

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE COUNCIL

FIFTY-SIXTH PARLIAMENT

FIRST SESSION

WRITTEN ADJOURNMENT RESPONSES

9 and 10 March 2010

(Extract from book 3)

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By authority of the Victorian Government Printer

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The Lieutenant-Governor

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Privileges Committee — Ms Darveniza, Mr D. Davis, Mr Drum, Mr Jennings, Ms Mikakos, Ms Pennicuik and Mr Rich-Phillips.

Select Committee on Train Services — Mr Atkinson, Mr Barber, Mr Drum, Ms Huppert, Mr Leane, Mr O'Donohue and Mr Viney.

Standing Committee on Finance and Public Administration — Mr Barber, Ms Broad, Mr Guy, Mr Hall, Mr Kavanagh, Mr Rich-Phillips and Mr Viney.

Standing Orders Committee — The President, Mr Dalla-Riva, Mr D. Davis, Mr Hall, Mr Lenders, Ms Pennicuik and Mr Viney.

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Scrutiny of Acts and Regulations Committee — (*Council*): Mr Eideh, Mr O'Donohue, Mrs Peulich and Ms Pulford. (*Assembly*): Mr Brooks, Mr Burgess, Mr Carli, Mr Jasper and Mr Languiller.

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Assembly — Clerk of the Parliaments and Clerk of the Legislative Assembly: Mr R. W. Purdey

Council — Clerk of the Legislative Council: Mr W. R. Tunnecliffe

Parliamentary Services — Acting Secretary: Mr H. Barr

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FIFTY-SIXTH PARLIAMENT — FIRST SESSION

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Coote, Mrs Andrea	Southern Metropolitan	LP	Mikakos, Ms Jenny	Northern Metropolitan	ALP
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Hartland, Ms Colleen Mildred	Western Metropolitan	Greens	Somyurek, Mr Adem	South Eastern Metropolitan	ALP
Huppert, Ms Jennifer Sue ¹	Southern Metropolitan	ALP	Tee, Mr Brian Lennox	Eastern Metropolitan	ALP
Jennings, Mr Gavin Wayne	South Eastern Metropolitan	ALP	Theophanous, Hon. Theo Charles ³	Northern Metropolitan	ALP
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Kronberg, Mrs Janice Susan	Eastern Metropolitan	LP	Viney, Mr Matthew Shaw	Eastern Victoria	ALP
Leane, Mr Shaun Leo	Eastern Metropolitan	ALP	Vogels, Mr John Adrian	Western Victoria	LP

¹ Appointed 3 February 2009

² Appointed 9 March 2010

³ Resigned 1 March 2010

⁴ Resigned 9 January 2009

CONTENTS

WRITTEN ADJOURNMENT RESPONSES

TUESDAY, 9 MARCH 2010

<i>Kindergartens: western suburbs</i>	865
<i>Gould League: centenary</i>	866
<i>Police: bayside suburbs</i>	866
<i>Rail: Kilmore East car park</i>	867
<i>Nunawading and Springview primary schools: merger</i>	868
<i>Springvale Road, Nunawading: speed limits</i>	868

WEDNESDAY, 10 MARCH 2010

<i>Rail: Pakenham crossing</i>	869
<i>Trams: Vermont South line</i>	869
<i>Rail: Eltham station</i>	870
<i>Housing: Sunshine development</i>	870
<i>Timber industry: log exports</i>	871
<i>WorkSafe Victoria: WorkHealth program</i>	871
<i>Princes Highway–Lake Tyers Beach Road, Lake Tyers: safety</i>	872
<i>Footscray: traders</i>	872
<i>WorkCover: claim</i>	873
<i>Workers compensation: claim</i>	873
<i>Patterson Lakes: water quality</i>	873

WRITTEN ADJOURNMENT RESPONSES

Responses have been incorporated in the form supplied by the departments on behalf of the appropriate ministers.

Tuesday, 9 March 2010

Kindergartens: western suburbs

Raised with: Minister for Children and Early Childhood Development

Raised by: Mr Finn

Raised on: 10 November 2009

REPLY:

I am informed as follows:

Since 1999 the Victorian Government has increased funding to early childhood education and care by 188 per cent.

Further, the Government continues to invest in children and families, and is committed to all children having access to affordable, quality early childhood education in the years before schooling. The 2009–10 Budget provides \$13.6 million to fund an additional 4000 kindergarten places to meet the unprecedented demand created by a 19 per cent increase in births over the past ten years.

The Government pays per capita funding to provide a ten hour a week kindergarten program for children in the year prior to school.

In addition, a kindergarten fee subsidy provides eligible children with this ten hour a week program for free. Eligible children include concession card holders and asylum seekers and refugee children, and all Aboriginal four year old children.

North Sunshine Kindergarten is managed by Brimbank Preschool Association (BPA). BPA funding for 2009–2010 is \$2 755 902.59 for 29 locations. North Sunshine Kindergarten received \$127 325.

North Sunshine Kindergarten has 51 children enrolled in 2009. 41 children were eligible for the kindergarten fee subsidy thereby accessing the service at no cost to families. 41 children were identified as coming from non-English speaking backgrounds with 21 from families where Vietnamese was the main language spoken at home. The total surplus received from government kindergarten fee subsidy reimbursements for this service is \$8,659.20. This money was used to employ additional bilingual staff.

17 children were identified as having a disability or developmental delay. Two children received funding from Kindergarten Inclusion Support, three children were identified as receiving support from Early Childhood Intervention Services (ECIS) and 12 children received support from the Preschool Field Officer.

BPA reports no resignations from Kindergarten Teachers in 2009 (one teacher is retiring).

Enrolments in 2010 for North Sunshine Kindergarten have decreased. Anticipated enrolments for 2010 are 31 children. Kindergarten staff hours may be reduced to reflect this decrease.

In October I announced 60 additional Kindergarten Inclusion Support (KIS) packages for non-government community across Victoria and an increase to \$8715 in the unit price in all KIS packages to support significant increases in coordination funding for all agencies.

This significant increase in funding for early childhood intervention services is a further demonstration of the Government's ongoing commitment to giving all Victorian children the best possible start in life and to supporting families to nurture the growth, learning and development of their young children.

Gould League: centenary

Raised with: Minister for Education

Raised by: Mrs Peulich

Raised on: 11 November 2009

REPLY:

I am informed as follows:

The Department of Education and Early Childhood Development (DEECD) has supported the Gould League in Victoria by:

- continuing provision of facilities through the Department's regional offices at Moorabbin. The Gould League and the regional office agreed to reallocate four large and three small rooms for regional student well-being facilities from Genoa Street. The Gould League will continue at the venue in its current operational areas during 2010
- funding through its Strategic Partnerships Program for the 2009–11 triennium of \$50 000 annually; and an additional one-off payment of \$25,000 in 2009 to support the realignment of resources with and training for staff in ResourceSmart Australian Sustainable Schools Initiative known as ResourceSmart AuSSI, Vic
- funding the Victorian Association of Environmental Education during 2009 to mentor the Gould League in working within the ResourceSmart AuSSI, Vic framework with schools
- linking the Gould League to the other sustainability program providers for schools (both Departmental funded and non-funded) through the Strategic Partnerships Program's Environment, Sustainability and Technology Network, led by Zoos Victoria.

Police: bayside suburbs

Raised with: Minister for Police and Emergency Services

Raised by: Mrs Peulich

Raised on: 8 December 2009

REPLY:

The Brumby Government is committed to providing safe streets and homes for Victorians by ensuring Victoria Police is highly professional and well resourced. Since coming to office, the State Government has increased the number of police by over 1400. Further, we have increased funding to Victoria Police to a record budget of more than \$1.89 billion in 2009–10. The Government has also committed nearly \$450 million to fund the construction or refurbishment of over 160 police stations and residences across the state, in Victoria's largest ever police station building program.

The Government's additional support to Victoria Police is showing good results as Victoria's crime rate has fallen 25.5 per cent since 2000–01.

However, the fight against crime is ongoing. That is why at the last election the Government committed to a further increase of 350 sworn police by 2010, as well as an additional 50 forensic and specialist investigators. On 9 August

2009 the Premier announced new funding of \$50 million for the recruitment of an additional 120 police to boost police capacity to target street crime hot spots and alcohol related violence.

In addition to the extra funding for more police, the government has legislated to give police greater powers to combat street violence and antisocial behaviour. As well as a new offence of disorderly conduct, the existing offences of drunk, and drunk and disorderly behaviour are now subject to an on-the-spot penalty of \$234. Police have also been given stronger powers to search for weapons within a designated area, and are now empowered to direct individuals to move on from an area when there is a risk of a breach of the peace.

Decisions on the placement of police throughout the state are operational matters and are made by police command on the basis of assessed need. It is important that this process is not subject to political interference. I am assured by the Chief Commissioner of Police that the level of policing across Victoria is continuously monitored by the respective Regional Command Officers, with a view to maintaining optimum policing effectiveness.

Victoria Police deploys first response police across its 56 Police Service Areas using a sophisticated resource allocation model incorporating 12 characteristics of the local community that are used to predict levels of crime and road trauma; the population of an area is just one of these. Victoria Police uses this model to ensure that police resources are distributed equitably and according to demonstrated operational need. It should be noted that, since 1999, the number of first response officers has increased in all police regions across Victoria.

The Government is committed to ensuring the safety and welfare of young people throughout the state and police are taking positive steps to address some of the issues and problems faced by Victoria's youth. The youth programs developed by Victoria Police encourage young people to engage in positive social interaction through safe activities that are drug and alcohol free.

In 2006, Victoria Police introduced its new Youth Resource Officer Model. Under this model, Youth Resource Officers are assigned to local government areas and have a focus on 'at risk' youth and improving police and youth relationships. Under the new program Victoria Police is developing a strategic capacity to identify and implement responses to youth issues. Youth Resource Officers are working closely with local youth agencies and other community organisations, as well as providing practical assistance, advice and training to other police members on youth issues.

In Frankston, the Youth Resource Officer has initiated the Youth Assist Program, which is an early intervention program providing a holistic case management and referral service to 'at risk' young persons aged from 8-17 who come to police attention as first offenders. Mission Australia also contributes to this program, which won national recognition at the 2009 Australian Crime and Violence Prevention Awards.

This new model is an enhancement of the previous Police Schools Involvement Program. Previously student resource officers delivered a service to just five per cent of the total student population in the state. Under the new model Youth Resource Officers have ownership and responsibility for youth issues within their district, allowing a broader and more enhanced model to effectively deliver assistance to youth.

Thank you for raising this matter with me.

Rail: Kilmore East car park

Raised with: Minister for Public Transport

Raised by: Mrs Petrovich

Raised on: 10 December 2009

REPLY:

As you are aware, Kilmore is served by a 'train link' bus service, which was implemented in January 2007. This commuter-oriented town bus service connects with train services to and from Melbourne at Kilmore East Railway Station, giving commuters the opportunity to leave their cars at home rather than driving to and from the station.

DOT is working closely with V/Line to review facilities at regional railway stations to identify and prioritise infrastructure upgrade needs. Car parking requirements at Kilmore East Railway Station will be assessed as part of the review, taking into account pressures and demands across regional Victoria.

Nunawading and Springview primary schools: merger

Raised with: Minister for Education

Raised by: Mr Atkinson

Raised on: 3 February 2010

REPLY:

I am informed as follows:

Arrangements at merged schools are the result of decisions made at the local level.

The new Whitehorse Primary School, which is the result of the merger of Nunawading and Springview primary schools, has a transition phase where existing uniforms from both Nunawading and Springview primary schools can continue to be worn.

In addition, parents of any students facing hardship in any school are able to approach the principal to access a uniform through State Schools' Relief Committee.

Springvale Road, Nunawading: speed limits

Raised with: Minister for Roads and Ports

Raised by: Mr Atkinson

Raised on: 4 February 2010

REPLY:

I am informed that, as at the date the question was raised:

VicRoads will undertake a review of the speed limits along Springvale Road following the installation of dedicated bus lanes on this road.

The installation of a pedestrian overpass on Springvale Road, Nunawading, near Junction Road, is not supported. There are existing signalised pedestrian facilities on Springvale Road at the intersection of Springfield Road and outside the Nunawading Primary School to enable pedestrians to cross the road safely.

WRITTEN ADJOURNMENT RESPONSES

Responses have been incorporated in the form supplied by the departments on behalf of the appropriate ministers.

Wednesday, 10 March 2010

Rail: Pakenham crossing

Raised with: Minister for Public Transport

Raised by: Mr O'Donohue

Raised on: 29 July 2009

REPLY:

The existing railway crossing at McGregor Road has full active controls, including boom barriers and a pedestrian crossing on the Pakenham side. Cardinia Shire Council has proposed further traffic management measures around the level crossing, including the widening of McGregor Road, an additional pedestrian crossing on the Melbourne side, and remedial treatments to adjacent Henty and Rogers Streets. A total rebuild is required due to the existing condition of the crossing infrastructure.

VicTrack has been working with Council to meet its requirements for the area surrounding the railway crossing. In June 2009, Council forwarded VicTrack a revised proposal based on a new traffic management configuration. At this time, VicTrack is awaiting Council's agreement before an upgrade to the level crossing can commence.

Trams: Vermont South line

Raised with: Minister for Public Transport

Raised by: Mr Dalla-Riva

Raised on: 24 November 2009

REPLY:

The Victorian Government is progressively implementing the requirements of the Commonwealth *Disability Discrimination Act 1992* (DDA) Disability Standards for Accessible Public Transport 2002. The Department of Transport (DOT) is working with all public transport operators to improve access for people with disabilities and the elderly on all modes including train, tram, bus and taxi.

Historically, the tram network was not designed for wheelchair access and a program to introduce low-floor trams and platform stops has been implemented. Some 20 per cent of the tram fleet is currently of low-floor design. In December 2008, the Government released *The Victorian Transport Plan*, the largest investment in transport in the State's history. The Plan allocates funding of \$1 billion to provide up to 50 new low-floor trams. The 2009–10 State Budget allocated \$5 million to commence the procurement process for these additional low-floor trams. The first of these new trams will be rolled out on to the network in 2012–13.

Under the Franchise Agreement, Yarra Trams is responsible for the allocation of rolling stock to best meet the demand for tram services. At this time, it is not practical to deploy existing low-floor trams across the entire tram network, as specialist maintenance can only be carried out at specific locations. It is also difficult to guarantee that a particular service will operate with a low-floor tram if only a few trams are allocated to a particular route.

There are no immediate plans to introduce low-floor trams on tram Route 75.

Rail: Eltham station

Raised with: Minister for Planning

Raised by: Mrs Kronberg

Raised on: 26 November 2009

REPLY:

Eltham is designated as a Major Activity Centre under *Melbourne 2030*. Major Activity Centres are mixed use centres that are generally well serviced by public transport. A mixed use centre focus at the Eltham Station needs balancing against the operational requirements of the rail infrastructure at the Eltham Station for the efficiency of the Hurstbridge railway line.

Increased train stabling is required to improve the services on the Hurstbridge railway line. Currently, train stabling for the Hurstbridge line occurs on the Epping and Burnley group of lines. The growth in patronage along these lines will make this stabling inefficient and unsustainable.

The Department of Transport has considered a number of alternative locations for increased train stabling on the Hurstbridge line. These include Hurstbridge and a site near Allendale Road.

There are a number of significant constraints with the alternate sites. Adding stabling north of Eltham requires expensive track duplication. The site at Allendale Road is environmentally significant and increased stabling would also require the construction of extra facilities for train drivers, as the site is located too far from existing stations.

After careful consideration, the Department of Transport has determined that the benefits of stabling trains at Eltham outweigh the benefits of stabling trains on the Hurstbridge line at alternative locations.

Housing: Sunshine development

Raised with: Minister for Planning

Raised by: Mr Finn

Raised on: 26 November 2009

REPLY:

The Sunshine Development is a social housing development project which is funded under the Commonwealth's Nation Building Economic Stimulus Plans and pursuant to Clause 52.41 of the Brimbank Planning Scheme. I am the Responsible Authority for the application.

Under the provisions of Clause 52.41 to the Brimbank Planning Scheme, the proposed development is not subject to third party notice and review requirements under the *Planning and Environment Act 1987* (the Act). This initiative was necessary to ensure Victoria could secure Commonwealth funding for social housing and meet the construction completion deadlines set by the Commonwealth.

A copy of the application was referred to Brimbank City Council for comment and Council was encouraged to attach any resident's letters to their formal comments submitted to the Department.

The resident's letters forwarded to me provide information and context to my determination on this matter.

I wish to note this site is extremely well located to transport and services being only 5 minutes walk away from the Sunshine Principal Activity Centre and the Sunshine train station, consistent with Melbourne 2030 and Melbourne @ 5 Million.

In order to be recommended for funding and enjoy the benefit of the streamlined planning provisions, the Department of Human Services undertakes a thorough needs analysis to assess the appropriateness of an area and site for the provision of social housing, including access to services.

Planning permission for use of the land as dwellings is not required in this instance and I have no remit to consider the social implications of the proposed housing's location in proximity to licensed or gaming premises.

This proposal is currently under assessment and my decision will take into account the comments of Brimbank Council. As such I do not believe a meeting to be necessary.

Timber industry: log exports

Raised with: Treasurer

Raised by: Mr P. Davis

Raised on: 8 December 2009

REPLY:

I understand that VicForests has been focused on working constructively with Fenning Bairnsdale in assisting with the immediate shortfall of log supply for their existing operations. Further, as part of its continuing consultation and communication with its customers, VicForests has informed Fenning Bairnsdale of progress in modelling future resource availability taking into account the February 2009 bushfires. I am further advised that VicForests and Fenning Bairnsdale are working together to examine how best to meet Fenning Bairnsdale's expected future timber demand.

I am also informed that VicForests has been in discussion with a number of parties, including Fenning Bairnsdale, who are interested in the type of resource that Fenning Bairnsdale would like to secure for their proposed new plant. This is a positive sign and reflects potential investment in the industry and in regional Victoria.

VicForests will finalise the availability of future resource and the next round of competitive sales processes once the review of the Allocation Order, consistent with the *Sustainable Forests (Timber) Act 2004*, is gazetted by the Minister for Environment.

It is important to note that the recently released Timber Industry Strategy (TIS), developed in close consultation with Victoria's timber industry, seeks to address industry concerns regarding surety of resource supply from public native forests. The TIS has been well received by industry and its implementation during 2010 is a government priority.

WorkSafe Victoria: WorkHealth program

Raised with: Minister for Finance, WorkCover and the Transport Accident Commission

Raised by: Ms Tierney

Raised on: 2 February 2010

REPLY:

I am informed that:

WorkHealth is a world first program aimed at reducing the risk of chronic disease across Victoria's working population. The program, delivered by WorkSafe Victoria, includes free health checks for Victorian workers and funding, tools and resources for employers to introduce health promotion activities into their workplace. To date, WorkHealth has delivered more than 71 000 WorkHealth checks to Victorian workers, and over 3800 businesses have applied to participate.

WorkSafe recently launched a major state-wide media campaign, including television, radio, press and online advertising, to raise awareness and encourage employers and workers to get WorkHealth checks started in their workplace. The campaign is supported by a mail out to all Victorian employers providing them with the necessary information to sign up for health checks. Already the campaign has resulted in a seven-fold increase in applications for the WorkHealth checks.

WorkSafe's ongoing state-wide marketing and promotions effort will be supported through the year with a series of major community events, including offering free WorkHealth checks at 11 VCFL Games of the Month across regional Victoria.

Since June 2009, more than 6000 workers in Western Victoria have had a WorkHealth check and over 350 applications have been received from employers in this region keen to offer the checks to their staff.

There are currently 12 endorsed health service providers delivering the checks across Western Victoria, including community based providers such as Ballarat District Nursing, Moyne Health Services, Royal District Nursing, Western District Health Service and West Wimmera Health Service. Each of these providers is supported by WorkSafe to promote WorkHealth checks in their local community and encourage employers to sign up for the checks.

Employers and workers in the Western Victoria Region can visit the WorkHealth website www.workhealth.vic.gov.au, call 1800 136 089 or visit their local WorkSafe office for more information about the WorkHealth initiative and WorkHealth checks.

Princes Highway–Lake Tyers Beach Road, Lake Tyers: safety

Raised with: Minister for Roads and Ports

Raised by: Mr Hall

Raised on: 2 February 2010

REPLY:

I am informed that, as at the date the question was raised.

The work at the intersection of Princes Highway and Lake Tyers Beach Road has been funded under the Brumby Government's Greyspot Program. Safety improvements under this program aim to reduce crash risk and prevent crashes before they occur.

More than \$16.6 million has been allocated under this innovative program to upgrade 61 'Y' intersections across the State into 'T' intersections, including the conversion of the Princes Highway and Lake Tyers Beach Road intersection.

MUARC road safety research has found that converting 'Y' intersections into 'T' intersections can reduce crash risks by up to 85 per cent.

VicRoads has undertaken a range of on-site inspections, design reviews and independent safety audits at this intersection. In response to this work, and the views expressed by residents in Lake Tyers, VicRoads will look at minor measures that may further enhance safety at this intersection.

Footscray: traders

Raised with: Minister for Local Government

Raised by: Mr Finn

Raised on: 2 February 2010

REPLY:

Maribyrnong City Council, along with all other councils, has been given statutory powers to regulate parking within its municipal district for the purpose of providing for safe, efficient and equitable road use. It is up to each council to determine the scope of administering and enforcing this important responsibility subject to any legislative constraints.

All community organisations - including traders' groups – are strongly encouraged to continue to work with their local council to ensure that their concerns are being satisfactorily considered and that the council is providing appropriate services subject to any financial constraints and within its overall capacity to meet competing needs of the wider community.

WorkCover: claim

Raised with: Minister for Finance, WorkCover and the Transport Accident Commission

Raised by: Mr Rich-Phillips

Raised on: 3 February 2010

REPLY:

I am informed as follows:

WorkSafe Victoria has investigated this issue and responded to several enquiries about this matter both from and on behalf of Mr Jones, who is seeking to be paid the cost of a Nintendo Wii Fit video game console in respect of his claim.

I am advised that GIO, in reaching its decision to reject the claimed cost, considered a report provided by a doctor who was supportive of Mr Jones needing the Nintendo Wii Fit. GIO reviewed the whole of the clinical information contained in the doctor's report provided to it and concluded from this information that the device was not a reasonable medical and like cost that would be required for the rehabilitation of Mr Jones' work-related injury under the provisions of the *Accident Compensation Act* 1985. Mr Jones referred his dispute about this issue for conciliation. He was issued an outcome certificate and may now take the matter to court.

WorkSafe investigated this matter and found no misrepresentation of the doctor's opinion by GIO in their decision.

Workers compensation: claim

Raised with: Minister for Finance, WorkCover and the Transport Accident Commission

Raised by: Mr Rich-Phillips

Raised on: 4 February 2010

REPLY:

Regrettably a letter from QBE Workers Compensation (Vic) Limited (QBE) was sent in error to Mr Verity advising that the employer excess had not been met.

On 9 February, a QBE Customer Service Manager spoke with Mr Verity retracting the request for payment of the excess and offering an explanation and apology.

Patterson Lakes: water quality

Raised with: Minister for Water

Raised by: Mrs Peulich

Raised on: 4 February 2010

REPLY:

Melbourne Water (MW) advises that it is aware of residents' concerns about the quality of water in the Quiet Lakes. MW has investigated the type of blue-green algae in the lakes and has found that it does not produce toxins. However, it can cause skin irritation and rashes in a small number of people.

MW has trialled potential solutions to reduce the presence of blue-green algae in the Quiet Lakes. These include:

- adding powder to the surface of Lake Carramar in an attempt to stop the release of key nutrients involved in algal growth; and
- trialling several different aeration and pumping systems.

In 2008 Monash University completed a study, commissioned by MW, looking at the potential impacts of increased salinity on blue-green algae levels. The study indicated that increased salinity could potentially reduce blue-green algae but not eliminate it.

MW also advises that it has recently undertaken a survey to gain a better understanding of community views and expectations for managing the Quiet Lakes. Survey results are expected to be available to the community by March 2010. The results will enable MW, in consultation with the Patterson Lakes Advisory Committee (PLAC), to determine options for managing blue-green algae in the lakes to achieve the best possible water quality. MW will work with the PLAC to ensure all residents are kept informed.