



SAT

State
Administrative
Tribunal

Western Australia

ANNUAL REPORT 10/11



SAT

State
Administrative
Tribunal

Western Australia

Hon Christian Porter MLA
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21st Floor, Governor Stirling Tower
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Dear Attorney

Annual Report - State Administrative Tribunal

Pursuant to Section 150(1) of the *State Administrative Tribunal Act 2004*, I have pleasure in submitting to you the annual report of the Tribunal.

The report is for the year ending 30 June 2011.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J Chaney'.

The Hon Justice J Chaney
President

23rd September 2011



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PRESIDENT'S REPORT

Section 150(1) of the *State Administrative Tribunal Act 2004* (WA) requires the President of the State Administrative Tribunal (the Tribunal) to provide an annual report on the activities of the Tribunal during the year ending 30 June and to submit the report to the Attorney General by 30 September in each year. This report is provided in accordance with that requirement in relation to the reporting year 2010 - 2011.

The operations of the Tribunal in the reporting year have been marked by two significant areas of change. The first area of change is in the composition of the membership of the Tribunal. The second area of change is in relation to the restructure of staff positions and responsibilities, and the development of workplace culture and training for staff.

The changes in composition of the Tribunal have occurred at both the judicial and non-judicial levels. At the judicial level, 2010 - 2011 saw the appointment of two new Deputy Presidents to replace Judge Janine Pritchard following her appointment as a Justice of the Supreme Court, and Judge Judith Eckert following her retirement.

As reported in my last annual report, Justice Pritchard was appointed to the Supreme Court on 13 June 2010, and therefore left her position as a District Court Judge and Deputy President of the Tribunal on that date. Judge Timothy Sharp, who was previously State Solicitor for Western Australia, was appointed to the District Court, and as Deputy President of the Tribunal, on 2 August 2010.

Regrettably, health problems which Judge Judy Eckert had endured for some years led to her becoming unable to continue with her work as Deputy President of the Tribunal from early October 2010. It was hoped that a long period of convalescence would enable her to return to work, but that hope was not realised. She therefore tendered her resignation on the ground of her ill health, and her retirement was accepted by Executive Council on 3 May 2011.



On 14 June 2011, Judge David Parry was appointed as a Deputy President of the Tribunal and a Judge of the District Court. Judge Parry had previously held the position of Senior Member of the Tribunal in the Development and Resources Stream since the Tribunal was formed in January 2005.

I wish to record the significant contribution which Judge Judy Eckert provided to the formation and operation of the Tribunal. Prior to her appointment as Deputy President, Judy Eckert had, while a barrister in private practice, acted as instructing officer to the Parliamentary Counsel's Office for the drafting and passage of the very substantial body of legislation which was necessary to establish the Tribunal, and its many jurisdictions. She therefore came to the position of Deputy President of the Tribunal with a vast knowledge of the enabling Acts conferring jurisdiction on the Tribunal, and of the *State Administrative Tribunal Act 2004* (WA). Her Honour provided a great resource of knowledge to the inaugural President of the Tribunal, Justice Barker, and to the other members of the Tribunal generally.

Upon appointment, Judge Eckert assumed responsibility for the oversight of the Human Rights Stream within the Tribunal which was then, and continues to be, the area of the Tribunal's

operation which sees the largest number of lodgements each year. She played a significant role in establishing the procedures which have seen that stream acquit its substantial workload efficiently and effectively. She continued to demonstrate a high level of commitment to the Tribunal and its operations over the six years of her service, notwithstanding a number of periods when her health prevented her working. I would also wish to add my personal thanks to Judge Eckert for her friendship and support to me both during my time as President and before that as Deputy President.

The consequence of the six week gap between Judge Pritchard's departure and Judge Sharp's commencement, and of Judge Eckert's absence on sick leave, meant that for over nine of the twelve months in the reporting period, the Tribunal operated with only one of the usual two Deputy Presidents. The workload for the judicial members of the Tribunal is substantial, with a number of enabling Acts requiring that a judicial member hear or preside over particular areas of the Tribunal's jurisdiction. The appointment of Judge Parry in June 2011 will enhance the capacity of the judicial membership to deal with that workload in a timely way.

As reported last year, Ms Jennifer Hawkins, a Full Time Ordinary Member of the Tribunal, was appointed as a Magistrate, and accordingly resigned her position as a member of the Tribunal with effect from 23 July 2010. She in fact ceased working at the Tribunal in June 2010, taking a period of leave from the Tribunal before commencing her new duties as a Magistrate. Her replacement, Ms Lisa Ward, was eventually appointed on 2 November 2010. The delay in that appointment resulted in additional pressure for other full time members of the Commercial and Civil Stream who were required to cover for the absence of one member.

The other area of significant change in relation to the non-judicial membership of the Tribunal was the appointment of three new members in order to enable the Tribunal to deal with the additional workload as a result of the conferral of the jurisdiction previously exercised by the

Building Disputes Tribunal. Although it was originally expected that a new jurisdiction would be conferred in May 2011, the legislation did not progress as quickly as expected and the jurisdiction will commence on 29 August 2011.

The new jurisdiction required the appointment of a senior member, two ordinary members, and a number of sessional members. The position of Senior Member was filled by Mr Maurice Spillane, who had previously been a Full Time Ordinary Member of the Tribunal since 2005. That appointment created a vacancy for an additional ordinary member, so that it was necessary to appoint three new full time ordinary members. Mr David Aitken, Ms Charlotte Wallace and Ms Rebecca Moore were appointed to those positions. Those appointments took the number of full time non-judicial members to 17. Fourteen new sessional members were appointed at the same time. Twelve of those were persons with relevant experience in relation to building work, and the remaining two were medical practitioners who were appointed to meet a particular need for the Tribunal for additional sessional members with qualifications in that area.



The appointment of Judge Parry left a vacancy in the position of Senior Member in the Development and Resources Stream. It is hoped that the position will be filled reasonably quickly, but the position remained unfilled at the end of the present reporting period.

The vacancies in full time member positions, while inevitable from time to time, create a significant burden on other members to continue to maintain the performance standards which the Tribunal sets for itself. Delays in the appointment of members to fill vacant positions increases that burden. The members have shouldered that burden well, and have continued to demonstrate a strong commitment to maintaining the relatively high standards of performance for which the Tribunal is generally renowned.

I was grateful for the support of Government and of the Chief Justice of Western Australia in having four Supplementary Presidents appointed from amongst the Judges of the Supreme Court. Their appointments were finalised in March 2011. Although existing listing commitments in both the Court and the Tribunal prevented the Supplementary Presidents from being utilised within the reporting year, arrangements are in place to utilise Supplementary Presidents from time to time to assisting in dealing with the increasing workload of the Tribunal. The availability of Supplementary Presidents from time to time will also assist in enabling me to sit from time to time in the Supreme Court.



The second major area of change in the Tribunal concerns the finalisation of the restructure of administrative staff arrangements. In my last annual report, I reported that the restructure plans, which involve more end to end case management by staff, were nearing completion. In the current reporting year, the positions created in the restructure have been filled. Improvements to the

efficiency of the Tribunal's administrative functions have been achieved as a result of the restructure.

The restructure has also provided an opportunity to work on and improve the culture of the Tribunal workplace and job satisfaction amongst administrative staff. I would like to acknowledge the contribution to both the restructure process, and to the cultural development process, made by Ms Fiona Nobel, who was engaged on a 12 month contract as a Change Manager. Her contract was subsequently extended by three months. In that time, Ms Nobel put in place processes which will have on going benefits in improving workplace satisfaction, and therefore efficiency within the Tribunal. Throughout the reporting year, Ms Nobel worked in close collaboration with the senior managers in the Tribunal, and under the guidance and supervision of the Executive Officer, Mark Street. Staff satisfaction surveys, which were taken in mid 2010, and again in mid 2011, demonstrated a significantly improved level of staff satisfaction with their work. The senior management of the Tribunal has shown a strong commitment to improving the services offered by the administrative staff, and have led by example.

The workload of the Tribunal continued to rise in 2010 - 2011. Across the Tribunal, 6,327 applications were received compared to 6,248 in 2009 - 2010. 6,319 applications were finalised, compared with 6,242 in 2009 - 2010.

Not all streams of the Tribunal received an increased number of applications. As has been a constant trend since the Tribunal commenced operations, the Human Rights Stream received a 6% increase in applications, receiving 3,815 applications compared with 3,608 in the previous reporting year. The Commercial and Civil Stream experienced a reduction in the number of applications received. The Vocational Regulation Stream and the Development and Resources Stream lodgements were steady when compared to the previous year. Full details of the numbers of applications received with in each stream are contained later in this report.

Submissions for additional resources to deal with the significant workload in the Human Rights Stream, and in particular in the guardian and administration



area, were again unsuccessful. I expressed concern as to the need for additional resources in my annual report for 2009 - 2010. Although the Tribunal managed, with difficulty, to achieve its benchmark of resolving 80% of guardianship and administration applications within eight weeks (in fact 80% were resolved within six weeks) that level of performance will not be maintained without additional resources. In order to relieve the excessive burden on administrative staff, attempts will be made during the next reporting period to reallocate existing personnel within the Tribunal so that more resources are allocated to work in the guardianship and administration area. Given that all areas of the Tribunal's operations are at full capacity, reallocation of resources will inevitably lead to difficulties in the areas from which staff are taken. There is no reason to believe that the increase in work in the guardianship and administration area will not continue at the rate that has been experienced in the six years of the Tribunal's operation to date.

During the reporting year, the Tribunal introduced for the first time an e-lodgement facility. As an initial trial, e-lodgement became available in respect to applications under Section 13(7) of the

Commercial Tenancy (Retail Shops) Agreements Act 1985 (WA) which seek approval for early termination clauses in retail shop leases. The Tribunal will monitor the up-take and success of the facility for e-lodgement with a view to its expansion to other areas of the Tribunal's jurisdiction over time.

During the reporting year, the Tribunal has continued to forge closer links with similar Tribunals in other states. In particular, a high level of cooperation with the Victorian Civil and Administrative Tribunal and the Queensland Civil and Administrative Tribunal in areas of common interest has been pursued. There has been considerable interchange between those Tribunals in relation to members' professional development and approaches to dispute resolution in areas of common jurisdiction.

Ongoing professional development for members remains an important priority of the Tribunal. The Tribunal's Professional Development Committee has worked, during the reporting year, towards a more coordinated process of induction and ongoing training for members, a process which has been informed by, and is adjunct to, the member appraisal scheme which commenced operation in 2009.

In conclusion, I would like again to acknowledge the excellent work undertaken by the members and staff of the Tribunal during the reporting year. I am particularly grateful for the excellent work undertaken by the Tribunal's Executive Officer, Mark Street, who commenced in that position early in the reporting period. In the time that he has been with the Tribunal, he has demonstrated a high level of leadership, and as mentioned earlier, he has overseen the introduction of many beneficial changes within the administrative structure and processes of the Tribunal.

I would also like to express my gratitude for the support of the members, and in particular, Judge Sharp who shouldered a significant workload during the period of Judge Eckert's unavailability.

The Hon. Justice John Chaney
President
State Administrative Tribunal
Western Australia

ABOUT THE TRIBUNAL

The Tribunal is established under the *State Administrative Tribunal Act 2004* (SAT Act) and commenced operations on 1 January 2005.

The Tribunal consists of judicial and non-judicial members with a wide range of skills and qualifications. The President of the Tribunal is a Supreme Court judge and judges of the District Court serve as Deputy Presidents. Non-judicial members are generally aligned to particular streams of the Tribunal depending upon their specialist areas of expertise. This enables the Tribunal to deal with a broad range of matters conferred upon it by 151 enabling Acts and Regulations. Members are appointed to the Tribunal by the Governor on the recommendation of the Attorney General for a period of up to five years.

Individuals, businesses, public officials and vocational regulatory bodies can bring before the Tribunal many different types of matters that are managed within four streams.

- Commercial and Civil;
- Development and Resources;
- Human Rights; and
- Vocational Regulation.

This division of matters enables procedures to be adapted to suit the type of matter and the needs of different people who use the Tribunal.

Vision, objectives and values

The Tribunal's vision is to be one of Australasia's leading tribunals that adopts best practice and innovative technology in making fair and timely decisions for the benefit of the people of the State of Western Australia.

The objectives of the Tribunal set out in Section 9 of the SAT Act are:

- To achieve the resolution of questions, complaints or disputes, and make or review decisions, fairly and according to the substantial merits of the case;



- To act as speedily and with as little formality and technicality as is practicable, and minimise the costs to parties; and
- To make appropriate use of the knowledge and experience of Tribunal members.

In meeting these objectives, the Tribunal:

- aims to make the correct and preferable decision based on the merits of each application;
- is not a court and strict rules of evidence do not apply;
- encourages the resolution of disputes through mediation;
- allows parties to be represented by a lawyer or a person with relevant experience, or by themselves;
- holds hearings in public in most cases; and
- gives reasons for all decisions and publishes written reasons for decisions on its website.

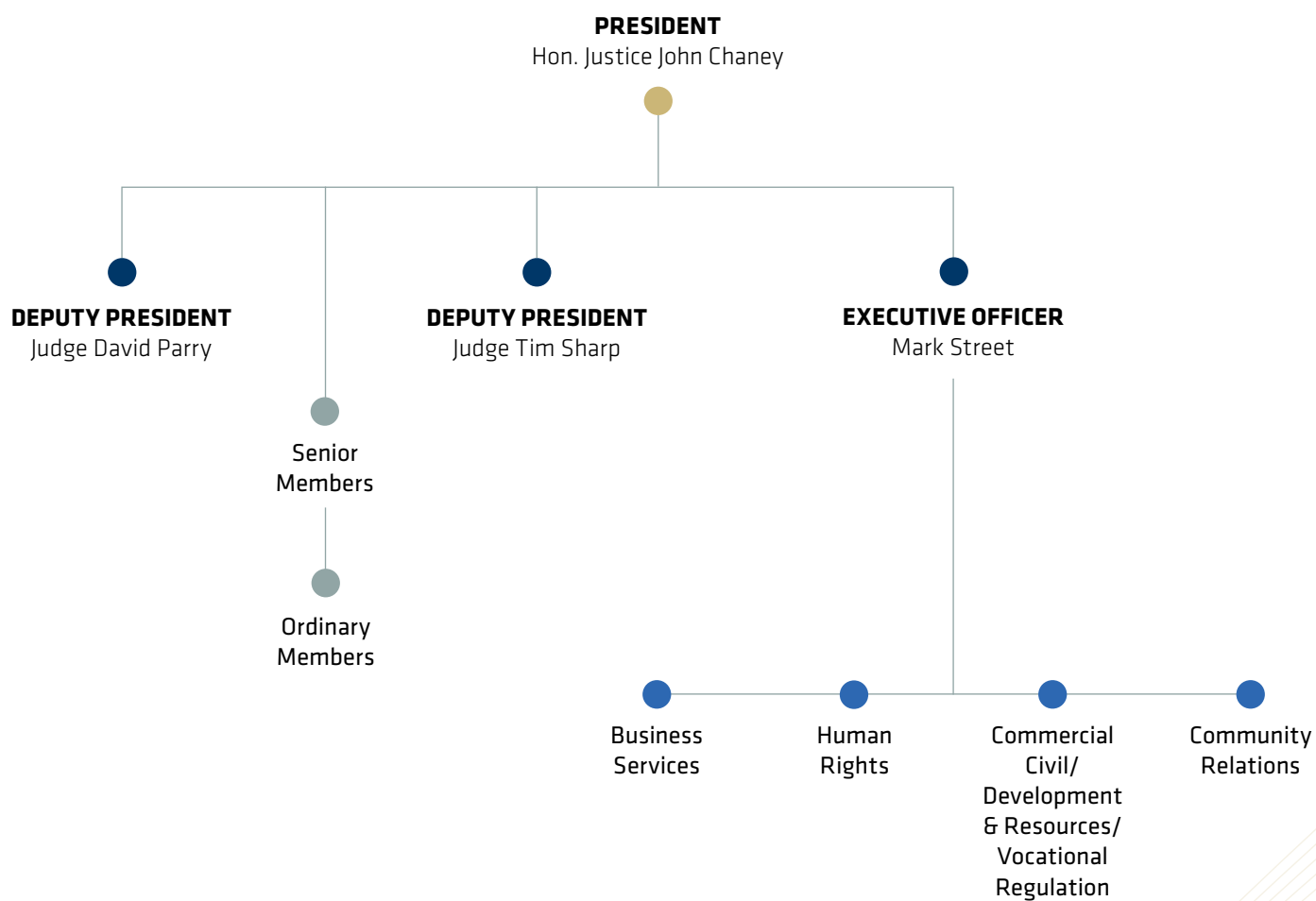
The Tribunal's core values are:

- Excellent Service;
- Integrity and Accountability;
- Equity and Fairness;
- Collaboration and Learning; and
- Professional Autonomy.

Behaviours are guided by:

- Members' and staff Codes of Conduct;
- Continuing professional development;
- Commitment to diversity;
- Providing all reasonable assistance;
- Offering sustainable services; and
- Commitment to a safe workplace

ORGANISATIONAL STRUCTURE



YEAR AT A GLANCE

TABLE 1 Overview of matters received and finalised

	2008 - 2009	2009 - 2010	2010 - 2011
Received	5,961	6,248	6,327
Finalised	6,141	6,242	6,319
Pending	992	996	1,006

GRAPH 1 Overview of matters received and finalised

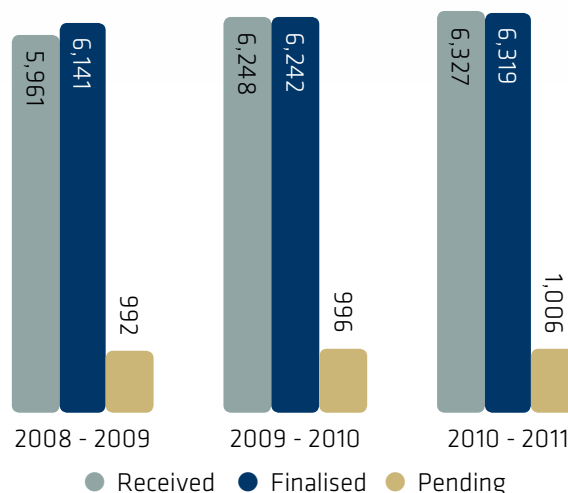


TABLE 2 Applications received by streams (% of all applications received by the Tribunal)

	2008 - 2009 %	2009 - 2010 %	2010 - 2011 %	Change %
Commercial and Civil	34	31	29	-6.45
Development and Resource	9	7	7	0
Human Rights	54	58	60	3.45
Vocational Regulation	3	4	4	0

GRAPH 2 Applications received by streams

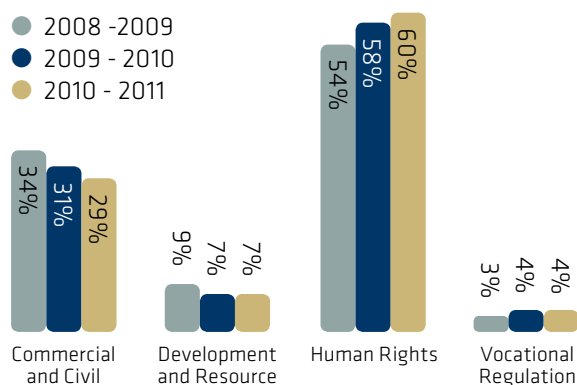


TABLE 3 Our people

	2008 - 2009	2009 - 2010	2010 - 2011
Judicial members	3	3	3
Full time members	14	14	17
Tribunal employees	68	69	71
Total sessional members	104	73	96

TABLE 4 Operating expenditure

	2008 - 2009 \$	2009 - 2010 \$	2010 - 2011 \$	Change %
Budget	12,366,870	16,629,912	16,275,373	-2.10
Actual	12,737,124	16,368,037	15,972,991	-2.40
Variance	-370,254	261,875	302,382	

Note the % change indicates the change between the last two reporting periods.

Benchmark performance

The Tribunal recognises that the community appreciates transparent information about our performance. For the Tribunal, the leading indicator of efficiency is centred on the time it takes for parties to obtain a decision after making

an application. In those jurisdictions in which the Tribunal most frequently makes decisions, the following table provides percentage benchmarks for matters completed by each stream with an indication of the number of weeks taken to obtain a decision.

TABLE 5 Benchmark performance indicators (in weeks)

	2008 - 2009			2009 - 2010			2010 - 2011		
	30%	50%	80%	30%	50%	80%	30%	50%	80%
Commercial and Civil									
BENCHMARK (weeks to complete)	10	16	28	10	16	28	10	16	28
Strata Titles	5	8	24	5	9	22	3	8	20
Subdivision / Local Govt (Misc Provisions)	10	20	29	6	16	32	10	18	32
Consumer Credit	2	4	7	2	5	12	2	7	33
Review of Building Disputes Tribunal decisions	9	14	35	8	15	29	7	14	29
Commercial Tenancy ¹	6	10	21	6	8	20	4	8	22
Road Traffic	6	7	12	6	10	17	5	9	18
Firearms	10	15	21	8	13	24	6	12	23
Overall Performance	6	10	25	5	9	21	5	11	26
Development and Resources									
BENCHMARK (weeks to complete)	12	20	30	12	20	30	12	20	30
Development	12	18	30	10	16	31	10	14	29
Subdivision	7	14	30	10	16	41	11	17	36
Local Govt notices	9	11	17	10	14	29	-	7	14
Compensation for compulsory acquisition	15	23	43	11	32	56	20	38	77
Local Govt approvals	9	13	25	6	7	13	2	6	15
Rating	2	5	13	-	1	1	19	20	67
Fisheries	11	16	28	6	8	8	5	7	7
Overall Performance	11	17	30	10	17	34	11	16	35
Human Rights									
BENCHMARK (weeks to complete)²	n/a	n/a	8	n/a	n/a	8	n/a	n/a	8
Mental Health	3	4	8	6	6	8	5	7	12
Equal Opportunity	14	19	33	12	17	26	12	18	34
Guardianship and Administration	5	6	8	6	7	8	4	6	6
Overall Performance	5	6	8	6	7	8	7	10	17
Vocational Regulation									
BENCHMARK (weeks to complete)	n/a	n/a	27	n/a	n/a	27	n/a	n/a	27
Overall Performance	6	9	24	8	12	43	8	14	35

NOTE ¹ These figures exclude the Retail Shops Act s 13(7) applications.

² Benchmark does not apply to Equal Opportunity matters.

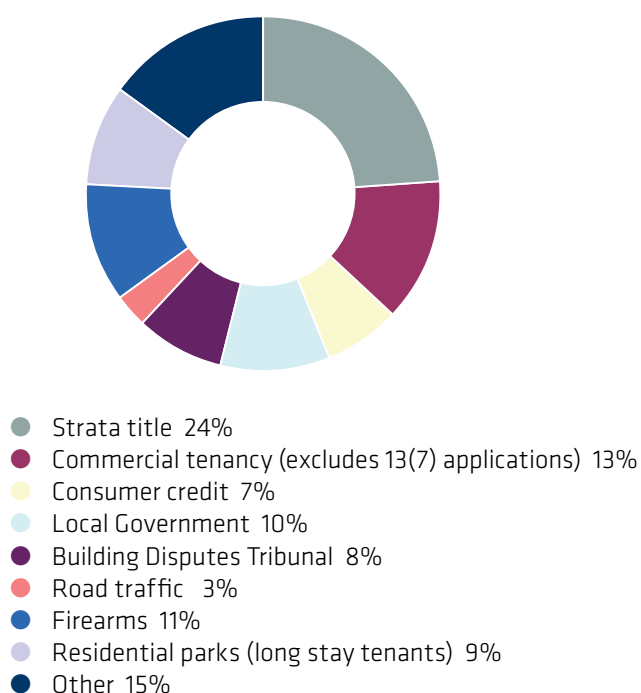
TRIBUNAL STREAMS

COMMERCIAL AND CIVIL

Work of the stream

The Commercial and Civil (CC) Stream is vested with both an original and review jurisdiction. In the exercise of its original jurisdiction, most of the volume of the CC Stream work arises under the *Commercial Tenancy (Retail Shops) Agreements Act 1985*, and the *Strata Titles Act 1985*. In the review jurisdiction most work arises in relation to the review of decisions of the Building Disputes Tribunal under the *Builders' Registration Act 1939*, *Firearms Act 1973*, *Road Traffic Act 1974*, *Road Traffic (Authorisation to Drive) Regulations 2008* and the review of decisions of local government authorities under the *Local Government (Miscellaneous Provisions) Act 1960* relating to building control.

GRAPH 3 CC applications finalised by type
2010 - 2011

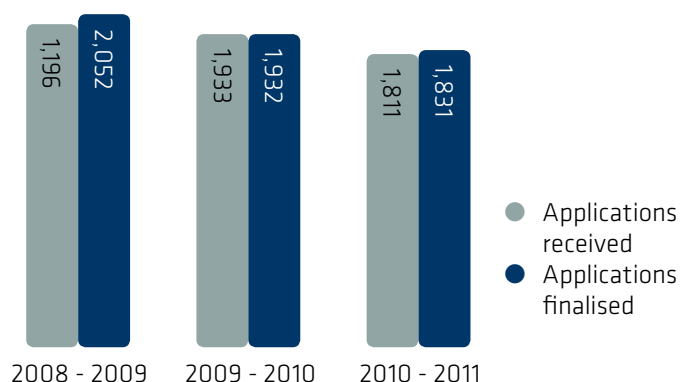


Year in review

Workload

During the reporting year, the CC Stream received 1811 applications and in the same period finalised 1831 applications. The volume of applications received and finalised declined slightly compared to the previous year in which 1933 applications were received and 1932 were finalised. This was partly due to the repeal of the *Consumer Credit (Western Australia) Act 1996* with effect from 1 July 2010, although a number of complex matters commenced prior to that date had to be finalised which actually increased the workload on members. The decline in applications received is thought also to be partly due to the number of published decisions which have provided guidance.

GRAPH 4 CC workload



Achievements

Over the past number of years, a concerted effort was made to reduce time for completion of Building Disputes Tribunal reviews, which peaked for completion of 80% of matters at 45 weeks during the 2007 - 2008 year. That period was reduced to 35 weeks in 2008 - 2009, 29 weeks in 2009 - 2010 and maintained at 29 weeks for this reporting year.

The time taken to complete strata title disputes has also been improved upon year by year, with the time taken to complete 80% of matters being reduced from 29 weeks in 2005 - 2006 down to 20 weeks in the reporting year. During the reporting period, 50% of all strata disputes were

completed within eight weeks and 30% were completed within five weeks of lodgement.

TABLE 6 CC benchmark performance

Percentage of applications finalised	Benchmark (weeks)	2008 - 2009	2009 - 2010	2010 - 2011
30%	10	6	5	5
50%	16	10	9	11
80%	28	25	21	26

While this improvement is pleasing, benchmark performance has declined in relation to Local Government and Credit Code matters. The latter is due to the abnormal number of complex matters dealt with in the year under review. Relatively few Local Government matters have to be resolved by formal hearing. The facilitative processes followed in this area are beneficial to the parties but are often delayed through reliance on experts to assist the parties and the need for ongoing consultation between the parties. Efforts will be made to hold the parties to tighter timelines.

During the reporting year, 57% of the total numbers of disputed applications were resolved by facilitative measures. This result was achieved through the use of directions hearings and mediation. In relation to mediation, 78% of the matters referred were resolved through that process, which is slightly lower than the 82% result achieved in the previous year.

Looking forward

As reported in last year's annual report the question of resources in the CC Stream was kept under review due to the planned addition to the Tribunal of the Building Disputes Tribunal original jurisdiction. Up to now, this Tribunal only dealt with reviews of decisions of the Building Disputes Tribunal.

Although May 2011 was originally nominated as the date for the transfer, delays in having the necessary legislation passed and other practical

considerations resulted in that date being pushed out on a number of occasions.

At the date of preparing this report the planned commencement date of the *Building Services (Complaint Resolution and Administration) Act 2011* which will effect this transfer of jurisdiction is currently 29 August 2011.

In anticipation of and planning for the conferral of that jurisdiction, a new full time senior member and two new full time ordinary members, together with a number of sessional members were appointed to the Tribunal in late June 2011, along with additional administrative staff. Unfortunately, the delay in transfer of the jurisdiction has resulted in the loss of funding provided for expenditure on increased sessional member usage in this reporting year. The impact of that will depend on the number of matters transferred on the commencement date of the legislation and the state of readiness of those matters for final hearing.

It is currently anticipated that on the commencement day the Tribunal will take over approximately 200 uncompleted matters from the Building Disputes Tribunal so considerable effort will be required from members during the initial transitional period. In addition it is estimated that approximately 40 new matters will be referred to the Tribunal each month, although it may take some months before those referrals commence, as the Building Commissioner will make every effort to resolve matters before referring them to the Tribunal.

To ensure matters are dealt with as speedily as possible, the Tribunal plans to run two directions lists each day with immediate effect and to move as soon as possible to three tribunals sitting each day to deal with the initial volume of cases.

Amendments are also currently proposed to the *Commercial Tenancy (Retail Shops) Agreements Act 1985* which may increase the number of matters coming to the Tribunal. This will be kept under review during the coming year.

DEVELOPMENT AND RESOURCES

Work of the stream

As in previous years, almost 80% of the work of the Development and Resources (DR) Stream in 2010 - 2011 involved the review of decisions of state and local government authorities in relation to planning (mainly development and subdivision and some structure planning) applications. 61% of development and subdivision review applications were 'class 1 planning applications' (involving developments with a value of less than \$250,000, houses with a value of less than \$500,000 and subdivisions of up to three lots) and 39% of development and subdivision review applications were 'class 2 planning applications' (all other development and subdivision applications). 65% of planning review applications involved the review of the refusal of an application, 5% stemmed from 'deemed' refusals (failure to determine an application within a specified statutory period) and 30% involved the review of conditions imposed on approvals.

TABLE 7 DR benchmark performance

Percentage of applications finalised	Benchmark (weeks)	2008-09	2009-10	2010-11
30%	12	11	10	11
50%	20	17	17	16
80%	30	30	34	35

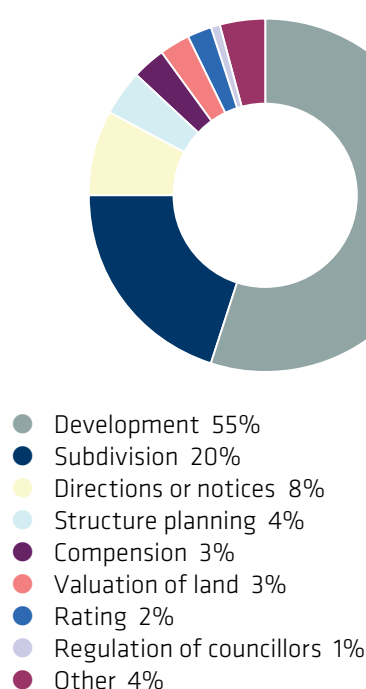
During 2010 - 2011, the DR Stream also reviewed decisions of state and local government authorities concerning directions and notices given to land owners and users (8% of DR applications), land valuation (3%), rating (2%), regulation of local government councillors (1%), and land tax, fisheries, water allocations and other land or water related matters (4%). In addition, the DR Stream exercised original jurisdiction to determine compensation for the compulsory acquisition of land (3% of DR applications).

The work of the DR Stream comes from all around Western Australia. 65% of DR applications finalised in 2010 - 2011 were from the Perth Metropolitan Region with the remainder from the South-West (12%), Wheatbelt (6%), Peel (5%), Great Southern (4%), Mid West (3%), Pilbara (1.5%), Gascoyne (1%), Goldfields (1%), Kimberley (1%) and Cocos and Keeling Islands (1 application).

In DR applications finalised in 2010 - 2011:

- 42% of all parties (33% of applicants, 59% of local government respondents and 50% of all respondents) were self-represented;
- 36% of all parties (30% of applicants, 32% of local government respondents and 43% of all respondents) were represented by a lawyer;
- 18% of all parties (30% of applicants, 9% of local government respondents and 7% of all respondents) were represented by a consultant town planner; and
- 4% of parties (all applicants) were represented by agents such as architects, building designers, engineers, project managers and surveyors.

GRAPH 5 DR applications finalised by subject 2010 - 2011



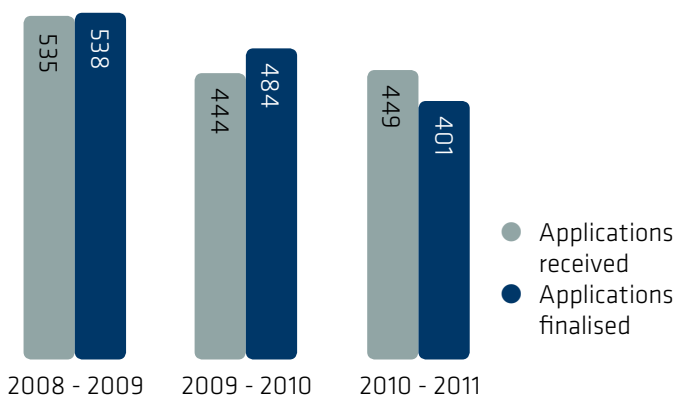
In about two-thirds of cases, therefore, parties did not require legal representation in DR proceedings. Furthermore, one-third of applicants, 59% of local government respondents and half of all respondents were able to directly represent themselves in DR proceedings. These statistics reflect well on the Tribunal's practices and procedures which aim to ensure that the Tribunal's dispute resolution processes are accessible and minimise the costs to parties.

Year in review

Workload

During the reporting year, the DR Stream received 449 applications and finalised 401 applications.

GRAPH 6 DR workload



Achievements

As seen in Table 7, the DR Stream has continued to comfortably meet the performance benchmarks of finalising 30% of applications within 12 weeks (11 weeks) and 50% of applications within 20 weeks (16 weeks). Although the benchmark of finalising 80% of applications within 30 weeks was exceeded by five weeks, 75% of applications were finalised within 31 weeks, with only 20 applications finalised in the band of 32 - 35 weeks. In matters that required adjudication, 83% of final hearings were completed in one day or less, 13% in one to two days, 1% in two to three days and 3% in three to four days.

During 2010 - 2011, the DR Stream fully resolved 72% of applications by facilitative dispute resolution (FDR) processes and party resolved a further 2% of applications by these means. FDR processes in the Tribunal involve the use

of directions hearings, mediations, compulsory conferences and invitations under Section 31 of the *State Administrative Tribunal Act 2004* to an original decision-maker to reconsider its decision, often in light of further information or amendments to a planning proposal developed through mediation. By these processes, Tribunal members assist the parties to create their own solution to a dispute, rather than have a win/loss decision imposed on them, and enable the parties to avoid the time and expense of having to participate in a final hearing or determination on documents. During 2010 - 2011, only 20% of DR applications required adjudication by the Tribunal. (6% of DR applications were resolved between the parties without facilitation or adjudication by the Tribunal). Another benefit of FDR during the reporting year was that in 17% of cases that were adjudicated by the Tribunal, but in which FDR processes had been applied, the FDR processes reduced the scope of the dispute requiring adjudication, thereby minimising the length of hearings and reducing costs to parties.

67% of all DR applications finalised in 2010 - 2011 were referred to mediation. Mediation was fully successful in resolving the application in 82% of these cases and partly successful in a further 3% of cases. Mediation was unsuccessful in only 15% of cases referred to mediation. In 42% of mediations, at least one mediation session was held on site, and in 7% of mediations, at least one mediation session was held at the original decision-maker's office. Local government councillors were invited to attend mediations in 24% of cases in which the local government was the respondent. Resident objectors were invited to attend mediations in 4% of cases, government authorities other than the original decision-maker in 20% of cases and other third parties in 1% of cases. 35% of mediations involved one session, 30% involved two sessions, 18% involved three sessions, 10% involved four sessions and the remaining 7% involved between five and ten sessions.

Looking forward

It is likely that the work of the stream will increase in the future in line with the general economic prosperity of the State.

HUMAN RIGHTS

Work of the stream

The principle task of the Human Rights (HR) Stream is to determine applications brought under the provisions of the *Guardianship and Administration Act 1990* (GA Act). Primarily these applications seek the appointment of substitute decision makers to make decisions about health, lifestyle and estate matters on behalf of people who no longer have the capacity to make their own decisions. The GA Act provides a means by which protective measures may be put in place to ensure that the financial and general welfare of vulnerable adults is not jeopardised by improvident personal decisions, or by ill-advised or unscrupulous decisions of other people.

Applications under the HR Stream account for 60% of all applications made to the Tribunal across all streams. GA Act matters account for 99% of the work undertaken in the HR Stream.

In addition the HR Stream hears and determines matters referred to it by the Equal Opportunity Commissioner, concerning discrimination as it arises under the *Equal Opportunity Act 1984* (EO Act). It also exercises a review jurisdiction under the *Mental Health Act 1996* (MH Act) concerning decisions made by Mental Health Review Board, and under the *Children and Community Services Act 2004* (CCS Act) concerning decisions made by the Chief Executive Officer of the Department for Child Protection regarding the care plan of a child in the department's care.

Year in review

Workload

In 2010 - 2011 the number of applications received by the stream increased by 6% from the previous year. It received 3815 new applications and finalised 3825 matters.

There were 2083 new guardianship and administration applications under Section 40 of the GA Act and of these applications 2065 were finalised. 80% of matters were completed within six weeks of the application being lodged. 90% of applications continue to be completed after one hearing.

Forty seven EO Act matters were finalised. 50% of matters were completed after 18 weeks and 80% of matters were completed after 34 weeks. Mediation is used extensively to good end with the majority of matters resolving by agreement before a hearing.

Seven MH Act matters were finalised. 50% of matters were completed after seven weeks and 80% of matters were completed after 12 weeks.

The resources allocated to the HR Stream have remained substantially the same since the Tribunal was established, notwithstanding the steady increase in the workload. The Tribunal continues to review its practices and allocation of present resources to attempt to meet its objective to deal with matters as speedily as possible.

Trends in workload

There is little doubt that the problems identified in recent research into the financial exploitation of the elderly and vulnerable are very real. Applications under the GA Act raising issues of financial abuse by family members and carers are common. A number of applications were made to the Tribunal by the Public Trustee, seeking revocation of orders appointing private administrators who have failed to discharge their obligations.

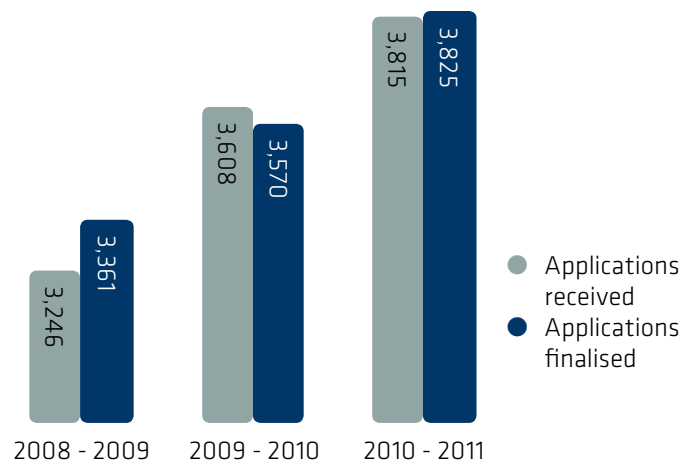


The Tribunal received a number of complex applications raising issues ranging from forced and servile marriages to consent to medical treatment.

The Tribunal continues to make more orders for people who have lost the capacity to make their own decisions due to dementia than for any other single reason.



GRAPH 7 HR workload



A lesser, but significant number of applications are made concerning people suffering from a mental disability.

A number of applications were received concerning young people due to leave the care of the Department for Child Protection.

Applications concerning people living in remote and indigenous communities continue to pose significant practical and logistical problems.

Ordinarily, HR Stream hearings are held at the Tribunal in Perth during business hours. However a number of urgent applications are received each year, which are heard out of hours and at venues as may be necessary.

Hearings are held at regional venues throughout the year.

Achievements

The stream has met and exceeded targets despite a real shortage of resources, because of the ability, dedication and resilience of its members and the Tribunal's administrative staff. It has maintained good working relationships with the Office of the Public Trustee and with the Office of the Public Advocate, both of which contribute significantly to the inquisitorial process that applies in GA Act matters. It has been assisted in a number of matters by specialist input from other agencies, that include Legal Aid WA, the Mental Health Law Centre and the Ethnic Disabilities Advocacy Centre.

GRAPH 8 HR applications finalised by type 2010 - 2011

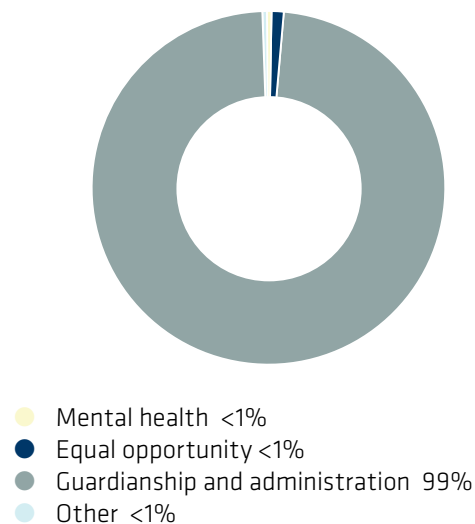


TABLE 8 HR benchmark performance

Percentage of applications finalised	Benchmark (weeks)	2008 - 2009	2009 - 2010	2010 - 2011
30%	n/a	5	6	5
50%	n/a	6	7	6
80%	8	8	8	9

Note: This table excludes Equal Opportunity matters (they have no benchmarks).

VOCATIONAL REGULATION

Work of the stream

The work of the Tribunal in the Vocational Regulation (VR) Stream involves mostly disciplinary action against members of regulated vocations. The Tribunal also exercises a review jurisdiction in relation to registration and licensing decisions made by vocational registration boards and other public officials responsible for licensing of particular vocations. Applications for review of decisions made under the *Working with Children (Criminal Record Checking) Act 2004* (WA) also fall within the VR Stream.

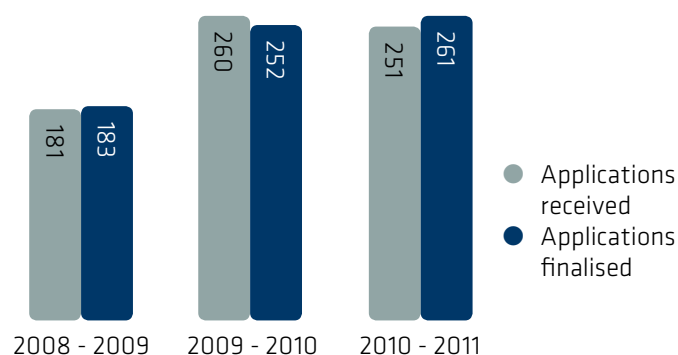
Year in review

Workload

During the reporting year, the Tribunal received 251 applications in the VR Stream. This figure shows a constant number of lodgements when compared with the previous year.

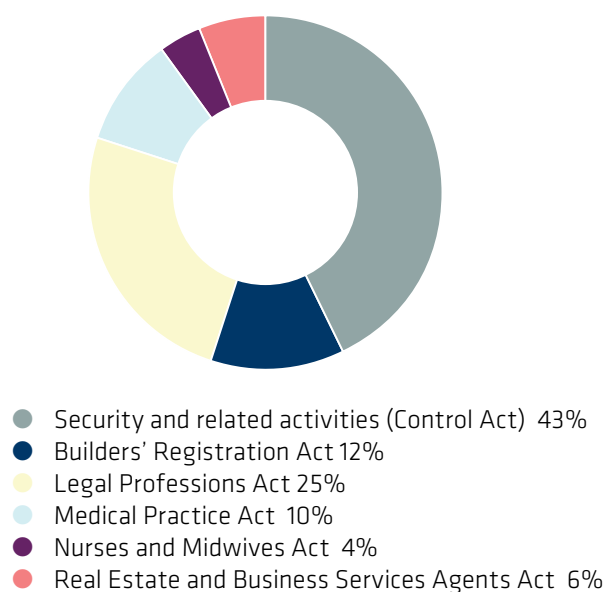
Appendix 2 sets out the number of applications received under each Act contained within the VR Stream. It can be seen that security agents account for a significant proportion of applications. The number of applications relating to legal practitioners rose from 49 to 54 in the reporting period, accounting for the second largest proportion of applications in the stream.

GRAPH 9 VR workload



Much of the work in this stream is done by judicial members of the Tribunal who are required to preside over matters involving legal practitioners, and generally preside over hearings concerning health professionals, real estate and settlement agents and working with children applications. Applications by security agents are generally dealt with by members of the Commercial and Civil Stream.

GRAPH 10 VR applications finalised by type 2010 - 2011



Achievements

During the reporting period the Tribunal has continued the use of mediation in relation to vocational disciplinary proceedings. As reported last year, a number of enquiries for information concerning the Tribunal's processes have been received from other vocational regulatory tribunals in Australia, and members of the Tribunal have participated in information sessions to other vocational tribunals around Australia in the use of mediation in this area.

The Tribunal did not achieve the benchmark of 27 weeks for completion of 80% of matters. The time for completion of 80% of vocational regulation matters in the reporting year was 35 weeks, an improvement from the 45 weeks reported last year. It is hoped that with the Tribunal's judicial resources now at full strength, further inroads into the time for completion of VR matters can be made.



TABLE 9 VR benchmark performance

Percentage of applications finalised	Benchmark (weeks)	2008 - 2009	2009 - 2010	2010 - 2011
30%	n/a	6	8	8
50%	n/a	9	12	14
80%	27	24	43	35

Looking forward

The Tribunal will continue to seek to improve the timeliness of the resolution of vocational matters.

Last year it was reported that the changes introduced by the *Legal Professions Act 2008* (WA) in March 2009 which enabled dissatisfied complainants whose complaint had been dismissed by the Legal Profession Complaints Committee to seek a review in the Tribunal had continued to have an impact on the workload and timeliness of decision-making in the VR Stream. During the

reporting period the Tribunal had continued to examine the most efficient and cost effective way of dealing with those matters. A practice has developed of dealing with those matters on the documents after the parties have been given an opportunity to make written submissions. Given the volume of documents which is often associated with these matters, consideration is being given to whether the matters might be dealt with by a short hearing. The Tribunal will continue to monitor the most efficient way of dealing with these applications.

The national scheme for the regulation of health professionals came into force in Western Australia within the reporting period. While there have been some concerns around delay in representatives of national boards obtaining instructions especially in the context of mediations, those difficulties have not been substantial. Overall, the change to the national system has not significantly affected the way proceedings have progressed.

COMMUNITY RELATIONS

The Tribunal's workload in relation to general enquiries as well as the increase in conferral of jurisdictions has been continuous and significant. The Tribunal aims to assist all parties in the lodgement and management of their matters without the need for legal representation.

Electronic communications

During the year there were a total of 1,891 electronic contacts (*emails* – see Table 10 below) received by the Tribunal.

Email recipients include individuals, professional organisations, government departments and various agencies.

TABLE 10 List of electronic correspondence

Type of email	No. rec'd 2008 - 2009	No. rec'd 2009 - 2010	No. rec'd 2010 - 2011
Media enquiries	12	14	56
Matter information	1262	1307	1252
Praise	18	29	48
Problems	12	9	6
Requests for Information	343	287	339
Suggestions	18	13	16
Complaints	13	4	12
Seminar responses/ enquiries	285	308	8
Spam	53	134	154
TOTAL	2016	2096	1891

Our website

The development of the Tribunal's website has continued during the reporting year. It is a valuable information resource to self-represented persons (SRPs) as well as all other applicants and parties. e-lodgement was added to the website during this financial year, for applications under Section 13 (7) of the *Commercial Tenancy (Retail Shops) Agreements Act 1985*.

This application was chosen as a trial and the hope is to increase e-lodgement in the future to accommodate more applications under various Acts.



Publications

When considering the needs of parties the Tribunal assumes most will be SRPs and accordingly the Tribunal provides varied directions hearings to assist SRPs. All parties are supported through the provision of pamphlets and Practice Notes which are reviewed and updated regularly to assist parties in proceedings. A list of these pamphlets is provided in Appendix 6.

FUTURE REFORMS AND INITIATIVES

Section 150(5) of the SAT Act authorises the President to report to the Minister about any matter connected with the exercise of the Tribunal's jurisdiction. In previous annual reports, the President has noted possible legislative reforms connected with the Tribunal's jurisdiction which might be considered.

During the reporting year, no additional requirements for reform have been brought to the notice of the President. The Tribunal maintains the following suggestions for law reform referred to in previous annual reports:

- Consideration be given to the potential for the issue of Assessment Notices subject to conditions, or limited to particular occupations or employment under the *Working with Children (Criminal Record Checking) Act 2004* (WA) (see 2009 - 2010 Annual Report at p 21).
- A review of the mandatory disqualification for security agents in relation to specified offences under the *Security and Related Activities (Control) Act 1996* (WA) (see 2009 - 2010 Annual Report at p 22).
- A review of whether the right under Section 435 of the *Legal Profession Act 2008* (WA) in relation to a decision by the Legal Profession Complaints Committee to dismiss a complaint should be the subject of a requirement for leave in all cases (see 2008 - 2009 Annual Report at p 24).
- A review of the *Local Government Act 1995* (WA) dealing with complaints, breaches, rules of conduct by local government councillors to consider whether the process of dealing with minor breaches of conduct should incorporate some facility, such as mediation, earlier in the complaint process by the Standards Panel (see 2008 - 2009 Annual Report at pp 24-25).
- Amendment to the *Guardianship and Administration Act 1990* (WA) (GA Act) to include a right of review under Section 17A in respect of two member Tribunals, or alternatively by providing a right of appeal under Pt 3 Div 3 of the GA Act in respect of two member Tribunal decisions (see 2008 - 2009 Annual Report at p 25).
- Amendment to the *Mental Health Act 1996* (WA). It was previously indicated that the functions of the Mental Health Review Board were poised to be conferred on the Tribunal (see 2007 - 2008 Annual Report at p 6). It is understood that the government intends introducing reforms in this area in the next reporting period.
- Amendment to Section 216 of the *Planning and Development Act 2005* (WA) (P&D Act) to confer (concurrent) jurisdiction on the Tribunal constituted by or including a judicial member to grant an injunction to restrain a contravention of the P&D Act, an interim development order, a planning scheme or a condition of approval (see 2007 - 2008 Annual Report at p 51);
- Amendment to Section 69 of the *Heritage of Western Australia Act 1990* (WA) to confer (concurrent) jurisdiction on the Tribunal constituted by or including a judicial member to grant an injunction to restrain a breach of a conservation order (see 2007 - 2008 Annual Report at pp 51-52);
- Amendment to Section 41 of the *Environmental Protection Act 1986* (WA) to enable the Tribunal to determine proceedings involving a referred proposal (see 2007 - 2008 Annual Report at p 52);





- Review of the *Equal Opportunity Act 1984* (WA), particularly the right of people to require the Commissioner for Equal Opportunity to refer claims that she has dismissed to the Tribunal under Section 90 of the EO Act (see 2007 - 2008 Annual Report at p 69).



- Amendment to the P&D Act and the *Heritage of Western Australia Act 1990* (WA) to confer (concurrent) jurisdiction on the Tribunal constituted by or including a judicial member to make declarations in relation to any right, obligation or duty imposed by or under planning, heritage and related laws (see 2007 - 2008 Annual Report at p 52);
- Amendment to Section 226 of the *Land Administration Act* (WA) to abolish the appointment of assessors by parties in proceedings for compensation for the compulsory acquisition of land (see 2007 - 2008 Annual Report at pp 52 - 53). This provision is rarely used by parties in compensation applications;
- Review of the GA Act. The current GA Act has been in place since 1990 and does not adequately meet the demands of a changing demographic and current approaches to health and lifestyle evident in legislation in some other jurisdictions. The Standing Committee Inquiry into the Tribunal proposed both an amendment to the GA Act and the refocusing of the GA Act Working Party. It is suggested that this provides an opportunity to carry out a review of the Act in its entirety (see 2007 - 2008 Annual Report at p 69); and

ADDITIONAL INFORMATION

LEGACY MATTERS

When the Tribunal commenced, matters that had not been determined by prior adjudicators were transferred to the Tribunal. There were 897 such legacy matters in the first instance. As at 30 June 2007, only four legacy matters remained to be determined. As at 30 June 2009, there was only one legacy matter outstanding. The matter was still not finalised as at 30 June 2010, but was concluded in the current reporting year. There are now no legacy matters with the Tribunal.

ARRANGEMENTS WITH OTHER AGENCIES

Formal arrangements are in place with the Chief Magistrate enabling a magistrate to sit as a member of the Tribunal. This arrangement was initiated by the former President and agreed to by the Chief Magistrate in the 2005 - 2006 reporting year.

It has not been necessary to utilise these arrangements for a number of years because the Tribunal has been able to adequately service regional areas either by telephone and video links or by members travelling to regions where appropriate. Given the different procedures of the Tribunal from those of the Magistrates Court, the Tribunal's preference is to utilise its members rather than magistrates.

Arrangements have also been settled with specific agencies to better serve applicants and respondents to the Tribunal. Agreements have been made with the following agencies:

- State Solicitor's Office;
- Equal Opportunity Commission;
- Landgate;
- Public Advocate;
- Public Trustee;
- Office of State Revenue; and
- Western Australian Planning Commission

Arrangements with the Parliamentary Commissioner under Section 168

The President and the Parliamentary Commissioner (Ombudsman) maintain an earlier agreement with regard to matters of public education, training of Tribunal members on the role of the Ombudsman, regular meetings, between the President and the Ombudsman and referral of cases from the Tribunal to the Ombudsman.

LEVELS OF COMPLIANCE BY DECISIONMAKERS

Section 150(2)(d) of the SAT Act requires this annual report to include details of the level of compliance by decision-makers with the requirements under Section 20 and Section 21 to:

- (i) Notify persons of reviewable decisions and the right to seek review; and
- (ii) Provide written reasons for reviewable decisions when requested to do so.

These two requirements are designed to ensure persons affected by adverse decisions know why the decision was made and that they have the right to seek review in relevant cases.

The Tribunal is satisfied, on the basis of review proceedings coming before it, that decision-makers are meeting their obligations.

ADMINISTRATIVE SUMMARY

Organisational change

The 2010 - 2011 year was a year of change and cultural development for the staff of the Tribunal. A key focus was the implementation of Stage 2 of the Organisational Change Project that commenced the previous year through the finalisation of the organisational restructure that represented Stage 1 of the project. The intended outcomes for Stage 2 were to commence a process of cultural change aimed at improving service delivery across the Tribunal. The willingness of the Tribunal's staff to actively participate in the change process under the leadership of the Executive Officer and Management Team was very pleasing.

A key outcome of the change process was the identification of the desired workplace culture for the Tribunal and associated behaviours that staff can reasonably expect of each other. This culture is characterised by the five guiding principals of:

- One SAT team
- Customer focussed
- Results focussed
- Learning and innovative
- Great place to work

Realising and maintaining this culture will require ongoing leadership by the Management Team, however a survey of staff conducted during May 2011 demonstrated a dramatic improvement in their level of satisfaction in working at the Tribunal in comparison to the same survey conducted during May 2010.

A second key outcome of the Organisational Change Project was the implementation of an end-to-end case management model with respect to the support services provided to the Tribunal members. This was a significant achievement that resulted in a more seamless, improved customer service delivery to parties and to the Tribunal members. It also provides greater job satisfaction for case management staff by increasing the diversity of their tasks and the skills they need to perform them.

Building Disputes Conferral

Considerable effort was committed to preparing for the conferral of additional building dispute matters to the Tribunal, anticipated in August 2011. Three additional full time members were appointed, 12 additional staff positions were created and additional accommodation was secured and fitted out with hearing and mediation rooms. This is the largest conferral of new jurisdiction to the Tribunal since its inception and required a high degree of cooperation between the Tribunal, the Building Disputes Tribunal, the Department of the Attorney General and the Department of Commerce.

Human resources

The Tribunal's member numbers effectively remained unchanged for the year at three judicial members, 14 full time members and the equivalent of 5.5 full time sessional members. Three additional full time members were appointed on 28 June 2011 in preparation for the building disputes conferral.

The effective administrative staff full time equivalent budget remained at 71. Individual Performance Plans were developed for all staff as an integral part of the Organisational Change Project referred to earlier.

Alistair Borg retired from the position of Executive Officer in September. Alistair had served the Tribunal in this position since 2008 and played a key role in the planning of the Organisational Change Project. Mark Street was appointed to the position of Executive Officer upon Alistair's retirement.

Budget performance

The Tribunal's expenditure of \$15,972,991 was within its budget allocation of \$16,275,373.

APPENDICES

APPENDIX 1 – LEGISLATION DEFINING OUR JURISDICTION

TABLE 11 List of enabling legislation

Act	Original	Review	Stream
Aboriginal Heritage Act 1972	x		Development and Resources
Adoption Regulations 1995 (given effect to by s 10, s 107, s 143 Adoption Act 1994)		x	Human Rights
Aerial Spraying Control Act 1966		x	Commercial and Civil
Agricultural Produce (Chemical Residues) Act 1983		x	Commercial and Civil
Agricultural Produce Commission Act 1988		x	Commercial and Civil
Agriculture and Related Resources Protection Act 1976		x	Development and Resources
Animal Welfare Act 2002		x	Commercial and Civil
Architects Act 2004	x	x	Vocational
Armadale Redevelopment Act 2001		x	Development and Resources
Associations Incorporation Act 1987		x	Commercial and Civil
Biological Control Act 1986		x	Development and Resources
Biosecurity and Agriculture Management Act 2007		x	Development and Resources
Births, Deaths and Marriages Registration Act 1998		x	Commercial and Civil
Builders' Registration Act 1939	x	x	Commercial and Civil
Business Names Act 1962		x	Commercial and Civil
Caravan Parks and Camping Grounds Act 1995		x	Commercial and Civil
Caravan Parks and Camping Grounds Regulations 1997 (given effect to by s 28 Caravan Parks and Camping Grounds Act 1995)		x	Commercial and Civil
Cemeteries Act 1986		x	Commercial and Civil
Chattel Securities Act 1987		x	Commercial and Civil
Chicken Meat Industry Act 1977		x	Commercial and Civil
Child Care Services Act 2007	x	x	Vocational
Children and Community Services Act 2004	x	x	Human Rights
Commercial Tenancy (Retail Shops) Agreements Act 1985	x		Commercial and Civil
Competition Policy Reform (Western Australia) Act 1996			Commercial and Civil
Construction Contracts Act 2004	x	x	Commercial and Civil
Consumer Credit (Western Australia) Code (given effect to by s 5 Consumer Credit (Western Australia) Act 1996)	x		Commercial and Civil
Control of Vehicles (Off-road Areas) Act 1978		x	Commercial and Civil
Co-operative and Provident Societies Act 1903		x	Commercial and Civil
Country Areas Water Supply Act 1947		x	Development and Resources
Country Towns Sewerage Act 1948		x	Development and Resources
Credit Act 1984	x		Commercial and Civil
Credit (Administration) Act 1984	x	x	Commercial and Civil
Cremation Act 1929		x	Commercial and Civil
Dangerous Goods Safety Act 2004		x	Commercial and Civil
Debt Collectors Licensing Act 1964	x	x	Vocational
Dog Act 1976	x	x	Commercial and Civil
East Perth Redevelopment Act 1991		x	Development and Resources

Act	Original	Review	Stream
East Perth Redevelopment Regulations 1992 (given effect to by s 57 East Perth Redevelopment Act 1991)	x		Development and Resources
Electricity (Licensing) Regulations 1991 (given effect to by s 32(3)(faa) Electricity Act 1945)	x		Vocational
Emergency Management Act 2005		x	Commercial and Civil
Employment Agents Act 1976	x	x	Vocational
Energy Coordination Act 1994		x	Development and Resources
Equal Opportunity Act 1984	x		Human Rights
Fair Trading Act 2010			Commercial and Civil
Fair Trading Act 1987	x		Commercial and Civil
Fair Trading (Retirement Villages Code) Regulations 2009 (given effect to by s 43 Fair Trading Act 1987)	x		Commercial and Civil
Finance Brokers Control Act 1975	x	x	Commercial and Civil
Fire and Emergency Services Authority of Western Australia Act 1998		x	Commercial and Civil
Fire Brigades Act 1942		x	Commercial and Civil
Firearms Act 1973		x	Commercial and Civil
First Home Owner Grant Act 2000		x	Commercial and Civil
Fish Resources Management Act 1994		x	Development and Resources
Fisheries Adjustment Schemes Act 1987	x	x	Development and Resources
Fishing and Related Industries Compensation (Marine Reserves) Act 1997	x	x	Development and Resources
Food Act 2008		x	Commercial and Civil
Forest Management Regulations 1993 (given effect to by s 126 Conservation and Land Management Act 1984)		x	Vocational Regulation
Gas Standards Act 1972	x	x	Development and Resources
Gender Reassignment Act 2000		x	Human Rights
Greater Bunbury Region Scheme (given affect to by s 41 Planning and Development Act 2005)		x	Development and Resources
Guardianship and Administration Act 1990	x	x	Human Rights
Health Act 1911	x	x	Commercial and Civil
Health Practitioner Regulation National Law (WA) Act 2010	x	x	Vocational
Health (Aquatic Facilities) Regulations 2007 (given effect to by s 343A Health Act 1911)		x	Commercial and Civil
Health (Pesticides) Regulations 2011 (given effect by s 341 Health Act 1911)		x	Commercial and Civil
Heritage of Western Australia Act 1990	x	x	Development and Resources
Hire Purchase Act 1959		x	Commercial and Civil
Hope Valley-Wattleup Redevelopment Act 2000		x	Development and Resources
Hospitals and Health Services Act 1927		x	Commercial and Civil
Housing Societies Act 1976		x	Commercial and Civil
Human Reproductive Technology Act 1991	x	x	Vocational
Industrial Relations Act 1979		x	Human Rights
Jetties Act 1926		x	Development and Resources
Land Administration Act 1997	x	x	Development and Resources
Land Drainage Act 1925		x	Development and Resources
Land Valuers Licensing Act 1978	x	x	Vocational
Legal Profession Act 2008	x	x	Vocational
Licensed Surveyors Act 1909	x	x	Vocational
Litter Act 1979		x	Development and Resources

Act	Original	Review	Stream
Local Government (Building Surveyors) Regulations 2008 (given effect to by s 373A and s 373AAB Local Government (Miscellaneous Provisions) Act 1990 and s 9.59 Local Government Act 1995)		x	Commercial and Civil
Local Government (Miscellaneous Provisions) Act 1960	x	x	Commercial and Civil
Local Government Act 1995	x	x	Development and Resources
Major Events (Aerial Advertising) Act 2009		x	Commercial and Civil
Maritime Archaeology Act 1973			Development and Resources
Marketing of Potatoes Act 1946	x	x	Commercial and Civil
Medical Radiation Technologists Act 2006	x	x	Vocational
Mental Health Act 1996	x	x	Human Rights
Metropolitan Water Authority Act 1982		x	Development and Resources
Metropolitan Water Supply, Sewerage and Drainage Act 1909		x	Development and Resources
Midland Redevelopment Act 1999		x	Development and Resources
Motor Vehicle Dealers Act 1973	x	x	Vocational
Motor Vehicle Drivers Instructors Act 1963		x	Vocational
Navigable Waters Regulations 1958 (given effect to by s 12 Shipping and Pilotage Act 1967, s 4 Jetties Act 1926, and s 99 Western Australian Marine Act 1982)		x	Vocational
Occupational Therapists Act 2005	x	x	Vocational
Painters' Registration Act 1961	x	x	Vocational
Pawnbrokers and Second-hand Dealers Act 1994	x	x	Commercial and Civil
Pearling Act 1990		x	Development and Resources
Perry Lakes Redevelopment Act 2005		x	Development and Resources
Perth Parking Management Act 1999		x	Commercial and Civil
Petroleum and Geothermal Energy Resources Act 1967	x	x	Commercial and Civil
Petroleum (Submerged Lands) Act 1982	x	x	Commercial and Civil
Petroleum Pipelines Act 1969	x		Commercial and Civil
Petroleum Retailers Rights and Liabilities Act 1982		x	Commercial and Civil
Pharmacy Act 2010	x	x	Vocational
Planning and Development Act 2005	x	x	Development and Resources
Planning and Development Regulations 2009 (given effect to by s 263 Planning and Development Act 2005)		x	Development and Resources
Plant Diseases Act 1914		x	Development and Resources
Poisons Act 1964		x	Commercial and Civil
Professional Combat Sports Act 1987		x	Vocational
Public Order in Streets Act 1984		x	Commercial and Civil
Radiation Safety Act 1975		x	Commercial and Civil
Rail Safety Act 2010		x	Commercial and Civil
Real Estate and Business Agents Act 1978	x	x	Vocational
Residential Parks (Long Stay Tenants) Act 2006	x	x	Commercial and Civil
Retirement Villages Act 1992	x		Commercial and Civil
Retirement Villages Regulations 1992 (given effect to by s 82 Retirement Villages Act 1992)	x		Commercial and Civil
Rights in Water and Irrigation Act 1914		x	Development and Resources
Road Traffic Act 1974		x	Commercial and Civil
Road Traffic (Authorisation to Drive) Regulations 2008 (given effect to by s42 Road Traffic Act 1974)		x	Commercial and Civil
Royal Agricultural Society Act 1926		x	Commercial and Civil
Security and Related Activities (Control) Act 1996	x	x	Vocational

Act	Original	Review	Stream
Settlement Agents Act 1981	x	x	Vocational
Shipping and Pilotage Act 1967		x	Vocational
Shipping and Pilotage (Ports and Harbours) Regulations 1966 (given effect to by s 12 Shipping and Pilotage Act 1967)		x	Vocational
Soil and Land Conservation Act 1945		x	Development and Resources
State Planning Policy 3.6 Development Contributions for Infrastructure (given effect to by s 26 Planning and Development Act 2005)		x	Development and Resources
State Superannuation Act 2000		x	Development and Resources
Strata Titles Act 1985	x	x	Commercial and Civil
Subiaco Redevelopment Act 1994		x	Development and Resources
Swan and Canning Rivers Management Act 2006		x	Development and Resources
Taxation Administration Act 2003	x	x	Commercial and Civil
Taxi Act 1994		x	Commercial and Civil
Tobacco Products Control Act 2006	x	x	Commercial and Civil
Trade Measurement Act 2006		x	Vocational
Transport Co-ordination Act 1966		x	Commercial and Civil
Transport (Country Taxi-car) Regulations 1983 (given effect to by s 47ZF Transport Co-ordination Act 1966)		x	Commercial and Civil
Travel Agents Act 1985	x	x	Vocational
Valuation of Land Act 1978		x	Development and Resources
Veterinary Chemical Control and Animal Feeding Stuffs Act 1976		x	Development and Resources
Veterinary Surgeons Act 1960	x	x	Vocational
W.A Marine (Certificates of Competency and Safety Manning) Regulations 1983 (given effect to by s 10(f) and s 10(g) of the Western Australia Marine Act 1982)		x	Vocational
Waste Avoidance and Resources Recovery Act 2007		x	Development and Resources
Waste Avoidance and Resources Recovery Regulations 2008 (given effect to by s 96 Waste Avoidance and Recovery Act 2007)		x	Development and Resources
Waste Avoidance and Resource Recovery Levy Regulations 2007 (given effect to by s 4 Waste Avoidance and Resource Recovery Levy Act 2007 and s 7 Waste Avoidance and Resource Recovery Act 2007)		x	Development and Resources
Water Agencies (Powers) Act 1984	x		Development and Resources
Water Boards Act 1904		x	Development and Resources
Water Services Licensing Act 1995		x	Development and Resources
Water Services Licensing (Plumbers Licensing and Plumbing Standards) Regulations 2000 (given effect to by s 61 Water Services Licensing Act 1995)	x	x	Vocational
Waterways Conservation Act 1976		x	Development and Resources
Western Australian Meat Industry Authority Act 1976		x	Commercial and Civil
Workers' Compensation and Injury Management Regulations 1982 (given effect to by s 277 Workers Compensation and Injury Management Act 1981)		x	Vocational
Working with Children (Criminal Record Checking) Act 2004		x	Vocational

APPENDIX 2 – STREAM APPLICATIONS BY ACT

TABLE 12 Stream applications by Act

Stream	Act	No. of Applications		
		2008 - 2009	2009 - 2010	2010 - 2011
COMMERCIAL & CIVIL	Animal Welfare Act 2002	0	0	0
	Associations Incorporation Act 1987	0	0	0
	Betting Control Act 1954	0	0	0
	Births, Deaths and Marriages Registration Act 1988	0	0	0
	Builders Registration Act 1939	44	42	33
	Business Names Act 1962	0	0	0
	Caravan Parks and Camping Grounds Act 1995	1	0	1
	Commercial Tenancy (Retail Shops) Agreements Act 1985 - s 13	1514	1385	1383
	Commercial Tenancy (Retail Shops) Agreements Act 1985 - excluding s 13	50	52	57
	Community Services Act 1972 (repealed)	0	0	0
	Construction Contracts Act 2004	4	8	11
	Consumer Credit (Western Australia) Act 1996	60	84	2
	Country Towns Sewerage Act 1948	0	0	0
	Credit Act 1984	1	0	0
	Dangerous Goods (Transport) Act 1998 (repealed)	0	0	0
	Dangerous Goods Safety Act 2004	1	12	2
	Dog Act 1976	21	19	13
	Explosives and Dangerous Goods Act 1961 (repealed)	0	0	0
	Fair Trading Act 1987 (WA)	3	2	0
	Firearms Act 1973	37	60	49
	First Home Owner Grant Act 2000	5	2	2
	Health Act 1911	13	13	10
	Health (Aquatic Facilities) Regulations 2007 (given effect to by s 343A Health Act 1911)	0	0	0
	Local Government (Miscellaneous Provisions) Act 1960	37	33	46
	Marketing of Potatoes Act 1946	0	0	0
	Perth Parking Management Act 1999	0	1	0
	Petroleum (Submerged Lands) Act 1982	0	0	0
	Residential Parks (Long Stay Tenants) Act 2006	23	46	35
	Retirement Villages Act 1992	8	9	7
	Road Traffic Act 1974	34	25	15
	Soil and Land Conservation	0	0	0
	Strata Titles Act 1985	131	132	128
	Swan River Trust Act 1988	0	0	0
	Taxation Administration Act 2003	9	7	8
	Taxi Act 1994	0	0	9
	Transport Co-ordination Act 1966	0	1	0
	Commercial and Civil Stream Total Applications	1996	1933	1811

Stream	Act	No. of Applications		
		2008 - 2009	2009 - 2010	2010 - 2011
HUMAN RIGHTS	Children and Community Services Act 2004	4	0	5
	Equal Opportunity Act 1984	68	65	53
	Gender Reassignment Act 2000	2	6	7
	Guardianship and Administration Act 1990	3157	3530	3744
	Industrial Relations Act 1971	-	1	0
	Mental Health Act 1996	15	6	6
	Human Rights Stream Total	3246	3608	3815
DEVELOPMENT & RESOURCES	Aboriginal Heritage Act 1972	3	1	6
	Armadale Redevelopment Act 2001	0	2	3
	Country Areas Water Supply Act 1947	1	0	0
	East Perth Redevelopment Act 1991	0	2	0
	Fish Resources Management Act 1994	5	2	1
	Fishing and Related Industries Compensation (Marine Reserves) Act 1996	0	0	12
	Hope Valley-Wattleup Redevelopment Act 2000	1	2	6
	Jetties Act 1926	0	0	0
	Land Administration Act 1997	8	6	11
	Local Government Act 1995	26	19	23
	Metropolitan Region Town Planning Scheme Act 1959	0	0	0
	The Midland Redevelopment Act 1999	1	0	0
	Planning and Development Act 2005	466	387	355
	Rights in Water and Irrigation Act 1914	4	3	9
	Strata Titles Act 1985	-	1	1
	Subiaco Redevelopment Act 1994	-	-	1
	Town Planning and Development Act 1928 (repealed)	-	-	-
	Taxation Administration Act 2003	14	3	4
	Valuation of Land Act 1978	6	16	17
	Waste Avoidance and Resource Recovery Levy Regulations 2007 (given effect to by s 4 Waste Avoidance and Resource Recovery Levy Act 2007 and s 7 Waste Avoidance and Resource Recovery Act 2007)	0	0	0
	Western Australian Planning Commission Act 1985 (repealed)	-	-	-
	Development and Resources Stream Total	535	444	449
VOCATIONAL REGULATION	Architects Act 1921 (repealed)	-	-	-
	Architects Act 2004	1	2	0
	Builders Registration Act 1939	25	23	26
	Childcare Services Act 2007	1	2	2
	Children and Community Services Act 2004	0	0	0
	Credit (Administration) Act 1984	0	0	0
	Chiropractors Act 2005 (repealed)	0	2	1
	Chiropractors Registration Board Rules 1996 (given effect to by s 18(1)(ha) Chiropractors Act 1964)	0	0	0
	Debt Collectors Licensing Act 1964	0	0	0
	Dental Act 1939 (repealed)	0	3	5
	Electricity Act 1945	0	0	0
	Finance Brokers Control Act 1975	0	2	2
	Gas Standards Act 1972	0	0	0
	Hairdressers Registration Act 1946 (repealed)	0	1	0
	Land Valuers Licensing Act 1978	1	2	0

Stream	Act	No. of Applications		
		2008 - 2009	2009 - 2010	2010 - 2011
VOCATIONAL REGULATION	Legal Practice Act 2003	42	49	0
	Legal Professions Act 2008	0	11	54
	Licensed Surveyors Act 1909	0	0	0
	Medical Act 1894	9	31	19
	Medical Practitioners Act 2008 (repealed)	-	-	3
	Medical Radiation Technologies Act 2006	0	2	0
	Motor Vehicle Dealers Act 1973	1	2	1
	Motor Vehicle Drivers Instructors Act 1966	1	0	0
	Nurses Act 1992 (repealed)	0	0	0
	Nurses and Midwives Act 2006 (repealed)	9	8	8
	Occupational Therapists Act 2005	-	-	1
	Optometrists Act 1940 (repealed)	0	0	0
	Painters Registration Act 1961	1	5	4
	Pharmacy Act 1964 (repealed)	2	2	1
	Physiotherapists Act 1950 (repealed)	-	-	-
	Physiotherapists Act 2005 (repealed)	0	1	0
	Professional Combat Sports Act 1987	-	-	2
	Psychologists Registration Act 1976 (repealed)	-	-	-
	Psychologists Act 2005 (repealed)	2	6	3
	Real Estate and Business Agents Act 1978	9	15	13
	Security and Related Activities (Control) Act 1996	69	69	90
	Settlement Agents Act 1981	2	5	4
	Trade Measurement Act 2006	0	0	0
	Travel Agents Act 1985 (WA)	0	0	0
	Veterinary Surgeons Act 1960	2	1	4
	Water Services Licensing (Plumbers Licensing and Plumbing Standards) Regulations 2000 (given effect to by s 61 Water Services Licensing Act 1995)	1	2	1
	Workers Compensation and Injury Management Regulations 1982	0	0	0
	Working With Children (Criminal Record Checking) Act 2004	3	14	7
	Vocational Regulation Stream Total	181	260	251
SAT	State Administrative Tribunal Act 2004	3	3	1
	TOTAL	5961	6248	6327

APPENDIX 3 – MEMBER ACTIVITIES AND PUBLICATIONS

TABLE 13 Member activities 2010 - 2011

Date	Attended	Details
Second Tuesday	Full time members	Professional development seminars for full time Tribunal members on the second Tuesday of the month. Members and invited guests gave presentations on a range of current issues. Approximately 10 of the sessions are held each year.
20/07/2010 - 21/07/2010	Murray Allen	Attended the annual meeting of heads of Mental Health Review Tribunals, in Canberra.
29/07/2010 - 30/07/2010	Justice Chaney All full time members	Attended the 5th Annual Kunamarri Conference, in Fremantle. Topics included Oral Decisions and dealing with difficult parties, together with various reviews of internal issues.
02/08/2010 - 05/08/2010	Bertus de Villiers	Attended the conference, 'International experiences in Federalism: Guidelines for The Sudan'. Gave a presentation on 'Comparative experiences in Federalism' in Khartoum, Sudan.
03/08/2010	Justice Chaney Debbie Taylor	Attended the Aboriginal Justice Agreement (AJA) State Aboriginal Justice Congress. Presentation about accessing the Tribunal from remote locations and the work of the Human Rights Stream.
20/08/2010	Felicity Child Maurice Spillane *Margaret Jordan *Hannah Leslie *Daniel Stepniak	Attended the Mental Health and Wellbeing Course facilitated by Green Apple Development 'Mental Health in a Court setting!'
20/08/2010 - 22/08/2010	Justice Chaney	Participated as an instructor on Advocacy Skills at the Law Society of WA Young Lawyers Advocacy Workshop, in Mandurah.
26/08/2010	Justice Chaney	Delivered the keynote address to the Edmund Rice Schools Conference on the topic 'The value of an Edmund Rice Education', in Fremantle.
30/08/2010 - 31/08/2010	Maurice Spillane	Attended Queensland Civil Administrative Tribunal (QCAT) in Queensland and delivered a workshop on mediation and disciplinary matters.
31/08/2010 - 04/09/2010	Marie Connor Peter McNab David Parry Maurice Spillane *Ross Easton *Antony Ednie-Brown *Lloyd Graham *Brian Hunt *Jim Jordan *Rebecca Moore	Attended the Australasian Conference of Planning and Environmental Courts and Tribunals (ACPECT) in Sydney. Papers were presented by Marie Connor and David Parry on the Tribunal's jurisdiction, practice and procedure. A session on guideline decisions was chaired by Peter McNab.
06/09/2010 - 09/09/2010	Maurice Spillane	10th National Mediation Conference, in Adelaide.
07/09/2010	Debbie Taylor	Attended the National Framework for Advanced Health Care Directives Consultation, hosted by the Department of Health.
10/09/2010	Jim Jordan	Attended the Planning Institute of Australia State Conference.
10/09/2010 - 12/09/2010	Justice Chaney	Participated as an instructor on advocacy skills at an advocacy workshop conducted by the Australian Advocacy Institute.
17/09/2010 - 18/09/2010	Justice Chaney	Attended the Supreme Court Judges' and Masters' Conference. Papers presented include 'Causation in Tort', 'The Law of Proprietary Remedies', 'Judicial Ethics', and 'The Future of Australian Cities'.
05/10/2010	Clive Raymond	Attended a meeting with Mark Lever, CEO of National Community Titles Institute.
05/10/2010	Debbie Taylor	Attended the McCusker Foundation for Alzheimer's Disease Research presentation, chaired by Professor Ralph Martins.

* Refers to sessional members

Date	Attended	Details
20/10/2010 - 22/10/2010	Debbie Taylor	Attended the Australian Guardianship and Administration Committee (AGAC) Conference on Human Rights, in Canberra.
26/10/2010 - 29/10/2010	Susan Gillett	Attended LEADR mediation training.
29/10/2011 - 30/10/2011	Debbie Taylor	Attended LEADR mediation training.
01/11/2010	Marie Connor Jim Jordan Peter McNab David Parry Maurice Spillane *John Adderley *Ross Easton *Antony Ednie-Brown *Brian Hunt *Rebecca Moore	Attended and made presentations at full day Development & Resources Stream Professional Development Seminar.
04/11/2010 - 06/11/2010	Justice Chaney Judge Sharp	Attended the Judicial Aboriginal Cultural Exchange (JACE) Program 'Talking Law and Culture in Mother Country', in Mandurah.
08/11/2010	Judge Sharp Clive Raymond Maurice Spillane	Chaired the Law Society of Western Australia's seminar on practice and procedure in the Tribunal.
10/11/2010	Justice Chaney	Presented address at opening of Magistrates Conference.
18/11/2010 - 19/11/2010	Justice Chaney	Meeting with Victorian Civil and Administrative Tribunal (VCAT) Leadership Group, in Melbourne.
23/11/2010	Justice Chaney Murray Allan Tim Carey Felicity Child Marie Connor Bertus de Villiers Sue Gillett Jim Jordan Jack Mansfield Peter McNab David Parry Clive Raymond Maurice Spillane Debbie Taylor	Attended mediation training.
07/12/2010	Maurice Spillane	Presented to members of the Institute of Arbitrators and Mediators (IAMA), 'Mediation at the State Administrative Tribunal.'
08/12/2010 - 12/12/2010	Bertus de Villiers	International Conference on Federalism Addis Ababa, in Ethiopia.
17/01/2011	Lisa Ward	Attended Australian Institute of Administrative Law (AIAL) seminar, 'Tightening the Noose on Administrative Law Standards: A Risk Management Approach', presented by Robin Creyke, Professor of Law at Australian National University and Senior Member Administrative Appeals Tribunal (AAT).
21/01/2011 - 27/01/2011	Justice Chaney	Attended the Supreme & Federal Court Judges' Conference, in New Zealand.
08/02/2011	Clive Raymond Maurice Spillane	Attended Institute of Arbitrators and Mediators (IAMA) presentation, 'Mediation in the Building Disputes Tribunal'.

* Refers to sessional members

Date	Attended	Details
08/02/2011	Lisa Ward	Presented in-house to full time members, 'Stream Update for Commercial and Civil', covering new developments, interesting cases, new jurisdictions etc.
09/02/2011	Debbie Taylor	Addressed the Ethnic Disabilities Advocacy Centre, Subiaco.
16/02/2011	Justice Chaney Debbie Taylor	Presented at The Law Society of WA seminar, 'Advanced Health Directives and Enduring Powers of Guardianship: 12 months on'. Justice Chaney chaired the event.
02/03/2011	David Parry	Attended seminar on 'Ethical considerations in environmental law'.
06/03/2011 - 9/03/2011	Jim Jordan	Attended Planning Institute of Australia National Congress, in Hobart.
10/03/2011	Justice Chaney	Co-presentation with Laurie Shervington for Minter Ellison, 'Professional Conduct Rules – From Two Perspectives'.
14/03/2011 - 15/03/2011	Clive Raymond Maurice Spillane	Attended Appraiser Training at The Queensland Civil and Administrative Tribunal, presented by Professor Miryana Nesic.
15/03/2011 - 16/03/2011	Clive Raymond Maurice Spillane	Attended Alternative Dispute Resolution Trainer Course at The Queensland Civil and Administrative Tribunal, presented by Professor Miryana Nesic.
16/03/2011 - 26/03/2011	Lisa Ward	Attended and completed the Practitioner's Certificate in Mediation with The Institute of Arbitrators and Mediators Australia (IAMA).
23/03/2011	Justice Chaney	Presentation to The Society of Trust and Estate Practitioners (STEP), Perth members.
23/03/2011	David Parry	Attended seminar titled, 'Defence of human rights – by whom if not the lawyers?'
23/03/2011	Clive Raymond	Presented evidence on Strata to the Legislative Council Standing Committee on Public Administration.
24/03/2011	Clive Raymond	Presented at the Property Law Conference.
29/03/2011	Felicity Child	Chaired Legalwise seminar titled, 'Elder Law'.
31/03/2011 - 1/04/2011	Debbie Taylor	Attended the Australian Guardianship and Administration Council (AGAC) meeting in Melbourne.
10/04/2011 - 15/04/2011	Judge Sharp	Attended the National Judicial College of Australia Judicial Orientation Conference. Topics included judgement writing, Litigants in person, assessing the credibility of witnesses and interpreters.
17/05/2011	Justice Chaney	Attended and Judged the University of Western Australia's Trial Advocacy final.
20/05/2011 - 22/05/2011	Justice Chaney	Attended Trial Advocacy Skills Workshop Office of Director of Public Prosecutions WA.
25/05/2011	Justice Chaney	Attended and presented at the Bar Readers Course, Western Australian Bar Association Perth, two seminars, 'The jurisdiction of the State Administrative Tribunal' and 'State Administrative Tribunal procedures'.
29/05/2011	David Parry	Presented a paper on 'Concurrent expert evidence' at the 2nd Annual Western Australian Medico-Legal Conference, Expert Evidence.
03/06/2011	Jim Jordan	Attended Legalwise seminar 'Planning Appeals: Updates and Approaches'.
08/06/2011	Justice Chaney	Attended Health Disciplinary Tribunal Heads meeting, in Melbourne.
09/06/2011 - 10/06/2011	Justice Chaney Judge Sharp Felicity Child Susan Gillett Peter McNab Lisa Ward	The Australian Institute of Judicial Administration (AIJA), Council of Australasian Tribunals (COAT) Conference, in Melbourne. Justice Chaney presented and chaired some sessions. Peter McNab presented a workshop.
13/06/2011	Debbie Taylor	Attended a meeting with the McCusker Foundation for Alzheimer's Disease Research and Council on the Ageing (COTA).
21/06/2011	Debbie Taylor	Attended a lecture at the Australian & New Zealand Association of Psychiatry Psychology and Law (ANZAPPL), presented by Dr Carolyn Harris Johnson.
22/06/2011	Clive Raymond	Presented induction programme for new members.

Date	Attended	Details
29/06/2011 - 03/07/2011	Judge Sharp	Attended District and Country Court Judges' Conference in Adelaide. Sessions included 'Youth Mental Health', 'Courts and the Media' and 'Islamic Law and Muslims'.

TABLE 14 Members' publications

Member	Publication
Bertus de Villiers	Ethiopian Federalism: learning from the world (Brief Vol 37 No 6 July 2010 pp 28 - 33).
David Parry	Concurrent expert evidence (Brief Vol 37 No 7 August 2010 pp 9 - 12).
Bertus de Villiers	Cooperative government – the oil of the engine (Konrad Adenauer Stiftung Johannesburg 2011).
David Parry	The introduction of Development Assessment Panels – A historic change in the determination of significant development applications in Western Australia (Australian Environment Review Vol 26 No 4 May 2011 pp 98 - 101).
Bertus de Villiers	The break-up of Sudan: Relevance for Australia (Brief Vol 38 No 4 May 2011 pp 8 - 10).

APPENDIX 4 – JUDICIAL AND FULL TIME MEMBERS

State Administrative Tribunal's judicial and full time members appointed under Section 117(3), as at 1 January 2010.

TABLE 15 Judicial and full time members

Judicial member	Areas of work/expertise
Justice John Chaney	President of the Tribunal – Supreme Court Justice
*Judge Tim Sharp	Deputy President of the Tribunal – Judge of the District Court Judge Sharp was appointed as Deputy President of the Tribunal on 27 July 2010.
*Judge David Parry	Deputy President of the Tribunal – Judge of the District Court Judge Parry was appointed as Deputy President of the Tribunal on 14 June 2011.
*Judge Judy Eckhert	Deputy President of the Tribunal – Judge of the District Court Judge Eckhert retired on 3 May 2011.
Full time members	Areas of work/expertise
*David Aitken	Lawyer – Appointed to a Member position on 28 June 2011
Murray Allen	Senior Member – Lawyer
Timothy Carey	Lawyer
Felicity Child	Lawyer, Social Worker
Dr Bertus De Villiers	Lawyer
Susan (Sue) Gillett	Social Worker
James (Jim) Jordan	Urban and Regional Planner
Jacobus (Jack) Mansveld	Social Worker, Accountant
Peter McNab	Lawyer
*Rebecca Moore	Architect- Appointed to a Member position on 28 June 2011
Marie O'Connor	Urban and Regional Planner
Clive Raymond	Senior Member – Lawyer
Maurice Spillane	Lawyer – Appointed to a Senior Member position on 28 June 2011
Debbie Taylor	Senior Member – Lawyer
*Charlotte Wallace	Lawyer - Appointed from Ordinary Member to Senior Member position on 28 June 2011
Lisa Ward	Lawyer
*David Parry	Senior Member – Lawyer (appointed as Deputy President on the 14 June 2011). This position was vacant at the end of this reporting period.

* Did not hold the position for the full reporting period.

All full time members professional profiles are available on the Tribunal's website
www.sat.justice.wa.gov.au → **About SAT** → **Key Personnel**

APPENDIX 5 – SESSIONAL MEMBERS

State Administrative Tribunal senior sessional members and ordinary sessional members appointed under section 117(3) and 117(4), as at 1 January 2010.

TABLE 16 Sessional members – senior

Member	Areas of work/expertise
John Adderley	Retired Town Planner
Richard Affleck	Executive Director Construction Company
Michael Anderson	Chartered Accountant, Arbitrator and Mediator
Hans Beyer	Finance Broker
Kenneth Bradley	Accountant, Former Public Trustee
Kevin Burgoyne	Legal Practitioner and Quantity Surveyor
Dr Simon Carlin	Chiropractor
Dr Roger Clarnette	Medical Practitioner
Dr Philip Cockerill	Dentist
Abigail Davies	Legal Practitioner
Donna Dean	Social Worker, Former Human Rights Ordinary Member of the Tribunal
Patric De Villiers	City Planning Consultant
Lesley Doherty	Hairdresser and Business Proprietor
Ross Easton	Architect
Chris Edmonds SC	Legal Practitioner
Antony Ednie-Brown	Consultant Architect
David Ellis	Barrister, Arbitrator, Mediator and Adjudicator
Philip Faigen	Builder, Architect and Arbitrator
Dr Louise Farrell	Medical Practitioner
John Fisher	Chartered Engineer, Arbitrator and Mediator
Laurence Foley	Podiatrist
Dr Stuart Gairns	Periodontist
Prof Alexander Gardner	Legal Practitioner, University Academic (Law)
Dr Alison Garton	Psychologist
Lloyd Graham	Retired Town Planner
Dr Helen Hankey	Doctor of Medicine
Catherine (Katie) Hill	Occupational Therapist
Brian Hunt	Consultant Planner
Dr Eric Isaachsen	Medical Practitioner
John James	Psychologist
Steven Jongenelis	Psychologist
Margaret Jordan	Legal Practitioner
Prof Max Kamien AM CitWA	Medical Practitioner
Ross Ledger	Chartered Accountant
Hannah Leslie	Legal Practitioner
Dr Michael Levitt	Medical Practitioner
David Liggins	Real Estate Agent, Licensed Valuer
Prof George Lipton	Psychiatrist
Roger Macknay	Legal Practitioner, Retired District Court Judge, QC
Timothy Mather	Veterinary Surgeon
Jeffrey Mazzini	Finance Broker

Member	Areas of work/expertise
Dr Alan McCutcheon	Medical Practitioner
Kevan McGill	Engineer
Judy McGowan	Legal Practitioner
Dr Barry Mendelawitz	Retired Medical Practitioner
David Moore	Valuer
Jacqueline Musk	Magistrate
Dr Frederick Ng	Psychiatrist and Doctor of Medicine
Catherine O'Brien	Retired Judge (WA) and Legal Practitioner
Val O'Toole	Social Worker
Michael Odes QC	Legal Practitioner
Dr Anne Passmore	Occupational Therapist, University Lecturer
Dr Christine Pears	Dentist
Dr Christopher Phillips	Legal Practitioner & Mediator
Patrick Pinder	Retired Architect, Town Planner
Geoffrey Potter	Accountant, Real Estate Agent
Josephine Stanton	Consultant in Health and Welfare
Dr Daniel Stepniak	Legal Practitioner
Dr Anthony Vigano	Veterinary Surgeon
Hon Robert Viol	Legal Practitioner, Retired District Court Judge
Brigadier A Gerry Warner	Australian Defence Force (Retired)
PMark Wiklund	Physiotherapist
Dr Peter Winterton	Medical Practitioner
Angela Workman	Medical Board, Medical Radiation Technologist
Darianne Zambotti	Occupational Therapist

TABLE 17 Sessional members – ordinary

Member	Areas of work/expertise
Keith Bales	Retired Lawyer
Ross Campbell	Electrical Fitter, Security Agent
Prof Robyn Carroll	Legal Practitioner
Anthony Coulson	Travel Agent
Peter Curry	Mediator, Agricultural Scientist
Mary Elgar	Travel Agent, Nurse
Barbara Holland	Educational and Vocational Consultant
Mark Houlahan	Arbitrator and Valuer
Assoc Prof Bronwyn Jones	University Academic (Nursing)
Kerry Kemp	Social Worker
Karen Lang	Legal Practitioner
Dr Linley Lord	University Academic (Business)
Richard Machell	Principal for Contract and Consulting Specialist
Alexander MacNaghten	Real Estate Agent, Land Valuer
Andrea McCallum	Legal Advisory and Principal Research Officer
Hannah McGlade	Legal Practitioner
Christopher Marsh	Registered Builder and Mediator
David Miller	Architect and Building Consultant
Peter Mittonette	Registered Builder
Darren Mouchemore	Building Surveyor, Registered Builder
Colin Parker	Registered Builder
Elain Pavlos	CEO and Director of Nursing
Anne Seghezzi	Legal Practitioner
Nigel Shaw	Architect and Planner
Anthony Townsend	Retired Motor Vehicle Dealer
Robert Travers	Engineer and Draftsman
Barbara Webster	Senior Resource Consultant, Health
Paul Wellington	Architect, Legal Practitioner, Arbitrator
Christina Winsor	Managing Director Settlement Agency
Carmela Yom-Tov	Lawyer
Armand Zurhaar	Chemist and Scientific Consultant

APPENDIX 6 – PAMPHLETS

TABLE 18 Tribunal pamphlets

Pamphlet	Stream
Introduction	All
Access and Facilities	All, mostly HR
A guide for experts giving evidence in the State Administrative Tribunal	CC, DR and VR
Mediation in the State Administrative Tribunal	CC, DR and VR
Section 31 invitation by SAT for decision-maker to reconsider its decision	CC, DR and VR
Commercial & Civil	CC
A Guide for the conduct of Applications to Review the decisions of the Building Disputes Tribunal	CC
Your Guide to making an application under the Residential Parks (Long-stay Tenants) Act 2006	CC
Development & Resources	DR
Information about Class 1 planning applications	DR
Information about Class 2 planning applications	DR
Documents that may be required by the State Administrative Tribunal in planning applications	DR
Third Party participation in planning matters.	DR
A Guide to professional applicants in Guardianship and Administration matters	HR
Guardianship and Administration Act 1990: Information concerning conduct of hearings	HR
Guardianship and Administration Act 1990: Applications and Proceedings	HR
Human Rights	HR
Vocational	VR

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