



Moss Vale Plastics Recycling Facility

Repoly Pty Ltd (formerly Plasrefine Recycling Pty Ltd) v Independent Planning Commission (Land and Environment Court proceedings 2025/264451)

17 July 2025

A Class 1 merits appeal has been filed in the Land and Environment Court against the Independent Planning Commission's 24 January 2025 decision to refuse the State significant development application by Repoly Pty Ltd (then known as Plasrefine Recycling Pty Ltd) for the Moss Vale Plastics Recycling Facility (SSD 9409987). See the Commission's website at <https://www.ipcn.nsw.gov.au/cases/2024/10/moss-vale-plastics-recycling-facility> for documents relating to the decision to refuse the development application.

The development application involves the construction of Moss Vale Plastics Recycling Facility at 74-76 Beaconsfield Road, Moss Vale NSW to recycle and reprocess up to 120,000 tonnes of mixed plastic waste per annum, including bottles, containers and pipes, into a range of recycled plastic products.

This appeal has been commenced by Repoly Pty Ltd, as the applicant, seeking the Court's grant of consent to the development application. The appeal is in Class 1 of the Land and Environment Court's jurisdiction, for which the Court's processes and requirements are set out in the Court's [Practice Note – Class 1 Development Appeals](#).

On appeal, the Court exercises the functions and discretions of the consent authority. Prior to listing the appeal for hearing, the Court's usual practice is to direct that the parties participate in a conciliation conference with the aim of resolving, or narrowing, the issues in the appeal (see the Commission's [Section 34 Conciliation Conference Policy](#) for more detail on how the Commission participates in conciliation conferences).

Status of the proceedings

The Court has listed this appeal for a first directions hearing on 7 August 2025.

At the first directions hearing the Court will typically list the matter for a conciliation conference to be facilitated by a Commissioner of the Court.

The Commission will publish notice of the date and location for any conciliation conference listed by the Court.

If listed for a Court-ordered conciliation, there will be a public part of the conciliation conference where the public may attend and a number of objectors have an opportunity to give oral evidence on-site. The Commission will issue a notice inviting expressions of interest to give oral evidence at the open session of the conciliation conference once the conciliation conference date has been set. Please note that the Court limits the number of objectors giving evidence at the conciliation conference to approximately six people.

After the conclusion of the evidence session at a conciliation conference, the parties to the

proceedings have confidential conciliation discussions facilitated by a Commissioner of the Court. Attendance at and participation in those discussions is limited to the parties and their representatives.

Options for objector involvement

Objectors to the application have the following options for involvement in the appeal:

1. Apply to the Court to be heard at the hearing of the appeal, as below.
2. Apply to the Court to join the proceedings as a party, as below.
3. Attend the public part of any conciliation conference and/or attend the hearing as an observer.
4. Give oral evidence at any conciliation conference and/or the hearing.

In addition, if the Court seeks to review submissions already made in respect of the application before its determination, the Commission will make all of those submissions available to the Court.

Applying to the Court to be heard at the hearing

A person who made an objection during the public exhibition of the application may be entitled to be heard at the hearing of this appeal, on application made in writing to the Land and Environment Court within 28 days of the date of this notice (see [section 8.12\(3\) of the *Environmental Planning and Assessment Act 1979*](#)).

If you wish to apply to exercise this right, the Court's details are as follows:

The Land and Environment Court of NSW
Level 4, 225 Macquarie Street
Windeyer Chambers
Sydney NSW 2000
Phone: + 61 2 9113 8200 Facsimile: + 61 2 9113 8222
Email: lecourt@justice.nsw.gov.au

You may also wish to obtain your own legal advice if you are considering exercising this right.

Applying to the Court to join the proceedings as a party

Upon application to the Court, you may seek to join the proceedings as a party (see [section 8.15\(2\) of the *Environmental Planning and Assessment Act 1979*](#)). As this is a formal Court process, it is recommended that you obtain legal advice before doing so. The Commission's policy is – except in exceptional circumstances – not to oppose applications to join proceedings.

Updates

Updates and further information about the appeal will be placed on the Commission's website at <https://www.ipcn.nsw.gov.au/cases/2024/10/moss-vale-plastics-recycling-facility>

If you do not wish to receive any further correspondence in this matter, please advise us in writing at ipcn@ipcn.nsw.gov.au