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PRESS RELEASE

Real Potential for Future Class Action arising out of any Adverse Impact of dredging for Cruise Ship Terminal at Broadwater on Gold Coast Waterfront Properties

Beacon Law, a Division of Beacon Business Directions P/L, is of the view that there exists very real future potential for the owners of Gold Coast Waterfront properties, mainly on the Nerang River and off-shooting canals, to commence future class actions against the Queensland Government, the Gold Coast City Council and any developers and owners of the proposed Cruise Ship Terminal.

“It seems to be the case that this project was previously dumped by the political process because of a range of potentially adverse implications to the owners of waterfront properties and others. It would appear that this was due, in no small part, to the assessed adverse impact on the revetment walls of mainly residential properties, due to the increased speed of tidal flows due to dredging of the Seaway and Broadwater,” said Jim Wilson, principal and director of Beacon Law.

Mr Wilson went on to say, “If this is the case, then it raises a very serious question as to what future right of recourse landowners would have, given rising sea levels caused by climate change and the consequent increased tidal swells and storm surges and their exacerbated impact on the speed of tidal flows and consequent damage to revetment walls and other aspects of waterfront property.”



“In the circumstances, project proponents of all persuasions have a critical duty of care to ensure, well beyond reasonable doubt, that the dredging, coupled with climate change, will not exacerbate the future adverse effects previously identified as killing the project. There needs to be studies, the results of which should be made available for public scrutiny and challenge by landowners who might be affected, before the project proceeds. And the project might not then proceed, depending on the content of the studies and the potential future risks involved for the City’s purse” Mr Wilson said.

Mr Wilson went on to say, “Given the expressed views of former State and Local Government Politicians, I would strongly advise Waterfront landowners to waste no time in obtaining documented engineering advice on the state of their revetment walls and the speed of tidal flows before dredging commences. It is best for the community to start early in gathering data and record it to monitor the current situation, rather than trying to construct an historical scenario after the dredging has commenced or been completed and damage has occurred.”

Mr Wilson concluded by saying that any future class action could be in the billions of dollars, depending on the scope of the damage in the immediate area, including upstream in the Nerang River and the myriad of canals in the region.

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