

# ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

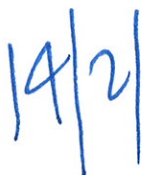
## Notice of Modification Pursuant to Section 102 of the Environmental Planning and Assessment Act 1979 of a Development Consent Granted Under Section 101 of the Act.

I, the Minister for Planning, pursuant to section 102 of the Environmental Planning and Assessment Act 1979, being satisfied that the development to which the modified development consents will relate is substantially the same development, and that there is no objector to the original development application that will be prejudiced, modify the consents referred to in Schedule 1 as set out in Schedule 2. (N91/00088/Z02)



**Robert Webster**  
**Minister for Planning**

Sydney,



1995

### SCHEDULE 1

Consent granted by the Minister for Planning and Environment on 6 March 1981, as modified, and consent granted by the Minister for Planning on 11 January 1991 in respect of development applications made by Tomago Aluminium Company Pty Limited to Port Stephens Shire Council for the development of an aluminium smelter and the subsequent expansion of that aluminium smelter, respectively, on land situated at Tomago Road, Tomago.

### SCHEDULE 2

The development consent dated 6 March 1981, as modified, is amended by adding the following sub-clause to condition No. 46 after sub-clause (c):

- (cc) land zoned "general industrial" under the Port Stephens Local Environmental Plan - Shire of Port Stephens, subject to non-conforming uses where the Applicant was the registered proprietor at any time since 1 January 1980;

and the development consent dated 11 January 1991 is amended by adding the following sub-clause to condition No. 30 after sub-clause (c):

- (cc) land zoned "general industrial" under the Port Stephens Local Environmental Plan - Shire of Port Stephens, subject to non-conforming uses where the Applicant was the registered proprietor at any time since 1 January 1980.