



Government of Western Australia
Department of Environment and Conservation

Your ref:
Our ref:
Enquiries: Alan Sands
Phone: 6467 5300
Fax:
Email: alan.sands@dec.wa.gov.au

The Chief Executive Officer
Aspen Parks Property Management Ltd
Level 8 Septimus Roe Square
256 Adelaide Terrace
PERTH WA 6000

Dear Sir,

ENVIRONMENTAL PROTECTION ACT 1986 – Environmental Protection Notice

I refer to your resort premises in Monkey Mia WA and advise that the attached Environmental Protection Notice has been served on Aspen Parks Property Management (Aspen Parks). The Notice requires Aspen Parks to take measures to investigate and eliminate sewage emissions into the environment.

Please note that a person who is bound by this notice and who does not comply with this notice commits an offence. This offence carries penalties of up to \$500,000, with daily penalties or up to \$100,000. The Department considers that a breach of a Notice, or any section of the Environmental Protection Act 1986 to be extremely serious.

Please call Alan Sands in DEC's Perth office on 6467 5300 if Aspen Parks needs to discuss the attached Notice.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Robert Atkins'.

Robert Atkins
DEPUTY DIRECTOR GENERAL ENVIRONMENTAL
7 May 2010



Environmental Protection Act 1986

Section 65

ENVIRONMENTAL PROTECTION NOTICE

PERSON TO WHOM THIS NOTICE IS GIVEN:

(Being the occupier of the Premises described below)

Aspen Parks Property Management Ltd
Level 8 Septimus Roe Square
256 Adelaide Terrace
Perth WA 6000

PREMISES TO WHICH THIS NOTICE RELATES:

Monkey Mia Dolphin Resort
Lot 130 on Plan 54332, being the whole of the land on Crown Reserve 40727.

("the Premises")

REASON FOR WHICH THIS NOTICE IS SERVED:

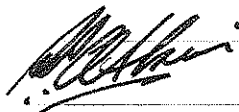
This Notice is issued because I suspect on reasonable grounds that there is, or is likely to be, an emission of sewage from the Premises and the emission of sewage is likely to cause pollution of soils within and adjacent to the Premises; and groundwater beneath and adjacent to the Premises.

("the Pollution")

REQUIREMENTS OF THIS NOTICE:

The occupier of the Premises is required to do the following:

1. Investigate the cause, nature and extent of the emission of sewage from the Premises by 14 May 2010. The investigation shall include, but not be limited to, the identification of the sources of any discharges or emissions from the sewerage collection system and sewage treatment facilities.
2. Prepare and submit to the Chief Executive Officer of the Department of Environment and Conservation ("CEO") a written report on the investigation required by requirement 1 by 21 May 2010.
3. Prepare a written program of works, which shall include a time schedule, to repair the cause of any sewage emission or discharge from the Premises and submit a copy of the works program to the CEO for approval by 28 May 2010.
4. Implement the program of works prepared under requirement 3 after it has been approved by the CEO in accordance with the time schedule set out in the program of works.
5. Take such immediate measures as necessary to prevent the emission of sewage into the environment from the Premises as soon as practicable and in any event no later than by 14 May 2010.



Robert Atkins
DEPUTY DIRECTOR GENERAL ENVIRONMENT
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
As delegate of the CEO

7 May 2010

IMPORTANT NOTE:

A PERSON WHO IS BOUND BY THIS NOTICE AND WHO DOES NOT COMPLY WITH THIS NOTICE COMMITS AN OFFENCE.

A PERSON WHO IS AGGRIEVED BY A REQUIREMENT CONTAINED IN THIS NOTICE MAY WITHIN 21 DAYS OF BEING GIVEN THIS NOTICE LODGE WITH THE MINISTER FOR ENVIRONMENT AN APPEAL IN WRITING SETTING OUT THE GROUNDS OF THAT APPEAL.

ANY OTHER PERSON WHO DISAGREES WITH A REQUIREMENT CONTAINED IN THIS NOTICE MAY WITHIN 21 DAYS OF THE MAKING OF THAT REQUIREMENT LODGE WITH THE MINISTER FOR THE ENVIRONMENT AN APPEAL IN WRITING SETTING OUT THE GROUNDS OF THAT APPEAL.

PENDING THE DETERMINATION OF AN APPEAL REFERRED TO ABOVE THE RELEVANT REQUIREMENTS CONTAINED IN THIS NOTICE CONTINUE TO HAVE EFFECT.