

STATUTORY AND OTHER OFFICES REMUNERATION TRIBUNAL

Report and Determination for Ms Carolyn McNally in the role of Secretary, Department of Planning and Environment pursuant to Section 24P of the *Statutory and Other Offices Remuneration Act 1975*.

PREMIER'S DIRECTION

1. On 16 September 2016 the Statutory and Other Offices Remuneration Tribunal (the Tribunal) received a direction from the Premier, the Hon Mike Baird MP, pursuant to section 24P of the *Statutory and Other Offices Remuneration Act 1975* (the SOOR Act) to make a determination as to whether, and (if so) how, the determination of the range of remuneration packages of Band 4 Public Service Senior Executives should be altered in relation to Ms Carolyn McNally in the role of Secretary, Department of Planning and Environment (the DPE).
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 Secretary, DPE is a Public Service Senior Executive (PSSE) Band 4 – Secretary Level role. The determination already made in respect of PSSE Band 4 – Secretary Level is the Tribunal's 2016 annual determination which provides the following remuneration package range:

Band	Per annum range		
Band 4 - Secretary level	\$452,251	to	\$522,500

4. This determination will alter the annual determination in respect of the remuneration range for Band 4 in relation to the remuneration package for Ms McNally in the role of Secretary, DPE.

BACKGROUND

5. The Department of Planning and Environment (the Department) supports the Minister for Planning, Minister for the Environment, Minister for Heritage, Assistant Minister for Planning and Minister for Local Government. The Department supports sustainable growth in NSW, through application of the statutory planning framework, undertaking long term planning for the State's regions, and the assessment of State significant development proposals. The Department has two related executive agencies – the Office of Environment and Heritage (OEH) and the Office of Local Government (OLG), which support the conservation and protection of the environment in NSW and the effective local government sector in NSW. The Chief Executives of the OEH and OLG report to the Secretary, DPE.
6. The Secretary, DPE provides strategic leadership and management to the Department and executive agencies related to the Department, drives Departmental performance and provides expert and independent advice to the portfolio Ministers. The Secretary, DPE ensures the effective delivery of the government's strategic objectives in relation to planning and environment, state-wide planning strategies to guide growth and on local government.
7. The Premier has advised that the role is currently undertaken by Ms McNally who was employed under the *Government Sector Employment Act 2013* and prior to the introduction of the current remuneration arrangements for Secretaries. Ms McNally is currently paid a total remuneration package that is at the maximum of the range of remuneration payable to Band 4 Secretary roles.
8. In determining the appropriate remuneration for the Secretary, DPE the Tribunal has had regard the role and its responsibilities, the remuneration currently received by Ms McNally and the remuneration provided to similar roles in NSW and other jurisdictions.
9. The Tribunal is of the view that the remuneration package for Ms McNally in the role of Secretary, DPE will be \$507,350 per annum. In addition to this base amount a discretionary remuneration range of up to 12 per cent will apply. This determination will alter the Tribunal's determination in respect of Band 4 remuneration levels.

10. The Tribunal's determination is consistent with advice contained in the Premier's direction and provides flexibility for remuneration movement over time if Ms McNally exceeds performance expectations, as assessed by the Premier.

11. 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 particular senior executive named in the determination. Consistent with the Premier's request, this determination is personal to Ms McNally, is not a determination that applies to the office of Secretary, DPE or to future appointments to the role and shall take effect on and from the date of the determination.

DETERMINATION

Pursuant to section 24P of the *Statutory and Other Offices Remuneration Act 1975* the Tribunal determines that the range of remuneration packages of Band 4 Public Service Senior Executives is altered to provide for Ms Carolyn McNally in the role of Secretary, Department of Planning and Environment with a remuneration package of \$507,350 per annum plus a discretionary remuneration range of up to 12 per cent in addition to the base amount, effective from the date of the determination.

Band	Per annum range			
Band 4 - Secretary level	\$452,251	to	\$522,500	Ms Carolyn McNally, Secretary, Department of Planning and Environment: \$507,350 per annum plus a discretionary remuneration range of up to 12 per cent in addition to the base remuneration.

Statutory and Other Offices

Remuneration Tribunal

(Signed)

Richard Grellman AM

16 September 2016