

Estimates Committee 2003 Questions Taken On Notice

(01/10/2002 to 01/10/2004)

Date: 06/26/2003

Output:

Sub Output:

Subject: Blackmore River Prawn Farm

From: Mr WOOD to Honourable Dr Peter TOYNE
Minister for Justice and Attorney-General

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Question:

My question is regarding the Blackmore River prawn farm:

Is there still a dispute between the government and the owners? And what is the state of that dispute?

Answer:

Answered On: 06/25/2003

Answer:

Amended answer:

Phelps Panizza Partnership made a major claim against the Northern Territory as a result of the decision by the previous government to withdraw from an agreement to allow for the establishment of a prawn farm in Darwin Harbour.

That claim was settled by a substantial payment by the Northern Territory, together with agreement by the Territory to provide an alternative site at Blackmore River and to use its 'best efforts' to locate a further site for expansion.

We understand the Blackmore River project is now up and running.

There have been a number of further disputes with the partnership concerning the Blackmore River location and the covenant that the Territory would use its 'best efforts' to locate a further site for expansion.

The partnership commenced proceedings in the Federal Court in Queensland, alleging breach of an earlier deed of settlement, negligent misrepresentation etc. The jurisdiction of that Court was challenged and those proceedings were withdrawn.

However, the partnership continues to assert its claims and has recently provided a 'position paper' to the Department of Infrastructure, Planning and Environment, purporting to detail the nature and basis of their claim which includes alleged delay in the implementation of the terms of the original deed of settlement (to clear Native Title, grant a lease etc in respect of the Blackmore River location) and alleged failure by the Territory to use its 'best efforts' to identify an additional site.

A response is being prepared to the claimant's position paper.