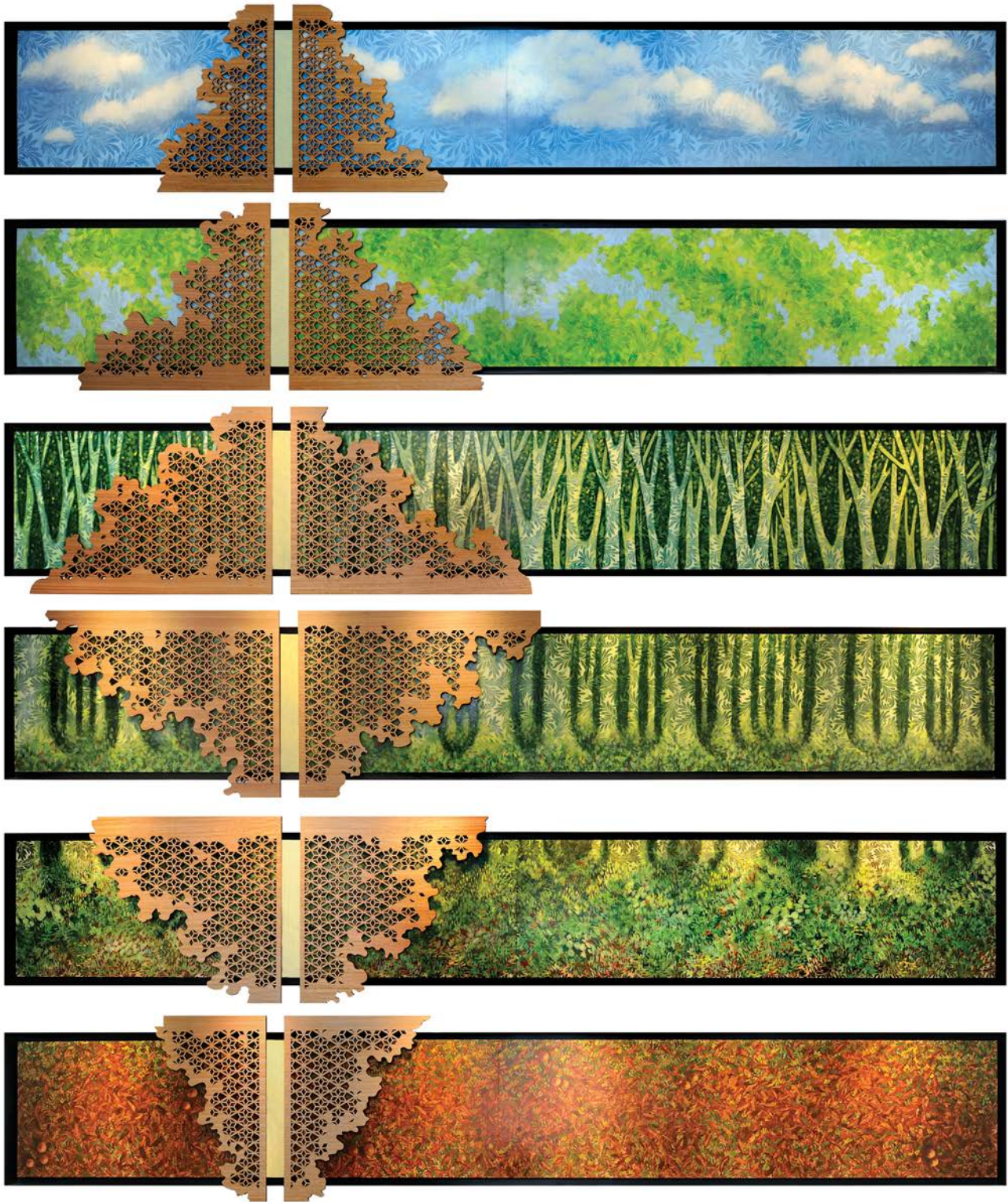


ANNUAL REPORT 2018/2019



An image of the six individual paintings in descending order is above.

Public Artwork on Levels 1 to 6 in the State Administrative Tribunal Building

Levels of a Forest, 2015 – Clare McFarlane

Level 1 – Leaf Litter	Level 4 – Branches
Level 2 – Undergrowth	Level 5 – Canopy
Level 3 – Trunks	Level 6 – Clouds and Sky

The public artwork in the State Administrative Tribunal Building, which is entitled, *Levels of a Forest* by Artist Clare McFarlane, has been created to reflect the forest theme of the internal design and to enhance the welcoming and calm interior of the SAT building. The work is comprised of six individual paintings, each one being displayed in the public lobby on every level.

Each painting represents a layer of the forest mimicking the vertical progression from the forest floor, through the trunks and canopy and beyond. Layers of pattern and colours are woven together to create impressions of natural forms and light, capturing the essential nature of each strata. Floating over this surface are abstracted tree canopies realised in timber panels. These forms serve to relate the work strongly to the interior design as well as provide a frame through which we glimpse the sunlight through a forest. Conceptually, the artwork is intended to be viewed as one painting but each level stands as a work in its own right.

An image of the six individual paintings in descending order is above.



Hon John Quigley MLA
Attorney General
5th Floor, Dumas House
2 Havelock Street
WEST PERTH WA 6005

Dear Attorney General

Annual Report - State Administrative Tribunal

Pursuant to section 150(1) of the *State Administrative Tribunal Act 2004* (WA), I have pleasure in submitting to you the Annual Report of the Tribunal.

The report is for the year ending 30 June 2019.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Janine Pritchard'.

**The Hon Justice Janine Pritchard
President**

12 September 2019



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PRESIDENT'S OVERVIEW



During the reporting year the Tribunal commenced the reintroduction of the 'stream' structure broadly along the lines which operated successfully during SAT's first decade. This transition to the 'stream' structure will continue in the 2019/2020 year.

Under the 'stream' structure, enabling Acts, which confer jurisdiction on the Tribunal, are allocated to a particular specialist stream, headed by a full time senior member and comprising other full time members, although members continue to mediate and determine matters in other streams where appropriate. Each stream will be overseen by a judge.

For example, planning review proceedings are allocated to the Development and Resources (DR) stream, which once again comprises a full time legally-qualified senior member with experience in planning law and three other full time members who have specialist qualifications and experience in architecture and/or town planning. There are also sessional members with specialist qualifications and experience in areas such as engineering, architecture, urban design and planning, environmental science and surveying who mediate

or form part of a panel for final hearings with full time members in cases where their specialist background is important to enable the Tribunal to produce the correct and preferable decision. The DR stream is overseen by Deputy President Judge Parry who also has specialist experience in planning law. The re-establishment of the DR stream under judicial leadership has reintroduced a specialist approach to planning dispute resolution in SAT, consistently with the Tribunal's objective in s 9(c) of the *State Administrative Tribunal Act 2004* (WA) 'to make appropriate use of the knowledge and experience of Tribunal members' and the requirement in s 238 of the *Planning and Development Act 2005* (WA) that SAT members involved in planning review proceedings are to have 'knowledge of and experience in' one or more specialist fields relevant to planning.

Membership of the tribunal

There were a significant number of changes to the membership of the Tribunal during this reporting period.

Justice Jeremy Curthoys resigned as the President of the Tribunal on 31 October 2018, to sit in the General Division of the Supreme Court. I will say something more about his Honour's contribution to the Tribunal later in this overview.

Member David MacLean resigned as an Ordinary Member on 31 August 2018 following his appointment to the Magistrates Court of Western Australia.

In addition, Member Tim Carey was seconded to act as a Registrar in the Supreme Court of Western Australia from 4 February 2019.

The Tribunal has also welcomed new members during this reporting period. Dr Stephen Willey was appointed as an Ordinary Member on 3 December 2018, and Charmian Barton was appointed as an Ordinary Member, commencing on 7 January 2019. They replaced Members Karen Whitney (who resigned in December 2017) and David MacLean.

Member Jack Mansveld was reappointed to the Tribunal as an Ordinary Member, and Member Lisa Eddy was reappointed to the Tribunal, as a Senior Member. Each Member was appointed for a five year term, commencing on 23 October 2018.

Finally, I was honoured to be appointed as the President of the Tribunal, for a five year term, commencing on 4 June 2019. This was almost 10 years to the day since I was first appointed to the Tribunal, as a Deputy President, in June 2009. After serving in that capacity for almost a year, I was appointed to the Supreme Court. I am delighted to have the opportunity to work in the Tribunal once again.

Service demand, performance and resourcing

There was a small (5%) decrease in the number of applications lodged in the Tribunal during this reporting period. That decrease was mainly influenced by an 18% decrease in applications under s 13(7) of the *Commercial Tenancies (Retail Shops) Agreements Act 1985* and a 15% decrease in complaints referred and transferred from the Building Commissioner, as compared with the previous year. The decline in lodgements in those areas no doubt reflected broader economic conditions.

The Tribunal managed to maintain its extremely high clearance rate over the reporting period, achieving a clearance rate of 99%.

In addition, the Tribunal continued its excellent performance against the timeliness key performance indicator (KPI), which forms part of the State Government's budget process. That KPI target – of 15 weeks – measures the median time taken to finalise matters across the Tribunal (excluding *Guardianship and Administration Act 1990* applications, and applications under s 13(7) of the *Commercial Tenancies (Retail Shops) Agreements Act 1985*). The median time to finalise matters in 2018/2019 was 14 weeks. That was an increase of two weeks compared with the 12 weeks median finalisation result achieved in 2017/2018.

Applications under the *Guardianship and Administration Act 1990* made up 57% of applications lodged in the Tribunal during this reporting period. Many of these applications pertain to elderly members of our community for whom the appointment of a guardian or administrator is an important protection against potential abuse. Within its available resources during 2018/2019, the Tribunal finalised 80% of new *Guardianship and Administration Act 1990* applications within 10 weeks, which was consistent with the previous year's performance.

The Tribunal also maintained an overall finalisation rate of 98% for *Guardianship and Administration Act 1990* applications.

The time to finalise Commercial and Civil matters increased, from 80% finalisation within 23 weeks in the 2017/2018 year, to 80% finalisation within 28 weeks this year. However, that figure nevertheless met the Tribunal's benchmark finalisation target for matters in that stream.

In the Development and Resources stream, 80% of matters were finalised within 40 weeks. This represented an increase of two weeks from 38 weeks in the previous year. Although the benchmark finalisation target is 30 weeks, the overall result is attributable to the complexity of some planning and development matters, which often take longer to finalise than the 30 week target. However, the Development and Resources stream achieved a 107% clearance rate overall.

In the Vocational Regulation stream, 80% of matters were resolved within 20 weeks, which is well under the benchmark target of 27 weeks.

Although in some areas the Tribunal's results were below those achieved in 2017/2018, the Tribunal's overall performance during 2018/2019 was particularly pleasing, given that it operated with less than a full complement of its full time members during much of the year. Between 1 November 2018 and 3 June 2019, the Tribunal operated with only two (rather than three) judges. That amounted to a loss of 0.6 of a judicial position for the reporting period. In addition, the lengthy delays in the appointment of Ordinary Members to replace Ms Karen Whitney, and Mr David MacLean, and the absence of Member Tim Carey during his secondment to the Supreme Court, meant that the Tribunal operated with an equivalent of one full time member less than its full complement of members over the reporting period.

The Tribunal's excellent performance in the 2018/2019 year reflects the commitment and hard work of its judges, members, and its administrative staff, led by Executive Manager Kathy Halden. I commend them all for their efforts.

New jurisdiction

During the 2018/2019 year, the Tribunal was conferred with new or additional jurisdiction under the following 10 pieces of enabling legislation:

New jurisdiction

Biodiversity Conservation Act 2016
Biodiversity Conservation Regulations 2018
Fair Trading (Retirement Villages Interim Code) Regulations 2019
Historical Homosexual Convictions Expungement Act 2018
Liquor Control Act 1988
Transport (Road Passenger Services) Act 2018

Amended jurisdiction (generally conferring additional jurisdiction)

Education and Care Services National Law (WA) Act 2012
Health Practitioner Regulation National Law (WA) Act 2010
Residential Parks (Long-stay Tenants) Act 2006
Waste Avoidance and Resource Recovery Act 2007

The new or additional jurisdiction conferred on the Tribunal during the 2018/2019 year was in addition to the new or additional jurisdiction conferred on the Tribunal under 11 pieces of enabling legislation during the 2017/2018 year.

The Tribunal welcomes the conferral of additional jurisdiction, and the opportunity to apply its dispute resolution and administrative review functions in new areas. However, it is essential that the Tribunal is allocated sufficient resources to meet the demands of any additional jurisdiction, without suffering a decline in its ability to meet its statutory objectives, including its ability to act as speedily as is practicable to resolve disputes.

Appreciation

As I have mentioned, on 31 October 2018, Justice Jeremy Curthoys resigned as the President of the Tribunal, to commence sitting in the General Division of the Supreme Court. Throughout his tenure as President, Justice Curthoys was committed to improving the efficiency and effectiveness of the Tribunal's processes. His Honour introduced a number of reforms directed to achieving that objective. Some of these have been highlighted in previous Annual Reports of the Tribunal. On behalf of the Tribunal, I thank Justice Curthoys for his leadership and commitment to the Tribunal, and wish him well in his continued service as a judge of the Supreme Court.

On behalf of the Tribunal, and on my own behalf, may I also express particular thanks to Deputy President Judge Sharp, who served as Acting President of the Tribunal following Justice Curthoys' resignation, and prior to my appointment as President. Both Judge Sharp and Judge Parry bore a heavier case load during that period, but in addition, Judge Sharp carried out the duties of the President, and ensured a smooth handover upon my appointment, for which I was very grateful.

The Hon. Justice Janine Pritchard

President
 State Administrative Tribunal
 Western Australia

ABOUT THE TRIBUNAL

The State Administrative Tribunal is established under the *State Administrative Tribunal Act 2004* (SAT Act). It is an independent body that makes and reviews a wide range of administrative decisions in the areas of human rights, vocational regulation, town planning, resource development and commercial and civil disputes. The Tribunal receives its power to hear matters from over 150 pieces of enabling legislation.

The Tribunal's approach is less formal than a court, flexible and transparent. The Tribunal:

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



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.

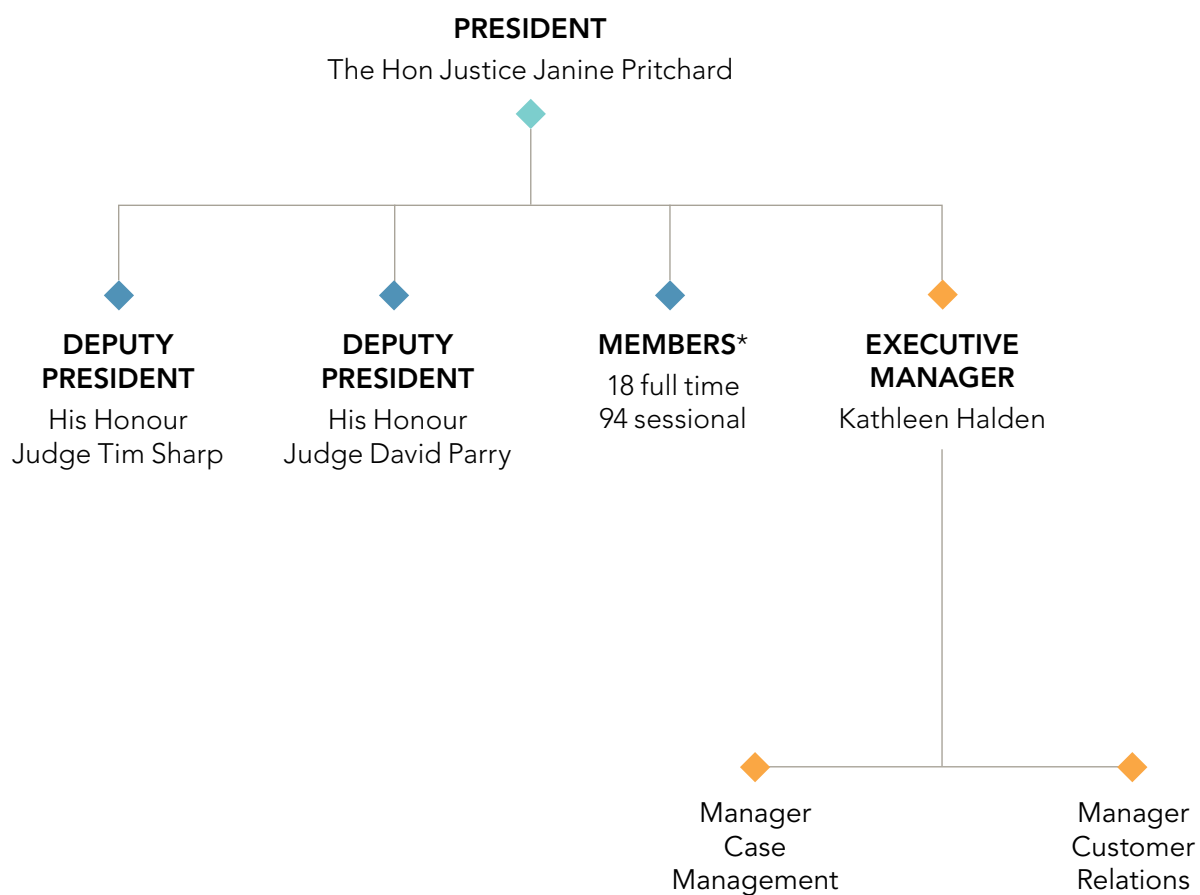
SAT's core values are:

- 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;
- A commitment to diversity;
- A commitment to providing all reasonable assistance to litigants and parties;
- A commitment to a safe workplace.

ORGANISATIONAL STRUCTURE



* See Appendices 3 and 4 for a full list of members.

SERVICE DELIVERY

AT A GLANCE

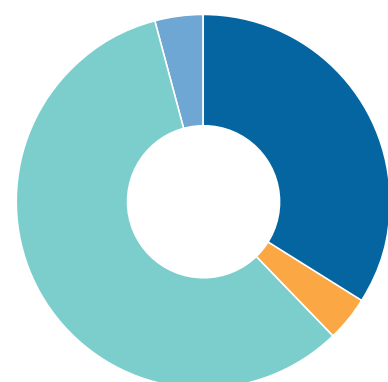
TABLE 1 Caseload across the Tribunal

	2016/2017	2017/2018	2018/2019
Received	6,864	7,247	6,855
Finalised	6,906	7,329	6,800
Pending	1,208	1,101	1,135
Clearance rate	101%	101%	99%

TABLE 2 Applications received by type

Application Types	2016/2017	2017/2018	2018/2019
Commercial and Civil	2,293	2,709	2,321
Development and Resources	383	364	304
Human Rights	3,925	3,932	3,983
Vocational Regulation	255	242	247
SAT (Applications under the SAT Act)	8	0	0
Tribunal Total	6,864	7,247	6,855

GRAPH 1 Applications received by type



- Commercial and Civil (34%)
- Development and Resource (4%)
- Human Rights (58%)
- Vocational Regulation (4%)

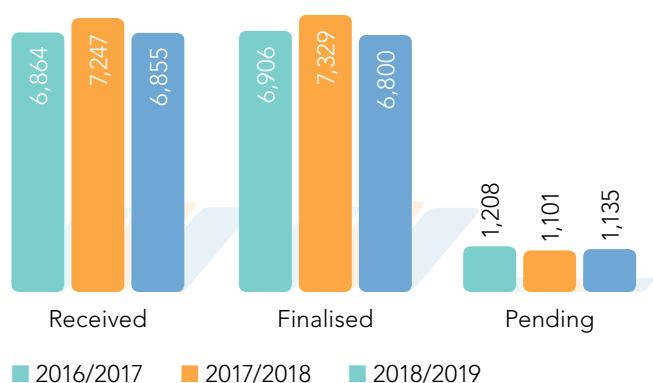
TABLE 3 Applications, clearance rates and timeliness

Group	Applications Lodged			2018/2019 Clearance Rates	Timeliness (weeks)		
	2016/2017	2017/2018	2018/2019		2018/2019 Median	2018/2019 80th Percentile	80th Percentile Target
Commercial and Civil ¹	2,293	2,709	2,321	100%	12	28	28
Development and Resources	383	364	304	107%	21	40	30
Human Rights ²	3,925	3,932	3,983	98%	9	10	10
Vocational Regulation	255	242	247	97%	7	20	27
SAT (Applications under the SAT Act)	8	0	0	-			
Tribunal Total	6,864	7,247	6,855	99%			

¹ The calculation of the median and 80th percentile result associated with Commercial and Civil work excludes *Commercial Tenancy (Retail Shops) Agreements Act 1985* section 13(7), section 13(7b) and section 14A(3) applications.

² The target applies to the Guardianship and Administration list only.

GRAPH 2 SAT caseload



STREAMS

Commercial and Civil Lists

The Commercial and Civil (CC) area of work is the most diverse of the Tribunal's jurisdiction. The number of applications in the CC lists reduced this year by 14% from the previous year and accounted for 34% of all applications lodged. Of the total number of CC applications, 50% were finalised within 12 weeks of being received, which was an increase of two weeks compared to the previous year.

The Tribunal took 28 weeks to complete 80% of CC matters. This is an increase of five weeks compared to the previous year but still on target to complete 80% of matters within 28 weeks.

Building and Construction

The number of Building and Construction related applications (225) has reduced further in this reporting period when compared with the previous two years (260 and 309 respectively). The majority of these applications (91%) were made under the *Building Services (Complaint Resolution and Administration) Act 2011*.

Applications referred and transferred by the Building Commissioner regarding building disputes and remedy orders contributed to 62% (139) of lodgements. Applications for review made by parties aggrieved by a decision of the Building Commissioner made up 16% (35) of lodgements.

Commercial Lease Amendments

73% (1,702) of CC applications were in the Commercial Lease Amendments list, which has decreased by 18% compared to the previous year. This continuing high number of applications is due to a number of large retail centres across Perth being redeveloped, which is in line with the previous year.

Nearly all of these applications are dealt with on the documents without the need for hearings. By volume they are the second highest type of application received by the Tribunal.

Residential Parks and Retirement Villages

The Residential Parks and Retirement list comprises reviews of decisions and the resolution of disputes involving caravan parks, camping grounds, retirement villages and long stay residential parks.

The number of applications lodged for this reporting period remained the same (43) as the previous year. There was an increase in lodgements under the *Retirement Villages Act 1992* of 14%.

Strata Titles

The number of applications (155) under the *Strata Titles Act 1985* decreased by 8% compared to the previous year.

The Tribunal continued to provide comment to Landgate as part of that agency's consultation with stakeholders on significant legislative amendments by the *Strata Titles Amendment Act 2018* and the *Community Titles Act 2018*. Upon commencement of their substantive provisions that legislation will broaden the Tribunal's jurisdiction and powers to make it the specialist forum in Western Australia to handle strata disputes (excluding debt recovery matters). It is anticipated that this increased jurisdiction will increase the Tribunal's workload significantly.

TABLE 4 CC Applications, clearance rates and timeliness

Group	Applications Lodged			2018/2019 Clearance Rates	Timeliness (weeks)		
	2016/2017	2017/2018	2018/2019		2018/2019 Median	2018/2019 80th Percentile	80th Percentile Target
Building and Construction	309	260	225	99%	13	17	
Commercial	56	58	69	91%	12	20	
Commercial Lease Amendments ¹	1,623	2,076	1,702	101%	N/A	N/A	
Domestic Animals	21	14	24	79%	13	24	
Firearms	15	27	67	90%	23	35	
Health and Safety	6	7	9	67%	9	29	
Licences	28	32	20	105%	9	12	
Residential Parks and Retirement Villages	54	43	43	105%	7	12	
Strata Titles	155	169	155	99%	10	26	
Taxation	26	23	7	171%	23	45	
Overall Commercial and Civil¹	2,293	2,709	2,321	100%	12	28	28

¹ The calculation of the 50th and 80th percentile result for the Commercial and Civil list excludes the Commercial Lease Amendments list which is purely administrative in nature and which if included would distort the overall results.

Development and Resources Lists

The number of applications lodged in the Development and Resource (DR) stream has reduced by 16% since the previous year, to 304 (previously 364). The time taken to finalise 80% of DR matters was 40 weeks, an increase of two weeks on the previous year.

Planning and Development

The Planning and Development list consists primarily of reviews of decisions by state and local government authorities in relation to town planning applications. Lodgements have reduced by 5% (to 288 applications) in this reporting period, that slight downward trend is consistent with the last two reporting periods.

Applications for reviews of decisions made by Development Assessment Panels (DAPs) decreased by 15% but remained a significant component of the Tribunal's planning and development jurisdiction. DAPs determine development applications that meet set type and value thresholds as if they were the responsible authority under the relevant planning instrument, such as the local planning scheme or region planning scheme.

Applications under section 6.77 of the *Local Government Act 1995* for review of land rating decisions by local government authorities continued a trend of decline, with only one application received this financial year.

Valuation and Compensation

The Valuation and Compensation list deals with the valuation of land, and compensation for land owners, associated with the compulsory acquisition of their land by government. While low in number, these matters are typically complex and can have a significant impact on the work of judicial and senior members of the Tribunal.

Most lodgements received are applications for review of land valuation decisions by the Valuer General.

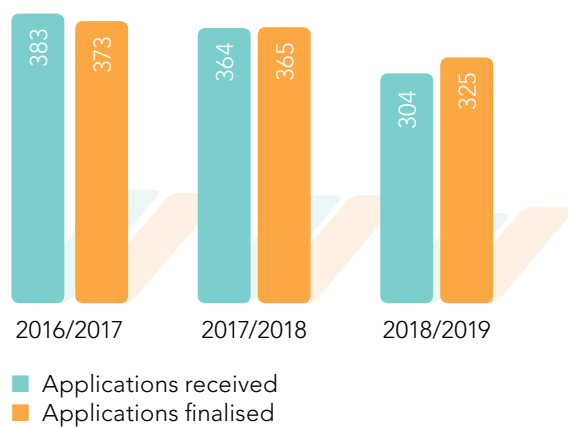
The total lodgements for this reporting period decreased by 42% to 11 applications, of which 72% were made under the *Valuation of Land Act 1978*. Lodgements under the *Land Administration Act 1997* remain unchanged with three applications received for this reporting period.



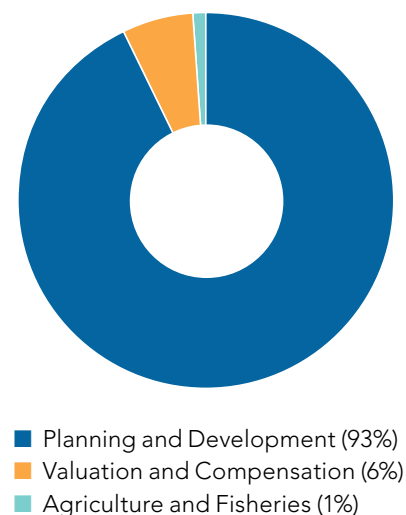
TABLE 5 DR Applications, clearance rates and timeliness

Lists	Applications Lodged			2018/2019 Clearance Rates	Timeliness (weeks)		
	2016/2017	2017/2018	2018/2019		2018/2019 Median	2018/2019 80th Percentile	80th Percentile Target
Agriculture and Fisheries	8	4	5	80%	13	14	
Planning and Development	350	341	288	105%	21	40	
Valuation and Compensation	25	19	11	173%	14	64	
Overall Development and Resources	383	364	304	107%	21	40	30

GRAPH 3 DR workload



GRAPH 4 DR Applications finalised by list



Human Rights Lists

Guardianship and Administration

Proceedings in the Guardianship and Administration list predominantly involve applications for orders to appoint substitute decision makers to make decisions about health, lifestyle and financial estate matters on behalf of people who no longer have the capacity to make their own decisions. The *Guardianship and Administration Act 1990* (GAA Act) also provides a means by which protective measures may be put in place to ensure that the financial and general welfare of vulnerable persons is not jeopardised by imprudent personal decisions, or by ill-advised or unscrupulous decisions of other people.

The number of applications lodged under the GAA Act increased by 2% (74 applications more than the previous year) to 3,938.

The Tribunal also received 550 applications to review orders made under the GAA Act. This was an increase of 14% compared with the previous year. 98.5% of these applications were finalised within the reporting period.

There is also a statutory obligation (under section 84 of the GAA Act) for the Tribunal to review guardianship and administration orders at least every five years when an appointment has been made. The Tribunal reviewed 1,029 current orders of which 99% were finalised during this reporting period.

The Tribunal achieved its benchmark finalisation target, finalising 80% of guardianship and administration proceedings within 10 weeks of lodgement. This is consistent with the previous two years and comparable to other tribunals across Australia.

Human Rights

The Human Rights list includes applications concerning alleged discrimination under the *Equal Opportunity Act 1984* (EO Act), and reviews of decisions made by the Mental Health Review Tribunal, the Gender Reassignment Board and the Chief Executive Officer of the Department for Child Protection and Family Support.

The number of applications in the Human Rights list for this period was 45. This has decreased by 33% compared to the previous year. Most applications were made under the *Equal Opportunity Act 1984*, where 24 applications were made under that Act. This represents a decrease of 29% compared with the previous year.

GRAPH 5 HR WORKLOAD

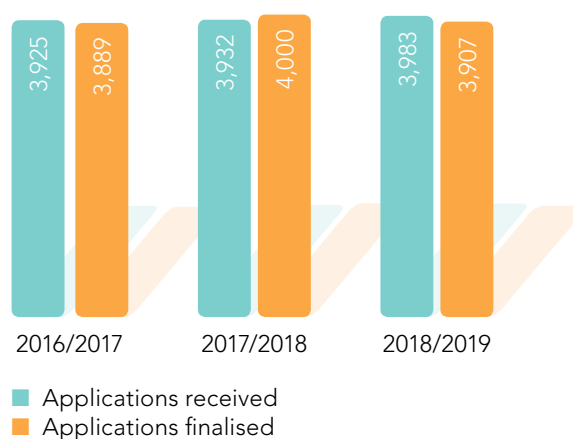


TABLE 6 HR Applications, clearance rates and timeliness

Lists	Applications Lodged			2018/2019 Clearance Rates	Timeliness (weeks)		
	2016/2017	2017/2018	2018/2019		2018/2019 Median	2018/2019 80th Percentile	80th Percentile Target
Guardianship and Administration	3,879	3,864	3,938	98%	9	10	
Human Rights ¹	46	68	45	96%	9	23	
Overall Human Rights²	3,925	3,932	3,983	98%	9	10	10

¹ Human Rights excluding Guardianship and Administration applications.

² The target applies to the Guardianship and Administration list only.

Vocational Regulation

The work of the Tribunal in the Vocational Regulation (VR) list mostly involves 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.

The Tribunal received 247 applications in the VR list, slightly up from 242 (2% increase) on the previous year. Appendix 2 sets out the number of applications received under each of the 24 pieces of enabling legislation in the VR list. Security agents continued to dominate the list, accounting for 34% of VR applications.

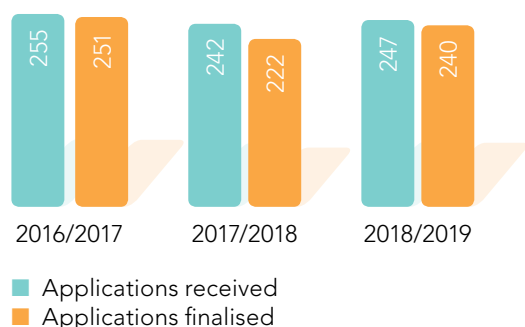
Much of the work in the VR list is performed by judicial members of the Tribunal who are required to preside over applications involving legal professionals, and generally preside over hearings concerning health practitioners, real estate agents, settlement agents and working with children applications.

In the 2018/2019 year, 80% of VR applications were finalised within 20 weeks of the date of lodgement. By comparison, in the 2017/2018 year, 80% of VR applications were finalised within 24 weeks. For the last two reporting periods, the Tribunal has improved significantly in this area, with results significantly better than the 27 week target.

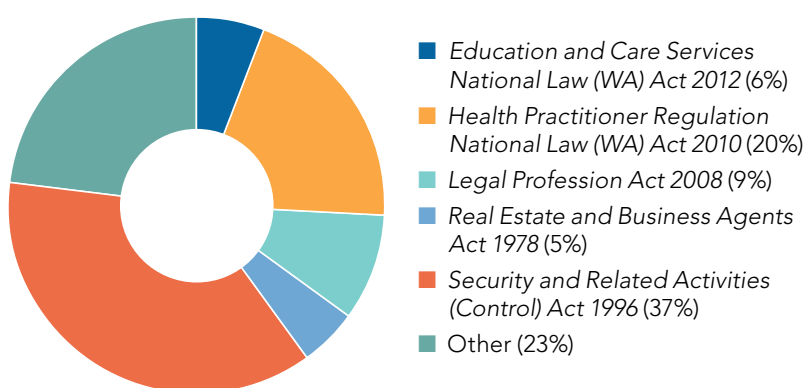
TABLE 7 VR Applications, clearance rates and timeliness

Lists	Applications Lodged			2018/2019 Clearance Rates	Timeliness (weeks)		
	2016/2017	2017/2018	2018/2019		2018/2019 Median	2018/2019 80th Percentile	80th Percentile Target
<i>Education and Care Services National Law (WA) Act 2012</i>	13	15	17	88%	7	9	
<i>Health Practitioner Regulation National Law (WA) Act 2010</i>	43	53	41	120%	15	25	
<i>Legal Profession Act 2008</i>	27	21	24	88%	49	60	
<i>Real Estate and Business Agents Act 1978</i>	13	11	14	86%	7	13	
<i>Security and Related Activities (Control) Act 1996</i>	108	87	85	104%	4	4	
Others	51	55	66	83%	15	29	
Overall Vocational Regulation	255	242	247	97%	7	20	27

GRAPH 6 VR workload



GRAPH 7 VR applications finalised by legislation



HOW DISPUTES WERE RESOLVED

The Tribunal aims to resolve most of the applications in its review jurisdiction by applying Facilitative Dispute Resolution (FDR) techniques to assist parties to create their own solutions to resolving a dispute, rather than have a win/loss decision imposed upon them. The parties also avoid the time and expense of having to participate in a final hearing, if they are able to resolve their disputes by agreement.

The Tribunal has adopted the phrase of 'Facilitative Dispute Resolution' in preference to the more commonly used 'Alternative Dispute Resolution'. This reflects the Tribunal's view that the resolution of disputes by agreement between parties should be the primary means of resolving disputes as opposed to being an alternative. FDR is undertaken by all full time members of the Tribunal and some sessional members. The majority of these members are accredited mediators.

FDR processes in the Tribunal involve the use of directions hearings, mediations, compulsory conferences and invitations under section 31 of the SAT Act to an original decision-maker to reconsider its decision. The latter is particularly relevant to the Planning and Development list.

The Tribunal is also conscious of its statutory objective to act speedily in dealing with matters before it. This requires active case management and judicious allocation of resources to services such as mediation for which no fee is charged.

The over-all percentage of disputes resolved through FDR techniques remains high at 78% for this reporting period, which was slightly down on the previous year's result of 82%.

The lists in which there is the greatest success in resolving disputes using these techniques are Planning and Development and Valuation and Compensation.

Table 8 sets out the proportion of matters resolved by FDR processes across the various subject areas in which the Tribunal receives applications.

TABLE 8 How disputes were resolved¹

List	Method of Resolution		
	Adjudication	Facilitative Dispute Resolution	
		Mediation & Comp. Conference	Other ²
Agriculture and Fisheries	25%	50%	25%
Building and Construction	30.4%	29.4%	40.2%
Commercial	16%	22%	62%
Domestic Animals	41%	12%	47%
Firearms	34%	16%	50%
Human Rights	45.5%	33.3%	21.2%
Health and Safety	0%	0%	100%
Licences	18%	0%	82%
Planning and Development	17%	51%	32%
Residential Parks and Retirement Villages	46.3%	7.3%	46.3%
Strata Titles	20%	15%	65%
Taxation	25%	25%	50%
Valuation and Compensation	12.5%	50%	37.5%
Vocational Regulation	8%	37%	55%
Total	22%	32%	46%

¹ Excludes Commercial Lease Amendments and Guardianship and Administration list matters.

² Where the final hearing type is 'Hearing' then the resolution method is classified as 'Adjudication', where the final hearing type is 'Decision in Chambers' the hearing prior to it is referenced for determining the resolution method, where the final hearing type is 'Mediation' or 'Compulsory Conference' then the resolution method is classified as 'Facilitative Dispute Resolution' (FDR) and all other final hearing types (eg: Directions, Interim) are classified as 'Other'.

REPRESENTATION

The Tribunal is generally a 'no costs' jurisdiction, meaning parties usually bear their own costs in proceedings before the Tribunal. The ability for parties to represent themselves in proceedings rather than engaging professional representation is an important element in minimising their costs. The information provided to parties by the Tribunal and the manner in which proceedings are conducted by its members support these objectives.

The Tribunal administers a pro bono legal services scheme for the referral of unrepresented parties to 30 practitioners who have registered with the Tribunal for participation in the scheme. The scheme is used sparingly for situations where the Tribunal forms an opinion that representation is appropriate in the interests of the administration of justice having regard to the vulnerability of the person, their financial circumstances, the nature and complexity of the matter and their ability to obtain advice or representation from outside the scheme. There were four referrals made under the scheme during the reporting period.



Table 9 details the rates of legal representation for the different lists where this is recorded by the Tribunal.

The overall rates of representation for applicants and respondents were very similar at 27% and 31% respectively. Representation in guardianship and administration matters is not recorded however the number of such applications where parties are legally represented is negligible.

TABLE 9 Applicant and Respondent Representation

List	Applicant		Respondent	
	Legally Represented ¹	Self Represented	Legally Represented ¹	Self Represented
Agriculture and Fisheries	25%	75%	100%	0%
Building and Construction	24%	76%	33%	67%
Commercial	21%	79%	33%	67%
Domestic Animals	5%	95%	26%	74%
Firearms	48%	52%	5%	95%
Health and Safety	0%	100%	83%	17%
Human Rights	42%	58%	40%	60%
Licences	15%	85%	0%	100%
Planning and Development	37%	63%	46%	54%
Residential Parks and Retirement Villages	13%	87%	11%	89%
SAT Act Matters	0%	-	0%	-
Strata Titles	20%	80%	15%	85%
Taxation	36%	64%	82%	18%
Valuation and Compensation	37%	63%	47%	53%
Vocational Regulation	22%	78%	25%	75%
Total²	27%	73%	31%	69%

1 Legally Represented only includes those matters where a party was represented by a legal practitioner at the completion of the matter.

2 Excludes Commercial Lease Amendments (s 13(7)'s) and Guardianship and Administration list matters.

RESOURCING

BUDGET PERFORMANCE

The Tribunal's operating expenditure for this reporting period was \$21,119,609, which is a reduction from the previous year. The Tribunal's overall operating expenditure figures reflect the Department of Justice reporting practices and allow for better comparison over various publications.

HUMAN RESOURCES

TABLE 10 Operating Expenditure

	2016/2017 \$	2017/2018 \$	2018/2019 \$
Budget	\$22,884,332	\$21,292,905	\$20,635,611
Actual	\$20,139,375	\$21,218,907	\$21,119,609
Variance	\$2,744,958	\$73,998	-\$483,998 [#]

[#] The Tribunal was not adequately funded for some fixed costs (lease, building maintenance and utilities) in this reporting period.

The Tribunal's full time equivalent (FTE) utilisation of judges, members and staff decreased from 91.87 to 89.9 in 2018/2019. The reduction in resources was across the board, with judicial and member vacancies creating the greatest impact.

The President, the Hon Justice Jeremy Curthoys, moved to the Supreme Court on 1 November 2018. The Deputy President His Honour Judge Sharp was appointed to act in the position of President from 1 November 2018 to 1 June 2019. No acting appointment was made to fill the Deputy President's position during this period.

The new President, the Hon Justice Janine Pritchard, commenced on 4 June 2019.

In the previous report it was noted that Ordinary Member Karen Whitney had moved to the Mental Health Tribunal (WA) as its President in January 2018. Her position with the Tribunal remained vacant until it was filled on 3 December 2018. Full time Ordinary member Mr David MacLean was appointed as a Magistrate and ceased as a member of the Tribunal on 31 August 2018. His position was not filled until 7 January 2019. Full time Ordinary Member Mr Tim Carey has been on secondment to the Supreme Court since 4 February 2019, and his position has also remained vacant since that date.

TABLE 11 Human Resources[#]

	2016/2017	2017/2018	2018/2019
Judicial members	2	2.73	2.4
Full time members	18	17.5	17
Sessional members*	3	3	3
Staff	69	69	67
Total*	92	92.23	89.4

[#] Actual resources

* Funded full time equivalent





CHANGES TO SAT LEGISLATION

There were minor consequential amendments to the *State Administrative Tribunal Act 2004* and the *State Administrative Tribunal Regulations 2004* to reflect the repeal and replacement of legislation referred to in the schedules (eg: *Transport (Road Passenger Services) Act 2018* and *Fair Trading (Retirement Villages Interim Code) Regulations 2019*).

In addition, there were amendments to the Tribunal's Regulations in relation to the definition of an "eligible individual". The amendments now permit an individual or entity to be regarded as an "eligible individual" or entity on the grounds of financial hardship and/or in the interests of justice, and therefore to pay reduced fees for an application to the Tribunal.

The Tribunal's Regulations were also amended to move towards a full cost recovery model for the provision of transcripts to parties.

NEW CONFERRALS OF JURISDICTION

During the year the Tribunal was conferred with additional and amended jurisdiction under the following pieces of legislation:

New Jurisdiction

Biodiversity Conservation Act 2016
Biodiversity Conservation Regulations 2018
Fair Trading (Retirement Villages Interim Code) Regulations 2019
Historical Homosexual Convictions Expungement Act 2018
Liquor Control Act 1988
Transport (Road Passenger Services) Act 2018

Amended jurisdiction (generally conferring additional jurisdiction)

Education and Care Services National Law (WA) Act 2012
Health Practitioner Regulation National Law (WA) Act 2010
Residential Parks (Long-stay Tenants) Act 2006
Waste Avoidance and Resource Recovery Act 2007



LEVEL OF COMPLIANCE BY DECISION MAKERS

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 in this respect.

THE YEAR AHEAD



The overall number of applications received by the Tribunal during the 2018/2019 year was 5% less than in the 2017/2018 year. However, demand for the Tribunal's services in 2019/2020 is expected to grow. This anticipated growth reflects the ongoing trend of growth in the guardianship area, which reflects the ageing population of our society.

However, in addition, the Tribunal expects an increase in applications once the substantive provisions of the *Strata Titles Amendment Act 2018* commence operation. It is anticipated these amendments will result in a significant increase in applications to the Tribunal. This increase in applications in the Strata Titles area is expected to commence in late 2019 and to continue beyond the 2019/2020 reporting period.

During the 2019/2020 reporting period the Tribunal will pursue two important initiatives for improving its operations. First, presently under development is a platform for filing electronic applications in the Strata Titles area, which builds on the Tribunal's existing capacity to receive electronic applications under the *Guardianship and Administration Act 1990* and applications under the *Commercial Tenancy (Retail Shops) Agreements Act 1985*.

Secondly, another key initiative which will be pursued during the 2019/2020 year is the development of the Tribunal's e-filing system. This initiative reflects the transition to e-filing which has been achieved in the Supreme Court, District Court and Magistrates Courts.

APPENDICES

APPENDIX 1 – LEGISLATION DEFINING OUR JURISDICTION

Act	Original	Review	List
<i>Aboriginal Heritage Act 1972</i>	x	x	Planning and Development
<i>Adoption Act 1994</i>		x	Human Rights
<i>Adoption Regulations 1995</i> (given effect by s 10, s 107, s 143 <i>Adoption Act 1994</i>)		x	Licences
<i>Agricultural Produce Commission Act 1988</i>		x	Agriculture and Fisheries
<i>Animal Welfare Act 2002</i>		x	Agriculture and Fisheries
<i>Architects Act 2004</i>	x	x	Vocational Regulation
<i>Associations Incorporation Act 2015</i>		x	Commercial
<i>Biodiversity Conservation Regulations 2018</i> (given effect by s 256 <i>Biodiversity Conservation Act 2016</i>)		x	Agriculture and Fisheries
<i>Biological Control Act 1986</i>		x	Agriculture and Fisheries
<i>Biosecurity and Agriculture Management Act 2007</i>		x	Agriculture and Fisheries
<i>Biosecurity and Agriculture Management Regulations 2013</i> (given effect by s 188 <i>Biosecurity and Agriculture Management Act 2007</i>)		x	Agriculture and Fisheries
<i>Biosecurity and Agriculture Management (Agriculture Standards) Regulations 2013</i> (given effect by s 188 <i>Biosecurity and Agriculture Management Act 2007</i>)		x	Agriculture and Fisheries
<i>Biosecurity and Agriculture Management (Identification and Movement of Stock and Apiaries) Regulations 2013</i> (given effect by s 188 <i>Biosecurity and Agriculture Management Act 2007</i>)		x	Agriculture and Fisheries
<i>Biosecurity and Agriculture Management (Quality Assurance and Accreditation) Regulations 2013</i> (given effect by s 188 <i>Biosecurity and Agriculture Management Act 2007</i>)		x	Agriculture and Fisheries
<i>Births, Deaths and Marriages Registration Act 1998</i>		x	Human Rights
<i>Building Act 2011</i>		x	Building and Construction
<i>Building Regulations 2012</i> (given effect by s 149 <i>Building Act 2011</i>)		x	Building and Construction
<i>Building Services (Complaint Resolution and Administration) Act 2011</i>	x	x	Building and Construction
<i>Building Services (Registration) Act 2011</i>	x	x	Vocational Regulation
<i>Business Names Act 1962</i>		x	Commercial
<i>Caravan Parks and Camping Grounds Act 1995</i>		x	Residential Parks and Retirement Villages
<i>Caravan Parks and Camping Grounds Regulations 1997</i> (given effect by s 28 <i>Caravan Parks and Camping Grounds Act 1995</i>)		x	Residential Parks and Retirement Villages
<i>Cat Act 2011</i>		x	Domestic Animals
<i>Cat (Uniform Local Provisions) Regulations 2013</i> (given effect by s 77 <i>Cat Act 2011</i>)		x	Domestic Animals
<i>Cemeteries Act 1986</i>		x	Vocational Regulation
<i>Chattel Securities Act 1987</i>		x	Commercial
<i>Child Care Services Act 2007</i>	x	x	Vocational Regulation
<i>Child Care Services Regulations 2007</i> (given effect by s 52 and Sch 1 cl. 23 <i>Child Care Services Act 2007</i>)		x	Vocational Regulation
<i>Children and Community Services Act 2004</i>	x	x	Human Rights
<i>Combat Sports Act 1987</i>		x	Vocational Regulation
<i>Commercial Tenancy (Retail Shops) Agreements Act 1985</i>	x		Commercial
<i>Competition Policy Reform (Western Australia) Act 1996</i>	x		Commercial

Act	Original	Review	List
Construction Contracts Act 2004	x	x	Commercial
Control of Vehicles (Off-road Areas) Act 1978		x	Licences
Country Areas Water Supply Act 1947		x	Planning and Development
Credit (Administration) Act 1984	x	x	Commercial
Credit Act 1984	x		Commercial
Cremation Act 1929		x	Human Rights
Dangerous Goods Safety Act 2004		x	Health and Safety
Debt Collectors Licensing Act 1964	x	x	Vocational Regulation
Dog Act 1976	x	x	Domestic Animals
Dog Regulations 2013 (given effect by s 54 Dog Act 1976)		x	Domestic Animals
Education and Care Services National Law (WA) Act 2012	x	x	Vocational Regulation
Electricity (Licensing) Regulations 1991 (given effect by s 32(3)(faa) Electricity Act 1945)		x	Vocational Regulation
Electricity (Network Safety) Regulations 2015 (given effect by s 32 Electricity Act 1945)		x	Health and Safety
Emergency Management Act 2005		x	Health and Safety
Employment Agents Act 1976	x	x	Vocational Regulation
Energy Coordination Act 1994		x	Planning and Development
Equal Opportunity Act 1984	x		Human Rights
Fair Trading Act 2010	x	x	Residential Parks and Retirement Villages
Fair Trading (Retirement Villages Interim Code) Regulations 2019 (given effect by s 46 Fair Trading Act 2010)		x	Residential Parks and Retirement Villages
Finance Brokers Control Act 1975	x	x	Vocational Regulation
Fire and Emergency Services Act 1998		x	Planning and Development
Fire Brigades Act 1942		x	Health and Safety
Firearms Act 1973		x	Firearms
First Home Owner Grant Act 2000		x	Commercial
Fish Resources Management Act 1994		x	Agriculture and Fisheries
Fisheries Adjustment Schemes Act 1987	x	x	Agriculture and Fisheries
Fishing and Related Industries Compensation (Marine Reserves) Act 1997	x	x	Agriculture and Fisheries
Food Act 2008		x	Health and Safety
Gas Standards Act 1972	x	x	Planning and Development
Gender Reassignment Act 2000		x	Human Rights
Graffiti Vandalism Act 2016		x	Planning and Development
Guardianship and Administration Act 1990	x	x	Guardianship and Administration
Health (Aquatic Facilities) Regulations 2007 (given effect by s 341 Health (Miscellaneous Provisions) Act 1911)		x	Agriculture and Fisheries
Health (Asbestos) Regulations 1992 (given effect by s 341 Health (Miscellaneous Provisions) Act 1911)		x	Health and Safety
Health (Miscellaneous Provisions) Act 2011	x	x	Health and Safety
Health (Pesticides) Regulations 2011 (given effect by s 341 Health (Miscellaneous Provisions) Act 1911)		x	Agriculture and Fisheries
Health Practitioner Regulation National Law (WA) Act 2010	x	x	Vocational Regulation
Heritage of Western Australia Act 1990	x	x	Planning and Development
Hire Purchase Act 1959		x	Commercial
Historical Homosexual Convictions Expungement Act 2018		x	Human Rights
Home Building Contracts Act 1991	x		Building and Construction
Hope Valley-Wattleup Redevelopment Act 2000		x	Planning and Development
Human Reproductive Technology Act 1991	x	x	Vocational Regulation

Act	Original	Review	List
<i>Industrial Relations Act 1979</i>		x	Commercial
<i>Jetties Act 1926</i>		x	Planning and Development
<i>Land Administration Act 1997</i>	x	x	Valuation and Compensation
<i>Land Valuers Licensing Act 1978</i>	x	x	Vocational Regulation
<i>Legal Profession Act 2008</i>	x	x	Vocational Regulation
<i>Licensed Surveyors Act 1909</i>	x	x	Vocational Regulation
<i>Limited Partnerships Act 2016</i>		x	Commercial
<i>Liquor Control Act 1988</i>		x	Licenses
<i>Litter Act 1979</i>		x	Planning and Development
<i>Local Government Act 1995</i>	x	x	Planning and Development
<i>Major Events (Aerial Advertising) Act 2009</i>		x	Planning and Development
<i>Maritime Archaeology Act 1973</i>		x	Planning and Development
<i>Marketing of Potatoes Act 1946</i>	x	x	Agriculture and Fisheries
<i>Medicines and Poisons Act 2014</i>		x	Health and Safety
<i>Mental Health Act 1996</i>	x	x	Human Rights
<i>Metropolitan Redevelopment Authority Act 2011</i>		x	Planning and Development
<i>Metropolitan Redevelopment Authority Regulations 2011</i> (given effect by s 131 Metropolitan Redevelopment Authority Act 2011)		x	Planning and Development
<i>Metropolitan Water Supply, Sewerage and Drainage Act 1909</i>		x	Planning and Development
<i>Minerals Research Institute of Western Australia Act 2013</i>		x	Planning and Development
<i>Mines Safety and Inspection Levy Regulations 2010</i> (given effect by s 104 Mines Safety and Inspection Act 1994)		x	Health and Safety
<i>Mining Rehabilitation Fund Act 2012</i>		x	Planning and Development
<i>Motor Vehicle Dealers Act 1973</i>	x	x	Vocational Regulation
<i>Motor Vehicle Drivers Instructors Act 1963</i>		x	Vocational Regulation
<i>Motor Vehicle Repairers Act 2003</i>	x	x	Vocational Regulation
<i>Navigable Waters Regulations 1958</i> (given effect by s 12 Shipping and Pilotage Act 1967, s 4 Jetties Act 1926, and s 99 Western Australian Marine Act 1982)		x	Vocational Regulation
<i>Pawnbrokers and Second-hand Dealers Act 1994</i>	x	x	Vocational Regulation
<i>Pearling Act 1990</i>		x	Agriculture and Fisheries
<i>Perth Parking Management Act 1999</i>		x	Planning and Development
<i>Petroleum and Geothermal Energy Resources Act 1967</i>	x	x	Commercial
<i>Petroleum and Geothermal Energy Safety Levies Act 2011</i>		x	Commercial
<i>Petroleum Pipelines Act 1969</i>	x		Commercial
<i>Petroleum Retailers Rights and Liabilities Act 1982</i>		x	Commercial
<i>Petroleum (Submerged Lands) Act 1982</i>	x	x	Commercial
<i>Pharmacy Act 2010</i>		x	Vocational Regulation
<i>Planning and Development Act 2005</i>	x	x	Planning and Development
<i>Planning and Development Regulations 2009</i> (given effect by s 263 Planning and Development Act 2005)		x	Planning and Development
<i>Planning and Development (Development Assessment Panels) Regulations 2011</i> (given effect by s 171A Planning and Development Act 2005)		x	Planning and Development
<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> (given effect by s 256 Planning and Development Act 2005)		x	Planning and Development
<i>Plumbers Licensing and Plumbing Standard Regulations 2000</i> (given effect by s 61 Plumbers Licensing Act 1995)	x	x	Vocational Regulation
<i>Police Act 1892</i>		x	Commercial
<i>Private Hospitals and Health Services Act 1927</i>		x	Commercial
<i>Public Health Act 2016</i>		x	Health and Safety

Act	Original	Review	List
Public Order in Streets Act 1984		x	Planning and Development
Radiation Safety Act 1975		x	Health and Safety
Rail Safety National Law (WA) Act 2015	x	x	Health and Safety
Real Estate and Business Agents Act 1978	x	x	Vocational Regulation
Residential Parks (Long Stay Tenants) Act 2006	x	x	Residential Parks and Retirement Villages
Retirement Villages Act 1992	x		Residential Parks and Retirement Villages
Retirement Villages Regulations 1992 (given effect by s 82 Retirement Villages Act 1992)	x		Residential Parks and Retirement Villages
Rights in Water and Irrigation Act 1914		x	Agriculture and Fisheries
Road Traffic (Administration) Regulations 2014 (given effect by s 143 Road Traffic (Administration) Act 2008)		x	Licenses
Royal Agricultural Society Act 1926		x	Agriculture and Fisheries
Security and Related Activities (Control) Act 1996	x	x	Vocational Regulation
Settlement Agents Act 1981	x	x	Vocational Regulation
Shipping and Pilotage (Ports and Harbours) Regulations 1966 (given effect by s 9(2)(ae)(ii) and s 12 Shipping and Pilotage Act 1967)		x	Vocational Regulation
Soil and Land Conservation Act 1945		x	Agriculture and Fisheries
State Administrative Tribunal Act 2004	x	x	State Administrative Tribunal Act 2004 Matters
State Superannuation Act 2000		x	Commercial
Strata Titles Act 1985	x	x	Strata Titles
Swan and Canning Rivers Management Act 2006		x	Planning and Development
Taxation Administration Act 2003	x	x	Taxation
Teacher Registration Act 2012	x	x	Vocational Regulation
Tobacco Products Control Act 2006	x	x	Health and Safety
Transport Co-ordination Act 1966		x	Licenses
Transport (Country Taxi-car) Regulations 1983 (given effect by s 47ZF Transport Co-ordination Act 1966)		x	Licenses
Transport (Road Passenger Services) Act 2018		x	Licenses
Valuation of Land Act 1978		x	Valuation and Compensation
Veterinary Chemical Control and Animal Feeding Stuffs Act 1976		x	Agriculture and Fisheries
Veterinary Surgeons Act 1960	x	x	Vocational Regulation
WA Marine (Certificates of Competency and Safety Manning) Regulations 1983 (given effect by s 10(f) and s 10(g) Western Australia Marine Act 1982)		x	Vocational Regulation
Waste Avoidance and Resources Recovery Act 2007		x	Planning and Development
Waste Avoidance and Resources Recovery Regulations 2008 (given effect by s 96 Waste Avoidance and Recovery Act 2007)		x	Planning and Development
Waste Avoidance and Resource Recovery Levy Regulations 2007 (given effect by s 4 Waste Avoidance and Resource Recovery Levy Act 2007 and s 7 Waste Avoidance and Resource Recovery Act 2007)		x	Planning and Development
Water Agencies (Powers) Act 1984	x		Planning and Development
Water Services Act 2012	x	x	Planning and Development
Water Services Regulations 2013 (given effect by s 222 Water Services Act 2012)		x	Planning and Development
Waterways Conservation Act 1976		x	Planning and Development
Western Australian Meat Industry Authority Act 1976		x	Agriculture and Fisheries
Workers' Compensation and Injury Management Regulations 1982 (given effect by s 277 Workers Compensation and Injury Management Act 1981)		x	Vocational Regulation
Working with Children (Criminal Record Checking) Act 2004		x	Vocational Regulation

APPENDIX 2 – APPLICATIONS BY LEGISLATION

Matter Type	List	Act	No. of Applications		
			2016/2017	2017/2018	2018/2019
COMMERCIAL AND CIVIL	Building and Construction	<i>Building Act 2011</i>	34	17	17
		<i>Building Regulations 2012</i>	1	1	3
		<i>Building Services (Complaint Resolution and Administration) Act 2011</i>	274	242	205
	Commercial	<i>Associations Incorporation Act 1987</i>	1	0	0
		<i>Associations Incorporation Act 2015</i>	18	24	20
		<i>Chattel Securities Act 1987</i>	1	0	0
		<i>Commercial Tenancy (Retail Shops) Agreements Act 1985 - excluding s 13(7), s 13(7b) and s 14A(3)</i>	29	26	42
		<i>Construction Contracts Act 2004</i>	3	1	3
		<i>Credit Act 1984</i>	0	0	1
		<i>Fair Trading Act 1987 (WA)</i> (repealed 1 January 2011 - original application type still applicable where investigations were on foot prior to Act being repealed)	1	0	0
		<i>Fair Trading Act 2010</i>	3	7	3
	Commercial Lease Amendments	<i>Commercial Tenancy (Retail Shops) Agreements Act 1985 - s 13(7), s 13(7b) and s 14A(3)</i>	1,623	2,076	1,702
	Domestic Animals	<i>Cat (Uniform Local Provisions) Regulations 2013</i>	0	1	1
		<i>Dog Act 1976</i>	21	13	23
	Firearms	<i>Firearms Act 1973</i>	15	27	67
	Health and Safety	<i>Dangerous Goods Safety Act 2004</i>	4	0	0
		<i>Health (Miscellaneous Provisions) Act 1911</i>	2	7	9
	Licences	<i>Road Traffic (Administration) Regulations 2014</i>	27	30	18
		<i>Taxi Act 1994</i>	1	1	0
		<i>Transport (Road Passenger Services) Act 2018*</i>	-	-	1
		<i>Transport Co-ordination Act 1966</i>	0	1	1
	Residential Parks and Retirement Villages	<i>Caravan Parks and Camping Grounds Act 1995</i>	3	2	0
		<i>Residential Parks (Long Stay Tenants) Act 2006</i>	43	38	34
		<i>Retirement Villages Act 1992</i>	8	3	9
	Strata Titles	<i>Strata Titles Act 1985</i>	155	169	155
	Taxation	<i>Local Government Act 1995</i>	15	10	1
		<i>Taxation Administration Act 2003</i>	11	13	6
		Commercial and Civil Total Applications	2,293	2,709	2,321

* This legislation came into effect on 28 February 2019.

Matter Type	List	Act	No. of Applications		
			2016/2017	2017/2018	2018/2019
DEVELOPMENT AND RESOURCES	Agriculture and Fisheries	<i>Animal Welfare Act 2002</i>	3	0	0
		<i>Biosecurity and Agriculture Management Act 2007</i>	1	0	0
		<i>Fish Resources Management Act 1994</i>	0	1	2
		<i>Marketing of Potatoes Act 1946</i>	1	0	0
		<i>Rights in Water and Irrigation Act 1914</i>	3	2	3
		<i>Soil and Land Conservation Act 1945</i>	0	1	0
	Planning and Development	<i>Aboriginal Heritage Act 1972</i>	1	0	1
		<i>Country Areas Water Supply Act 1947</i>	1	0	0
		<i>Graffiti Vandalism Act 2016</i>	0	0	1
		<i>Hope Valley-Wattleup Redevelopment Act 2000</i>	0	3	0
		<i>Local Government Act 1995</i>	12	10	13
		<i>Metropolitan Redevelopment Authority Act 2011</i>	2	3	0
		<i>Planning and Development Act 2005</i>	274	263	222
		<i>Planning and Development (Development Assessment Panels) Regulations 2011</i>	25	26	22
		<i>Planning and Development (Local Planning Schemes) Regulations 2015</i>	31	31	27
		<i>Strata Titles Act 1985</i>	2	1	1
		<i>Waste Avoidance and Resource Recovery Levy Regulations 2008</i>	2	2	0
		<i>Water Services Act 2012</i>	0	1	1
		<i>Water Services Regulations 2013</i>	0	1	0
	Valuation and Compensation	<i>Land Administration Act 1997</i>	8	3	3
		<i>Valuation of Land Act 1978</i>	17	16	8
		Development and Resource Total Applications	383	364	304
HUMAN RIGHTS	Guardianship and Administration	<i>Guardianship and Administration Act 1990</i>	3,879	3,864	3,938
	Human Rights	<i>Adoption Act 1994</i>	1	0	0
		<i>Births, Deaths and Marriages Registration Act 1998</i>	1	2	0
		<i>Children and Community Services Act 2004</i>	5	15	6
		<i>Equal Opportunity Act 1984</i>	22	34	24
		<i>Gender Reassignment Act 2000</i>	0	0	1
		<i>Mental Health Act 2014</i>	17	17	14
		Human Rights Total Applications	3,925	3,932	3,983

Matter Type	List	Act	No. of Applications		
			2016/2017	2017/2018	2018/2019
VOCATIONAL REGULATION	Vocational Regulation	<i>Builders Registration Act 1939</i>	1	0	0
		<i>Building Services (Registration) Act 2011</i>	12	13	10
		<i>Child Care Services Regulations 2007</i>	0	0	1
		<i>Combat Sports Act 1987</i>	2	1	2
		<i>Education and Care Services National Law (WA) Act 2012</i>	13	15	17
		<i>Health Practitioner Regulation National Law (WA) Act 2010</i>	43	53	41
		<i>Legal Profession Act 2008</i>	27	21	24
		<i>Licensed Surveyors Act 1909</i>	1	1	0
		<i>Local Government Act 1995</i>	9	8	19
		<i>Medical Practitioners Act 2008</i>	0	0	1
		<i>Medicines and Poisons Act 2014</i>	0	0	1
		<i>Motor Vehicle Dealers Act 1973</i>	0	3	2
		<i>Motor Vehicle Drivers Instructors Act 1963</i>	0	1	0
		<i>Motor Vehicle Repairers Act 2003</i>	3	4	5
		<i>Pawnbrokers and Second-hand Dealers Act 1994</i>	1	0	3
		<i>Pharmacy Act 2010</i>	0	1	1
		<i>Plumbers Licensing and Plumbing Standards Regulations 2000</i>	1	0	1
		<i>Real Estate and Business Agents Act 1978</i>	13	11	14
		<i>Security and Related Activities (Control) Act 1996</i>	108	87	85
		<i>Settlement Agents Act 1981</i>	0	3	0
		<i>Teacher Registration Act 2012</i>	3	7	8
		<i>Veterinary Surgeons Act 1960</i>	5	6	6
		<i>Workers Compensation and Injury Management Regulations 1982</i>	1	0	0
		<i>Working With Children (Criminal Record Checking) Act 2004</i>	12	7	6
		Vocational Regulation Total Applications	255	242	247
SAT	SAT Act Matters	<i>State Administrative Tribunal Act 2004</i>	8	0	0
TOTAL APPLICATIONS FOR ALL STREAMS			6,864	7,247	6,855

The reduction in matters from the reporting period, 2015/2016 was due to an administrative review which consolidated guardianship applications with administration applications, there was no reduction in work load, only a simplification in process to assist the public in making one application.

APPENDIX 3 – JUDICIAL AND FULL TIME MEMBERS

Member	Position
Justice Pritchard ¹	President
Justice Jeremy Curthoys ²	President
Judge Tim Sharp	Deputy President
Judge David Parry	Deputy President
David Aitken	Senior Member
Lisa Eddy ³	Senior Member
Maurice Spillane	Senior Member
Charlotte Wallace	Senior Member
Charmian Barton ⁴	Ordinary Member
Tim Carey ⁵	Ordinary Member
Felicity Child	Ordinary Member
Marie Connor	Ordinary Member
Dr Bertus de Villiers	Ordinary Member
Patric de Villiers	Ordinary Member
Jack Mansveld ⁶	Ordinary Member
Patricia Le Miere	Ordinary Member
Hannah Leslie	Ordinary Member
David MacLean ⁷	Ordinary Member
Rebecca Moore	Ordinary Member
Natasha Owen-Conway	Ordinary Member
Rosetta Petrucci	Ordinary Member
Delaney Quinlan	Ordinary Member
Dr Stephen Willey ⁸	Ordinary Member

1 Justice Janine Pritchard appointed as President from 4 June 2019.

2 Justice Jeremy Curthoys resigned as President from 31 October 2018.

3 Lisa Eddy appointed as Senior Member on 23 October 2018.

4 Charmian Barton appointed as Ordinary Member on 23 October 2018.

5 Tim Carey on secondment at the Supreme Court of Western Australia from 4 February 2019.

6 Jack Mansveld appointed as Ordinary Member on 23 October 2018.

7 David MacLean resigned as Ordinary Member on 31 August 2018.

8 Dr Stephen Willey appointed as Ordinary Member on 23 October 2018.

www.sat.justice.wa.gov.au → About SAT → Structure of SAT → Key Personnel

APPENDIX 4 – SESSIONAL MEMBERS

Sessional members – senior

Member	Areas of work/expertise
Dr Peter Adamson	Veterinarian
John Adderley	Town Planner (Retired)
Richard Affleck	Executive Director Construction Company
Michael Anderson	Chartered Accountant, Arbitrator and Mediator
Malcolm Brown ¹	Civil Engineer
Renea Capararo ²	Lawyer
Dr Simon Carlin	Chiropractor
Catherine Carroll ³	Lawyer
Dr Roger Clarnette	Medical Practitioner
Helen Creed ⁴	Onboard WA (Social Services)
Peter Curry	Environmental Consultant
Michelle Dean ⁵	Lawyer
Hilton Dembo	Lawyer
Dr Anne Donnelly	Medical Practitioner
Ross Easton	Architect
Scott Ellis	Barrister, Arbitrator, Mediator and Adjudicator
Dr Louise Farrell	Medical Practitioner
Dr Hilary Fine ⁶	Medical Practitioner
John Fisher	Civil Engineer, Arbitrator and Mediator
Dr Alison Garton	Psychologist
Kate George ⁷	Lawyer
Sue Gillett	Social Worker
Dale Hall ⁸	Valuer
Linda Hamilton ⁹	Building Project Manager
Dr Helen Hankey	Medical Practitioner
Malcolm Harford	Lawyer
Mark Houlahan ¹⁰	Valuer
Brian Hunt	Land Surveyor and Planning Consultant
Katherine Jefferies	Medical Practitioner
Steven Jongenelis	Clinical Psychologist
Jim Jordan	Planner
Karen Lang	Lawyer
Ian Lush ¹¹	Building Surveyor
Dr David Marshall	Veterinarian
Jeffrey Mazzini	Finance Broker
Kevan McGill	Electrical Engineer
Isla McRobbie ¹²	Lawyer
Dr Barry Mendelawitz	Medical Practitioner (Retired)
David Moore	Valuer
Dr Frederick Ng	Psychiatrist

Sessional members – senior

Member	Areas of work/expertise
Dr Christine Pears	Dentist
Karene Primrose ¹³	Lawyer
Patrick Pinder	Architect (Retired) and Planner
Dr Jennifer Richardson ¹⁴	Veterinarian
Susan Richardson ¹⁵	Lawyer
Christopher Shanahan SC	Barrister
Prof Bryant Stokes	Medical Practitioner
Kirsty Sutherland ¹⁶	Lawyer
Dr Anthony Vigano	Veterinarian
Mark Wiklund	Physiotherapist
Dr Peter Winterton	Medical Practitioner
Angela Workman	Medical Radiation Technologist and Former Member of the Medical Radiation Technologists Registration Board of Western Australia
Darianne Zambotti	Occupational Therapist
Armand Zurhaar	Chemist and Scientific Consultant

1 Malcolm Brown appointed 19 February 2019.

2 Renea Capararo appointed 19 February 2019 and resigned 26 April 2019.

3 Catherine Carroll appointed 19 February 2019.

4 Helen Creed appointed 19 February 2019.

5 Michelle Dean appointed 19 February 2019.

6 Dr Hilary Fine appointed 19 February 2019.

7 Kate George appointed 19 February 2019.

8 Dale Hall appointed 19 February 2019.

9 Linda Hamilton appointed 19 February 2019.

10 Mark Houlahan appointed 19 February 2019.

11 Ian Lush appointed 19 February 2019.

12 Isla McRobbie appointed 19 February 2019.

13 Karene Primrose appointed 19 February 2019.

14 Dr Jennifer Richardson appointed 19 February 2019.

15 Susan Richardson appointed 19 February 2019.

16 Kirsty Sutherland appointed 19 February 2019.

Sessional members – ordinary

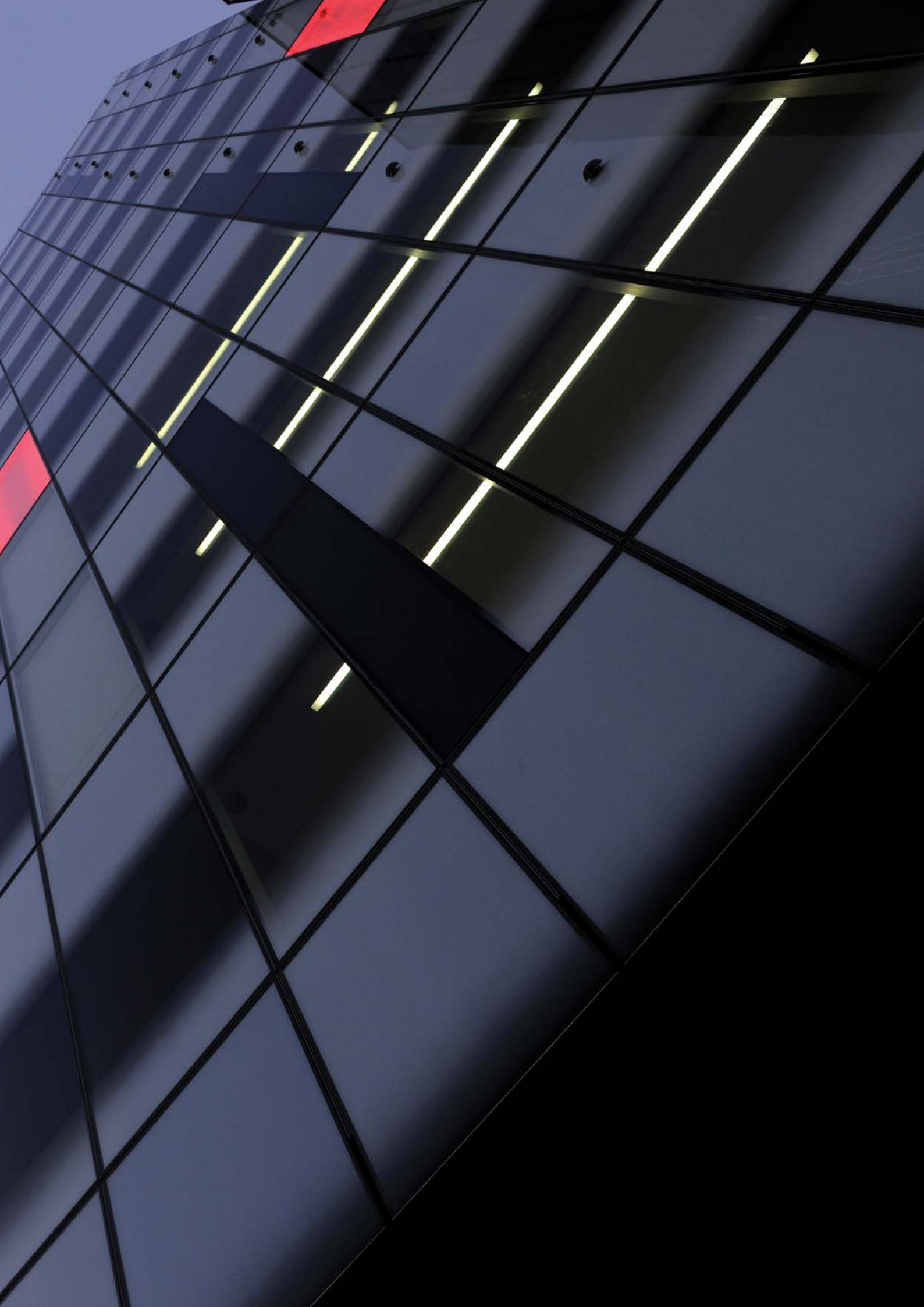
Member	Areas of work/expertise
Richard Adams	Debt Collector and Real Estate Agent
David Anderson	Painting and Decorating Inspector
Keith Bales	Lawyer
Judith Bell	Planner
Davina Bester ¹	Architect
Kate Bingham ²	Valuer
Samantha Bowen ³	Advisory Board member
Wayne Burg	Lawyer and Pharmacist
Bruce Callow	Architect and Builder
Ross Campbell	Electrical Fitter and Security Agent
Chantal Caruso ⁴	Social Planning Sustainability
Dr Nadine Caunt	Psychiatrist
Dr Abbey Chilcott ⁵	Chiropractor
Geoffrey Church	Accountant
Suzanne Churn	Builder
Mary Ciccarelli	Teacher
Samantha Doheny ⁶	Valuer
Wesley Gregory	Builder
Neville Harrison	Builder
Hon Assoc Prof Bronwyn Jones	University Academic (Nursing)
Raymond Kershaw	Builder
Dr Andrew Lu ⁷	Lawyer
Dr Dee-Anna Luong	Dentist
James Malcolm	Environmental Consultant
Christopher Marsh	Builder and Mediator
Paul Marshall	Builder
John Martin	Valuer and Real Estate Agent
Domenic Morolla ⁸	Builder
Eileen O'Reilly ⁹	Social Worker
Elain Pavlos	Chief Executive Officer and Director of Nursing at a private hospital
Helen Pedersen	Structural Engineer
Rodney Pember	Land Valuer
Barry Pound	Conveyancer and Real Estate Agent
Leanne Potter	Specialist Teacher (Sign Language)
Steven Resnick	Senior Lecturer Clinical Medicine
Anthony Townsend	Retired Motor Vehicle Dealer
Shane Wallace	Plumber

Sessional members – ordinary

Member	Areas of work/expertise
Barbara Webster	Human Resource Consultant in Health
Robert Woodforde	Builder
Xiadong (Eric) Yu	Chinese Medicine Specialist
Brian Zucal	Land Valuer

- 1 Davina Bester appointed 19 February 2019.
- 2 Kate Bingham appointed 19 February 2019.
- 3 Samantha Bowen appointed 19 February 2019 and resigned 2 April 2019.
- 4 Chantal Caruso appointed 19 February 2019.
- 5 Dr Abbey Chilcott appointed 19 February 2019.
- 6 Samantha Doheny appointed 19 February 2019.
- 7 Dr Andrew Lu appointed 19 February 2019.
- 8 Domenic Morolla appointed 19 February 2019.
- 9 Eileen O'Reilly appointed 19 February 2019.







State Administrative Tribunal

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