

### Public record pursuant to s. 39 of the *Environmental Protection Act 1986*

**Proposal title:** Perth Entertainment and Sporting Precinct

**Proposal description:** The proposal is to construct and operate a new multi-use entertainment and sporting precinct at Burswood Park, Western Australia. The precinct will include:

- a new outdoor amphitheatre for live music and other events
- a multi-use track for motor racing (including a one 3-day Supercars event per year), cycling and community sport
- a multi-use event building, incorporating function facilities, meeting rooms and event spaces
- enhanced transport and connectivity links with Perth Stadium and the wider Burswood Park precinct.

**Environment Online application number:** APP-0030134

**Date referral received:** 19 September 2025

**Date more information received:** 29 October 2025

**Referrer:** Burswood Park Board

**Proponents:** Burswood Park Board & The Western Australian Sports Centre Trust, trading as Venues West

**Potential significant effects:** There are potential impacts on: **terrestrial environmental quality, inland waters** and **social surroundings** during construction from disturbance within known and potentially contaminated sites; **inland waters** during construction and operation associated with dewatering, abstraction, and drainage to the Swan River; and **social surroundings** from noise and vibration during construction including from piling, and operations associated with motor sport and major events.

**Preliminary environmental factors:** terrestrial environmental quality, inland waters, and social surroundings.

**Public comment on referral information:**

Do not assess:	51
Assess: a) Referral information	10
b) Environmental review - no public review	15
c) Public environmental review	877
<i>Total submissions:</i>	953

**Decision:** s. 38G(1) – Not assess – Public advice given

### Summary of reasons pursuant to s. 38G(1)(c)

The EPA has decided not to assess the proposal because:

- The EPA considers the likely environmental effects of the proposal are not so significant or unmitigated as to warrant formal assessment under Part IV of the *Environmental Protection Act 1986* (EP Act).

- The EPA's decision has been made on the basis of the proponent implementing the proposal in accordance with the Proposal Content Document and the mitigation and management outlined in the referral supporting document.
- The EPA has considered the potential environmental impacts of the proposal on the Burswood Peninsula, which has been modified and developed for residential, entertainment and recreation purposes. The EPA has also considered the absence of native vegetation within the proposal area and the availability of terrestrial fauna habitat in close proximity to the proposal area, that is of similar or higher value than that in the proposal disturbance area.
- The EPA considers that potential environmental impacts associated with the construction of the proposal will be localised, expected to be of generally short duration, and can be regulated by other decision-making processes (see subsections below).
- The EPA considers that while the predicted operational noise levels associated with motor sports and major events are expected to exceed set assigned (allowable) limits under the *Environmental Protection (Noise) Regulations 1997*, noise impacts will be intermittent throughout the year and limited in duration and times. For example, in the case of motor sports the proponent has confirmed that the proposal is for one three-day Supercars event per year, with races Friday to Sunday during the daytime only. The EPA has taken into account the ability of other decision-making processes to regulate operational noise impacts (see below).
- The EPA notes that the number and duration of the proposed Supercars event is consistent with similar events held in other jurisdictions in Australia.

*Taking into account decision-making processes under the Environmental Protection (Noise) Regulations 1997 (noise regulations)*

- Construction and operation of the proposal will result in impacts to noise sensitive receptors and has the potential to impact on the amenity values of the Burswood Park and Swan River areas from noise and vibration.
- The noise regulations set assigned (allowable) levels for noise received at various types of premises. The EPA notes that the noise regulations provide for special cases where noise emissions may not be required to meet these assigned levels, including for construction, sporting, cultural and entertainment events, and motor sports.
- Construction noise
  - The EPA considers that construction-related noise impacts is likely to be localised, of short-duration and can be adequately regulated under regulation 13 of the noise regulations. Regulation 13 of the noise regulations provides for the exemption of noise emissions from construction sites. Construction must be carried out:
    - during daytime on any day other than Sunday or public holiday
    - in accordance with the Australian Standard 2436-2010 that provides guidance on noise and vibration control on construction, demolition and maintenance sites

- using equipment that is the quietest reasonably available.
- DWER has informed the EPA that where construction works are required outside of daytime hours, a noise management plan is required and must be approved by the delegate chief executive officer (CEO) of DWER prior to the works starting. Under regulation 13 of the noise regulations, the CEO of DWER may also require an approved noise management plan for any daytime works. Where an approved noise management plan exists, the proponent must undertake construction in accordance with the measures specified in the plan, including adopting best industry practices for noise and vibration control and equipment selection.

The EPA notes that for the operation of the facility, the proponent intends to seek approvals under the noise regulations in two stages. It is the proponent's intent to initially apply for an approval under regulation 18 of the noise regulations for the first event planned in 2027 to collect measurements that will be used to guide future events at the facility. For the ongoing operation of the facility, the proponent intends to apply for an approval under regulation 19B of the noise regulations for the venue.

- Initial operation of facility
  - The EPA notes that an approval under regulation 18 of the noise regulations, which allows for the approval of events if the CEO of DWER is satisfied that the event is likely to exceed the assigned levels and would lose its character or usefulness if it were to required to comply.
  - The EPA notes that although events held at the proposed amphitheatre are expected to exceed set assigned limits under the noise regulations, they are likely to fall within the typically acceptable range for occasional outdoor concert noise.
  - Regarding the proposed motor sports events, the EPA acknowledges that noise levels will exceed set assigned limits, impacting nearby sensitive receptors. However, the EPA notes, and the proponent has confirmed, that the number of motor sports events at the proposed venue will be limited to one 3-day event per year, with races occurring Friday to Sunday during daylight hours only.
  - The EPA notes that approvals issued under the noise regulations can require conditions to limit the number of events, maximum noise levels, start and finish times, and duration of events.
- Ongoing operation of facility
  - Regulation 19B of the noise regulations allows for the CEO of DWER to approve venues to hold sporting or entertainment events that cannot reasonably and practicably meet the assigned levels due to the temporary nature of the activity or the perceived community benefit.
  - The EPA notes the proposal is located adjacent to existing entertainment venues on the Burswood Peninsula. DWER has informed the EPA that depending on the existing and future noise exposure from other neighbouring sources, noise emissions from the proposal may contribute to environmental noise and potentially human health impacts affecting the community and amenity values of the Burswood Peninsula. Given this, the CEO of DWER will, in considering whether

to approve the application, take into account the ongoing cumulative noise impacts to sensitive receptors from the venue and broader area. The EPA considers that any approval under regulation 19B of the noise regulations can ensure that the proposal is implemented so that cumulative noise emissions from all activities across the Burswood Peninsula can be managed to prevent significant harm to noise sensitive receptors.

- The EPA notes that the CEO of DWER can apply conditions to control the number and types of events, the times and duration of events, maximum allowable noise levels and the approach to managing noise impacts and receptors.
- The EPA notes that before a decision can be made under regulation 19B of the noise regulations, DWER must give the occupier of any noise sensitive premise within 1 km of the venue and local councils that may be impacted, a reasonable opportunity to make a submission. The EPA also notes that decisions under regulation 19B of the noise regulations are subject to appeals. Appeals are dealt with by the Appeals Convenor with the decision being made by the Minister for Environment.

The EPA considers that the above decision-making process can facilitate the regulation and management of potential impacts of the proposal, to ensure that any residual impacts after the application of the proponent's mitigation measures will be intermittent, temporary and localised, and will not result in significant environmental outcomes.

Processes under the Contaminated Sites Act (2003) (CS Act)

- Construction activities associated with the proposal including construction of the precinct and event-specific (temporary) infrastructure has the potential to disturb known or potentially contaminated sites.
- The objective of the CS Act is to protect human health, the environment and environmental values by providing for the identification, recording, management, and remediation of contaminated sites.
- DWER has informed the EPA that the proposed mitigation strategy outlined in the referral supporting document is consistent with the recommendations specified in the Guideline: Assessment and management of contaminated sites (DWER 2021) and the National Environment Protection (Assessment of Site Contamination) Measure 1999.
- DWER has also informed the EPA that the proponent, on request, has formally engaged an accredited Contaminated Site Auditor (CSA) to provide Mandatory Auditor's Reports (MAR) for the proposal. The MAR process will document the auditor's critical and independent review of reports on the assessment, remediation and validation work to ensure methodology and interpretation of data is consistent with relevant guidelines. The CSA will provide a recommendation as to the classification under the CS Act that will inform the suitability of the land for proposed land use. Where relevant, the CSA will recommend any restrictions on land use.

The EPA does not consider that the proposal impacts will combine or interact in a holistic way which requires assessment by the EPA.

## Public advice

The EPA acknowledges the concerns raised during the 7-day public comment period in relation to the removal of three artificial ponds and the potential impact to terrestrial fauna as a result of that removal. The EPA notes that prior to and during the draining of the artificial ponds the proponent intends to engage experienced zoologists to capture and relocate any fauna present in order to mitigate the risk of causing injury or death to those fauna. The EPA advises that to relocate fauna, the person undertaking the activity is required to obtain a permit from the Department of Biodiversity, Conservation and Attractions under the Biodiversity Conservation Regulations 2018.

### Advice to other decision-making authorities

The EPA publishes the following public advice for the benefit of other decision-making authorities to ensure that their statutory decision-making processes achieve and assure environmental outcomes consistent with the EPA's environmental factor objectives:

- To mitigate potential impacts associated with construction, the EPA supports the implementation of quiet piling methods such as hydraulic press-in, continuous flight auger or bored piles rather than drop-hammer impact piling, where possible. The EPA recommends to the CEO of DWER under the noise regulations that if approved, future mitigation measures are integrated in the proponent's proposed construction noise management plan, with the expectation that this plan will constitute a condition of future noise approval under the noise regulations.
- The EPA considers that the proposed duration and number of motor sports events outlined in the Proposal Content Document is material to ensuring the proposal is not likely to have a significant impact on social surroundings from operational noise. The EPA advises the CEO of DWER under the noise regulations that if approved, it would be supportive of conditions of approval under the noise regulations to limit the number and duration of motor sports events so that excessive noise is not unreasonable and does not result in significant harm to sensitive receptors.
- The EPA advises the CEO of DWER under the noise regulations that the proponent's applications under the noise regulations should be informed by updated noise investigations, which considers the proposal operational noise in combination with existing noise sources.
- The proponent has stated that no surface water runoff or site drainage, including from the artificial ponds, will enter the Swan River. The EPA advises the Western Australian Planning Commission (WAPC) and the Burswood Parks Board that in assessing planning and development matters, it should have regard to surface water management and stormwater drainage infrastructure to be designed in accordance with best practice. It should also be integrated with existing infrastructure on the Burswood Peninsula, to prevent the release of any contaminants into the Swan River via surface water runoff or drainage.
- Given the poor quality of groundwater in the Superficial aquifer from contamination and acidification, the proponent proposes to abstract groundwater from deeper aquifers during construction. The EPA expects that DWER, in issuing any licences under the *Right*

*in Water and Irrigation Act 1914* for groundwater abstraction, will require abstraction to occur from the deeper Leederville or Yarragadee aquifers to avoid the risk of abstracting contaminated groundwater.

- In relation to future development on the Burswood Peninsula, the EPA advises WAPC that planning controls are likely to play a primary role in ensuring that the amenity values of future receptors are addressed.

**Material information considered by the EPA in this decision**

The EPA has considered the following material information in making its decision:

- referral (19 September 2025)
- referral supporting document (September 2025) and appendices:
  - Appendix A: Proposal Content Document
  - Appendix B: Consultation Outcomes Report
  - Appendix C: Flora and Fauna Assessment Memorandum (GHD 2025)
  - Appendix D: Sampling Analysis Quality Plan (Aurora Environmental 2025)
  - Appendix E: Air Quality Risk Assessment (GHD 2025)
  - Appendix F: Greenhouse Gas Assessment (GHD 2025)
  - Appendix G: Noise Modelling Report (Lloyd George Acoustics 2025)
- comments received during the 7-day public comment period
- additional information to referral supporting document (OMTID 2025)
- advice from DWER on its statutory decision-making roles and other (non-statutory) processes under the CS Act and noise regulations
- EP Act s 3, s 4, Part IV, Admin Procedures, EPA factor and technical guidance

**Appeals:** There are no rights of appeal under the EP Act in respect of this decision.



**Darren Walsh**

Chair

Delegate of the Environmental Protection Authority

**Date:** 20 November 2025