



The Hon Tanya Plibersek, MP
Minister for the Environment and Water
PO Box 6022 House of Representatives
Parliament House
Canberra ACT 2600

Email: Minister.Plibersek@dcceew.gov.au

27 March 2025

Dear Minister

RE: Support for Mandatory Product Stewardship for Batteries and Battery-Embedded Products

As the peak industry associations representing the entire waste and resource recovery sector in NSW, we write to you seeking your urgent support for the NSW Government's leadership in progressing regulation of batteries and battery-powered products.

As you may be aware, the *Product Lifecycle Responsibility Bill 2025* was introduced to the NSW Parliament on Tuesday, 18 March 2025. This Bill establishes a legislative framework for a mandatory product stewardship scheme for specified products, with initial application focused on batteries. It provides the NSW Government with the necessary regulatory tools to oversee stewardship organisations and enforce requirements across a product's entire lifecycle – from design and production through to recovery and disposal.

The introduction of this Bill follows the 2024 Environment Ministers Meeting (EMM) resolution that recognised the urgent need for reform in product stewardship arrangements for batteries. This is in response to the escalating risk of battery-related fires, which have reached crisis levels across Australia. In 2024 alone, our sector recorded over 12,000 fire incidents, placing workers and facilities at serious risk and imposing significant costs on businesses and the broader community.

Currently, Australia only has a voluntary national stewardship scheme, B-cycle—an Australian Government Accredited Product Stewardship Scheme—which covers a limited range of batteries, excluding lead acid and embedded batteries. According to B-cycle's own recent application to the ACCC dated 18 March 2025, only 15% of covered batteries placed on the market are being recovered. This limited reach, combined with the voluntary nature of the scheme, has resulted in free riders, underfunding, and low participation rates – all of which hinder the development of a safe and effective circular battery economy.

With the passage of the NSW Bill, there is now an opportunity to shift away from this ineffective voluntary model towards a mandatory, regulated system that can require participation, enable investment, and deliver improved environmental and safety outcomes. We note that B-cycle has recently submitted an application to the ACCC seeking approval for an expanded 'B-cycle 2.0'. This would likely also entail a change to the scheme's accreditation by the Australian Government. We write to advise that we **do not support** any expansion of the current voluntary scheme unless B-cycle agrees to adopt the requirements outlined in the NSW Product Lifecycle Responsibility Bill. If B-cycle wishes to increase its scope, this must come with appropriate regulatory conditions, including alignment with the mandatory framework proposed by NSW.

As part of this, we also ask that the Australian Government delays any decision on B-cycle 2.0 until the NSW Government has finalised its supporting regulations under the new legislation, and B-cycle has become part of this scheme. This will ensure that any expansion of the scheme is assessed against the regulatory standards expected under the new mandatory framework, and avoid the risk of pre-empting or limiting state-level reform.

Given the importance of transitioning from voluntary to mandatory stewardship, and the interplay between Commonwealth and state legislation, we also request that no changes be made to the current B-cycle Accreditation scope during this transitional period. Any expansion at the federal level could restrict state governments from regulating those same products under their own legislation, potentially frustrating the intent and direction agreed at the EMM.

The time for voluntary measures has passed. A mandatory stewardship scheme backed by legislation and regulatory authority is the only way to effectively manage the growing risks and deliver the outcomes our industry, our communities, and our environment require.

We welcome the opportunity to discuss this matter further and remain committed to working with government to create a safe, effective, and sustainable circular battery economy.

Yours sincerely



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