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## **Deficiencies in public documents released under SO52 order of 13 May 2020 re the Powerhouse Museum 'move' project.**

This is a brief outline of the problems with this document release and is based on the full assessment. Page numbers refer to the full document, online: see <http://maasbusinesscase.com/0000/SO52/default.html>

### Background

Six years ago today, the Premier of the time announced that the Powerhouse Museum would be moved from Ultimo. Even at the time of the announcement the Government refused to provide evidence that any alternatives had been examined for improving the cultural facilities at the Greater Sydney centre of population, and ever since, the Government has been very reluctant to give information about its plans.

However on 13 May 2020 the Legislative Council, with the support of all parties, sought the release of information about the project, with a list of topics relating to the project, beginning with 'any 2019 revised business case or cost benefit analysis'.

Documents were supplied as public documents and also there was a list of documents not available to the public. The publicly supplied documents were received 10-14 June 2020. Physically, they consisted of 17 document boxes, containing an estimated 20,000 sheets of paper, including multiple copies of a catalogue list of 197 pages and other smaller lists of document titles. With massive help from a small group of people an objective assessment of the documents has been prepared.

### Problems with the released documents

The documents received were so disappointing that it is hard to believe that this was a serious attempt to inform the public. Let us, for the sake of this exercise, assume that this is indeed a legitimate attempt to meet the Legislative Council order. Many questions arise, as listed below. The Government is invited to respond to these questions, and explain why these circumstances apply:

1. Why is there essentially no information about the key point, 'any 2019 revised business case or cost benefit analysis' relating to the project?
2. Assuming the answer to the above is related to the claim that documents are confidential to the Government, as set out in their claim for confidentiality and privilege (see pages 7-8 and 23-26 of our assessment document), the following questions apply:
  - a. Can the Government confirm that the project is not yet 'determined', and that no confidential arrangements or discussions have occurred regarding such matters as the disposal of land at Ultimo or relevant construction contracts?
  - b. If the answer to (a) is essentially 'yes' then why is there any basis for any 'Commercial in Confidence' restrictions?
  - c. If the answer to (a) is essentially 'no' then can the Government demonstrate that the secret arrangements or discussions are clear of any imputation of insider trading?

3. Throughout the entire process only a negligible amount of input can be found from people with significant museum qualifications and / or experience, and this has continued over recent months. See page **Error! Bookmark not defined.** and associated endnote. Why is this so?
4. Why is there no support for putting the publicly available material online, particularly in view of the current circumstances re the Covid pandemic? See page **Error! Bookmark not defined.** for a formal application for having the material available, which has been comprehensively ignored. This process would also remove all the difficulties caused by poor-quality paper copies.

At a more basic level we would like answers to the following:

1. Why are there over 1000 pages, 5% approximately of the quantum received, illegible sheets (page 13`)?
2. What is the relevance of providing multiple copies of the 2017-18 Annual report drafts? See, eg, picture on page 19`.
3. Why are some documents which seem to have trivial or irrelevant content listed as restricted? Example: response to bush fire meeting request, see details page 9`.
4. Why is there so much material that is already available publicly online – at least 5% of the material supplied? See, eg notes on Aurecon page 5 and design competition material page7.
5. Why is there so much duplicated material? See page 11**Error! Bookmark not defined.** For example there are 22 copies of one document (entitled *RE: Power House Museum - Power Distribution Options* dated 18 March 2020 (– hardly of great importance in terms of requested information!). Over 50% of document titles are duplicates, and well over half of the volume of presented material consists of multiple copies.
6. Why does it appear that some duplicates are classified as confidential while others, of the same title, origin and date, ie obviously identical, are released to the public? (see note 2 on page9)
7. Some documents were not released because it was claimed that they contained private personal details. If the documents were of value to the debate, why could these details not be easily redacted?
8. Why was there almost no mention of the *Ultimo Creative Industries Precinct*?

Failing satisfactory answers to the above questions, I submit that the response to the Order is so poor as to be a disgrace to the democratic process. Very little relevant and useful information has been obtained, and that has been achieved through often inferential ‘data mining’ as set out on pages 16 ff.

## Summary of our investigations

About 4000 documents were supplied, well over 20,000 sheets, in single photocopied pages, typically not sorted into subject areas, and not presented as separate documents. Colour documents were reprinted in greyscale, often making data interpretation very difficult.

Eighteen document boxes were initially provided. Access is normally restricted to access to a single copy of released documents during business hours, by appointment. This release was further compromised by Coronavirus restrictions: people wishing to inspect documents had to be escorted to the display area by a Parliamentary staffer, and staffers were either working from home on non-sitting days or often too busy on sitting days to provide this escort. Only one person at a time could be admitted.

Knowing of these difficulties, the group of people inspecting the documents made careful preparation. A full, searchable list of documents was prepared, online at <http://maasbusinesscase.com/0000/OS052/default.html> . Searchers sought general documents

rather than matters of detail, new material rather than material already on line, and in particular evidence of critical examination of the whole project. Between the three people who worked on this project all that could be done was to quickly check most of the documents and make general observations.

Only about 20 person-hours of inspection time could readily be made available, and about 1000 pages of documents were photocopied and examined offsite by a number of experts in museum work. However though it had been intended to continue the examination it was agreed at the end of October that the quality and relevance of the documents was such that additional investigation was simply not worthwhile. These are the facts that led to this conclusion:

1. At the outset the release of the documents was gravely restricted by the Government's claims of confidentiality. The Government regarded the release of much of the material required as being detrimental to the public interest. The result is that it is quite impossible to develop such things as a summary budget.
  - a. Particularly there is no mention of the processes of independent review that were claimed in the response to the Inquiry Finding that the proper processes for the development of the released business case had not been followed. The public has to accept that as well as not being able to see the basic information there is absolutely no information about the results of the assessment or even the slightest information about how it was assessed.
  - b. Also there is no information about the briefs given to the people who are doing the work. A particular example is the choice of, and briefing details of, the consultant who provided an 'independent' assessment of the heritage values of the Ultimo Tram Shed. The assessment was restricted to the original Powerhouse buildings and or feeling is that this was done to downgrade the heritage importance of the whole complex – original converted buildings plus the award-winning extension plus the Harwood building which was converted into a state-of-the art storage and curatorial facility.
2. A considerable proportion of the documents provided are irrelevant or illegible. There were at least 1200 illegible pages as per the example on page 15 and several groups of about 500 pages that were completely irrelevant, such as successive drafts of the 2017-2018 MAAS annual report.
3. About 50% of the documents were duplicates. See page 11.
4. A considerable portion of the documents provided are readily available online. 1½ boxes, for example, consist of the output of the PR firm Aurecon during late 2019 and early 2020, accessible from <https://www.planningportal.nsw.gov.au/major-projects/project/26576?fbclid=IwAR0bB-du2l8qvLLOoTEoS-6fBmRsQNumHAwb5O2hQsqaoxFSoeAtba7vx1l> .
5. The overwhelming majority of the material concerns Parramatta. Ultimo Creative Precinct is not mentioned in any document title. The majority of the Ultimo references are to the *Ultimo Tramway Power House* – this title is never used except by the Government's application for heritage listing only of the original buildings. There is very little information about the adaptation of the Pyrmont buildings and what information there is inconsequential.