

STATUTORY AND OTHER OFFICES REMUNERATION TRIBUNAL

Report and Determination for Mr Simon Draper in the role of the Chief Executive Officer and Co-ordinator General, Infrastructure NSW pursuant to Section 24P of the *Statutory and Other Offices Remuneration Act 1975*.

PREMIER'S DIRECTION

1. On 27 August 2019 the Statutory and Other Offices Remuneration Tribunal (the Tribunal) received a direction from the Premier, the Hon Gladys Berejiklian MP, pursuant to section 24P of the *Statutory and Other Offices Remuneration Act 1975* (SOOR Act) to make a determination as to whether, and (if so) how, the 2018 determination of the range of remuneration packages of Band 3 Public Service senior executives should be altered in relation to Mr Simon Draper in the role of Chief Executive Officer and Co-ordinator General (CEO), Infrastructure NSW (INSW).
2. Section 24P of the SOOR Act provides for the Premier to direct the Tribunal to make a special determination in the following terms:

24P Special determinations

If the Minister so directs, the Tribunal is required to make (not later than the day specified in the direction as the day on or before which the determination is to be made) a determination as to whether, and (if so) how, any determination already made should be altered in relation to remuneration packages as are referred to in the direction.

3. The CEO, INSW is an Agency Head under the *Government Sector Employment Act 2013*. The role is a Public Service senior executive (PSSE) "Band 3 – Deputy Secretary level".
4. The Premier's request is for the determination to take effect from the date of Mr Draper's appointment to the role of CEO, INSW, being 3 April 2019. This determination will therefore alter the 2018 Public Service senior executives determination in respect of the remuneration range for Band 3 executives.

BACKGROUND

5. On 2 April 2019, the *Administrative Arrangements (Administrative Changes-Public Service Agencies) Order 2019* detailed changes to the structure of the NSW Public Service commencing on 1 July 2019.

6. Mr Draper, who was the former Secretary of the Department of Industry, was appointed to the role of CEO INSW with effect from 3 April 2019.
7. The Premier has recommended that Mr Draper receive an above band remuneration package of \$599,000 with no discretionary payment from the date of his appointment. The remuneration is comparable to that received by the former CEO, Mr Jim Betts. Also, the level of remuneration reflects additional responsibilities allocated to the office associated with the transfer of functions previously undertaken by the former Barangaroo Delivery Authority and Urban Growth.
8. In accordance with the Premier's recommendation the Tribunal determines that Mr Draper in the role of CEO INSW shall receive \$599,000 per annum with effect from 3 April 2019.
9. As this determination is made concurrent with the 2019 annual determination, Mr Draper will not receive any further increase from 1 July 2019. The 2019 annual determination of Public Service senior executives includes a statement to this effect.
10. The determination is made in accordance with section 24R(3)(a) of the SOOR Act, which provides for the Tribunal to fix a remuneration package for a senior executive named in the determination. Consistent with the Premier's request, this determination is personal to Mr Draper and is not a determination that applies to the office of CEO, INSW or to future appointments to the role.

DETERMINATION

Pursuant to section 24P of the *Statutory and Other Offices Remuneration Act 1975* the Tribunal determines that the 2018 range of remuneration packages of Band 3 Public Service senior executives is altered to provide Mr Draper in the role of Chief Executive Officer and Co-ordinator General, Infrastructure NSW, with a remuneration package of \$599,000 per annum, with effect from the date of his appointment being 3 April 2019.

Statutory and Other Offices Remuneration Tribunal

Signed

Richard Grellman AM

27 August 2019