He Pānui Pāpāho | Media Release

1 October 2026

Greater Wellington lays charges over Moa Point wastewater discharges

Greater Wellington has filed charges against Tiaki Wai and Wellington City Council following its investigation into alleged unlawful wastewater discharges from the Moa Point Wastewater Treatment Plant.

The charges relate to two periods of alleged offending: wastewater discharges that occurred during an upgrade of the plant's ultraviolet treatment system between October 2025 and January 2026; and the failure of the treatment plant in early February 2026 and the ongoing discharges connected to that failure.

Greater Wellington Director Strategy, Policy and Regulation Fathima Iftikar says the decision to prosecute follows a detailed investigation into the events, the roles of the parties involved and the environmental consequences.

"As an independent regulator, Greater Wellington is responsible for enforcing compliance with the Resource Management Act, including compliance with resource consents and the regional plan." Dr Iftikar says.

"Where there is evidence of non-compliance, we have a responsibility to consider it and take appropriate action."

At this stage, Tiaki Wai and Wellington City Council each face 10 charges. These comprise five charges relating to alleged unlawful discharges from the plant and five relating to alleged breaches of an abatement notice.

Under the RMA as amended in September 2025, if convicted Tiaki Wai and Wellington City Council each face a maximum fine of $10 million per charge. The decision to impose a fine and the level of that fine is made by the Court.

"Taking enforcement action against public organisations is a serious decision, and not one we take lightly," Dr Iftikar says.

"Greater Wellington's responsibility as the environmental regulator is to make those decisions independently, based on the evidence and the law.

"No matter how important the service, or who owns or operates it, the obligation to comply with environmental law remains the same."

Dr Iftikar says the prosecution marks an important point in Greater Wellington's response to the plant's failure, but not the end of its responsibility to Wellington's south coast.

"Operational improvements and work to restore the treatment plant are continuing. Greater Wellington is separately considering if regulatory measures are needed to ensure the plant returns to full compliance with its resource consents.

"People should be able to trust that environmental rules protecting the coastal marine area will be upheld by both public and private entities. Our role is to protect that trust by following the evidence, applying the law fairly, and holding those responsible to account where the evidence supports it."

As the prosecution is now before the Court, Greater Wellington cannot comment further.

ENDS

Background: Moa Point wastewater investigation

1 October 2026

Introduction

This document is about Greater Wellington's investigation into alleged unlawful wastewater discharges from the Moa Point Wastewater Treatment Plant from October 2025 to September 2026. It provides background information relevant to the media release: Greater Wellington lays charges over Moa Point wastewater discharges, which announces that charges have been filed against Tiaki Wai and Wellington City Council.

Independent regulator

Greater Wellington carried out its investigation in its statutory role as the region's environmental regulator. Greater Wellington Councillors do not have direct oversight of regulatory investigations or influence over decisions to lay charges. The purpose of the investigation was to determine whether there was sufficient evidence of offending under the Resource Management Act 1991 (RMA), which organisations could potentially be responsible, and whether a prosecution was in the public-interest.

The investigation examined the responsibilities, decisions and actions of the main organisations involved in operating the treatment plant and the delivery of the ultraviolet treatment system upgrade. This required investigators to consider the role of multiple parties, including what each was responsible for, the decisions each had authority to make, the information that was available to each party and what the evidence could establish. Involvement in the operation of the plant or the upgrade was not, by itself, sufficient to establish criminal liability.

Greater Wellington used the standard tools available to it as a regulator including undertaking site visits and obtaining more than 1,000 documents from the various parties. Greater Wellington also obtained expert wastewater and ecological advice and undertook coastal observations and water sampling. Parties were also invited to interviews.

On the evidence currently available, Greater Wellington is satisfied there is sufficient admissible evidence, and that it is in the public interest, to file charges against Wellington City Council and Tiaki Wai Limited. No other party has been charged at this stage.

Under the RMA, Greater Wellington has 12 months from when alleged offending became known, or ought to have become known, in which to file any charges. If further information comes to light within the statutory limitation period, this will be considered by Greater Wellington.

Investigation scope

Since the February 2026 incident, there have been several investigations, reviews and technical reports that have examined the events at the Moa Point Wastewater Treatment Plant. These have been undertaken for different purposes and should not be treated as interchangeable.

Greater Wellington's work was an enforcement investigation undertaken as the environmental regulator. In addition to looking at the causes of the February flooding event, the investigation has also considered other matters such as compliance with resource consent conditions, the roles and responsibilities of various parties, whether the available evidence supports charges under the RMA, and whether the public interest requires a prosecution to be brought. The allegations resulting from that process are now matters for the Court to determine.

The **Crown Review** had a different and broader purpose. It examined governance, oversight, funding, operations, contracts and asset management that may have contributed to the February failure, with a focus on systemic lessons for the future management of wastewater infrastructure. The Crown Review expressly did not seek to determine legal liability or conduct a technical fault investigation.

The independent technical investigation prepared by **AECOM** for Wellington Water focused more specifically on the cause of the flooding event of 4 February 2026. Its source material included project records, incident reports, alarm information, contracts, risk registers and records of earlier inundation events.

Other reports considered narrower technical issues. **Stantec's** hydraulic report modelled the plant's effluent pipelines, bypass system and ocean outfall to better understand hydraulic constraints and operation during recovery, while **Beca's** damage assessment examined physical damage to plant assets following the flooding.

These reviews and reports can assist in understanding the events at Moa Point, but they do not replace Greater Wellington's investigation under the RMA.

Environmental monitoring

Greater Wellington has two distinct responsibilities in its response to the Moa Point discharges. It is the environmental regulator responsible for monitoring and enforcing compliance with resource consents, and it is the regional council with responsibilities for protecting and managing the coastal marine area.

Greater Wellington has independently monitored the environmental effects of the discharges. This has included coastal and marine water quality within Tarakena Bay and offshore near the long outfall, odour, ecological effects, wildlife and indicators relevant to public health.

Greater Wellington also contributes to public health monitoring and providing advice on recreational water quality. It coordinates water-quality sampling at freshwater and coastal sites across the region and combines sampling results with current weather information to assess conditions at popular swimming locations, including beaches on Wellington's south coast. Recreational water-quality information and warnings are made available through the Land, Air, Water Aotearoa (LAWA) website.

Monitoring results are also provided to public health authorities, alongside advice relevant to activities such as gathering kaimoana. This information can help inform public-health warnings or restrictions where required.

ENDS

Timeline: Moa Point wastewater investigation

18 OCTOBER 2021

Abatement notice issued

Greater Wellington issues abatement notices following earlier non-compliant discharges from Moa Point Wastewater Treatment Plant, requiring unauthorised discharges to cease.

2022 - 2024

Upgrade planned and consenting considered

Planning occurs for the replacement of the plant's ageing ultraviolet (UV) treatment system. The proposed method requires one of the two UV channels to be taken out of service, reducing full treatment capacity from about 3,000 litres per second to 1,500 litres per second. Consenting options and the risk of non-compliance are considered during project planning.

APRIL 2024

Decision to proceed without a new or varied consent

Wellington Water advises Greater Wellington that it does not intend to apply for a new or varied resource consent for discharges associated with the works. Greater Wellington advises Wellington Water that it retains the ability to take enforcement action should any non-compliance occur.

1 OCTOBER 2025

UV upgrade begins

One UV channel is isolated as the upgrade starts, reducing the plant's full treatment capacity.

OCTOBER 2025 - JANUARY 2026

Repeated non-compliant discharges

A number of discharge events are reported to Greater Wellington throughout the period.

3-4 FEBRUARY 2026

Treatment plant fails

An alleged non-compliant discharge of wastewater through the long outfall begins on 3 February. Wastewater subsequently backs up and overtops treatment systems within the plant, causing extensive internal flooding that damages critical equipment. In the early hours of 4 February, untreated wastewater is diverted through the short outfall at Tarakena Bay to prevent further flooding.

FROM 4 FEBRUARY 2026

Ongoing discharges

Screened but otherwise untreated wastewater continues to be discharged through the long outfall while the plant is being recovered. The short outfall at Tarakena Bay is also used intermittently on a number of occasions between February and September 2026.

FEBRUARY - SEPTEMBER 2026

Greater Wellington investigation

Greater Wellington investigates two periods of alleged offending: between October 2025 and January 2026; and the failure of the treatment plant in February 2026 and the ongoing discharges connected to that failure.

1 JULY 2026

Amalgamation

Wellington Water and Tiaki Wai amalgamate.

2 SEPTEMBER 2026

Crown Review

The independent Crown Review of the plant failure is released.

28 SEPTEMBER 2026

Charges filed

Greater Wellington files charges against Tiaki Wai and Wellington City Council.

Greater Wellington
Te Pane Matua Taiao