

# HYSBYSIAD YNGHYLCH GWELLIANNAU

## NOTICE OF AMENDMENTS

Cyflwynwyd ar 11 Mawrth 2024  
Tabled on 11 March 2024

### Bil Seilwaith (Cymru) Infrastructure (Wales) Bill

- Janet Finch-Saunders** 4  
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** 5  
Section 2, page 2, line 5, leave out ‘expected to have a nominal voltage of 132 kilovolts and be’.  
Adran 2, tudalen 2, llinell 5, hepgorer ‘y disgwylir y bydd ganddi foltedd enwol o 132 o gilofoltau ac y bydd yn’ a mewnosoder ‘sy’n’.
- Janet Finch-Saunders** 6  
Section 13, page 10, leave out line 3.  
Adran 13, tudalen 10, hepgorer llinell 3.
- Janet Finch-Saunders** 7  
Section 14, page 11, after line 3, 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 11, ar ôl llinell 3, 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**

8

Section 17, page 13, after line 25, insert –

- '(5) Regulations under subsection (1) may only be made following consultation with such persons as are deemed necessary.'.

Adran 17, tudalen 13, ar ôl llinell 27, mewnosoder –

- (5) Ni chaniateir i reoliadau o dan is-adran (1) gael eu gwneud ond ar ôl ymgynghori ag unrhyw bersonau y bernir eu bod yn angenrheidiol.'.

**Janet Finch-Saunders**

9

Section 18, page 13, after line 34, 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 37, 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**

10

Section 27, page 18, line 32, leave out 'giving information about the range of pre-application services provided by a planning authority, Natural Resources Wales 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 34, hepgorer 'datganiad sy'n rhoi gwybodaeth ynghylch yr ystod o wasanaethau cyn gwneud cais a ddarperir gan awdurdod cynllunio, Cyfoeth Naturiol Cymru 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**

11

Section 33, page 24, line 15, leave out –

‘, they must give a further notice under subsection (2) and undertake further publicity under subsection (3) in respect of the application to the same persons.’

and insert –

‘in respect of the application, they must –

- (a) give a further notice under subsection (2) to the same persons,
- (b) undertake further publicity under subsection (3), and
- (c) if a direction was given under subsection (9), give a further direction under subsection (9) requiring the applicant to –
  - (i) give a further notice to the same persons, and
  - (ii) undertake further publicity in the same way.

( ) The Welsh Ministers must –

- (a) specify in any further notice or further publicity, and
- (b) in any further direction, require the applicant to specify in any further notice or further publicity,

the reasons for extending the deadline.’.

Adran 33, tudalen 24, llinell 17, hepgorer –

‘rhaid iddynt roi hysbysiad pellach o dan is-adran (2) ac ymgymryd â chyhoeddusrwydd pellach o dan is-adran (3) mewn cysylltiad â’r cais i’r un personau.’

a mewnosoder –

‘mewn cysylltiad â’r cais, rhaid iddynt –

- (a) rhoi hysbysiad pellach o dan is-adran (2) i’r un personau,
- (b) ymgymryd â chyhoeddusrwydd pellach o dan is-adran (3), ac
- (c) os rhoddwyd cyfarwyddyd o dan is-adran (9), roi cyfarwyddyd pellach o dan is-adran (9) sy’n ei gwneud yn ofynnol i’r ceisydd –
  - (iii) rhoi hysbysiad pellach i’r un personau, a
  - (ii) ymgymryd â chyhoeddusrwydd pellach yn yr un ffordd.

( ) Rhaid i Weinidogion Cymru –

- (a) pennu mewn unrhyw hysbysiad pellach neu gyhoeddusrwydd pellach, a
- (b) mewn unrhyw gyfarwyddyd pellach, ei gwneud yn ofynnol i’r ceisydd bennu, mewn unrhyw hysbysiad pellach neu gyhoeddusrwydd pellach,

y rhesymau dros estyn y dyddiad cau.’.

**Janet Finch-Saunders**

12

Page 32, after line 10, insert a new section –

[ ] **Fund to assist objectors**

The Welsh Ministers must by regulations create a fund to enable persons opposed to an application for infrastructure consent to take part in the decision making process in respect of that application.’.

Tudalen 32, ar ôl llinell 10, mewnosoder adran newydd –

**[ ] Cronfa i gynorthwyo gwrthwynebwyr**

Rhaid i Weinidogion Cymru drwy reoliadau greu cronfa i alluogi personau sy’n gwrthwynebu cais am gydsyniad seilwaith i gymryd rhan yn y broses o wneud penderfyniad mewn cysylltiad â’r cais hwnnw.’.

**Janet Finch-Saunders**

13

Section 51, page 32, after line 28, insert –

- ‘(3) A direction under subsection (1) must –
- (a) include a statement explaining why it is given;
  - (b) be published as soon as reasonably practicable after it is given.’.

Adran 51, tudalen 32, ar ôl llinell 27, mewnosoder –

- ‘(3) Rhaid i gyfarwyddyd o dan is-adran (1) –
- (a) cynnwys datganiad sy’n egluro pam y’i rhoddir;
  - (b) cael ei gyhoeddi cyn gynted ag y bo’n rhesymol ymarferol ar ôl iddo gael ei roi.’.

**Janet Finch-Saunders**

14

Page 33, after line 24, 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 33, ar ôl llinell 25, 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 bolisiau 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 polisiau y mae'n eu nodi.
- (4) Rhaid i'r Cynllun esbonio sut y mae Gweinidogion Cymru, wrth lunio'r Cynllun, wedi ystyried polisiau 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**

15

Section 54, page 34, after line 4, insert –

- (iv) the National Marine Infrastructure Development Plan for Wales published in accordance with section ([*section to be inserted by amendment 14*]) so far as relevant to the kind of development to which the application relates, and'.

Adran 54, tudalen 34, ar ôl llinell 4, mewnosoder –

- (iv) Cynllun Datblygu Seilwaith Morol Cenedlaethol Cymru a gyhoeddir yn unol ag adran ([*adran i'w mewnosod gan welliant 14*]) i'r graddau y bo'n berthnasol i'r math o ddatblygiad y mae'r cais yn ymwneud ag ef, a'.

**Janet Finch-Saunders**

16

Section 60, page 37, after line 17, insert –

- ( ) The Welsh Ministers must notify all persons who participated in the application procedure of the decision.'

Adran 60, tudalen 37, ar ôl llinell 17, mewnosoder –

- ( ) Rhaid i Weinidogion Cymru hysbysu'r holl bersonau a gymerodd ran yn y weithdrefn gwneud cais o'r penderfyniad.'

**Janet Finch-Saunders**

17

Page 51, after line 4, 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 51, ar ôl llinell 10, mewnosoder adran newydd –

**[ ] Gorchmynion 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**

18

Section 85, page 52, after line 1, 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 85, tudalen 52, ar ôl llinell 1, 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**

19

Section 88, page 52, after line 32, 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 88, tudalen 52, ar ôl llinell 34, 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**

20

Section 125, page 74, line 29, leave out subsection (4) and insert –

'(4) The Welsh Ministers must publish and lay before Senedd Cymru –

- (a) each notice designating a document as an infrastructure policy statement;
- (b) each notice of the withdrawal of the designation of a document as an infrastructure policy statement.

(5) If a document designated as an infrastructure policy statement has not previously been published, the Welsh Ministers must publish it.

(6) If a document designated as an infrastructure policy statement has not previously been laid before Senedd Cymru, the Welsh Ministers must lay it before the Senedd.'

Adran 125, tudalen 74, llinell 27, hepgorer is-adran (4) a mewnosoder –

'(4) Rhaid i Weinidogion Cymru gyhoeddi a gosod gerbron Senedd Cymru –

- (a) pob hysbysiad sy'n dynodi dogfen yn ddatganiad polisi seilwaith;
- (b) pob hysbysiad bod dynodiad dogfen yn ddatganiad polisi seilwaith yn cael ei dynnu yn ôl.

(5) Os nad yw dogfen a ddynodir yn ddatganiad polisi seilwaith wedi ei chyhoeddi yn flaenorol, rhaid i Weinidogion Cymru ei chyhoeddi.

(6) Os nad yw dogfen a ddynodir yn ddatganiad polisi seilwaith wedi ei gosod gerbron Senedd Cymru yn flaenorol, rhaid i Weinidogion Cymru ei gosod gerbron y Senedd.'



**Delyth Jewell**

**21**

Section 41, page 28, after line 2, insert –

- ‘(8) The functions of an examining authority under this section are subject to any provision made by regulations under section [section to be inserted by amendment 22] or 42.’.

Adran 41, tudalen 28, ar ôl llinell 2, mewnosoder –

- ‘(8) Mae swyddogaethau awdurdod archwilio o dan yr adran hon yn ddarostyngedig i unrhyw ddarpariaeth a wneir drwy reoliadau o dan adran [adran i’w mewnosod gan welliant 22] neu 42.’.

**Delyth Jewell**

**22**

Page 28, after line 2, insert a new section –

**[ ] Open-floor hearings**

- (1) Regulations may require an examining authority to cause an open-floor hearing to be held in the circumstances specified in the regulations.
- (2) The regulations may make any requirement to cause an open-floor hearing to be held subject to conditions (including the exercise of discretion by the examining authority).
- (3) In this section, an “open-floor hearing” is a hearing at which each interested party is entitled (subject to the examining authority’s powers of control over the conduct of the hearing) to make oral representations about the application.’.

Tudalen 28, ar ôl llinell 2, mewnosoder adran newydd –

**[ ] Gwrandawiaid llawr agored**

- (1) Caiff rheoliadau ei gwneud yn ofynnol i awdurdod archwilio beri bod gwrandawriad llawr agored yn cael ei gynnal o dan yr amgylchiadau a bennir yn y rheoliadau.
- (2) Caiff y rheoliadau wneud unrhyw ofyniad i beri bod gwrandawriad llawr agored yn cael ei gynnal yn ddarostyngedig i amodau (gan gynnwys arfer disgrisiwn gan yr awdurdod archwilio).
- (3) Yn yr adran hon, “gwrandawriad llawr agored” yw gwrandawriad lle y mae gan bob parti a chanddo fuddiant hawlogaeth (yn ddarostyngedig i bwerau’r awdurdod archwilio i reoli’r dull o gynnal y gwrandawriad) i wneud sylwadau llafar ynghylch y cais.’.

**Delyth Jewell**

**23**

Section 42, page 28, after line 9, insert –

- ‘() the procedure to be followed in connection with a requirement under section [section to be inserted by amendment 22];’.

Adran 42, tudalen 28, ar ôl llinell 9, mewnosoder –

- ‘() y weithdrefn sydd i’w dilyn mewn cysylltiad â gofyniad o dan adran [adran i’w mewnosod gan welliant 22];’.



**Delyth Jewell**

24

Section 42, page 29, after line 5, insert –

‘() make provision about the location of proceedings at a hearing or local inquiry;’.

Adran 42, tudalen 29, ar ôl llinell 6, mewnosoder –

‘() gwneud darpariaeth ynghylch lleoliad achos mewn gwrandawriad neu ymchwiliad lleol;’.

**\*Janet Finch-Saunders**

25

Section 27, page 18, after line 31, insert –

‘() the assistance and resources to be provided to a planning authority or Natural Resources Wales by the Welsh Ministers to assist with the provision of pre-application services;’.

Adran 27, tudalen 18, ar ôl llinell 33, mewnosoder –

‘() y cymorth a’r adnoddau sydd i’w darparu i awdurdod cynllunio neu Cyfoeth Naturiol Cymru gan Weinidogion Cymru i gynorthwyo i ddarparu gwasanaethau cyn gwneud cais;’.

**\*Janet Finch-Saunders**

26

Section 29, page 21, leave out line 20 and insert –

‘(c) the preparation of a statement by the applicant outlining how the applicant intends to consult with the persons or representatives of persons who appear to the applicant to be persons who will be affected by the application;

(d) how and when a notice is to be given;

(e) any additional information that needs to accompany the notice.’.

Adran 29, tudalen 21, hepgorer llinell 20 a mewnosoder –

‘(c) llunio datganiad gan y ceisydd yn amlinellu sut y mae’r ceisydd yn bwriadu ymgynghori â’r personau neu gynrychiolwyr y personau y mae’n ymddangos i’r ceisydd eu bod yn bersonau y bydd y cais yn effeithio arnynt;

(d) sut a phryd y mae hysbysiad i’w roi;

(e) unrhyw wybodaeth ychwanegol sydd ei hangen i fynd gyda’r hysbysiad.’.

**\*Janet Finch-Saunders**

27

Section 30, page 21, after line 35, 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) with the persons or representatives of persons who appear to the applicant to be persons who will be affected by the application;
- (e) other persons specified in regulations.’.

Adran 30, tudalen 21, ar ôl llinell 36, 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 personau neu gynrychiolwyr y personau y mae’n ymddangos i’r ceisydd eu bod yn bersonau y bydd y cais yn effeithio arnynt;
- (e) personau eraill a bennir mewn rheoliadau.’.

**\*Janet Finch-Saunders**

28

Page 22, after line 16, insert a new section –

**‘[] Guidance about pre-application procedure**

The Welsh Ministers may issue guidance about how to comply with the requirements of this Part.’.

Tudalen 22, ar ôl llinell 19, mewnosoder adran newydd –

**‘[] Canllawiau ynghylch y weithdrefn cyn gwneud cais**

Caiff Gweinidogion Cymru ddyroddi canllawiau ynghylch sut i gydymffurfio â gofynion y Rhan hon.’.

**\*Janet Finch-Saunders**

29

Section 41, page 27, line 32, after ‘determination’, insert ‘and publish their reasons for making such a determination’.

Adran 41, tudalen 27, llinell 33, ar ôl ‘dyfarniad’, mewnosoder ‘a chyhoeddi ei resymau dros wneud dyfarniad o’r fath’.

**\*Janet Finch-Saunders**

30

Section 45, page 30, after line 3, 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 45, tudalen 30, ar ôl llinell 2, 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**

31

Section 78, page 48, line 18, leave out –

‘include provision authorising the charging of tolls in relation to a highway only if a request to that effect has been included in the application for the order.

- (2) If an infrastructure consent order includes provision authorising the charging of tolls in relation to a highway, the order is treated as a toll order for the purposes of sections 7 to 18 of the New Roads and Street Works Act 1991 (c. 22)’

and insert –

‘not include provision authorising the charging of tolls in relation to a highway’.

Adran 78, tudalen 48, llinell 20, hepgorer –

‘onid oes cais i’r perwyl hwnnw wedi ei gynnwys yn y cais am y gorchymyn.

- (2) Os yw gorchymyn cydsyniad seilwaith yn cynnwys darpariaeth sy’n awdurdodi codi tollau mewn perthynas â phriffordd, caiff y gorchymyn ei drin fel gorchymyn tollau at ddibenion adrannau 7 i 18 o Ddeddf Ffyrdd Newydd a Gwaith Stryd 1991 (p. 22)’.

