

Queensland Climate Transition Bill 2023

Explanatory Notes

Short title

The short title of the Bill is the Queensland Climate Transition Bill 2023 (the Bill).

Policy objectives and the reasons for them

The objective of the Bill is to support Queensland to meet its obligations under the Paris Agreement¹ to keep global heating below 2°C, preferably 1.5°C, above pre-industrial levels, by reducing scope 1, 2 and 3 greenhouse gas emissions. It also establishes a new statutory authority to develop and implement a strategic climate transition plan that ensures consultation, compensation, training and job opportunities for workers and local communities affected by the transition away from fossil fuels.

The need to limit warming to 1.5°C

The Bill is underpinned by the findings of the Intergovernmental Panel on Climate Change (IPCC), and the Paris Agreement, both of which the Queensland Government purports to support.

The IPCC's 6th Assessment Report projected that the severity of global warming's impacts on biodiversity, human health and economies significantly increases by every increment of warming, in particular beyond 1.5°C. These impacts include:

- Increased frequency and severity of extreme weather events and disasters including flooding and extreme high rainfall, droughts, bushfires and cyclones;
- Mass displacement and involuntary migration due to disasters and sea level rises of between 40cm and 90cm over the next 60-80 years;
- Loss and degradation of much of the world's forests, reefs and wetlands;
- Reduced food and water security due to more heat and drought events causing crop production losses and barriers to food production and access in vulnerable regions;
- Adverse effects on physical and mental health, including increased risk of climate-sensitive disease;
- Compromises to key infrastructure including transportation, water, sanitation and energy;
- The extinction of up to 18% of terrestrial species at 2°C of warming or 29% at 3°C, compared to up to 14% at 1.5°C.

¹ The "Paris Agreement" refers to the Decision 1/CP.21, paragraph 21 of the 21st Conference of Parties of the United Nations Framework Convention on Climate Change to adopt the Paris Agreement

Many of the impacts of global warming are especially pronounced for Queensland. In particular, 2°C of warming is projected to destroy more than 99% of the Great Barrier Reef, compared to a very serious but not fatal decline of 70-90% at 1.5°C. Australian Governments' failures to adequately protect the Reef from the impacts of climate change, as well as water quality and land management issues, led to UNESCO recommending in 2022 that the site be inscribed on the List of World Heritage In Danger.² Destruction of the Reef would impact Queensland's tourism economy by an estimated \$3.9 billion annually, or more than 33,000 jobs.³

Queensland is also significantly more vulnerable to impacts from extreme weather and disasters. Australia's climate has already warmed by an average of 1.47°C,⁴ and the impacts have been acutely felt in Queensland. A 2022 Climate Council report found the state's total economic losses from extreme weather disasters since the 1970s were more than twice the national average on a per capita basis.⁵ Analysis by the Climate Council predicts 6.5% of Queensland properties will be uninsurable by 2030 due to the state's high risk from extreme weather and sea level rise.⁶

Emissions and emission reduction targets

As a major contributor to the climate crisis, and being on the frontlines of some of its worst impacts, Queensland has a particularly strong obligation to reduce emissions. The state currently has one of the highest rates of per capita emissions in the world⁷ and the highest emissions of any Australian state, at over 159MtCO₂-e in 2020.⁸ Between 2005 and 2017, emissions increased in every sector except for land-use change and forestry.⁹

² Report on the Joint World Heritage Centre/ ICN Reactive Monitoring Mission to the Great Barrier Reef (Australia) from 21 to 30 March 2022 <https://whc.unesco.org/en/list/154/documents>

³ Deloitte Access Economics (2017) *At what price? The economic, social and icon value of the Great Barrier Reef*
<https://www2.deloitte.com/content/dam/Deloitte/au/Documents/Economics/deloitte-au-economics-great-barrier-reef-230617.pdf>

⁴ CSIRO 2022 *State of the Climate report*
<https://www.csiro.au/en/research/environmental-impacts/climate-change/State-of-the-Climat>

⁵ Climate Council (2022) *The Great Deluge: Australia's New Era of Unnatural Disasters*
<https://www.climatecouncil.org.au/resources/the-great-deluge-australias-new-era-of-unnatural-disasters/>

⁶ Climate Council (2022) *Uninsurable Nation: Australia's most climate-vulnerable places*
<https://www.climatecouncil.org.au/resources/uninsurable-nation-australias-most-climate-vulnerable-places/>

⁷ Accenture (August 2022), *Queensland Climate Action Plan: Laying the foundation for a successful climate transformation*
<https://www.wwf.org.au/what-we-do/climate/renewables/resources/queensland-climate-action-plan>

⁸ Department of Climate Change, Energy, the Environment and Water, *State and territory greenhouse gas inventories: 2020 emissions*
<https://www.dcceew.gov.au/climate-change/publications/national-greenhouse-accounts-2020/state-and-territory-greenhouse-gas-inventories-2020-emissions>

⁹ Climate Analytics (October 2019), *A 1.5 degrees C Compatible Carbon Budget for Queensland*
<https://climateanalytics.org/media/report-carbonbudgetforqueensland-climateanalytics-2019-web.pdf>

The State Government has currently committed to the following targets:

- A 30% reduction in emissions on 2005 levels by 2030;¹⁰
- Net zero emissions by 2050;¹⁰
- 50% renewable energy by 2030, 70% by 2032 and 80% by 2035;¹¹ and
- A 50% reduction in energy sector emissions on 2005 levels by 2029-30, and 90% by 2035-2036.¹¹

The Government's statewide emissions reduction target of 30% by 2030 and net zero by 2050 is not consistent with the objectives of the Paris Agreement.¹² It is almost identical to the emissions reduction targets of 26-28% by 2030 proposed by the former Federal Government led by Tony Abbott and most recently by Scott Morrison. The United Nations states that global emissions must be reduced by 45% by 2030 and reach net zero by 2050,¹³ with greater reductions needed from more significant greenhouse gas emitters like Australia and Queensland.

Modelling by the Climateworks Centre in 2022 showed that Australia must reduce its emissions by approximately 74% on 2005 levels by 2030, and reach net zero by the mid 2030s, to limit warming to 1.5°C.¹⁴ Those targets represent the bare minimum for Queensland, which makes a proportionately higher contribution to emissions than other states. A 2022 Climate Resource report authored by contributing scientists to the IPCC found that for a 50% chance of limiting warming to 1.5°C, Queensland would need to reduce its emissions by 93% by 2030 and reach net zero by 2031. For an 83% chance of limiting warming to 2°C, we would need to reduce emissions by 48% by 2030 and reach net zero by 2045.¹⁵

This Bill introduces new statewide emissions reduction targets to reflect this, including:

- A 75% reduction in emissions on 2005 levels by 2030; and
- Net zero emissions by 2035.

¹⁰ Queensland Climate Action Plan (2020) <https://www.des.qld.gov.au/climateaction/emissions-targets>

¹¹ Queensland Energy and Jobs Plan (2022) <https://www.epw.qld.gov.au/energyandjobsplan>

¹² Climate Resource (June 2022) *Comparison between Queensland's 2030 and 2050 emission reduction targets, 1.5C pathways and 2.0C pathways*

https://www.climateresource.com.au/reports/wwf/202206_WWF-Qld-Targets.pdf

¹³ United Nations Net Zero Coalition (2022), *For a livable climate: Net-zero commitments must be backed by credible action* <https://www.un.org/en/climatechange/net-zero-coalition>

¹⁴ Climateworks Centre (February 2022) *In 2022, Australia has every reason to act on climate* <https://www.climateworkscentre.org/news/in-2022-australia-has-every-reason-to-act-on-climate/>

¹⁵ Climate Resource (June 2022) *Comparison between Queensland's 2030 and 2050 emission reduction targets, 1.5C pathways and 2.0C pathways*

https://www.climateresource.com.au/reports/wwf/202206_WWF-Qld-Targets.pdf

Coal, oil and gas moratorium and phase out

Domestic emissions reduction targets do not account for the contribution of fossil fuels extracted in and exported from Queensland to be burned elsewhere (commonly called scope 3 emissions). However, as affirmed in the 2022 Land Court decision in *Waratah Coal v Youth Verdict (Galilee Coal Project)*, coal, oil and gas exports from Queensland will lead to emissions elsewhere and contribute to global heating which will have impacts in Queensland as well as internationally.¹⁶

Various experts and organisations including the International Energy Agency have warned there must be no new coal, oil or gas projects, starting from 2021, in order to reach net zero by 2050.¹⁷ Recent modelling makes clear that coal production from developed nations, including both thermal and metallurgical coal, must be phased out by 2030, with all fossil fuel production phased out by 2034, in order to have even a 50% chance of limiting global heating to 1.5°C.¹⁸ However, current State Government policy and legislation still allows for new fossil fuel exploration and mining in Queensland, and information from the Department of Resources indicates there are 12 coal mines already approved in the state that are expected to continue operating past 2050, including some until 2099.¹⁹

When taking into account our coal, oil and gas exports, Australia's per capita carbon footprint is among the highest in the world - nine times higher than China's and 37 times higher than India - as are our total emissions, which are roughly equal to Russia.²⁰ Australia is one of the world's largest exporters of coal, and the majority of this is mined and exported from Queensland.²¹

The Bill recognises Queensland's responsibility to reduce emissions from all fossil fuels extracted here, regardless of where those resources are burned, by:

- prohibiting the approval of new coal, oil and gas projects immediately from the time of commencement; and

¹⁶ *Waratah Coal Pty Ltd v Youth Verdict Ltd & Ors (No 6)* [2022] QLC 21

<https://www.sclqld.org.au/caselaw/QLC/2022/21>

¹⁷ Net Zero by 2050: A roadmap for the Global Energy Sector (May 2021)

<https://www.iea.org/reports/net-zero-by-2050>

¹⁸ Calverley, D. & Anderson, K. (2022). *Phaseout Pathways for Fossil Fuel Production Within Paris-compliant Carbon Budgets*.

<https://research.manchester.ac.uk/en/publications/phaseout-pathways-for-fossil-fuel-production-within-paris-compliance-compliance>

¹⁹ Matthew Killoran, Courier Mail (29 November 2022) *Revealed: How long Queensland coalmines are expected to stay open*

<https://www.couriermail.com.au/news/queensland/qld-politics/revealed-how-long-queensland-coalmines-are-re-expected-to-stay-open/news-story/f174e38a7236742188e0537ecd433c6f>

²⁰ Climate Analytics Australia (July 2019) *Evaluating the significance of Australia's global fossil fuel carbon footprint* https://climateanalytics.org/media/australia_carbon_footprint_report_july2019.pdf

²¹ Ember Shipping Dashboard, *Explore the global flow of coal from mines to coal plants* <https://ember-climate.org/data/data-tools/ember-shipping-dashboard/>

- establishing a fossil fuel exports reduction target to phase out exports of coal, oil and gas by 31 December 2030.

Economic transition planning and worker compensation

Irrespective of the imperative for Queensland to phase out fossil fuel exports in order to limit global emissions and meet its obligations under the Paris Agreement, economic projections show a global decline in the use of coal and (to a slightly lesser extent) gas, which will inevitably affect workers currently employed in the resources industry, as well as businesses and communities currently dependent on income from fossil fuel exports.²²

Although precise figures vary, anywhere between 20,000 and 38,000 people were employed by coal mining in Queensland in 2022.²³ Oil and gas extraction employs around 5,000 people in Queensland.²⁴

Deloitte’s “New Futures, new resources” report, commissioned by the State Government in 2021, found that rapid global decarbonisation will likely reduce demand for fossil fuels, with increasing demand for minerals and metals required in low-emissions technologies. While we may minimise short-term negative impacts on the resources industry by delaying decarbonisation, ultimately this would lead to “major risks” and missed opportunities for the mining and resource sector. Without significant change from current policy settings, productivity will decline, innovation and new investment will slow, jobs and growth will decline, and wellbeing standards will slip significantly due to the impacts of unmitigated climate change. Government support for a coordinated approach to decarbonisation would lead to the best case scenario for the resources industry and Queensland’s economy and wellbeing more generally.²⁵

In October 2022 the State Government announced an Energy Workers Charter alongside its Energy and Jobs Plan, including a commitment for a Job Security Guarantee for employees at government-owned power stations affected by the transition to renewable energy, as outlined in the Plan. The Charter also includes the establishment of an Energy Industry Council to

²² The Australia Institute (2020) *Getting Off Coal*

<https://australiainstitute.org.au/wp-content/uploads/2020/12/P881-Getting-Off-Coal-WEB.pdf>

²³ Gilfillan, G., Australian Federal Parliamentary Library (2023). *Employment trends in coal mining and the renewable energy sector*.

https://www.aph.gov.au/About_Parliament/Parliamentary_departments/Parliamentary_Library/pubs/rp/rp223/EmploymentTrendsCoalMiningRenewableEnergy

²⁴ Estimate based on job figures for oil & gas extraction in the ABS *Labour Account Australia 2022* together with the proportion of Australian gas produced in Queensland (27% as at 2020) from Geoscience Australia’s *Australian Energy Commodity Resources Report 2022*

<https://www.ga.gov.au/digital-publication/aecr2022/gas#production-section>

²⁵ Joe Hinchcliffe, The Guardian (27 November 2022) *Queensland faces ‘significant’ wellbeing decline if it doesn’t quickly transition to renewables, report says*

<https://www.theguardian.com/australia-news/2022/nov/27/queensland-faces-significant-wellbeing-decline-if-it-doesnt-quickly-transition-to-renewables-report-says>

implement the Charter, and a Queensland Renewable Energy Jobs Advocate to advise the minister on implementing workforce transformation and investigating stakeholder issues.

Similar to the work of the transition authority proposed in this Bill, the Charter will allow for collaborative and long-term planning for the future of the energy sector workforce, working together with energy companies, unions and other relevant stakeholders.²⁶ However, no equivalent charter, authority or plan exists for the fossil fuel exports industry.

It is essential that the State Government begin planning now to ensure Queenslanders are protected from job losses and economic uncertainty as a result of sudden and unplanned declines in fossil fuel investment, increased risk of global penalties and sanctions, stranded assets, and growing tension and confusion in communities where new fossil fuel projects continue to be approved with little long-term viability.

To enable this coordinated approach, the Bill establishes a new independent statutory authority, the Queensland Climate Transition Authority. Extensive consultation and research conducted by The Next Economy throughout 2021 indicates strong support for a central coordinating body with a legislated mandate to manage Queensland's transition to zero emissions and "support regions impacted by the decarbonisation of the economy to develop long-term economic, social and environmental resilience and prosperity". The Next Economy's report recommends a transition authority to:

1. Facilitate long-term regional planning and coordination to reduce the negative impacts associated with the phase out of fossil fuels and to facilitate new economic opportunities;
2. Ensure that all stakeholders can meaningfully participate in decision making processes and in the design of new plans and programs to decarbonise the economy, and that they remain informed and able to participate as change unfolds over time;
3. Be across all aspects of the energy transition to enable the flow of information and resources to enable effective, timely and regionally appropriate investment and action.²⁷

The Queensland Climate Transition Authority is intended to coordinate with the Government and other existing agencies such as the Mines Rehabilitation Commissioner and the Energy Industry Council, once established, to perform these functions.

In particular, it is tasked with the development of a retraining, redeployment, and job guarantee plan for displaced resources workers and communities, to be led by local workers, residents and businesses.

²⁶ Queensland Energy and Jobs Plan (2022) <https://www.epw.qld.gov.au/energyandjobsplan>

²⁷ The Next Economy (February 2022) *Transforming Queensland: The Case for a New Transition Authority - Report on Consultation Results* <https://nexteconomy.com.au/wp-content/uploads/TNE-Transition-Authority-Report-Qld-202260.pdf>

Achievement of policy objectives

The Bill achieves its policy objectives by creating a new Queensland Climate Transition Act to provide for:

- Economy-wide reduction in domestic emissions of at least 75% on 2005 levels by 2030 and net zero emissions by 2035, in line with the Paris Agreement;
- An immediate ban on new coal, oil or gas approvals and the phase-out of fossil fuel exports by 2030;
- The establishment of the Queensland Climate Transition Authority (QCTA) to oversee an orderly transition away from coal, oil and gas in collaboration with affected workers and communities.

The QCTA will be responsible for developing, publishing and assisting in the implementation of the Queensland Climate Transition Strategic Plan by 31 December 2024, to facilitate:

- The ban on new coal, oil and gas approvals;
- The phase out of thermal coal, oil and gas exports from Queensland by 2030;
- The new emissions reduction targets; and
- Region-specific economic transition and resilience plans to be developed and implemented together with local workers, residents and businesses in affected communities.

The QCTA will prioritise transition planning for resources industry participants affected by the phase-out of fossil fuel exports, including a retraining, redeployment, and job guarantee plan for resources workers and communities. It can also work with all sectors affected by measures implemented to achieve the emissions reduction targets, such as the transport and agriculture sectors.

The QCTA will be headed by a director, to be appointed by the Premier, and may employ other staff to perform its functions or exercise its powers, as provided for in future budgets.

Oversight of the QCTA will be provided by a Board of at least 5, but not more than 7, members with relevant experience or qualifications in certain areas, including at least one Aboriginal and/or Torres Strait Islander member and at least three members residing in regional Queensland. Board members will be appointed by the Premier for three-year terms, with one member to be appointed as chairperson by the Premier.

The QCTA will report annually on progress towards achieving the emissions reduction targets and phase-out of fossil fuel exports, as well as its functions and activities in relation to implementing the Queensland Climate Transition Strategic Plan, with annual reports to be given to the Premier for tabling in Parliament within 14 sitting days of receipt.

Alternative ways of achieving policy objectives

There is no alternative method of achieving the policy objectives.

Estimated cost for government implementation

There are no significant cost impacts from these amendments.

Given the Bill is not accompanied by a message from the Governor, it does not propose to make any new appropriations, and explicitly provides for the Queensland Climate Transition Authority Director, Board members and Chair to receive no remuneration except as decided by the Premier.

While it is reasonable to expect the QCTA will ultimately require funding to perform its objectives, including by engaging staff, this Bill does not propose to allocate funding immediately, instead leaving this to the discretion of the Government.

The phase-out of fossil fuel exports will affect State revenue as royalties from coal and petroleum reduce from a projected \$5.06 billion in 2023-24 to zero in 2030.²⁸ However, the Government could replace this lost revenue by raising royalty rates on coal and petroleum during the phase-out period, by increasing royalties on other mineral resources and by broadening the revenue base of the State as the Greens have proposed elsewhere.

Lost royalties revenue and any potential costs of establishing the QCTA and implementing the Strategic Plan should be weighed against the significant economic costs of climate inaction as set out above, including increased losses from weather disasters, economic instability and global sanctions on local industry, and tourism industry impacts. The targets set by the Bill will significantly reduce long term economic costs to the Government.

Consistency with Fundamental Legislative Principles (FLPs)

Clause 35 of the Bill, which sets out eligibility criteria for membership of the Board which governs the QCTA, may raise issues with regard to limiting the rights and liberties of individuals who wish to participate in public office. This limitation is well justified on the basis that the QCTA must be governed by people with the relevant knowledge and experience to provide thorough and informed oversight of and advice to the QCTA that enables it to meet its objectives under the Act. The requirements for First Nations and regional members on the Board are intended to ensure that a diversity of views are included, and in particular that Traditional Owners and residents outside of South-East Queensland, who will be especially impacted by the transition away from fossil fuels, have representation.

²⁸ Queensland Treasury *Budget Update - Mid Year Fiscal and Economic Review 2022-23*
<https://www.treasury.qld.gov.au/resource/budget-update/>

The provisions under Division 2 of the Bill, regarding the treatment of fossil fuel authorities, may engage Fundamental Legislative Principles with regard to rights and liberties of individuals, to the extent that they adversely affect existing rights. Clause 16 requires that an already existing, but undecided, application for a fossil fuel authority be refused, and Clause 17 enables the QCTA to amend or cancel an existing fossil fuel authority. These decisions are not subject to judicial review except in relation to jurisdictional error.

While it is possible that these provisions may in theory limit the rights and liberties of individuals who hold or have applied for a fossil fuel authority, in practice we are not aware of any individuals who hold or have applied for such an authority in Queensland. Fossil fuel authorities are generally only held by corporate entities, to which the fundamental legislative principles regarding the rights and liberties of individuals do not extend.

Similarly, even if it is argued that the cancellation or amendment of existing fossil fuel authorities amounts to compulsory acquisition of property without compensation - which is a tenuous suggestion at best - in practice this would only apply to corporate entities to which the rights do not extend. Even if the provisions amount to an acquisition of property, this and other retrospective limitations on individual rights and liberties are well justified by the need, as identified by key scientific and economic experts, to halt all new fossil fuel approvals, rapidly decarbonise the economy, and reduce emissions in line with global warming of below 2°C. The impacts of failing to implement this legislation, and allowing for the continued mining and combustion of fossil fuels, are outlined in detail above.

Further, not only have various economic forecasts and scientific projections regarding the need to decarbonise been publicly available for individuals choosing to invest in fossil fuels for many years (as detailed above), but the Bill provides for the establishment of the QCTA which will consult with affected stakeholders (such as shareholders and individuals who have entered into employment, supply or service contracts with fossil fuel authority holders) on an orderly transition plan to implement the phase-out of fossil fuels, ensuring participation, consultation and new opportunities for individuals affected by any impacts of decisions regarding a fossil fuel authority.

Entities involved with fossil fuel extraction have been on notice for many years about the risks of climate change, the need to reduce emissions and decarbonise by phasing out coal, oil and gas, and the risk that ongoing investment in fossil fuel infrastructure will create 'stranded assets'. The UN Framework Convention on Climate Change (UNFCCC), which committed its signatory governments to reduce atmospheric concentrations of greenhouse gases with the goal of "preventing dangerous anthropogenic interference with Earth's climate system", was announced in 1992 and entered into force in 1994.

Consultation

The Member has developed the Bill based on community feedback and consultation with relevant stakeholders including unions, environmental organisations and legal experts.

Consistency with legislation of other jurisdictions

Transition authorities have been established in various other jurisdictions, including the Latrobe Valley Authority established in Victoria in 2016 to manage the closure of Hazelwood Power Station, and the Collie Delivery Unit established in 2019 in WA to manage the closure of mines and power stations. Internationally, transition authorities have been established with broader scopes, such as Canada's Just Transition Taskforce.

Notes on provisions

Part 1 Preliminary

Clause 1 Short Title

Clause 1 provides that when enacted, the Bill may be cited as the *Queensland Climate Transition Bill 2023*.

Clause 2 Main purposes of the Act

Clause 2 states that the main purposes of the Act are to set targets for greenhouse gas emissions and fossil fuel export reduction targets that are consistent with the Paris Agreement, provide for measures to achieve those targets, and ensure employment stability and income security for affected workers and communities.

It states that these purposes will be achieved by the development, publication and implementation of the Queensland Climate Transition Strategic Plan (**Strategic Plan**), the phase-out of fossil fuel exports, and the establishment of the Queensland Climate Transition Authority (**QCTA**).

Clause 3 Act binds all persons

Clause 3 states that the Act binds all persons, including the State.

Clause 4 Relationship with other Acts generally

Clause 4 states that, in the event of any inconsistency with other legislation not dealt with in this Act, this Act prevails.

Clause 5 Definitions

Clause 5 states that words used in the Act are defined in schedule 2.

Part 2 Reduction targets

Clause 6 Greenhouse gas emissions reduction targets

Clause 6 states that “greenhouse gas emissions reduction targets” refers to the targets stated in Clauses 7 and 8, and that these targets must be interpreted in a way consistent with the Paris Agreement.

Clause 7 Interim greenhouse gas emissions reduction targets

Clause 7 sets a target to reduce greenhouse gas emissions produced in Queensland by 75% on 2005 levels by 2030.

Clause 8 Zero net emissions target

Clause 8 sets a target for Queensland to reach zero net emissions (meaning that the amount of greenhouse gas emissions produced, after deducting emissions removed by carbon sequestration, is zero) by 2035.

Clause 9 Measuring greenhouse gas emissions

Clause 9 states that, for the purposes of the targets set out in Clauses 7 and 8, greenhouse gas emissions must be measured using the IPCC guidelines for national greenhouse gas inventories.

Clause 10 Fossil fuel exports reduction target

Clause 10 sets a target to phase out the production of coal, gas and oil for export from Queensland by 31 December 2030.

Part 3 Achieving reduction targets

Division 1 Queensland Climate Transition Strategic Plan

Clause 11 Development of plan

Clause 11 sets out the requirements for the QCTA to develop the Strategic Plan.

Subsection (1) states that the Strategic Plan must outline a path to achieve the Reduction targets set out in Part 2, and ensure employment stability and income security for affected workers and communities.

Subsection (2) states that the Strategic Plan must include the abovementioned objectives and any other objectives decided by the board, as well as the strategies or policies to achieve them within six years of the plan's publication or amendment following review.

Subsection (3) states that the QCTA must, in developing the Strategic Plan, have regard to the principles in schedule 1, use a regional or place-based approach, and provide for the development of any related plans for particular regions.

Subsection (4) states that the Strategic Plan must be approved by the board, published on the Queensland Government website, and tabled in Parliament by 31 December 2024.

Clause 12 Review of plan

Clause 12 outlines a requirement for the QCTA to review the Strategic Plan within two years of publication or previous review. If the QCTA decides to amend the Strategic Plan upon review, it must be amended, including to state the day the plan is amended, and given to the Premier for tabling in Parliament.

Division 1 Queensland Climate Transition Strategic Plan

Clause 13 Purpose of division

Clause 13 states that the purpose of this division is to end coal, gas and oil mining to help achieve the Reduction targets.

Clause 14 Application of division

Clause 14 states that the division applies to fossil fuel authorities, being an authority under another Act (such as an agreement, lease approval, licence or other permission) that permits coal, gas or oil mining and activities directed at mining for coal, gas or oil.

Clause 15 No new applications for fossil fuel authorities

Clause 15 states that applications for new fossil fuel authorities cannot be made.

Clause 16 Undecided applications for fossil fuel authorities

Clause 16 states that fossil fuel authorities made but undecided before commencement are refused.

Clause 17 QCTA may amend or cancel fossil fuel authority

Clause 17 states that the QCTA may amend (for example, impose conditions on) or cancel a fossil fuel authority in effect on commencement. The QCTA must give written notice of the decision to exercise this power to the holder of the fossil fuel authority and the entity that granted the authority, and the amendment or cancellation takes effect upon the fossil fuel authority holder's receipt of that notice or the day stated in the notice, whichever is later.

Clause 18 Assessing activities under fossil fuel authority

Clause 18 states that when deciding whether to amend or cancel a fossil fuel authority, the QCTA must assess the environmental impacts of coal, oil or gas mining activity, having regard to the purposes of this Act.

Clause 19 Limitation of review

Clause 19 states that decisions to amend, cancel or refuse a fossil fuel authority are not subject to any declaratory, injunctive or other order of the Supreme Court, another court, a tribunal or another entity, or to judicial review under the Judicial Review Act 1991, except to the extent that the decision is affected by jurisdictional error.

Part 4 Queensland Climate Transition Authority

Division 1 Establishment and functions

Clause 20 Establishment

Clause 20 establishes the QCTA.

Clause 21 Legal status

Clause 21 states that the QCTA is a body corporate and may sue and be sued in its corporate name.

Clause 22 Primary functions

Clause 22 states that the primary functions of the QCTA are to develop, publish and implement the Strategic Plan.

Clause 23 Other functions

Clause 23 states that the other functions of the QCTA are:

- to consult and liaise with the community, workforce, business and industry, and entities representing their interests, as well as government entities and any other entity the QCTA considers appropriate;
- to advise the Premier on the implementation of the Strategic Plan and any operational plans, objectives, strategies or policies to be implemented by government entities;
- to promote the social and economic benefits, including for rural and regional Queensland, of reducing emissions and fossil fuel exports and of the QCTA's work,

including the Strategic Plan and other operational plans, objectives, strategies or policies;

- to partner with other entities to perform its functions or further the purposes of the Act; and
- to perform any other function given to it by this or another Act, or functions incidental to those functions.

Clause 24 Annual report

Clause 24 states that the QCTA must provide the Premier with an annual report, approved by the board, within three months of the end of each financial year stating the work of the QCTA on implementing the Strategic Plan that year and progress towards the emissions and fossil fuel reduction targets. The Premier must table a copy of the report in Parliament within 14 days of receipt.

Division 1 Establishment and functions

Subdivision 1 Director

Clause 25 Appointment of director

Clause 25 states that the Premier must appoint an appropriately qualified person of good character to be the director of the QCTA, and that the board must approve the appointment.

The director is appointed under this Act rather than the Public Sector Act 2022, for a term stated in the director's instrument of appointment, which the Premier must give to the director as soon as practicable after appointment.

Clause 26 Conditions of appointment

Clause 26 states that the Premier decides the terms and conditions of the director's appointments and that the director is not entitled to any remuneration or other valuable consideration except as decided by the Premier.

Clause 27 Functions of director

Clause 27 states that the functions of the director are to develop operational plans to support the implementation of the Strategic Plan, as well as to manage the affairs and day-to-day operations of the QCTA.

Clause 28 Powers of director

Clause 28 empowers the director to do any necessary or convenient things to perform their functions.

Clause 29 Delegation

Clause 29 states that the director may delegate their functions or powers to an appropriately qualified QCTA staff member.

Clause 30 Ending of appointment

Clause 30 states that the director's appointment ends if they resign by written notice to the Premier, or upon completion of their term if not reappointed.

The Premier may terminate the director's appointment if they are satisfied the director cannot perform their functions or exercise their powers, is an insolvent under administration, or is otherwise not suitable to be the director.

Subdivision 2 Staff

Clause 31 QCTA staff

Clause 31 states that the QCTA may employ staff under the Public Sector Act 2022 to perform its functions or exercise its powers.

Division 3 Board

Subdivision 1 Establishment, functions and powers

Clause 32 Establishment

Clause 32 establishes a board of management for the QCTA.

Clause 33 Functions

Clause 33 states that the functions of the board are to:

- decide objectives to further the purposes of the Act, strategies and policies and achieve the Strategic Plan objectives, and objectives, strategies or policies to be implemented by the QCTA or government entities;
- ensure the QCTA performs its functions properly, efficiently and effectively and complies with its obligations under this Act and other laws; and

- perform any other function given to the board by this or another Act, or functions incidental to those functions.

Clause 34 Powers

Clause 34 empowers the board to do any necessary or convenient things to perform its functions.

Subdivision 2 Membership

Clause 35 Members

Clause 35 states that the board will consist of five to seven members appointed by the Premier under this Act.

The board must include at least one Aboriginal or Torres Strait Islander member and three people who live in regional Queensland.

Members of the board must have qualifications or significant experience in:

- (a) accounting or economics;
- (b) climate transition planning;
- (c) coal, gas or oil mining;
- (d) energy technologies;
- (e) engineering;
- (f) First Nations cultural leadership;
- (g) industrial relations, including industry transition planning or workforce planning;
- (h) reducing greenhouse gas emissions; and/or
- (i) the provision of government funding or grants of financial assistance.

Clause 36 Term of appointment

Clause 36 states that board members are appointed for three year terms.

Clause 37 Chairperson

Clause 37 states that the Premier must appoint one board member as chairperson of the board.

Clause 38 Conditions

Clause 38 states that the Premier decides the terms and conditions of the chairperson's appointment where not decided by this Act, and that the chairperson is not entitled to any remuneration or other valuable consideration except as decided by the Premier

Clause 39 Disqualification

Clause 39 states that board members are disqualified if they are an insolvent under administration.

Clause 40 Vacation of office

Clause 40 states that the position of a board member becomes vacant if they complete their term without being reappointed, resign by written notice to the Premier, are absent without permission or reasonable excuse from three consecutive board meetings, become disqualified under section 39, or are removed from office by the Premier because they are incapable of performing their functions or exercising their powers, or otherwise not suitable to hold the position.

Subdivision 3 Business of board

Clause 41 Conduct of business

Clause 41 states that the board may conduct its business, including meetings, in the way it considers appropriate.

Clause 42 Minimum requirement for meetings

Clause 42 states that the board must meet as often as necessary to develop and publish the Strategic Plan by 31 December 2024 and perform the board's other functions under the Act.

The chairperson of the board must call a board meeting if a board member gives the chairperson written notice requesting the meeting.

Clause 43 Presiding at meetings

Clause 43 states that the chairperson will preside at all board meetings except where they are not present, in which case the members present will choose a member to preside.

Clause 44 Quorum

Clause 44 states that the quorum at a meeting of the board is a majority of its members for the time being.

Clause 45 Conduct of meetings

Clause 45 states the method for deciding questions at a board meeting. Decisions will be made by a majority of votes of members present, with the chairperson or presiding member holding a casting vote. Present members who abstain are taken to have voted for the negative.

This clause also states that board meetings may be held online.

Part 5 Miscellaneous

Clause 46 Regulation-making power

Clause 46 states that the Governor may make regulations under this Act.

**Schedule 1 Principles for Queensland Climate Transition
Strategic Plan**

Schedule 1 sets out the principles for the strategic focus, development and implementation of the Strategic Plan, including stakeholders to be consulted and matters to be considered.

Schedule 2 Dictionary

Schedule 2 defines particular terms used in the Act.