

Mr DAVIS (Southern Metropolitan) — I move:

That this house —

(1)notes that —

(a)Premier Daniel Andrews announced on Sunday, 7 February 2016 that the government was proceeding with a rail-over-road ‘sky rail’ for almost 9 kilometres of the rail corridor between Caulfield and Dandenong as part of the government’s commitment to remove level crossings;

(b)this announcement was at variance with the community’s understanding of the government’s election commitment and the community has not been properly consulted since the election;

(c)while this house supports the removal of level crossings, the government has no mandate to remove level crossings with an extended elevated railway option given its visual impacts, potential noise impacts and the lack of community support; and

(2)calls on the Andrews government to —

(a)listen to the community;

(b)complete a full environmental effects statement;

(c)ensure key planning powers remain with local councils given the impact of these proposals on adjacent public and private land and the need to integrate other local planning objectives; and

(d)pursue an alternative model consistent with its election promise which sees rail put under road.

It is now the point to put on the record a number of the steps that have occurred with this extraordinary sky rail that the government is proposing. It is worth putting on the record at this point that prior to the state election the Labor Party, then in opposition, made an announcement that it would remove 50 level crossings over two terms. And given that, I do believe, and I think most in this chamber believe, that the government has support from the community to proceed with the removal of level crossings.

But the government, then the opposition, prior to the election was very clear that these level crossings would be removed by rail going under road. The Project 10 000 document has clear quotes that this was the case. There is in fact video footage of the now Premier, then the Leader of the Opposition in the Assembly, very clearly demonstrating visually that the mechanism that was to be used was rail would go under road. There might have been small humps here and there with particular locations, but nowhere prior to the election was the concept of a long, elevated viaduct-type system going for many kilometres through established and densely settled suburbs considered by the community or by the Labor Party or put into the public domain.

Let us be very clear about the impact of such a model. This is a 1950s, old-fashioned, cheap and unsatisfactory way of removing level crossings. It is ugly and it is impactful on the community visually but also through noise. On this matter the government has been saying, ‘Well, the noise will be lesser’. I for

one do not believe the government's assertions on this. If you put rail 50 or 60 feet into the air, it is going to boom out over long distances. Those who live near elevated rail now know that that is the case. People can hear that rail many kilometres away. So the impact on the community, on families and on the quiet enjoyment that has been part of many of our established suburbs will be profound. Whatever option the government considers, whatever baffling, whatever attenuation and whatever noise control it puts in place, it is very clear that the government could do better by putting the rail line into a trench and putting it lower than the current proposal for a sky rail.

Let us also be clear that the sound one hears from such an elevated rail will travel very, very big distances. Let me also be quite clear that the government has not dealt with the visual impacts, and these are very large concrete structures. The government is now out consulting on minor details such as the colour of the concrete and where the car parking can be placed underneath the sky rail, but it did not consult on the concept of the sky rail. It is important to put those points about consultation on the record.

The government went through its various focus groups in the community — and these were carefully selected focus groups. There is a strong suspicion that people who live near the railway line were excluded. In fact some individuals were told that, 'You cannot be on the panel because you are too close to the railway line and you have a conflict of interest'. I would have thought having a conflict of interest is the wrong way to describe someone with a genuine interest in having a monstrous sky rail foisted upon them and their family. I would have thought they had every right to have a role, to have their say and to make their points to the government.

It is important to note that at these focus groups there were a small number of options presented. At some of the focus groups there were four options described to me by a number of people who attended. Some of them had more elevated-type patterns but not, clearly, very long distances. Others had trenches as an option. I note that one describes the trench options that were presented as having razor wire or barbed wire along the edge of those trenches. That of course is not the model that the community would expect. The community would expect a very well finished trench arrangement.

It is not as though the community is unaware of models where this has been done successfully. For a long time the President in this place advocated for Springvale Road to have a grade separation. That model has achieved a good outcome, with the railway underneath the station, at a lower level, and the road going over the top. Recently we have seen a level crossing removal that was funded by the previous government completed at Burke Road. That is a great

outcome for the community. No longer are people stuck at traffic lights at Burke Road. Indeed they can now move freely and the trains can move more freely. That is an option — with the rail underneath the road. It is not an option with a sky rail or some other option that is intrusive and unacceptable in its impact on the local community.

It is important also to recognise that the impact on local communities of these developments, of level crossing removals, is significant. Local councils have every right and indeed a responsibility on behalf of their ratepayers and residents to advocate for good outcomes. The level crossings are often at the centre of community activity — near shopping centres or near community facilities — and the role of councils is to actually advocate and ensure that the level crossing removal solution that is used in their particular location is a good one and delivers an integrated solution that fits with the other institutions and the other land uses in and around the crossing. If there is parkland, a school or a shopping centre nearby, the level crossing removal outcome must integrate with that and must recognise the need to preserve amenity in those areas and to increase connectivity to ensure that the outcome is a financially responsible one — and I put on record our commitment to a financially responsible outcome — but at the same time looking at the fact that this is actually a long-term outcome that we are talking about here.

This is a 100-year result that we are talking about here, a 100-year and longer outcome that will define and shape local communities for at least that period into the future. If this is gotten wrong, the communities will suffer for a long time. If we get a sub-optimal outcome — if we get an ugly sky rail, an ugly outcome, that is intrusive on the community and impacts on visual amenity — that outcome will be something that this generation, the next generation, the generation beyond and likely the generation beyond that live with. Nobody is going back to tinker with or refix these level crossings if they are done wrongly by Daniel Andrews and his government.

Why is it that at Burke Road we can put the rail down under the road, why is it that in locations in the Bentleigh electorate, in another area of Glen Eira, we can put rail down under road and yet in this area, where we know it is technically possible, we cannot — with a Labor government, a Daniel Andrews government — seem to be able to put rail under road?

Some have said that the reason why the rail cannot be put under the road is that the water table up near Grange Road is high. This is the biggest amount of bunkum that has been heard for a long period. We have seen that the government is advocating a major metro project which will put a tunnel under the Yarra, through the silt, water and all the technical difficulties there. I am not

denying that engineering solutions may need to be found in certain locations, but we have very bright engineers. They have been able to do grade separations successfully in all manner of areas. I have no doubt that grade separations could be done on the Caulfield to Dandenong section of the line and that those grade separations could be achieved in a way that is consistent with rail under road over a lengthy distance.

If you think of the shape of these trenches that would be cut in a potentially cut-and-cover option, there may be opportunities to roof some areas of that and to provide greater connectivity. What is clear is that providing the connectivity of the road going over will actually ensure that communities can be brought together successfully.

I think it is important to place on the record some details about the government's election commitments. As I said, key documents like Project 10 000 and a number of electronic versions of Premier's statements make it clear that the Labor Party intended or at least claimed to intend to put rail under road. Nowhere has anyone pointed to a sky rail option as being discussed prior to the election. Nobody voted for a sky rail. The point here is that the community should have the opportunity to give consent to these sorts of major projects.

They should have the opportunity to have their say, and hoodwinking the community before the election, as Daniel Andrews appears to have done here, has led to the sort of savage reaction that we are now seeing in many of the communities along the Glen Iris, Monash and Dandenong sections of the line.

I want to say something about the nasty responses that have occurred in the community. There are those who are very close to Mr Dimopoulos in the Oakleigh electorate who have been trolling and attacking many of the community activists, and I think this is frankly disgraceful. I can also point to examples of businesses in the community which have been threatened by Labor people and told, 'If you don't pull down signs and remove petitions, you will be targeted, you will be attacked'.

I will give one example to the chamber of the nasty turn that has been taken with a number of responses from government members and those associated with the Labor Party. Mr Dimopoulos has been very direct with a lot of community members — and in a nasty way. In another example, out in Noble Park one family who live near the railway line chose to paint writing on their fence opposing the sky rail, as they are democratically entitled to do. They were having their say. They felt hoodwinked; they did not vote for a sky rail. Yet now we know that that particular Greek family has received phone calls. These phone calls occur when an elderly member of the family is known to be home

alone, and they go to the effect of saying, ‘You’re against the trains. We’re going to fix you up’. These calls have been reported to the police.

Make no mistake: Labor people are out in a very nasty way trying to put the kibosh on those who want to have their democratic say.

Mr Finn interjected.

Mr DAVIS — They are. Many of them are thugs. They are trying to put pressure on individuals who genuinely have serious concerns. Think about that area in Noble Park where the government is seeking that this proposal proceed. I have been informed by a significant number of people about the consultations taking place out there, and as I understand it the government intends to widen the area in which the railway line is confined. It intends to knock down huge stands of longstanding red gums, some of which are well over 100 years old and some of which are claimed to be more than 200 years old. Those red gums will be sacrificed for a sky rail, when in fact a trench in the current area occupied by the railway line could have been a successful outcome. You have to say that that outcome will diminish the amenity of that area of Noble Park, not only through the imposition of a sky rail but through the loss of significant vegetation. Parts of the corridor between Carnegie and Poath Road will also see significant destruction of vegetation and established trees in particular. That is a community concern, and I have had it expressed to me many times over recent weeks.

Now we know that the alignment is well advanced. The government is beginning to tell people that railway lines will be brought much closer to their houses than they are currently, and the arrangements will impact very severely on a number of people.

The consultation, though, was not of the kind that actually dealt with the idea of a sky rail. The consultation went along the following lines: ‘Do you agree with level crossing removal?’ — and strangely there is overwhelming agreement across the community about level crossing removal. As I said, the opposition and others in this chamber all support the concept of level crossing removal. Then the consultation turns to the option of rail under road or road under rail, but again these broad consultation sessions that are conducted in local community centres have no pictures of this proposal for a long sky rail that goes for many kilometres. ‘What do you think of a long, high, noisy, ugly sky rail?’: nobody has been asked that question in the consultations, and the reason is that the government knows the answer will be that the community does not like it.

That is why the government did not take this proposal to the people before the election and that is why it has hidden the consultation all the way through —

because it is proposing an ugly, nasty, bad outcome. It is a bad solution for the community, and the fact is the government did not want to offer this at the election. It did not want to say, 'We're going to remove the level crossings but we're going to replace them with a long, high, intrusive sky rail'. Let me tell you: people would not have voted for that, and that is why they now feel duded, hoodwinked and taken for granted — because they were not given that option before the election. They were not told the truth before the election. They were hoodwinked, and that is why the community are angry.

The community is also becoming increasingly angry in Mrs Peulich's area, down along the Frankston line. Other areas along the Frankston line, in the Bentleigh electorate, are getting the good treatment. They are getting the rail-under-road cut option, with a road going over the top. It is true — and I put it on record — that this option may require more time and will cause some greater impact on the community along the way, but the community also understands very well that you need to break eggs to make omelettes. The community understands that you cannot do these major infrastructure projects without some dislocation, without some disorder, without some impact on travellers and without some impact on the local community. The members of that community do understand that.

They support the removal of level crossings and they understand that what comes with that is some impact as the process occurs. But what they want is a good outcome in the long run. They want a good outcome that does not impact badly on the community in the long run.

I make the point further that some of the Level Crossing Removal Authority's (LXRA) activities in recent days have been extraordinary. The individuals and families who have properties quite close to the railway line have sought briefings and the government, through the Level Crossing Removal Authority, is providing one-on-one briefings. But when people attend those one-on-one briefings the Level Crossing Removal Authority comes in with its 3D model. People have said, 'Do you mind if I have a neighbour with me?' The answer is, 'No, you cannot have a neighbour with you'. Some have said, 'Do you mind if I bring my lawyer?', and the level crossing authority has said, 'No, you cannot bring your lawyer. You are not allowed to have a lawyer or an advocate with you'. Some have said, 'Do you mind if I bring an older family member who is experienced in construction?', and the answer is, 'No, these briefings are to be provided to that family alone'.

People have said, 'Do you mind if I take a photograph with my mobile phone of the material that you are showing me?', 'Can you give me a printed copy of the material from the 3D model?', and the answer is, 'No, you are not entitled or

allowed to take a photograph of the 3D model'. Let me be quite clear: this 3D model the government is claiming is part of its consultation.

Leaving aside for the moment the fact that this is consultation after the announcement that they are doing a sky rail — it is a consultation about the minor detail of whether the paint will be grey or yellow or green or some other colour, and the shape of the concrete — the idea that that consultation would be a formal process and you would not be allowed to take away the relevant documents to examine those documents, to understand the documents, to properly assess the documents, to seek third-party opinions about the documents is extraordinary. We are in a sort of totalitarian moment when the LXRA, that strangely named and obscure beast that it is becoming, is so vociferous that you cannot take a screenshot of the 3D model that is being offered.

And I have got to say that the 3D model is a shock to many people. When they move the model around and they look up, they see the scale of this sky rail right near their back fence, these massive pillars going up into the sky. And let us be clear about this too; the government has been wandering around and the Premier has said himself in media statements that it will be 9 metres high. Well, I am here to tell the community now that that is actually not the truth. The Level Crossing Removal Authority in its own documents and public consultations in the last few days has been talking about 12.5 metres with a 2.5-metre variance — 12.5 metres is much greater than 9 metres, with a 2.5-metre variance. You could be talking about a height of up to 15 metres. That is a very high imposition on the community.

'Can I please have a copy of the shadowing studies?', some have asked the LXRA, that Orwellian-named body. The LXRA says, 'No, you cannot have copies of the shadowing studies'. Then they say, 'Can I have a copy of the documents on which you are relying in terms of the vibration and sound?'. The answer is, 'We'll see'. No-one has yet been given the sound studies, the contours that must go out a long way, how many decibels at this distance, how many decibels at 1 kilometre, 2 kilometres, 3 kilometres, 4 kilometres, 5 kilometres out from the sky rail. How loud will the sound be when you are 3 kilometres away from the sky rail? Well, the fact is no-one knows. We know that if you are 3 or 5 kilometres away from the current rail, you can on certain occasions hear the trains. But it is mainly on quiet nights. It is mainly at times when the sound travels a significant distance. But if you stick this sky rail up in the air on massive concrete stalks and the sound booms out, I can tell you it will be heard at 3 kilometres, it will be heard at 5 kilometres, and on quieter nights it may be heard at even greater distances than that.

The government says, ‘It is quieter than the current model’. No, that is not the comparison. The comparison is: how much sound is there when it is down in a trench with proper attenuation and baffling, as opposed to how much sound there is when it is up on stalks 50 feet in the air with attenuation and baffling added to that. Which is more noisy — 50 feet in the air or deep in a trench underground? The answer is — —

Ms Shing interjected.

Mr DAVIS — No, it actually does not. Equal attenuation and baffling will see lower sound when it is down low rather than when it is way up in the air.

Mr Barber interjected.

Mr DAVIS — But either way, Mr Barber, even if we thought you were right on this, what we want to see are the studies that prove it, and we have not seen those studies as yet; we have not seen them. That is why we have asked through the documents motion today for all of those studies to be put in the public domain.

I have got to say — let us be clear about this — the shadowing studies are in the same category. I notice the LXRA has been giving people some information about shadowing, but it has been giving them information on the equinox day.

Ms Shing interjected.

Mr DAVIS — No, these are one-on-one consultations on shadowing and other matters, but they are actually providing information on the equinox. If your house is going to be overshadowed, you would want to know what it is going to be on the solstice days I would have thought. Would you not have thought that it should be on the solstice day?

I have got to say that I am certainly communicating with my electorate, and I am going to keep putting out communications to the electorate until the government comes clean on its nasty sky rail.

I have got to say this is very important to make sure that people know what is actually occurring, and I will be pushing very hard to make sure that the community gets the outcome that they voted for and the outcome that they deserve.

The government needs to listen to the community. There were nearly 1000 people at the rally on the day the Premier announced his ill-fated sky rail — nearly 1000 people. People were angry. People are agitated. People want

an outcome that is not the sky rail. I want to make the point very much here that listening to the community is not just a retrospective listening to the community; it is why we need to take a step back.

On the environment effects statement (EES), Mr Wynne in the lower house was asked, as planning minister, about whether an environmental effects statement would occur, and he has not been definitive on whether an environment effects statement will occur. But let me be quite clear. The submission documents that are being handed out at the moment by the Level Crossing Removal Authority make it clear that the submissions made by the community will be handed to the planning minister and will be part of the formal assessment and consultation process.

So those documents will go — and I think the community needs to be quite clear about what is occurring here — to the government; it is going to take those, and Mr Wynne will make an assessment about whether there is an environment effects statement. Will he make a proper environment effects process a requirement? That is not clear yet, and I say that there must and should be a proper environment effects process. I think that this is a very significant project, and the community has every right. Now, if the government is going to use the Major Transport Projects Facilitation Act 2009 as its basis, Mr Wynne will still need to make assessments, and those consultation documents — the so-called submissions — need to be very clear that an environment effects statement is required by the community, and I think this chamber should send a very clear message that an environment effects statement is required.

It is also important that many of the powers remain with local councils. Now, we have seen in the case of the level crossing removals in the southern part of the City of Glen Eira that the Minister for Planning has taken greater powers on himself. He has taken powers over significant tracts of land in and around those level crossing removals. Now, those level crossing removals are not contentious in their design, they are not contentious in the way that they are formulated and the community in general support that process in the southern part of Glen Eira. That is a good point.

Mr Dalidakis — You should speak for as long as you can.

Mr DAVIS — Well, you would actually agree with me.

Mr Dalidakis — Because when you stop, I'm going to speak until 5 o'clock.

Mr DAVIS — No, I am not; I am the lead speaker, and I am nearly finished. So there you are. The point is that in that area there the Minister for Planning

has taken these powers upon himself and removed them from local councils. I think that Glen Eira and Monash and Dandenong ought to be very clear that they do not want those powers removed in this case. They need to be quite clear that they want to retain their powers, and they need to fight for them to ensure the integration of other local planning objectives and to ensure that proposals on adjacent public and private land are properly adhered to and properly focused on.

I also want to say something about the proliferating sky rail options that this government has. It is clear that the rumbles coming out of the deep part of the bureaucracy are that the government is going to do a sky rail option on the Frankston line and all of those level crossings through Carrum, Bonbeach and Edithvale are to be removed by a sky rail option. That would also be a travesty. It would not be what the community would support. I know from the south ward meeting on Thursday night last week, where I spoke to many local residents, I did not meet a single individual who thought the sky rail option was what they voted for or what they wanted. In fact it was very clear that they had voted for rail to go under road. They had very clearly in their minds models like Burke Road, models like Springvale Road — other models where the rail is under the road and the impact on the community is diminished in that way.

What I would also say is the government appears to be fighting with itself. Many of the Labor backbenchers are finally beginning to grow some spine; many of the Labor backbenchers are now prepared to talk out. I do not know why Sonya Kilkenny from the Legislative Assembly was not at the south ward meeting the other night, but if I was her I would have been at a meeting of that substance in my electorate. I noticed that Mr Richardson was. I do not think he was having a good time of it, if I can put it that way. I think he was probably looking at that as one of the outings that he would have preferred he had not been at. But at least he had the courage to show up, and he is prepared, I understand, in the Labor Party party room to begin standing up. But he has got to do a bit more than just stand up in the party room.

The reality is that this should be coming to the Parliament as a proper, fully fledged bill to build this sky rail, if that is what the government believes is the way to go. There should be a full bill that the Parliament should be able to vote upon — members in the lower house, members in the upper house — and with full input from the community. It is very clear, though, that the community is beginning to move very strongly against this proposal. At Monash council last night there was a long and difficult meeting with more than 150 people in the chamber. Labor councillors reverted to form and they voted against the community's interest — in effect to support a process that will facilitate the sky rail. I am well informed there were only two councillors who were prepared to

fight against the sky rail in this particular case. You have got to wonder why Cr Perri, as mayor, would not be protecting her community. You have got to wonder why she is prepared to sell out the community to support the Labor Party.

Honourable members interjecting.

Mr DAVIS — Sell out the community and support the Labor Party in what is a monstrous proposal for Monash. Think about Clayton Road and Centre Road. The previous government's proposal was for those to go down — for the rail to go under the road. Now some of the councillors on the Monash council appear to be determined to support this high option. Think of Poath Road in that area there. Why are some of the Monash councillors prepared to support the monstrous sky rail through that area?

Think about Glen Eira council, which also met last night. I understand that there were more than 350 people at the City of Glen Eira last night, and it is worth reading the motion passed:

That council —

1. Strongly supports the removal of level crossings in Glen Eira.
2. Write to the Minister for Public Transport copied to the Premier, all members of state Parliament (whose electorates —

including Minister Dalidakis —

include the proposed elevated train line between Poath Road and Caulfield station), the *Herald Sun*, the *Age* and the *Leader* newspapers, advocating for no elevated train line through our city be constructed until after a full and genuine consultation is conducted as to whether this is the community's preferred option and until full reports on noise, environmental, amenity and community impacts, vibration analysis, safety, cost-benefit analysis et cetera are made available for full and open public scrutiny.

3. Place this letter in a prominent position on council's website.
4. Request that representatives of the LXRA (Level Crossing Removal Authority) and state government attend a public forum with council on the issue of the elevated train line, and if they consent, that council organises such forum.

I pay tribute to the Glen Eira council. I think there were a number of councillors there who spoke against the motion, but such was the community antagonism, such was the community heat and such was the community advocacy that those councillors, despite speaking against the motion, did not vote against it in the end. They were very, very noisy against the motion early on and very, very angry with councillors who were pushing this motion, but in the end they were not prepared to vote against it.

I think it is important to put on record that at the City of Kingston also this week a motion was passed:

That council write to the state Premier and minister for transport advising that it is council's view that:

1.the Level Crossing Removal Authority to undertake extensive community consultation prior to developing the proposed grade separation treatments on the Frankston line in the City of Kingston;

2.that community feedback be used to guide and determine individual grade separation treatments on the Frankston line in the City of Kingston;

3.that the community be fully informed of all grade separation site constraints and opportunities; and

4.that individual site grade separation treatments be determined with the community prior to the Level Crossing Removal Authority proceeding to tender the Frankston line grade separations within the City of Kingston.

That of course stands in stark contrast to what has happened in the Caulfield–Dandenong corridor. A cabinet subcommittee took a decision that a preferred option was rail over road in a sky rail last year, and the tenders were informed that the preferred position for this would be a sky rail — and strangely the government has awarded this to Lend Lease. It has not been signed yet but I have to say the Holland consortium has been told, ‘You’re not on, guys — you’ve lost,’ but the consortium from around Lend Lease has been told it has the outcome.

What I am making very clear is that the consultation was not undertaken. It was not undertaken in this case. The community has every reason to be very angry and concerned, and the community I think should expect from this chamber the points that are called for here — that the Andrews government listen to the community, complete a full EES, ensure that key planning powers remain with local councils and pursue an alternative model consistent with its election promise which sees rail put under road. That is what the community wants. That is what the community in Southern Metropolitan Region wants; that is what the community in South Eastern Metropolitan Region wants too. I have met with many people from Noble Park who are very concerned about the impact of this government — —

Mr Dalidakis — Mate, you’ve never been to Noble Park in your life.

Mr DAVIS — I have. I have been many times, actually. I have been many times, and I have got to say the people in Noble Park are very concerned about the outcome. They are very concerned about the high-visibility sky rail being put through Noble Park. Let us be clear about this — —

Honourable members interjecting.

The ACTING PRESIDENT (Mr Elasmr) — Order! I cannot hear Mr Davis. If that becomes...

Mr DAVIS — Noble Park residents have as much right as anyone else to have a good solution, and the arrogant view of the Labor Party that Noble Park residents can be dismissed and in some way treated as second-class citizens, the idea that people between Caulfield and Dandenong should be treated as second-class citizens and given a lesser outcome because the government thinks it can take their electorate for granted, take their votes for granted, is a travesty, and I think the community is pushing back very strongly on that point. The community knows that in some areas the government has taken a different response, but the community knows that it has not been properly consulted. It knows that it did not vote for a sky rail before the election and it did not — —

Ms Shing interjected.

Mr DAVIS — Well, Ms Shing, just let me read you something here. I have a letter provided to me from a resident and it is dated 25 November, 12.11 a.m. It is an email, ‘RE: Mail drop — 50 level crossings’.

Mr Dalidakis — Was it from Karlee Browning?

Mr DAVIS — It was from Steve Dimopoulos, the then Labor candidate for the Assembly seat of Oakleigh. It states:

However, I would be surprised if it is not a lowering of the rail line below the road, as this would make sense for the removal of other crossings along the same path, such as Koornang Road, Murrumbeena Road and Poath Road.

That is what Mr Dimopoulos said in response to direct questions about the model that would be occurring. He said that on 25 November, just a few days before the state election on 29 November 2014. He misled his community. He lied to his community. Let us be very clear about that. He did so — —

Mr Dalidakis — No, he did not. Sorry, that is an outrageous slur.

Mr DAVIS — Well, I’m reading what he actually said. And at public meetings he has been again and again — —

Mr Dalidakis — On a point of order, Acting President, Mr Davis has reflected on a member...

The ACTING PRESIDENT (Mr Elasmr) — Order! I uphold the point of order. I ask....

Mr DAVIS — I withdraw.

The point here is that Mr Dimopolous said one thing to his constituents at public forums before the election and in private correspondence and now something different has happened after the election. Nobody voted for a sky rail. Nobody was offered that option before the election, and the reason why the government — and the Premier, Daniel Andrews, in opposition — did not offer that option before the election is that it is a stinker. It is an absolute stinker. Nobody wants a 1950s-style noisy, ugly, intrusive outcome. If it were such a good outcome, the government would have offered it before the election, but it did not. It has not even done proper consultation since. It announced it early in February without that proper consultation.

Mr Herbert interjected.

Mr DAVIS — Indeed, it did not do that. That is why the documents motion earlier this morning is important and it is why this motion is important.

I pay tribute to those councils who have been prepared to have the fight and actually advocate against the government on this sky rail. I pay tribute to those councillors who have been prepared to speak up. I note that some councillors were not prepared to speak up.

Honourable members interjecting.

Mr DAVIS — Let us be quite clear: those on Labor's side who would attack the community members who are unhappy with this proposal should not be given credit. They should be prepared to step back and say, 'We got it wrong. The community is right and we should listen to the community. We should genuinely consult with the community rather than trying to beat up the community and trying to attack people who have a different view in the community'. They should do that rather than run nasty internet campaigns against people who are prepared to speak up in the community. That is what is going on here. I urge the community to focus on those Labor MPs. I also urge the chamber to support this motion.