

A New Northern State: Conversation Handbook (2nd Ed)



So **we** make the decisions that affect **us**!

The North Queensland State Alliance Inc

Table of Contents

Why a Conversation Handbook?.....	2
How to use the Handbook.....	2
PART 1 – Why A New State?	
1.1 Equal Representation -We are not fairly represented	3
1.2 Economic Balance	5
– Taxation	6
– Insurance and taxation - Indirect disadvantage	6
– Government spending	8
– The GST	9
– S.96 of the Constitution and Tied Grants	10
1.3 Growth and Opportunity	11
1.4 Decentralisation	12
PART 2- How to become the 7th State	
2.1 The Constitution and new States.....	13
2.2 The People and ‘Their Choice’	13
2.3 New State Referendum Precedent – NSW & New England 1967	17
2.4 The Process for northern Qld from here	18
2.5 If there is a Referendum, what question will be asked?	19
2.6 How will the New State be established & financed?.....	19
PART 3- Other Key Questions & Issues:	
3.1 What kind of Parliament will the new State have?	21
3.2 Where will the Border be?.....	22
3.3 Isn’t this just more government?	23
3.4 State and Local Government in the New State	24
3.5 Where will the Capital be?.....	25
3.6 Will there be a benefit to Southern Queensland?.....	25
3.7 What will it mean for our kids – and their kids?.....	26
3.8 What will happen to State of Origin?.....	26
3.9 How can I help make it happen?.....	27
Get in touch with us	28
Endnotes	29

Why a Conversation Handbook?

The debate about whether North and Central Queensland should be separate states began in the 1890s in the leadup to the constitutional conventions. In the ensuing 120 years, the debates on the issue have occurred in the federal and state parliaments and in the press. Ultimately, whether there should be a 7th State is a decision for the people. To help the debate, we have put this Handbook together with some of the compelling issues highlighted so that around the kitchen table or the BBQ the issues can be raised and discussed. And then, if we in the northern parts of the State are given the chance to vote on the issue, we can make an informed decision.

How to Use the Handbook

The Handbook’s purpose is to promote discussion. It is not intended to have all the answers. The Handbook has three Parts – Part 1 - Why a new State; Part 2 - How to become the 7th State; and Part 3 – Other key questions and issues. We anticipate that after reading it there will be lots of questions and that these can be discussed over a cuppa, or a beer/glass of wine. Then if there are questions or issues unanswered, you can contact us so that we can answer them (or research them) and provide answers for everyone. We also anticipate that some people will want to know where we got some of the information referred to in the text. We have included references in the text and the Endnotes, and on our web-site there are also a number of other references if further information is required. We also have an enquiry page on our [website](#), and we welcome any questions you may have.

Our contact details are on the back cover.

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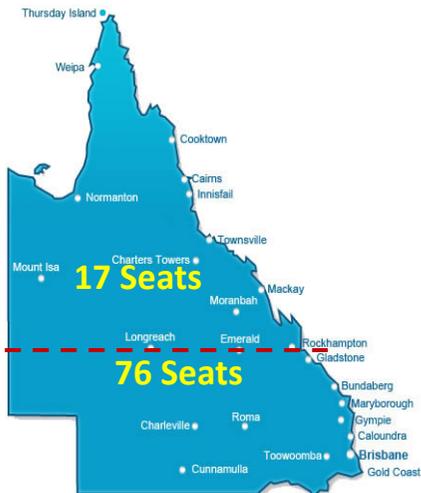
PART 1 – Why a New State?

1.1 Equal Representation – We are not fairly represented!

Challenge No. 1 - The Queensland structure: Queensland is the only State in Australia with no Upper House in its Parliament to act as a check and balance on Government action. Queensland had two Houses until 1922. On the 5th May 1917, a referendum was held on whether to abolish the upper house (the Legislative Council). The vote was **lost** by a 60:40 majority – i.e. 179,105 Queenslanders voted against the abolition of the Council and 116,196 voted for its removal. Despite this, in 1922 when the Theodore Labor Government gained control of both Houses, it voted to abolish it.¹

“With a single house of parliament, no bill of rights, and history of political malpractice, the state is extremely vulnerable to the misuse of power”.

Tony Fitzgerald SC, 29 Jan 2015



Today, there are 93 seats in the Single House Queensland Parliament. The proportion of seats above and below the Tropic of Capricorn is shown here. With no Upper House, there is no check and balance!

Challenge No. 2 – The Federal Structure: The first vote for Australia’s colonies to become one nation occurred in 1898. Queenslanders did not vote in this referendum! Why? Because North and Central Queensland wanted to become separate States². The vote in 1898 was nevertheless defeated in NSW. To rescue the federation model, the six colonial Premiers met in 1899 to make changes to the draft Constitution. At the initiative of the Queensland Premier, Sir James Dickson, an amendment was made to s.7 of the Constitution to allow Senators in Queensland to be elected on a regional basis³. Today section 7 paragraph 2 of the Constitution provides:

“ .. until the Parliament of the Commonwealth otherwise provides, the Parliament of the State of Queensland, if that State be an Original State, may make laws dividing the State into divisions and determining the number of senators to be chosen for each division, and in the absence of such provision the State shall be one electorate. ...”. (underlining emphasis added)

In 1983, the Hawke Labor Government passed legislation (relying on the underlined part above) blocking the opportunity for s.7 of the Constitution to take effect⁴. Today, compared to Tasmania the numbers for northern Queensland are like those in the table below⁵. If we become a new State this will change!

Area	Population 2020	House of Representatives	Senators	Voters	Ratio – representative to voter
Tasmania	541,000	5	12	399,600	1 per 23,500
Nthn Q – 5 Fed Seats *	980,000 (Approx.)	5	3	534,000 (2019 election)	1 per 66,750

* The 5 seats: Leichhardt; Kennedy; Herbert; Dawson; and Capricornia.

1.2 Economic Balance:

Arguably the most contentious issue in the new State debate is whether northern regions are treated fairly. For example, some argue that the condition of northern roads is less than in the southeast. Health-wise, it is argued that things like life expectancy and medical treatment waiting times are not the same. Data on these issues are difficult to verify, but if the claims are accurate the issues would be extremely sensitive. Accordingly, we welcome feedback on specific data.

To bring some perspective on the economic balance issue, this and the next four pages include discussion on key issues like taxation and revenue spending. To highlight the significance of the topic, the following information might be useful. On April 27 2019, on the issue of whether northern regional Queensland should separate, the *Mackay Mercury* reported:

".. Griffith University politics lecturer Dr Paul Williams said he believed it simply would not happen. ...'It is more of a rhetorical tool than a probable policy outcome,' he said. 'It is all very amusing really. Very few people take it seriously in southeast Queensland.' ... Dr Williams refuted the claim regional Queenslanders do without while Brisbane residents get the lions share. 'That is not true. I did my own calculations and I found per capita, regional Queenslanders do far better than people in the south east,' he said. 'Regional Queensland is not duded by Brisbane.'"

Before discussing some of the key issues, it is important to emphasise that this debate (commented on by Dr Williams) is about 'what is'. It does not include what 'could be' from growth in the Federation⁶ and the 7th State being formed. (See section 1.3 below for discussion on growth.)

Taxation

What do we think of when we hear the word taxation - Income tax we pay on our salaries? GST? Capital gains tax? Other federal taxes? Broadly, we pay taxes at three government levels – the Federal level (which includes all of the above taxes), plus State taxes and local government levies like rates⁷. Since local government levies generally stay local we will leave them aside for this discussion. So what are the Federal and State taxes that are extracted from the central-north? Federally, there are the taxes mentioned above, plus company tax, fringe benefits tax, excise duties and so on which all go into Commonwealth consolidated revenue. At the State level, there is payroll tax, stamp duties on transactions, land tax, gambling taxes, mining royalties, motor vehicle premiums, plus others. These State taxes go into consolidated State revenue.

Nationally, the Commonwealth recovers (receives) about 80% of all taxes we pay.

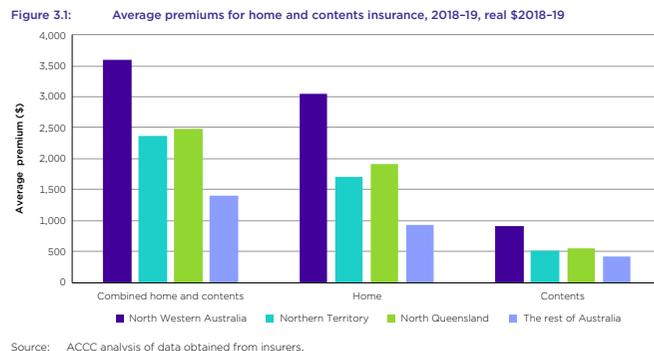
In the recovery of taxation, does the North get discriminated against? Under s.51(ii) of the Constitution, the Commonwealth has power with respect to: "*Taxation; but so as not to discriminate between States or parts of States*". And similarly within Queensland, State revenue laws apply generally. Indirectly, however, State taxes like mining royalties are recovered disproportionately from regional areas.

There are other ways, however, that northern regional Queenslanders are penalised on taxation indirectly that requires mention – e.g. insurance and taxation.

Insurance and Taxation – An Example of Indirect Disadvantage

By indirect disadvantage, we mean that we are disadvantaged because of how we pay more taxes because of where we live.

In May 2017 the Federal Treasurer directed the Australian Competition and Consumer Commission (ACCC) to conduct an inquiry into home, contents and strata insurance in northern Australia. In November 2020, the ACCC delivered its final report, stating: *'Between 2007–08 and 2018–19, average home insurance premiums rose in real terms by 178% in northern Australia (compared to a 52% increase in the rest of Australia)... In 2018-19, the average premium for combined home and contents insurance across northern Australia was approximately \$2,500, almost double that for the rest of Australia (\$1,400).'*⁸ The graph below illustrates the point:



The disparity in price shows just how differentially we have been treated. But it gets worse, there is a hidden impost as well. On those prices we have paid, and will pay, GST and State Stamp Duty (In 2018-19 northern Queenslanders paid \$64.6 million in Qld government stamp duty⁸)!

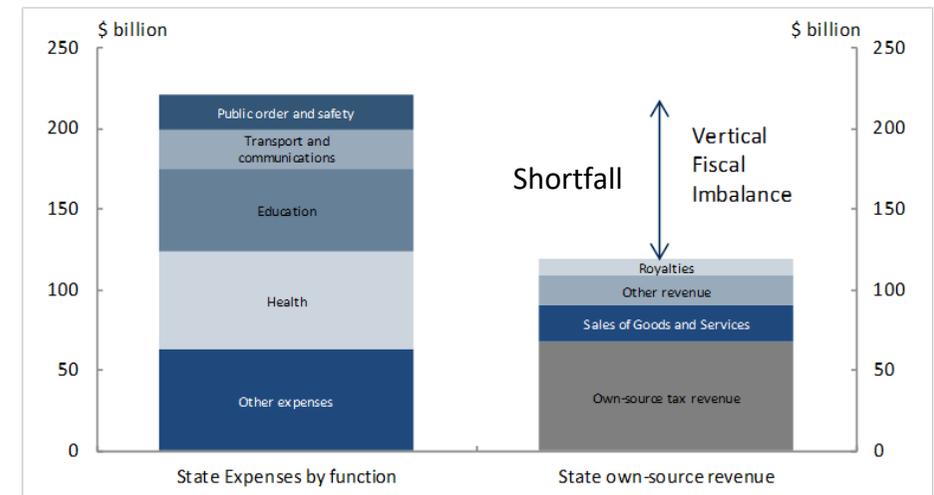
On 3rd May 2021, the Federal Government announced reform and committed to underwriting a re-insurance pool which is touted to reduce insurance costs to north Australians. What is not included is reform to GST and Stamp Duty.

Why did the reinsurance reforms take 14 plus years? How do we get back what we have already lost in premiums and 'double taxes'? And will the double tax be changed?

Government Spending

At the time of federation in 1901, revenue raising (taxation) power was roughly balanced between the Commonwealth and the States, and what each recovered in their own taxes they then spent. Today that is very different. Over the 120 years since federation, the Commonwealth has taken more and more taxation (most notably during the war years) until today the States only recover about half of what is spent on what are State matters. This gap is known as vertical fiscal imbalance (VFI).

State Expenditure v. State Tax Income



So how is the shortfall from vertical fiscal imbalance for State matters rectified? It's done in two ways: (a) The GST (which is collected by the Commonwealth but given back to the States (but not in the same proportion as it is collected in the respective States)); and (b) Grants to the States by the Commonwealth under s.96 of the Constitution.

"What is earned in the North does not stay in the North!"

Both the GST and the s.96 grants are problems for central-north Queensland, and is discussed on the next two pages.

The GST

On one form of logic it might be thought that GST earned in a particular State should go back to that State. This is not strictly so in reality. Once the GST is recovered by the Commonwealth it goes into a pool and it is then distributed to the States according to the 'Horizontal Fiscal Equalisation' (HFE) principle:

"State governments should receive funding from the Commonwealth such that, if each made the same effort to raise revenue from its own sources and operated at the same level of efficiency, each would have the capacity to provide services at the same standards."

The effect of HFE is that each State receives either more or less than it otherwise would if the GST revenue was distributed equally per person. Roughly speaking, this is to make up for some States not earning as much as others. Each of the States and Territories are thus given a 'relativity' weighting on how much they get. Here is the estimated weighting for 2020-21⁹:

Year	NSW	Vic	Qld	WA	SA	Tas	ACT	NT
2020-21	0.91	0.95	1.05	0.45	1.36	1.90	1.11	4.77

In 2020-21 Queensland will have received around \$13.4Bn under this arrangement. For central-north Queensland, however, a couple of very important points arise. First, the HFE is applied to level the playing field, so to speak, between States. It does not apply within a State. How GST is distributed within Qld is up to the State Government (and remember we have no upper house!).

The second point is that if central-north Queensland became the 7th State we would get our own allocation of GST, and we would then make the decisions on how it is spent.

Section 96 of the Constitution and Tied Grants

The second and very important way that the vertical fiscal imbalance problem between the Commonwealth and the States is dealt with (by the Commonwealth at least) is how it makes grants to the States under section 96 of the Constitution:

*"s. 96 Financial assistance to States.
... the Parliament may grant financial assistance to any State on such terms and conditions as the Parliament thinks fit."*

S.96 has a unique history. It was inserted into the Constitution after the vote for federation failed in 1898. It was not debated at any of the Constitutional conventions of the 1890's, and was put forward by the Queensland Premier Sir James Dickson in 1899 for the purpose of allowing the Commonwealth to assist the States if they got into trouble with debt¹⁰. Today, it has become a political tool of the dominant parties at the Commonwealth level as they make grants to 'marginal seats' (E.g. the 2019 McKenzie sports-rorts scandal). The problem is well described in the 2014 White Paper, 'Reform of the Federation'¹¹:

"Over the last century, the role of the Commonwealth has gradually expanded into more areas of government activity that many regard as the traditional sphere of the States and Territories, particularly through the use of tied grants under section 96 of the Constitution. ... [T]his version of cooperative federalism can undermine the ability of the electorate to hold either level of government accountable for failure to deliver on their commitments."

Living in central-north Queensland, with limited Senate representation, the problem is diabolical. An example will illustrate the point. In 2015-16, Townsville water was at 14% in the Ross River dam - **no water (a State issue)**! It was also a federal election year, and what was the Commonwealth government politicians' electoral promise in the seat of Herbert – a s.96 grant to build a football stadium! Was Herbert a targeted seat? Indeed it was, and in 2016 it became the most marginal seat in the country!

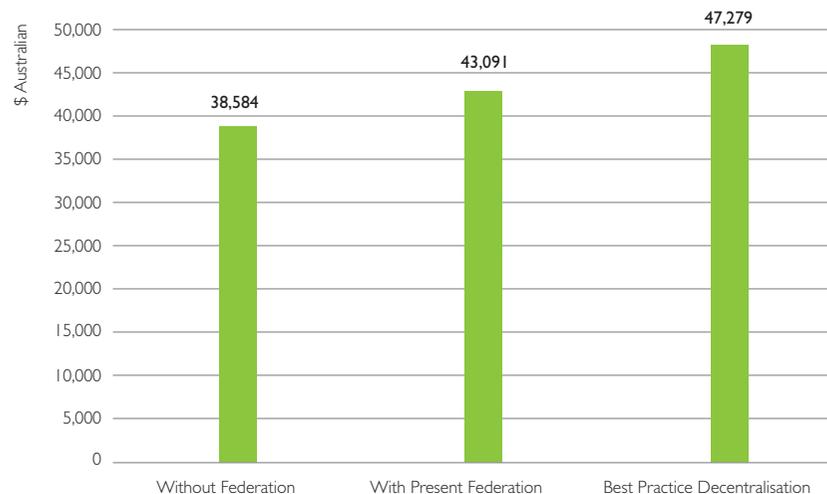
1.3 Growth and Opportunity

Northern Queensland becoming a separate State is not just about CN Queensland getting its ‘fair share’. Federalism is part of our history and there are good reasons for it.

Northern Queensland becoming the 7th State is about growing the Federation, and growing our nation.

In 2007-08, Professors Anne Twomey and Glen Withers discussed the benefits of federalism in Australia in their paper ‘Australia’s Federal Future: Delivering Growth and Prosperity’¹². One of their key findings was that “..Australia benefits by a little over 10 per cent by being a federation. This is the economic pay-off from political decentralisation. However, the fiscal position within our federation could be improved further and this and the associated practices and behaviours could provide a future 6.75–9.72 per cent further benefit over the present”:

FIGURE 14 > AUSTRALIAN GDP PER CAPITA UNDER ALTERNATIVE SYSTEMS



1.4 Decentralisation

One key benefit from growing the federation will be decentralization. Population in regional Australia had been contracting for a number of years pre-Covid, and urbanization to the major cities had been increasing. Ironically, this has meant that there have been increasing numbers of seats in metropolitan areas - leading to more political spending in the latter areas (or more accurately, in marginal seats)! Decentralisation will mean more and better jobs in central-north Queensland, especially for young people. It will reduce costly wastage in congested cities, and open up our nation. We will have the opportunity to grow our agricultural sector and become a major food resource for a growing world population. At present there are just 5% of Australia’s major dams above the Tropic of Capricorn despite there being 40% of Australia’s land mass, and 60% of rainfall¹³.

Would decentralization be better for business and families? It is worth noting that two of the strongest economies in the world, the United States and Germany, are multi-state federations.

The primary purpose of a creating new State in the north is that decisions will be made locally – as close to the people they affect as possible!

As a new State, we will make conditions attractive to people, industries and investment. Key decisions on issues like power, hydrogen and renewable energy, water, transport, roads and sustainability will be made as an equal partner in the Federation. In 2016-17, we in the central and northern regions of the State paid a heavy price (Rockhampton and Townsville had some of the highest bankruptcy rates in the nation) for the Commonwealth Games on the Gold Coast. Are we are heading for it again with the proposed 2032 Olympics in the south east corner?

PART 2: How to become the 7th State

2.1 The Constitution and new States:

The Australian Constitution, Chapter VI – New States, allows for the creation of a new State from an existing State. Section 124 of the Constitution provides:

“S. 124 Formation of new States.

A new State may be formed by separation of territory from a State, but only with the consent of the Parliament thereof...”¹⁴

The key issue in s.124 is that the Parliament of the existing State (*i.e.* Queensland) must consent. This means an Act of the Queensland Parliament must be passed for a new northern State to be formed.

2.2 The People and ‘Their Choice’

Before federation in 1901, there were a number of calls for north Queensland to be a separate colony, and since 1901 there have been no less than four calls in the Queensland Parliament for a process to be initiated to separate the north from the south. In addition to the parliamentary initiatives, there have been community calls for a referendum.

On 8 July 2013, an e-petition was lodged with the Queensland Parliament requesting a referendum. The then LNP acting Premier, Jeff Seeney, responded to the petition saying the government did not support a referendum.

In 2017 another e-petition was lodged in the Queensland Parliament seeking a referendum for the North to separate. The petition was tabled in the Queensland Parliament on 15 February 2018. On 15 March 2018, the ALP Premier, Anastacia Palaszczuk, wrote to the Clerk of the Parliament, saying:

“As all Queensland communities benefit from a strong, unified state, the Queensland Government is focused on uniting our

State, not dividing it. Therefore, the Queensland Government does not support any proposal to split Queensland into separate states.”

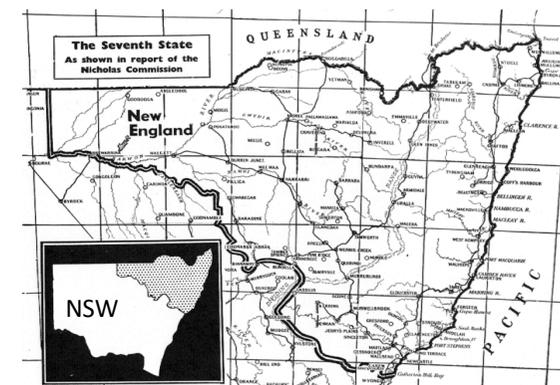
What’s missing in the logic here? The petition requested a ‘referendum’ for the people to ‘vote’ on the creation of a new State. The Premier’s response, however, made no reference to people having a **choice**. Instead, her response was a refusal to support a ‘proposal to split Queensland into separate states’. There is a very clear difference between what was requested and the Premier’s response – namely, the petition was not to split the state; it was a petition about **choice**.

It’s our choice – Not theirs!

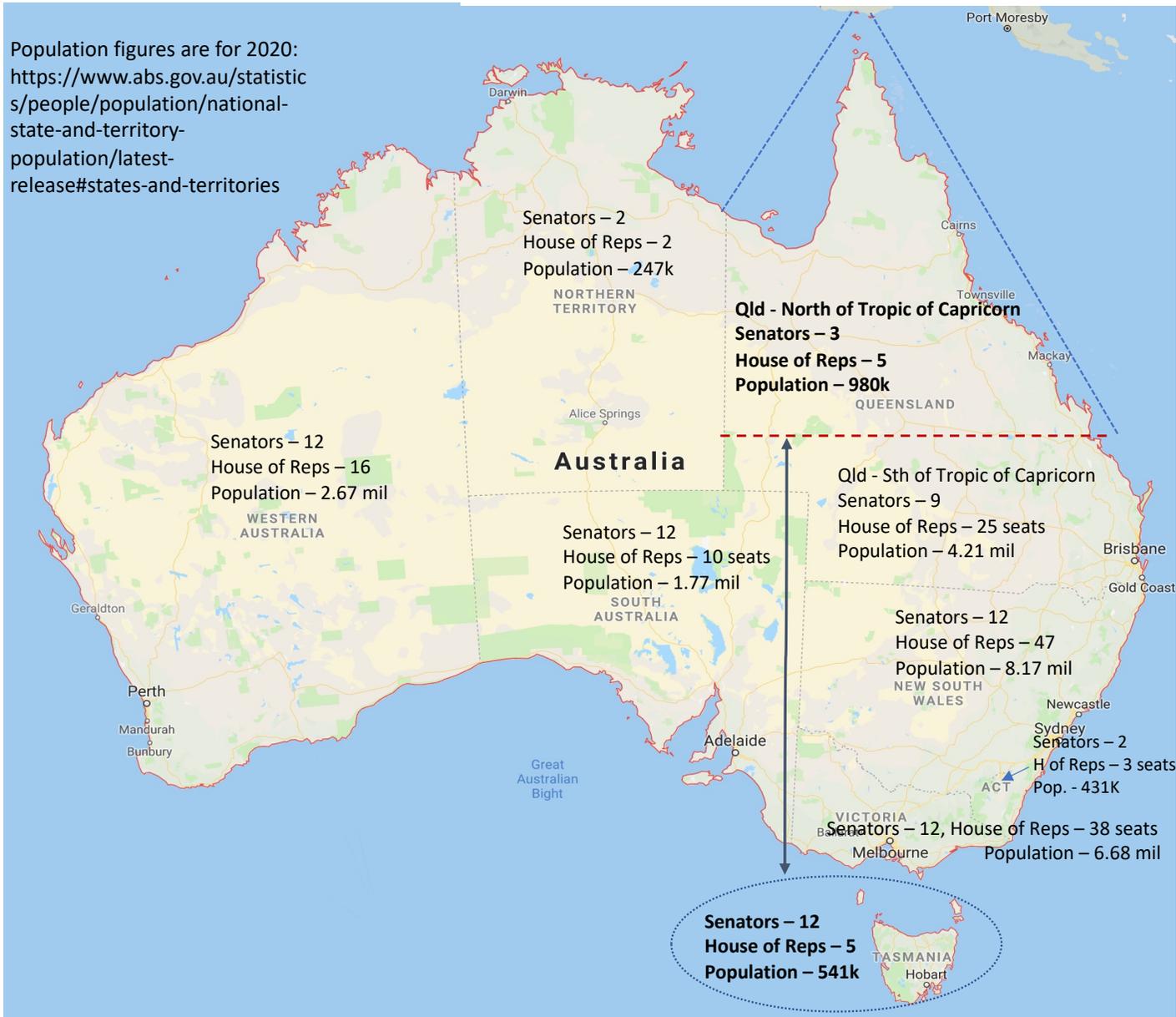
How will the people of the central-north get their choice? To answer this enquiry, another question might be asked:

Has a referendum ever been held for the creation of a new State from an existing State, and if so what happened and what process was followed?

In 1967 there was a referendum in an area in northern NSW for the new state of New England. This is discussed on page 17.



THE NORTH AND SOUTH ARE NOT EQUAL!



2.3 New State Referendum Precedent – NSW & New England 1967

In 1932, following the dismissal of the Lang Government, and the formation of a Provincial Government of NSW, a Royal Commission was formed to inquire into the formation of new States in NSW¹⁵. The core of the terms of reference, for what became known as the Nicholas Commission, were to:

'[I]nquire and report as to the areas in Our State of New South Wales suitable for self-government as States in the Commonwealth of Australia ..'.

To decide the areas suitable for a new State, Commissioner Nicholas used 7 criteria: (a) Nature of boundaries; (b) Size of area; (c) Population; (d) Nature of production and resources; (e) Community of interest; (f) Means of communication; and (g) Miscellaneous

In 1935, the Nicholas Commission found two areas (the Riverina area, and the New England area), suitable for self-government, and recommended that referenda be held to determine the voice of the people. Before the referenda could be held, however, the second world war intervened. The New England people never lost their vision and pressed their case in the early 1960s (arguing amongst other things that for them in the north of the State, NSW meant Newcastle, Sydney and Wollongong) and the referendum was held for the area recommended by the Commission in 1967. Unfortunately for the people of New England, the referendum was lost, with 168,103 in favour and 198,812 against!

Two very important points from the New England precedent are noteworthy. First, only the people in the proposed new state voted. Secondly, the drawing of the boundary to include Newcastle (where the vote was lost) was related to water supply.

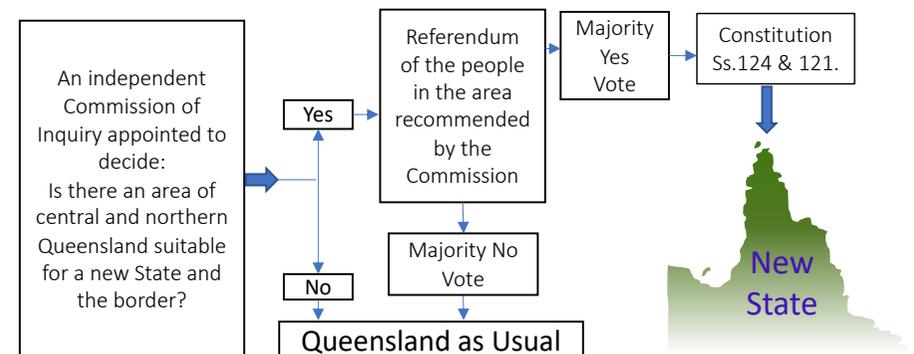
2.4 The Process for northern Qld from here

The process leading to the referendum in NSW in 1967 is there for us to learn from. As we have noted at pp. 13-14, both the LNP and the ALP have opposed the creation of a new northern State in the past. At the 2019 Federal election, however, the voice of the central-north was heard very clearly:

*Don't come from the south and tell us
'how to live our lives'!*

The pathway is very clear for both the ALP and the LNP in the lead into the next State election in October 2024. As it was in NSW for New England, both parties need to commit to democratic principles and establish an independent Commission to inquire and report on the area in the central-north of the State suitable for self-government. Once the Commission is established, the criteria for making that assessment can be identified and all sides of the debate can have their say.

The Pathway to the 7th State:



(We would welcome feedback on: What criteria should be used to determine whether a northern area is suitable for becoming the 7th State?)

2.5 If there is a Referendum, what question will be asked?

There is little doubt that the separation of northern Queensland as the 7th State will meet with resistance. One of the ways that is used to defeat major change is to complicate it. For example, the question of whether Australia should become a republic was complicated by having a complex model of appointment of the head of state as part of the question. It was also what defeated the Northern Territory's statehood question in 1998¹⁶. The lesson from NSW is to ask a simple question, as they did:

'Are you in favour of the establishment of a new State in north- east New South Wales ...?'

The same sort of question should be asked if the people of the central-north are given their choice.

2.6 How will the new State be established and financed?

Noted above in Part 2 is s.124 of the Constitution which provides for the separation of territory from an existing State to become a new State. Once a new state is to be formed, the Commonwealth then has a role under s.121 of the Constitution, which provides:

's.121 New States may be admitted or established.

The Parliament may admit to the Commonwealth or establish new States, and may upon such admission or establishment make or impose such terms and conditions, including the extent of representation in either House of the Parliament, as it thinks fit.'

The first point to note from s.121 is that it says *'The Parliament may ..'*. This means that it will be a matter to be agreed in both houses – i.e. the House of Representatives and the Senate.

Given that there will need to be funding from the Commonwealth (which recovers 80% of taxation in Australia, including from CN Queensland industries) it could be expected that this will be a very rigorous debate. What will also be

debated is the *'extent of representation'* the new State will have. In Part 1 we noted the current representation of CN Queensland in the Federal Parliament. Should CN stay with 5 House of Representative seats (assuming the border is near the Tropic of Capricorn)? What about the Senate – should the north have just 3 senators (as we presently have), six or 12 like the existing States? It might be argued that if a northern area is to become the 7th State it should have equal number of senators as the other States. All of the other States (i.e. the original States) have 12 senators and that they are equal is required by s.7 of the Constitution:

"The Parliament may make laws increasing or diminishing the number of senators for each State, but so that equal representation of the several Original States shall be maintained and that no Original State shall have less than six senators."

Current State Assets and Debt:

An issue of much debate and controversy is the current Queensland debt. On 1 December 2020, the ABC reported: ***"Queensland's debt levels will balloon to almost \$130 billion within four years.."***¹⁷

Just as controversial as the amount of debt is how much has been spent in the central-north, and what the central-north has paid in interest in the past (and will pay in the future) on debt for money that was not spent here. This data has been extremely difficult to collect, but is vital to knowing not only whether the new separate State is sustainable, but also what proportion of the existing Queensland State debt, if any, should be allocated to the new State once it is formed.

Accordingly, this is why we have argued at p.18 that an independent Commission must be established.

We would welcome any feedback on this issue.

PART 3 - Other Key Questions and Issues

Supposing the independent commission recommends that there is an area suitable to become a new State, and the people are to be given their choice, other questions will arise. In this Part some of those issues and possible answers are highlighted.

3.1 What kind of Parliament will the new State have?

It was noted in Part 1 that the upper house in the Queensland Parliament was abolished in 1922 and that since then it has been the only single house parliament in Australia. The Fitzgerald Inquiry showed glaring problems of government accountability with the present structure. And living in the central and northern parts is evidence enough to show that the current systems do not serve all of the people.

Why would we replicate what has been such a spectacular failure!

So should the new State have a two house (bi-cameral) parliament? It is possible to put in place a two-house system, and it has some merit – especially for keeping the government of the day accountable to the people.

An alternative to reintroducing a bi-cameral legislature is to have a single house parliament but with a different structure. Single house parliaments do work and exist in such places as Scotland, Denmark, Norway, and New Zealand. A marked difference between how these parliamentary systems work compared to Queensland is that they all have proportional representative voting systems – which is what we have in the Australian Senate. With proportional representation, if a party gets 10% of the vote it generally gets 10% of the seats in the House. Under this system, unlike the current Queensland preferential system, it is seldom the case that one political

party has a majority in the House, meaning that there is more rigorous debate and a much higher level of accountability.

Another notable difference in the New Zealand model, is that it has guaranteed representation rights for Maoris in the parliament, with (at present) 7 Maori seats. Only voters who have registered on the Maori roll are eligible to vote in the Maori seats. And to be on the Maori roll, a voter must be of Maori descent¹⁸.

The creation of a new northern State is a possible opportunity for our First Nation people to be recognised in the new State constitution and to have their ‘voice in parliament’ – not just a voice **to** parliament which is currently being proposed.

So what kind of parliament should the new State have? If a referendum is held and is successful, there will be a need to design a new State constitution and as part of that process the people will decide the kind of parliament they want.

3.2 Where will the border be?

Historically, there have been a number of suggestions for where a new State border might be, including in the 1950’s the 22nd degree parallel (just south of Sarina). What the New England experience shows us, however, is that the border debate is complex. For example, in respect to the Nature of Boundaries, two key issues that Commissioner Nicholas considered pivotal to his recommendations were: ‘(a) water supply schemes, and (b) the control of rivers and conservation of water.’ Other issues identified by Commissioner Nicholas are just as important. For example, what is a sustainable State population? At present Tasmania has about 541,000 people. In the five federal seats above the Tropic of Capricorn at present there are about 980,000 people.

3.3 Isn't this just more government?

If there is one question that stirs resistance to growing the federation and creating the 7th state it is this one. So let's deal with it!

Ultimately, what the new government structure is in the new State will be up to the people. The intent of this handbook is to help inform the debate.

A new State doesn't mean more government. It means better government once the new State is formed.

In considering this issue, the first principle is 'subsidiarity' - i.e. decisions should be made by the people closest to, and most affected by, the issues that concern them.

At present we do not make the decisions that affect us. They are made in the south east of the State. When the new State is formed, decision making for people in the new State will be made by them. And when that happens, at the State level why would we want more members of Parliament? Simply put, we wouldn't.

At the federal level, why would we want more members in the House of Representatives? Leaving aside the peculiar circumstance in Tasmania (where the 5 members in the House of Representatives get elected on around 80k votes in each seat compared to the rest of Australia where it takes around 110k votes) we have five seats north of the Tropic of Capricorn, which is comparable to the rest of Australia. In the Senate, however, we would want our share as promised in s.7 of the Constitution, and that would be decided under s.121 of the Constitution as noted above (we suggest 12, but certainly no less than 6). Isn't this increase more government we hear you ask? For this increase, we say there would be efficiency gains to be made at the State and Local level.

3.4 State and Local Government in the new State

The first point to note in considering this issue is what is the present role of State and Local Governments?

Local Government is a bit of a misnomer to start with. In the Westminster systems of government, ministers are held accountable in a parliament where parliamentary privilege applies and Hansard is kept. That doesn't apply in Queensland Local Governments, and so in that sense they are not governments but elected administrations. Additionally, there are only two levels of government recognized in the Australian constitution – Federal and State. Local Councils in Queensland are part of the Department of Development, Infrastructure, Local Government and Planning - part of State government! Within this current system there are inefficiencies. For example, at present within the Department of Tourism, Innovation and Sport there is a 'service area' of Sport, which administers local sporting infrastructure and deliver sports programs. At the same time, within most Local Councils there are also sport and recreation departments managing local infrastructure and sports programs – duplication!

Another target for reform in government administration is recognition of our First Nation people. At present at the federal level, there is a separate National Indigenous Australians Agency as part of the Dept. of Prime Minister and Cabinet (with the Hon Ken Wyatt as the Minister for Indigenous Australians). In the Queensland government there is currently a Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships. At the same time, there are also Indigenous Local Councils operating under the relevant State Department. The creation of a new northern State is an opportunity to move decision making to the First Nation people and remove duplication¹⁹.

3.5 Where will the Capital be?

As noted earlier, the idea of a northern part of Queensland becoming the 7th State is not new. Historically, places like Bowen (which is named after the first Governor of Queensland) and Sellheim (near Charters Towers) were touted as places suitable as the Capital.

The issue of the location of a Capital has an interesting history – for example, Canberra as the Capital of the nation. Would Canberra be the Capital of the nation if it was decided today? (See s.125 of the Constitution on this). The world today is different to what it was in 1900. For example, communications and transport, so vital in a modern economy, are very different today and must be important considerations in any debate. For the central-north, it may not be optimal to have a capital on the coast where increasing cyclone risk and the effects of sea level change are significant. Another consideration might be to have a decentralized system of government with departments in areas where they do most of their work. Ultimately, the capital will be where the people choose it to be. What is important is that the debate occur and the people be informed in making their choice.

3.6 Will there be a benefit to southern Queensland?

In Part 1, under the heading ‘Economic balance’, there is a quoted comment from Dr Paul Williams from Griffith University: “I did my own calculations and I found per capita, regional Queenslanders do far better than people in the south east.” In one sense then, if a new northern is created the south east won’t have to sponsor the central-north any longer! On another score, the south east has long complained about not having daylight saving because of the opinions of people in the north. Sounds like a win-win really! But suppose what is in fact the case is the opposite of what Dr Williams has argued.

That is, what if the South East is ‘the dependent’ rather than the north - will the south-east perish? When Queensland was separated from NSW in 1859 a “great cry went up that ‘our richest province is being torn from us’ and calamity howlers forecast disaster”²⁰. In fact, both NSW and Queensland grew – economically, and socially.

3.7 What will it mean for our kids – and their kids?

Kids in the central-north do not have the same opportunities as kids in the South East. Our kids deserve their equal chances.

It’s about **Opportunity** in all sections of our society!

Our sporting teams are disadvantaged because of where they live. Yet the Cowboys and our basketball teams are proof that, given their opportunity, our sports people are as competitive as any in the nation. Just imagine: a second NRL franchise (Rocky?); a Sheffield Shield team (Mky?); A national soccer franchise (Cns?); A national netball franchise; A rugby union franchise; and so on.

We live for, and share today. But we decide for tomorrow!

3.8 What will happen to State of Origin?

In our travels talking about the opportunity of a new State, one question that has been raised many times is ‘What will happen to Rugby League State of Origin’? Once a new State is formed, the rules for playing for NSW or Queensland would be unlikely to change (see: <https://www.nrl.com/SysSiteAssets/documents/state-of-origin-eligibility-rules.pdf>). This means for the first 20 or so years after the new State comes into existence, nothing would change and the current State of Origin format would remain. At the end of that 20 years, however, it is possible that the new State would form its own team – and then beat NSW and Queensland! 😊

3.9 How can I help to make it happen?

The NQ State Alliance's primary objective is improvement in the quality of life of northern Queenslanders. To achieve the primary objective, the Alliance's guiding principles are that—

- the strength of Australia as a nation lies in its federal structure and its democratic institutions; and
- the quality of life of northern Queenslanders, and all Australians, will be enhanced by the separation of territory from Queensland, in accordance with s.124 of the Commonwealth of Australia Constitution, to form a new State in the Australian federation ...

If you support our goal:

- ☞ Share this booklet with others. A free pdf copy is available online at – <http://www.nqstate.com.au/>
- ☞ Join us! You can easily join us online – <http://www.nqstate.com.au/>
- ☞ Follow us on social media (see opposite for our details)
- ☞ Join one of the increasing number of local groups lobbying for our referendum choice. If there isn't one in your local area, why not start one?
- ☞ Share leaflets with people in your community, arrange street stalls and organise public meetings. For further information contact us.
- ☞ Speak to your elected representatives, and if you are a member of a political party, lobby them.

- ☞ Most importantly, discuss the issues raised in this Handbook and any others you can think of with your friends, family members and work colleagues. Together, we can bring about change so that 'we make the decisions that affect us'.

Get in touch with us:



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Endnotes:

1. https://www.parliament.qld.gov.au/documents/explore/education/factsheets/Factsheet_3.20_AbolitionOfTheLegislativeCouncil.pdf
2. Anne Twomey, 'Regionalism – A Cure for Federal Ills? (2008) 31(2) *University of New South Wales Law Journal* 467
3. Greg Taylor, "On the Origin of Section 96 of the Constitution" [2016] *UNSW Law JI* 53
4. See now: s.39 *Commonwealth Electoral Act 1918*
5. These figures are approximates only calculated from the ABS and AEC data 2018 - 2019.
6. On the growth benefits of federalism, see: Twomey, Anne and Withers, Greg, 'Australia's Federal Future: Delivering Growth and Prosperity', A Report for the Council for the Australian Federation, April 2007.
7. Architecture of Australia's Tax and Transfer System, http://taxreview.treasury.gov.au/content/Paper.aspx?doc=html/publications/papers/report/section_2-03.htm
8. Australian Competition and Consumer Commission, North Australia Insurance Report, 28 December 2020 <<https://www.accc.gov.au/focus-areas/inquiries-finalised/northern-australia-insurance-inquiry/final-report>>
9. Australian Government Commonwealth Grants Commission, Report on GST Revenue Sharing Relativities, 2021 Update <https://www.cgc.gov.au/sites/default/files/2021_update_report.pdf>
10. Taylor, op cit.
11. <https://apo.org.au/sites/default/files/resource-files/2014/09/apo-nid41596-1160921.pdf>
12. Anne Twomey and Glen Withers, Australia's Federal Future: Delivering Growth and Prosperity, 2007-08, p 42. (<https://www.caf.gov.au/Documents/AustraliasFederalFuture.pdf>)
13. CSIRO, Northern rivers and dams: A preliminary assessment of surface water storage potential for northern Australia, 2014
14. For a discussion of the application of ss.121-124 of the Constitution to the creation of a new state, see: Peter Raffles, 'The Formation of a New North Queensland State: The Constitutional Issues and Procedural Pathway', (2017) Vol.22, *James Cook University Law Review*, 41.
15. New South Wales, *New States: Report of the Royal Commission of Inquiry (The Nicholas Commission Report) 1935*
16. Standing Committee on Legal and Constitutional Affairs, Legislative Assembly of the Northern Territory, *Report into appropriate measures to facilitate Statehood*, April 1999, 1
17. <https://www.abc.net.au/news/2020-12-01/queensland-budget-2020-debt-to-reach-130-billion-in-four-years/12919012>
18. <https://www.parliament.nz/en/get-involved/features-pre-2016/document/00NZPHomeNews201109011/the-origins-of-the-māori-seats>
19. See discussion in: Queensland Productivity Commission, Service delivery in remote and discrete Aboriginal and Torres Strait Islander communities, 2017.
20. Ulrich Ellis, *The Case for Self-Government in Northern NSW*, 1967.

The North Queensland State Alliance Inc - Who we are:

The initiative to form a State of North Queensland goes back to the 1890s and the motions moved in the Queensland parliament by representatives from central and north Queensland wanting to walk their region's own road. In more recent times, centralist Brisbane decision-making has fuelled the furnace of discontent by northerners who feel disenfranchised from the management of their own affairs.

In short, we are a movement of people who believe that -

- Northern Queenslanders have their own identity, and should make the decisions that affect them;
- The government structures in QLD are totally inadequate to the task of governing a state that covers 1.82 million sq. kms, (twice the size of Western Europe) in which significant population centres are more than 1000 kms from the state capital; and
- The great strength of our nation lies in its federalism. The creation of a new State in northern Queensland will make our nation stronger- more competitive and more democratic- by spreading power across decision-makers who are closer to the people they represent.

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