



11 December 2020

Media Release

EDS welcomes High Court decision relating to dairy conversions at Simons Pass Station in the Mackenzie Basin

EDS welcomes the High Court decision upholding declarations made by the Environment Court that resource consents for agricultural conversion (including irrigation) at Simons Pass Station are a discretionary activity.

Simons Pass Station was unsuccessful in its appeal that the decision was an error in law.

“Yesterday the High Court confirmed that the consents for Simons Pass Station will need to be assessed as full discretionary activity,” said EDS CEO Gary Taylor.

“That outcome is entirely consistent with the EDS view of the law.

“It means that Mackenzie District Council has discretion to refuse the consent.

“The application, which has been on hold pending the outcome of these proceedings, should now be notified for public submissions. It is appropriate that the public has a say given the outstanding landscape and ecological values present on the property.

“The outcome of the decision, taken together with the more stringent rules on landscape protection introduced by Plan Change 13, mean it is highly unlikely that consents for further irrigation in the Basin will be granted.

“Subject to the final outcome of the Simons Pass consents, in our view this marks the end of dairy conversions in the Mackenzie Country,” said Mr Taylor.

EDS was represented in the High Court by Barrister Rob Enright and EDS solicitor Cordelia Woodhouse.

High Court decision is available [here](#)

Environment Court decision is available [here](#).