



Application to transfer a licence

Part V Division 3 of the *Environmental Protection Act 1986*

Licence Number	L9327/2022/1
Applicant	First Shepherd Holdings Pty Ltd
ACN	681 428 179
Application reference number	APP-0027125
Premises	Nexus Recycling 8 Winchester Road BIBRA LAKE WA 6163 Legal description Lot 82 on Deposited Plan 418427 Certificate of Title Volume 2991 Folio 723
Date of report	18 March 2025
Decision	Transfer of licence granted

A/MANAGER WASTE INDUSTRIES

an officer delegated under section 20 of the *Environmental Protection Act 1986* (WA)

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1. Decision summary

The Delegated Officer has determined to transfer licence L9327/2022/1 from the existing licence holder FTR Operations Pty Ltd to First Shepherd Holdings Pty Ltd trading as Nexus Recycling (the applicant). The transfer is administrative in nature therefore does not alter the risk profile of the premises, providing that activities, emissions and receptors as stated in existing approvals remain unchanged.

This transfer report documents the amendments made pursuant to section 64(2) of the *Environmental Protection Act 1986* (EP Act).

The decision report for the existing licence will remain on the Department of Water and Environmental Regulation (the department; DWER) website for future reference and will act as a record of the department's decision making.

2. Scope of assessment

2.1 Regulatory framework

In transferring the licence, the department has considered and given due regard to its regulatory framework and relevant policy documents which are available at:

<https://dwer.wa.gov.au/regulatory-documents>.

2.2 Transfer summary

Licence L9327/2022/1 is currently held by FTR Operations Pty Ltd (licence holder) for Nexus Recycling (the premises), located at 8 Winchester Road, Bibra Lake.

The premises relates to Category 47: Scrap metal recovery for used lead acid battery reprocessing under schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which is defined in licence L9327/2022/1.

On 10 January 2025, First Shepherd Holdings Pty Ltd submitted an application to the department to transfer licence L9327/2022/1 under section 61 of the EP Act. The application is limited to transferring the licence holder details, including the licence holder name and ACN.

3. Assessment

The assessment of transfer applications requires the determination of whether the new occupier meets the department's fitness and competency requirements. The applicant must provide documentary evidence of the date they became occupier of the premises.

Legal occupancy

A deed of assignment of lease was provided demonstrating that FTR Operations Pty Ltd (Assignor) has agreed to assign the lease to First Shepherd Holdings Pty Ltd (Assignee) for the premises (8 Winchester Road, Bibra Lake and Lot 82 on Deposited Plan 418427)

First Shepherd Holdings Pty Ltd holds a lease agreement with Annandale Street Holdings Pty Ltd (Lessor/landowner) of the premises, commencing on 1 September 2021 and expiring on 31 August 2031, with two further terms of five years each. The lease agreement provides First Shepherd Holdings Pty Ltd with occupancy of the whole of the land.

Legal entity status

First Shepherd Holdings Pty Ltd is a registered company with a valid and current entry on the Australian Securities & Investments Commission register (ACN 681 428 179) and is therefore a legal entity.

Fitness and competency

The applicant advises it has not been convicted or paid a penalty for an offence under a provision of the EP act or its subsidiary legislation or similar environmental protection legislation in Australia.

4. Conclusion

Based on the assessment in this transfer report, the Delegated Officer has determined that First Shepherd Holdings Pty Ltd is a legal entity and a fit competent operator. The Delegated Officer will therefore transfer licence L9327/2022/1 to First Shepherd Holdings Pty Ltd. As part of this licence transfer the conditions on the licence have not been reviewed and remain unchanged.

References

1. Department of Environment Regulation (DWER) 2015, *Licence L9327/2022/1*, Perth, Western Australia.
2. First Shepherd Holdings Pty Ltd, *Application to transfer licence L9327/2022/1*, submitted 10 January 2025.