

HYSBYSIAD YNGHYLCH GWELLIANNAU

NOTICE OF AMENDMENTS

Cyflwynwyd ar 8 Chwefror 2024
Tabled on 8 February 2024

Bil Seilwaith (Cymru) Infrastructure (Wales) Bill

- Janet Finch-Saunders** 95
Section 1, page 1, after line 15, insert –
'(2) In this Part, “significant” means projects which meet the thresholds set out in Part 1 of this Act.’
Adran 1, tudalen 1, ar ôl llinell 15, mewnosoder –
'(2) Yn y Rhan hon, ystyr “arwyddocaol” yw prosiectau sy’n bodloni’r trothwyon a nodir yn Rhan 1 o’r Ddeddf hon.’
- Janet Finch-Saunders** 96
Section 2, page 2, line 4, after ‘ground’, insert ‘or underground’.
Adran 2, tudalen 2, llinell 4, ar ôl ‘ddaeear’, mewnosoder ‘neu o dan y ddaear’.
- Janet Finch-Saunders** 97
Section 5, page 4, line 4, after ‘Wales’, insert ‘or the Welsh marine area’.
Adran 5, tudalen 4, llinell 4, ar ôl ‘Nghymru’, mewnosoder ‘neu yn ardal forol Cymru’.
- Janet Finch-Saunders** 98
Section 5, page 4, line 7, after ‘Wales’, insert ‘or the Welsh marine area’.
Adran 5, tudalen 4, llinell 6, ar ôl ‘Nghymru’, mewnosoder ‘neu yn ardal forol Cymru’.
- Janet Finch-Saunders** 99
Section 7, page 5, after line 15, insert –



“significant effect on the environment” (“*effaith sylweddol ar yr amgylchedd*”) means a substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and object of historic or aesthetic significance.’.

Adran 7, tudalen 5, ar ôl llinell 11, mewnosoder –

‘ystyr “*effaith sylweddol ar yr amgylchedd*” (“*significant effect on the environment*”) yw newid sylweddol, andwyol yn unrhyw un neu ragor o’r cyflyrau ffisegol o fewn yr ardal y mae’r prosiect yn effeithio arni gan gynnwys tir, aer, dŵr, mwynau, fflora, ffawna, sŵn amgylchynol, a gwrthrych o arwyddocâd hanesyddol neu esthetig’.

Janet Finch-Saunders 100

Section 8, page 5, line 18, after ‘Wales’, insert ‘or the Welsh marine area’.

Adran 8, tudalen 5, llinell 19, ar ôl ‘Nghymru’, mewnosoder ‘neu yn ardal forol Cymru’.

Janet Finch-Saunders 101

Section 8, page 5, line 26, after ‘Wales’, insert ‘or the Welsh marine area’.

Adran 8, tudalen 5, llinell 27, ar ôl ‘Nghymru’, mewnosoder ‘neu yn ardal forol Cymru’.

Janet Finch-Saunders 102

Section 12, page 9, line 23, after ‘Wales’, insert ‘or the Welsh marine area’.

Adran 12, tudalen 9, llinell 23, ar ôl ‘Nghymru’, mewnosoder ‘neu yn ardal forol Cymru’.

Janet Finch-Saunders 103

Section 12, page 9, line 25, after ‘metres’, insert ‘and the deployable output is expected to exceed 80 million cubic litres per day’.

Adran 12, tudalen 9, llinell 25, ar ôl ‘ciwbig’, mewnosoder ‘ac os yw’r allbwn disgwylidig y gellir ei ddefnyddio yn fwy na 80 miliwn o litrau ciwbig y dydd’.

Janet Finch-Saunders 104

Section 12, page 9, line 26, after ‘Wales’, insert ‘or the Welsh marine area’.

Adran 12, tudalen 9, llinell 26, ar ôl ‘Nghymru’, mewnosoder ‘neu yn ardal forol Cymru’.

Janet Finch-Saunders 105

Section 12, page 9, line 28, after ‘metres’, insert ‘and the additional deployable output is expected to exceed 80 million cubic litres per day’.

Adran 12, tudalen 9, llinell 28, ar ôl ‘ciwbig’, mewnosoder ‘ac os yw’r allbwn ychwanegol disgwylidig y gellir ei ddefnyddio yn fwy na 80 miliwn o litrau ciwbig y dydd’.

- Janet Finch-Saunders** 106
Section 13, page 9, line 33, after ‘Wales’, insert ‘or the Welsh marine area’.
Adran 13, tudalen 9, llinell 33, ar ôl ‘Nghymru’, mewnosoder ‘neu yn ardal forol Cymru’.
- Janet Finch-Saunders** 107
Section 13, page 10, leave out line 2.
Adran 13, tudalen 10, hepgorer llinell 2.
- Janet Finch-Saunders** 108
Section 14, page 10, line 14, after ‘Wales’, insert ‘or the Welsh marine area’.
Adran 14, tudalen 10, llinell 13, ar ôl ‘Nghymru’, mewnosoder ‘neu yn ardal forol Cymru’.
- Janet Finch-Saunders** 109
Section 14, page 10, line 19, after ‘Wales’, insert ‘or the Welsh marine area’.
Adran 14, tudalen 10, llinell 18, ar ôl ‘Nghymru’, mewnosoder ‘neu yn ardal forol Cymru’.
- Janet Finch-Saunders** 110
Section 14, page 10, line 27, after ‘Wales’, insert ‘or the Welsh marine area’.
Adran 14, tudalen 10, llinell 26, ar ôl ‘Nghymru’, mewnosoder ‘neu yn ardal forol Cymru’.
- Janet Finch-Saunders** 111
Section 14, page 10, line 32, after ‘Wales’, insert ‘or the Welsh marine area’.
Adran 14, tudalen 10, llinell 31, ar ôl ‘Nghymru’, mewnosoder ‘neu yn ardal forol Cymru’.
- Janet Finch-Saunders** 112
Section 14, page 10, after line 38, insert –
 ‘() The replacement infrastructure for the transfer or storage of waste water is a significant infrastructure project if –
 (a) the infrastructure is in Wales,
 (b) the main purpose of the infrastructure is –
 (i) the transfer of waste water for treatment, or
 (ii) the storage of waste water prior to treatment,
 or both, and

- (c) the replacement represents a capacity for the storage of waste water exceeding 350,000 cubic metres.’

Adran 14, tudalen 10, ar ôl llinell 37, mewnosoder –

- ‘() Mae’r seilwaith amnewid ar gyfer trosglwyddo neu storio dŵr gwastraff yn brosiect seilwaith arwyddocaol –
- (a) os yw’r seilwaith yng Nghymru,
- (b) os prif ddiben y seilwaith yw –
- (i) trosglwyddo dŵr gwastraff i’w drin, neu
- (ii) storio dŵr gwastraff cyn ei drin,
- neu’r ddau, ac
- (c) os yw’r amnewid yn cynrychioli capasiti i storio mwy na 350,000 o fetrau ciwbig o ddŵr gwastraff.’

Janet Finch-Saunders

113

Section 17, page 13, leave out lines 15 to 21 and insert –

- ‘() hydrogen distribution pipework;
- () carbon dioxide related facilities;
- () shared heat networks;
- () water supplies for the purposes of green hydrogen.’

Adran 17, tudalen 13, hepgorer llinellau 17 hyd at 23 a mewnosoder –

- ‘() pibellau dosbarthu hydrogen;
- () cyfleusterau cysylltiedig â charbon deuocsid;
- () rhwydweithiau gwresogi a rennir;
- () cyflenwadau dŵr at ddibenion hydrogen gwyrdd.’

Janet Finch-Saunders

114

Section 18, page 13, after line 30, insert –

- ‘(4) Where a development is partly in Wales or partly in the Welsh marine area, the Welsh Ministers must consult with the United Kingdom Government to seek to agree an approach in respect of that cross-border project.’

Adran 18, tudalen 13, ar ôl llinell 33, mewnosoder –

- ‘(4) Pan fo datblygiad yn rhannol yng Nghymru neu yn rhannol yn ardal forol Cymru, rhaid i Weinidogion Cymru ymgynghori â Llywodraeth y Deyrnas Unedig i geisio cytuno ar ddull gweithredu mewn cysylltiad â’r prosiect trawsffiniol hwnnw.’

Janet Finch-Saunders

115

Section 27, page 18, line 8, leave out ‘a planning authority or’.

Adran 27, tudalen 18, llinell 8, hepgorer ‘awdurdod cynllunio neu’.

Janet Finch-Saunders

116

Section 27, page 18, line 14, leave out ‘giving information about the range of pre-application services provided by a planning authority or the Welsh Ministers’ and insert ‘including publication on a website owned and operated by them giving information about the range of pre-application services provided by the Welsh Ministers and any applicable fees for the provision of those services’.

Adran 27, tudalen 18, llinell 15, hepgorer ‘datganiad sy’n rhoi gwybodaeth ynghylch yr ystod o wasanaethau cyn gwneud cais a ddarperir gan awdurdod cynllunio neu Weinidogion Cymru’ a mewnosoder ‘datganiad, gan gynnwys cyhoeddi ar wefan y maent yn berchen arni ac yn ei gweithredu, sy’n rhoi gwybodaeth am yr ystod o wasanaethau cyn gwneud cais a ddarperir gan Weinidogion Cymru ac unrhyw ffioedd cymwys ar gyfer darparu’r gwasanaethau hynny’.

Janet Finch-Saunders

117

Section 29, page 20, line 26, leave out ‘comply with requirements specified in regulations’ and insert ‘be prepared in the form published for this purpose by the Welsh Ministers’.

Adran 29, tudalen 20, llinell 28, hepgorer ‘gydymffurfio â gofynion a bennir mewn rheoliadau’ a mewnosoder ‘gael ei lunio yn y ffurflen a gyhoeddir at y diben hwn gan Weinidogion Cymru’.

Janet Finch-Saunders

118

Section 29, page 20, line 27, leave out subsection (3) and insert –

- ‘() The form published by the Welsh Ministers under subsection (2) must include, as a minimum –
- (a) a statement prepared by the applicant outlining how the applicant intends to consult with the local community living in the vicinity of the land on which the proposed development is located;
 - (b) how and when notice is to be given;
 - (c) any additional information that needs to accompany the notice.’.

Adran 29, tudalen 20, llinell 29, hepgorer is-adran (3) a mewnosoder –

- ‘() Rhaid i’r ffurflen a gyhoeddir gan Weinidogion Cymru o dan is-adran (2) gynnwys, o leiaf –
- (a) datganiad sydd wedi ei lunio gan y ceisydd yn amlinellu sut y mae’r ceisydd yn bwriadu ymgynghori â’r gymuned leol sy’n byw yng nghyffiniau’r tir y lleolir y datblygiad arfaethedig arno;
 - (b) sut a phryd y mae hysbysiad i’w roi;
 - (c) unrhyw wybodaeth ychwanegol sydd ei hangen i fynd gyda’r hysbysiad.’.

Janet Finch-Saunders

119

Section 29, page 20, line 32, leave out ‘specified in regulations under subsection (2)’ and insert ‘of subsections (2) to (3)’.

Adran 29, tudalen 20, llinell 34, hepgorer ‘â’r gofynion a bennir mewn rheoliadau o dan is-adran (2)’ a mewnosoder ‘â gofynion is-adrannau (2) i (3)’.

Janet Finch-Saunders

120

Section 30, page 21, after line 9, insert –

‘() The applicant must consult –

- (a) Natural Resources Wales;
- (b) the planning authority for each area in which the proposed development is located;
- (c) every owner, lessee, tenant or occupier of the land to which the proposed application relates;
- (d) the local community living in the vicinity of the land on which the proposed development is located;
- (e) other persons specified in regulations.’.

Adran 30, tudalen 21, ar ôl llinell 10, mewnosoder –

‘() Rhaid i’r ceisydd ymgynghori â’r canlynol –

- (a) Cyfoeth Naturiol Cymru;
- (b) yr awdurdod cynllunio ar gyfer pob ardal y lleolir y datblygiad arfaethedig ynddi;
- (c) pob perchennog, pob lesddeiliad, pob tenant neu bob meddiannydd y tir y mae’r cais arfaethedig yn ymwneud ag ef;
- (d) y gymuned leol sy’n byw yng nghyffiniau’r tir y lleolir y datblygiad arfaethedig arno;
- (e) personau eraill a bennir mewn rheoliadau.’.

Janet Finch-Saunders

121

Page 21, after line 27, insert a new section –

[] Guidance about pre-application procedure

- (1) The Welsh Ministers may issue guidance about how to comply with the requirements of this Part.
- (2) A person who proposes to make an application for infrastructure consent (“the applicant”) must have regard to any guidance issued under this section.’.

Tudalen 21, ar ôl llinell 31, mewnosoder adran newydd –

[] Canllawiau ynghylch y weithdrefn cyn gwneud cais

- (1) Caiff Gweinidogion Cymru ddyroddi canllawiau ynghylch sut i gydymffurfio â gofynion y Rhan hon.
- (2) Rhaid i berson sy’n cynnig gwneud cais am gydsyniad seilwaith (“y ceisydd”) roi sylw i unrhyw ganllawiau a ddyroddir o dan yr adran hon.’.

Janet Finch-Saunders **122**

Page 21, after line 27, insert a new section –

[] Duty to take account of responses to consultation and publicity

- (1) The applicant must take into account any relevant responses received when deciding whether the application should be in the same terms as originally proposed.
- (2) A “relevant response” is a response received from a person consulted under section 30, received before any applicable deadline imposed has passed.’.

Tudalen 21, ar ôl llinell 31, mewnosoder adran newydd –

[] Dyletswydd i ystyried ymatebion i’r ymgynghoriad a chyhoedduswydd

- (1) Rhaid i’r ceisydd ystyried unrhyw ymatebion perthnasol sy’n dod i law wrth benderfynu a ddylai’r cais fod ar yr un telerau ag y’u cynigiwyd yn wreiddiol.
- (2) Mae “ymateb perthnasol” yn ymateb sy’n dod i law gan berson yr ymgynghorir ag ef o dan adran 30, a hynny cyn i unrhyw ddyddiad cau cymwys a osodir fynd heibio.’.

Janet Finch-Saunders **123**

Section 33, page 23, line 12, leave out ‘the minimum representation period specified in regulations’ and insert ‘a minimum representation period of 5 weeks’.

Adran 33, tudalen 23, llinell 15, hepgorer ‘y cyfnod byrraf ar gyfer sylwadau a bennir mewn rheoliadau’ a mewnosoder ‘cyfnod byrraf o 5 wythnos ar gyfer sylwadau’.

Janet Finch-Saunders **124**

Page 26, line 5, leave out section 39 and insert –

‘39 The examining authority

In this Act, the “examining authority” means Planning and Environment Decisions Wales.’.

Tudalen 26, llinell 5, hepgorer adran 39 a mewnosoder –

‘39 Yr awdurdod archwilio

Yn y Ddeddf hon, ystyr “awdurdod archwilio” yw Penderfyniadau Cynllunio ac Amgylchedd Cymru.’.

Janet Finch-Saunders **125**

Section 41, page 27, line 7, leave out ‘the end of the period specified in regulations’ and insert ‘28 working days of the Welsh Ministers accepting an application as a valid application’.

Adran 41, tudalen 27, llinell 6, hepgorer ‘diwedd y cyfnod a bennir mewn rheoliadau’ a mewnosoder ‘28 o ddiwrnodau i Weinidogion Cymru dderbyn cais fel cais dilys’.

***Janet Finch-Saunders**

126

Section 43, page 28, at the beginning of line 24, insert ‘Subject to subsection ([*subsection to be inserted by amendment 127*]) below,’.

Adran 43, tudalen 28, llinell 26, hepgorer ‘Caiff’ a mewnosoder ‘Yn ddarostyngedig i is-adran ([*is-adran i’w mewnosod gan welliant 127*]) isod, caiff’.

Janet Finch-Saunders

127

Section 43, page 28, after line 27, insert –

- ‘(2) The power to enter land provided by subsection (1) may only be used if consent to enter the land has first been sought from, but not granted by, the owner or occupier of the land (as the case may be).’.

Adran 43, tudalen 28, ar ôl llinell 29, mewnosoder –

- ‘(2) Ni chaniateir i’r pŵer i fynd ar dir a ddarperir gan is-adran (1) gael ei ddefnyddio ond os yw cydsyniad i fynd ar y tir wedi’i geisio, ond heb ei roi, gan berchennog neu feddiannydd y tir (yn ôl y digwydd).’.

Janet Finch-Saunders

128

Section 44, page 28, after line 30, insert –

- ‘() If under subsection (1) the examining authority decides to hold a local inquiry, they must publish their reasons for making such a determination.’.

Adran 44, tudalen 28, ar ôl llinell 31, mewnosoder –

- ‘() Os yw’r awdurdod archwilio, o dan is-adran (1), yn penderfynu cynnal ymchwiliad lleol, rhaid iddo gyhoeddi ei resymau dros wneud dyfarniad o’r fath.’.

Janet Finch-Saunders

129

Page 32, after line 16, insert a new section –

‘[] National Marine Infrastructure Development Plan for Wales

- (1) There must be a plan, prepared and published by the Welsh Ministers, to be known as the National Marine Infrastructure Development Plan for Wales.
- (2) The Plan must set out such of the policies of the Welsh Ministers in relation to marine infrastructure development in Wales and the Welsh marine area as the Welsh Ministers consider appropriate.
- (3) The Plan must give reasons for the policies that it sets out.
- (4) The Plan must explain how, in preparing the Plan, the Welsh Ministers have taken into account relevant policies set out in any marine plan adopted and published by them under Part 3 of the Marine and Coastal Access Act 2009.
- (5) The Plan must specify the period for which it is to have effect.

- (6) A plan ceases to be the National Marine Infrastructure Development Plan for Wales on the expiry of the period specified under subsection (5).'

Tudalen 32, ar ôl llinell 17, mewnosoder adran newydd –

{ [] Cynllun Datblygu Seilwaith Morol Cenedlaethol Cymru

- (1) Rhaid i Weinidogion Cymru lunio a chyhoeddi cynllun, o'r enw Cynllun Datblygu Seilwaith Morol Cenedlaethol Cymru.
- (2) Rhaid i'r Cynllun nodi unrhyw bolisiâu gan Weinidogion Cymru mewn perthynas â datblygu seilwaith morol yng Nghymru ac yn ardal forol Cymru y mae Gweinidogion Cymru yn ystyried eu bod yn briodol.
- (3) Rhaid i'r Cynllun roi rhesymau dros y polisiâu y mae'n eu nodi.
- (4) Rhaid i'r Cynllun esbonio sut y mae Gweinidogion Cymru, wrth lunio'r Cynllun, wedi ystyried polisiâu perthnasol a nodir mewn unrhyw gynllun morol sydd wedi ei fabwysiadu a'i gyhoeddi ganddynt o dan Ran 3 o Ddeddf y Môr a Mynediad i'r Arfordir 2009.
- (5) Rhaid i'r Cynllun bennu'r cyfnod y mae i gael effaith ar ei gyfer.
- (6) Bydd cynllun yn peidio â bod yn Gynllun Datblygu Seilwaith Morol Cenedlaethol Cymru pan ddaw'r cyfnod a bennir o dan is-adran (5) i ben.'

Janet Finch-Saunders

130

Section 53, page 32, after line 26, insert –

- '(d) the National Marine Infrastructure Development Plan for Wales published in accordance with section ([*section to be inserted by amendment 129*]) so far as relevant to the kind of development to which the application relates,'.

Adran 53, tudalen 32, ar ôl llinell 28, mewnosoder –

- '(d) Cynllun Datblygu Seilwaith Morol Cenedlaethol Cymru a gyhoeddir yn unol ag adran ([*adran i'w mewnosod gan welliant 129*]) i'r graddau y bo'n berthnasol i'r math o ddatblygiad y mae'r cais yn ymwneud ag ef,'.

Janet Finch-Saunders

131

Page 49, after line 26, insert a new section –

{ [] Draft infrastructure consent orders

Prior to publishing or the making an infrastructure consent order (whichever the case may be) the Welsh Ministers must share a draft of the proposed order or proposed statutory instrument with the applicant.'

Tudalen 49, ar ôl llinell 28, mewnosoder adran newydd –

{ [] Gorchymnion cydsyniad seilwaith drafft

Cyn cyhoeddi neu wneud gorchymyn cydsyniad seilwaith (yn ôl y digwydd), rhaid i Weinidogion Cymru rannu drafft o'r gorchymyn arfaethedig neu'r offeryn statudol arfaethedig â'r ceisydd.'

Janet Finch-Saunders

132

Section 84, page 50, after line 17, insert –

‘() Where the Welsh Ministers correct an error in the decision document in accordance with subsection (2), they must publish a statement of their reasons for doing so.’.

Adran 84, tudalen 50, ar ôl llinell 17, mewnosoder –

‘() Pan fo Gweinidogion Cymru yn cywiro gwall yn y ddogfen penderfyniad yn unol ag is-adran (2), rhaid iddynt gyhoeddi datganiad o’u rhesymau dros wneud hynny.’.

Janet Finch-Saunders

133

Section 87, page 51, after line 13, insert –

‘() Where the Welsh Ministers change or revoke an infrastructure consent order in accordance with subsection (1), they must publish a statement of their reasons for doing so.’.

Adran 87, tudalen 51, ar ôl llinell 14, mewnosoder –

‘() Pan fo Gweinidogion Cymru yn newid neu’n dirymu gorchymyn cydsyniad seilwaith yn unol ag is-adran (1), rhaid iddynt gyhoeddi datganiad o’u rhesymau dros wneud hynny.’.

Janet Finch-Saunders

134

Section 116, page 67, line 29, leave out ‘28’ and insert ‘56’.

Adran 116, tudalen 67, llinell 29, hepgorer ‘28’ a mewnosoder ‘56’.

Janet Finch-Saunders

135

Section 138, page 81, after line 7, insert –

‘() section 27;’.

Adran 138, tudalen 81, ar ôl llinell 8, mewnosoder –

‘() adran 27;’.

Janet Finch-Saunders

136

Section 138, page 81, after line 7, insert –

‘() section 28(5);’.

Adran 138, tudalen 81, ar ôl llinell 8, mewnosoder –

‘() adran 28(5);’.

Janet Finch-Saunders

137

Section 138, page 81, after line 7, insert –

‘() section 30;’.

Adran 138, tudalen 81, ar ôl llinell 8, mewnosoder –

‘() adran 30;’.

Janet Finch-Saunders

138

Section 138, page 81, after line 7, insert –

‘() section 34;’.

Adran 138, tudalen 81, ar ôl llinell 8, mewnosoder –

‘() adran 34;’.

