

Question on Notice

No. 1373

Asked on Tuesday, 16 October 2018

MR R KATTER ASKED THE MINISTER FOR ENVIRONMENT AND THE GREAT BARRIER REEF, MINISTER FOR SCIENCE AND MINISTER FOR THE ARTS (HON L ENOCH)—

QUESTION:

With reference to the Courier Mail article entitled ‘Taxpayers foot bill for pollution clean-up’, which refers to the Queensland Government’s bid for the High Court to direct Linc Energy to pay for rehabilitation work at its Queensland pilot plant—

Will the Minister advise (a) whether the Minister’s office, or department, received any correspondence from environmental lobby groups about Linc Energy’s activities or requesting legal action, (b) whether the Minister, or anyone in the Minister’s office, sent correspondence to any environmental lobby groups that included legal advice indicating the chance of compensation from Linc Energy for rehabilitation was minimal, (c) the total cost of legal advice and representation incurred by the State Government about matters involving Linc Energy and (d) how many counsel and special counsel were engaged by the State Government about Linc Energy and what they were paid?

ANSWER:

I thank the Honourable Member for the question.

The *Courier Mail* article to which the Member refers is concerned with litigation that involved the Department of Environment and Science (the department) and Linc Energy’s liquidators: proceedings before the Supreme Court (in which the department was successful); an appeal to the Court of Appeal; and an application for special leave to appeal to the High Court.

The department has conducted a review and no communication of the kind described has been identified.

In the proceedings to which the article referred, the department was represented by one Queen’s and one junior Counsel and by solicitors with expertise in insolvency law. The Attorney-General of Queensland was also represented. The total cost of legal advice and representation incurred by the State in relation to the proceedings to which the *Courier Mail* article referred is approximately \$410,000.

Separate to the litigation involving the liquidators, the prosecution of Linc resulted in \$4.5 million in fines and convictions recorded, which is the highest penalty ever imposed under Queensland law for environmental offending.