

RHESTR O WELLIANNAU WEDI’U DIDOLI MARSHALLED LIST OF AMENDMENTS

Bil Seilwaith (Cymru) Infrastructure (Wales) Bill

Mae’r gwelliannau â * ar eu pwys yn rhai newydd neu’n rhai sydd wedi’u haddasu
Amendments marked * are new or have been altered

Mae gwelliannau a nodir ag ‘R’ yn dynodi bod yr Aelod wedi datgan buddiant
cofrestradwy o dan Reol Sefydlog 2 neu fuddiant perthnasol o dan Reolau Sefydlog 13 neu
17 wrth gyflwyno’r gwelliant.

Amendments marked ‘R’ mean that the Member has declared either a registrable interest
under Standing Order 2 or relevant interest under Standing Orders 13 or 17 when tabling
the amendment.

Caiff y Bil ei ystyried yn y drefn a ganlyn –
The Bill will be considered in the following order –

Sections 1 – 60	Adrannau 1 – 60
Schedule 1	Atodlen 1
Sections 61 – 90	Adrannau 61 – 90
Schedule 2	Atodlen 2
Sections 91 – 142	Adrannau 91 – 142
Schedule 3	Atodlen 3
Sections 143 – 144	Adrannau 143 – 144
Long Title	Teitl Hir

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.’.

Adam Price [R] **191**

Section 2, page 1, at the beginning of line 18, insert 'Subject to the requirement in subsection ([subsection to be inserted by amendment 195]),'.

Adran 2, tudalen 1, ar ddechrau llinell 18, mewnosoder 'Yn ddarostyngedig i'r gofyniad yn is-adran ([is-adran i'w mewnosod gan welliant 195]),'.

Adam Price [R] **192**

Section 2, page 2, after line 3, insert –

- '() the installation of an electric line underground in Wales that is –
 - (i) expected to have a nominal voltage of 132 kilovolts and be no less than 2 kilometres long (to the extent it is in Wales), and
 - (ii) associated with the construction, extension or alteration of a generating station to which paragraphs (a) to (d) apply.'

Adran 2, tudalen 2, ar ôl llinell 3, mewnosoder –

- '() gosod llinell drydan o dan y ddaear yng Nghymru –
 - (i) y disgwylir y bydd ganddi foltedd enwol o 132 o gilofoltau ac y bydd yn 2 gilometr o hyd o leiaf (i'r graddau y bo yng Nghymru), a
 - (ii) sy'n gysylltiedig ag adeiladu, estyn neu addasu gorsaf gynhyrchu y mae paragraffau (a) i (d) yn gymwys iddi.'

This amendment provides that underground electric lines are defined as significant infrastructure projects for the purposes of the Bill, in line with the requirements in the Bill (as introduced) for above ground electric lines.

Mae'r gwelliant hwn yn darparu bod llinellau trydan o dan y ddaear yn cael eu diffinio fel prosiectau seilwaith arwyddocaol at ddibenion y Bil, yn unol â'r gofynion yn y Bil (fel y'i cyflwynwyd) ar gyfer llinellau trydan uwchben y ddaear.

Janet Finch-Saunders **96**

Section 2, page 2, line 4, after 'ground', insert 'or underground'.

Adran 2, tudalen 2, llinell 4, ar ôl 'ddaear', mewnosoder 'neu o dan y ddaear'.

Janet Finch-Saunders **37**

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'.

Adam Price [R] **193**

Section 2, page 2, after line 8, insert –

'() the only economically viable means of achieving the purpose of the development, in accordance with subsection ([subsection to be inserted by this amendment]).

- () A developer seeking to install an electric line above ground in Wales must comply with the requirements specified in regulations to demonstrate that the above ground electric line is necessary for the associated generating station to be economically viable.'

Adran 2, tudalen 2, ar ôl llinell 8, mewnosoder –

'() sydd yr unig ddull economaidd hyfyw o gyflawni diben y datblygiad, yn unol ag is-adran ([is-adran i'w mewnosod gan y gwelliant hwn]).

- () Rhaid i ddatblygwr sy'n ceisio gosod llinell drydan uwchben y ddaear yng Nghymru gydymffurfio â'r gofynion a bennir mewn rheoliadau i ddangos bod y llinell drydan uwchben y ddaear yn angenrheidiol er mwyn i'r orsaf gynhyrchu gysylltiedig fod yn economaidd hyfyw.'

This amendment exempts above (as opposed to below) ground electricity lines from being categorised as significant infrastructure projects, except where that renders the associated electricity generating development unviable, reflecting the existing planning policy assumption. The meaning of economic viability, and the means by which it would be determined, would be defined in regulations.

Mae'r gwelliant hwn yn esemptio llinellau trydan uwchben y ddaear (yn hytrach nag o dan y ddaear) rhag cael eu categorio'n brosiectau seilwaith arwyddocaol, ac eithrio pan fo hynny'n gwneud y datblygiad cynhyrchu trydan cysylltiedig yn anhwyfwr, sy'n adlewyrchu'r rhagdybiaeth bresennol o ran polisi cynllunio. Byddai ystyr hyfywedd economaidd, a'r dull a fyddai'n cael ei ddefnyddio i benderfynu arno, yn cael eu diffinio mewn rheoliadau.

Adam Price [R]

194

Section 2, page 2, after line 8, insert –

'() not to include the construction of overhead electricity lines in environmentally and culturally sensitive landscape areas.'

Adran 2, tudalen 2, ar ôl llinell 8, mewnosoder –

'() nad yw i gynnwys adeiladu llinellau trydan uwchben mewn ardaloedd tirwedd sy'n amgylcheddol a diwylliannol sensitif.'

This probing amendment seeks to exempt developments involving overhead electricity lines that traverse certain environmentally and culturally sensitive landscapes from being categorised as significant infrastructure projects.

Mae'r gwelliant pricio hwn yn ceisio esemptio datblygiadau sy'n cynnwys llinellau trydan uwchben sy'n croesi tirweddau amgylcheddol a diwylliannol sensitif penodol rhag cael eu categorio'n brosiectau seilwaith arwyddocaol.

Adam Price [R]

195

Section 2, page 2, after line 8, insert –

- '() Developments under paragraphs (a) to (d) must demonstrate that they have satisfied the minimum local ownership requirement in respect of the project.
- () The "minimum local ownership requirement" for the purposes of subsection ([first subsection to be inserted by this amendment]) must be defined in regulations.

- () Regulations under subsection ([*second subsection to be inserted by this amendment*]) must include the rules by which offers of local ownership must be made.’.

Adran 2, tudalen 2, ar ôl llinell 8, mewnosoder –

- ‘() Rhaid i ddatblygiadau o dan baragraffau (a) i (d) ddangos eu bod wedi bodloni’r gofyniad sylfaenol o ran perchnogaeth leol mewn cysylltiad â’r prosiect.
- () Rhaid i’r “gofyniad sylfaenol o ran perchnogaeth leol” at ddibenion is-adran ([*is-adran cyntaf i’w mewnosod gan y gwelliant hwn*]) gael ei ddiffinio mewn rheoliadau.
- () Rhaid i reoliadau o dan is-adran ([*ail is-adran i’w mewnosod gan y gwelliant hwn*]) gynnwys y rheolau y mae rhaid eu dilyn wrth gynnig perchnogaeth leol.’.

This amendment provides that electricity generating stations within section 2(1)(a)-(d) cannot be SIPs unless they meet requirements for local ownership. “Minimum local ownership requirements” and the rules by which offers of local ownership can be made will be defined in regulations.

Mae’r gwelliant hwn yn darparu na chaiff gorsafoedd cynhyrchu trydan yn adran 2(1)(a)-(d) fod yn brosiectau seilwaith arwyddocaol oni bai eu bod yn bodloni’r gofynion ar gyfer perchnogaeth leol. Caiff “gofynion sylfaenol o ran perchnogaeth leol” a’r rheolau y mae rhaid eu dilyn wrth gynnig perchnogaeth leol eu diffinio mewn rheoliadau.

Adam Price [R]

196

Section 2, page 2, after line 9, insert –

“environmentally and culturally sensitive landscape areas” (“*ardaloedd tirwedd sy’n amgylcheddol a diwylliannol sensitif*”) means –

- (a) national parks;
- (b) areas of outstanding natural beauty;
- (c) heritage coasts;
- (d) national nature reserves;
- (e) areas included in the registers of areas of outstanding and special historic interest;
- (f) special landscape areas or their equivalent included in Local Development Plans;
- (g) any other areas specified in regulations.’.

Adran 2, tudalen 2, ar ôl llinell 10, mewnosoder –

‘ystyr “ardaloedd tirwedd sy’n amgylcheddol a diwylliannol sensitif” (“*environmentally and culturally sensitive landscape areas*”) yw –

- (a) parciau cenedlaethol;
- (b) ardaloedd o harddwch naturiol eithriadol;
- (c) arfordiroedd treftadaeth;
- (d) gwarchodfeydd natur cenedlaethol;
- (e) ardaloedd sydd wedi eu cynnwys yn y cofrestrau o ardaloedd o ddiddordeb hanesyddol eithriadol ac arbennig;
- (f) ardaloedd tirwedd arbennig, neu’r hyn sy’n cyfateb iddynt, sydd wedi eu cynnwys mewn Cynlluniau Datblygu Lleol;

(g) unrhyw ardaloedd eraill a bennir mewn rheoliadau.’.

Delyth Jewell 139

Page 4, line 2, leave out section 5.

Tudalen 4, llinell 2, hepgorer adran 5.

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’.

Delyth Jewell 140

Page 4, line 10, leave out section 6.

Tudalen 4, llinell 9, hepgorer adran 6.

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

38

Section 10, page 7, line 16, leave out 'effect of the alteration is expected to be to increase by at least the relevant quantity per year the quantity of material the embarkation or disembarkation of which the facilities are capable of handling' and insert 'harbour will be capable of handling cargo ships, container ships, cruise ships and roll-on roll-off ships'.

Adran 10, tudalen 7, llinell 17, hepgorer 'disgwyllir mai effaith yr addasiad yw cynyddu swm y deunydd y mae'r cyfleusterau yn gallu trin ei lwytho neu ei ddadlwytho y swm perthnasol y flwyddyn o leiaf' a mewnosoder 'bydd yr harbwr yn gallu trin llongau cargo, llongau cynwysyddion, llongau mordeithio a llongau gyrru i mewn ac allan'.

Janet Finch-Saunders

39

Section 10, page 7, line 19, leave out subsections (3) to (5).

Adran 10, tudalen 7, llinell 20, hepgorer is-adrannau (3) i (5).

Janet Finch-Saunders

40

Section 10, page 8, after line 7, insert –

“cruise ship” (“*llong fordeithio*”) means a ship which is used for carrying people for leisure purposes;’.

Adran 10, tudalen 8, ar ôl llinell 3, mewnosoder –

‘ystyr “*llong fordeithio*” (“*cruise ship*”) yw llong a ddefnyddir i gludo pobl at ddibenion hamdden;’.

Janet Finch-Saunders

41

Section 10, page 8, leave out lines 8 to 9.

Adran 10, tudalen 8, hepgorer llinellau 9 hyd at 10.

Janet Finch-Saunders

42

Section 10, page 8, leave out line 12.

Adran 10, tudalen 8, hepgorer llinell 11.

Janet Finch-Saunders

43

Section 10, page 8, leave out lines 13 to 14.

Adran 10, tudalen 8, hepgorer llinellau 12 hyd at 13.

- 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** 44
Section 12, page 9, line 24, leave out '10' and insert '30'.
Adran 12, tudalen 9, llinell 24, hepgorer '10' a mewnosoder '30'.
- 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** 45
Section 12, page 9, line 28, leave out '10' and insert '30'.
Adran 12, tudalen 9, llinell 28, hepgorer '10' a mewnosoder '30'.
- 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

46

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

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

Adran 17, tudalen 13, ar ôl llinell 15, mewnosoder –

- '() 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

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.'

Julie James

156

Section 20, page 15, line 5, leave out 'or 110 of that Act (orders authorising the diversion of navigable and non-navigable' and insert 'of that Act (orders authorising the diversion of navigable'.



Adran 20, tudalen 15, llinell 6, hepgorer 'neu 110 o'r Ddeddf honno (gorchmynion sy'n awdurdodi dargyfeirio cyrsiau dŵr mordwyol ac anfordwyol' a mewnosoder 'o'r Ddeddf honno (gorchmynion sy'n awdurdodi dargyfeirio cyrsiau dŵr mordwyol'.

Julie James

157

Section 20, page 15, after line 8, insert –

- '(4) If infrastructure consent is required for the construction, improvement or alteration of a highway, section 110 of the Highways Act 1980 (c. 66) (power to authorise diversion of non-navigable waters) does not apply in relation to the highway or in connection with the construction, improvement or alteration of the highway.'

Adran 20, tudalen 15, ar ôl llinell 9, mewnosoder –

- '(4) Os yw cydsyniad seilwaith yn ofynnol i adeiladu, gwella neu addasu priffordd, nid yw adran 110 o Ddeddf Priffyrdd 1980 (p. 66) (pŵer i awdurdodi dargyfeirio dyfroedd anfordwyol) yn gymwys mewn perthynas â'r briffordd nac mewn cysylltiad ag adeiladu, gwella neu addasu'r briffordd.'

Janet Finch-Saunders

47

Page 15, line 30, leave out section 22.

Tudalen 15, llinell 32, hepgorer adran 22.

Janet Finch-Saunders

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Page 16, line 15, leave out section 23.

Tudalen 16, llinell 18, hepgorer adran 23.

Janet Finch-Saunders

49

Page 17, line 4, leave out section 24.

Tudalen 17, llinell 4, hepgorer adran 24.

Julie James

158

Section 24, page 17, after line 9, insert –

- '(4) As soon as reasonably practicable after giving a direction under subsection (1), the Welsh Ministers must –
- (a) publish the direction, and
 - (b) lay a statement about the direction before Senedd Cymru explaining its effect and why it was made.'

Adran 24, tudalen 17, ar ôl llinell 10, mewnosoder –

- '(4) Cyn gynted ag y bo'n rhesymol ymarferol ar ôl rhoi cyfarwyddyd o dan is-adran (1), rhaid i Weinidogion Cymru –

(a) cyhoeddi'r cyfarwyddyd, a

(b) gosod datganiad ynghylch y cyfarwyddyd gerbron Senedd Cymru yn egluro ei effaith a pham y'i gwnaed'.

Janet Finch-Saunders

50

Page 17, line 11, leave out section 25.

Tudalen 17, llinell 12, hepgorer adran 25.

Janet Finch-Saunders

51

Page 17, line 32, leave out section 26.

Tudalen 17, llinell 35, hepgorer adran 26.

Julie James

1

Section 26, page 18, line 2, after 'persons', insert 'or persons of a description'.

Adran 26, tudalen 18, llinell 2, ar ôl 'personau', mewnosoder 'neu'r personau o ddisgrifiad'.

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'.

Julie James

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Section 27, page 18, line 8, after 'authority', insert ', Natural Resources Wales'.

Adran 27, tudalen 18, llinell 8, ar ôl 'cynllunio', mewnosoder ', Cyfoeth Naturiol Cymru'.

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'.

Julie James

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Section 27, page 18, line 15, after 'authority', insert ', Natural Resources Wales'.

Adran 27, tudalen 18, llinell 16, ar ôl 'cynllunio', mewnosoder ', Cyfoeth Naturiol Cymru'.

Janet Finch-Saunders

52

Section 28, page 19, line 20, after 'notice', insert ', which must not be less than 21 days of receipt of a notice'.

Adran 28, tudalen 19, llinell 20, ar ôl 'hysbysiad', mewnosoder ', na chaiff fod yn llai nag 21 o ddiwrnodau i hysbysiad ddod i law'.

Janet Finch-Saunders

53

Section 28, page 19, line 28, after 'fine', insert 'not exceeding level 5 on the standard scale'.

Adran 28, tudalen 19, llinell 29, ar ôl 'ddirwy', mewnosoder 'nad yw'n uwch na lefel 5 ar y raddfa safonol'.

Julie James

159

Section 29, page 20, after line 22, insert –

- '() if the proposed development is located in an area for which there is a community council, the community council;
- () each Member of the Senedd representing an area in which the proposed development is located;
- () each Member of the House of Commons representing an area in which the proposed development is located;'

Adran 29, tudalen 20, ar ôl llinell 24, mewnosoder –

- '() os yw'r datblygiad arfaethedig wedi ei leoli mewn ardal y ceir cyngor cymuned ar ei chyfer, y cyngor cymuned;
- () pob Aelod o'r Senedd sy'n cynrychioli ardal y lleolir y datblygiad arfaethedig ynddi;
- () pob Aelod o Dŷ'r Cyffredin sy'n cynrychioli ardal y lleolir y datblygiad arfaethedig ynddi;'

Julie James

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Section 29, page 20, line 23, after 'area,', insert 'Natural Resources Wales and'.

Adran 29, tudalen 20, llinell 25, hepgorer 'pob' a mewnosoder 'Cyfoeth Naturiol Cymru a phob'.

Julie James

160

Section 29, page 20, line 23, after 'authority', insert 'and community council'.

Adran 29, tudalen 20, llinell 25, ar ôl 'cynllunio', mewnosoder 'a phob cyngor cymuned'.

Julie James 161

Section 29, page 20, after line 24, insert –

- () each Member of the Senedd and Member of the House of Commons the person considers appropriate;’.

Adran 29, tudalen 20, ar ôl llinell 26, mewnosoder –

- () pob Aelod o’r Senedd a phob Aelod o Dŷ’r Cyffredin y mae’r person yn ystyried ei fod yn briodol;’.

Julie James 5

Section 29, page 20, line 25, leave out ‘other persons’ and insert ‘any other person or person of a description’.

Adran 29, tudalen 20, llinell 27, hepgorer ‘personau eraill’ a mewnosoder ‘ unrhyw berson arall neu berson arall o ddisgrifiad’.

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 –

- (3) 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 –

- (3) 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.'

Julie James

6

Section 30, page 21, line 12, after 'persons', insert 'or persons of a description'.

Adran 30, tudalen 21, llinell 14, ar ôl 'personau', mewnosoder 'neu'r personau o ddisgrifiad'.

Delyth Jewell

141

Section 30, page 21, line 12, after 'consulted', insert 'which must include those who are likely to be affected by the application'.

Adran 30, tudalen 21, llinell 14, ar ôl 'hwy', mewnosoder 'ac y mae rhaid iddynt gynnwys y rhai y mae'r cais yn debygol o effeithio arnynt'.

Delyth Jewell 142

Section 30, page 21, line 19, after 'consultation', insert ', which must provide a minimum of 28 days for those consulted to respond to it'.

Adran 30, tudalen 21, llinell 22, ar ôl 'ymgyngoriad', mewnosoder ', y mae rhaid iddi ddarparu lleiafswm o 28 o ddiwrnodau i'r rhai yr ymgynghorir â hwy ymateb iddo'.

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.'

Adam Price [R] 197

Section 31, page 21, after line 35, insert –

'(d) where the development is of a kind listed in section 2(1)(a) to (d), include a collaborative benefits report.'

Adran 31, tudalen 21, ar ôl llinell 39, mewnosoder –

'(d) pan fo'r datblygiad o fath a restrir yn adran 2(1)(a) i (d), gynnwys adroddiad buddion cydweithredol.'

This amendment provides that collaborative benefits reports are made part of the infrastructure consenting process in Wales.

Mae'r gwelliant hwn yn darparu bod adroddiadau buddion cydweithredol yn cael eu gwneud yn rhan o'r broses cydsyniad seilwaith yng Nghymru.

Adam Price

198

Section 31, page 22, after line 16, insert –

'() In subsection 3([*paragraph to be inserted by amendment 197*])“collaborative benefits report” means a report that complies with requirements specified in regulations about the community benefits relevant to the development.'

Adran 31, tudalen 22, ar ôl llinell 18, mewnosoder –

'() Yn is-adran 3([*paragraff i'w mewnosod gan welliant 197*]), ystyr “adroddiad buddion cydweithredol” yw adroddiad sy'n cydymffurfio â'r gofynion a bennir mewn rheoliadau ynghylch y buddion cymunedol sy'n berthnasol i'r datblygiad.'

A regulation-making power is included to enable detailed requirements for the collaborative benefits report to be included in secondary legislation.

Mae pŵer i wneud rheoliadau wedi ei gynnwys i'w gwneud yn bosibl i ofynion manwl ar gyfer yr adroddiad buddion cydweithredol gael eu cynnwys mewn is-ddeddfwriaeth.

Janet Finch-Saunders

54

Section 32, page 22, after line 19, insert –

'() The Welsh Ministers must make the decision required by subsection (1) within 28 days of receipt of the application.'

Adran 32, tudalen 22, ar ôl llinell 21, mewnosoder –

'() Rhaid i Weinidogion Cymru wneud y penderfyniad sy'n ofynnol gan is-adran (1) o fewn 28 o ddiwrnodau i'r cais ddod i law.'

Julie James

7

Section 33, page 22, line 31, leave out 'and section 34 apply' and insert 'applies'.

Adran 33, tudalen 22, llinell 33, hepgorer 'ac adran 34'.

Julie James

162

Section 33, page 22, line 35, leave out 'the planning authority for each' and insert 'each planning authority for an'.

Adran 33, tudalen 22, llinell 37, hepgorer ‘i’r awdurdod cynllunio ar gyfer pob’ a mewnosoder ‘i bob awdurdod cynllunio ar gyfer’.

Julie James

163

Section 33, page 23, leave out line 1 and insert –

- () if the proposed development is located in an area for which there is a community council, to the community council;
- () to each Member of the Senedd representing an area in which the proposed development is situated;
- () to each Member of the House of Commons representing an area in which the proposed development is situated;’.

Adran 33, tudalen 23, hepgorer llinell 1 a mewnosoder –

- () os yw’r datblygiad arfaethedig wedi ei leoli mewn ardal y ceir cyngor cymuned ar ei chyfer, i’r cyngor cymuned;
- () i bob Aelod o’r Senedd sy’n cynrychioli ardal y lleolir y datblygiad arfaethedig ynddi;
- () i bob Aelod o Dŷ’r Cyffredin sy’n cynrychioli ardal y lleolir y datblygiad arfaethedig ynddi;’.

Julie James

164

Section 33, page 23, line 4, leave out –

‘the planning authority or community council they consider appropriate;’

and insert –

- ‘each planning authority and community council they consider appropriate;
- (iii) to each Member of the Senedd and Member of the House of Commons they consider appropriate;’.

Adran 33, tudalen 23, llinell 4, hepgorer –

‘i’r awdurdod cynllunio neu’r cyngor cymuned y maent yn ystyried ei fod yn briodol;’

a mewnosoder –

- ‘i bob awdurdod cynllunio a phob cyngor cymuned y maent yn ystyried ei fod yn briodol;
- (ii) i bob Aelod o’r Senedd a phob Aelod o Dŷ’r Cyffredin y maent yn ystyried ei fod yn briodol;’.

Julie James

8

Section 33, page 23, line 5, leave out ‘persons or descriptions of person’ and insert ‘person or person of a description’.

Adran 33, tudalen 23, llinell 6, hepgorer ‘bersonau neu ddisgrifiadau o bersonau’ a mewnosoder ‘berson neu berson o ddisgrifiad’.

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 55

Section 33, page 23, line 21, after ‘persons’, insert ‘, and

- () publish a statement outlining the reasons for extending the deadline’.

Adran 33, tudalen 23, llinell 24, ar ôl ‘personau’, mewnosoder ‘, ac

- () cyhoeddi datganiad sy’n amlinellu’r rhesymau dros estyn y dyddiad cau’.

Julie James 9

Section 33, page 23, line 23, leave out ‘description of person’ and insert ‘person of a description specified in the direction’.

Adran 33, tudalen 23, llinell 26, hepgorer ‘ddisgrifiad o berson’ a mewnosoder ‘berson o ddisgrifiad a bennir yn y cyfarwyddyd’.

Julie James 10

Section 34, page 24, line 1, leave out ‘persons’ and insert ‘a person or person of a description’.

Adran 34, tudalen 24, llinell 1, hepgorer ‘bersonau’ a mewnosoder ‘berson neu berson o ddisgrifiad’.

Delyth Jewell 143

Section 35, page 24, after line 18, insert –

- ‘() Before submitting a local impact report, a planning authority or a community council (as the case may be) must consult locally on the contents of the report.’.

Adran 35, tudalen 24, ar ôl llinell 19, mewnosoder –

- ‘() Cyn cyflwyno adroddiad ar yr effaith leol, rhaid i awdurdod cynllunio neu gyngor cymuned (yn ôl y digwydd) ymgynghori’n lleol ar gynnwys yr adroddiad.’.

Janet Finch-Saunders 56

Section 36, page 24, after line 36, insert –

- ‘() Where Natural Resources Wales is to prepare a marine impact report for submission in accordance with this section, the Welsh Ministers must reimburse Natural Resources Wales in respect of the cost of obtaining advice from a marine archaeological expert.’.

Adran 36, tudalen 24, ar ôl llinell 38, mewnosoder –

- ‘() Pan fo Cyfoeth Naturiol Cymru i lunio adroddiad effaith ar y môr i’w gyflwyno yn unol â’r adran hon, rhaid i Weinidogion Cymru ad-dalu Cyfoeth Naturiol Cymru mewn cysylltiad â chost cael cyngor gan arbenigwr archaeolegol morol.’

Delyth Jewell

144

Section 36, page 24, after line 36, insert –

- ‘() Natural Resources Wales must consult on the content of a proposed marine impact report to be submitted in accordance with subsections (1) to (3) above, before submission of the report’.

Adran 36, tudalen 24, ar ôl llinell 38, mewnosoder –

- ‘() Rhaid i Cyfoeth Naturiol Cymru ymgynghori ar gynnwys adroddiad effaith ar y môr arfaethedig i’w gyflwyno yn unol ag is-adrannau (1) i (3) uchod, cyn cyflwyno’r adroddiad.’

Julie James

11

Section 36, page 25, leave out line 9.

Adran 36, tudalen 25, hepgorer llinell 10.

Julie James

12

Section 38, page 25, line 25, leave out ‘require an applicant for infrastructure consent to carry out consultation’ and insert ‘make provision for and in connection with consultation by an applicant for infrastructure consent’.

Adran 38, tudalen 25, llinell 27, hepgorer ‘ei gwneud yn ofynnol i geisydd am gydsyniad seilwaith gynnal ymgynghoriad ar gais am gydsyniad seilwaith sy’n cynnwys archiad i awdurdodi caffael yn orfodol dir neu fuddiant mewn tir neu hawl dros dir’ a mewnosoder ‘wneud darpariaeth i geisydd am gydsyniad seilwaith ymgynghori ar gais am gydsyniad seilwaith sy’n cynnwys archiad i awdurdodi caffael yn orfodol dir neu fuddiant mewn tir neu hawl dros dir, ac mewn cysylltiad â hynny’.

Julie James

13

Section 38, page 25, line 28, leave out subsection (2).

Adran 38, tudalen 25, llinell 30, hepgorer is-adran (2).

Julie James

14

Section 38, page 25, line 32, leave out ‘(2)’ and insert ‘(1)’.

Adran 38, tudalen 25, llinell 34, hepgorer ‘(2)’ a mewnosoder ‘(1)’.

Julie James 15

Section 38, page 25, line 32, leave out 'about –

- (a) the persons required to be consulted;

and insert ' –

- (a) requiring specified persons to be consulted;
- (b) about the circumstances in which consultation is required;'

Adran 38, tudalen 25, llinell 35, hepgorer 'ynghylch –

- (a) y personau y mae'n ofynnol ymgynghori â hwy;'

a mewnosoder ' –

- (a) sy'n ei gwneud yn ofynnol ymgynghori â phersonau penodedig;
- (b) ynghylch yr amgylchiadau pan fo ymgynghoriad yn ofynnol;'

Julie James 16

Section 38, page 25, at the beginning of line 34, insert 'about'.

Adran 38, tudalen 25, ar ddechrau llinell 37, mewnosoder 'ynghylch'.

Julie James 17

Section 38, page 26, at the beginning of line 1, insert 'about'.

Adran 38, tudalen 26, ar ddechrau llinell 1, mewnosoder 'ynghylch'.

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.'

Delyth Jewell 145

Section 39, page 26, after line 11, insert –

- ‘() The document published in accordance with subsection (3) must make provision for the assessment of the expertise or experience of the person or panel of persons under consideration.’.

Adran 39, tudalen 26, ar ôl llinell 12, mewnosoder –

- ‘() Rhaid i’r ddogfen a gyhoeddir yn unol ag is-adran (3) wneud darpariaeth ar gyfer asesu arbenigedd neu brofiad y person neu’r panel o bersonau o dan ystyriaeth.’.

Delyth Jewell

146

Section 41, page 27, leave out lines 5 to 6.

Adran 41, tudalen 27, hepgorer llinell 5.

Julie James

165

Section 41, page 27, after line 6, insert –

- ‘() And a determination must provide for examination of the application to include a hearing, unless –
- (a) the determination provides for a local inquiry to be conducted, or
 - (b) the examining authority considers that a hearing would not assist the examination.’.

Adran 41, tudalen 27, ar ôl llinell 5, mewnosoder –

- ‘() A rhaid i ddyfarniad ddarparu y bydd archwiliad o’r cais yn cynnwys gwrandawriad, oni bai bod –
- (a) y dyfarniad yn darparu y bydd ymchwiliad lleol yn cael ei gynnal, neu
 - (b) yr awdurdod archwilio yn ystyried na fyddai gwrandawriad yn cynorthwyo’r archwiliad.’.

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’.

Julie James

18

Section 41, page 27, line 11, leave out ‘persons’ and insert ‘any person or person of a description’.

Adran 41, tudalen 27, llinell 10, hepgorer ‘personau’ a mewnosoder ‘unrhyw berson neu berson o ddisgrifiad’.

Janet Finch-Saunders

57

Section 41, page 27, after line 12, insert –

‘() The procedure in section 41(2)(c) must be used unless the circumstances are such that another procedure is more appropriate for the application.’

Adran 41, tudalen 27, ar ôl llinell 11, mewnosoder –

‘() Rhaid i’r weithdrefn yn adran 41(2)(c) gael ei defnyddio oni bai bod yr amgylchiadau yn golygu bod gweithdrefn arall yn fwy priodol ar gyfer y cais.’

Delyth Jewell

147

Section 42, page 28, leave out lines 8 to 17.

Adran 42, tudalen 28, hepgorer llinellau 8 hyd at 18.

Delyth Jewell

148

Page 28, after line 22, insert a new section –

[] Open Floor Hearings

- (1) The examining authority must fix, and inform the interested parties of the deadline by which an interested party must notify the Welsh Ministers of the party’s wish to be heard at an open-floor hearing.
- (2) If the Welsh Ministers receive notification from at least one interested party before the deadline in subsection (1), the examining authority must arrange for the holding of an open-floor hearing.
- (3) At an open-floor hearing, 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 24, mewnosoder adran newydd –

[] Gwrandawiaidau Llawr Agored

- (1) Rhaid i’r awdurdod archwilio bennu’r dyddiad cau erbyn pryd y mae rhaid i barti a chanddo fuddiant hysbysu Gweinidogion Cymru ei fod yn dymuno cael ei glywed mewn gwrandawriad llawr agored, a rhaid i’r awdurdod archwilio hysbysu’r partion a chanddynt fuddiant am y dyddiad cau hwnnw.
- (2) Os yw Gweinidogion Cymru yn cael hysbysiad gan o leiaf un parti a chanddo fuddiant cyn y dyddiad cau yn is-adran (1), rhaid i’r awdurdod archwilio drefnu i wrandawriad llawr agored gael ei gynnal.
- (3) Mewn gwrandawriad llawr agored, mae hawlogaeth gan bob parti a chanddo fuddiant (yn ddarostyngedig i bwerau’r awdurdod archwilio i reoli’r dull o gynnal y gwrandawriad) i gyflwyno sylwadau llafar am y cais.’

Julie James

166

Page 28, line 23, leave out section 43 and insert –

‘43 Power to enter land in connection with examination

- (1) A person authorised in writing by the Welsh Ministers may at a reasonable time enter land in Wales for the purpose of inspecting the land in connection with the examination of applications under this Part.
- (2) A person authorised under subsection (1) to enter land –
 - (a) must, if required, produce evidence of the person's authority, and state the purpose of the person's entry, before entering,
 - (b) may not demand admission as of right to any land which is occupied unless 14 days' notice of the intended entry has been given to the occupier,
 - (c) may take on to the land any other persons that are necessary,
 - (d) must, if leaving the land at a time when no owner or occupier is present, leave it as effectively secured against trespassers as the person found it, and
 - (e) must comply with any other conditions subject to which the Welsh Ministers' authorisation is given.
- (3) A person commits an offence if the person intentionally obstructs a person acting in the exercise of power under subsection (1).
- (4) A person guilty of an offence under subsection (3) is liable on summary conviction to a fine.'

Tudalen 28, llinell 25, hepgorer adran 43 a mewnosoder –

'43 Pŵer i fynd ar dir mewn cysylltiad ag archwiliad

- (1) Caiff person sydd wedi ei awdurdodi'n ysgrifenedig gan Weinidogion Cymru fynd ar dir yng Nghymru ar adeg resymol at ddiben edrych ar y tir mewn cysylltiad ag archwilio ceisiadau o dan y Rhan hon.
- (2) Mewn perthynas â pherson sydd wedi ei awdurdodi i fynd ar dir o dan is-adran (1) –
 - (a) rhaid iddo, os yw'n ofynnol iddo wneud hynny, ddangos tystiolaeth o awdurdodiad y person, a datgan diben mynd ar y tir, cyn mynd arno,
 - (b) ni chaiff fynnu cael mynediad fel hawl i unrhyw dir sydd wedi ei feddiannu oni roddwyd 14 o ddiwrnodau o rybudd o'r mynediad bwriadedig i'r meddiannydd,
 - (c) caiff fynd ag unrhyw bersonau eraill sy'n angenrheidiol ar y tir,
 - (d) rhaid iddo, os yw'n ymadael â'r tir ar adeg pan nad oes perchennog neu feddiannydd yn bresennol, ei adael wedi ei ddiogelu yr un mor effeithiol rhag tresmaswyr ag yr oedd pan aeth y person arno, ac
 - (e) rhaid iddo gydymffurfio ag unrhyw amodau eraill y rhoddir awdurdodiad Gweinidogion Cymru yn ddarostyngedig iddynt.
- (3) Mae person yn cyflawni trosedd os yw'r person yn rhwystro'n fwriadol berson sy'n gweithredu wrth arfer pŵer o dan is-adran (1).
- (4) Mae person sy'n euog o drosedd o dan is-adran (3) yn agored ar euogfarn ddiannod i ddirwy.'

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).'

Julie James

167

Page 28, after line 27, insert a new section –

[] Power to enter Crown land in connection with examination

- (1) Section [*section to be inserted by amendment 166*] applies to Crown land subject to subsections (2) and (3).
- (2) A person must not enter Crown land unless the person ("P") has the permission of –
 - (a) a person appearing to P to be entitled to give it, or
 - (b) the appropriate Crown authority.
- (3) Subsections (2)(b), (3) and (4) of section [*section to be inserted by amendment 166*] do not apply in relation to anything done by virtue of this section.'

Tudalen 28, ar ôl llinell 29, mewnosoder adran newydd –

[] Pŵer i fynd ar dir y Goron mewn cysylltiad ag archwiliad

- (1) Mae adran [*adran sydd i'w mewnosod gan welliant 166*] yn gymwys i dir y Goron yn ddarostyngedig i is-adrannau (2) a (3).
- (2) Ni chaiff person fynd ar dir y Goron oni fo'r person ("P") wedi cael caniatâd –
 - (a) person yr ymddengys i P fod ganddo hawl i'w roi, neu
 - (b) awdurdod priodol y Goron.
- (3) Nid yw is-adrannau (2)(b), (3) a (4) o adran [*adran sydd i'w mewnosod gan welliant 166*] yn gymwys mewn perthynas ag unrhyw beth a wneir yn rhinwedd yr adran hon.'

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.’.

Delyth Jewell **149**

Section 45, page 29, line 19, after ‘public’, insert ‘at a location which is as close as reasonably practicable to the proposed development site’.

Adran 45, tudalen 29, llinell 21, ar ôl ‘gyhoeddus’, mewnosoder ‘mewn lleoliad sydd mor agos ag y bo’n rhesymol ymarferol i safle’r datblygiad arfaethedig’.

Delyth Jewell **150**

Section 45, page 29, after line 19, insert –

‘() the local inquiry must be accessible electronically, with a live stream of the inquiry accessible to enable those unable to attend in person to access the proceedings.’.

Adran 45, tudalen 29, ar ôl llinell 21, mewnosoder –

‘() rhaid i’r ymchwiliad lleol fod ar gael yn electronig, a rhaid i ffrwd fyw o’r ymchwiliad fod ar gael er mwyn galluogi’r rhai na allant fod yn bresennol yn y cnawd i gael gafael ar y trafodion.’.

Delyth Jewell **151**

Section 45, page 29, line 20, after ‘inspection’, insert ‘in person and via electronic means’.

Adran 45, tudalen 29, llinell 22, ar ôl ‘arni’, mewnosoder ‘yn y cnawd a thrwy ddull electronig’.

Janet Finch-Saunders **58**

Page 30, after line 36, 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 30, ar ôl llinell 37, 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

59

Section 50, page 31, after line 16, insert –

'() Where the Welsh Ministers make a direction under subsection (1), they must publish a statement of the reasons for making the direction.'

Adran 50, tudalen 31, ar ôl llinell 15, mewnosoder –

'() Pan fo Gweinidogion Cymru yn gwneud cyfarwyddyd o dan is-adran (1), rhaid iddynt gyhoeddi datganiad o'r rhesymau dros wneud y cyfarwyddyd.'

Janet Finch-Saunders

60

Section 51, page 31, after line 32, insert –

'() Notwithstanding the other provisions of this section, the Welsh Ministers may not order an individual objecting to the application to pay the costs of another party in any circumstances.'

Adran 51, tudalen 31, ar ôl llinell 31, mewnosoder –

'() Er gwaethaf darpariaethau eraill yr adran hon, ni chaiff Gweinidogion Cymru orchymyn i unigolyn sy'n gwrthwynebu'r cais dalu costau parti arall o dan unrhyw amgylchiadau.'

Janet Finch-Saunders

61

Gyda chefnogaeth / Supported by: Delyth Jewell

Page 32, line 5, leave out section 52 and insert –

'52 Function of deciding applications

'The Welsh Ministers have the function of deciding an application for infrastructure consent.'

Tudalen 32, llinell 5, hepgorer adran 52 a mewnosoder –

'52 Swyddogaeth penderfynu ar geisiadau

'Gweinidogion Cymru sydd â'r swyddogaeth o benderfynu ar gais am gydsyniad seilwaith.'

Janet Finch-Saunders

62

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

'[] Laying of policy statements before the Senedd

Where the Welsh Ministers publish a new statutory policy which is relevant to one or more significant infrastructure projects, they must lay it before Senedd Cymru.'

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

[] Gosod datganiadau polisi gerbron y Senedd

Pan fo Gweinidogion Cymru yn cyhoeddi polisi statudol newydd sy'n berthnasol i un neu ragor o brosiectau seilwaith arwyddocaol, rhaid iddynt ei osod gerbron Senedd Cymru.'.

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.'

Julie James

168

Page 32, line 17, leave out section 53 and insert –

’53 Deciding applications: general considerations

- (1) In deciding an application for infrastructure consent, the examining authority or the Welsh Ministers (as the case may be) must –
 - (a) have regard to –
 - (i) any infrastructure policy statement that has effect in relation to the kind of development to which the application relates (a “relevant policy statement”),
 - (ii) the National Development Framework for Wales so far as relevant to the kind of development to which the application relates,
 - (iii) any marine plan (within the meaning of section 51(3) of the Marine and Coastal Access Act 2009 (c. 23)) prepared and adopted by the Welsh Ministers so far as relevant to the kind of development to which the application relates, and
 - (b) make their decision or its decision (as the case may be) in accordance with the relevant policy statement, framework or plan unless relevant considerations indicate otherwise.
- (2) The fact that any relevant policy statement, framework or plan identifies a location as suitable (or potentially suitable) for a particular kind of development does not prevent the Welsh Ministers or examining authority (as the case may be) from deciding an application otherwise than in accordance with the relevant policy statement, framework or plan if relevant considerations indicate otherwise.’.

Tudalen 32, llinell 18, hepgorer adran 53 a mewnosoder –

’53 Penderfynu ar geisiadau: ystyriaethau cyffredinol

- (1) Wrth benderfynu ar gais am gydsyniad seilwaith, rhaid i’r awdurdod archwilio neu Weinidogion Cymru (yn ôl y digwydd) –
 - (a) rhoi sylw i –
 - (i) unrhyw ddatganiad polisi seilwaith sy’n cael effaith mewn perthynas â’r math o ddatblygiad y mae’r cais yn ymwneud ag ef (“datganiad polisi perthnasol”),
 - (ii) Fframwaith Datblygu Cenedlaethol Cymru i’r graddau y bo’n berthnasol i’r math o ddatblygiad y mae’r cais yn ymwneud ag ef,
 - (iii) unrhyw gynllun morol (o fewn yr ystyr a roddir i “marine plan” yn adran 51(3) o Ddeddf y Môr a Mynediad i’r Arfordir 2009 (p. 23)) sydd wedi ei lunio a’i fabwysiadu gan Weinidogion Cymru i’r graddau y bo’n berthnasol i’r math o ddatblygiad y mae’r cais yn ymwneud ag ef, a
 - (b) gwneud eu penderfyniad neu ei benderfyniad (yn ôl y digwydd) yn unol â’r datganiad polisi perthnasol, y fframwaith neu’r cynllun, oni fo ystyriaethau perthnasol yn dangos fel arall.
- (2) Nid yw’r ffaith bod unrhyw ddatganiad polisi perthnasol, fframwaith neu gynllun yn nodi bod lleoliad yn addas (neu y gallai fod yn addas) ar gyfer math penodol o ddatblygiad yn rhwystro Gweinidogion Cymru neu’r awdurdod archwilio (yn ôl y digwydd) rhag penderfynu ar gais ac eithrio yn unol â’r datganiad polisi perthnasol, y fframwaith neu’r cynllun os yw ystyriaethau perthnasol yn dangos fel arall.’.

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,'.

Delyth Jewell **152**

Section 54, page 33, after line 24, insert –

- '() the desirability of mitigating, and adapting to, climate change;'

Adran 54, tudalen 33, ar ôl llinell 25, mewnosoder –

- '() dymunoldeb lliniaru newid hinsawdd ac ymaddasu iddo;'

Julie James **169**

Section 54, page 33, line 25, leave out 'material' and insert 'relevant'.

Nid oes angen diwygio'r fersiwn Cymraeg. There is no need to amend the Welsh version.

Julie James **170**

Page 33, line 27, leave out section 55 and insert –

'55 Matters that may be disregarded when making decisions on applications

- (1) In deciding an application for infrastructure consent, the Welsh Ministers or the examining authority may disregard representations if the Welsh Ministers consider, or the examining authority considers (as the case may be), that the representations –
 - (a) are vexatious or frivolous,
 - (b) relate to the merits of policy set out in –
 - (i) an infrastructure policy statement,
 - (ii) the National Development Framework for Wales, or
 - (iii) any marine plan (within the meaning of section 51(3) of the Marine and Coastal Access Act 2009 (c. 23)) prepared and adopted by the Welsh Ministers, or
 - (c) relate to compensation for compulsory acquisition of land or of an interest in or right over land.
- (2) In subsection (1), "representations" includes evidence.

- (3) Regulations may amend subsection (1) –
- (a) to specify further matters that may be disregarded;
 - (b) to change or remove matters specified under paragraph (a).’.

Tudalen 33, llinell 28, hepgorer adran 55 a mewnosoder –

‘55 Materion y caniateir eu diystyru wrth wneud penderfyniadau ar geisiadau

- (1) Wrth benderfynu ar gais am gydsyniad seilwaith, caiff Gweinidogion Cymru neu’r awdurdod archwilio ddiystyru sylwadau os yw Gweinidogion Cymru yn ystyried, neu os yw’r awdurdod archwilio yn ystyried (yn ôl y digwydd), fod y sylwadau –
- (a) yn flinderus neu’n wacsaw,
 - (b) yn ymwneud â rhinweddau polisi a nodir –
 - (i) mewn datganiad polisi seilwaith,
 - (ii) yn Fframwaith Datblygu Cenedlaethol Cymru, neu
 - (iii) mewn unrhyw gynllun morol (o fewn yr ystyr a roddir i “marine plan” yn adran 51(3) o Ddeddf y Môr a Mynediad i’r Arfordir 2009 (p. 23)) sydd wedi ei lunio a’i fabwysiadu gan Weinidogion Cymru, neu
 - (c) yn ymwneud â digolledu am gaffael yn orfodol dir neu fuddiant mewn tir neu hawl dros dir.
- (2) Yn is-adran (1), mae “sylwadau” yn cynnwys tystiolaeth.
- (3) Caiff rheoliadau ddiwygio is-adran (1) –
- (a) i bennu materion pellach y caniateir eu diystyru;
 - (b) i newid neu ddileu materion a bennir o dan baragraff (a).’.

Jenny Rathbone

199

Section 56, page 34, line 4, leave out subsection (4) and insert –

- ‘() As soon as reasonably practicable after giving the direction, the Welsh Ministers must –
- (a) notify the applicant and any other person specified in regulations of the direction,
 - (b) publish the direction, and
 - (c) lay a statement about the direction before Senedd Cymru explaining its effect and why it was given.’.

Adran 56, tudalen 34, llinell 4, hepgorer is-adran (4) a mewnosoder –

- ‘() Cyn gynted ag y bo’n rhesymol ymarferol ar ôl rhoi’r cyfarwyddyd, rhaid i Weinidogion Cymru
- (a) hysbysu’r ceisydd ac unrhyw berson arall a bennir mewn rheoliadau am y cyfarwyddyd,
 - (b) cyhoeddi’r cyfarwyddyd, ac
 - (c) gosod datganiad ynghylch y cyfarwyddyd gerbron Senedd Cymru yn egluro ei effaith a pham y’i rhoddwyd.’.

Janet Finch-Saunders

63

Section 56, page 34, after line 6, insert –

‘() Where the Welsh Ministers make a direction under subsection (2), they must publish a statement of the reasons for making the direction.’.

Adran 56, tudalen 34, ar ôl llinell 7, mewnosoder –

‘() Pan fo Gweinidogion Cymru yn gwneud cyfarwyddyd o dan is-adran (2), rhaid iddynt gyhoeddi datganiad o’r rhesymau dros wneud y cyfarwyddyd.’.

Julie James

19

Section 57, page 34, line 18, leave out ‘the applicant of their decision to either make an infrastructure consent order or refuse infrastructure consent.’ and insert ‘the following of their decision to either make an infrastructure consent order or refuse infrastructure consent –

- (a) the applicant;
- (b) any planning authority or community council that has submitted a local impact report to the Welsh Ministers in respect of the application;
- (c) Natural Resources Wales if it has submitted a marine impact report to the Welsh Ministers in respect of the application;
- (d) any other person or persons of a description specified in regulations.’.

Adran 57, tudalen 34, llinell 20, hepgorer ‘ceisydd am eu penderfyniad i naill ai gwneud gorchymyn cydsyniad seilwaith neu wrthod cydsyniad seilwaith.’ a mewnosoder ‘canlynol am eu penderfyniad i naill ai gwneud gorchymyn cydsyniad seilwaith neu wrthod cydsyniad seilwaith –

- (a) y ceisydd;
- (b) unrhyw awdurdod cynllunio neu gyngor cymuned sydd wedi cyflwyno adroddiad ar yr effaith leol i Weinidogion Cymru mewn cysylltiad â’r cais;
- (c) Cyfoeth Naturiol Cymru os yw wedi cyflwyno adroddiad effaith ar y môr i Weinidogion Cymru mewn cysylltiad â’r cais;
- (d) unrhyw berson arall neu berson arall o ddisgrifiad a bennir mewn rheoliadau.’.

Julie James

20

Section 57, page 34, line 25, leave out ‘the applicant of its decision either that an infrastructure consent order is to be made or to refuse infrastructure consent.’ and insert ‘the following of its decision either that an infrastructure consent order is to be made or to refuse infrastructure consent –

- (a) the applicant;
- (b) any planning authority or community council that has submitted a local impact report to the Welsh Ministers in respect of the application;
- (c) Natural Resources Wales if it has submitted a marine impact report to the Welsh Ministers in respect of the application;
- (d) any other person or persons of a description specified in regulations.’.

Adran 57, tudalen 34, llinell 27, hepgorer ‘ceisydd am ei benderfyniad naill ai bod gorchymyn cydsyniad seilwaith i’w wneud neu i wrthod cydsyniad seilwaith.’ a mewnosoder ‘canlynol am ei benderfyniad naill ai bod gorchymyn cydsyniad seilwaith i’w wneud neu i wrthod cydsyniad seilwaith—

- (a) y ceisydd;
- (b) unrhyw awdurdod cynllunio neu gyngor cymuned sydd wedi cyflwyno adroddiad ar yr effaith leol i Weinidogion Cymru mewn cysylltiad â’r cais;
- (c) Cyfoeth Naturiol Cymru os yw wedi cyflwyno adroddiad effaith ar y môr i Weinidogion Cymru mewn cysylltiad â’r cais;
- (d) unrhyw berson arall neu berson arall o ddisgrifiad a bennir mewn rheoliadau.’.

Julie James

21

Section 57, page 34, line 28, leave out ‘that’ and insert ‘to which’.

Nid oes angen diwygio’r fersiwn Cymraeg. There is no need to amend the Welsh version.

Julie James

22

Section 59, page 35, line 23, leave out ‘persons’ and insert ‘—

- (a) the applicant;
- (b) any planning authority or community council that has submitted a local impact report to the Welsh Ministers in respect of the application;
- (c) Natural Resources Wales if it has submitted a marine impact report to the Welsh Ministers in respect of the application;
- (d) any person or person of a description’.

Adran 59, tudalen 35, llinell 23, hepgorer ‘bersonau’ a mewnosoder ‘—

- (a) y ceisydd;
- (b) unrhyw awdurdod cynllunio neu gyngor cymuned sydd wedi cyflwyno adroddiad ar yr effaith leol i Weinidogion Cymru mewn cysylltiad â’r cais;
- (c) Cyfoeth Naturiol Cymru os yw wedi cyflwyno adroddiad effaith ar y môr i Weinidogion Cymru mewn cysylltiad â’r cais;
- (d) unrhyw berson neu berson o ddisgrifiad’.

Janet Finch-Saunders

64

Section 59, page 35, after line 23, insert—

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

Adran 59, tudalen 35, ar ôl llinell 23, mewnosoder—

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

Janet Finch-Saunders

65

Section 61, page 37, after line 5, insert –

‘and in each case no more land than is needed is authorised to be acquired compulsorily.’.

Adran 61, tudalen 37, ar ôl llinell 7, mewnosoder –

‘ac ym mhob achos nad yw mwy o dir na’r hyn sydd ei angen yn cael ei awdurdodi i’w gaffael yn orfodol.’.

Janet Finch-Saunders

66

Section 77, page 47, line 2, 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 77, tudalen 47, llinell 3, 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)’.

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 –

[] Gorchymynion 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.'

Julie James

171

Section 87, page 51, line 16, leave out 'or on behalf of'.

Adran 87, tudalen 51, llinell 18, hepgorer 'neu ar ran y canlynol'.

Julie James

23

Section 88, page 52, at the beginning of line 21, insert 'be'.

Nid oes angen diwygio'r fersiwn Cymraeg. There is no need to amend the Welsh version.

Julie James

172

Section 88, page 53, line 6, after 'to', insert ' –

- (a) the applicant or a successor in title of the applicant,
- (b) the person who made the application under section 87 (if different to the person mentioned in paragraph (a)), and'.

Adran 88, tudalen 53, llinell 6, ar ôl 'i', mewnosoder ' –

- (a) y ceisydd neu olynydd yn nheidl y ceisydd,
- (b) y person a wnaeth y cais o dan adran 87 (os yw'n wahanol i'r person a grybwyllir ym mharagraff (a)), ac'.

Julie James

24

Section 88, page 53, line 6, leave out 'such persons as may be' and insert 'any person or person of a description'.

Adran 88, tudalen 53, llinell 6, hepgorer 'unrhyw bersonau' a mewnosoder 'unrhyw berson neu berson o ddisgrifiad'.

Julie James 33

Schedule 2, page 89, line 30, leave out '10' and insert '9'.

Atodlen 2, tudalen 89, llinell 31, hepgorer '10' a mewnosoder '9'.

Julie James 34

Schedule 2, page 90, line 21, leave out 'it' and insert 'the apportionment'.

Atodlen 2, tudalen 90, llinell 21, hepgorer 'ei atgyfeirio' a mewnosoder 'atgyfeirio'r dosraniad'.

Julie James 35

Schedule 2, page 91, line 3, leave out 'an amount specified in regulations for the purposes of' and insert 'more than the minimum amount specified in regulations under'.

Atodlen 2, tudalen 91, llinell 2, hepgorer 'swm a bennir mewn rheoliadau at ddibenion paragraff' a mewnosoder 'fwy na'r isafswm a bennir mewn rheoliadau o dan baragraff'.

Julie James 36

Schedule 2, page 95, line 8, leave out 'must' and insert 'under this Schedule is to'.

Atodlen 2, tudalen 95, llinell 8, hepgorer 'Rhaid i unrhyw gwestiwn ynghylch digollediad y ceir anghydfod yn ei gylch' a mewnosoder 'Mae unrhyw gwestiwn ynghylch digollediad y ceir anghydfod yn ei gylch i'.

Julie James 25

Section 96, page 57, line 15, leave out '24A' and insert '24ZA'.

Adran 96, tudalen 57, llinell 15, hepgorer '24A' a mewnosoder '24ZA'.

Julie James 26

Section 96, page 57, line 16, leave out '24A(c)' and insert '24ZA(c)'.

Adran 96, tudalen 57, llinell 16, hepgorer '24A(c)' a mewnosoder '24ZA(c)'.

Julie James 27

Section 96, page 57, line 23, leave out '165A' and insert '165B'.

Adran 96, tudalen 57, llinell 24, hepgorer '165A' a mewnosoder '165B'.

Julie James 28

Section 96, page 58, line 12, leave out '24A(a)' and insert '24ZA(a)'.

Adran 96, tudalen 58, llinell 12, hepgorer ‘24A(a)’ a mewnosoder ‘24ZA(a)’.

Julie James 29

Section 96, page 58, line 15, leave out ‘24A(c)’ and insert ‘24ZA(c)’.

Adran 96, tudalen 58, llinell 15, hepgorer ‘24A(c)’ a mewnosoder ‘24ZA(c)’.

Janet Finch-Saunders 67

Section 103, page 60, line 28, leave out subsection (1).

Adran 103, tudalen 60, llinell 30, hepgorer is-adran (1).

Julie James 173

Section 104, page 61, line 13, leave out ‘for a purpose mentioned in section 103’ and insert ‘to assess whether an offence under section 100 or 101 is being, or has been, committed on or in respect of the land’.

Adran 104, tudalen 61, llinell 15, hepgorer ‘at ddiben a grybwyllir yn adran 103’ a mewnosoder ‘i asesu a yw trosedd o dan adran 100 neu 101 yn cael ei chyflawni, neu wedi ei chyflawni, ar y tir neu mewn cysylltiad â’r tir’.

Janet Finch-Saunders 68

Section 105, page 62, line 9, leave out ‘planning authority that authorised the entry or (as the case may be) from the Welsh Ministers if they authorised the entry’ and insert ‘Welsh Ministers’.

Adran 105, tudalen 62, llinell 9, hepgorer ‘yr awdurdod cynllunio a awdurdododd y mynediad neu (yn ôl y digwydd) Weinidogion Cymru os hwy a awdurdododd y mynediad’ a mewnosoder ‘Weinidogion Cymru’.

Janet Finch-Saunders 69

Section 108, page 63, leave out lines 4 to 5.

Adran 108, tudalen 63, hepgorer llinellau 4 hyd at 5.

Janet Finch-Saunders 70

Section 108, page 63, line 10, leave out subsection (2).

Adran 108, tudalen 63, llinell 10, hepgorer is-adran (2).

Janet Finch-Saunders 71

Section 108, page 63, line 18, leave out ‘planning authority, or’.

Adran 108, tudalen 63, llinell 20, hepgorer ‘mae’r awdurdod cynllunio, neu Weinidogion Cymru,’ a mewnosoder ‘mae Gweinidogion Cymru’.

Janet Finch-Saunders 72

Section 108, page 63, line 31, leave out 'to the relevant planning authority, or if the notice was given by the Welsh Ministers,'.

Adran 108, tudalen 63, llinell 33, hepgorer 'i'r awdurdod cynllunio perthnasol, neu os rhoddwyd yr hysbysiad gan Weinidogion Cymru,'.

Janet Finch-Saunders 73

Section 109, page 63, line 35, leave out '21' and insert '28'.

Adran 109, tudalen 63, llinell 37, hepgorer '21' a mewnosoder '28'.

Janet Finch-Saunders 74

Section 110, page 64, line 20, leave out 'relevant planning authority or the'.

Adran 110, tudalen 64, llinell 21, hepgorer 'yr awdurdod cynllunio perthnasol neu Weinidogion' a mewnosoder 'Gweinidogion'.

Janet Finch-Saunders 75

Section 110, page 64, line 27, leave out 'relevant planning authority or the'.

Adran 110, tudalen 64, llinell 28, hepgorer 'yr awdurdod cynllunio perthnasol neu Weinidogion' a mewnosoder 'Gweinidogion'.

Janet Finch-Saunders 76

Section 114, page 66, line 26, leave out 'A relevant planning authority may issue a temporary stop notice if it considers' and insert 'The Welsh Ministers may issue a temporary stop notice if they consider'.

Adran 114, tudalen 66, llinell 30, hepgorer 'awdurdod cynllunio perthnasol ddyroddi hysbysiad stop dros dro os yw'n ystyried' a mewnosoder 'Gweinidogion Cymru ddyroddi hysbysiad stop dros dro os ydynt yn ystyried'.

Janet Finch-Saunders 77

Section 114, page 66, line 31, leave out 'planning authority considers' and insert 'Welsh Ministers consider'.

Adran 114, tudalen 66, llinell 37, hepgorer 'mae'r awdurdod cynllunio' a mewnosoder 'mae Gweinidogion Cymru'.

Janet Finch-Saunders 78

Section 114, page 66, line 34, leave out 'authority's' and insert 'Welsh Ministers'.

Adran 114, tudalen 66, llinell 40, hepgorer 'rhesymau'r awdurdod' a mewnosoder 'rhesymau Gweinidogion Cymru'.

Janet Finch-Saunders 79

Section 114, page 67, line 2, leave out 'planning authority' and insert 'Welsh Ministers'.

Adran 114, tudalen 67, llinell 2, hepgorer 'i'r awdurdod cynllunio' a mewnosoder 'i Weinidogion Cymru'.

Janet Finch-Saunders 80

Section 114, page 67, line 5, leave out 'planning authority' and insert 'Welsh Ministers'.

Adran 114, tudalen 67, llinell 4, hepgorer 'yr awdurdod cynllunio' a mewnosoder 'Gweinidogion Cymru'.

Janet Finch-Saunders 81

Section 114, page 67, line 7, leave out 'planning authority may serve a copy of a temporary stop notice on any person the authority considers' and insert 'Welsh Ministers may serve a copy of a temporary stop notice on any person they consider'.

Adran 114, tudalen 67, llinell 7, hepgorer 'yr awdurdod cynllunio gyflwyno copi o hysbysiad stop dros dro i unrhyw berson y mae'r awdurdod yn ystyried' a mewnosoder 'Gweinidogion Cymru gyflwyno copi o hysbysiad stop dros dro i unrhyw berson y maent yn ystyried'.

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 82

Section 116, page 67, line 33, leave out 'planning authority withdraws' and insert 'Welsh Ministers withdraw'.

Adran 116, tudalen 67, llinell 34, hepgorer 'yw'r awdurdod cynllunio' a mewnosoder 'yw Gweinidogion Cymru'.

Janet Finch-Saunders 83

Section 116, page 68, line 1, leave out 'A planning authority may not issue a second or subsequent temporary stop notice in relation to the same activity unless the authority has' and insert 'The Welsh Ministers may not issue a second or subsequent temporary stop notice in relation to the same activity unless they have'.

Adran 116, tudalen 68, llinell 1, hepgorer ‘awdurdod cynllunio ddyroddi ail hysbysiad stop dros dro na hysbysiad stop dros dro dilynol mewn perthynas â’r un gweithgarwch oni fo’r awdurdod’ a mewnosoder ‘Gweinidogion Cymru ddyroddi ail hysbysiad stop dros dro na hysbysiad stop dros dro dilynol mewn perthynas â’r un gweithgarwch oni fo Gweinidogion Cymru’.

Janet Finch-Saunders

84

Section 118, page 68, line 26, leave out ‘a relevant planning authority withdraws’ and insert ‘the Welsh Ministers withdraw’.

Adran 118, tudalen 68, llinell 27, hepgorer ‘awdurdod cynllunio perthnasol’ a mewnosoder ‘Gweinidogion Cymru’.

Janet Finch-Saunders

85

Section 118, page 68, line 31, leave out ‘planning authority withdraws’ and insert ‘Welsh Ministers withdraw’.

Adran 118, tudalen 68, llinell 33, hepgorer ‘yr awdurdod cynllunio’ a mewnosoder ‘Gweinidogion Cymru’.

Janet Finch-Saunders

86

Section 118, page 68, line 33, leave out ‘relevant planning authority’ and insert ‘Welsh Ministers’.

Adran 118, tudalen 68, llinell 36, hepgorer ‘i’r awdurdod cynllunio perthnasol’ a mewnosoder ‘i Weinidogion Cymru’.

Janet Finch-Saunders

87

Section 118, page 68, line 34, leave out ‘authority’ and insert ‘Welsh Ministers’.

Adran 118, tudalen 68, llinell 37, hepgorer ‘yr awdurdod’ a mewnosoder ‘Weinidogion Cymru’.

Janet Finch-Saunders

88

Section 118, page 69, line 10, leave out ‘planning authority under section 108 of this Act or section 16 of the Local Government (Miscellaneous Provisions) Act 1976 (c. 57)’ and insert ‘Welsh Ministers under section 108 of this Act’.

Adran 118, tudalen 69, llinell 9, hepgorer ‘yr awdurdod cynllunio o dan adran 108 o’r Ddeddf hon neu adran 16 o Ddeddf Llywodraeth Leol (Darpariaethau Amrywiol) 1976 (p. 57)’ a mewnosoder ‘Weinidogion Cymru o dan adran 108 o’r Ddeddf hon’.

Janet Finch-Saunders

89

Section 118, page 69, line 12, leave out ‘planning authority’ and insert ‘Welsh Ministers’.

Adran 118, tudalen 69, llinell 13, hepgorer ‘â’r awdurdod cynllunio’ a mewnosoder ‘â Gweinidogion Cymru’.

Janet Finch-Saunders

90

Section 119, page 69, line 20, leave out subsection (1).

Adran 119, tudalen 69, llinell 22, hepgorer is-adran (1).

Janet Finch-Saunders

91

Page 69, line 31, leave out section 120.

Tudalen 69, llinell 33, hepgorer adran 120.

Julie James

174

Section 122, page 71, line 10, leave out –

‘it, in connection with –

- (a) a valid application for infrastructure consent, whether in relation to that or any other land,’

and insert –

‘land, in connection with –

- (a) a valid application for infrastructure consent,’.

Adran 122, tudalen 71, llinell 10, hepgorer –

‘ohono, mewn cysylltiad ag –

- (a) cais dilys am gydsyniad seilwaith, pa un a yw mewn perthynas â’r tir hwnnw neu unrhyw dir arall,’

a mewnosoder –

‘o dir, mewn cysylltiad ag –

- (a) cais dilys am gydsyniad seilwaith,’.

Julie James

175

Section 122, page 71, line 23, leave out ‘and’ and insert –

‘() may take on to the land any other persons that are necessary,

- () must, if leaving the land at a time when no owner or occupier is present, leave it as effectively secured against trespassers as the person found it, and’.

Adran 122, tudalen 71, llinell 25, hepgorer ‘ac’ a mewnosoder –

‘() caiff fynd ag unrhyw bersonau eraill sy’n angenrheidiol ar y tir,

- () rhaid iddo, os yw’n ymadael â’r tir ar adeg pan nad oes perchennog neu feddiannydd yn bresennol, ei adael wedi ei ddiogelu yr un mor effeithiol rhag tresmaswyr ag yr oedd pan aeth y person arno, ac’.



Janet Finch-Saunders

92

Section 122, page 72, line 12, after 'fine', insert 'not exceeding level 3 on the standard scale'.

Adran 122, tudalen 72, llinell 12, ar ôl 'ddirwy', mewnosoder 'nad yw'n uwch na lefel 3 ar y raddfa safonol'.

Julie James

176

Section 123, page 72, line 28, leave out '(3)' and insert '(3)(b)'.

Adran 123, tudalen 72, llinell 27, hepgorer '(3)' a mewnosoder '(3)(b)'.

Delyth Jewell

153

Page 72, after line 29, insert a new section –

'Biodiversity net gain

[] Biodiversity net gain

- (1) This section applies to all significant infrastructure projects as defined in section 1 of this Act.
- (2) Regulations may make provision to support biodiversity net gain from significant infrastructure projects in Wales.
- (3) Any application for infrastructure consent must comply with requirements in regulations made under subsection (2).
- (4) Before making regulations under subsection (2), the Welsh Ministers must consult such persons as the Welsh Ministers consider appropriate.
- (5) In particular the regulations must –
 - (a) provide a biodiversity net gain objective for any description of development to which the regulations apply;
 - (b) provide that, where applications for infrastructure consent are made for any development of that description during a period specified in the statement, the development must meet that objective;
 - (c) specify how development of any description may or must meet the biodiversity net gain objective.'

Tudalen 72, ar ôl llinell 28, mewnosoder adran newydd –

'Budd net i fioamrywiaeth

[] Budd net i fioamrywiaeth

- (1) Mae'r adran hon yn gymwys i bob prosiect seilwaith arwyddocaol fel y'i diffinnir yn adran 1 o'r Ddeddf hon.
- (2) Caiff rheoliadau wneud darpariaeth i gynnal budd net i fioamrywiaeth o brosiectau seilwaith arwyddocaol yng Nghymru.

- (3) Rhaid i unrhyw gais am gydsyniad seilwaith gydymffurfio â gofynion mewn rheoliadau a wneir o dan is-adran (2).
- (4) Cyn gwneud rheoliadau o dan is-adran (2), rhaid i Weinidogion Cymru ymgynghori ag unrhyw bersonau y mae Gweinidogion Cymru yn ystyried eu bod yn briodol.
- (5) Yn benodol, rhaid i’r rheoliadau –
 - (a) darparu amcan budd net i fioamrywiaeth ar gyfer datblygiad o unrhyw ddisgrifiad y mae’r rheoliadau yn gymwys iddo;
 - (b) darparu bod rhaid i’r datblygiad fodloni’r amcan hwnnw, pan fo ceisiadau’n cael eu gwneud am gydsyniad seilwaith ar gyfer unrhyw ddatblygiad o’r disgrifiad hwnnw yn ystod cyfnod a bennir yn y datganiad;
 - (c) pennu sut y caiff datblygiad o unrhyw ddisgrifiad fodloni’r amcan budd net i fioamrywiaeth neu sut y mae rhaid i ddatblygiad o unrhyw ddisgrifiad wneud hynny.’.

Janet Finch-Saunders

93

Section 124, page 72, line 36, after ‘project’, insert ‘, and

- (c) has been laid before Senedd Cymru for a minimum period of 56 days before the document is designated as an infrastructure policy statement’.

Adran 124, tudalen 72, llinell 35, ar ôl ‘ragor’, mewnosoder ‘, ac

- (c) wedi ei gosod gerbron Senedd Cymru am gyfnod o 56 o ddiwrnodau o leiaf cyn i’r ddogfen gael ei dynodi yn ddatganiad polisi seilwaith’.

Julie James

30

Nid oes angen diwygio’r fersiwn Saesneg. There is no need to amend the English version.

Adran 125, tudalen 73, llinell 21, hepgorer ‘ac’ a mewnosoder ‘neu’.

Julie James

31

Section 125, page 73, after line 26, insert –

- ‘() Regulations may make provision for or in connection with requiring Natural Resources Wales to maintain a register of –
 - (a) applications received by Natural Resources Wales for pre-application services;
 - (b) pre-application services provided by Natural Resources Wales.’.

Adran 125, tudalen 73, ar ôl llinell 27, mewnosoder –

- ‘() Caiff rheoliadau wneud darpariaeth ar gyfer ei gwneud yn ofynnol, neu mewn cysylltiad â’i gwneud yn ofynnol, i Gyfoeth Naturiol Cymru gynnal cofrestr o –
 - (a) ceisiadau am wasanaethau cyn gwneud cais y mae Cyfoeth Naturiol Cymru wedi eu cael;
 - (b) gwasanaethau cyn gwneud cais a ddarparwyd gan Gyfoeth Naturiol Cymru.’.



Janet Finch-Saunders

94

Page 74, after line 12, insert a new section –

[] Requirement to consult Network Rail

The Welsh Ministers or an examining authority must consult Network Rail about a valid application for infrastructure consent’.

Tudalen 74, ar ôl llinell 14, mewnosoder adran newydd –

[] Gofyniad i ymgynghori â Network Rail

Rhaid i Weinidogion Cymru neu awdurdod archwilio ymgynghori â Network Rail ynghylch cais dilys am gydsyniad seilwaith.’.

Delyth Jewell

154

Page 74, after line 12, insert a new section –

[] Requirement to consult Community Energy Wales

The Welsh Ministers or an examining authority must consult Community Energy Wales about a valid application for infrastructure consent’.

Tudalen 74, ar ôl llinell 14, mewnosoder adran newydd –

[] Gofyniad i ymgynghori ag Ynni Cymunedol Cymru

Rhaid i Weinidogion Cymru neu awdurdod archwilio ymgynghori ag Ynni Cymunedol Cymru ynghylch cais dilys am gydsyniad seilwaith.’.

Julie James

177

Section 128, page 74, line 33, leave out –

‘directions to be published;’

and insert –

‘the Welsh Ministers to, as soon as reasonably practicable after making a direction –

(i) publish the direction, and

(ii) lay a statement about the direction before Senedd Cymru explaining its effect and why it was made;’.

Adran 128, tudalen 74, llinell 37, hepgorer –

‘i gyfarwyddydau gael eu cyhoeddi;’

a mewnosoder –

‘i Weinidogion Cymru, cyn gynted ag y bo’n rhesymol ymarferol ar ôl gwneud cyfarwyddyd –

(iii) cyhoeddi’r cyfarwyddyd, a

- (ii) gosod datganiad ynghylch y cyfarwyddyd gerbron Senedd Cymru yn egluro ei effaith a pham y'i gwnaed;'.

Julie James 178

Section 137, page 80, line 10, after '33;', insert 'section 34,'.

Adran 137, tudalen 80, llinell 11, ar ôl '33;', mewnosoder 'adran 34,'.

Julie James 179

Section 137, page 80, line 10, after '60(5)', insert 'section 88(3),'.

Adran 137, tudalen 80, llinell 11, ar ôl '60(5)', mewnosoder 'adran 88(3),'.

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;'.

Delyth Jewell 155

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

‘() section [section to be inserted by amendment 148];’.

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

‘() adran [adran i’w mewnosod gan welliant 148];’.

Julie James 180

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

‘() section 52(1);

() section [section to be inserted by amendment 170](3);

() section 56(6);’.

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

‘() adran 52(1);

() adran [adran sydd i’w mewnosod gan welliant 170](3);

() adran 56(6);’.

Julie James 181

Section 138, page 81, after line 9, insert –

‘() section 127;’.

Adran 138, tudalen 81, ar ôl llinell 10, mewnosoder –

‘() adran 127;’.

Julie James 182

Section 138, page 81, after line 10, insert –

‘() section 129;’.

Adran 138, tudalen 81, ar ôl llinell 11, mewnosoder –

‘() adran 129;’.

Julie James 32

Section 140, page 83, after line 36, insert –

“special Senedd procedure” (“*gweithdrefn arbennig y Senedd*”) means the procedure specified in the standing orders of Senedd Cymru for subordinate legislation that is subject to special Senedd procedure;’.

Adran 140, tudalen 83, ar ôl llinell 15, mewnosoder –

'ystyr "gweithdrefn arbennig y Senedd" ("special Senedd procedure") yw'r weithdrefn a bennir yn rheolau sefydlog Senedd Cymru ar gyfer is-ddeddfwriaeth sy'n ddarostyngedig i weithdrefn arbennig y Senedd;'.

Julie James

184

Schedule 3, page 97, line 1, leave out '20(3) of the Infrastructure (Wales) Act 2024 (exclusion of powers to make or confirm orders' and insert '20[*subsection to be inserted by amendment 157*] of the Infrastructure (Wales) Act 2024 (exclusion of power to authorise diversion of non-navigable waters'.

Atodlen 3, tudalen 97, llinell 1, hepgorer '20(3) of the Infrastructure (Wales) Act 2024 (exclusion of powers to make or confirm orders' a mewnosoder '20[*is-adran i'w mewnosod gan welliant 157*] of the Infrastructure (Wales) Act 2024 (exclusion of power to authorise diversion of non-navigable waters'.

Julie James

185

Schedule 3, page 97, after line 33, insert –

- '() In section 62P –
 - (a) in subsection (1), omit "62D,";
 - (b) in subsection (2), omit "62D or".
- () In section 62Q –
 - (a) in subsection (1)(a), omit "62D, 62F,";
 - (b) in subsection (4)(a) –
 - (i) omit "section 62D or";
 - (ii) for "the section in question" substitute "that section";
 - (c) in subsection (4)(b) –
 - (i) omit "62F or";
 - (ii) for "the section in question" substitute "that section".
- () In section 62R(1) –
 - (a) omit "62D,";
 - (b) omit "62F," in both places it occurs.
- () In section 62S –
 - (a) omit "developments of national significance and";
 - (b) after "Welsh Ministers" insert "under section 62M or 62O".
- () In section 70(1)(a), omit "section 62D(5),".
- () In section 70A(1)(a), as it applies in relation to Wales, omit "62D, 62F,".
- () In section 75A –
 - (a) in subsection (1)(a), omit "62D,";
 - (b) in subsection (2), omit "62D,";
 - (c) in subsection (3), omit "62D,".
- () In section 87, omit subsection (5).



() In section 88, omit subsection (11).’.

Atodlen 3, tudalen 97, ar ôl llinell 34, mewnosoder –

‘() Yn adran 62P –

- (a) yn is-adran (1), hepgorer “62D,”;
- (b) yn is-adran (2), hepgorer “62D or”.

() Yn adran 62Q –

- (a) yn is-adran (1)(a), hepgorer “62D, 62F,”;
- (b) yn is-adran (4)(a) –
 - (i) hepgorer “section 62D or”;
 - (ii) yn lle “the section in question” rhodder “that section”;
- (c) yn is-adran (4)(b) –
 - (i) hepgorer “62F or”;
 - (ii) yn lle “the section in question” rhodder “that section”.

() Yn adran 62R(1) –

- (a) hepgorer “62D,”;
- (b) hepgorer “62F,” yn y ddau le y mae’n digwydd.

() Yn adran 62S –

- (a) hepgorer “developments of national significance and”;
- (b) ar ôl “Welsh Ministers” mewnosoder “under section 62M or 62O”.

() Yn adran 70(1)(a), hepgorer “section 62D(5),”.

() Yn adran 70A(1)(a), fel y mae’n gymwys o ran Cymru, hepgorer “62D, 62F,”.

() Yn adran 75A –

- (a) yn is-adran (1)(a), hepgorer “62D,”;
- (b) yn is-adran (2), hepgorer “62D,”;
- (c) yn is-adran (3), hepgorer “62D,”.

() Yn adran 87, hepgorer is-adran (5).

() Yn adran 88, hepgorer is-adran (11).’.

Julie James

186

Schedule 3, page 97, after line 36, insert –

‘() In section 252 –

- (a) omit subsections (3A), (6B), (6C) and (6D);
- (b) in subsection (12), omit the definition of “development of national significance”.

() In section 253(2)(aa), omit “62D, 62F,”.

() In section 257(4)(c), omit “62D, 62F,”.

() In section 284(3), omit paragraphs (aa) and (ab).

() In section 303 –

- (a) in subsection (1B)(a), omit “section 62D (developments of national significance),”;
- (b) in subsection (1C) –
 - (i) omit paragraph (a);
 - (ii) in paragraph (b), omit “62D, 62F,”.

() In section 319B –

- (a) in subsection (5A), omit “62D,”;
- (b) in subsection (7), omit paragraph (za);
- (c) in subsection (8A), omit “62D,”.

() In section 324(1), omit paragraph (bb).

() In section 333 –

- (a) in subsection (3F), omit paragraphs (b) and (c);
- (b) in subsection (5C), omit “62L(9),”.

Atodlen 3, tudalen 97, ar ôl llinell 37, mewnosoder –

() Yn adran 252 –

- (a) hepgorer is-adrannau (3A), (6B), (6C) a (6D);
- (b) yn is-adran (12), hepgorer y diffiniad o “development of national significance”.

() Yn adran 253(2)(aa), hepgorer “62D, 62F,”.

() Yn adran 257(4)(c), hepgorer “62D, 62F,”.

() Yn adran 284(3), hepgorer paragraffau (aa) ac (ab).

() Yn adran 303 –

- (a) yn is-adran (1B)(a), hepgorer “section 62D (developments of national significance),”;
- (b) yn is-adran (1C) –
 - (i) hepgorer paragraff (a);
 - (ii) ym mharagraff (b), hepgorer “62D, 62F,”.

() Yn adran 319B –

- (a) yn is-adran (5A), hepgorer “62D,”;
- (b) yn is-adran (7), hepgorer paragraff (za);
- (c) yn is-adran (8A), hepgorer “62D,”.

() Yn adran 324(1), hepgorer paragraff (bb).

() Yn adran 333 –

- (a) yn is-adran (3F), hepgorer paragraffau (b) ac (c);
- (b) yn is-adran (5C), hepgorer “62L(9),”.

Julie James

187

Schedule 3, page 98, after line 2, insert –

- [] (1) The Planning (Hazardous Substances) Act 1990 is amended as follows.
- (2) In section 9(2)(c), after “permission in principle” insert “, infrastructure consent”.
- (3) In section 10(1), after “specified planning permission” insert “, infrastructure consent”.
- (4) In section 12, after subsection (2B) insert –
- “(2C) On making an order granting infrastructure consent in respect of development that would involve the presence of a hazardous substance in circumstances requiring hazardous substances consent, the person making the order may direct that hazardous substances consent shall be deemed to be granted, subject to such conditions (if any) as may be specified in the direction.”
- (5) In section 14(2)(b), after “planning permission”, in each place it appears, insert “, infrastructure consent”.
- (6) In section 39, in the appropriate place, insert –
- ““infrastructure consent” has the meaning given in section 140 of the Infrastructure (Wales) Act 2024;”’.

Atodlen 3, tudalen 98, ar ôl llinell 2, mewnosoder –

‘Deddf Cynllunio (Sylweddau Peryglus) 1990 (p. 10)

- [] (1) Mae Deddf Cynllunio (Sylweddau Peryglus) 1990 wedi ei diwygio fel a ganlyn.
- (2) Yn adran 9(2)(c), ar ôl “permission in principle” mewnosoder “, infrastructure consent”.
- (3) Yn adran 10(1), ar ôl “specified planning permission” mewnosoder “, infrastructure consent”.
- (4) Yn adran 12, ar ôl is-adran (2B) mewnosoder –
- “(2C) On making an order granting infrastructure consent in respect of development that would involve the presence of a hazardous substance in circumstances requiring hazardous substances consent, the person making the order may direct that hazardous substances consent shall be deemed to be granted, subject to such conditions (if any) as may be specified in the direction.”
- (5) Yn adran 14(2)(b), ar ôl “planning permission”, ym mhob lle y mae’n ymddangos, mewnosoder “, infrastructure consent”.
- (6) Yn adran 39, yn y lle priodol, mewnosoder –
- ““infrastructure consent” has the meaning given in section 140 of the Infrastructure (Wales) Act 2024;”’.

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Schedule 3, page 98, after line 2, insert –

- () In Schedule 1A, in paragraph 8(2A), omit “62D, 62F,”.
- () In Schedule 4D –
- (a) in the Schedule title, omit “DEVELOPMENTS OF NATIONAL SIGNIFICANCE AND”;

- (b) omit paragraph 1;
- (c) in paragraph 3 –
 - (i) omit “1 or” in both places it occurs;
 - (ii) omit “or consent” in both places it occurs;
 - (iii) omit “(as the case may be)”;
- (d) in paragraph 4 –
 - (i) omit “1 or” in both places it occurs;
 - (ii) omit “or consent” in both places it occurs;
- (e) in paragraph 7, omit “or consent”;
- (f) omit paragraph 8(2);
- (g) in paragraph 9 –
 - (i) omit “or consent”;
 - (ii) omit “paragraph 1 or”;
- (h) in paragraph 10 –
 - (i) omit “or consent” in both places it occurs;
 - (ii) omit “1 or”;
- (i) in paragraph 11(1) –
 - (i) omit “or consent”;
 - (ii) omit “1 or”;
- (j) in paragraph 11(2), omit “1 or”;
- (k) in paragraph 12 –
 - (i) omit “or consent”;
 - (ii) omit “1 or”;
- (l) in paragraph 13 –
 - (i) omit “or consent” in each place it occurs;
 - (ii) omit “1 or” in each place it occurs;
 - (iii) omit “, as the case may be,”;
- (m) in paragraph 14, omit “or consent”.

() In Schedule 16, in Part 1, for “62D” substitute “62M”.

Atodlen 3, tudalen 98, ar ôl llinell 2, mewnosoder –

() Yn Atodlen 1A, ym mharagraff 8(2A), hepgorer “62D, 62F,”.

() Yn Atodlen 4D –

- (a) yn nheithl yr Atodlen, hepgorer “DEVELOPMENTS OF NATIONAL SIGNIFICANCE AND”;
- (b) hepgorer paragraff 1;
- (c) ym mharagraff 3 –
 - (i) hepgorer “1 or” yn y ddau le y mae’n digwydd;
 - (ii) hepgorer “or consent” yn y ddau le y mae’n digwydd;



- (iii) hepgorer “(as the case may be)”;
 - (d) ym mharagraff 4 –
 - (i) hepgorer “1 or” yn y ddau le y mae’n digwydd;
 - (ii) hepgorer “or consent” yn y ddau le y mae’n digwydd;
 - (e) ym mharagraff 7, hepgorer “or consent”;
 - (f) hepgorer paragraff 8(2);
 - (g) ym mharagraff 9 –
 - (i) hepgorer “or consent”;
 - (ii) hepgorer “paragraph 1 or”;
 - (h) ym mharagraff 10 –
 - (i) hepgorer “or consent” yn y ddau le y mae’n digwydd;
 - (ii) hepgorer “1 or”;
 - (i) ym mharagraff 11(1) – (i) hepgorer “or consent”;
 - (ii) hepgorer “1 or”;
 - (j) ym mharagraff 11(2), hepgorer “1 or”;
 - (k) ym mharagraff 12 –
 - (i) hepgorer “or consent”;
 - (ii) hepgorer “1 or”;
 - (l) ym mharagraff 13 –
 - (i) hepgorer “or consent” ym mhob lle y mae’n digwydd;
 - (ii) hepgorer “1 or” ym mhob lle y mae’n digwydd;
 - (iii) hepgorer “, as the case may be,”;
 - (m) ym mharagraff 14, hepgorer “or consent”.
- (.) Yn Atodlen 16, yn Rhan 1, yn lle “62D” rhodder “62M”.

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Schedule 3, page 98, after line 22, insert –

‘Coal Industry Act 1994 (c. 21)

- [] (1) The Coal Industry Act 1994 is amended as follows.
- (2) In section 53 –
- (a) in subsection (1), after “planning permission” insert “or infrastructure consent”;
 - (b) in subsection (2), after “such an application” insert “for planning permission, or where an examining authority or the Welsh Ministers consider any coal-mining proposals included in such an application for infrastructure consent,”;
 - (c) in subsection (4) –

- (i) in paragraph (a), after “Town and Country Planning Act 1990” insert “, but “development” has the meaning given by section 130 of the Infrastructure (Wales) Act 2024 so far as it relates to coal-mining proposals included in an application for infrastructure consent”;
- (ii) after the definition of ““development” and “planning permission””, insert –
 - ““examining authority” has the meaning given by section 39(7) of the Infrastructure (Wales) Act 2024;
 - “infrastructure consent” has the meaning given by section 140 of the Infrastructure (Wales) Act 2024;”.

Atodlen 3, tudalen 98, ar ôl llinell 23, mewnosoder –

‘Deddf y Diwydiant Glo 1994 (p. 21)

- [] (1) Mae Deddf y Diwydiant Glo 1994 wedi ei diwygio fel a ganlyn.
- (2) Yn adran 53 –
- (a) yn is-adran (1), ar ôl “planning permission” mewnosoder “or infrastructure consent”;
 - (b) yn is-adran (2), ar ôl “such an application” mewnosoder “for planning permission, or where an examining authority or the Welsh Ministers consider any coal-mining proposals included in such an application for infrastructure consent,”;
 - (c) yn is-adran (4) –
 - (i) ym mharagraff (a), ar ôl “Town and Country Planning Act 1990” mewnosoder “, but “development” has the meaning given by section 130 of the Infrastructure (Wales) Act 2024 so far as it relates to coal-mining proposals included in an application for infrastructure consent”;
 - (ii) ar ôl y diffiniad o ““development” and “planning permission””, mewnosoder –
 - ““examining authority” has the meaning given by section 39(7) of the Infrastructure (Wales) Act 2024;
 - “infrastructure consent” has the meaning given by section 140 of the Infrastructure (Wales) Act 2024;”.

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Schedule 3, page 98, after line 28, insert –

‘Marine and Coastal Access Act 2009 (c. 23)

- [] (1) The Marine and Coastal Access Act 2009 is amended as follows.
- (2) In section 58, after subsection (5) insert –
- “(5A) This section does not apply to a decision on an application for infrastructure consent under the Infrastructure (Wales) Act 2024.”

Flood and Water Management Act 2010 (c. 29)

- [] (1) The Flood and Water Management Act 2010 is amended as follows.

- (2) In Schedule 3, in paragraph 7(3) after “(nationally significant infrastructure projects)” insert “or work requiring infrastructure consent under section 19 of the Infrastructure (Wales) Act 2024.”.

Planning (Wales) Act 2015 (anaw 4)

- [] (1) The Planning (Wales) Act 2015 is amended as follows.
- (2) In section 1(6), for “to the Welsh Ministers. It makes provision” to the end substitute “either to the Welsh Ministers or a local planning authority”.
- (3) Omit sections 19 to 22.
- (4) In Schedule 4—
- (a) in paragraph 5, omit “section 62D(5)”;
 - (b) in paragraph 6, omit “62D, 62F,”;
 - (c) in paragraph 7, in the inserted section 75A of the TCPA 1990—
 - (i) in subsection (1)(a), omit “62D,”;
 - (ii) in subsection (2), omit “62D,”;
 - (iii) in subsection (3), omit “62D,”;
 - (d) omit paragraphs 8 and 9;
 - (e) in paragraph 13, omit “62D, 62F,”;
 - (f) in paragraph 14(b), omit “62D, 62F,”;
 - (g) in paragraph 15(3)(c), omit paragraphs (aa) and (ab) inserted into section 284(3) of the TCPA 1990;
 - (h) in paragraph 18, in the inserted section 303 of the TCPA 1990—
 - (i) in subsection (1B)(a), omit “section 62D (developments of national significance),”;
 - (ii) in subsection (1C), omit paragraph (a) and in paragraph (b), omit “62D, 62F,”;
 - (i) in paragraph 20—
 - (i) in sub-paragraph (2), omit “62D,”;
 - (ii) in sub-paragraph (3), omit paragraph (za) inserted into section 319B(7) of the TCPA 1990;
 - (iii) in sub-paragraph (4), in subsection (8A) inserted into section 319B of the TCPA 1990, omit “62D,”;
 - (j) in paragraph 21, omit paragraph (bb) inserted into section 324(1) of the TCPA 1990;
 - (k) in paragraph 22, in sub-paragraph (2A) inserted into paragraph 8 of Schedule 1A to the TCPA 1990, omit “62D, 62F,”;
 - (l) in paragraph 23(2), for “62D” substitute “62M”.

Infrastructure Act 2015 (c. 7)

- [] (1) The Infrastructure Act 2015 is amended as follows.
- (2) In Schedule 6, in paragraph 11(6), after paragraph (a) insert—
- “(aa) infrastructure consent under the Infrastructure (Wales) Act

2024;”.

Housing and Planning Act 2016 (c. 22)

- [] (1) The Housing and Planning Act 2016 is amended as follows.
- (2) In section 205(1), in the definition of “planning consent” –
- (a) in paragraph (a), after “Act,” omit “or”;
 - (b) in paragraph (b), after “2008” insert – “, or
 - (c) infrastructure consent under the Infrastructure (Wales) Act 2024”’.

Atodlen 3, tudalen 98, ar ôl llinell 29, mewnosoder –

’Deddf y Môr a Mynediad i’r Arfordir 2009 (p. 23)

- [] (1) Mae Deddf y Môr a Mynediad i’r Arfordir 2009 wedi ei diwygio fel a ganlyn.
- (2) Yn adran 58, ar ôl is-adran (5) mewnosoder –
- “(5A) This section does not apply to a decision on an application for infrastructure consent under the Infrastructure (Wales) Act 2024.”

Deddf Rheoli Llifogydd a Dŵr 2010 (p. 29)

- [] (1) Mae Deddf Rheoli Llifogydd a Dŵr 2010 wedi ei diwygio fel a ganlyn.
- (2) Yn Atodlen 3, ym mharagraff 7(3) ar ôl “(nationally significant infrastructure projects)” mewnosoder “or work requiring infrastructure consent under section 19 of the Infrastructure (Wales) Act 2024.”.

Deddf Cynllunio (Cymru) 2015 (dccc 4)

- [] (1) Mae Deddf Cynllunio (Cymru) 2015 wedi ei diwygio fel a ganlyn.
- (2) Yn adran 1(6), yn lle “i Weinidogion Cymru. Mae’n gwneud darpariaeth” hyd at y diwedd rhodder “naill ai i Weinidogion Cymru neu i awdurdod cynllunio lleol”.
- (3) Hepgorer adrannau 19 i 22.
- (4) Yn Atodlen 4 –
- (a) ym mharagraff 5, hepgorer “section 62D(5)”;
 - (b) ym mharagraff 6, hepgorer “62D, 62F,”;
 - (c) ym mharagraff 7, yn adran 75A o DCGTh 1990 a fewnosodir –
 - (i) yn is-adran (1)(a), hepgorer “62D,”;
 - (ii) yn is-adran (2), hepgorer “62D,”;
 - (iii) yn is-adran (3), hepgorer “62D,”;
 - (d) hepgorer paragraffau 8 a 9;
 - (e) ym mharagraff 13, hepgorer “62D, 62F,”;
 - (f) ym mharagraff 14(b), hepgorer “62D, 62F,”;
 - (g) ym mharagraff 15(3)(c), hepgorer paragraffau (aa) ac (ab) a fewnosodir yn adran 284(3) o DCGTh 1990;

- (h) ym mharagraff 18, yn adran 303 o DCGTh 1990 a fewnosodir –
 - (i) yn is-adran (1B)(a), hepgorer “section 62D (developments of national significance),”;
 - (ii) yn is-adran (1C), hepgorer paragraff (a) ac ym mharagraff (b) hepgorer “62D, 62F,”;
- (i) ym mharagraff 20 –
 - (i) yn is-baragraff (2), hepgorer “62D,”;
 - (ii) yn is-baragraff (3), hepgorer paragraff (za) a fewnosodir yn adran 319B(7) o DCGTh 1990;
 - (iii) yn is-baragraff (4), yn is-adran (8A) a fewnosodir yn adran 319B o DCGTh 1990, hepgorer “62D,”;
- (j) ym mharagraff 21, hepgorer paragraff (bb) a fewnosodir yn adran 324(1) o DCGTh 1990;
- (k) ym mharagraff 22, yn is-baragraff (2A) a fewnosodir ym mharagraff 8 o Atodlen 1A i DCGTh 1990, hepgorer “62D, 62F,”;
- (l) ym mharagraff 23(2), yn lle “62D” rhodder “62M”.

Deddf Seilwaith 2015 (p. 7)

- [] (1) Mae Deddf Seilwaith 2015 wedi ei diwygio fel a ganlyn.
- (2) Yn Atodlen 6, ym mharagraff 11(6), ar ôl paragraff (a) mewnosoder –
 - “(aa) infrastructure consent under the Infrastructure (Wales) Act 2024;”.

Deddf Tai a Chynllunio 2016 (p. 22)

- [] (1) Mae Deddf Tai a Chynllunio 2016 wedi ei diwygio fel a ganlyn.
- (2) Yn adran 205(1), yn y diffiniad o “planning consent” –
 - (a) ym mharagraff (a), ar ôl “Act,” hepgorer “or”;
 - (b) ym mharagraff (b), ar ôl “2008” mewnosoder –“, or
 - (c) infrastructure consent under the Infrastructure (Wales) Act 2024”’.

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Page 84, after line 31, insert a new section –

[] Transitional and saving provision

- (1) Sections 19 and 20 have no effect in relation to a development if the conditions in subsections (2) and (3) apply.
- (2) The first condition is that –
 - (a) an application for a section 20 consent in relation to the development was made before the coming into force of sections 19 and 20 and the application has not been withdrawn,

- (b) a notification under section 62E(1) of the TCPA 1990 of a proposed application in relation to the development was made before the coming into force of sections 19 and 20 and the notification has not been withdrawn, or
 - (c) on the coming into force of sections 19 and 20, the making or confirmation of an order or scheme mentioned in subsection (2) or (3) of section 20 in relation to the development is under consideration by the Welsh Ministers, other than in response to an application.
- (3) The second condition is that –
- (a) the question of whether to grant or make the section 20 consent is under consideration, where the transition period has not ended,
 - (b) where subsection (2)(b) applies and the transition period has not ended –
 - (i) the first 12 months of the transition period has not ended without an application for planning permission being made in relation to the development, or
 - (ii) an application is made during the first 12 months of the transition period and the question of whether to grant planning permission is under consideration;
 - (c) the section 20 consent is granted or made before the end of the transition period.
- (4) In subsection (3), the “transition period” means the period of 24 months beginning with the day sections 19 and 20 come into force.
- (5) The Welsh Ministers may, in relation to a development, direct that –
- (a) a different transition period applies for the purposes of subsection (3)(a), (b) or (c), or
 - (b) a period other than 12 months applies for the purposes of paragraph (b) of that subsection.
- (6) Regulations may make provision for the purposes of subsection (2) or (3) about –
- (a) when an application or notification is to be treated as made;
 - (b) what under consideration means.
- (7) If a section 20 consent (“the original consent”) has effect (whether by virtue of subsection (1) or otherwise), nothing in section 20 prevents the original consent, or a section 20 consent that replaces it, from being varied or replaced.
- (8) If the original consent, or a section 20 consent that replaces it, is varied or replaced, section 19 does not apply to the development to which the consent as varied, or the replacement consent, relates (and so infrastructure consent is not required for that development).
- (9) A section 20 consent replaces an earlier section 20 consent for the purposes of this section if (but only if) –
- (a) it is granted or made on an application for consent for development without complying with conditions subject to which the earlier section 20 consent was granted or made, and
 - (b) it is granted subject to, or made on, different conditions or unconditionally.
- (10) The provisions of the TCPA 1990 have effect as if the amendments made to that Act by paragraph 4 of Schedule 3 had not been made in so far as the provisions of the TCPA 1990 relate to a development to which sections 19 and 20 do not apply by virtue of this section.’.

Tudalen 84, ar ôl llinell 26, mewnosoder adran newydd –

[1] Darpariaeth drosiannol a darpariaeth arbed

- (1) Nid yw adrannau 19 ac 20 yn cael unrhyw effaith mewn perthynas â datblygiad os yw'r amodau yn is-adrannau (2) a (3) yn gymwys.
- (2) Yr amod cyntaf yw –
 - (a) y gwnaed cais am gydsyniad adran 20 mewn perthynas â'r datblygiad cyn i adrannau 19 ac 20 ddod i rym ac nad yw'r cais wedi ei dynnu yn ôl,
 - (b) y gwnaed hysbysiad o dan adran 62E(1) o DCGTh 1990 am gais arfaethedig mewn perthynas â'r datblygiad cyn i adrannau 19 ac 20 ddod i rym ac nad yw'r hysbysiad wedi ei dynnu yn ôl, neu
 - (c) pan ddaw adrannau 19 ac 20 i rym, fod gwneud neu gadarnhau gorchymyn neu gynllun a grybwyllir yn is-adran (2) neu (3) o adran 20 mewn perthynas â'r datblygiad o dan ystyriaeth gan Weinidogion Cymru, ac eithrio mewn ymateb i gais.
- (3) Yr ail amod yw –
 - (a) bod y cwestiwn o ba un ai i roi neu i wneud y cydsyniad adran 20 ai peidio o dan ystyriaeth, pan na fo'r cyfnod trosiannol wedi dod i ben,
 - (b) pan fo is-adran (2)(b) yn gymwys ac na fo'r cyfnod trosiannol wedi dod i ben –
 - (i) nad yw 12 mis cyntaf y cyfnod trosiannol wedi dod i ben heb i gais am ganiatâd cynllunio gael ei wneud mewn perthynas â'r datblygiad, neu
 - (ii) y gwneir cais o fewn 12 mis cyntaf y cyfnod trosiannol a bod y cwestiwn o ba un ai i roi caniatâd cynllunio ai peidio o dan ystyriaeth;
 - (c) y rhoddir neu y gwneir y cydsyniad adran 20 cyn diwedd y cyfnod trosiannol.
- (4) Yn is-adran (3), ystyr y "cyfnod trosiannol" yw'r cyfnod o 24 o fisoedd sy'n dechrau â'r diwrnod y mae adrannau 19 ac 20 yn dod i rym.
- (5) Caiff Gweinidogion Cymru, mewn perthynas â datblygiad, gyfarwyddo –
 - (a) bod cyfnod trosiannol gwahanol yn gymwys at ddibenion is-adran (3)(a), (b) neu (c), neu
 - (b) bod cyfnod ac eithrio 12 mis yn gymwys at ddibenion paragraff (b) o'r is-adran honno.
- (6) Caiff rheoliadau wneud darpariaeth at ddibenion is-adran (2) neu (3) ynghylch –
 - (a) pan fydd cais neu hysbysiad i'w drin fel pe bai wedi ei wneud;
 - (b) beth y mae o dan ystyriaeth yn ei olygu.
- (7) Os yw cydsyniad adran 20 ("y cydsyniad gwreiddiol") yn cael effaith (boed hynny yn rhinwedd is-adran (1) neu fel arall), nid oes unrhyw beth yn adran 20 yn atal y cydsyniad gwreiddiol, neu gydsyniad adran 20 sy'n ei ddisodli, rhag cael ei amrywio neu ei ddisodli.
- (8) Os yw'r cydsyniad gwreiddiol, neu gydsyniad adran 20 sy'n ei ddisodli, yn cael ei amrywio neu ei ddisodli, nid yw adran 19 yn gymwys i'r datblygiad y mae'r cydsyniad fel y'i hamrywiwyd, neu'r cydsyniad sy'n disodli'r cydsyniad gwreiddiol, yn ymwneud ag ef (ac felly nid yw cydsyniad seilwaith yn ofynnol ar gyfer y datblygiad hwnnw).
- (9) Mae cydsyniad adran 20 yn disodli cydsyniad adran 20 cynharach at ddibenion yr adran hon os (ond dim ond os) –

- (a) y'i rhoddir neu y'i gwneir ar gais am gydsyniad ar gyfer datblygiad heb gydymffurfio ag amodau y rhodddwyd neu y gwnaed y cydsyniad adran 20 cynharach yn ddarostyngedig iddynt, a
 - (b) y'i rhoddir yn ddarostyngedig i amodau gwahanol, neu y'i gwneir ar amodau gwahanol, neu'n ddiamod.
- (10) Mae darpariaethau DCGTh 1990 yn cael effaith fel pe na bai'r diwygiadau a wneir i'r Ddeddf honno gan baragraff 4 o Atodlen 3 wedi eu gwneud i'r graddau y bo darpariaethau DCGTh 1990 yn ymwneud â datblygiad nad yw adrannau 19 ac 20 yn gymwys iddo yn rhinwedd yr adran hon.'.

