



Mr Michael Brown MP
Parliament of South Australia
Unit 1/3 Wilkinson Road
PARRA HILLS SA 5096
Via email: florey@parliament.sa.gov.au

Dear Mr Brown MP

I am writing in relation your application made under the *Freedom of Information Act 1991* (the FOI Act) seeking access to the following:

All electronically searchable documents (including but not limited to reports, briefings, emails, notes, minutes, plans and other documents) mentioning or related to the firm of Pyne and Partners, Hon. Christopher Pyne or Mr. Adam Howard. Dated from 17/03/2018 to 22/03/2022.

In accordance with Premier and Cabinet Circular PC045, if you are given access to documents as a result of this FOI application, details of your application, and the documents to which access is given, may be published in the agency's disclosure log. A copy of PC045 can be found at <http://dpc.sa.gov.au/what-we-do/services-for-government/premier-and-cabinet-circulars>.

A search has been conducted and four (4) documents were discovered that fall within the scope of your application. The documents are identified in the attached schedule. In respect of the documents, I have determined that they can be released as follows:

Documents 1 and 2

I have determined that these documents should be released in part.

The parts to which I have not granted you access are the details of third parties including names, mobile telephone numbers and email addresses.

Under Clause 6(1) of Schedule 1 to the FOI Act, a document is an exempt document if its disclosure would involve the 'unreasonable disclosure of information concerning the personal affairs of any person'. This information falls within the definition of personal affairs under the FOI Act and is therefore exempt from release pursuant to Clause 6(1).

Document 3

I have determined that this document should be released in part.

The parts to which I have not granted you access contain information relating to the business affairs of third parties.

Under Clause 7(1)(c) of Schedule 1 to the FOI Act a document is an exempt document if it consists of information concerning the business, professional, commercial or financial affairs of any agency or any other person. This document contains information concerning the business affairs of a private company, the disclosure of which could reasonably be expected to have an adverse effect on those affairs.

In considering the grounds for exemption of information under Clause 7, I have considered the public interest in disclosure or non-disclosure as follows:

Factors in favour of releasing this document

- Enhancing the scrutiny of government decision making.
- Furthers the objects of the FOI Act.
- Promotes the accountability of the agency and its staff.

Factors against releasing this document

- Ensuring the effective conduct of government functions.
- Protecting the business affairs of third party companies.
- Disclosure would release business information not available publicly.
- This could affect the free flow of information to government.

On balance, I have determined that it is contrary to the public interest to release the information that has been redacted under Clause 7(1)(c).

Document 4

I have determined that this document should be released in part.

The parts to which I have not granted you access contain the details of third parties including names, mobile telephone numbers and signatures of employees, and information relating to the business affairs of third parties.

Under Clause 6(1) of Schedule 1 to the FOI Act, a document is an exempt document if its disclosure would involve the 'unreasonable disclosure of information concerning the personal affairs of any person'. This information falls within the definition of personal affairs under the FOI Act and is therefore exempt from release pursuant to Clause 6(1).

Under Clause 7(1)(c) of Schedule 1 to the FOI Act a document is an exempt document if it consists of information concerning the business, professional, commercial or financial affairs of any agency or any other person. This document contains information concerning the business affairs of a private company, the disclosure of which could reasonably be expected to have an adverse effect on those affairs.

In considering the grounds for exemption of information under Clause 7, I have considered the public interest in disclosure or non-disclosure as follows:

Factors in favour of releasing this document

- Enhancing the scrutiny of government decision making.
- Furthers the objects of the FOI Act.
- Promotes the accountability of the agency and its staff.

Factors against releasing this document

- Ensuring the effective conduct of government functions.
- Protecting the business affairs of third party companies.

- Disclosure would release business information not available publicly.
- This could affect the free flow of information to government.

On balance, I have determined that it is contrary to the public interest to release the information that has been redacted under Clause 7(1)(c).

Exemptions

For your information, the following exemptions apply:

Clause 6 – Documents affecting personal affairs

- (1) *A document is an exempt document if it contains matter the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).*

Clause 7 – Documents affecting business affairs

- (1) *A document is an exempt document –*
- (c) *If it contains matter –*
- (i) *consisting of information (other than trade secrets or information referred to in paragraph (b)) concerning the business, professional, commercial or financial affairs of any agency or any other person; and*
 - (ii) *the disclosure of which –*
 - (A) *could reasonably be expected to have an adverse effect on those affairs or to prejudice the future supply of such information to the Government or to an agency; and*
 - (B) *would, on balance, be contrary to the public interest.*

Appeal Rights

If you are dissatisfied with this decision, you are entitled to exercise your rights of review and appeal as outlined in the attached documentation.

Yours sincerely



Julianne Cirson
Accredited FOI Officer

31 May 2022

SCHEDULE OF DOCUMENTS

Freedom of Information application by Mr Michael Brown MP, seeking access to:

All electronically searchable documents (including but not limited to reports, briefings, emails, notes, minutes, plans and other documents) mentioning or related to the firm of Pyne and Partners, Hon. Christopher Pyne or Mr. Adam Howard. Dated from 17/03/2018 to 22/03/2022.

Doc No	Description	Exemption Clause(s)	Determination
1	Email dated 14 September 2020	Clause 6 – Personal affairs	Document released in part
2	Briefing to Minister dated 16 December 2020	Clause 6 – Personal affairs	Document released in part
3	Attachment 1 to Briefing dated 16 December 2020	Clause 7(1)(c) – Business affairs	Document released in part
4	Meeting Brief for Minister regarding meeting of 12 August 2021	Clause 6 – Personal affairs Clause 7(1)(c) – Business affairs	Document released in part

Whelan, Natalie (DEM)

From: Day, Richard (DEM)
Sent: Monday, 14 September 2020 12:56 PM
To: Martin, Alycia (DEM)
Subject: Re: CM: Meeting request - Pyne & Partners

Yep, fire away and I'll be there

Cheers

Richard

On 14 Sep 2020, at 12:55 pm, Martin, Alycia (DEM) <Alycia.Martin@sa.gov.au> wrote:

Hey Richard,

Are you free Thursday at 2pm to meet with Bustech and Dom ?

Meeting is in person .

Thanks

ALycia

From: Martin, Alycia (DEM)
Sent: Monday, 14 September 2020 12:18 PM
To: Rehmann, Airlie (DEM) <Airlie.Rehmann@sa.gov.au>
Subject: FW: CM: Meeting request - Pyne & Partners

Hi Airlie,

Is Richard free at 2pm on Thursday ?

From: [REDACTED]@pyneandpartners.com.au [REDACTED]@pyneandpartners.com.au
Sent: Monday, 14 September 2020 12:01 PM
To: Martin, Alycia (DEM) <Alycia.Martin@sa.gov.au>
Subject: RE: CM: Meeting request - Pyne & Partners

Hi Alycia

Thanks for getting back to me.

That sounds great. What time on Thursday afternoon suits Dom and Richard?

We are happy to come to you.

Warm regards

Clause 6(1)
[REDACTED]

<image003.png>

Clause 6(1)

W: www.pyneandpartners.com.au

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From: Martin, Alycia (DEM) <Alycia.Martin@sa.gov.au>

Sent: Monday, 14 September 2020 11:47 AM

To: @pyneandpartners.com.au

Subject: RE: CM: Meeting request - Pyne & Partners

Hi ,

Thank you for your email, in the first instance could we please organise a meeting with the Minister's Chief of Staff, Mr Dominic Kelly and The Director of Clean Energy Transition Team, Mr Richard Day this Thursday afternoon if possible?

The meeting will occur at level 17 25 Grenfell Street, or through MS Teams if preferred.

I look forward to hearing from you.

Kind regards

Alycia Martin

Executive Assistant

to the Hon Dan van Holst Pellekaan MP

Minister for Energy and Mining

Level 17, 25 Grenfell Street | Adelaide SA 5000

T: 8429 3642 E: Alycia.martin@sa.gov.au

From: @pyneandpartners.com.au <@pyneandpartners.com.au>

Sent: Friday, 4 September 2020 10:22 AM

To: Martin, Alycia (DEM) <Alycia.Martin@sa.gov.au>

Subject: RE: CM: Meeting request - Pyne & Partners

Hi Alycia

I hope you're well.

Thank you for your time on the phone earlier today.

Bustech are a bus manufacturing company, with an increasing focus on electric and hydrogen busses. They are looking to inform the Minister of their operations and are keen to receive any advice from the Minister about how they can work together to increase the use of electric busses.

I can send through more information if required, so please let me know.

I appreciate your assistance with this.

Kind regards

Clause 6(1)

<image005.png>

Clause 6(1)

W: www.pyneandpartners.com.au

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From: Martin, Alycia (DEM) <Alycia.Martin@sa.gov.au>

Sent: Monday, 10 August 2020 11:48 AM

To: ^{C6(1)} [@pyneandpartners.com.au](mailto: @pyneandpartners.com.au)

Subject: RE: CM: Meeting request - Pyne & Partners

Good morning ^{Clause 6(1)},

Thank you for your email, could you please provide some dot points on what Bustech Pty Ltd would like to discuss with the Energy and Mining Minister?

Thank you

Alycia Martin

Executive Assistant

to the Hon Dan van Holst Pellekaan MP

Minister for Energy and Mining

Level 17, 25 Grenfell Street | Adelaide SA 5000

T: 8429 3642 E: Alycia.martin@sa.gov.au

rom: ^{C6(1)} [@pyneandpartners.com.au](mailto: @pyneandpartners.com.au) [[mailto: ^{C6\(1\)} i@pyneandpartners.com.au](mailto: ^{C6(1)} i@pyneandpartners.com.au)]

Sent: Thursday, 6 August 2020 10:56 AM

To: DEM:Minister Dan van Holst Pellekaan <Dem.MinisterVHP@sa.gov.au>

Subject: CM: Meeting request - Pyne & Partners

Good morning

I hope this email finds you well.

As you may be aware, we represent Bustech Pty Ltd, and would like to request a meeting with Minister van Holst Pellekaan and Bustech's two principals.

Can you please let me know if the Minister is willing to meet and what times are suitable?

Thank you for your assistance.

Warm regards

Clause 6(1)

<image004.png>

Clause 6(1)

W: www.pyneandpartners.com.au

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TO: MINISTER FOR ENERGY AND MINING

SUBJECT: DRAFT MEETING BRIEFING FOR PREMIER'S MEETING WITH BUSTECH GROUP

Decision/Action required by: COB 16/12/2020 (for meeting on 18/12/2020)

Business Unit	Growth and Low Carbon		
Prepared by	Alan Richards Principal Policy Officer Clause 6(1)AR..... <i>initial</i>	15/12/2020
Director	Richard DayRD..... <i>initial</i>	16/12/2020 <i>date</i>

RECOMMENDATION

It is recommended the Minister:

1. Approve the attached briefing to the Premier of South Australia, Hon Steven Marshall MP for his meeting on 18 December with BusTech Group in relation to zero emission bus manufacturing (meeting at the request of Adam Howard of Pyne & Co).

Approved/Not Approved

Attachment 1 – Draft briefing to the Premier for meeting of 18 December 2020 with Bustech Group.

.....

Hon Dan van Holst Pellekaan MP
MINISTER FOR ENERGY AND MINING

/ / 2020

Comment

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MINUTE

MO ref number MEM20V1374

PCU reference (if applicable): PREM-B899855

TO: PREMIER

**RE: MEETING WITH BUSTECH GROUP RE ZERO EMISSION BUSES
18 DECEMBER 2020**

DISCUSSION

Adam Howard, Managing Director of Pyne & Partners has sought a meeting with you on behalf of his clients the BusTech Group (formerly Precision Buses and BusTech).

BusTech Group is a locally owned company, based at Edinburgh Parks, led by a Board of Christian Reynolds (Managing Director), Dan Marks and Mathew Fitch. Through its bus production at its Edinburgh Parks and Burleigh (Qld) factories and a partnership with Tasmanian bus builder Elphinstone, they are understood to now be Australia's largest bus builder.

BusTech Group aims for substantial growth through technology leadership in the pending transition of Australian metro bus fleets to (i) Zero Emission Buses (battery electric and hydrogen fuel cell electric) and (ii) through Smart Connected Buses. They argue that these buses can and should be developed and built in Australia.

To strengthen its technology base, BusTech Group has recently formed major technology partnerships with Ebusco (Netherlands), Proterra (US) and Cummins (US) for electric buses, and Cummins (US) for hydrogen fuel cell buses which includes access the Hydrogenics (Canada) fuel cell technology, and SAGE Automation (Adelaide) for data capture and smarter connected buses.

BusTech argue that their technology-rich zero emission and smart buses will be major driver for skilled employment in South Australia with overflow benefits to related technology sectors. They also argue local supply chains can be strengthened to greatly increase Australian content in metro buses for the benefit of local industry.

BusTech Group is a subcontractor to Scania for the Department of Infrastructure and Transport (DIT)'s 10-year bus supply contract. BusTech coach bodies built upon Scania chassis and Scania Euro VI drivetrains or Scania Diesel-Electric Hybrid drivetrains. [REDACTED]

Clause 7(1)(c) [REDACTED]

BusTech developed two of Australia's first fully electric buses for the South Australian Government with \$2 million of funds provided under the previous Government's Northern Economic Plan (auto transformation). Clause 7(1)(c) [REDACTED]

BusTech Group (with Cummins) have developed their own bus chassis that can house a Cummins diesel, electric or fuel cell drive train. This allows for the possibility of future cost-effective conversion from diesel to electric or to fuel cell drivetrains during the expected 25 year on-road life of a bus. This could potentially support rapid transition to a fuel cell fleet when hydrogen fuel becomes cheap and abundant. **Clause 7(1)(c)**

Clause 7(1)(c)



The greatest challenge for future zero emission transport sector is decarbonising long-distance heavy freight and large vehicles for mining operations. Hydrogen fuel cell technology benefits from much higher energy density (of hydrogen fuel over batteries) enabling longer range or operating times and much lighter vehicle tare weights enabling heavier cargo loads compared to battery electric trucks. Fuel cells buses could prove a critical entry point for companies such as Cummins/Hydrogenics that are at the forefront of hydrogen heavy vehicles internationally into South Australia.

Noted

(signature) _____
Hon Steven Marshall MP
Premier

(date) ___ / ___ / 2020

Hon Dan van Holst Pellekaan MP
MINISTER FOR ENERGY AND MINING

/ / 2020



MINISTER FOR ENERGY AND MINING

Meeting Brief

BUSTECH GROUP – ZERO EMISSION BUSES

ATTENDEES

- **Clause 6(1)** [redacted] BusTech Group
- [redacted] BusTech Group
- [redacted] Pyne & Partners (brokers of this meeting)

TIME AND DATE

2:00pm – 2:30pm, Thursday 12 August 2021

LOCATION

Minister’s Office, Parliament House

PURPOSE

Senior representatives of BusTech Group will inform you of their ambitions for zero emission mobility and advanced local manufacturing through their battery electric and hydrogen fuel cell electric buses. They will describe the company’s strategies and seek your advice on how they can further assist the Government achieve its own policy goals through their buses.

DECISION REQUIRED AT MEETING?

No

BACKGROUND

BusTech Group is a South Australian owned bus company with manufacturing operations at Edinburgh Parks (SA) and Burleigh (Qld). When a close partnership with Tasmanian bus builder Elphinstone is taken into account, they are thought to now be Australia’s largest bus builder.

BusTech Group is a subcontractor to Scania for delivery of the Department of Infrastructure and Transport (DIT)’s 10-year bus supply contract. BusTech coach bodies are built upon Scania chassis with Scania Euro VI drivetrains or Scania Diesel-Electric Hybrid drivetrains. **Clause 7(1)(c)** [redacted]

BusTech Group also build buses for other Australian bus authorities, both at Edinburgh Parks and Burleigh, and have developed their own proprietary modular bus chassis that accepts diesel, battery electric or hydrogen fuel cell drive trains, that can be switched over during the 25 year lifespan of chassis.

BusTech Group aims for substantial growth through technology leadership in the pending transition of Australian metro bus fleets to (i) Zero Emission Buses (battery electric and hydrogen fuel cell electric) and (ii) through Smart Connected Buses. They argue that these buses can and should be developed and built in Australia.

To strengthen its technology base, BusTech Group has formed major technology partnerships with Ebusco (Netherlands), Proterra (US) and Cummins (US) for electric buses, Cummins (US) for hydrogen fuel cell buses and SAGE Automation (Adelaide) for data capture and smarter connected buses. It is also exploring other potential partnerships.

BusTech state that their high-tech future buses will be major driver for skilled employment in South Australia with overflow benefits to related technology sectors. They argue that local supply chains can be strengthened to substantially increase Australian content in metro buses for the benefit of local industry.

BusTech (then Precision Buses) developed two of Australia's first fully electric buses for the South Australian Government with \$2 million of funds provided under the Northern Economic Plan (auto transformation). **Clause 7(1)(c)**

BusTech Group, together with Braham Automotive, is part of Fusion Mobility, a division of Fusion Capital based in Adelaide. Fusion Mobility is in regular discussions with DEM (through the Growth and Low Carbon Division), and with global technology companies in the emerging green hydrogen sector.

A ready and adequate supply of green hydrogen from HyP SA could enable South Australia to take an initial step into hydrogen mobility for back to base heavy fleets such as buses and waste collection vehicles. DEM has engaged GPA Engineering to complete an initial feasibility study for hydrogen refuelling based on 10 bus and 50 bus scenarios. BusTech and others have provided input into the study, for which the final report is currently being finalised.

DEM has also engaged Everergi in conjunction with GHD to conduct an Electric Bus Integration Study to to inform a transition to a zero emissions public bus fleet and deliver on action 5 under the EV Action Plan. The study will look at the overall feasibility of converting Adelaide's bus network from diesel-fueled to battery electric and/or hydrogen fuel-cell to inform future policy, asset management strategy and procurement approaches.

Clause 7(1)(c)

KEY SPEAKING POINTS

- South Australia has strong ambitions for a large-scale hydrogen export industry as described in the Hydrogen Action Plan, utilizing the state's competitive advantages to produce zero emission hydrogen to help fuel energy-hungry Asian economies.
- This will also provide opportunities for domestic uses of hydrogen such as heavy transport. In the pre-export development phase this will provide a high-value outlet for initial production and in the longer-term export phase we envisage bulk fuel at prices that enable low-cost zero emission transport operations.
- Consequently, the Government is keen to hear of proposals that support the early use of that state's green hydrogen supplies and of longer-term planning that identifies the needs for a future hydrogen-fueled transport sector.
- The Government is also interested in battery electric buses, firstly as a more deployment-ready zero emission technology and secondly for the contribution that an electric bus fleet can make to the management of the state's electricity sector. This may be through smart charging aligned, as much is operationally practicable, to supply and demand in the grid including the use of spare battery capacity across the fleet as a battery-on-wheels when 2-way charging becomes common place.
- Under the Government's Electric Vehicle Action Plan, DEM and DIT are currently working on an Electric Bus Integration Study to inform a transition to a zero emissions public bus fleet. This is a prefeasibility study and both battery electric and hydrogen fuel cell electric buses are fully in scope.

Clause 6(1)**DIRECTOR STRATEGY, POLICY AND COMMUNICATIONS**Mobile: **Clause 6(1)**

Date: 11 / 8 / 2021

Prepared by: Alan Richards and Saindhav Tamhane

Phone / Mobile: **Clause 6(1)** and **Clause 6(1)**