



**SSROC submission on:**

**The Draft Product Lifecycle Responsibility  
Regulation 2025**

**Submitted 12 November 2025 to the NSW Environment  
Protection Authority**

**by email: [batteries.reform@epa.nsw.gov.au](mailto:batteries.reform@epa.nsw.gov.au)**

Southern Sydney Regional Organisation of Councils

Bayside – Burwood – Canada Bay – Canterbury Bankstown – Georges River – Inner West –  
Randwick – Strathfield – Sutherland – City of Sydney – Waverley – Woollahra

## Introduction

The Southern Sydney Regional Organisation of Councils (SSROC) is an association of 12 councils spanning Sydney's southern suburbs, eastern suburbs, CBD, and inner west and covering a third of the Greater Sydney's population, over 1.8m people. Our Councils manage around 655,000 tonnes of household waste each year, which is about 20 per cent of all NSW household waste.

SSROC provides a forum through which our member councils can interact, exchange ideas and work collaboratively to solve regional issues and contribute to the future sustainability of the region. We advocate on behalf of our region to ensure that the major issues are addressed by all levels of government. Our current focus includes the environment, procurement, waste, and planning.

## Draft Product Lifecycle Responsibility Regulation

SSROC supports the NSW Government's Draft Product Lifecycle Responsibility Regulation (the Regulation) for a mandatory product stewardship scheme for loose batteries under 5kg and e-micromobility batteries. We congratulate the NSW EPA on this progressive legislation and have some recommendations below to help strengthen the Regulation and the establishment of the mandatory scheme.

### Recommendations: Schedule 2 Action plans and annual reports page 10:

- Schedule 2 part 1: Include a requirement for the action plan to develop a Risk Mitigation Strategy to address battery collection, storage and recycling system risks.
- Schedule 2 part 2: Reporting on risk mitigation actions to address vulnerabilities in the battery collection and recycling system should be a content requirement for the annual report and also considered as part of the quarterly reports.

### Justifications:

- The lack of battery recycling facilities in NSW as identified in the Regulatory Impact Statement.
- The recent experience of Cleanaway's St Mary's facility fire which impacted the NSW EPA hazardous waste collection contract and all councils collecting household batteries through community recycling centres and household chemical collections that relied on that contract for collection and recycling/safe disposal. In this situation, alternative facilities were not available for months and councils were asked to store excessive amounts of household batteries until collections could resume. This situation highlights the existing vulnerabilities in the current system for safely collecting, storing and recycling batteries which are likely to increase under a mandatory scheme because more batteries will be collected, transported, stored and recycled. These system risks need to be mitigated as a priority action under a mandatory product stewardship scheme.

## Recommendations: Part 2, Division 1 – “Brand Owner” pg4:

Definition of “brand owner” should be expanded to explicitly include persons or entities that supply regulated products into NSW via online marketplaces, distance sales or cross-border e-commerce platforms, whether or not they are physically located in the state.

**Justification:** Ensure all producers and importers contribute equitably to recovery and risk-management costs.

### General recommendations:

**The Regulation should require product registration prior to a battery being offered for sale in Australia, supported by a central national registry.**

Product registration of batteries in NSW and the development of a national registry will increase transparency on the type of batteries entering the marketplace, may reduce non-compliant products entering supply chains, and reduce risk to consumers. This is critical given the higher-risk nature of button-cell and lithium-ion batteries, which contribute to 10,000–12,000 battery-related fire or heat events each year and over 20 child hospitalisations annually due to ingestion. This approach is consistent with the EU Batteries Regulation (2023/1542) and will help close compliance gaps and improve traceability. A national registry will also help provide valuable information to assist in the future development of a national scheme.

**Consider how this scheme could be expanded in the future to include high risk and small portable products with embedded batteries such as vapes**

Some of our member councils have reported getting large numbers of vapes at some of their drop off centres and collection events and would like to see the scheme expand to some of these items once some of the collection and dismantling challenges can be addressed. The scheme should be required to provide the regulator with a plan for the feasibility of including other high risk battery products that could be collected through the scheme after an agreed establishment period.

### Resourcing to regulate the scheme and the separation of policy and regulatory roles

The draft Regulation references the NSW EPA as the ‘regulator’ in Division 2 part 15 on Page 6: *An action plan must be prepared and lodged—*

*(a) if the responsible entity is a PSO—within 3 months after the PSO enters into the relevant stewardship administration agreement with the EPA.*

The NSW EPA role could be more clearly defined as the “regulator” in the definitions section of the Regulation. The Regulation Impact Statement indicates that this will be a significant role for the NSW EPA, in approving the action plans, monitoring the scheme and ensuring compliance with the Regulation. As evident in the staffing and budget resources needed for the NSW Container Deposit Scheme, the NSW Government should ensure that the NSW EPA is adequately resourced to fulfill this regulatory function.

The Regulation Impact Statement also highlights some of the policy roles for the NSW EPA in:

- Working with other states towards a national harmonised scheme for batteries



- Working on future regulations for batteries not covered under the scheme such as embedded batteries and electric car batteries
- Identifying future categories of products that present significant harm to the environment that need to be prioritised for mandatory stewardship under the *Product Lifecycle Act 2025*.

The above policy roles are high priorities that SSROC supports in principle, though SSROC and our councils have concerns about the sometimes conflicting roles of the NSW EPA as both a policy maker and regulator. SSROC suggests that this work be more clearly delineated between relevant NSW government organisations. In cases that policy settings and regulation need to be undertaken by the same organisation such as the NSW EPA, there should be a transparent process for addressing potential conflicts of interest between these two separate functions. This may need to be addressed in the agreements referred to in the draft Regulation between the Product Stewardship Organisation (PSO) and the regulator (the NSW EPA).

Thank you for this opportunity to contribute to the Product Lifecycle Responsibility Regulation 2025 discussion. Please note that although SSROC Member Councils have provided information for this submission, it is yet to be endorsed at a formal SSROC Delegates meeting. I will contact you should any issues arise as a result.

For any enquiries, please contact me by email: [ssroc@ssroc.nsw.gov.au](mailto:ssroc@ssroc.nsw.gov.au), or 02 8396 3800.

Yours faithfully,

A handwritten signature in black ink that reads 'H Sloan'.

Helen Sloan  
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Southern Sydney Regional Organisation of Councils