

# The Pervading Character(s) Within

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## Abbreviations:

MDB = Murray-Darling Basin

Qld. = Queensland (named State in 'Australia')

## My 'self' introduction

(35 words)

Early self-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 (335 words)

One should realize that specifying (legally accountable) 'elements' are fundamental. Those 'elements', necessarily accountable and 'respectfully correct', direct outcomes.

So, what does constitutionally politically legislatively control the MDB System?

My findings:

- 1) Colonizer rule is in essence constituted, "under" which all are to serve the colonizer's "Crown" "pleasure", as government "thinks fit", where a foreign "Crown" pervades the Constitution (with executive powers).
- 2) The 'Water Act' mainly ensures, by reminding related MDB positions, that finding 1) does constitutionally apply to water "use" and "supply" also.
- 3) The States upstream (including Qld.), have irresponsible water "use" demands mainly to keep business "viable" (see finding 1) & 2)).
- 4) The MDB Authority "must" review the MDB but has no (constitutional) ownership 'power(s)' (see 1), 2), & 3)).
- 5) This (neo)colonized 'country' is still unequal "under" European controls.

When a (MDB) River System (partly) without decent environmental water flows is no longer 'viably connected' then who decided: 'natural life' is worth-less? Accomplished 'colonizer riches' have left countries destitute (e.g.: Kashmir). Prior colonization this was an independent sovereign 'Country'. To confidently empower and politically liberate all life within again: make it constitutionally so.

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 here.

When a 'business', reliant on a flowing river system, is no longer viable then it makes no 'ethical sense' to re-organize another citizen subsidized 'government loan' to constitutionally relentlessly pursue 'what citizens do not need'. Wouldn't an ethically wise director also (timely) 'move on' (e.g.: renewables, different profession, or relocate)?

Utilitarian (illiberal)(neo)colonizers – those that sacrifice 'others' happily for 'self-gain' - are constitutionally not concerned whether clean (non-nuclear) water is actually an 'existential element' for a colonized 'country'. Colonizer's supposed international 'rule-based order' was and is not respectful (see history).

If constructive (MDB) changes are honestly desired variably within; then Australia's constitution should be changed because this 'country's' citizens do 'know better' what is desired and really required, here.

## **THAT WHAT IS TO BE CONSIDERED**

(155 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).

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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).

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*"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 (2002 words)

- 1) 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).  
See Appendix because that 'Crown' apparently does pervade it.

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 improvement potentials for the MDB. It seems to heavily favour agricultural 'water take guarantees' because the term "*reasonable*" is meaningless given 'colonizer rule' ultimately should apply. Water 'use' within therefore, constitutionally, does depend on a colonizer's perspective(s): to serve the specified Crown's 'pleasure'.

The (1999) referendum's political suggestions that outcomes "under" (neo)colonizer rule would outweigh the results if a 'country' was 'constitutionally fully liberated' seem (also historically) not plausible at all.

- 2) The Water Act, Volume 2, Section 255** (Pg. 13-14, e-pg. 19-20), prevents any "doubt" to ensure that "*nothing ... authorises ... any ... to compulsorily acquire a water access right or an interest in a water access right*".

It seemingly reiterates constitution's section 100, defining The Water Act (2007) does fall "under" colonizer rule also.

**Water Act (2007), Volume 2**, further has similar disrespectful clauses:

**Part 12, Miscellaneous, Section 256** Regulations,  
"(1) *The Governor-General may make regulations ... (a) ... permitted ...; or (b) ... convenient to be prescribed*" (pg. 16, e-pg. 22).

Constitutionally the Governor-General is bound by the "*directions given by the Queen*" (Australia's Constitution, Section 126 (2007), pg. 46) meaning that the (neo)colonizer has 'free reign'. Those constitutional 'colonizing' terms must be re-confirmed specifically so in Parliament during a Governor-General's oath.

**Part V, Section 30**, where "(1) *The Authority must not exercise any of its functions ... in a manner that has the potential to have a material effect on State water entitlements*" (pg. 52, e-pg. 58). That does direct the MDB

Authority to simply 'be there' and perform its 'administrative duty'. But do ensure 'not' to have any "potential" meaningful "material effect". The Water Act (2007) thereby does deny the MDB Authority's (constructive) potentials, effectively. Exactly like the Constitution does deny this 'country's' citizens independence and sovereignty.

**Part VI**, Sections 36, 37, 39, 40, and 41 (Pg. 57 thru 62 , e-pg. 63 thru 68) empower Qld. exclusively. Seemingly ignoring the MDB geographical layout, as if Qld. does not pose a major 'hydro-logical' influence.

**Schedule 2, Part 3** disrespectfully prescribes that water charges are "to ensure businesses viability" (p. 292, e-p. 298).

When (MDB) River System Water (natural) flows are low, in parts reportedly even non-existent, then any related 'water use' charge, other than 'individual (non-business) life survival' needs price, should respectfully increase colossally, across the entire river system. The MDB, geographically and hydro-logically, necessarily includes Qld..

For a 'political executive' to detrimentally impose such legislative 'restrictions', preventing (potential) naturally constructive impacts urgently necessary for the whole of the MDB, does not possibly reflect well on either Australia's Constitution (1901) nor the Water Act (2007).

### 3) The States & The Water ACT (2007) Volume 2

**Schedule 1, Subdivision B**, does state supposed "ENTITLEMENTS" (pg. 90-94, e-pg. 96 thru 100). To 'designate' or 'give a right or claim' to humans or business entities only, is naturally a deeply fraudulent idea. The Water Act's suggestion that Qld., New South Wales, and Victoria 'are entitled' somehow will tragically disrespectfully burden nature more.

**Section 93**, regarding 'surplus flow' (pg. 92, e-pg. 98) seems to warn the three upstream States to not ever 'supply more' water to South Australia. For a Water Act to expressly claim that upstream States "are each entitled to use: ... all the water" (**Section 94**, (1)(a), pg. 93, e-pg. 99) somehow, anywhere, is deeply irresponsible and does exactly represent the pervading 'character(s)'.

**Section 102A** (Water Act (2007), pg. 97, e-pg. 103) demands requirements prioritizing "critical human needs".

'Natural fixed environment systems' ('country') do rely on clean (unpolluted) river, ground, and rain water. Those 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 'water use' (even constitutionally) "reasonable".

Only humans can change tactic, like relocation. Tragically, environmentally unsustainable businesses remain 'relentlessly irresponsible' and repeatedly assisted by (foreign) influenced governments.

**Part XII-DISTRIBUTION OF WATERS, Section 114's** apparent "*Efficient Regulation ...*", in 'Subdivision D – Water Accounting' seems not (constitutionally) "*reasonable*" either (pg. 105, e-pg. 111) because it does specify: "*Any water used by either New South Wales or Victoria or supplied to South Australia by either*".

The definition of '**supply**' is: "1. to furnish with what is lacking ... 2. To furnish or provide (something wanting ...) 3. To make up (a deficiency); make up (for a loss, lack, absence, etc.); satisfy (a need, demand, etc.). 4. To fill (a place, vacancy, etc.); occupy as a substitute. ... 11. Econ ... the quantity of a commodity, etc., that is in the market and available for purchase, or that is available for purchase at a particular price." (Macquarie Dictionary (2017), pg. 1504).

The definition of '**use**' is: "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), pg. 1653).

**Section 114** thereby does define 'country' and 'South Australia' determinately being unequal to upstream States.

Always thought that Australia's Federation (1901), and its political 'character' originally, was based on being 'equally respectful' (in all matters).

And so, I could continue ... but the pervading characters within are: inequality, unfairness, and relentlessly applied disrespect against 'country'.

**4) The MDB Authority's (2026) Discussion Paper** presents the 'core problems' within (this 'country') because the MDB 'Authority' has no 'power' nor any (possible constitutional) 'ownership'. And tragically again, absolutely no different to citizens within this 'country'.

For example in:

**Par. "7.3 Summary"**: "... building on what we know is working at the local scale can help ..." (MDBA (2026), p.63, e-p.75).

The term "*can*" is 'accountability wise' meaningless.

It is then stated what is knowingly "*needed*" but sadly not (likely) progressed because constitutionally all are "*under*" colonizer controls that

are positioned silently strategically within the multiple procedural layers (e.g.: foreign HQ-ed consultancies).

**Par. 8.1** “*water quality*” admits that “... *the Basin Plan does not cover land use, pollution control or broader natural resource management*” (MDBA (2026), p.67, e-p.79). The procedural multiple layered disconnect(s) thereby allocate more opportunities to protect agricultural (\$) concerns but willingly ignore environmental survival issues.

Similarly, in summary, **par. 8.3**, “*coordinated action*” is reportedly needed (MDBA (2026), p.68 ,e-p.80). Such “*action*” seems only achievable by turning existing (colonizer led) proceedings totally ‘upside down’ (by decolonizing in full). A ‘constitutionally refreshed’ empowered (MDB) authority must be exempt of any ‘agricultural industry’ or ‘colonizer’ consultancy. Geographically and hydro-logically, any ‘coordination’ regarding the MDB, obviously necessarily must include the State named ‘Qld.’.

“**Chapter 9** *Water infrastructure and critical human water needs*” introduces concerns whether towns are really (ever) ‘reasonably’ sustainable. Seemingly more crucial though is “*underpinning \$30 billion in water rights*” (MDBA (2026), p.69 ,e-p.81).

The problem of a (MDB) river system ‘running dry’ is unacceptable. The colonizer is constitutionally concerned to have ‘others’ serve their Crown’s “*pleasure*” (e.g.: Australia’s Constitution, Section 58, 60, 74). A colonizer has not cared much about sustainability in (this) colonized ‘country’ (see global history). But ‘Original Peoples’ have, and like many citizens, most (likely) still do.

This ‘country’s environment is existentially critically important. It is fundamental for humans to adjust suitably accordingly. To continue unsustainable ‘agricultures’ relentlessly, seems rather disrespectful, if not intentionally ignorant as well infinitely stupid.

Move on and develop ethically wiser; necessarily without constitutional colonizer controls or ‘inputs of any kind’ because political Europe has entirely different ideological ‘beliefs’ (illiberal variants of utilitarianism).

The importance of “*accountability*” (MDBA (2026), p.74 ,e-p.86) within, across all levels, is urgently needed. I have experienced ‘water survey’ inconsistencies, organized by non-accountable ‘board members’, that relentlessly promote ‘water use’ for agricultural industry, regardless of dire conditions locally (Lower Eyre Peninsula). ‘No water’, or ‘polluted waters’ are near immediate existential threats. It is therefore important to hold non-compliance, esp. polluters, severely accountable (e.g.: licence loss for life regarding literally ‘all’ involved) MDB non-compliance(s) should face devastatingly deterring legal accountabilities, against all ‘potentially involved’ (upstream), unless admitted. That should include one’s ‘personal wealth’ (internationally).

To place the 'burden of proof' with prosecutor(s) is unacceptable, given the known 'lack of evidence' largely inevitable, being well-known amongst criminals. An improved detection method should be established.

To suggest that "... *plans are costly ... to develop ..., adding to overall water management costs*" (MDBA (2026), p.76 ,e-p.88) are mainly so due to deliberate multi-layered complexities within.

Only actually verified 'surplus waters' should ever possibly be 'sold'.

By simplifying processes, that finally must respect this country's traits and conditions (again), those 'surplus water sales' would be a 'potential source of income' instead of a (con-stituted) cost burden against citizens.

Only secondly, consider regional human needs.

Only possibly thirdly, consider independently determined respectful 'agricultural industry' proposals that are also of an appropriate size, to mainly produce for citizens, instead of massive unsustainable export quantities that only lower export produce prices.

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

Verified environmental 'surplus water' purchase options accordingly, should have a Federal (MDB) price determination somewhere at or between 'rare(st) commodity' and the 'abundantly available' released market price, whatever is reportedly actually applicable.

Only proceed with issuing 'agricultural licences' in independently scientifically determined 'respectful' locations (including Qld.) with appropriate water flow metering stations along the (MDB) river system. Again: only, possibly temporarily licenced 'responsible crop(s)' as well 'respectful crop sizes' that serve citizen needs, first and foremost, should have access to potential 'environmental surplus Federal water' sales.

*"The Basin Plan's water trading rules"* which *"aim to ... reduce trade restrictions across and within jurisdictions"* (MDBA (2026), p.78 ,e-p.90) is the core 'upside down colonizer worldview' applicable within.

Water 'trade restrictions' should only apply in 'one way' because all water does naturally (hydro-logically) flow only in the one direction (down from the sky to earth to the sea).

No industry, esp. not any colonizer, should have any 'water (pollution) rights'. All life has fundamental 'rights', such as access to 'clean water' (where possible). A (farm) business entity itself does not involve sentient 'life'. The creatures living on the 'land' are sentient lives though.

A farmer desiring to relentlessly persist where water is no longer 'sold'; will wisely (forced to) change plans. Therefore, it (necessarily) ethically follows to end 'water licence' rights upfront. The agricultural ones at least, and any other supposed 'water right' that have clearly irresponsibly (unethically) applied to date. This 'country' is largely deemed 'arid'.

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

The constitution (1901) states repeatedly to be concerned with organizing colonizer "*pleasure*" as they think "*fit*". The current MDB river system has chaotic tensions as multiple layers constitutionally complicate developments and hydrologically do not even have to consider Qld.. 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).

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' 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' does inflict cheap(er) (agricultural) produce exports, serving manufacturing company profits overseas that feed 'sweat shop' sufferings; for more colonizer profits. Section 100 constitutionally utilizes the term "*reasonable*" that needs to serve the colonizing Crown's perspectives.

It therefore seems obvious that if (MDB) improvements are desired in deed then this 'country's' constitution must be fundamentally changed.

Many orchestrated (MDB) efforts have been delivered but the (MDB) problem(s) remain(s) because

*"The concept of the Crown pervades the constitution"*

(Australia's Constitution (2007), Overview, The Crown and Responsible Government, p. vii)

There is only one equally respectful (MDB) solution politically possible: Recommend to have this country's constitution revised respectfully.

The Appendix attached presents the constitutional contradictory 'overview' from an unnamed "*Australian Government Solicitor*", March (2006), confirmed by Government signatories around then.

# APPENDIX

## Australia's Constitutional Matters (430 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 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) seem to 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 doubt):

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

**One needs to contemplate the seriousness** and its many politically detrimental ramifications, here regarding the MDB, given constitutional matters that do forcibly apply still.

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

A MDBA recommendation for Government to develop an honest respectful referendum; constitutionally turning this 'country' into a fully independent sovereign 'country' (again), here to improve the MDB at least, is needed.

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

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