

Ombudsman to investigate Wellington Shire Council's management of Ninety Mile Beach matters

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Ombudsman Deborah Glass is to investigate Wellington Shire Council's handling of matters affecting land owners in the Ninety Mile Beach area of Gippsland.

Ms Glass said her investigation was prompted by complaints she had received from more than 25 land owners, who had raised several issues including that they were being charged council rates on lots they were unable to build homes on and, in some cases, even access.

Her officers made follow-up enquiries with Wellington Shire Council and the Department of Environment, Land, Water and Planning, after which Ms Glass determined an investigation was needed to examine the complex situation.

"I will be investigating whether the council has treated these land owners fairly and reasonably," Ms Glass said.

Her investigation will consider the council's:

- levying and collection of rates and other charges on properties within the Ninety Mile Beach subdivision
- administration of a Voluntary Assistance Scheme
- acquisition of land in accordance with the *Land Acquisition and Compensation Act 1986* or otherwise under the Ninety Mile Beach Plan
- consideration of the land deemed to be surplus
- communication with affected land owners.

The 60-year old saga began in the 1950s and 1960s when a Melbourne-based real estate developer heavily marketed Ninety Mile Beach lots, with promises of an idyllic beachside lifestyle. From the 1970s onwards, prohibitions on development have been placed on many of the single lots, due to environmental concerns.

Planning rules introduced in the 1980s required single lots to be amalgamated into three or four lots to develop them. In 1990, the council began to acquire land in stages to achieve amalgamated lots. Under a funding agreement introduced in 2011, land owners with properties within a designated section of the subdivision can voluntarily transfer ownership of their lots to the council for a flat rate of \$1,500 per lot, less any unpaid rates and charges.

In October 2018, the council decided to sell lots it had acquired that were determined to be surplus. In their complaints to Ms Glass, several land owners raised concerns about the council's decision to sell land it had initially purchased at a low cost. Ms Glass will examine the council's decision as part of her investigation.

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