

8 April 2026

Luke Davies  
Environmental Manager  
McCallum Brothers Limited  
PO Box 71-031  
Rosebank  
Auckland

Dear Luke

**FORMAL WARNING – Non-compliance of condition 15 of CST60420477 & DIS60420479**

On 8 August 2025, you submitted a letter to Council advising that extraction had occurred in areas where live stony corals were found which was a breach of condition 15 of resource consents CST60420477 & DIS60420479.

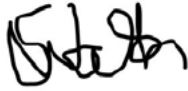
Condition 15 of resource consent CST60420477 & DIS60420479 states:  
*“Within the Extraction Area, sand extraction must not occur in areas which contain any of the following:.....”*  
*“c) The presence of species absolutely protected under the provisions of the Wildlife Act 1953.”*

On further examination of the breach, it was discovered that this breach had occurred on 7 occasions in June and July 2025. Following it's investigation, Council has accepted McCallum Brothers Limited's reasoning that this breach was due to human error interpreting the data received from Bioresearchers following the biological monitoring results and analysis as required by this consent.

Breaching condition 15 of resource consent CST60420477 and DIS60420479 is a contravention of section 12(2)(b) of the Resource Management Act 1991 (RMA). Such a contravention is an offence punishable by an infringement fee of up to \$1,000 or, if prosecuted and convicted, by imprisonment for a maximum of two years or a fine of up to \$300,000 for an individual or a maximum fine of \$600,000 for a company.

Council acknowledges you have admitted this breach, surrendered your consent and no further sand extraction will be occurring in this area. This letter is a **formal warning** in respect of this matter. No enforcement action will be taken on this occasion. However, this warning will be taken into account should McCallum Brothers Limited be involved in further offending against the RMA.

Yours sincerely



Stacey Walsh  
Senior Environmental Monitoring Officer  
Licencing and Regulatory Compliance  
Auckland Council



CC:  
Callum McCallum  
Shayne Elstob