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Public Office Holders Group

Draft Annual
Determination

*Report and determination
under section 13 of the
Statutory and Other
Offices Remuneration Act
1975*

**5 August
2021**

Public Office Holders Group

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Section 1

Background

1. Section 13 of the *Statutory and Other Offices Remuneration Act 1975* (the SOOR Act) requires the Tribunal, each year, to make a determination on the remuneration to be paid to office holders on and from 1 July in that year. Section 10A defines ‘remuneration’ as salary or allowances paid in money.
2. The Public Office Holders Group comprises those public offices, listed in the schedules of the SOOR Act (except for the Judges and Magistrates Group and the Court and Related Officers Group), which have been grouped together by the Tribunal for remuneration purposes. The remuneration for these office holders is determined as a fixed salary amount. Employer on-costs, such as the Superannuation Guarantee Contribution, are additional to the salary amount determined. This group also comprises any office holders who, pursuant to section 11A of the SOOR Act, have elected to receive, and for whom the Minister has approved access to, remuneration packaging arrangements that are provided to Public Service senior executives under the *Government Sector Employment Act 2013*.

Government Wages Policy

3. The Tribunal is required, when making determinations under Part 3 of the SOOR Act, to give effect to any policy concerning the remuneration of office holders as declared by the regulations. Section 6AB of the SOOR Act applies to the Tribunal’s determinations in respect of office holders in the Judges and Magistrates Group, the Court and Related Officers Group and the Public Office Holders Group. Government policy concerning the remuneration of office holders to which Part 3 of the SOOR Act applies is declared in the *Statutory and Other Offices Remuneration (Judicial and Other Office Holders) Regulation 2013* (the SOOR Regulation).
4. In accordance with the clause 6 of the SOOR Regulation, any increase the Tribunal may determine in excess of 2.5 per cent, be it a general increase available to all office

Public Office Holders Group

holders, or an increase provided to an individual office holder or group of office holders based on changes in work value, could only be paid if officer-related cost savings for the office holder (or group of office holders) have been achieved to fully offset the increased officer-related costs resulting from increased payment.

5. Since the introduction of the SOOR Regulation in 2013 office holders in the Public Office Holders Group have received general annual increases capped at 2.5 per cent, apart from 2020 when there was a temporary wage pause pursuant to Clause 5A of the SOOR Regulation commencing 29 May 2020 and ending 12 months after that date.
6. Members of the NSW Aboriginal Land Council received increases exceeding the cap in as provided for the 2019 determination as they were able to identify sufficient officer-related savings to offset the additional increase.

Section 2

2020 Determination

7. The Tribunal was required to give effect to the temporary wages policy which paused remuneration increases for 12 months and on 7 September 2021 determined that no increase would apply to the salaries of office holders in the Public Office Holders Group.

Amendments to the SOOR Act

8. The SOOR Act has been amended since the making of the 2020 annual determination.
9. The *Statute Law (Miscellaneous Provisions) Act 2019 No 1* amended Sections 11B and 11C commencing on 1 July 2019. New sub-clauses - 11B(4A) and 11C(4A) – were inserted enabling the Minister to delegate to the head of a Public Service Agency or a person employed in a Public Service agency responsible to the Minister the functions of approving and revoking certain salary sacrifice arrangements relating to motor vehicles for private use, employee superannuation contributions and living away from home expenses.
10. The *Personal Injury Commission Act 2020* (the PIC Act) amended Schedule 2 commencing either on the date of proclamation or from 1 March 2021. The offices of President of the Personal Injury Commission; Deputy President of the Personal Injury Commission; Acting Deputy President of the Personal Injury Commission; Full-time non-presidential member of the Personal Injury Commission were inserted. The offices of President of the Workers Compensation Commission; Deputy President of the Workers Compensation Commission; Acting Deputy President of the Workers Compensation Commission; Registrar of the Workers Compensation Commission; Senior Arbitrator or other full-time Arbitrator of the Workers Compensation Commission; Principal Claims Assessor under the Motor Accidents Compensation Act 1999; Principal Claims Assessor under the *Motor Accident Injuries Act 2017* were removed.

Public Office Holders Group

11. The *Law Enforcement Conduct Commission Amendment (Commissioners) Act 2021* (the LECC Amendment Act) amended Schedule 1 commencing on 17 June 2021. The office of Full-time Commissioner of the Law Enforcement Conduct Commission (LECC) was inserted. The offices of Full-time Commissioner for Integrity of the LECC and Full-time Commissioner for Oversight of the LECC were removed.
12. The *Statute Law (Miscellaneous Provisions) Act 2020* amended Schedule 2 commencing on 11 December 2020, in respect to the Full-time member of the Board of the Western City and Aerotropolis Authority. The name Western Parkland City Authority was inserted. The name Western City Aerotropolis Authority was removed.
13. The Tribunal has amended the list of offices, if applicable, in the relevant determinations accordingly.

2020 – 2021 Special Determination

14. The Tribunal has made one special determination since the making of the 2020 annual determination. On 23 October 2020, the Tribunal determined pursuant to section 14(2) of the SOOR Act, that the annual salary for the Deputy President of the Personal Injury Commission; Acting Deputy President of the Personal Injury Commission; and Full-time non-presidential member of the Personal Injury Commission would be as follows:

Office	Salary per annum
Deputy President of the Personal Injury Commission	\$349,240
Acting Deputy President of the Personal Injury Commission	\$1,450 per day
Full-time non-presidential member of the Personal Injury Commission:	
Principal Member (Division Head of the Workers Compensation Division)	\$322,115
Principal Member (Division Head of the Motor Accidents Division)	\$322,115
Principal Member (legally qualified)	\$290,000
Principal Member (not legally qualified)	\$267,000
Senior Member (legally qualified)	\$263,590
Senior Member (not legally qualified)	\$242,760
General Member (legally qualified)	\$241,000
General Member (not legally qualified)	\$209,225

Public Office Holders Group

15. Special determinations are published on the NSW Remunerations Tribunals website.

Section 3

2021 Annual Review

16. On 3 March 2021, the Tribunal wrote to office holders advising of the commencement of the 2021 annual review. The Tribunal did not hold meetings with office holders as part of the 2021 review.

Office Holder Submissions

17. The Tribunal received two submissions from office holders for consideration in the 2020 annual review.
18. The President of the PIC provided a submission that addressed all offices of the PIC. The offices of Deputy President, Acting Deputy President, and non-presidential member are included in the Public Office Holder Group. The President referred to the Tribunal's special determination dated 23 October 2020, noting that the PIC was established on 1 March 2021 and the special determination commenced on that date. The President sought no change in remuneration for these offices as the Tribunal's special determination only commenced on 1 March 2021. The Tribunal notes that the special determination made on 23 October 2020, did not exclude any increase from 1 July 2021.
19. The Tribunal previously received a submission from the Executive Manager, Parliamentary Services as outlined in the 2020 Annual Determination:

“19. The Executive Manager, Parliamentary Services indicated his intention, at a future date, to request a review of the office based on changes in work value. Any such request will need to be supported by evidence of officer-related savings to offset any additional increase. The Executive Manager also informed the Tribunal that the Governor has given approval for the title of the role to be changed from Executive Manager, Parliamentary Services to Chief Executive, Parliamentary Services. The Tribunal notes that the SOOR Act has not been amended to reflect this change and the Tribunal will continue to refer to this role as the Executive Manager, Parliamentary Services until such time as Schedule 2, Part 2 is amended.”

Public Office Holders Group

20. In this year's submission, the Executive Manager, Parliamentary Services again indicated his intention, at a future date, to request a review of the office based on changes in work value, noting that the role has not been re-evaluated for some years. He noted various aspects of the autonomy of the role including recent additional responsibilities and compared the remuneration and scope of responsibilities of the role with that of others in the NSW public service and similar roles in other jurisdictions. It would be a matter for the Executive Manager, Parliamentary Services to obtain an independent assessment of work value and provide evidence of officer-related savings to offset any additional increase as required under the SOOR Regulation.
21. The Tribunal notes that Schedule 2, Part 2 of the SOOR Act has not been amended to change the title of the office of Executive Manager, Parliamentary Services.

Government Submission

22. The Secretary, Department of Premier and Cabinet provided the Government submission to the Tribunal on 2 June 2021. That submission was replaced by another Government submission provided on 15 July 2021. The Government submission advised that on 21 June 2021, the Government announced changes to the existing Wages Policy to provide for increases in remuneration or other conditions of employment of up to 2.5 per cent (inclusive of superannuation) for public sector employees. The submission recommends the following increases having regard to the increase in the SGC from 1 July 2021:

"In line with the revised Wages Policy it is now recommended that a 2.5 per cent increase in remuneration be applied to employees and other office holders whose total remuneration package ("TRP") is determined by the Tribunal and an increase of 2.04 per cent for non-TRP employees and office holders effective from 1 July 2021.

The 2.04 per cent increase recommended for non-TRP employees and officers takes into account the increase to the Superannuation Guarantee Charge ("SGC") of 0.5 percentage points from 1 July 2021 and uses the same methodology as applied when superannuation was last increased in 2014. This methodology recognises that

Public Office Holders Group

superannuation is not payable on superannuation itself and as a result, the cost of the additional SGC is less than a 0.5 per cent pay increase. An increase of 2.04 per cent to salaries and 0.5 per cent to superannuation is consistent with the Wages Policy and does not increase employee related costs by more than 2.5 per cent.

The provision applies to the following groups of employees and office holders covered under the Statutory and Other Offices Remuneration Act 1975:

- *Public Service Senior Executives*
- *Chief and Senior Executive Officers (SES)*
- *Judges and Magistrates Group*
- *Court and Related Officers Group*
- *Public Office Holders Group*

Superannuation Guarantee Contributions

23. Information published on the Australian Taxation Office website confirms the previous and future percentage increases to the superannuation guarantee since 1 July 2002, when the general superannuation guarantee was 9.00 per cent:

Date of increase	Percentage increase (%)	General super guarantee (%)
1 July 2013	.25	9.25
1 July 2014	.25	9.50
1 July 2021	.50	10.00
1 July 2022	.50	10.50
1 July 2023	.50	11.00
1 July 2024	.50	11.50
1 July 2025	.50	12.00

24. The Tribunal reviewed the impact of the SGC increase on office holders in the 2014 annual determination for the Public Office Holder Group which was the last time that the SGC increased. The Tribunal determined that it is required under the SOOR Regulation to take account of the cost of SGC increases in its remuneration determination for office holders in the POH Group, except for office holders who had elected to receive a total remuneration package pursuant to section 11A of the SOOR

Public Office Holders Group

Act. Total remuneration packages include contributions to a superannuation scheme by an executive officer's employer. Consequently the percentage increase in employer contributions payable to their superannuation must be funded from the total remuneration package.

25. The Tribunal's previous determinations on the matter of SGC increases continue to apply. Accordingly, for the 2021 determination, for office holders in Determination No. 1, it is open to the Tribunal to determine an annual increase in remuneration of up to 2.5 per cent adjusted accordingly to account for the SGC increase. There are currently no office holders who have elected to receive a total remuneration package pursuant to section 11A of the SOOR Act.
26. The Government submission outlines the Government's view of appropriate adjustments in respect of the SGC.

Full-time Commissioner of the Law Enforcement Conduct Commission

27. Section 18 of the LECC Act was amended by the LECC Amendment Act commencing on 17 June 2021 to enact a two-commissioner model. The office of Commissioner for Oversight was removed, and the office of Commissioner for Integrity renamed as Commissioner. For remuneration purposes the Commissioner is listed in Schedule 1 of the SOOR Act as the 'Full-time Commissioner of the Law Enforcement Conduct Commission' commencing on 17 June 2021.
28. The Tribunal notes that clause 19 of Schedule 3, Part 4, of the LECC Act provides for the person holding office of Commissioner for Integrity to be appointed to the office of Commissioner for the balance of the person's term of office.
29. The Tribunal has not been asked to make a determination for the office of Commissioner. To ensure the existing office holder continues to receive remuneration for the new office, the Tribunal will determine that the salary payable to the Full-time Commissioner of the LECC be equivalent to that payable to the former office of Full-time Commissioner for Integrity of the LECC. The salary for the former Full-time

Public Office Holders Group

Commissioner for Integrity of the LECC was \$383,640 per annum effective from 1 July 2020.

30. The Minister may request the Tribunal to make a special determination in the future pursuant to section 14(2) of the SOOR Act if additional remuneration is required based on any significant changes in the office resulting from the revised governance structure in the LECC.

Section 4

2021 Annual Determination

General Increase

31. After considering submissions received and provisions of section 6AB of the SOOR Act the Tribunal finds those office holders the subject of this determination should receive the maximum permissible increase, although adjusted to 2.04 per cent to take into account the SGC increase. This is consistent with the increases recommended in the Government submission.
32. The Tribunal consulted with the Assessors prior to making this determination.
33. Pursuant to Section 13 of the SOOR Act the Tribunal determines that an increase of 2.04 per cent will apply to office holders in the Public Office Holders Group on and from 1 July 2021, as specified in Determinations No. 1.

Statutory and Other Offices Remuneration Tribunal

Signed

Richard Grellman AM

Dated: 5 August 2021

Public Office Holders Group

Section 5

Determinations

Determination No. 1-Public Office Holder Group

Annual determination of the remuneration of the Public Office Holder Group effective on and from 1 July 2021

Public Office Holder	Salary per annum
Public Service Commissioner	\$552,410
Chief Commissioner of the Law Enforcement Commission	\$521,955
Auditor General	\$513,880
Ombudsman	\$512,545
Commissioner, NSW Crime Commission	\$508,580
Assistant Commissioner, NSW Crime Commission	\$481,810
President, Mental Health Review Tribunal	\$415,885
Electoral Commissioner	\$399,990
Full-time Commissioner of the Law Enforcement Conduct Commission	\$391,465
Valuer General	\$370,025
Workers Compensation Independent Review Officer	\$369,230
Deputy President Mental Health Review Tribunal	\$363,865
Information Commissioner	\$360,815
Deputy President of the Personal Injury Commission	\$356,365
Privacy Commissioner	\$348,190
Mental Health Commissioner	\$334,770
Parliamentary Budget Officer	\$329,960
Full-time non-presidential member of the Personal Injury Commission: Principal Member (Division Head of the Workers Compensation Division)	\$328,685
Full-time non-presidential member of the Personal Injury Commission: Principal Member (Division Head of the Motor Accidents Division)	\$328,685
Inspector of Custodial Services	\$318,200
Small Business Commissioner	\$313,490
Deputy Chairperson, Law Reform Commission	\$310,370
Full-time non-presidential member of the Personal Injury Commission: Principal Member (legally qualified)	\$295,915
Commissioner, Law Reform Commission	\$295,335
Clerk of the Legislative Assembly	\$289,785
Clerk of the Parliaments	\$289,785
Executive Manager, Parliamentary Services	\$289,785
Full-time non-presidential member of the Personal Injury Commission: Principal Member (not legally qualified)	\$272,445

Public Office Holders Group

Public Office Holder	Salary per annum
Full-time non-presidential member of the Personal Injury Commission: Senior Member (legally qualified)	\$268,965
Deputy Mental Health Commissioner	\$268,045
Deputy Clerk, Legislative Assembly	\$248,760
Deputy Clerk, Legislative Council	\$248,760
Full-time non-presidential member of the Personal Injury Commission: Senior Member (not legally qualified)	\$247,710
Full-time non-presidential member of the Personal Injury Commission: General Member (legally qualified)	\$245,915
Registrar, Aboriginal Land Rights Act 1983	\$229,815
Assessor (<i>Local Court Act 2007</i>)	\$219,890
Full-time non-presidential member of the Personal Injury Commission: General Member (not legally qualified)	\$213,495
Chairperson, Board of the Aboriginal Housing Office	\$171,585
Part-time Chairperson of a Board of Governors of a Corporation constituted by the <i>Electricity Retained Interest Corporations Act 2015</i>	\$168,955
Member of the New South Wales Aboriginal Land Council (Note 1)	\$164,285
Part-time Member of a Board of Governors of a Corporation constituted by the <i>Electricity Retained Interest Corporations Act 2015</i>	\$90,105
Chairperson, Infrastructure NSW	\$88,310
President Mental Health Review Tribunal (part time daily rate)	\$1,725
Deputy President Mental Health Review Tribunal (part time daily rate)	\$1,510
Acting Deputy President of the Personal Injury Commission (part time daily rate)	\$1,480
Assessor <i>Local Court Act 2007</i> (daily rate)	\$915

Note 1	The Chairperson shall receive an allowance of 10% (i.e. a total of \$180,715 per annum) and the Deputy Chairperson shall receive an allowance of 5% (i.e. a total of \$172,500 per annum).
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Leave Loading

An annual leave loading shall be payable on the same terms and conditions as are applicable to officers and employees of the Public Service of New South Wales.

Statutory and Other Offices Remuneration Tribunal

Signed

Richard Grellman AM

Dated: 5 August 2021

Former Chief and Senior Executive Service

(transitional remuneration
arrangements only)

Annual
Determination

*Report and determination
under section 24C of the
Statutory and Other Offices
Remuneration Act 1975*

5 August
2021

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Section 1

Background

Former Chief Executives and Senior Executives

1. The Chief Executive Service and Senior Executive Services¹ were employed under the provisions of the former *Public Sector Employment and Management Act 2002* (PSEM Act). That Act was repealed in 2013 and replaced with the *Government Sector Employment Act 2013* (GSE Act).
2. There may be a small number, if any, transitional former senior executives subject to the transitional arrangements provided for in Schedule 4 of the GSE Act, and executives employed in the NSW Police Force Senior Executive Service and the NSW Health Service who continue to be eligible for remuneration packages as determined under Part 3A of the SOOR Act. For that reason, the Tribunal will continue to make a determination for the SES remuneration ranges. The Tribunal will review these arrangements each year to determine whether further determinations are required.

NSW Police Force Senior Executives

3. The *Police Act 1990* was amended on 31 October 2017 to provide for NSW Police Force senior executives to be employed in a Public Service senior executive (PSSE) band. The remuneration package of a NSW Police Force senior executive must be within the range determined under the SOOR Act for the band in which the executive is employed. These remuneration ranges are determined in accordance with Part 3B of the SOOR Act and published in the Public Service senior executive determination.
4. In accordance with Schedule 4 of the *Police Act 1990* transitional arrangements are in place for existing police senior executives and administrative senior executives employed under the former senior executive provisions. These executives continue to

¹ Unless otherwise stated, the Chief Executive Service and the Senior Executive Service are referred to collectively in the Report and Determination as SES.

Former Chief and Senior Executive Service

receive a remuneration package as provided for under the former senior executive provisions, being the ranges determined in this determination pursuant to Part 3A of the SOOR Act. Transitional arrangements will continue until the latest implementation date applicable to each executive subject to these arrangements after which the new senior executive provisions apply.

NSW Health Service Senior Executives

5. The Tribunal has historically determined remuneration ranges which applied to certain executives in the Health Service - the Specialist Medical Skills Determination and the General Medical Skills Determination. Senior executives in the NSW Health Service are now aligned to the employment arrangements for PSEs under the GSE Act. The Tribunal will retain the Specialist Medical Skills Determination and the General Medical Skills Determination for administrative purposes to cover transitional arrangements.

2021 General Increase

6. For the reasons set out in the determination relating to Public Service senior executives, the Tribunal has determined an increase of 2.5 per cent to the minimum and maximum amounts for each of the remuneration ranges in Section 2 of this determination, effective on and from 1 July 2021.
7. This is consistent with the Tribunal's determinations for the Public Service senior executives, and the Public Office Holders, Court and Related Office Holders and Judges and Magistrates Groups and the Government's wages policy which the Tribunal is required to give effect to pursuant to section 6AA of the SOOR Act.
8. The Tribunal consulted with the Assessors prior to making this determination.

Statutory and Other Offices Remuneration Tribunal

Signed

Richard Grellman AM

Dated: 5 August 2021

Section 2

Determination No. 1- Remuneration Package Ranges for the SES

The Tribunal determines that the remuneration package ranges for executive office holders effective on and from 1 July 2021 shall be:

CES/SES	Per annum range		
Remuneration Level 8	\$499,251	to	\$576,700
Remuneration Level 7	\$398,001	to	\$499,250
Remuneration Level 6	\$354,201	to	\$398,000
Remuneration Level 5	\$307,051	to	\$354,200
Remuneration Level 4	\$ 281,551	to	\$307,050
Remuneration Level 3	\$247,901	to	\$281,550
Remuneration Level 2	\$231,151	to	\$247,900
Remuneration Level 1	\$197,400	to	\$231,150

Determination No. 2 – Remuneration Packages for Specialist Medical Skills

The Tribunal determines that the remuneration package ranges for offices identified as requiring specialist medical skills effective on and from 1 July 2021 shall be:

Specialist Medical Skills	Per annum range		
Remuneration Level 6	\$364,800	to	\$446,800
Remuneration Level 5	\$363,350	to	\$430,550
Remuneration Level 4	\$357,050	to	\$414,400
Remuneration Level 3	\$340,650	to	\$395,350
Remuneration Level 2	\$319,700	to	\$371,000
Remuneration Level 1	\$294,900	to	\$338,550

Determination No. 3 – Remuneration Packages for General Medical Skills

The Tribunal determines that the remuneration package ranges for offices identified as requiring general medical skills effective on and from 1 July 2021 shall be:

General Medical Skills	Per annum range		
Remuneration Level 2	\$256,650	to	\$297,850
Remuneration Level 1	\$235,950	to	\$270,850

Statutory and Other Offices Remuneration Tribunal

Signed

Richard Grellman AM

Dated: 5 August 2021

Public
Service
Senior
Executives

Annual
Determination

*Report and determination
under section 240 of the
Statutory and Other
Offices Remuneration Act
1975*

**5 August
2021**

Public Service Senior Executives

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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 senior executives are to be employed. The following four bands were determined by the then Premier on 14 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 the executive is employed. Remuneration packages are expressed as a total cost of employment, whether the amount is monetary remuneration for the executive, or partly as that remuneration and partly as the cost to the employer of the executive's employment benefits.
4. Section 240 of the SOOR Act provides for the Tribunal to make an annual determination of remuneration packages for senior executives on and from 1 July in that year.
5. The Tribunal's determination provides for remuneration ranges for Bands 1 to 4 and specific remuneration packages for individual office holders identified in the determination.
6. This determination, made under Part 3B of the SOOR Act, also applies to any senior executive employed in the following aligned services:

Public Service Senior Executives

- 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
 - 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 governing 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 Transitional Senior Executives determination apply to these executives.

Government Wages Policy

9. In determining remuneration for PSSEs the Tribunal is required pursuant to section 6AA of the SOOR Act to give effect to the same policies on increases in remuneration as those that the Industrial Relations Commission (IRC) is required to give effect to under section 146C of the *Industrial Relations Act 1996* (the IR Act) when making or varying awards or orders relating to the conditions of employment of public sector employees.
10. The current policy on wages pursuant to section 146(1)(a) of the IR Act is specified in the *Industrial Relations (Public Sector Conditions of Employment) Regulation 2014* (the IR Regulation). The effect of the IR Regulation is that public sector remuneration including any new or increased superannuation cannot increase by more than 2.5 per cent per annum. Any increase beyond 2.5 per cent can only be awarded if sufficient employee-related cost savings have been achieved to fully offset the increased employee-related costs.

Public Service Senior Executives

11. While the Tribunal is required to give effect to the Government's wages policy in the making of this determination, it is open to the Tribunal to determine an increase of up to 2.5 per cent or no increase at all.

2020 Annual Determination

12. On 7 September 2020, the Tribunal determined that given the economic and social circumstances at the time, no increase would apply to the remuneration packages for PSSEs.

2020 - 2021 Special Determinations

13. The Tribunal has made four special determinations, pursuant to section 24P of the SOOR Act, since the making of the 2020 annual determination which amend that determination.
14. On 30 March 2021, the Tribunal determined to alter the range of remuneration packages for Band 4 PSSEs to provide Mr Robert Sharp, in the role of the Secretary of the Department of Transport, with a remuneration package of \$599,000 per annum effective from the date of his appointment being 7 April 2021.
15. On 20 April 2021, the Tribunal determined to alter the range of remuneration packages for Band 3 PSSEs to provide Ms Amy Brown, in the role of Chief Executive Officer of Investment NSW, with a remuneration package of \$570,000 per annum effective from the date of her appointment being 29 March 2021.
16. On 24 May 2021, the Tribunal determined to alter the range of remuneration packages for Band 4 PSSEs to provide Ms Georgina Harrisson, in the role of the Secretary of the Department of Education, with a remuneration package of \$599,000 per annum effective from the date of her appointment being 24 May 2021.
17. On 27 May 2021, Tribunal determined to alter the range of remuneration packages for Band 2 PSSEs to provide Mr Andrew Kingsmill, in the role of Executive Director, Technical Advisory Services, Department of Planning, Industry and Environment, with a remuneration package of \$380,000 per annum.

Public Service Senior Executives

18. Two previous special determinations made by the Tribunal no longer apply as the executives named in the special determinations have vacated the specified roles since the making of the 2020 annual determination. Accordingly, the different remuneration packages that applied to Mr Samuel Sangster in the role of Chief Executive Officer, Western City and Aerotropolis Authority and Mr Stephen Loquet, Chief Information Officer, Department of Education have been removed from Determination No 1.
19. Special determinations are published on the NSW Remuneration Tribunals website.

Section 2

2021 Annual Review

Government Submission

20. The Secretary, Department of Premier and Cabinet provided the Government submission to the Tribunal on 2 June 2021. The submission was replaced by another Government submission provided on 15 July 2021. The Government submission advised that on 21 June 2021, the Government announced changes to the existing Wages Policy to provide for increases in remuneration or other conditions of employment of up to 2.5 per cent (inclusive of superannuation) for public sector employees. The submission recommends the following increases having regard to the increase in the SGC from 1 July 2021:

“In line with the revised Wages Policy it is now recommended that a 2.5 per cent increase in remuneration be applied to employees and other office holders whose total remuneration package (“TRP”) is determined by the Tribunal and an increase of 2.04 per cent for non-TRP employees and office holders effective from 1 July 2021.

The 2.04 per cent increase recommended for non-TRP employees and officers takes into account the increase to the Superannuation Guarantee Charge (“SGC”) of 0.5 percentage points from 1 July 2021 and uses the same methodology as applied when superannuation was last increased in 2014. This methodology recognises that superannuation is not payable on superannuation itself and as a result, the cost of the additional SGC is less than a 0.5 per cent pay increase. An increase of 2.04 per cent to salaries and 0.5 per cent to superannuation is consistent with the Wages Policy and does not increase employee related costs by more than 2.5 per cent.

The provision applies to the following groups of employees and office holders covered under the Statutory and Other Offices Remuneration Act 1975:

- *Public Service Senior Executives*

Public Service Senior Executives

- *Chief and Senior Executive Officers (SES)*
- *Judges and Magistrates Group*
- *Court and Related Officers Group*
- *Public Office Holders Group*

Superannuation Guarantee Contributions

21. Information published on the Australian Taxation Office website confirms the previous and future percentage increases to the superannuation guarantee since 1 July 2002, when the general superannuation guarantee was 9.00 per cent:

Date of increase	Percentage increase (%)	General super guarantee (%)
1 July 2013	.25	9.25
1 July 2014	.25	9.50
1 July 2021	.50	10.00
1 July 2022	.50	10.50
1 July 2023	.50	11.00
1 July 2024	.50	11.50
1 July 2025	.50	12.00

22. Under the SOOR Act, it is open to the Tribunal to determine an annual increase in remuneration of up to 2.5 per cent inclusive of increases to superannuation contributions. The Tribunal reviewed the impact of the SGC increase on PSSEs in the 2014 Annual Determination which was the last time that the SGC increased. In essence, in 2014 the Tribunal determined that the SGC increase did not affect the Tribunal's ability to determine an increase of up to 2.5 per cent for PSSEs as they receive a total remuneration package, from which the cost of the SGC must be funded. The Tribunal will adopt the same approach in 2021.

23. The Government submission outlines the Government's view of appropriate adjustments in respect of the SGC.

Section 3

2021 Annual Determination

General Increase

24. Having regard to the provisions of section 6AA of the SOOR Act, the Tribunal has determined an increase of 2.5 per cent to the minimum and maximum of the remuneration ranges for Bands 1 to 4. This increase is also applied to the remuneration packages for those senior executives named in the determination. This is consistent with the increases recommended in the Government submission. The new rates are set out in Determination No. 1.

25. The Tribunal consulted with the Assessors prior to making this determination.

Statutory and Other Offices Remuneration Tribunal

Signed

Richard Grellman AM

Dated: 5 August 2021

Public Service Senior Executives

Section 4

Determination No.1-Remuneration Package Ranges for the PSSEs

The Tribunal determines that the remuneration package ranges for Public Sector Senior Executive Bands and different remuneration packages that apply to senior executives named effective on and from 1 July 2021 shall be:

Public Sector Senior Executive Bands			
Band	Per annum range		
Band 4 - Secretary level	499,251	to	576,700
Band 3 - Deputy Secretary level	354,201	to	499,250
Band 2 - Executive Director level	281,551	to	354,200
Band 1 - Director level	197,400	to	281,550

Different remuneration packages that apply to the senior executives named
Band 4 – Secretary level
Mr Michael Fuller, Commissioner of Police: \$665,750 per annum
Mr Tim Reardon, Secretary, Department of Premier and Cabinet: \$644,850 per annum
Mr Jim Betts, Secretary, Department of Planning, Industry and Environment: \$620,650 per annum
Ms Elizabeth Koff, Secretary, Ministry of Health: \$614,000 per annum
Mr Michael Pratt, Secretary, NSW Treasury: \$614,000 per annum
Mr Georgina Harrisson, Secretary, Department of Education: \$614,000 per annum
Mr Robert Sharp, Secretary, Department of Transport: \$614,000 per annum
Mr Michael Coutts-Trotter, Secretary, Department of Communities and Justice: \$614,000 per annum
Ms Emma Hogan, Secretary, Department of Customer Service: \$614,000 per annum
Band 3 – Deputy Secretary level
Mr Simon Draper, Chief Executive Officer and Co-ordinator General, Infrastructure NSW: \$614,000 per annum
Dr Jim Bentley, Chief Executive Officer, Water NSW, Department of Planning, Industry and Environment: \$602,800 per annum
Mr Steffen Faurby, Managing Director, Technical and Further Education Commission: \$589,400 per annum
Ms Amy Brown, Chief Executive Officer, Investment NSW: \$584,250 per annum
Dr Nigel Lyons, Deputy Secretary, Strategy and Resources, Ministry of Health: \$546,700 per annum
Band 2 – Executive Director level
Mr Tim O’Connor, Executive Director, Criminal Investigations, NSW Crime Commission: \$419,750 per annum
Mr Jon Spark, Executive Director, Financial Investigations, NSW Crime Commission: \$389,000 per annum
Mr Andrew Kingsmill, Executive Director, Technical Advisory Services at the Department of Planning Industry and Environment: \$389,500 per annum

Public Service Senior Executives

Statutory and Other Offices Remuneration Tribunal

Signed

Richard Grellman AM

Dated: 5 August 2021

Court and
Related
Officers
Group

Annual
Determination

*Report and determination
under section 13 of the
Statutory and Other Offices
Remuneration Act 1975*

5 August
2021

Court and Related Officers Group

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Section 1

Background

1. Section 13 of the *Statutory and Other Offices Remuneration Act 1975* (the SOOR Act) requires the Tribunal, each year, to make a determination on the remuneration to be paid to office holders on and from 1 July in that year. Section 10A defines 'remuneration' as salary or allowances paid in money.
2. The Court and Related Officers Group comprises those public offices listed in the Schedules of the SOOR Act (except for the Judges and Magistrates Group and the Public Office Holders Group), which have been grouped together by the Tribunal for remuneration purposes. The remuneration for these office holders is determined as a fixed salary amount. Employer on-costs, such as the Superannuation Guarantee Contribution, are additional to the salary amount determined.

Government Wages Policy

3. The Tribunal is required, when making determinations under Part 3 of the SOOR Act, to give effect to any policy concerning the remuneration of office holders as declared by the regulations. Section 6AB of the SOOR Act applies to the Tribunal's determinations in respect of office holders in the Judges and Magistrates Group, the Court and Related Officers Group and the Public Office Holders Group. Government policy concerning the remuneration of office holders to which Part 3 of the SOOR Act applies is declared in the *Statutory and Other Offices Remuneration (Judicial and Other Office Holders) Regulation 2013* (the SOOR Regulation).
4. In accordance with the clause 6 of the SOOR Regulation, any increase the Tribunal may determine in excess of 2.5 per cent, be it a general increase available to all office holders, or an increase provided to an individual office holder or group of office holders based on changes in work value, could only be paid if officer-related cost savings for the office holder (or group of office holders) have been achieved to fully offset the increased officer-related costs resulting from increased payment.

Court and Related Officers Group

5. Since the introduction of the SOOR Regulation in 2013 office holders in the Court and Related Officers Group have received annual increases capped at 2.5 per cent, apart from 2020 when there was a temporary wage pause pursuant to Clause 5A of the SOOR Regulation commencing 29 May 2020 and ending 12 months after that date.

Section 2

2020 Determination

6. The Tribunal was required to give effect to the temporary wages policy and on 7 September 2020, the Tribunal determined that no increase would apply to the salaries payable to office holders in the Court and Related Officers group with effect from 1 July 2020
7. The Tribunal also determined that there would no adjustment to the quantum of the conveyance allowance as the relevant CPI index for 2020 was negative 0.6 per cent.

Amendments to the SOOR Act

8. The SOOR Act has been amended since the making of the 2020 annual determination.
9. The *Statute Law (Miscellaneous Provisions) Act 2019 No 1* amended Sections 11B and 11C commencing on 1 July 2019. New sub-clauses - 11B(4A) and 11C(4A) – were inserted enabling the Minister to delegate to the head of a Public Service Agency or a person employed in a Public Service agency responsible to the Minister the functions of approving and revoking certain salary sacrifice arrangements relating to motor vehicles for private use, employee superannuation contributions and living away from home expenses.
10. The *Personal Injury Commission Act 2020* (PIC Act) amended Schedule 2 commencing either on the date of proclamation or from 1 March 2021. The offices of President of the Personal Injury Commission; Deputy President of the Personal Injury Commission; Acting Deputy President of the Personal Injury Commission; Full-time non-presidential member of the Personal Injury Commission were inserted. The offices of President of the Workers Compensation Commission; Deputy President of the Workers Compensation Commission; Acting Deputy President of the Workers Compensation Commission; Registrar of the Workers Compensation Commission; Senior Arbitrator or other full-time Arbitrator of the Workers Compensation Commission; Principal Claims Assessor under

Court and Related Officers Group

the *Motor Accidents Compensation Act 1999*; Principal Claims Assessor under the *Motor Accident Injuries Act 2017* were removed.

11. The Tribunal has amended the list of offices in the relevant determinations accordingly.

Section 3

2021 Annual Review

13. On 3 March 2021, the Tribunal wrote to office holders advising of the commencement of the 2020 annual review. The Tribunal did not hold meetings with office holders as part of the 2021 review.

Office holder submissions

14. The Tribunal received four submissions from office holders in the Court and Related Officers Group, generally supporting a 2.5 per cent increase in salaries. One submission also sought an increase in the conveyance allowance.
15. The Director and Deputy Directors of Public Prosecutions sought an increase of 2.5 per cent in remuneration. The submission outlined the five major benefits of the Early Appropriate Guilty Plea (EAGP) reforms have brought to the criminal justice system. The submission also noted the additional workload due to the impact of the COVID-19 pandemic.
16. The Senior Crown Prosecutor, on behalf Crown Prosecutors sought an increase of 2.5 per cent. The submission emphasised the fundamental nature of the EAGP reforms, noting the additional responsibilities placed on Crown Prosecutors. The Senior Crown Prosecutor's submission stated that Crown Prosecutors have embraced the EAGP and case management reforms and the greater workload the reforms have created. In doing so, Crown Prosecutors are playing an integral role in enhancing the criminal justice system. The submission also noted the additional workload due to the impact of the COVID-19 pandemic.
17. The Senior Public Defender supported the submission of the Senior Crown Prosecutor, for an increase of 2.5 per cent. The submission emphasized the EAGP reforms, noting the complementary roles of Public Prosecutors and Public Defenders. The submission also noted the difficult and arduous nature of the work of Public Defenders and increased workloads including those associated with the pandemic.

Court and Related Officers Group

18. The Senior Commissioner of the Land and Environment Court adopted the submission of the Judges of the Supreme Court and Chief Judge of the Land and Environment Court on behalf of herself and commissioners. That being a general increase of 2.5 per cent in the salaries of commissioners and an increase of at least 5.7 per cent in the conveyance allowance. The submission noted that the jurisdiction of the Land and Environment Court continues to be expanded by new legislation and Judges and Commissioners of the Land and Environment Court have increased their productivity, dealing with an increased caseload while the number of commissioners of the Court has remained constant. The submission also noted the impact of the COVID-19 pandemic and that commissioners have increased their productivity to hear and dispose of the Court's caseload throughout this difficult period.

Government submission

19. The Secretary, Department of Premier and Cabinet provided the Government submission to the Tribunal on 2 June 2021. That submission was replaced by another Government submission provided on 15 July 2021. The Government submission advised that on 21 June 2021, the Government announced changes to the existing Wages Policy to provide for increases in remuneration or other conditions of employment of up to 2.5 per cent (inclusive of superannuation) for public sector employees. The submission recommends the following increases having regard to the increase in the SGC from 1 July 2021:

"In line with the revised Wages Policy it is now recommended that a 2.5 per cent increase in remuneration be applied to employees and other office holders whose total remuneration package ("TRP") is determined by the Tribunal and an increase of 2.04 per cent for non-TRP employees and office holders effective from 1 July 2021.

The 2.04 per cent increase recommended for non-TRP employees and officers takes into account the increase to the Superannuation Guarantee Charge ("SGC") of 0.5 percentage points from 1 July 2021 and uses the same methodology as applied when superannuation was last increased in 2014. This methodology recognises that superannuation is not payable on superannuation itself and as a result, the cost of the additional SGC is less than a 0.5 per cent pay increase. An increase of 2.04 per

Court and Related Officers Group

cent to salaries and 0.5 per cent to superannuation is consistent with the Wages Policy and does not increase employee related costs by more than 2.5 per cent.

The provision applies to the following groups of employees and office holders covered under the Statutory and Other Offices Remuneration Act 1975:

- *Public Service Senior Executives*
- *Chief and Senior Executive Officers (SES)*
- *Judges and Magistrates Group*
- *Court and Related Officers Group*
- *Public Office Holders Group*

Conveyance Allowance

20. The annual percentage change from the 2020 March quarter to the 2021 March quarter in the CPI: Motor Vehicles – Sydney (Series ID A2328552A) is 6.4 per cent. To reflect this change the Tribunal intends to adjust the conveyance allowance by the permissible maximum of 2.5 per cent per cent.

Superannuation Guarantee Contributions

21. Information published on the Australian Taxation Office website confirms the previous and future percentage increases to the superannuation guarantee since 1 July 2002, when the general superannuation guarantee was 9.00 per cent:

Date of increase	Percentage increase (%)	General super guarantee (%)
1 July 2013	.25	9.25
1 July 2014	.25	9.50
1 July 2021	.50	10.00
1 July 2022	.50	10.50
1 July 2023	.50	11.00
1 July 2024	.50	11.50
1 July 2025	.50	12.00

Court and Related Officers Group

22. The Tribunal reviewed the impact of the SGC increase on office holders in the 2014 Annual Determination for the Court and Related Officers Group which was the last time that the SGC increased.
23. That determination refers to the special determination in respect to Judges, Acting Judges, Associate Judges, Director of Public Prosecutions and Solicitor General made on 19 December 2013. The special determination related to those Judges and other related officers who are potentially entitled upon retirement to receive a judicial pension and in respect of whom, therefore, the employer does not incur the cost of the SGC. The special determination included Judges as defined within the meaning of the *Judges' Pension Act 1953*, Acting Judges, Associate Judges, Director of Public Prosecutions and Solicitor General, who are potentially entitled upon retirement to receive a judicial pension. The Tribunal determined that the SGC increase does not affect the Tribunal's ability to determine a remuneration increase of up to 2.5 per cent for these office holders.
24. In respect to office holders in the Court and Related Officers Group, apart from the Director of Public Prosecutions and Solicitor General, the Tribunal determined it is required to take account of the cost of SGC increases in its remuneration determination.
25. The Tribunal's previous determinations on the matter of SGC increases continue to apply. Accordingly, for the 2021 determination, for office holders in Determination No. 1, it is open to the Tribunal to determine an annual increase in remuneration of up to 2.5 per cent. For office holders in Determination No. 2, it is also open to the Tribunal to determine an annual increase in remuneration of up to 2.5 per cent adjusted accordingly to account for the SGC increase.
26. The Government submission outlines the Government's view of appropriate adjustments in respect of the SGC.

Section 4

2021 Annual Determination

General Increase

27. After considering submissions received and provisions of section 6AB of the SOOR Act the Tribunal finds those office holders the subject of this determination should receive the maximum permissible increase of 2.5 per cent, although adjusted to 2.04 per cent for some office holders to take into account the SGC increase. The increases are consistent with the increases recommended in the Government submission.
28. The Tribunal finds that an increase to the maximum extent possible under the SOOR Act is justified having regard to the significant role court and related office holders undertake in the State's justice system.
29. The Tribunal also notes the submissions made by and on behalf of office holders and acknowledges the difficult and uncertain circumstances in which office holders have had to contend due to the impact of the COVID-19 pandemic.
30. The adjustment to take account of the SGC increase is consistent with the Tribunal's previous determinations and the methodology set out in the Government's submission.
31. The Director of Public Prosecutions and Solicitor General will receive an annual increase of 2.5 per cent with effect from 1 July 2021.
32. All other office holders in the Court and Related Officer Group will receive an annual increase of 2.04 per cent with effect from 1 July 2021.
33. The conveyance allowance is increased by 2.5 per cent with effect from 1 July 2021 in accordance with the Tribunal's methodology and the requirements of the SOOR Act.
34. The Tribunal consulted with the Assessors prior to making this determination.

Court and Related Officers Group

35. Pursuant to section 13 of the SOOR Act the Tribunal determines that the remuneration to be paid office holders in the Court and Related Officers Group, on and from 1 July 2021 shall be as specified in Determination Nos. 1-3.

Statutory and Other Offices Remuneration Tribunal

Signed

Richard Grellman AM

Dated: 5 August 2021

Section 5

Determinations

Determination No. 1- Remuneration of office holders eligible for a Judges' pension. Effective on and from 1 July 2021

Position	Salary per annum	Conveyance Allowance (NOTE 1)
Director of Public Prosecutions	\$468,920	\$24,340
Solicitor-General	\$468,920	\$24,340

Determination No. 2- Remuneration of other office holders not referred to in determination No.1. Effective on and from 1 July 2021

Position	Salary per annum	Conveyance Allowance (NOTE 1)
Chairperson, Law Reform Commission	\$464,940	\$24,340
Crown Advocate	\$418,450	\$21,900
Deputy Director of Public Prosecutions	\$418,450	\$21,900
Senior Crown Prosecutor	\$376,600	\$17,515
Senior Public Defender	\$376,600	\$17,515
Deputy Senior Crown Prosecutor	\$338,930	\$17,515
Deputy Senior Public Defender	\$338,930	\$17,515
Solicitor for Public Prosecutions	\$338,930	\$17,515
Senior Commissioner Land and Environment Court	\$325,450	\$17,515
Crown Prosecutor	\$309,640	\$17,515
Public Defender	\$309,640	\$17,515
Commissioner Land and Environment Court	\$306,840	\$17,515
Acting Commissioner Land and Environment Court	\$1,275 per day	-

Conveyance Allowance

NOTE 1: The Conveyance Allowance determined here shall not count towards pension or for superannuation purposes.

METHODOLOGY: The Tribunal provides increases to the conveyance allowance based on the CPI: Motor Vehicles – Sydney (Series ID A2328552A) March quarter - having regard to the

Court and Related Officers Group

percentage change from the corresponding quarter of the previous year. In considering any adjustment the following conditions will apply:

- Should the March quarter data indicate a decrease in motor vehicle costs the conveyance allowance will remain unchanged (to comply with the requirements of section 21 of the SOOR Act).
- The annual adjustment will not exceed 2.5 per cent (to comply with section 6AB of the SOOR Act).

Determination No.3- Annual Leave Loading

Leave Loading

Annual leave loading shall be payable on the same terms and conditions as are applicable to officers and employees of the Public Service of New South Wales.

Statutory and Other Offices Remuneration Tribunal

Signed

Richard Grellman AM

Dated: 5 August 2021

Judges and Magistrates Group

Annual
Determination

*Report and determination
under section 13 of the
Statutory and Other Offices
Remuneration Act 1975*

**5 August
2021**

Judges and Magistrates Group

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Section 1

Background

1. Section 13 of the *Statutory and Other Offices Remuneration Act* (the SOOR Act) requires the Tribunal, each year, to make a determination of the remuneration to be paid to office holders on and from 1 July in that year. Section 10A defines 'remuneration' as salary or allowances payable in money.
2. The Judges and Magistrates Group comprises those public offices listed in the Schedules of the SOOR Act (except for the Court and Related Officers Group and the Public Office Holders Group), which have been grouped together by the Tribunal for remuneration purposes. The remuneration for these office holders is determined as a fixed salary amount. Employer on-costs, such as the Superannuation Guarantee Contribution, are additional to the salary amount determined.

Government Wages Policy

3. The Tribunal is required, when making determinations under Part 3 of the SOOR Act, to give effect to any policy concerning the remuneration of office holders as declared by the regulations. Section 6AB of the SOOR Act applies to the Tribunal's determinations in respect of office holders in the Judges and Magistrates Group, the Court and Related Officers Group and the Public Office Holders Group. Government policy concerning the remuneration of office holders to which Part 3 of the SOOR Act applies is declared in the *Statutory and Other Offices Remuneration (Judicial and Other Office Holders) Regulation 2013* (the SOOR Regulation).
4. In accordance with the clause 6 of the SOOR Regulation, any increase the Tribunal may determine in excess of 2.5 per cent, be it a general increase available to all office holders, or an increase provided to an individual office holder or group of office holders based on changes in work value, could only be paid if officer-related cost savings for the

Judges and Magistrates Group

office holder (or group of office holders) have been achieved to fully offset the increased officer-related costs resulting from increased payment.

5. Since the introduction of the SOOR Regulation in 2013 office holders in the Judges and Magistrates Group have received annual increases capped at 2.5 per cent, apart from 2020 when there was a temporary wage pause pursuant to Clause 5A of the SOOR Regulation commencing 29 May 2020 and ending 12 months after that date.

Section 2

2020 Determination

7. The Tribunal was required to give effect to the temporary wages policy which paused remuneration increases for 12 months and on 7 September 2021 determined that no increase would apply to the salaries of office holders in the Judges and Magistrates Group.
8. The Tribunal also determined that there would no adjustment to the quantum of the conveyance allowance as the relevant CPI index for 2020 was negative 0.6 per cent.

Amendments to the SOOR Act

9. The SOOR Act has been amended since the making of the 2020 annual determination.
10. The Statute Law (Miscellaneous Provisions) Act 2019 No 1 amended Sections 11B and 11C commencing on 1 July 2019. New sub-clauses - 11B(4A) and 11C(4A) – were inserted enabling the Minister to delegate to the head of a Public Service Agency or a person employed in a Public Service agency responsible to the Minister the functions of approving and revoking certain salary sacrifice arrangements relating to motor vehicles for private use, employee superannuation contributions and living away from home expenses.
11. The Personal *Injury Commission Act 2020* (PIC Act) amended Schedule 2 commencing either on the date of proclamation or from 1 March 2021. The offices of President of the Personal Injury Commission; Deputy President of the Personal Injury Commission; Acting Deputy President of the Personal Injury Commission; Full-time non-presidential member of the Personal Injury Commission were inserted. The offices of President of the Workers Compensation Commission; Deputy President of the Workers Compensation Commission; Acting Deputy President of the Workers Compensation Commission; Registrar of the Workers Compensation Commission; Senior Arbitrator or other full-time Arbitrator of the Workers Compensation Commission; Principal Claims Assessor under

Judges and Magistrates Group

the Motor Accidents Compensation Act 1999 and Principal Claims Assessor under the *Motor Accident Injuries Act 2017* were removed.

12. The Tribunal has amended the list of offices in the relevant determinations accordingly.

2020 – 2021 Special Determination

13. The Tribunal has made one special determination since the making of the 2020 annual determination. On 23 October 2020, the Tribunal determined pursuant to section 14(2) of the SOOR Act, that the annual salary for the President of the Personal Injury Commission would be \$475,920 per annum with an annual conveyance allowance of \$23,745.
14. Special determinations are published on the NSW Remunerations Tribunals website.

Section 3

2021 Annual Review

15. On 3 March 2021, the Tribunal wrote to office holders advising of the commencement of the 2021 annual review. The Tribunal did not hold meetings with office holders as part of the 2021 review.

Office Holder Submissions

16. The Tribunal received six submissions from office holders in the Judges and Magistrates Group, generally supporting a 2.5 per cent increase in salaries, providing various reasons including economic indicators. Some submissions noted the continued functioning of courts and tribunals through the COVID-10 pandemic, despite often difficult circumstances.
17. The submission of the Supreme Court noted that the work performed by the Judges is essential to the maintenance of the rule of law, the proper administration of justice and the ongoing success of both the economy and the social fabric of the State. The submission sought a 2.5 per cent increase, noting the continuing high productivity of the Judges of the Court, despite their heavy workload. A 2.5 per cent increase would also assist in ensuring that judicial remuneration is maintained at a level which will continue to ensure that persons of highest calibre can be attracted to accepting appointment of the Court and would support their ongoing retention. In respect to the conveyance allowance the submission sought an increase of at least 5.7 per cent as the motor vehicles expenses index rose in the 12 months to March 2021 by 5.7 per cent. If the Tribunal takes the view that the conveyance allowance is part of the Judges' remuneration, then an increase of 2.5 per cent is recommended in accordance with the SOOR Regulation.
18. The Chief Judge of the District Court referred to increases sought in the submission of the Supreme Court in respect to salaries and conveyance allowance and submitted that the same increases are appropriate for the Judges of the District Court. The submission

Judges and Magistrates Group

noted that despite the pandemic the District Court has managed to conduct jury trials in 2020 and significantly reduced the number of pending cases. The District Court was the first court in Australia to resume jury trials after their suspension.

19. The Chief Judge of Land and Environment Court of NSW, on behalf of the Judges of the Court adopted the submission of the Supreme Court Judges in respect of salary and conveyance allowance. Additionally, the submission noted an expansion of the jurisdiction of the Land and Environment Court along with an increased case load and more sitting days as indicators of the increased productivity of the Court's Judges and Commissioners. The submission noted that this productivity has been maintained through the year notwithstanding the constraints imposed by the COVID-19 pandemic.
20. The Chief Magistrate of the Local Court outlined factors which merit consideration of an increase in the remuneration for Magistrates. The submission noted that the impact of COVID-19 led to a surge of applications for release on bail and has been a considerable burden on the Court. The caseload of the Court continues to rise in both the criminal jurisdiction and in the special jurisdiction within which domestic and personal violence matters fall. The submission noted the achievements of the Court and in particular the role of the Local Court in managing the workload arising from the diversion of serious criminal offences from the District Court to the Local Court.
21. The President of the Personal Injury Commission (PIC) indicated that the PIC will accept whatever outcome the Tribunal determines in relation to the Judges and Magistrates Group. The President noted that the determination needs to be amended to delete the President of the Workers Compensation Commission and insert the President of the PIC in its place.
22. The Chief Commissioner of the Industrial Relations Commission (IRC) said it would not be appropriate for the IRC to make a submission on the quantum of a general increase given the IRC's role in determining salaries for public sector employees from 1 July 2021. Although no submission was made on the quantum of the general increase the Commissioner of the IRC submitted that the remuneration of Members of the Commission should be treated consistently with other judicial officers.

Judges and Magistrates Group

Government Submission

23. The Secretary, Department of Premier and Cabinet provided the Government submission to the Tribunal on 2 June 2021. That submission was replaced by another submission provided on 15 July 2021. The Government submission advised that on 21 June 2021, the Government announced changes to the existing Wages Policy to provide for increases in remuneration or other conditions of employment of up to 2.5 per cent (inclusive of superannuation) for public sector employees. The submission recommends the following increases having regard to the increase in the SGC from 1 July 2021:

“In line with the revised Wages Policy it is now recommended that a 2.5 per cent increase in remuneration be applied to employees and other office holders whose total remuneration package (“TRP”) is determined by the Tribunal and an increase of 2.04 per cent for non-TRP employees and office holders effective from 1 July 2021.

The 2.04 per cent increase recommended for non-TRP employees and officers takes into account the increase to the Superannuation Guarantee Charge (“SGC”) of 0.5 percentage points from 1 July 2021 and uses the same methodology as applied when superannuation was last increased in 2014. This methodology recognises that superannuation is not payable on superannuation itself and as a result, the cost of the additional SGC is less than a 0.5 per cent pay increase. An increase of 2.04 per cent to salaries and 0.5 per cent to superannuation is consistent with the Wages Policy and does not increase employee related costs by more than 2.5 per cent

The provision applies to the following groups of employees and office holders covered under the Statutory and Other Offices Remuneration Act 1975:

- *Public Service Senior Executives*
- *Chief and Senior Executive Officers (SES)*
- *Judges and Magistrates Group*
- *Court and Related Officers Group*
- *Public Office Holders Group”*

Judges and Magistrates Group

Conveyance Allowance

24. The annual percentage change from the 2020 March quarter to the 2021 March quarter in the CPI: Motor Vehicles – Sydney (Series ID A2328552A) is 6.4 per cent. Considering this change the Tribunal will adjust the conveyance allowance by the permissible maximum of 2.5 per cent per cent.

Superannuation Guarantee Contributions

25. Information published on the Australian Taxation Office website confirms the previous and future percentage increases to the superannuation guarantee since 1 July 2002, when the general superannuation guarantee was 9.00 per cent:

Date of increase	Percentage increase (%)	General super guarantee (%)
1 July 2013	.25	9.25
1 July 2014	.25	9.50
1 July 2021	.50	10.00
1 July 2022	.50	10.50
1 July 2023	.50	11.00
1 July 2024	.50	11.50
1 July 2025	.50	12.00

26. The Tribunal reviewed the impact of the SGC increase on office holders in the 2014 Annual Determination for the Judges and Magistrates Group which was the last time that the SGC increased.

27. That determination refers to the special determination in respect of Judges, Acting Judges, Associate Judges, Director of Public Prosecutions and Solicitor General made on 15 December 2013. The special determination related to those judges and other related officers who are potentially entitled upon retirement to receive a judicial pension and in respect of whom, therefore, the employer does not incur the cost of the SGC. The special determination included Judges as defined within the meaning of the *Judges' Pension Act 1953*, Acting Judges, Associate Judges, Director of Public Prosecutions and Solicitor General, who are potentially entitled upon retirement to receive a judicial pension. The Tribunal determined that the SGC increase does not affect the Tribunal's

Judges and Magistrates Group

ability to determine a remuneration increase of up to 2.5 per cent for these office holders.

28. In respect of those offices where a judges' pension does not apply, the Tribunal determined it is required to take account of the cost of SGC increases in its remuneration determination.
29. The Tribunal's previous determinations on the matter of SGC increases continue to apply. Accordingly, for the 2021 determination, for office holders in Determination No. 1, it is open to the Tribunal to determine an annual increase in remuneration of up to 2.5 per cent. For office holders in Determination No. 2, it is also open to the Tribunal to determine an annual increase in remuneration of up to 2.5 per cent but with salary increases adjusted accordingly to account for SGC increase.
30. The Government submission outlines the Government's view of appropriate adjustments in respect of the SGC.

Section 4

2021 Annual Determination

General Increase

31. After considering submissions received and the provisions of section 6AB of the SOOR Act the Tribunal finds those office holders the subject of this determination should receive the maximum permissible increase of 2.5 per cent, although adjusted to 2.04 per cent for some office holders to take into account the SGC increase. The increases are consistent with the increases recommended in the Government submission.
32. The Tribunal finds that an increase to the maximum extent possible under the SOOR Act is justified having regard to the significant role judicial office holders undertake in the State's justice system.
33. The Tribunal also notes the submissions made by and on behalf of office holders and acknowledges the difficult and uncertain circumstances in which office holders have had to contend due to the impact of the COVID-19 pandemic
34. The adjustment to take account of the SGC increase is consistent with the Tribunal's previous determinations and with the methodology set out in the Governments submission.
35. Judges, Acting Judges and Associate Judges will receive an annual increase of 2.5 per cent with effect from 1 July 2021.
36. Judicial office holders not eligible to receive a pension under the *Judges' Pension Act 1953*, will receive an annual increase of 2.04 per cent with effect from 1 July 2021.
37. The conveyance allowance is increased by 2.5 per cent with effect from 1 July 2021 in accordance with the Tribunal's methodology and the requirements of the SOOR Act.
38. The Tribunal consulted with the Assessors prior to making this determination.

Judges and Magistrates Group

39. Pursuant to section 13 of the SOOR Act the Tribunal determines that the remuneration to be paid to office holders in the Judges and Magistrates Group, on and from 1 July 2021 shall be as specified in Determination Nos. 1-5.
40. The Tribunal has also made a Report and Determination on Travel Allowances for NSW Judges and Magistrates and the rates are specified in Determination No. 6.

Statutory and Other Offices Remuneration Tribunal

Signed

Richard Grellman AM

Dated: 5 August 2021

Section 5

Report on travel allowances for NSW Judges and Magistrates

Background

1. 'Remuneration' is defined in the SOOR Act, as salary and allowances payable to office holders. Judges and Magistrates are holders of offices specified in Schedule 1 of the SOOR Act.
2. 'Allowance' is defined as follows:

'allowance does not include a travelling or subsistence allowance, but includes a travelling or subsistence allowance for travel within Australia by the holder of an office specified in Schedule 1 who is:

- (a) *a Judge or Acting Judge of a court, or*
 - (b) *any other judicial officer (within the meaning of the Judicial Officers Act 1986) nominated by the Minister by notice in writing to the Tribunal for the purposes of this definition.'*
3. The Tribunal in this determination will be setting rates for overnight stays in capital cities, for overnight stays in areas other than capital cities and meal rates for day or part of day absences from headquarters. The Tribunal has also determined the conditions upon which the rates are to be paid.

2021 Review

4. Historically the Tribunal has had regard to movements in the travel rates as adopted for the NSW Public Sector generally. These rates are based on the reasonable travel allowances as determined by the Australian Taxation Office (ATO). The determination for 2021 being ATO TD2021/6.

Principles Adopted

5. In making its determinations on travel allowance rates the Tribunal has adopted a number of guiding principles as set out hereunder.
 - (a) Travelling allowances are intended to meet the costs necessarily incurred by Judges and Magistrates who are required to travel away from

Judges and Magistrates Group

home/place of work on official business. Such costs include accommodation, meals and incidental expenses.

- (b) Allowances are provided to ensure that an officer is not financially disadvantaged as a result of having to travel on official business.
 - (c) Office holders are not expected to gain or lose financially as a result of travelling on official business.
6. Where an office holder is accommodated in private, non-commercial accommodation such as the home of a family member or friend, a rate of one third of the specified rate is payable, rounded upwards to the nearest dollar.

Conclusion

7. In making its determination the Tribunal has had regard to the current travel allowance rates contained in Taxation Ruling TD2021/6. Non-metropolitan accommodation rates and meal rates are also as set out in the Determination.
8. The Tribunal makes Determination No 6 effective on and from 1 July 2021.

Statutory and Other Offices Remuneration Tribunal

Signed

Richard Grellman AM

Dated: 5 August 2021

Judges and Magistrates Group

Section 6

Determinations

Determination No. 1 - Remuneration of Judges effective on and from 1 July 2021

Position	Salary per annum	Conveyance Allowance (NOTE 1)
Chief Justice of the Supreme Court	\$545,870	\$24,340
President of the Court of Appeal	\$511,140	\$24,340
Chief Judge of the Land and Environment Court	\$511,140	\$24,340
Judge of the Supreme Court	\$487,820	\$24,340
Judge of the Land and Environment Court	\$487,820	\$24,340
President, Personal Injury Commission	\$487,820	\$24,340
Judge of the District Court	\$436,910	\$21,900
Associate Judge or acting Associate Judge (under the Supreme Court Act 1970)	\$436,910	\$21,900

Determination No. 2 - Remuneration of other Judicial Officers not referred to in determination No.1 effective on and from 1 July 2021

Position	Salary per annum	Conveyance Allowance (NOTE 1)
Chief Magistrate	\$433,200	\$21,900
Deputy Chief Magistrate	\$366,050	\$17,515
State Coroner	\$366,050	\$17,515
Chief Industrial Magistrate	\$352,620	\$17,515
Chief Commissioner Industrial Relations Commission	\$349,450	\$17,515
Magistrate	\$346,560	\$17,515
Children's Magistrate	\$346,560	\$17,515
Deputy State Coroner	\$346,560	\$17,515
Commissioner Industrial Relations Commission	\$317,680	\$17,515

Judges and Magistrates Group

Conveyance Allowance

NOTE 1: The Conveyance Allowance determined here shall not count towards pension or for superannuation purposes.

METHODOLOGY: The Tribunal provides increases to the conveyance allowance based on the CPI: Motor Vehicles – Sydney (Series ID A2328552A) March quarter - having regard to the percentage change from the corresponding quarter of the previous year. In considering any adjustment the following conditions will apply:

- i. Should the March quarter data indicate a decrease in motor vehicle costs the conveyance allowance will remain unchanged (to comply with the requirements of section 21 of the SOOR Act).
- ii. The annual adjustment will not exceed 2.5 per cent (to comply with section 6AB of the SOOR Act).

Determination No. 3 - Acting Judges rates

Supreme Court

The following rate shall be paid for each ordinary court working day on which the acting Judge is occupied in the performance of judicial duties.

Acting Judge of the Supreme Court	\$2,110 per day
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District Court

The following rate shall be paid for each ordinary court working day on which the acting Judge is occupied in the performance of judicial duties as designated by the Chief Judge in the District Court.

Acting Judge of the District Court	\$1,890 per day
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Determination No. 4 - Acting Magistrate rate

Local Court

The following rate shall be paid for each ordinary court working day on which the acting Magistrate is occupied in the performance of duties of a Magistrate.

Acting Magistrate of the Local Court	\$1,440 per day
--------------------------------------	-----------------

Judges and Magistrates Group

Determination No. 5 - Annual leave loading

Determination of leave loading for Judicial Officers effective on and from 1 July 2021

Leave Loading

An annual leave loading shall be payable on the same terms and conditions as are applicable to officers and employees of the Public Service of New South Wales, to each of the following office holders:

- Magistrates
- Chief Commissioner, Industrial Relations Commission
- Commissioners, Industrial Relations Commission

Determination No. 6 - Travel allowances for Judges and Magistrates

Pursuant to section 13 of the SOOR Act the Tribunal determines that the travel allowances for Judges and Magistrates will be as follows effective on and from 1 July 2021.

A. Travel necessitating an overnight stay

Travel Allowances	
Capital City Rates	Amount
Adelaide	\$403.35
Brisbane	\$451.35
Canberra	\$440.35
Darwin	\$487.35
Hobart	\$390.35
Melbourne	\$459.35
Perth	\$459.35
Sydney	\$459.35
Other Centre Rates	
Newcastle	\$389.35
Wollongong	\$389.35
Other Centres	\$389.35

Judges and Magistrates Group

Conditions

General conditions are to be as determined from time to time by the Attorney General.

In addition, the following specific conditions will apply.

- The full daily travel allowance rate is to be paid only where the Judge/Magistrate stays overnight at commercial accommodation. Where the Judge/Magistrate stays overnight at non-commercial accommodation then one third of the daily rate is to be paid.
- Where travel is for a period in excess of 24 hours then meal expenses for the final part day are to be paid.

B. Travel not involving an overnight stay

Meal Allowances for travel NOT involving an overnight stay

Meal	Amount
Breakfast	\$37.50
Lunch	\$53.10
Dinner	\$74.30

Statutory and Other Offices Remuneration Tribunal

Signed

Richard Grellman AM

Dated: 5 August 2021

Anti-Discrimination Act 1977

EXEMPTION ORDER

Under the provisions of section 126 of the *Anti-Discrimination Act 1977* (NSW), an exemption is given from sections 8 and 51 of the *Anti-Discrimination Act 1977* (NSW) to the Australian Children's Education and Care Quality Authority to advertise, designate and recruit an internship position for an Aboriginal or Torres Strait Islander person only.

This exemption will remain in force for 4 years.

Dated this 13th of August 2021

Jackie Lyne
Manager, Governance & Advice
Delegate of the President
Anti-Discrimination NSW

ASSOCIATIONS INCORPORATION ACT 2009

Cancellation of registration pursuant to section 80

TAKE NOTICE that **JUNEE HOSTEL FOR THE AGED INC Y0494910** became registered under the Corporations Act 2001 as **COINDA COURT AGED CARE LIMITED ACN 651 812 761**, a company limited by guarantee, on 26 July 2021, and accordingly its registration under the Associations Incorporation Act 2009 is cancelled as of that date.

Terri McArthur
Delegate of the Commissioner,
NSW Fair Trading
16 August 2021

**Office of the Minister for Police
SYDNEY, NSW**

17 August 2021

MURDER

ONE MILLION DOLLAR (\$1,000,000) REWARD

On 7 April 1979, Robyn HICKIE, aged 18 years, was last seen at a bus stop on the Pacific Highway, Belmont North, NSW. She has not been seen or heard from since. It is suspected that Robyn HICKIE met with foul play and was murdered.

Notice is hereby given that a reward of up to one million dollars (\$1,000,000) will be paid by the Government of New South Wales for information leading to the arrest and conviction of the person or persons responsible for the murder of Robin HICKIE.

The allocation of this reward will be at the sole discretion of the Commissioner of Police.

The urgent assistance and co-operation of the public is especially sought in the matter. Any information, which will be treated as confidential, may be given at any time of the day or night at any Police Station or by telephone -

**Police Headquarters telephone (02) 9281 0000
or Crime Stoppers on 1800 333 000**

**THE HON. David ELLIOT, MP
Minister for Police and Emergency Services**

**Office of the Minister for Police
SYDNEY, NSW**

17 August 2021

MURDER

ONE MILLION DOLLAR (\$1,000,000) REWARD

On 21 April 1979, Amanda ROBINSON, aged 14 years, was last seen walking along Lake Road, Swansea, NSW. She has not been seen or heard from since. It is suspected that Amanda ROBINSON met with foul play and was murdered.

Notice is hereby given that a reward of up to one million dollars (\$1,000,000) will be paid by the Government of New South Wales for information leading to the arrest and conviction of the person or persons responsible for the murder of Amanda ROBINSON.

The allocation of this reward will be at the sole discretion of the Commissioner of Police.

The urgent assistance and co-operation of the public is especially sought in the matter. Any information, which will be treated as confidential, may be given at any time of the day or night at any Police Station or by telephone -

**Police Headquarters telephone (02) 9281 0000
or Crime Stoppers on 1800 333 000**

**THE HON. David ELLIOT, MP
Minister for Police and Emergency Services**



Minute Paper for the Executive Council

Subject: - MOSMAN ANZAC MEMORIAL HALL ACT 1938 - Notice

Department of Communities and Justice

*Approved by the
Executive Council,*

Clerk of the Council.

I RECOMMEND for the approval of Her Excellency the Governor, with the advice of the Executive Council, that under section 5 of the *Mosman Anzac Memorial Hall Act 1938*, the attached Notice be approved.

Minute No. -- 28 --

Date 11 AUG 2021

Approved,

Margaret Beazley
Governor

Mark Speakman
Attorney General and
Minister for Prevention of Domestic
and Sexual Violence

*Her Excellency the Governor
and The Executive Council*

MOSMAN ANZAC MEMORIAL HALL ACT 1938

NOTICE

I, the Honourable Margaret Beazley AC QC, Governor of the State of New South Wales, with the advice of the Executive Council and in pursuance of the powers vested in the Governor under section 5 of the *Mosman Anzac Memorial Hall Act 1938*, do by this Notice appoint Mr Craig Charles Delaney and Mr John Philip Lo Schiavo as Trustees of the Mosman Anzac Memorial Hall Trust, to fill the vacancies created by the resignations of Mr Victor Danko and Mr David Morgan.

Signed at Sydney this 11th day of August 2021.



The Honourable Margaret Beazley AC QC

Governor



Mark Speakman

Attorney General

Approved by the
Executive Council

MIN No. 28 11 AUG 2021



Clerk of the Council

5 Calypso Avenue
MOSMAN NSW 2088

Craig Charles Delaney

Craig 'Dallas' Delaney retired from the Australian Defence Force in January 2018, after three decades of service. He graduated from the Royal Military College, Duntroon, to the Royal Australian Corps of Transport, in December 1988 and progressed throughout his career to the rank of Lieutenant Colonel.

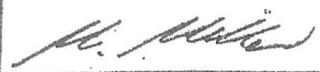
Throughout his military career he enjoyed a number of training, regimental and operational postings, and deployments. These have included support to the Sydney 2000 Olympic Games and time in East Timor, Solomon Islands, Iraq, North and South Sudan. After the terrorist events of September 11, 2001 he was posted to United States Central Command in Tampa, Florida as the Australian Defence Force liaison officer for the Global War on Terrorism. In 2011 he was awarded a 'Gold Commendation' by the Chief of Joint Operations for his leadership as the Commander Australian Contingent 13 to Sudan and for resolving the logistic challenges faced by the United Nations Mission in Sudan. During this time he moved the Mission from North to South Sudan (7,000 personnel and 30, 000 tons of cargo).

His most enjoyable posting was working at the Embassy in Washington D.C. for three years, where he was a liaison officer at the White House and the Pentagon. His most challenging posting as an Army member was being posted to the Navy for two years as the Officer Commanding the Ship's Army Department on HMAS MANOORA. It was during this period he found the delights of living in the Mosman area; he and his wife lived in military housing in Markham Close. When it came time to move post, they decided to purchase a home in Mosman. Since returning to the Sydney area in 2009, the family has lived in Mosman. Craig feels qualified to say having worked all over Australia and in almost 20 countries, that Mosman is the greatest place to enjoy family life.

Craig was the guest speaker at the Mosman Anzac Day Dawn Service in 2014, guest speaker at SCECGS Redlands Anzac Day Service in 2018 and the Mosman High School Anzac Day Service in 2019. He has also addressed SCECGS Redlands, Senior Student Leadership Group regarding leadership in the Australian Defence Force and spoken to year groups about his service with the United Nations. Craig is well connected within the veteran community and manages the Veterans Employment Program for the New South Wales Government. He is a member of the Returned Services League of Australia and regularly attends Mosman Sub-branch meetings. Feeling a need to further serve the local community he volunteered to join the Mosman Anzac Memorial Hall Trust in 2020. He is a graduate of the Australian Institute of Company Directors. Craig is married to Linda, and they have two children. He is young at heart and wants to grow old gracefully, enjoying the opportunities Mosman has to offer.

Approved by the
Executive Council

MIN No. 28 11 AUG 2021

 Clerk of the Council

30 May 2020

Unit 5
23 Morella Road
MOSMAN NSW 2088

Biography

LIEUTENANT COLONEL John Philip Lo Schiavo

John grew up on the Sydney Northern beaches, with his father working in Mosman during his childhood. Some of his earliest childhood memories are in the park at Chowder Bay. He entered the Royal Military College in 1991 graduating in December 1992. John was allocated to Royal Australian Artillery and held regimental postings as a Lieutenant and Captain in 1st Field Regiment, 4th Field Regiment and 8th/12th Medium Regiment.

John was deployed to East Timor as an Operations Captain with Headquarters 3rd Brigade in 1999. John completed his Law degree through the University of Queensland during his time in the regular Army.

John returned to live in Mosman in December 2002.

In Jan 2006 John transferred to the active Army Reserve. Since transferring to the active Army Reserve John has held Squadron command and twice deployed to the Middle East as a Legal Officer.

Since leaving the regular Army John has been employed as a Barrister, where his practice is predominately Criminal Law, Family Law and Family Provision cases. John's experience as both an Army Officer and Barrister have exposed him to the concerns facing veterans and drives his continued support of veterans issues.

Approved by the
Executive Council

MIN No. 28 11 AUG 2021



Clerk of the Council

EXPLANATORY NOTE

MOSMAN ANZAC MEMORIAL HALL ACT 1938 – NOTICE

The *Mosman Anzac Memorial Hall Act 1938*, which is a private Act, states in section 5 as follows:

5 New Trustees

(1) The Governor may by notification published in the Gazette appoint a new Trustee in the place of any Trustee in any of the following cases:

- (a) where a Trustee is dead,
- (b) where a Trustee remains out of New South Wales for more than two years,
- (c) where a Trustee desires to be discharged from all or any of the trusts or powers reposed in or conferred on him or resigns her office by letter addressed to the Chief Secretary,
- (d) where a Trustee refuses or is unfit to act in such trusts or powers or is incapable of acting therein,
- (e) where a Trustee is removed in pursuance of the power conferred by subsection four of section four of this Act,
- (f) where a Trustee ceases to hold the qualification in respect of which he was appointed.

(2) Upon the appointment of a new Trustee the trust property shall by virtue of this Act vest in the new Trustee so appointed jointly with the continuing Trustees.

The Trustees of the Mosman Anzac Memorial Hall Trust have advised the Attorney General (via their solicitor) that following the resignation of two Trustees, Mr Victor Danko and Mr David Morgan, approval is sought for two new Trustees, Mr John Philip Lo Schiavo and Mr Craig Charles Delaney, to be appointed.

Mr Delaney is member of the Mosman Sub-branch of The Returned Sailors, Soldiers and Airmen's Imperial League of Australia (New South Wales Branch), and a bona fide resident of the Municipality of Mosman under section 4(2) of the *Mosman Anzac Memorial Hall Act 1938*. Mr Lo Schiavo is also a bona fide resident of the Municipality of Mosman under section 4(2) of the *Mosman Anzac Memorial Hall Act 1938*.

Monica Naumovski, Solicitor, Civil Litigation, Dispute Resolution & Public Law, Department of Communities and Justice
Ph: 8346 1279
Lida Kaban General Counsel
Ph: 8346 1024

Approved by the
Executive Council

MIN No. 28 11 AUG 2021



Clerk of the Council

ASSOCIATIONS INCORPORATION ACT 2009

Cancellation of incorporation pursuant to section 74

TAKE NOTICE that the incorporation of the following associations is cancelled by this notice pursuant to section 74 of the Associations Incorporation Act, 2009.

ONE IN FIVE INCORPORATED	Y3063339
BALLINA SPECIAL RELIGIOUS EDUCATION ASSOCIATION INCORPORATED	Y2692502
HOPE CENTRE OUTREACH INCORPORATED	INC9888370
CURRA CREEK LANDCARE INCORPORATED	INC9876959
SPIRIT POWER MINISTRIES INCORPORATED	INC1800728
ARPRA CENTRAL COAST RESIDENTS ASSOCIATION INCORPORATED	INC9897204
GULGONG MARKETS INCORPORATED	INC1800279

Cancellation is effective as at the date of gazettal.

Dated this 18th day of August, 2021

Megan Green
Delegate of the Commissioner for Fair Trading
Department of Customer Service