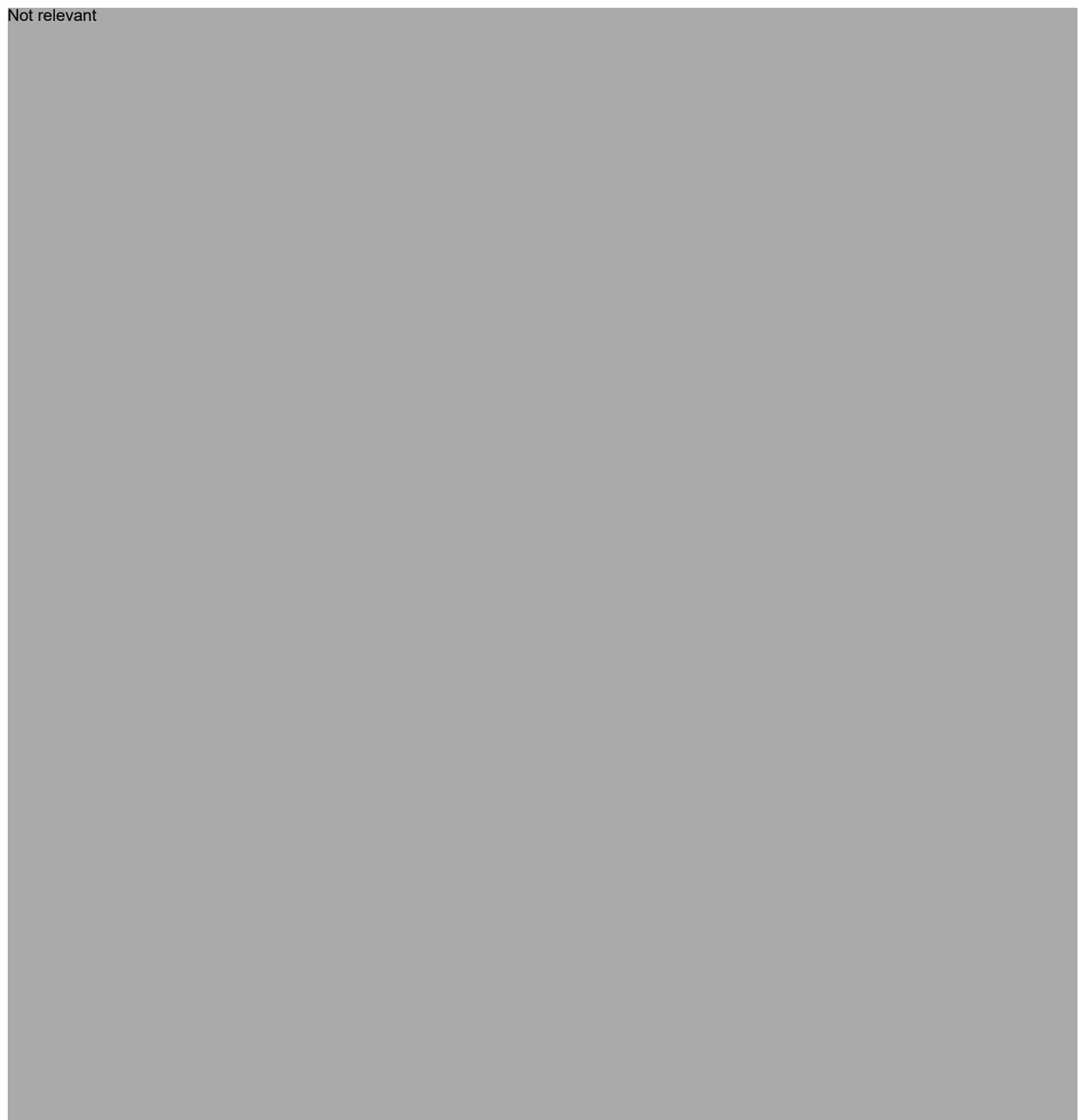


Not relevant



4 **Appointments**

401 MWSCS08/091

Minister for Water Security's Item (Karlene Maywald)
APPROVED

APPOINTMENT COVER SHEET

-
- | | | |
|----|---|--|
| 1. | TITLE: | Appointment of Commissioner for Water Security |
| 2. | MINISTER: | Karlene Maywald
MINISTER FOR WATER SECURITY |
| 3. | PERIOD OF APPOINTMENT | Three (3) years |
| 4. | APPOINTEE | Ms Robyn McLeod |
| 5. | QUALIFICATIONS / REASONS FOR APPOINTMENT | Ms McLeod is highly qualified for the Commissioner position. Currently Ms McLeod holds the position of Director, National Water Group, within the Sustainability, Climate Change and Water Practice of KPMG. Previously she held senior executive roles within the Victorian Government in the water portfolio. |
| 6. | REMUNERATION AND CONDITIONS | <ul style="list-style-type: none"> • Remuneration of \$290,000, which includes superannuation (It is understood this is similar to Ms McLeod's current salary); • Rental assistance for six months of an amount (to a maximum value of \$700 per week) subject to approval by the Chief Executive; • A package of return air fares to Melbourne equivalent to fortnightly visits for the first 12 months of her appointment (for family commitments); and • The use of a private plated Fleet SA vehicle for six months. |
| 7. | DECLARATION OF INTERESTS | Completed |
| 8. | GENDER BALANCE | Not applicable |
| 9. | URGENCY | Appointment to commence 10 November 2008 |

10. **SUPPORT/CRITICISM** Support.
11. **MANNER OF APPOINTMENT** His Excellency the Governor in Executive Council
12. **CONSULTATION**
- Premier's Office
 - Office of the Commissioner for Public Employment
 - Acting Crown Solicitor
13. **PUBLICITY** To be determined by the Minister for Water Security.
14. **RECOMMENDATIONS**
- That Cabinet recommend to His Excellency the Governor in Executive Council the appointment of Ms Robyn McLeod to the position of Commissioner for Water Security for a three (3) year term with effect from 10 November 2008 upon terms and conditions set out in the Employment Agreement between the said Robyn McLeod and KARLENE MAYWALD, Minister for Water Security, pursuant to section 68 of the Constitution Act 1934.
- That Cabinet recommend to His Excellency the Governor in Executive Council the issuance of a proclamation that excludes Ms Robyn McLeod from the Public Service – pursuant to Schedule 1, clause 1(2) of the Public Sector Management Act 1995.

I declare that I have no actual or potential conflict of interest in relation to the proposals contained in this submission.



Karlene Maywald
MINISTER FOR WATER SECURITY

17 September 2008

TO: PREMIER FOR CABINET

RE: APPOINTMENT OF COMMISSIONER FOR WATER SECURITY

1. Proposal

- 1.1 That Cabinet recommend to His Excellency the Governor in Executive Council that he appoint Ms Robyn McLeod to the position of Commissioner for Water Security for a term of three (3) years commencing on 10 November 2008.

2. Background

- 2.1 On 15 October and 19 November 2007, Cabinet approved revised Ministerial responsibilities for water security and new administrative arrangements to support the water security portfolio. These arrangements clarified lead responsibility for policy development relating to securing and provision of water supplies including matters related to Waterproofing Adelaide, Waterproofing South Australia and the National Water Initiative.
- 2.2 A new Office for Water Security was established within the Department of Water Land and Biodiversity Conservation (DWLBC), which will support the Minister for Water Security. The Office for Water Security is led by a Commissioner for Water Security.
- 2.3 A Water Security Council (WSC), complementing the Office for Water Security, has now replaced the successful Water Security Task Force. Whilst chaired by the Minister for Water Security, the Commissioner has the role of Deputy Chair, and conducts the formal meetings of the WSC.
- 2.4 The Commissioner for Water Security will lead the coordination of integrated policy solutions across the Government to ensure the long term security of the State's fresh water supplies to meet the State's economic, environmental and social requirements.
- 2.5 The Commissioner will be a member of the inter-jurisdictional Senior Officials Group established by the Prime Minister and Premiers of New South Wales, Victoria, Queensland and South Australia to examine contingency planning to secure urban and town supplies.
- 2.6 The Commissioner's core responsibilities will be:
- To lead and coordinate an integrated approach to the development, delivery, and monitoring of South Australia's Water Security Plan and the Water Proofing Adelaide and Water Proofing South Australia strategies;
 - To lead and coordinate the implementation of the National Water Initiative in South Australia, including monitoring and reporting;

- To lead and coordinate the development of the Murray Futures Project, including monitoring and reporting;
- To work with the Stormwater Management Authority and oversee the administration of the Stormwater Management Fund to drive improved stormwater outcomes;
- To provide well informed and expert advice and recommendations to the Water Security Council on matters related to long-term water supply strategies;
- To guide the Office for Water Security in the development of innovative, and integrated policy solutions to ensure long term water security outcomes, including developing and maintaining appropriate engagement mechanisms across government, community and stakeholders,
- To establish and maintain strategic relationships with Chief Executives across the public sector, key stakeholders and community leaders to support the work of the Water Security Council; and
- To be the public face of the Office for Water Security for public comment on the work of the Office under agreed protocols.

2.7 A comprehensive search by leading HR consultants earlier this year failed to bring forward a suitable candidate to fill the position of Commissioner. As such, an interim Commissioner, Mr Rob Lewis from SARDI, was appointed. Mr Lewis's appointment has now come to an end.

2.8 Recently Ms Robyn McLeod indicated her interest in the position, and has been interviewed by the Chief Executive of DWLBC and has also met with the Minister for Water Security to discuss the role.

2.9 To give added focus to the Government's priority of water security, I seek Cabinet's approval to appoint Ms Robyn McLeod to the position of Commissioner for Water Security.

3. Discussion

3.1 Ms McLeod is highly qualified for the Commissioner position. Currently Ms McLeod holds the position of Director, National Water Group, within the Sustainability, Climate Change and Water Practice of KPMG. Previously she held senior executive roles within the Victorian Government in the water portfolio. Ms McLeod's CV is attached for information.

3.2 In line with having to attract high calibre people from the private sector interstate, it is proposed that the following conditions of employment be offered to Ms McLeod:

- remuneration of \$290,000, which includes superannuation (It is understood this is similar to Ms McLeod's current salary);
- rental assistance for six months of an amount (to a maximum value of \$700 per week) subject to approval by the Chief Executive;
- a package of return air fares to Melbourne equivalent to fortnightly visits for the first 12 months of her appointment (for family commitments); and

- the use of a private plated Fleet SA vehicle for six months.

All costs will be met from the Office for Water Security existing budget.

- 3.3 The appointment will be made under Section 68 of the Constitution Act.
- 3.4 The s.68 appointment excludes Ms McLeod from the Public Service. The Commissioner will be responsible to the Minister for Water Security for the performance of her functions. She will report to the Chief Executive of the Department for Land, Water and Bio-diversity Conservation in respect of administrative and financial matters. This arrangement will still allow for Ms McLeod to have direct line management responsibility for both staff and resources of the Office for Water Security (an administrative unit within DWLBC).
- 3.5 Ms McLeod has requested that details of her appointment remain confidential until such time as she has been able to advise her employer, who is currently overseas.

4. Recommendation


- 4.1 That Cabinet recommend to His Excellency the Governor in Executive Council the appointment of Ms. Robyn McLeod to the position of Commissioner for Water Security for a three (3) year term with effect from 10 November 2008 upon terms and conditions set out in the Employment Agreement between the said Robyn McLeod and KARLENE MAYWALD, Minister for Water Security, pursuant to section 68 of the Constitution Act 1934.
- 4.2 That Cabinet recommend to His Excellency the Governor in Executive Council the issuance of a proclamation that excludes Ms Robyn McLeod from the Public Service – pursuant to Schedule 1, clause 1(2) of the Public Sector Management Act 1995.



In Cabinet

22 SEP 2008

Karlene Maywald
MINISTER FOR WATER SECURITY

APPROVED

 PREMIER

17 September 2008

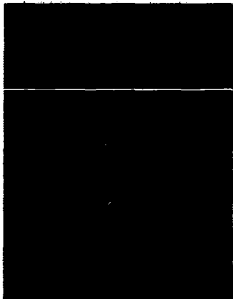


Attachment 1

Role and responsibilities - Commissioner for Water Security

- 1.1. The Commissioner for Water Security will lead the coordination of integrated policy solutions across the Government to ensure the long term security of the State's fresh water supplies to meet the State's economic, environmental and social requirements.
- 1.2. The Commissioner will be the Deputy Chair of the Water Security Council, and will be a member of the inter-jurisdictional Senior Officials Group established by the Prime Minister and Premiers of New South Wales, Victoria, Queensland and South Australia to examine contingency planning to secure urban and town supplies.
- 1.3. The Commissioner's core responsibilities will be:
 - To lead and coordinate an integrated approach to the development, delivery, and monitoring of South Australia's Water Security Plan and the Water Proofing Adelaide and Water Proofing South Australia strategies;
 - To lead and coordinate the implementation of the National Water Initiative in South Australia, including monitoring and reporting;
 - To lead and coordinate the development of the Murray Futures Project, including monitoring and reporting;
 - To work with the Stormwater Management Authority and oversee the administration of the Stormwater Management Fund to drive improved stormwater outcomes;
 - To provide well informed and expert advice and recommendations to the Water Security Council on matters related to long-term water supply strategies;
 - To guide the Office for Water Security in the development of innovative, and integrated policy solutions to ensure long term water security outcomes, including developing and maintaining appropriate engagement mechanisms across government, community and stakeholders,
 - To establish and maintain strategic relationships with Chief Executives across the public sector, key stakeholders and community leaders to support the work of the Water Security Council; and
 - To be the public face of the Office for Water Security for public comment on the work of the Office under agreed protocols.

Curriculum vitae



Name Robyn McLeod

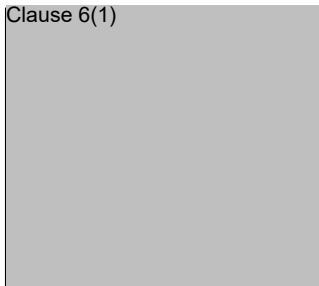
Position Director, National Water Group

Business unit Sustainability, Climate Change and Water Practice

Profile Robyn joined KPMG in early 2007 as Director, National Water Group, based in our Melbourne Office. Immediately prior, Robyn was Executive Director of the Major Projects Division within the Water Sector Group of the Victorian Department of Sustainability and Environment, Australia. In this position Robyn facilitated an investment program totalling in excess of \$1 billion AUD in innovative infrastructure projects above the core business of State owned water authorities. These projects will deliver water savings for stressed river systems, economic growth for Victoria, as well as providing opportunities for reuse and recycling in urban environments.

E-mail:

Clause 6(1)



City:

Melbourne

Robyn has managed an extensive government water investment portfolio for the Victorian Government as outlined in the Victorian White Paper "Our Water Our Future". Her areas of responsibility encompassed projects such as restoring Snowy River and Murray River Flows, major recycling projects, innovative urban water projects, irrigation efficiency, desalination and stormwater projects. Robyn was also senior responsible officer for the commencement of construction of the Wimmera Mallee Pipeline, one of the largest water infrastructure projects in Australia. Robyn was a key member of the Victorian team which negotiated the corporatisation of the Snowy Hydro Scheme in 2001 and restoring environment flows to the Snowy River in Australia and has extensive experience in intergovernmental negotiations.

In addition, Robyn was leading the development of the major augmentation options for Melbourne to secure future water supplies leading to the decision to build a desalination plant, before joining KPMG.

She has a strong reputation for delivery, and innovation in project management and procurement.



Robyn has participated in a number of Victorian treasury gateway reviews of infrastructure projects, and is highly experienced in capital delivery and policy implementation from a government policy framework.

These projects all involved differing procurement methods, including Traditional Design and Construct models through to Alliancing and Public Private Partnerships.

Robyn also has significant water and energy sector experience in National Water Initiative design and implementation, water resource planning, governance and institutional reform, regulation, legislation, new organizational establishment, and competition in utility provision. In particular Robyn is very experienced in major urban water utility governance, reform, pricing, and regulatory issues.

Robyn has extensive public sector experience in a number of capacities, both as a public servant and a Chief of Staff over the past 20 years, not only in water policy and capital delivery. She also has a strong background in areas such as port reform policy, minerals and petroleum policy, electricity and gas retail competition, security of energy supply projects, and sustainability and climate change policy.

Robyn McLeod, is currently the Water Industry Advisor to the Government of Tasmania, and is a key member of the KPMG team, engaged by the Western Australian Department of Water to support them as Lead Advisor in the implementation of their Water Reform Agenda. Robyn has also been Lead Water Industry Advisor in the South East Queensland Institutional reform project, the South Australian desalination project and supporting the Victorian Foodbowl project, along with supporting other private sector water capital projects.

Robyn was also selected as one of the 1,000 participants for the Australia 2020 Summit on the Population, Sustainability, Climate Change and Water panel.

Qualifications Bachelor of Arts

Bachelor of Education

USA Department of State Executive Leadership programmes 1996 and 2001

Senior Executive Fellows Program Harvard University 2006

Australian Institute of Company Directors



Professional memberships

- IPAA
- Women's Trust
- Harvard University Alumni
- Emilys List

Previous experience

- Public sector management
- Project management of water projects
- Water resources strategic policy
- Water, energy, ports, planning and environment
- Urban and rural water innovation
- Governance and institutional reform
- Public sector policy
- Procurement and capital delivery
- Intergovernmental negotiation

Additional information

In addition to her high-level public sector experience, Robyn has also worked in senior positions in the Private Sector with Coles Myer, Deakin Australia and Thiess Services.

International experience

Robyn was a key-note speaker at the World Water Conference in Sweden 2005, and in 2006 completed the Harvard University Senior Executive Fellows program at the Kennedy School of Government.

Robyn also was a guest at the United States Department of State for two one-month sabbaticals in 1996 and 2002, focussing on energy markets, climate change and politics.

Robyn also spent significant time in 2006 examining urban water management on the west coast of the USA.

SOUTH AUSTRALIA

MEMORANDUM OF AGREEMENT made on the day of September 2008

BETWEEN:

THE HONOURABLE KARLENE MAYWALD MP, MINISTER FOR WATER SECURITY

and

ROBYN MCLEOD of ^{Clause 6(1)} [REDACTED]
hereinafter called "the Commissioner"

WHEREBY IT IS AGREED between the parties hereto as follows:

1. This agreement will not take effect until such time as His Excellency the Governor with the advice and consent of the Executive Council may appoint Robyn McLeod under section 68 of the *Constitution Act 1934* to the public office of Commissioner for Water Security.
2. The Commissioner will hold office upon the terms and conditions contained in this memorandum for a period of three years from 10 November 2008 to 9 November 2011 unless her appointment may sooner be lawfully terminated by His Excellency the Governor in Executive Council.
3. The Commissioner will be responsible to the Minister for Water Security for the performance of the functions set out in Attachment 1. She will report to the Chief Executive of the Department for Land, Water and Biodiversity Conservation ("the Chief Executive") in respect of administrative and financial matters. If she exercises powers that may be delegated to her under relevant legislation she may be required by the delegator to keep them informed about such matters.
4. The Commissioner will devote the whole of her time and attention during ordinary hours of business and also at all other times as may be necessary to carrying out the functions of the public office.
5. The Commissioner may not engage in any other remunerative employment, occupation, business or activity without the prior permission in writing of the Chief Executive.

6. The Commissioner will be paid by the Government of South Australia a remuneration package of two hundred and ninety thousand dollars per annum. The remuneration includes the employer superannuation set out in clause 8 and will be:
 - (a) paid in arrears in equal fortnightly payments; and
 - (b) adjusted in accordance with any general remuneration increase approved by Cabinet for public service executives.
7. In addition to her remuneration the Commissioner will be provided with:
 - (a) rental assistance for six months of an amount (to a maximum value of \$700 per week) subject to approval by the Chief Executive;
 - (b) return economy air fares to Melbourne equivalent to fortnightly visits for the first 12 months of the appointment (for family commitments); and
 - (c) the use of a private plated Fleet SA vehicle for six months.
8. The Government will make a superannuation contribution (currently 9% of salary) on behalf of the Commissioner to the extent required to satisfy both the requirements of the Superannuation Guarantee legislation of the Commonwealth and the *Southern State Superannuation Act 1994*.
9. The Commissioner will have the same entitlements to leave as a person employed as an executive in the Public Service and all leave must be approved by the Chief Executive.
10. The Commissioner will participate in Performance Management and Development in accordance with the policies and/or procedures applicable from time to time to Public Service executives employed in the Department for Water, Land and Biodiversity Conservation.
11. The Commissioner must not at any time while this appointment subsists or at any time thereafter other than in the discharge of her duties as Commissioner or with the prior written consent of the Minister for Water Security, or as required by law, divulge to any person any information confidential to the South Australian Government which she may acquire or have acquired in the course of her appointment.
12. The Commissioner must comply with the duties imposed by Division 5 of Part 2 of the *Public Sector Management Act 1995* as if she were a senior official within the meaning of that Act. Any failure to comply with those obligations will be a ground for termination of this appointment by His Excellency the Governor in Executive Council.

13. The Commissioner will hold office during good behaviour only and in particular the Commissioner shall not:
- (a) contravene or fail to comply with a lawful direction given to the Commissioner by the Minister for Water Security;
 - (b) be negligent or indolent in the discharge of the duties of the public office;
 - (c) be absent from duty without reasonable excuse (proof of which shall lie on the Commissioner);
 - (d) be guilty of disgraceful or improper conduct in an official capacity or otherwise;
 - (e) make improper use of property of the Crown; or
 - (f) fail to comply with any term of this Memorandum.
14. His Excellency the Governor in Executive Council has determined under clause 1(2) of Schedule 1 to the *Public Sector Management Act 1995* that the office of Commissioner for Water Security is not an office within the Public Service.
15. The terms and conditions set out in this memorandum constitute all terms and conditions upon which the Commissioner holds office. Any prior oral or written undertakings, agreement and commitments will be of no effect.

SIGNED by)
Hon Karlene Maywald MP)
Minister for Water Security)

.....

in the presence of:

.....
(witness)

and by

Robyn McLeod)

.....

in the presence of:

.....
(witness)