

STATUTORY AND OTHER OFFICES REMUNERATION TRIBUNAL

Report and Determination for Ms Leilani Frew in the role of the Executive Director, Steering Committee Chair and Strategic Lead for the WestConnex Project for the NSW Treasury pursuant to Section 24P of the *Statutory and Other Offices Remuneration Act 1975*

PREMIER'S DIRECTION

1. On 10 August 2017 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 determination of the range of remuneration packages of Band 2 Public Service Senior Executives should be altered in relation to Ms Leilani Frew in the role of Executive Director, Steering Committee Chair and Strategic Lead for the WestConnex Project for the NSW Treasury (the Executive Director, WestConnex Project).
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 Executive Director, WestConnex Project is a Public Service Senior Executives (PSSE) Band 2 – Executive Director level role. The determination already made in respect of PSSE Band 2 – Executive Director level is the Tribunal's 2016 annual determination which provides the following remuneration package range:

Band	Per annum range		
Band 2 – Executive Director level	\$255,051	To	\$320,900

4. This determination will alter the existing determination in respect of the remuneration range for Band 2 in relation to the remuneration package for Ms Frew in the role of the Executive Director, WestConnex Project.

BACKGROUND

5. The Executive Director WestConnex Project is part of the Commercial Group within the NSW Treasury. The Commercial Group provides commercial policy advice, oversees the performance of the commercial sector of Government, manages major Government transaction and structures arrangements for the private financing of public infrastructure.
6. The Government has announced its plan to help fund the final stage of Australia's largest transport infrastructure project, WestConnex (the M4-M5 Link connecting two of Sydney's busiest motorways) by the sale of a majority stake in the company delivering WestConnex, that being the Sydney Motorway Corporation (SMC). The WestConnex Transaction is being jointly pursued by the NSW Treasury and Transport for NSW and is targeted to close in mid-2018.
7. The Executive Director, WestConnex Project is responsible for providing leadership, oversight and strategic direction to a cross-Agency, multidisciplinary specialist team and advisors responsible for the successful delivery of the WestConnex Transaction and related program projects. The Executive Director, WestConnex Project is the Chair of the WestConnex Transaction Steering Committee.
8. The Executive Director, WestConnex Project also supports, in accordance with the Transaction Governance Structure, the Secretary and Deputy Secretary of the NSW Treasury and the Treasurer; and the Secretary and Deputy Secretary of Transport for NSW and the Minister for WestConnex as co-sponsors of the WestConnex Transaction.
9. Having regard to the particular circumstances of the case the Tribunal is of the view that the remuneration package for Ms Frew in the role of Executive Director, WestConnex Project will be \$374,877 per annum. The Tribunal's determination is consistent with advice contained in the Premier's direction and is appropriate given

the responsibilities and scope of the role and market based evidence. This determination will alter the Tribunal's determination in respect of Band 2 remuneration levels.

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 particular senior executive named in the determination. Consistent with the Premier's request, this determination is personal to Ms Frew and is not a determination that applies to the office of the Executive Director, WestConnex Project, or to future appointments to the role.

11. This determination shall take effect from 29 May 2017 being the date of Ms Frew's appointment to the role of Executive Director, WestConnex Project. As this determination is made so close to the 2017 annual determination for PSSEs, Ms Frew will not receive any increase arising from the 2017 annual determination which takes effect on and from 1 July 2017.

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 2 Public Service Senior Executives is altered to provide Ms Frew in the role of Executive Director, Steering Committee Chair and Strategic Lead for the WestConnex Project for the NSW Treasury with a remuneration package of \$374,877 per annum, with effect from 29 May 2017.

Band	Per annum range			
Band 2 – Executive Director level	\$255,051	to	\$350,900	Ms Leilani Frew, Executive Director, Steering Committee Chair and Strategic Lead for the WestConnex Project for the NSW Treasury: \$374,877 per annum.

Statutory and Other Offices

Remuneration Tribunal

Signed

Richard Grellman AM

15 August 2017