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Friday, March 30th, 2012

Mr. John Porter
The Administrator
Port Macquarie-Hastings Council
PO Box 84
Port Macquarie NSW 2444

Dear Mr. Porter:

Re: Notice of Demand

Reading the article entitled ***Fighting on the beaches as council orders retreat from climate change 'threat'***, in The Weekend Australian, Saturday, March 24th, 2012 I feel annoyed and deeply concerned. The article states that your council's concern and thus your action is based on projections of future sea level by the United Nations Intergovernmental Panel on Climate Change, the (UN) IPCC.

My understanding is that you, as the Administrator of the Port Macquarie-Hastings Council are ultimately responsible for the councils' actions.

The newspaper article combined with discussions with residents in the area and my observations yesterday at Lake Cathie lead me to be very concerned for property rights in Australia. Your council's actions seem to fail to meet community expectations for due diligence, integrity, fairness, consistency and justice.

1. Please kindly advise as to whether or not your council's planned enforced retreat of residents from Illaroo Road, Lake Cathie and other associated action is/was based on projections by the UN IPCC as the article reported.

2. If your council's action is not based on the UN IPCC's projections, please advise the basis for your council's policy and actions.

3. Are you aware that in August 2010 the Inter Academy Council (IAC) released its report into UN IPCC processes and procedures used to produce the UN IPCC's latest report released in 2007? The body of the IAC report is scathing. As a result, no statement in the UN IPCC's report can be trusted.

Please refer to the following links:

<http://tome22.info/>

<http://tome22.info/Top/AnnotatedDocuments.html> and scroll to item **2: IAC's Report on the Processes and Procedures of the IPCC**. It provides access to three documents via three links: **Read the full annotated report**, **Read the concise overview** and **Read the bullet point overview**.

4. Are you aware that each successive UN IPCC report has reduced UN IPCC 100-year projections of future sea level rise? Please refer to Figure 19 on page 18 of the Non-governmental International Panel on Climate Change, NIPCC, 2008 report entitled, **Nature, not Human Activity, Rules the Climate**.

It's available here http://sepp.org/publications/NIPCC_final.pdf Please note that the report's authors include scientists who are contributors to UN IPCC reports.

Specific rises in sea level projected by the UN IPCC 100 years into the future:

	Minimum projected rise	Maximum projected rise
1990 report:	0.10 metres (10 centimetres, cm)	3.67 metres
1995 report:	0.03 metres (3 cm)	1.24 metres
2001 report:	0.11 metres (11 cm)	0.77 metres (77 cm)
2007 draft:	0.14 metres (14 cm)	0.43 metres (14 cm)
2007 report:	0.18 metres (18 cm)	0.59 metres (59 cm)

5. Are you aware of this record of significant successive downward revisions of sea level projections?

Actual annual sea level rise for the Australian continent, as shown by the Queensland government's Maritime Safety Queensland department over the last 15-19 years have averaged 0.0003 metres. That's 0.3 millimetres per year. If sea levels continue rising at this rate, in 100 years sea level will be 3 centimetres higher than current. That's around one inch higher.

Please see: http://www.icsm.gov.au/SP9/links/msq_tidalreferenceframe.html

Current global average sea level rises are reported by the NIPCC to be 1.8 millimetres (mm) per year. The NIPCC reports that rate has been consistent for around a century. Other reliable reports state 1.6 mm per year. Recent reports reveal reducing rates of increase and even falls in sea level. I can provide references.

The NIPCC's 2009 report entitled **Climate Change Reconsidered** contains more details on sea level and is available here: <http://www.nipccreport.org/index.html>

UN IPCC Expert Science Reviewer, Dr Vincent Gray has around 60 years' real-world experience as a research scientist, including 21 years in climate. He has provided by far the most complete, thorough, comprehensive and detailed review of the UN IPCC's 2007 report. His reviews can be accessed via www.conscious.com.au

He reports sea level studies in the South Pacific Ocean at this site:

<http://scienceandpublicpolicy.org/images/stories/papers/originals/southpacific.pdf>

6. Are you aware of the low rate of actual sea level increase and its apparent consistency during the last 100 years?

7. Are you aware that the UN IPCC has no evidence for its core claim that human production of carbon dioxide (CO₂) caused Earth's latest period of modest, cyclic global atmospheric warming that ended around 1998/2002?

Dr Gray states that UN IPCC reports contain no evidence that human production of carbon dioxide caused modest warming that ended around 1998/2002.

My investigation of basic questions on global warming is on pages 3-5 of my letter to Mr. Greg Hunt available at this link:

http://www.galileomovement.com.au/docs/Greg_Hunt_March_2012_Highlight.pdf

You may be interested in the annotated transcript of a radio interview of Professor Will Steffen, the government's sole *'Expert Adviser'* on climate science to the Multi Party Climate Change Commission. It's available here:

http://www.galileomovement.com.au/docs/Steffen_transcript_highlighted.pdf

8. Please provide scientifically measured empirical evidence that human production of carbon dioxide caused Earth's latest period of modest cyclic global atmospheric warming that ended around 1998/2002 and that it will cause future warming and catastrophic future sea level rises.

I refer you to Coastal Engineer Mr. Angus Gordon who can be contacted on 02 9913 8064 and 04 1053 4624. Angus has over 20 years as an engineer with the NSW Department of Public Works, has been involved in projects in all Australian states and overseas, and has published more than 50 papers internationally. In addition to working as a Coastal Engineer and Coastal Zone Manager, Angus has been General Manager of the Pittwater Council on the NSW coast.

Angus is an author of the NSW Coastal Protection Act, 1979. He originally assumed global warming due to humans. After becoming aware of facts that spurred his own investigation, he is no longer of the belief that human activity caused global warming. He based his change of view on empirical scientific evidence. He did his due diligence.

9. Specifically, what due diligence has the Council conducted on projections of global warming and sea level rises?

Please refer to my letter to Mr. Greg Hunt at the link given above. It summarises the corruption and misrepresentation of climate science. The letter contains links to many references revealing UN IPCC corruption.

Are you aware that UN IPCC Contributing Scientists and even UN IPCC Lead Authors

have publicly revealed the corruption of science by the UN IPCC? The UN IPCC is clearly a political body with a documented history of perverting climate science.

10. Are you aware of the corruption of climate science and the orchestrated misrepresentation of climate and science funded by the federal government?

During my visit yesterday to the Port Macquarie-Hastings shire I tried to contact council's Waste and Environmental Services Engineer, Mr. Gordon Cameron. I left a voice message asking him to contact me to save him, your council and ratepayers considerable money, community angst and needless alarm and fear.

Yesterday I drove along Kenwood Drive, Fisherman's Way and Lakeside Way on the western side of Cathie Creek. From the end of Lakeside Way I easily strolled a short distance to the bank of Cathie Creek. I am perplexed by an apparent inconsistency in your council's policy. **11. Why are/were residents of Illaroo Road apparently threatened with forced removal when their street is reportedly 7 metres above sea level and yet council recently approved construction of magnificent homes along low lying streets in the Lakeside Woods estate?** The latter would seem to be barely above sea level. I'm informed that area requires removal of sand during flooding in the creek.

Actual sea level data reveals no growing threat. Yet when the NSW Coastal Policy has been known for some years it seems council has either been negligent in approving construction in Lakeside Woods estate already subject to risk of flooding or negligent in making unfounded and overly conservative decisions impacting Illaroo Road residents.

Given extensive empirical evidence on sea levels being contrary to UN IPCC projections it seems likely that the council has failed to do its due diligence and/or the previous NSW government failed to do its due diligence. Either or both of these parties would seem to have not acted reasonably and been, at best, overly conservative and acting contrary to the evidence.

Given overseas examples of reported selective declaration of threat due to unfounded sea level projections followed by rezoning to allow major development by property developers, this would seem to leave your council open to question on its motives.

12. Given your council's actions on Illaroo Road and given the previous state government's Coastal policy, please explain why council approved dwellings in recent years in Lakeside Woods estate.

Property rights are threatened by actions of UN bodies. These rights are fundamental to freedom and are already being destroyed on farms and coastal land by state governments and councils. That action is based on political agenda not substantiated by empirical science. Indeed, such destruction of property rights is contrary to science and likely contrary to the spirit and intent of Australia's constitution. It is a threat to our Australian values and way of life. It is a serious threat to my children's future.

I request your replies to my twelve questions in writing within ten days of today's date. Failure to respond in full by Monday, April 16th will result in a formal complaint to the NSW Ombudsman.

I am available to discuss the corruption of climate science further with you and/or council's officers. I am willing to participate in public debates and open forums to discuss climate science, UN IPCC reports that are apparently the core of your council's policy and economic impacts of political policies based on fraudulent UN IPCC reports.

My concern for the plight facing the Secombes and other residents of Illaroo Road is deep. As is my concern for my children's future. We need policy based on sound science. I am willing to voluntarily assist you, your council and the state government to do its due diligence.

Yours sincerely,

Original personally signed

Malcolm-Ieuan: Roberts.
BE (Hons), MBA (Chicago)
Fellow AICD, MAIM, MAusIMM, MAME (USA), MIMM (UK), Fellow ASQ (USA, Aust)

Mr. Stephen Hunt, Resident, Illaroo Road, Lake Cathie Stephens
Mr. and Mrs. Russell and Anne Secombe, Residents, Illaroo Road, Lake Cathie
Mr. Gordon Cameron, Waste & Environmental Services Engineer, Port Macquarie-Hastings Council
Mr. Angus Gordon, Coastal Engineer
Mr. Rob Oakeshott, MP for the federal electorate of Lyne
Ms. Leslie Williams, MLA for the state electorate of Port Macquarie
Mr. Donald Page, Minister for Local Government and Minister for the North Coast
Mr. Barrie O'Farrell, Premier of NSW
Ms. Robyn Parker, NSW Minister for the Environment
Mr. Bruce Barbour, NSW Ombudsman
Mr. Tim Bishop, Hastings Community Radio 2-Way FM
Ms. Brie Snare, Journalist, Port Macquarie News and Port Macquarie Express
Mr. Leon Pittard, Fair Dinkum Radio, Wauchope