

10 June 2024

Chris Garton  
Environmental Manager  
McCallum Brothers Limited  
PO Box 71-031  
Rosebank  
Auckland

Dear Chris

**FORMAL WARNING – Non-compliance of condition 17 of CST60420477 & DIS60420479**

On 4 June 2024, you submitted a letter to Council advising of a calculation error whilst calculating the 30 day average extraction volume as required by condition 17 of resource consents CST60420477 & DIS60420479.

The calculation error resulted in the average sand extraction volume for the 30 days ending 30 May 2024, 31 May 2024 and 1 June 2024 exceeding the permitted volume of 7500m<sup>3</sup>. An extract of the average 30 day extraction volume is below:

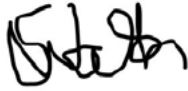
Date	Trip Number	Extraction	30day average
23/05/2024			5538
24/05/2024			5538
25/05/2024			5538
26/05/2024			5538
27/05/2024	36	923	6461
28/05/2024	37	923	7384
29/05/2024			7384
30/05/2024	38	923	8307
31/05/2024	39	923	8307
1/06/2024	40	923	8307
2/06/2024			7384
3/06/2024			7384

Council acknowledges that you have taken corrective actions to ensure that this mistake does not reoccur for the remaining duration of these consents.

Breaching condition 17 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.

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