

Ninety Mile Beach Compulsory Acquisition fact sheet

Acquiring the inappropriately subdivided land at Ninety Mile Beach for public ownership and management

The Department of Energy, Environment and Climate Action (DEECA), on behalf of the Victorian Government, is acquiring the privately owned, vacant land in the Ninety Mile Beach area not acquired by the previous voluntary acquisition programs run by Wellington Shire Council.

Inappropriate subdivisions at Ninety Mile Beach

The Ninety Mile Beach subdivision is a 25-kilometre strip of land located between Bass Strait and Lake Reeve that extends north of the Honeysuckles to Paradise Beach.

The land was subdivided into about 11,800 small lots from 1955 to 1969 before the introduction of modern planning controls.

Much of the area is environmentally sensitive and, in some areas, at risk of flooding, erosion and bushfire.

You can find out more at

marineandcoasts.vic.gov.au/ninetymilebeach

Victorian Ombudsman's investigation

Since June 2011, Wellington Shire Council has made significant progress towards a long-term solution for the Ninety Mile Beach subdivisions. This was achieved through voluntary assistance/transfer schemes. Compulsory acquisition of the land was undertaken where landowners could not be identified after thorough searches.

In 2019, the Victorian Ombudsman investigated the situation at Ninety Mile Beach. The [Ombudsman's report](#) recommended that, following all efforts to voluntarily acquire the land, compulsory acquisition was required to resolve the issues created by the inappropriate subdivisions. It was suggested that government acquisition of the land was the solution that would provide the most benefit to the public, the

environment, Traditional Owners, and the landholders. The Minister for Environment agreed that the state government was the most appropriate body to manage this process, which is why DEECA (formerly DELWP) has taken over the process from Wellington Shire Council.

Program overview

In 2024, DEECA is commencing compulsory acquisition of the privately-owned vacant, undeveloped land in the Ninety Mile Beach area.

This impacts the privately owned, vacant land in the Ninety Mile Beach area not acquired by the previous voluntary acquisition programs run by Wellington Shire Council. The purpose is to preserve the environmental, cultural and recreational values of the land and to enable the management of that land.

Landowners affected in this stage will be contacted before compulsory acquisitions begin.

Land with an existing dwelling will not be affected by this compulsory acquisition program.

Once acquired, the land will be managed consistently with the adjacent Gippsland Lakes Coastal Park for protection and public enjoyment. A small number of lots may be reserved for public purposes such as public utilities, road reserves and other community uses.

Compulsory land acquisitions explained

This section outlines the process involved with the compulsory acquisition of land and is intended as a general introduction only — you may wish to seek



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professional legal advice regarding your specific circumstances.

The Victorian Government can acquire private property for certain purposes under the *Land Acquisition and Compensation Act 1986*. When your land is compulsory acquired, the process generally follows the steps outlined in the table below.

Steps	Details
Step 1 Notice of Intention to Acquire (NOITA)	<p>DEECA will formally start the acquisition process by serving you with a Notice of Intention to Acquire (NOITA). This notice is given to you as the landowner and to any other interested parties (for example, parties managing mortgages or easements)</p> <p>The notice will ask you to give DEECA information regarding the land so we can work out who is to be compensated and how much compensation should be paid.</p>
Step 2 Notice of Acquisition (NOA)	<p>A Notice of Acquisition (NOA) will be published in the Victoria Government Gazette a minimum of 2 months after issuing the NOITA.</p> <p>Legal ownership of the land is transferred once the NOA has been published.</p> <p>DEECA will give you notice of its intention to take possession of the acquired land.</p>

Step 3 Possession of the acquired land	<p>Taking possession involves assuming actual control, management and responsibility for the land.</p> <p>This means you will no longer be able to use this land.</p> <p>We will work with you to agree on the terms of possession and will give you as much notice as we can during this process.</p>
Step 4 Offer of compensation and payment	<p>DEECA will obtain a valuation of your land from an independent valuer appointed by the Valuer General to determine the amount you will be offered in compensation.</p> <p>DEECA will make you a compensation offer within 14 days of the publication of the NOA.</p> <p>If you are unsatisfied with your compensation offer, you may dispute it.</p>

Contact us

If you have a query or require more information, please contact the Ninety Mile Beach program team via:

Email: 90mile.beach@delwp.vic.gov.au

Customer Call Centre: 136 186

marineandcoasts.vic.gov.au/ninetymilebeach

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