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## Havelock North water inquiry: Council drops prosecution

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Pressure from the Havelock North Water Inquiry has seen the Hawke's Bay Regional Council (HBRC) drop its prosecution of the Hastings District Council over an alleged resource consent breach.



One of the water tankers set up during the outbreak. Photo: RNZ / Rebekah Parsons-King

The inquiry is on a tight deadline to find out what caused more than 5000 people - or 40 percent of the town's population - to become seriously ill from drinking tap water in August.

HBRC announced last month it had charged the district council with resource consent breaches, which it said were discovered during an investigation of the contamination.

The court action derailed the inquiry and forced it to be postponed until late January.

The Inquiry finished a preliminary hearing at Hastings District Court today over water supply, in which tensions between the two councils boiled over.

The hearing was over the Hastings water supply, but the legal action quickly took centre stage.

District council manager Craig Thew told the inquiry his council wanted to work with the regional council, but was wary due to fears of being prosecuted.

"Obviously the current environment has made that somewhat difficult given prosecution proceedings, so some of the liaising that was happening has got a little bit more difficult to do than it was previously," he said.

Mr Thew said the district council wrote to the regional council last week, urging it to drop the legal action but chief executive Andrew Newman refused.

The legal action was clearly frustrating inquiry chair Lyn Stevens QC, as well as panel members Dr Karen Poutasi and Anthony Wilson.

Mr Stevens questioned why the regional council did not just issue the district council an infringement notice, so the inquiry could get on with its work.

He quizzed Mr Newman on why court action was necessary, when it would not resolve the question of what caused the water contamination.

"If that's all that was involved. If that's all that influenced you as the decision maker [then] issue an infringement notice. Pay it and we get on in finding out what the facts are and what caused this out of a range of possible causes.

"But at the moment we can't go anywhere near cause, because of what's happening," said Mr Stevens.

Mr Stevens directed Mr Newman to work with the district council last night to resolve the alleged consent breach, with Mr Newman undertaking to seek further advice.

When the hearings resumed this morning, regional council lawyer Mai Chen announced it had formally dropped its prosecution against the Hastings District Council and was considering an infringement notice.

Mr Stevens said it was an excellent outcome, that would allow the inquiry to move forward in an effort to meet its deadline of 31 March to report back to the government.

Meanwhile, the Hastings District Council said businesses receiving emergency financial help after the campylobacter outbreak in August had received an average of about \$4700 each.