

The Pervading Character(s) Within

By: [REDACTED]

Abbreviations:

Gov. =	Government
HQ =	Headquarter
MDB =	Murray-Darling Basin
W.A. =	West Australia

My 'self' introduction (35 words)

Self-early retired 'associate mechanical piping engineer' (Desalination, Mining, Petro-Chemical, Power), and self-discontinued '*State as well Federal Award Underpaid*' (see constitution Section 109) casual (public, school) 'passenger vehicle driver', and caring for 'country' politically interested individual.

Executive Summary (325 words)

One should realize that specifying (legal) 'elements' are fundamental. Those 'elements', necessarily accountable and 'respectful', do direct outcomes. So, what does constitutionally legislatively control natural water systems here?

My findings:

- 1) The 'Water and Irrigation Act 1914' does ensure and remind bureaucratic water allocation positions that colonizer constitutional desires do apply to water "use" also.
- 2) The 'Water Agencies (Powers) Act 1984' does reinstate colonizer's constitutional controls similar to the 'Water Agencies Restructure (Transitional and Consequential Provisions) Act 1995'.
- 3) The proposed water resources management plan states what 'may' be considered without ensuring existential protections other than (colonizer wealth) 'production'.
- 4) This (neo)colonized 'country' has several tensions instilled such as inequality and unfairness amongst citizens; all "under" European controls.
- 5) Colonizer rule is constituted "under" a foreign "Crown" (see Constitution Act first paragraph) for all to serve the colonizer's "pleasure" (section 58, or 60) as government "thinks fit" (section 5, or 126). Where that 'Crown' pervades the Constitution with executive powers.

When a (Fitzroy-Derby) River System without decent environmental water flows is no longer 'viably connected' then who decided: 'natural life' is worth-less?

Reportedly, around 70% of Australia's agricultural product is being exported (ABC RN, 19 April 2026, The Minefield). Such unnecessary agricultural 'surplus quantities' cannot possibly respectfully be sustained in a largely deemed arid 'country'.

Utilitarian (illiberal)(neo)colonizers – those that sacrifice 'others' and their environments happily for 'self-gain' - are constitutionally not concerned whether clean (non-nuclear) water is actually an 'existential element' for 'their colony'. Accomplished 'colonizer riches' have left countries destitute (e.g.: Kashmir). The colonizer's supposed 'rule-based order' was and is not respectful.

In par. 1.3.1 W.A. 'Government stated commitment' to supposedly (honestly) protect "*the Fitzroy River and dependent environments*" (W.A. Gov. (2026), Methods, p. 5, e-p. 11) variably within; then Australia's constitution must be changed because to disrespectfully continue serving relentless (neo-)colonizer's 'profits' is actually not (locally) desirable nor possibly sustainable. This 'country's' citizens have known, and still do creatively know 'much better'.

THAT WHAT IS TO BE CONSIDERED

(195 words) Direct quotes (*in italics*):

"*Futures*" (by Zena Cumpston & Michael-Shawn Fletcher)

"*Together we must consider that which largely remains hidden when we weigh the wealth of this place, Australia, in the context of our current, multiple crisis. Could it be that when the colonisers came to pillage the riches, the gold, the soil, the lands, they were ignorant to the most important wealth of all: the Indigenous worldview*" (First Knowledges, Plants, p. 177).

This 'country' would be wise to follow Bruce Pascoe's suggestion that:

"*We need to change our thinking about how to farm the country*" (First Knowledges, Country, p. 29).

"*What was Australia like in 1788? ... in 1921 an upper Darling and Paroo pioneer recalled with admiration*

The condition of the country, ..., when the white man arrived, flourishing in the perfection of beauty and health ... I think it may be stated to the credit of the Australian savage that such [management] was the case over most of the continent when the white man assumed possession"

(Bill Gammage quoting Simpson Newland, 'Annual Address', *Journal of the Royal Geographical Society of Australasia*, South Australian Branch, 22, 1921, p. 3) in (First Knowledges, Country, p. 76-77).

Explanations (2211 words)

1) The Rights in Water and Irrigation Act 1914 is a colonizer's aristocratically developed political document to take, use, and possibly even (racially) abuse whatever serves the colonizer's 'pleasure'. (Neo-)Colonizers have and do pose political unethical challenges directly against leaders.

Part III, Division 1, s. 4 (1)(a) and (b) states "(a) *to provide for the management of water resources, and in particular ... (i) for their sustainable use and development to meet the needs of current and future users; ... and (b) to promote the ... efficient use of water resources*" explicitly specified again in s. 4 (2) "*... to use and development*" where s. 4 (3) "*The Minister is ... to ensure that the objects ... in (1) are achieved*" (Gov. W.A. (2020), p. 6, e-p. 18). It presents colonizer ideals to drive relentless new unnatural developments to ensure that colonizer's financial pleasures "*are achieved*".

One can recognize throughout the Act, similar to Australia's constitution (1901), the colonizer pervading character's intent to simply 'exploit', as in commit 'predatory extortion(s)', at least potentially. In the Act (1914), that intent has been variably defined by the more politically pleasant term of (water) 'use'.

The (colonizer's) definition of '**use**':

- "1. *to employ for some purpose; put into service; turn to account; ...*
- 2. *To avail oneself of; apply to one's own purposes: ...*
- 3. *to expend or consume in use: ...*
- 5. *to exploit (a person) for one's own ends. ...*
- 15. *the power, right, or privilege of employing or using something. ...*
- 21. *consumption, as of food or tobacco.*
- 22. Law, Hist. a. *the enjoyment of property, ...*
 b. *the benefit or profit of property ..."*

(Macquarie Dictionary (2017), p. 1653).

Part III, Division 1A, s. 5A does confirm "**Natural waters vest in Crown**" (Gov. W.A. (2020), p. 8, e-p. 20).

Part III, Division 4, s. 26K states that "*The Governor may ... provide for exemptions for the Crown or a statutory undertaker from any provision ...*" (W.A. Gov. (2020), p. 66, e-p. 78).

Part IV, s. 28 (2) confirms again willingness to support colonizer's intents and political (constitutional) meanings, terms and conditions "*as ... the Governor may think fit*" (Gov. W.A. (2020), p. 77, e-p. 89).

Logically, when river systems natural water flows are dire then 'water use' charges should increase colossally across the entire river & groundwater system (non-business survival needs excluded).

Political (water) authorities should comprehend that fact respectfully.

Constitutional revisions are therefore necessarily urgently required.

- 2) The 'Water Agencies (Powers) Act 1984', combined with 'Water Agencies Restructure (Transitional and Consequential Provisions) Act 1995',** reinstate colonizer's constitutional controls in (1984) Part IIB, s. 36 (1)(a) (b)(i)(ii)(iii), (3), and s. 37.

'Natural fixed environment systems' ('country') do rely on clean (unpolluted) river, ground, and rain water.

Those (water authorities) responsible are (hydrologically) ethically expected to consider, first and foremost, (critical) environmental needs.

When a river system tends to dry out repeatedly, it seems impossible to consider any industrial 'water use' (even constitutionally) "*reasonable*". Only humans can change tactic, like relocation and or change profession. Tragically constitutionally though; environmentally unsustainable business entities remain 'relentlessly irresponsible' and are even repeatedly assisted (e.g. with low or even no interest loans) by colonizer and their HQ-ed consultancies influenced governments.

The political 'pervading character' within has intentionally instilled constitutional unfairness, inequality, and even racism. They involve(d) relentless applications of disrespect against 'country', and now proposedly even further extended into the Kimberlys, W.A..

Those continued 'European political psychopathic' traits are (democratically) deemed unacceptable (here).

"psychopathic ... 1. denoting a personality outwardly normal but characterised by a diminished sense of social responsibility, inability to establish deep human relationships, and sometimes a tendency to manipulate others, and a lack of remorse for the harm done to others. ... 3. Relating to a psychosis or neurosis, or to any other mental disorder" (Macquarie Dictionary (2017) p. 1208).

Again, one could continue but raised 'political' (water) concerns should actually force 'constitutional revisions' variably, if one in deed honestly does care about (this) 'country'.

- 3) The Fitzroy-Derby water resources management plan (2026)** likewise does present the 'core problems' within because citizens have no (constitutional) 'ownership' of, nor executive political authority over, this 'country'.

The colonizer's pervading character(s) disrespectfully has (have) though which is repeatedly stated so (see 1), 2), 4), 5), and Appendix).

Policy and Guidance

The State Department's proposal (2026) does not offer improvements to earlier W.A. water related Acts.

W.A.'s minister's foreword states that

"Effective water planning must balance many interests. It must protect rivers, aquifers and water dependent ecosystems, ..., and provide ... certainty for ... industries that rely on water for its opportunities"

(Gov. W.A. (2026), p. 1, e-p. 3).

The term "*must*" is a 'politically constitutionally' asserted necessity regardless of contextual needs. It assumes colonizer's dominance somehow, ruling over their colony, whatever dire (natural) context.

There is no escape nor will another reasonable alternative necessarily be considered because when groundwaters and or rivers run dry (as MDB) nature "*must ... provide ... certainty for ... industries*" relentlessly

(Gov. W.A. (2026), p. 1, e-p. 3).

It is a deeply disrespectful 'industrial scale' water abstraction idea, purely for more 'predatory extortions' from a 'constituted European colony'.

Par. 2.4 Local licensing policies, Table 6, "*the Department may consider*" (Gov. W.A. (2026), p. 16, e-p 26) states their real (constitutional) intent: not 'having to consider'.

Methods

W.A.'s 'Government commitment' is stated to protect "*the Fitzroy River and dependent environments*" in par. 1.3.1

(W.A. Gov. (2026), Methods, p. 5, e-p. 11) whilst condoning several alternative 'water abstraction methods' by presumably persistently claiming some imaginative contractual kind of 'licenced' water 'entitlement' to serve a foreign Crown's reign.

That diabolically presumed 'entitlement' somehow 'designates' or 'gives a right or claim' to (colonizer) humans or (related) business entities primarily. Obviously to be recognized as the colonizer's (religious) deliberate fraudulent idea. The colonizer and related European HQ-ed consultancies seem relentlessly ruthless as they willingly continue their 'country' disrespectful practices.

"entitlements Any emolument, fee, or profit, attached to an office or position in addition to salary or wages ..."

(Australian Law Dictionary (2022), p. 332).

"entitlement ... that to which one is entitled, as part of a contract, will, employment arrangement, etc." (Macquarie Dictionary (2017) p. 506).

In this 'country' there was and is no such land, water, air, or seas mutually agreed written contract. Neither with constituted (European) colonizer 'internationally supposed rule-based' law which seems mainly concerned about organizing predatory extortions for 'utilitarians' to have their financial powers served even more.

Par. 1.3.4 does prove their 'predatory extortion' intents as it proposes that *"Groundwater use should increase"* to quantities so 'disrespectfully high' to be able to detect *"any unacceptable impacts"* (W.A. Gov. (2026), Methods, p. 6, e-p. 12).

One could go on but the (political) meanings within are similar to the Water Act (2007) which has willingly depleted the MDB system purely to (constitutionally) serve (neo)colonizer's 'pleasures' that need *"(1) ... to facilitate water use and trade"* ... *"(3) ... to ensure businesses viability"* (see Schedule 2, Part 3, Water Act (2007), Vol. 2, p. 292, e-p. 298).

Any one's willingness to run any natural water system even potentially 'dry', mainly to serve 'relentless business viability', is (politically) ethically thought to be unacceptable.

The dire conditions proposed - 'no water', or 'polluted (nuclear) waters' - does pose direct existential threats.

Governments must hold non-compliance, esp. polluters, severely accountable (e.g.: licence loss for life, full restoration and complementing 'proportional to entity wealth' fines) regarding literally 'all' industrial entities potentially involved upstream, unless criminal(s) admitted.

General

W.A. water resources (political) controls seem deliberately multi-layered. To (necessarily) simplify water resource management across W.A., and potentially Australia, it should be legislated that solely actually verified 'surplus waters' should ever possibly be 'sold'. No industry is to have any 'licenced water entitlement'.

Firstly: by simplifying processes drastically - that finally must respect this country's traits and actual (largely arid) conditions (again) - any 'surplus water sales' would then be a 'potential source of income' instead of a currently (con-stituted) cost burden against 'country' and its citizens.

Only **secondly**, consider regional human (local regional community) needs where wisely and respectfully located (e.g. not building on or near any natural hazards like flood plains).

Only possibly **thirdly**, consider independently determined respectful (agricultural) 'industry' proposals that are also of an appropriately respectful size, to mainly produce for this 'country's citizens, instead of massive unsustainable produce quantities that lower 'export' prices.

Turn this 'country' into a potential 'price-setter' instead of remaining an enslaved colony 'price-taker', constitutionally being made to serve foreign entities (see Appendix).

Verified environmental 'surplus water' purchase options accordingly should be Federally determined somewhere at or between 'rare(st) commodity' and the 'abundantly available' released market price.

Whatever is 'industry independently' monitored, audited, and reportedly actually professionally confirmed.

For waters to primarily feed a colonizer's worldview, tragically persistently constituted variably within, was and is not ever sustainable.

Only natural life has fundamental entitlement 'rights', such as access to 'clean water' (where reasonably possible given potential remoteness).

4) Tensions constituted have willingly ignored this 'country's traits.

The constitution (1901) states repeatedly to be concerned with organizing colonizer 'pleasure' (e.g. section 58) as they think 'fit' (e.g. section 126).

The current river and groundwater systems have tensions instilled as multiple layers constitutionally complicate achieving respectful results. New developments, seemingly forced, and hydrologically relevant authorities do not even have to consider natural existential life needs.

To continue condoning relentless disregards that serve constituted 'colonizer pleasures', first and foremost, was and is not sustainable, nor ever possibly wise. The colonizer's 'character' has been and still is supported by various (non-accountable) 'European HQ-ed' heavily overpaid largely non-accountable consultancies. Such as the one in Adelaide, sitting most snugly next to, as well being much taller also symbolically, ruling 'over' South Australia's Parliament.

To allow relentless production of 'more surplus produce' does inflict cheap(er) (agricultural) exports, serving manufacturing company profits overseas that feed 'sweat shop' sufferings; for more colonizer profits. Section 100 constitutionally utilizes the term "*reasonable*" but only to serve the colonizing Crown's perspective(s).

It therefore seems obvious that if suddenly "*Effective water planning must balance many interests ... and certainty for ... industries ... for its opportunities*" (W.A. Gov (2026), Policy and Guidance, p. 1, e-p. 3) in deed, then someone seems not interested in protecting the last few locations of natural beauty within this 'country'. Similar to other earlier industrial scale 'water drained' colonized regions.

Colonizer serving supposed 'Australian governments' seem to have "*subverted the protective purposes for which the people had empowered it*" (Locke, John in Australian Law Dictionary (2022), p. 558) since (1901).

Meaning of 'subvert': "1. *To overthrow (something established or existing)* 2. *To cause the downfall, ruin, or destruction of: ...* 3. *To undermine the principles of; corrupt*" (Macquarie Dictionary (2017), p. 1493).

There is only one equally respectful solution politically possible here to prevent further (colonizer) constitutional attempts to destruct (colony) environments by strongly recommending to have this country's constitution (1901) fundamentally revised (see Appendix).

5) Australia's aristocratically developed **Constitution** (1901) constitutes, in 'character', that Australia is a colony "*under*" a foreign "*Crown*" (Australia's Constitution (2007), p. 7, p. 10, p. 28, p. 46). That 'Crown' apparently does pervade it (see Appendix).

The constitution prescribes, in Chapter IV, Finance and Trade, Section 100; that "*The Commonwealth shall not, ..., abridge the right ... to the reasonable use of waters of rivers for conservation or irrigation*" (Australia's Constitution (2007), p. 39).

That constitutionally instilled restriction, directed politically against 'country', does obstruct respectful natural existential improvement potentials for groundwater and river systems. The term "*reasonable*" is meaningless given utilitarian 'colonizer rule' does ultimately apply thereby politically automatically 'disrespectfully'.

Water 'use' within therefore does constitutionally solely depend on serving a colonizer's perspective(s) for their Crown's 'pleasure' as they 'think fit'.

From a political justice perspective, Shuk Ying Chan puts it brilliantly clear that "... *individuals relying on each other's cooperation cannot reasonably ask others to accept that their interests matter less*" (Chan (2025), p. 80).

And

"*No one's interests should be arbitrarily accorded more weight than others. Second, less weighty interests should not be allowed to override basic interests. ... our terms of interaction should not allow me to make money at the expense of your ability to live decently. Otherwise, our terms of interaction would fail to treat you as an equal whose basic interests are less important than my nonbasic interests*" (Chan (2025), p. 82).

The W.A. State's Department and constitutional "*nonbasic interests*" proposal put, further extending colonizer's new developments for their financial desires, fundamentally fails democratic requirements to

necessarily give “*equal consideration*” (Chan (2025), p. 83) to natural and cultural survival ‘basic interests’ voiced over many decades, if not centuries. Access to clean (non-nuclear) waters and unpolluted air are needs both undeniably fundamentally existentially necessary. Literally nothing can nor ever should possibly be (made) capable to overrule that life existential need somehow.

If Australia is indeed ever to become a ‘country’ that supposedly stands for ‘equality and fairness’ (again) than its colonizer constitution (1901) is fundamentally wrong variably.

All in this ‘country’ are without ‘executive (political) authority’ because constitutionally ‘Australia’s political executive powers’ are vested in a foreign “*Crown*”, potentially regarding all matters (see Appendix).

The Appendix below does present the constitutional contradictory ‘overview’ from an unnamed “*Australian Government Solicitor*”, March (2006), confirmed by Government signatories around then.

APPENDIX

Australia’s Constitutional Matters (480 words)

An unnamed “Australian Government Solicitor (March 2006) has suggested that “*Australia has become an independent nation ...*” where the “*British Parliament, ... no longer has any power over Australia*” (Australia’s Constitution, Overview, Background to the Constitution (2007), p. v).

However, it is stated that actual “*sovereignty*” is “*a constitutional monarchy*” where “*The concept of the Crown pervades the constitution*” (Australia’s Constitution (2007), Overview, The Crown and Responsible Government, p. vii).

“*Pervade*” means “*to extend its presence, activities, influence, etc. throughout ...*” (Macquarie Dictionary (2017), p. 1121).

Constitutionally conclusively sovereignty for this ‘country’ tragically sits within “*The executive power of the Commonwealth*” which, repeatedly, is constitutionally described to be “*vested in the Queen and is exercisable by the Governor-General as her representative*” (Australia’s Constitution (2007), Overview, The Crown and Responsible Government, p. vii, and The Executive Government of the Commonwealth, p. xi).

The constitutional “*Crown*” for Australia is clearly defined:

“*Whereas the people ... humbly relying on the blessing of Almighty God, have agreed to unite ... under the Crown of the United Kingdom of Great Britain and*

Ireland, ..." (Commonwealth of Australia, Constitution Act, first paragraph, (2007), p. 7).

The 'unnamed government solicitor' and political signatories (2006-2007) have contradicted themselves and have thereby misled the people in deed.

Other direct constitutional confirmations that 'Australia itself is not possibly a 'sovereign independent nation' can be found in:

Chapter I, The Parliament, Section 1 & 2 (2007), p. 10)

Chapter II, The Executive Government, Section 61 (2007), p. 28),

Chapter III, The Judicature, Section 74 (2007), p. 32)

Chapter IV Finance and Trade, Section 84, (2007), p. 34)

Chapter IV, Finance and Trade, Section 100 (2007), p. 39)

Chapter V, The States, Section 107 and Section 109, (2007), p. 42)

Chapter V, The States, Section 117 (2007), p. 43)

Chapter VI New States, Section 122 (2007), p.45)

Chapter VII, Miscellaneous, Section 126 (2007), p.46)

Chapter VIII, Alteration of the Constitution, Section 128 (2007), p. 47)

Politically constitutionally ultimately it all means that without any doubt:

Australia is politically ruled by and "*under*" a (European) colonizer to date, (potentially) regarding all political matters.

One does need to seriously contemplate that fundamental political relevance.

It is most important here given the 'proposal put' has many detrimental ramifications if this 'country' would (again) extensively have to serve constitutional matters that still do forcibly apply without a need for government to consider 'life existential and cultural survival' needs both being reliant on (unpolluted) waters that otherwise flow naturally.

Why would, and how personally could an unnamed 'Australian Government Solicitor' (2006) and signatories (2006-2007) ever place a 'direct constitutional contradiction' within their constitution's "*Overview*"?

A recommendation for Governments is to develop an honest respectful referendum; constitutionally turning this 'country' into a fully independent sovereign (politically mentally) healthy 'country' (again).

(Referendum Question: Do you want this 'country' to remain constitutionally "*under*" foreign (colonizer) rule in any way or form?)

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