



Court appeal commenced against refusal of development application for Moss Vale Plastics Recycling Facility

10 July 2025

On 10 July 2025, the Independent Planning Commission was served with a Court appeal against its 24 January 2025 refusal of the Moss Vale Plastics Recycling Facility development application (see [here](#) for details of the Commission's decision). The appeal has been commenced by the unsuccessful applicant in the Class 1 jurisdiction of the Land and Environment Court of NSW (see [here](#) for more detail).

At present, the only parties to the appeal are the applicant and the Commission. The Commission's policy is that – except in extraordinary circumstances – it will not oppose any interested stakeholder joining the proceedings as a party.

As the appeal is a Court process, the Court's procedures apply, not those of the Commission. There may be opportunities for public engagement as part of the Court process and, if there are, the Commission will publish notice of those opportunities on its website [here](#).

The Commission is obliged to act as a model litigant in accordance with the NSW Government's [Model Litigant Policy](#) and if directed to participate in a Court-ordered conciliation conference, must do so in good faith and genuinely endeavouring to reach agreement.