  A range of wholesale services for broadband providers in the residential and business markets.
- Services to all broadband service providers.

To deliver on the commitments outlined above NBI has broken the country down into 227 separate project locations known as Design Areas ("DA"). Whilst each location will have its own specific requirements and will present its own unique challenges the approach to undertaking the works will be broadly consistent across all project locations.

## 2.1 Report Period

This Annual Environmental Report (AER) relates to the environmental compliance of NBI in 2021.

### 2.2 Activities to Date

NBI has undertaken Engineering Surveys for c.50% of the premises to be passed under the network build.

Fibre to the Home connections are now live across 16 counties. (Carlow, Cavan, Clare, Cork, Galway, Kerry, Kildare, Laois, Limerick, Louth, Monaghan, Roscommon, Sligo, Tipperary, Wexford and Wicklow.) NBI has also commenced build and connection works for three islands off Donegal and Mayo. In total, 59,722 premises are Available to Order or Pre-Order high-speed broadband services across 22 counties.

## 3.0 Environmental Compliance

The following tables provide a brief overview of the environmental obligations relating to the relevant guidelines and obligations as per Schedule 2.5 (Environmental) which NBI shall comply with in accordance with Clause 23 (Health, Safety, Security and the Environment) throughout the Contract Period.

All elements have been assessed and commented on. Interviews were conducted with NBI staff in various departments, such as Legal, Procurement, NBID Build (including Local Authority Technical Liaison PM) and HSQE. Build partners were consulted, and site visits (see Annex 2 for examples of contractor environmental reports) were undertaken to get a thorough understanding how compliance is achieved throughout the organisation.

Guideline No.	Environmental Guidance	Documentation in Place	Compliance Status
3.1.1	Control of Water Pollution from Linear Construction Projects – Technical Guidance (CIRIA Report No C648, 2006);	<ol> <li>PRG_IMS_HSQE_004_Pollution_Prevention_ Programme_P1_0_250720 in place</li> <li>PRG_IMS_HSQE_007_Surface_Water_ Management_P1_0_250720 in place</li> <li>PRG_IMS_HSQE_001_Emergency_Preparedness_ and_Response_P1_0_250720 in place</li> </ol>	Closed – Compliance evidenced to a satisfactory level.
3.1.2	Control of Water Pollution from Linear Construction Projects – Site Guide (CIRIA Report No C649, 2006);	<ol> <li>PRG_IMS_HSQE_004_Pollution_Prevention_ Programme_P1_0_250720 in place</li> <li>PRG_IMS_HSQE_007_Surface_Water_ Management_P1_0_250720 in place</li> <li>PRG_IMS_HSQE_001_Emergency_Preparedness_ and_Response_P1_0_250720 in place</li> </ol>	Closed – Compliance evidenced to a satisfactory level.
3.1.3	Control of Dust from Construction and Demolition Activities (Building Research Establishment, 2003);	PRG_IMS_HSQE_011_Air Quality_Environmental_     Dust_Management_Plan_P1_0_250720 in place	Closed – Compliance evidenced to a satisfactory level.
3.1.4	Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects (Department of Environment, Community and Local Government, 2006).	1. PRG_IMS_HSQE_005_Waste Management_ P1_ 1_051020 in place	Closed – Compliance evidenced to a satisfactory level.

# **Environmental Compliance (continued)**

3.1.5	Transport Infrastructure Ireland (formerly the National Roads Authority) construction and planning guidelines including:  A. Guidelines for the Crossing of Watercourses during the Construction of National Road Schemes;  B. Guidelines on the Management of Noxious Weeds and Non Native Invasive Plant Species on National Roads;  C. Guidelines for the Protection and Preservation of Trees, Hedgerows and Scrub Prior to, During and Post Construction of National Road Schemes;  D. Guidelines for the Treatment of Bats During the Construction of National Road Schemes;  E. Guidelines for the Creation, Implementation and Maintenance of an Environmental Operating Plan (section 7.3.7).	<ol> <li>The following documentation fulfils these guidelines:</li> <li>PRG_IMS_HSQE_004_Pollution_Prevention_Programme_P1_0_250720 (A)</li> <li>PRG_IMS_HSQE_007_Surface_Water_Management_P1_0_250720 in place (A)</li> <li>PRG_IMS_HSQE_008_Invasive_Species_Management_P1_1_051020 (1) in place (B)</li> <li>PRG_IMS_HSQE_010_Ecology Management_P1_1_051020 in place which covers items (C, D &amp; E)</li> <li>DA Specific CEMP prepared by appointed build/network partner after local authority briefing and consultation and possession of Appropriate Assessment carried out by NBI (E)</li> </ol>	Closed – Compliance evidenced to a satisfactory level.
3.1.6	BS 5228-1: 2009+A1:2014: Code of practice for noise and vibration control on construction and open sites – Part 1: Noise (Annex E);	PRG_IMS_HSQE_009_Environmental_Noise_and _Vibration_Management_P2_0_260221 in place	Closed – Compliance evidenced to a satisfactory level.
3.1.7	Assessment of Plans and Projects Significantly Affecting Natura 2000 sites – Methodological Guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC (European Commission, 2001); and	1. PRG_IMS_HSQE_010_Ecology Management_P1_1 _051020 in place. As part of project planning phase a screening for Appropriate Assessment is completed for DA's in line with the requirements of Article 6 of the Habitats Directive and the published Department of Environment, Heritage and Local Government 2009 guidelines - "Appropriate Assessment of Plans & Projects - Guidance for Planning Authorities". The directives are transposed into Irish legislation by the European Communities (Birds and Natural Habitats) Regulations 2011 (as amended).	Closed – Compliance evidenced to a satisfactory level.

# **Environmental Compliance (continued)**

3.1.8	Guidelines on Protection of Fisheries During Construction Works in and Adjacent to Waters (Inland Fisheries Ireland, 2016).	1.	PRG_IMS_HSQE_004_Pollution_Prevention_ Programme_P1_0_250720	Closed – Compliance evidenced to a satisfactory level.
		2.	PRG_IMS_HSQE_007_Surface_Water_ Management_P1_0_250720 in place	
		3.	PRG_IMS_HSQE_001_Emergency_Preparedness_ and_Response_P1_0_250720 in place	

# Table 1: Relevant Guidelines Compliance

Statutory Obligation No.	Statutory Obligation	Documentation in Place	Compliance Status
4.2.1	Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora, the European Communities (Birds and Natural Habitats) Regulations 2011 (SI No. 477 of 2011) and the Wildlife Act 1976 (as amended);	<ol> <li>PRG_IMS_HSQE_004_Pollution_Prevention_Programme_P1_0_250720 in place         As part of the project planning phase a screening for Appropriate         Assessment is completed for all DA's by NBI in line with the requirements of         Article 6 of the Habitats Directive and the published Department of         Environment, Heritage and Local Government 2009 guidelines -         "Appropriate Assessment of Plans &amp; Projects - Guidance for Planning         Authorities". The directives are transposed into Irish legislation by the         European Communities (Birds and Natural Habitats) Regulations 2011 (as         amended).</li> </ol>	Closed – Compliance evidenced to a satisfactory level.
4.2.2	Directive 2000/60/EC establishing a framework for Community action in the field of water policy, the European Communities Environmental Objectives (Groundwater) Regulations 2010 (SI No. 9 of 2010), and the European Communities Environmental Objectives (Surface Water) Regulations 2009 (SI No. 272 of 2009);	<ol> <li>PRG_IMS_HSQE_004_Pollution_Prevention_Programme_P1_0_250720 in place</li> <li>PRG_IMS_HSQE_007_Surface_Water_Management_P1_0_250720 in place</li> <li>PRG_IMS_HSQE_001_Emergency_Preparedness_and_Response_P1_0_250720 in place</li> </ol>	Closed – Compliance evidenced to a satisfactory level.
4.2.3	The Planning and Development Act 2000, as amended and the Planning and Development Regulations 2001 (SI No. 600 of 2001), as amended; and	Local Authority Tracker in place dealing with Section 254 (\$254) of the said Acts  Where appliances and structures are to be placed on the public road there is evidence on file of sufficient licensing approval including dates of Pre-briefing, Final Submission and Post Submission Briefing with the Local Authorities.	Closed – Compliance evidenced to a satisfactory level.

# Table 2: Relevant Statutory Obligations Compliance

Condition No.	Environmental Management System	Documentation in Place	Compliance Status
5.1	Within a reasonable period prior to the commencement of any Construction Activities and Works, NBPco shall have developed and implemented an Environmental Management System to manage NBPco's environmental responsibilities throughout the Contract Period and which shall form part of the overall management system for the Project.	NBI's Integrated Management System incorporating (ISO 9001, ISO 14001, ISO 45001,) was certified on 8th April 2021, accreditation period running to 7th April 2024. On the 16th of September 2021 NBI achieved certification for ISO 50001.	Integrated Management System including Environmental Management in place since 8th April 2021.
5.2	NBPco shall ensure that the EMS addresses environmental issues relating to construction and maintenance of infrastructure, including the control of potential impacts.	<ol> <li>FMG_IMS_HSQE_003a_EHS_Aspects_and_Risk_Register_P1_2_170122 in place which includes for reporting on control of potential risks across the company including office, <u>subcontractors</u> and company fleet.</li> </ol>	Closed – Compliance evidenced to a satisfactory level.

# Table 3: Environmental Management System Compliance

Condition No.	Environmental Consultation	Documentation in Place	Compliance Status
	NBPcq shall ensure that:		
6.1.1	All local authorities are promptly and effectively notified of NBPca's plans and timelines for any Construction Activities and Works within the relevant local authority area, prior to the commencement of those Construction Activities and Works; and	Local Authority Tracker in place dealing with Section 254 (\$254) of the Planning Acts  Planning and Rollout Tracker in place, denotes dates of Pre-briefing, Final Submission and Post Submission Briefing with the Local Authorities.	Closed – Compliance evidenced to a satisfactory level.
6.1.2	NBPGQ engages with the Department of Culture, Heritage and the Gaeltacht in relation to any potential impacts on archaeological and/or historic structures or sites included in the Record of Monuments and Places or Register of Historic Monuments arising from Construction Activities and Works; and	PRG_IMS_HSQE_012_Architecture_Archaeology_and_Cultural_Heritage _Management_P1_0_250720 in place    Management_P1_0_250720 in place   Properties	Closed – Compliance evidenced to a satisfactory level.
6.1.3	Other Competent Authorities and entities are promptly and effectively notified of Construction Activities and Works as appropriate.	PRG_IMS_001_Determining_Context_and_Interested_Parties_Plan_P1_3_24082021 in place  Planning and Rollout Tracker in place, denotes dates of Pre-briefing, Final Submission and Post Submission Briefing with the Local Authorities, the LA will advise at this time of further notifications where needed	Closed – Compliance evidenced to a satisfactory level.

# Table 4: Environmental Consultation Compliance

Condition No.	General Approach to Environmental Obligations	Documentation in Place	Compliance Status
	Without limiting or affecting any other provision in this Schedule 2.5 (Environmental), NBPCQ shall, and shall procure that NBPCQ Personnel shall, as required by Law:		
7.1.1	Ensure that the delivery of the Wholesale Products, Services and Network (including deployment, operation and maintenance of the Network) and performance of its other obligations under this Agreement is carried out in a manner which prevents the deterioration of natural habitats and/or the disturbance of species/features of biodiversity value;	Upon assessment of provided documentation, many of which are documented in the tables above plus viewing reporting protocols, it would seem that the delivery of this Obligation is being planned, carried out and monitored so there is minimal deterioration of natural habitats and/or the disturbance of species/features of biodiversity value;	Closed – Compliance evidenced to a satisfactory level.
7.1.2	Ensure that the water quality within all Watercourses hydrologically/bydrogeologically connected to a location of Construction Activities and Works is not negatively impacted and does not deteriorate as a result of the Constructions Activities and Works;	Upon assessment of provided documentation, many of which are documented in the tables above plus viewing reporting protocols it would seem that the delivery of this obligation is being planned, carried out and monitored so there is minimal deterioration of natural habitats and/or the disturbance of species/features of biodiversity value;	Closed – Compliance evidenced to a satisfactory level.
7.1.3	Use recycled materials (including where appropriate, secondary aggregate) in place of virgin engineering materials in association with the Network Deployment;	PRD_BLD_001_Quality_Inspection_and_Audit_Procedure_P1_1_071220 (Section 2) covers supplier conformances  PRG_IMS_HSQE_005_Waste Management_ P1_1_051020 in place, material re-used if compliant	Closed – Compliance evidenced to a satisfactory level.

# Table 4: Environmental Consultation Compliance (Continued)

Condition No.	General Approach to Environmental Obligations	Documentation in Place	Compliance Status
7.1.4	Ensure that any secondary aggregate or recycled material used in association with Network Deployment meets all the engineering parameters of the specified material and is compliant with the relevant European Committee for Standardization standard;	<ol> <li>PRD_BLD_001_Quality_Inspection_and_Audit_Procedure_P1_1_071220 (Section 2) covers supplier conformances</li> <li>PRG_IMS_HSQE_005_Waste Management_ P1_1_051020 in place, material re-used if compliant</li> </ol>	Closed – Compliance evidenced to a satisfactory level.
7.1.5	Minimise delay, disruption and other negative impacts from Construction Activities and Works on road users and maximise road safety in association with Network Deployment; and	Local Authority engagement enables these obligations to be implemented     Landowner Engagement / Wayleave Consent Rev 1.1	Closed – Compliance evidenced to a satisfactory level.
7.1.6	Ensure that waste is reduced and recovered during the Construction Activities and Works.	<ol> <li>As part of onsite audit NBI's build partners Waste Management Plan Rev 1.1 was reviewed and in order.</li> </ol>	Closed – Compliance evidenced to a satisfactory level.

### 4.0 Conclusion

NBI is satisfied that it has in place the necessary systems, procedures, plans and associated monitoring mechanisms in place to satisfy the requirements of Schedule 2.5 (Environmental) of the Contract, whereby NBI is required to satisfy and comply with all the requirements and descriptions in accordance with Clause 23 (Health, Safety, Security and the Environment).

Through the aforementioned systems, plans and associated monitoring in place NBI is implementing the environmental requirements which are assessed and scrutinised through the whole process which involves local authority engagement to a significant degree.

#### Annex 1 – Schedule 2.5 – Environmental

#### 1 Introduction

1.1 This Schedule 2.5 (Environmental) sets out the environmental obligations with which NBPco shall comply in accordance with Clause 23 (Health, Safety, Security and the Environment) throughout the Contract Period. This Schedule does not limit or affect any other provision of this Agreement.

### 2 Service Requirements

2.1 NBPco is required throughout the Contract Period to satisfy and comply with all the requirements and descriptions set out in, and all other aspects of, this Schedule 2.5 (Environmental).

#### 3 Relevant Guidelines

- 3.1 In carrying out its obligations under this Schedule 2.5 (Environmental), NBPco shall, and shall procure that NBPco Personnel shall, in accordance with Best Industry Practice, have regard to Guidance relevant to the environment in connection with the provision of the Wholesale Products, Network and Services (including deployment, maintenance and operation of the Network) and performance of its other obligations under this Agreement including but not limited to the following:
  - 3.1.1 Control of Water Pollution from Linear Construction Projects Technical Guidance (CIRIA Report No C648, 2006);
  - 3.1.2 Control of Water Pollution from Linear Construction Projects Site Guide (CIRIA Report No C649, 2006);
  - 3.1.3 Control of Dust from Construction and Demolition Activities (Building Research Establishment, 2003);
  - 3.1.4 Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects (Department of Environment, Community and Local Government, 2006).
  - 3.1.5 Transport Infrastructure Ireland (formerly the National Roads Authority) construction and planning guidelines including:
    - (A) Guidelines for the Crossing of Watercourses during the Construction of National Road Schemes;
    - (B) Guidelines on the Management of Noxious Weeds and NonNative Invasive Plant Species on National Roads;
    - (C) Guidelines for the Protection and Preservation of Trees, Hedgerows and Scrub Prior to, During and Post Construction of National Road Schemes;
    - (D) Guidelines for the Treatment of Bats During the

#### Construction of National Road Schemes;

- (E) Guidelines for the Creation, Implementation and Maintenance of an Environmental Operating Plan (section 7.3.7).
- (F) BS 5228-1: 2009+A1:2014: Code of practice for noise and vibration control on construction and open sites Part 1: Noise (Annex E);
- (G) Assessment of Plans and Projects Significantly Affecting Natura 2000 sites

   Methodological Guidance on the Provisions of Article 6(3) and (4) of the
  Habitats Directive 92/43/EEC (European Commission, 2001); and
- (H) Guidelines on Protection of Fisheries During Construction Works in and Adjacent to Waters (Inland Fisheries Ireland, 2016).

#### 4 Statutory Obligations

- 4.1 NBPco shall, and shall procure that NBPco Personnel shall, at all times complywith all environmental obligations under Law and any Consents.
- 4.2 NBPco shall provide details of all Consents received from the relevant authority(s) in relation to any Construction Activities and Works, including those arising out of all relevant obligations under:
  - 4.2.1 Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora, the European Communities (Birds and NaturalHabitats) Regulations 2011 (SI No. 477 of 2011) and the Wildlife Act 1976 (as amended);
  - 4.2.2 Directive 2000/60/EC establishing a framework for Community action in the field of water policy, the European Communities Environmental Objectives (Groundwater) Regulations 2010 (SI No. 9 of 2010), and the European Communities Environmental Objectives(Surface Water) Regulations 2009 (SI No. 272 of 2009);
  - 4.2.3 the Planning and Development Act 2000, as amended and the Planning and Development Regulations 2001 (SI No. 600 of 2001), as amended; and

as part of the Network Build Progress Report in accordance with the provisions of Schedule 6.5 (Reports and Records).

#### 5 Environmental Management System

- 5.1 Within a reasonable period prior to the commencement of any Construction Activities and Works, NBPco shall have developed and implemented an Environmental Management System to manage NBPco's environmental responsibilities throughout the Contract Period and which shall form part of the overall management system for the Project.
- 5.2 NBPco shall ensure that the EMS addresses environmental issues relating to construction and maintenance of infrastructure, including the control of potential impacts.

#### 6 Environmental Consultation

#### 6.1 NBPco shall ensure that:

- 6.1.1 all local authorities are promptly and effectively notified of NBPco's plans and timelines for any Construction Activities and Works within the relevant local authority area, prior to the commencement of those Construction Activities and Works; and
- 6.1.2 NBPco engages with the Department of Culture, Heritage and the Gaeltacht in relation to any potential impacts on archaeological and/or historic structures or sites included in the Record of Monuments and Places or Register of Historic Monuments arising from Construction Activities and Works; and
- 6.1.3 other Competent Authorities and entities are promptly and effectively notified of Construction Activities and Works as appropriate.
- 6.2 The obligation in Paragraph 6.1 (Environmental Consultation) does not limit oraffect any other provision of this Agreement.
- 7 General Approach to Environmental Obligations
  - 7.1 Without limiting or affecting any other provision in this Schedule 2.5 (Environmental), NBPco shall, and shall procure that NBPco Personnel shall, asrequired by Law:
    - 7.1.1 ensure that the delivery of the Wholesale Products, Services and Network (including deployment, operation and maintenance of the Network) and performance of its other obligations under this Agreement is carried out in a manner which prevents the deterioration of natural habitats and/or the disturbance of species/features of biodiversity value;
    - 7.1.2 ensure that the water quality within all Watercourses hydrologically/hydrogeologically connected to a location of Construction Activities and Works is not negatively impacted and does not deteriorate as a result of the Constructions Activities and Works;
    - 7.1.3 use recycled materials (including where appropriate, secondary aggregate) in place of virgin engineering materials in association with the Network Deployment;
    - 7.1.4 ensure that any secondary aggregate or recycled material used in association with Network Deployment meets all the engineering parameters of the specified material and is compliant with the relevant European Committee for Standardization standard;
    - 7.1.5 minimise delay, disruption and other negative impacts from Construction Activities and Works on road users and maximise roadsafety in association with Network Deployment; and
    - 7.1.6 ensure that waste is reduced and recovered during the ConstructionActivities and Works.

### Annex 2 redacted



www.dsafetys.com info@dsafetys.com +353 98 28 489