

Product Lifecycle Responsibility Regulation 2025 – consultation summary

On 16 October 2025, the NSW Government released the draft Product Lifecycle Responsibility Regulation 2025 for public consultation. The Regulation would set up a mandatory product stewardship scheme for certain types of small and removable batteries in NSW.

The Regulation's purpose is to make sure battery brand owners who supply batteries for sale in NSW take greater responsibility for the environmental and safety impacts of their products. This is in response to the growing fire risks associated with batteries and the increased number of fire-related incidents happening in NSW.

Public consultation on the Regulation was open from 16 October to 14 November 2025 on the NSW Environment Protection Authority's (EPA) Have Your Say Portal. A media release was published on 16 October 2025 to advise that consultation was open, and a notice was also published in the NSW Government Gazette on 17 October 2025.

The EPA invited feedback on the draft Regulation, which was published alongside an explanatory document and regulatory impact statement. Stakeholders were able to provide a written submission to a dedicated email address.

Who did we hear from?

We received a total of 58 submissions during the public consultation period, including:

- 18 from battery brand owners, retailers and industry groups
- 14 from the local government sector, including from local councils and regional organisations of councils
- nine from the waste and resource recovery industry, including peak bodies and battery recyclers
- six from advocacy groups and subject matter experts
- five from members of the community
- four from product stewardship organisations
- one from academia
- one from an environmental testing company.

Extra targeted engagement

On 26 August 2025, before the public consultation period, the EPA held a workshop with targeted stakeholders to seek feedback on the draft Regulation. The workshop was attended by 31 representatives from across the waste and resource recovery sector, brand owners, product stewardship organisations, and advocacy groups. Representatives from government agencies in South Australia and Victoria were also there to watch.

During the workshop, the EPA provided a detailed overview of the proposed Regulation and stakeholders had an opportunity to comment and provide feedback. They were also invited to provide written feedback afterwards. Key themes raised at the workshop were consistent with feedback received during the public consultation, as summarised below.

The draft Regulation shared at the targeted stakeholder workshop was the same version that was publicly consulted on. The workshop feedback was considered alongside the feedback received during the public consultation in finalising the Regulation.

What did we hear?

Overall, stakeholders were broadly supportive of the Regulation.

There was strong support for mandatory product stewardship for batteries with a range of suggested amendments to the Regulation. Stakeholders expressed concern about the growing impacts of fires from improperly disposed batteries, the need for improved collection, and the importance of a nationally aligned approach. Many of the queries and suggestions related to how the EPA would be selecting a product stewardship organisation, which businesses would be considered brand owners, and how and when other battery types may be regulated.

Stakeholders also noted concerns that NSW-led action could lead to administrative duplication and burden for businesses operating nationally, compared to an approach led by the Australian Government.

Key themes raised by stakeholders included:

- Stakeholders were generally supportive of the scope of batteries to be regulated and emphasised the benefit of regulating other battery types.
 - Several submissions called for more battery types to be subject to mandatory product stewardship, including consumer electronics with embedded batteries and vapes.
 - A small number of submissions called for the scope of batteries to be narrowed, either to avoid potential conflicts with other product stewardship schemes or where batteries are packaged with other products like computer peripherals.
- Stakeholders provided detailed feedback on how the product stewardship scheme should be administered, including recommendations on the arrangement with a product stewardship organisation.
 - Several submissions noted support for a single product stewardship organisation to make sure it was efficient and effective. A small number also expressed support for having multiple organisations to support competition.
- Stakeholders raised concerns with the issue of ‘free riders’ and made recommendations to amend definitions within the Regulation to better capture online marketplaces and retailers.
 - Several submissions specifically raised the importance of capturing online sales through the Regulation to ensure a level playing field.

- Stakeholders emphasised the importance of national consistency in regulating batteries, acknowledging the importance of alignment to existing federal stewardship schemes.
- Stakeholders provided a range of recommendations to edit language to make sure the Regulation was clear and effective.
- Stakeholders acknowledged the importance of community education to address safe disposal, risk awareness and access to battery collection information.
- Local government stakeholders queried how the Regulation would relate to collections at community recycling centres and any extra costs that councils could face.

How did we act on the feedback?

Based on the feedback provided by stakeholders, amendments were made to clarify and strengthen the provisions of the draft Regulation. These changes included:

- Clarifying definitions including for 'brand owners' to capture the first point of sale of a regulated battery within NSW and address concerns relating to free riders who do not pay into stewardship schemes.
- Increasing transparency and public reporting requirements for product stewardship organisations, including specific reporting on battery chemistries.
- Having a new requirement to promote and support the circular economy in NSW.
- Having a new provision that battery recyclers involved in the scheme comply with standards set by the EPA, linked to relevant Australian standards for battery recycling.
- Various minor edits to clarify language and ensure the Regulation can function as intended.

Some of the feedback received was outside the scope of the Regulation, such as the types of batteries that were regulated. Future tranches of regulations could target these battery types but would need to be consulted on. Other feedback related to the process of forming an agreement with a product stewardship organisation, which is separate to the Regulation but has been considered.