

STATUTORY AND OTHER OFFICES REMUNERATION ACT 1975

Report and Determination pursuant to section 24D of the Act.

1. On 26 May 2011 the Premier, the Hon Barry O'Farrell MP, wrote to the Statutory and Other Offices Remuneration Tribunal ("the Tribunal") requesting that a special determination be made in respect of the remuneration payable to the Director General of the Department of Trade and Investment, Regional Infrastructure and Services (DTIRIS).
2. In making this determination the Premier has asked the Tribunal to have regard to comments made in correspondence from the Hon Andrew Stoner MP, Deputy Premier, Minister for Trade and Investment and Minister for Regional Infrastructure and Services and advice received from the Department of Premier and Cabinet, including a position description and job evaluation for this position. The Tribunal has also been advised that Mr Mark Paterson AO was appointed to this position for a period of five years with effect from 1 June 2011.
3. The Public Sector Employment and Management (Departments) Order 2011 provided for the creation of nine Principal Departments. DTIRIS is the Principal Department within the cluster portfolio of Trade and Investment, Regional Infrastructure and Services, reporting directly to the Deputy Premier. As Principal Department, DTIRIS will have broad responsibilities for such matters as:
 - Coordination and oversight of the expenditure of the cluster's entire budget allocation
 - Ensuring all agencies in the cluster deliver on the government's election commitments, and
 - Monitoring all cluster agencies to ensure they are meeting State Plan targets.
4. The Director General DTIRIS is responsible for leading the Principal Department and developing and implementing the plans and policies necessary to build the

NSW State economy and its industries. In addition to absorbing the functions of the former Principal Department of Industry and Investment, DTIRIS includes a number of additional responsibilities previously allocated to the former Principal Departments of Communities NSW, Environment, Climate Change and Water and Services, Technology and Administration. These include:

- Small business
- Water management through the Office for Water and Catchment Management Authorities
- Lands, including Crown Lands and Soil Conservation
- The administration of the State's Marine Parks
- The regulation of the liquor, gaming, racing and casino industries
- Arts NSW and associated cultural institutions, and
- Events attraction and promotion, through a new organisation called Destination NSW.

5. The position of Director General, DTIRIS is listed in Schedule 1 Part 1 of the *Public Sector Employment and Management Act 2002* and is one of nine Division Heads responsible for leading a Principal Department. The position has been evaluated as an SES Level 8 position which is the highest grade applicable to the Chief Executive Service. The maximum remuneration as determined by the Tribunal is \$453,250 p.a. In addition to this amount, and subject to the approval of the Director General of the Department of Premier and Cabinet, CEOs at this level are eligible to be paid a recruitment or retention allowance up to a maximum amount of \$43,000 p.a. Therefore, providing a combined maximum total remuneration package of \$496,250 per annum.

6. In considering the appropriate level of remuneration payable to this role, the Tribunal has had regard to the current executive structure of the Principal Department. The Tribunal has been advised that there are two officers within the Principal Department already receiving remuneration within the ranges of SES Level 8 being the Director General of Primary Industries and the Deputy Director General of State and Regional Development and Tourism.

7. Given the expanded responsibilities associated with leading the new Principal Department, the Tribunal considers that the Director General should receive remuneration equivalent to the maximum available to an SES Level 8. On that basis, the Tribunal has determined that the Director General of DTIRIS should receive remuneration equivalent to the maximum of SES Level 8 plus a Recruitment Allowance of \$43,000 p.a.

DETERMINATION:

Pursuant to section 24D of the *Statutory and Other Offices Remuneration Act 1975* the Tribunal determines that the total remuneration package payable to the Director General, Department of Trade and Investment, Regional Infrastructure and Services will be \$496,250 effective on and from 1 June 2011.

**Statutory and Other Offices
Remuneration Tribunal**

(Signed)

Alex Smith

23 June 2011