

Annual Determination

Report and Determination under section
24O of the *Statutory and Other Offices
Remuneration Act 1975*

22 July 2025

(As amended by erratum in Government Gazette Number 315-
7 – Other on 1 August 2024)

Contents

Section 1	3
Background	3
Legislative Framework.....	3
Government Wages Policy	5
2024 Annual Determination	6
2024-2025 Special Determinations	6
Section 2	10
2025 Annual Review	10
NSW Government Submission	10
Superannuation Guarantee Contributions	10
Section 3	12
2025 Annual Determination	12
General Increase.....	12
Section 4	13
Determinations	14
Determination No. 1 – Remuneration Package Ranges for Public Sector Senior Executives (PSSEs)	14

Section 1

Background

Legislative Framework

1. Senior executives employed under the *Government Sector Employment Act 2013* (GSE Act) are referred to as Public Service senior executives (PSSEs).
2. Section 35 of the GSE Act provides that the Minister may determine bands in which PSSEs are to be employed. The following four bands were determined by the then Premier with effect from 24 February 2014:

Band 4	Secretary level
Band 3	Deputy Secretary level
Band 2	Executive Director level
Band 1	Director level

3. Section 40 of the GSE Act provides for the remuneration package of a PSSE to be within the range determined under the *Statutory and Other Offices Remuneration Act 1975* (SOOR Act) for the band in which they are employed. Remuneration packages are expressed as a total cost of employment, whether the amount is monetary remuneration, or partly as remuneration and partly as the cost to the employer of the PSSEs employment benefits.
4. Section 24O of the SOOR Act requires the Tribunal, each year, to make an annual determination on the remuneration packages for PSSE's on and from 1 July of the relevant review year.

5. The Tribunal's annual determination provides for remuneration ranges for PSSE Bands 1 to 4 and specific remuneration packages for individual office holders identified in the determination.
6. This Annual Determination, made under Part 3B of the SOOR Act, also applies to any PSSE employed in the following aligned services:
 - NSW Police Force Senior Executive to whom Part 5 of the *Police Act 1990* applies, also the Commissioner of Police
 - NSW Health Service Senior Executive to whom Part 3 of Chapter 9 of the *Health Services Act 1997* applies, and
 - Transport Service Senior Executive to whom Part 7A of the *Transport Administration Act 1988* applies.
7. Executive employment arrangements for Health Service senior executives, Transport Service senior executives and NSW Police Force senior executives align with those of PSSEs to the extent provided for in the legislation underpinning their employment.
8. A small number of 'transitional former senior executives' and NSW Police Force senior executives may continue to be eligible for remuneration packages as determined under Part 3A of the SOOR Act. The remuneration ranges in the Former Chief and Senior Executive Service Determination apply to these executives.

NSW Government Wages Policy

9. When making determinations under Part 3B of the Act, the Tribunal is required to give effect to any policy concerning the remuneration of executive office holders and senior executives. Section 6AA of the SOOR Act applies to the Tribunal's determinations in respect of executive office holders and senior executives.
10. *The Statutory and Other Offices Remuneration Amendment Act 2023* commenced on 1 June 2023. It amended the SOOR Act to provide for a temporary freeze in remuneration for office holders under Part 3 and executive office holders and senior executives under Parts 3A and 3B. The temporary freeze expired on 30 June 2025.
11. On 23 August 2024 the *Statutory and Other Offices Remuneration Regulation 2024* (SOOR Regulation) commenced. The SOOR Regulation repealed and replaced the *Statutory and Other Offices Remuneration (Judicial and Other Office Holders) Regulation 2013*, with amendments.
12. In anticipation of the scheduled expiry of provisions relating to the temporary 2 year freeze, the *Statutory and Other Offices Remuneration Amendment Regulation 2024* (Amendment Regulation) was made. It amends the *Statutory and Other Offices Remuneration (Judicial and Other Office Holders) Regulation 2024* by renaming the Regulation to reflect its expanded application, repealed the *Statutory and Other Offices Remuneration (Executive Office Holders and Senior Executives) Regulation 2023*, and importantly, inserted a new provision under clause 6A to ensure that, when making a determination, the Tribunal takes into account the Government's fiscal position. It states:

“the Tribunal must have regard to the fiscal position and outlook of the Government, and the likely effect of making the determination on the position and outlook.”

2024 Annual Determination

13. The Tribunal was required to give effect to the *Statutory and Other Offices Remuneration (Judicial and Other Office Holders) Regulation 2013* and the temporary wages policy. For this reason, on 15 July 2024, the Tribunal determined that there would be no increase applied to the remuneration packages for PSSEs from 1 July 2024.

2024-2025 Special Determinations

14. On 8 July 2025, while finalising the 2025 Annual Determination, the Tribunal received a direction from the Premier, the Hon Chris Minns MP, pursuant to s 24P of the SOOR Act, to make a determination as to whether and (if so) how, the determination of the range of remuneration packages of 6 Band 4 and one Band 3 PSSEs should be altered.
15. Section 24P of the SOOR Act provides for the Minister responsible for the SOOR Act 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.”

-
16. The direction for the 6 Band 4 special determinations, is in relation to the following PSSEs in the role of Secretary:
- a. **Mr Graeme Head AO**, Secretary, Department of Customer Service;
 - b. **Ms Kiersten Fishburn**, Secretary, Department of Planning, Housing and Infrastructure;
 - c. **Mr Josh Murray**, Secretary, Transport for NSW;
 - d. **Ms Kathryn Boyd PSM**, Secretary, The Cabinet Office;
 - e. **Mr Anthony Lean**, Secretary, Department of Climate Change, Energy, the Environment and Water; and
 - f. **Mr Steve Orr**, Secretary, Department of Primary Industries and Regional Development
17. The Premier advised that there is pay disparity across Secretary roles, which he is directing the Tribunal resolve as part of the 2025 Annual Review process.
18. Prior to the making of this annual determination 6 Secretaries received a special determination upon their appointment, with their current remuneration, (as set by SOORT 2024 Annual Determination), being \$626,300.
19. The Premier has advised that it is appropriate that the remuneration of all Secretaries is set at the same level, being \$648,220 per annum, effective 1 July 2025.

20. In accordance with the Premier's direction the Tribunal determines that all Secretaries, including those named at p16 (a to f), shall receive remuneration of \$648,220 per annum from 1 July 2025 for the duration of their appointment and as adjusted by the Tribunal's annual determinations. Table 2 of Determination No. 1 will be updated accordingly.
21. The direction regarding an existing Band 3 special determination, is in relation to Mr Tom Gellibrand appointed to the role of Chief Executive Officer and Co-ordinator General of Infrastructure NSW. Mr Gellibrand currently receives an above band remuneration package of \$588,250, (as set by the SOORT's 2024 Annual Determination).
22. The Premier has directed that Mr Tom Gellibrand also receive a remuneration package of \$648,220 per annum, effective from 1 July 2025.
23. In accordance with the Premier's direction, the Tribunal determines that **Mr Tom Gellibrand** in the role of Chief Executive Officer and Co-ordinator General Infrastructure NSW will receive remuneration of \$648,220 per annum for the duration of the appointment and as adjusted by the Tribunal's annual determinations. This special determination will replace the special determination dated 12 November 2023. Table 2 of Determination No. 1 will be updated accordingly.
24. These determinations are 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 direction, these determinations are personal to the named executives above and are not a determination that applies to the roles of Secretary and CEO, Infrastructure NSW or future appointments to these roles.

-
25. The Tribunal has made two other special determinations, pursuant to s 24P of the SOOR Act, since the making of the 2024 Annual Determination. Both are published on the NSW Remuneration Tribunals website.¹
 26. Determinations in respect of PSSEs who have vacated a specified executive office role no longer apply.

¹ NSW Remuneration Tribunal Secretariat, *NSW Remuneration Tribunals*, NSW Government, 2025.

Section 2

2025 Annual Review

NSW Government Submission

27. In January 2025, the Tribunal invited the Secretary of the Premier's Department to make a submission on behalf of the NSW Government prior to making its annual report and determination.

28. The Secretary of the Premier's Department provided the NSW Government submission to the Tribunal on 4 April 2025. The submission supported an increase of 3.5% consistent with the NSW Government Fair Pay and Bargaining Policy 2024-25.

29. The submission contends that:

“an increase to remuneration which exceeds 3.5 per cent would pose a risk to the NSW's budget position, current credit ratings and increase the State's debt burden.”

Superannuation Guarantee Contributions

30. From 1 July 2025, the general Superannuation Guarantee Contribution (SGC) increased from 11.50% to 12.00%.²

31. The Tribunal determines remuneration packages for PSSEs consistent with s 24O of the SOOR Act. In this context it is relevant to note that section 24M of the SOOR Act defines a remuneration package as follows:

² Australian Taxation Office, *Super Guarantee*, ATO, 2025

... remuneration package means the annual amount payable to a senior executive under the government sector senior executive employment legislation—

(a) as monetary remuneration for the executive, or

(b) partly as that remuneration and partly as the cost to the employer of the executive's employment benefits.

32. The GSE Act is the relevant legislation underpinning the employment of PSSEs. S 40(4) of the GSE Act specifies their remuneration, benefits and allowances as follows:

“For the purposes of this Division, employment benefits for a Public Service senior executive are—

(a) contributions by the executive's employer to a superannuation scheme or fund of the executive, and

(b) other benefits provided to the executive at the cost of the executive's employer that are of a private nature.”

33. For this reason, the Tribunal is not required to consider the SGC increase in the context of, or as a component of the remuneration increase provided by its annual determination.

Section 3

2025 Annual Determination

General Increase

34. In accordance with clause 6A of the SOOR Regulation, the Tribunal has determined an increase of **3.5%** to the minimum and maximum of the remuneration ranges for PSSE Bands 1 to 4. This increase is also applied to the remuneration packages for the Senior Executives named in the Determination, except for Ms Karen Webb, Commissioner of Police, for the reasons outlined below.
35. The remuneration of Ms Karen Webb as Commissioner of Police, was set at \$665,750, effective upon commencement in the role on 1 February 2022 by a Special Determination dated 27 January 2022.
36. In the Tribunal's 2022 Annual Determination dated 21 July 2022, the Tribunal determined a 2% increase to remuneration would apply to all roles subject to its determination for PSSEs.
37. Ms Webb's current remuneration in the role of Commissioner of Police, is \$679,050. as set in the Tribunal's 2024 Annual Determination dated 15 July 2024.
38. On 7 May 2025 Ms Webb announced her resignation effective from 30 September 2025. However, as part of transition arrangements, Ms Webb stepped away from the role of Commissioner of Police prior to the expiration of the 2 year remuneration freeze on 30 June 2025.
39. In the interim, Ms Webb has been seconded to a special role advising the NSW Government on domestic violence, that being Special Advisor on Domestic

Violence. Ms Webb still has an effective retirement date from the NSW Public Sector of 30 September 2025.

40. Although that role would normally not be expected to attract a salary equivalent to the Commissioner of Police, the Tribunal believes that it is appropriate for Ms Webb to maintain her existing salary (without any increases) until her formal retirement from the public sector on 30 September 2025.
41. The Tribunal anticipates that the Premier or Special Minister of State will direct the Tribunal to make a new special determination for the remuneration for the Commissioner of Police when the Government announces a substantive appointment to the role.
42. In making this Annual Determination, the Tribunal consulted with the Secretary of the Premier's Department, in their capacity as Assessor under the SOOR Act. The other assessor role is currently vacant.
43. Pursuant to s 24O of the SOOR Act, the Tribunal determines that the new remuneration ranges for PSSE Bands 1 to 4 on and from 1 July 2025 will be as specified in **Determination No. 1**.

Statutory and Other Offices Remuneration Tribunal

A handwritten signature in blue ink, appearing to read 'Michael Knight', with a stylized flourish at the end.

The Hon. Michael Knight AO

Dated: 22 July 2025

Section 4

Determinations

Determination No. 1 – Remuneration Package Ranges for Public Sector Senior Executives (PSSEs)

The Tribunal determines that the remuneration package ranges for Public Sector Senior Executive Bands 1-4 and different remuneration packages that apply to the Senior Executives named below effective on and from 1 July 2025 shall be:

Table 1

Public Sector Senior Executive Bands	
Band	per annum range
Band 4 – Secretary level	\$527,051 to \$608,850
Band 3 – Deputy Secretary level	\$373,951 to \$527,050
Band 2 – Executive Director level	\$297,251 to \$373,950
Band 1 – Director level	\$208,400 to \$297,250

Table 2

Different remuneration packages that apply to the senior executives named Band 4 – Secretary level
Ms Karen Webb, Commissioner of Police: \$679,050 per annum
Mr Simon Draper PSM, Secretary, Premier's Department: \$648,220 per annum
Mr Michael Coutts-Trotter, Secretary, Treasury: \$ 648,220 per annum
Mr Murat Dizdar, Secretary, Department of Education: \$648,220 per annum
Ms Elizabeth Mildwater, Secretary, Department of Creative Industries, Tourism, Hospitality and Sport: \$ 648,220 per annum
Ms Susan Pearce, Secretary, Ministry of Health: \$648,220 per annum
Mr Michael Tidball, Secretary, Department of Communities and Justice: \$648,220 per annum
Mr Graeme Head AO, Secretary, Department of Customer Service: \$648,220 per annum
Ms Kiersten Fishburn, Secretary, Department of Planning, Housing and Infrastructure: \$648,220 per annum

Mr Josh Murray, Secretary, Transport for NSW: \$648,220 per annum

Ms Kathryn Boyd PSM, Secretary, The Cabinet Office: \$648,220 per annum

Mr Anthony Lean, Secretary, Department of Climate Change, Energy, the Environment and Water: \$648,220 per annum

Mr Steve Orr, Secretary, Department of Primary Industries and Regional Development: \$648,220

Band 3 – Deputy Secretary level

Mr Tom Gellibrand, Chief Executive Officer and Co-ordinator General, Infrastructure NSW, \$648,220 per annum

Band 2 – Executive Director level

Mr Douglas Parris, Executive Project Director, Energy Corporation of NSW (EnergyCo): \$480,300 per annum

Mr Peter Bennett, Executive Project Director, Energy Corporation of NSW (EnergyCo) \$455,400 per annum

Mr Peter Redwin, Executive Project Director, Energy Corporation of NSW (EnergyCo) \$424,350 per annum

Mr Andrew Kingsmill, Executive Director, Technical Advisory Services, Energy Corporation of NSW (EnergyCo): \$411,200 per annum

Statutory and Other Offices Remuneration Tribunal



The Hon. Michael Knight AO

Dated: 22 July 2025