



Government of **Western Australia**
Department of **Justice**

**Report on Matters in the
State Administrative Tribunal
of Western Australia
2018/19 to 2022/23**

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About this Report

The Department has committed to regularly publishing a wide range of statistics relating to the operation of its various business areas.

The purpose of this report is to provide information about the work carried out by the State Administrative Tribunal. A number of different statistics have been included that illustrate different aspects of the criminal court process. Care must be taken in interpreting these statistics. It is NOT possible to compare one indicator with another as the methods of counting are not aligned.

Matters within the Tribunal are grouped into four general areas by Act and are heard and determined by members of the Tribunal with expertise in the various fields. Tribunal members are assisted by sessional (part time) members as necessary with specialist expertise in the relevant fields within each matter. Matters are further grouped into 'lists' based on the specific legislation under which the application has been made.

Separate counting rules that best illustrate the work of the tribunal are utilised for each statistic. Please read the counting rules on each page to help interpret the data.

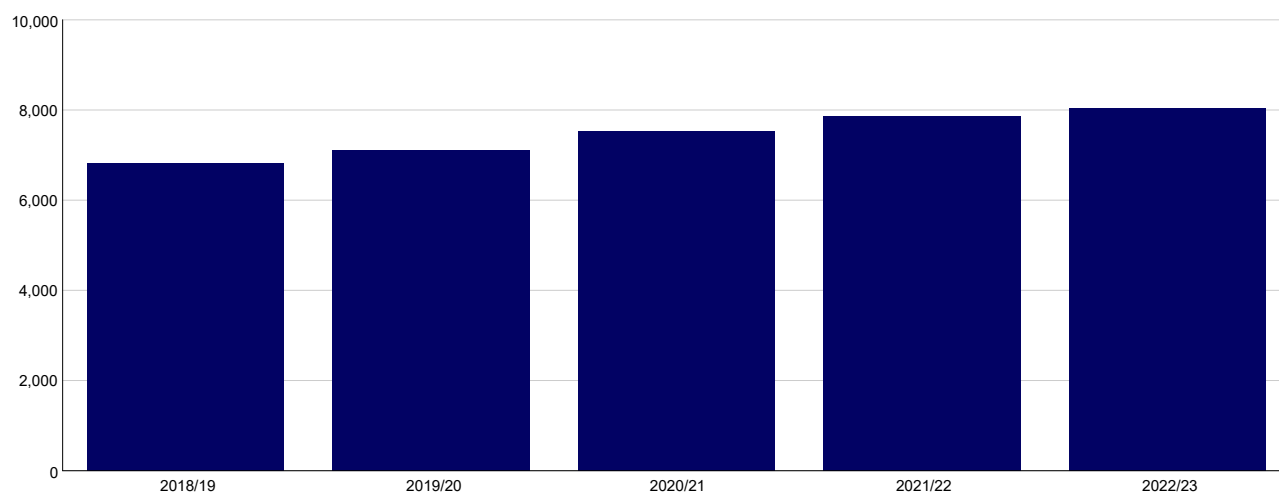
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Requests for additional data:

The Department regularly receives requests from media outlets for customised statistics. All requests for customised figures are considered on a case by case basis. The Department will generally supply such information only where the:

- information is stored in a way that it is easily retrievable; and
- amount of work required to compile and supply customised information is reasonable.

Matter Lodgments

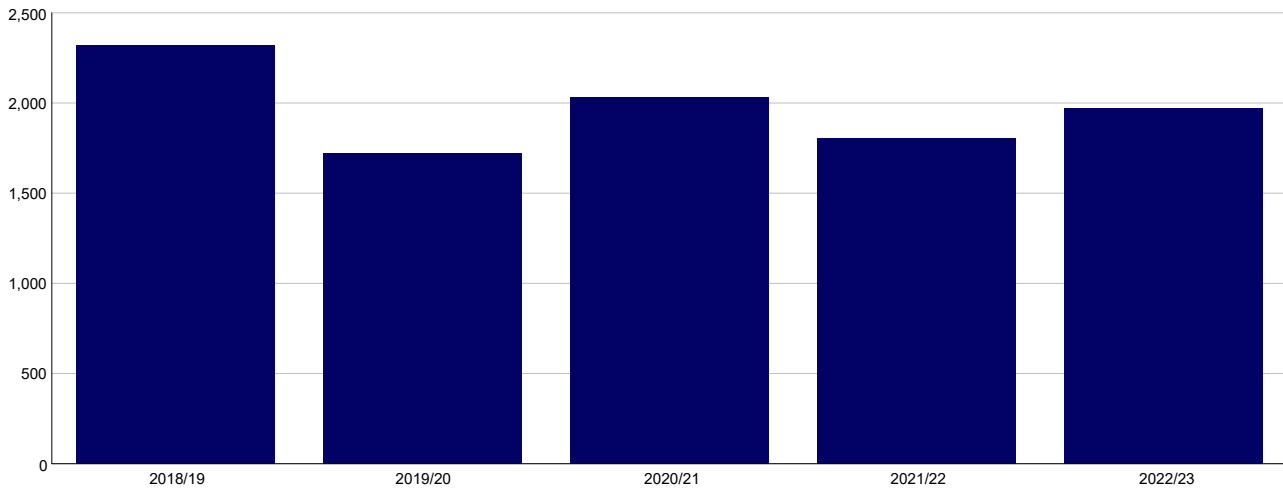


| | 2018/19 | 2019/20 | 2020/21 | 2021/22 | 2022/23 | % Change 1 Year | % Change 5 Year |
|----------------------|--------------|--------------|--------------|--------------|--------------|-----------------|-----------------|
| Commercial and Civil | 2,324 | 1,724 | 2,038 | 1,808 | 1,974 | 9.2% | -15.1% |
| Development/Resource | 301 | 264 | 243 | 218 | 208 | -4.6% | -30.9% |
| Human Rights | 3,977 | 4,940 | 5,105 | 5,645 | 5,669 | 0.4% | 42.5% |
| SAT Act Matters | | | 1 | 1 | | n/a | n/a |
| Vocational | 243 | 200 | 163 | 205 | 194 | -5.4% | -20.2% |
| Total | 6,845 | 7,128 | 7,550 | 7,877 | 8,045 | 2.1% | 17.5% |

Counting Rules:

- These are the number of matters lodged in the State Administrative Tribunal, broken down by matter type.
- The unit of measure is the number of new matters commenced in the Tribunal during the reporting period.
- If 'n/a' is present in the % Change column, the values of the columns in the table being compared are less than or equal to 10. It is not appropriate to make statistical comparisons for variables with values this low.
- The decline in Human Rights lodgements from 2016/17 was due to a change in guardianship and administration application processes implemented toward the end of 2015/16. Simultaneous applications for the appointment of a guardian and an administrator for the same person were previously counted as two separate applications whereas they are now treated as a single application.

Commercial and Civil Matter Lodgments

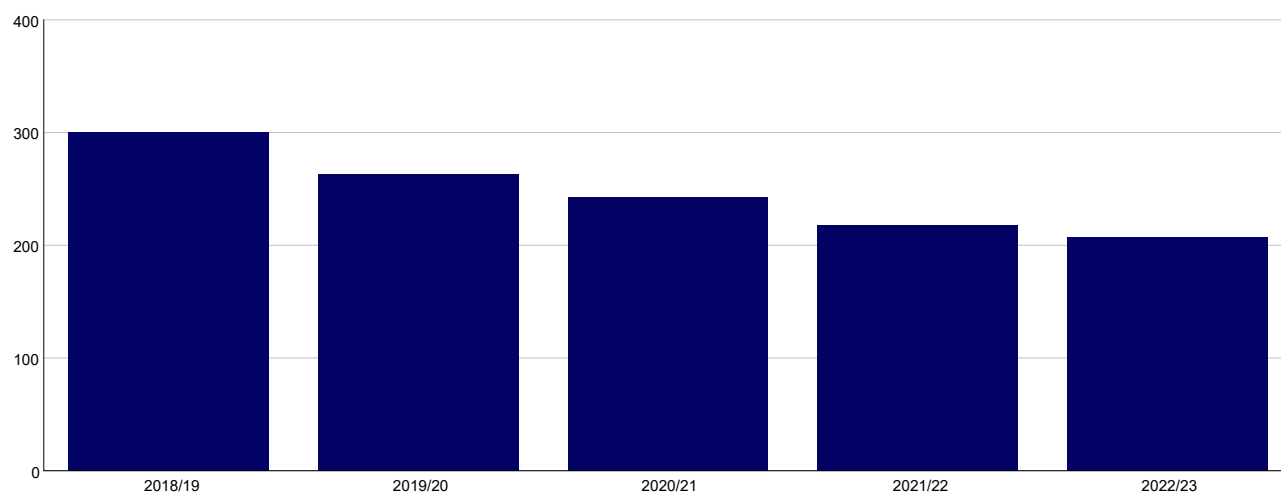


| | 2018/19 | 2019/20 | 2020/21 | 2021/22 | 2022/23 | % Change 1 Year | % Change 5 Year |
|---|--------------|--------------|--------------|--------------|--------------|-----------------|-----------------|
| Building and Construction | 228 | 205 | 216 | 333 | 413 | 24.0% | 81.1% |
| Commercial | 68 | 53 | 215 | 61 | 32 | -47.5% | -52.9% |
| Commercial Lease Amendments | 1,702 | 1,191 | 1,307 | 1,109 | 1,194 | 7.7% | -29.8% |
| Domestic Animals | 24 | 25 | 22 | 19 | 22 | 15.8% | -8.3% |
| Firearms | 67 | 29 | 25 | 60 | 81 | 35.0% | 20.9% |
| Health and Safety | 9 | 7 | 4 | 10 | 4 | n/a | n/a |
| Licences | 20 | 16 | 10 | 17 | 6 | n/a | n/a |
| Residential Parks and Retirement Villages | 44 | 25 | 21 | 34 | 31 | -8.8% | -29.5% |
| Strata Titles | 155 | 163 | 197 | 155 | 178 | 14.8% | 14.8% |
| Taxation | 7 | 10 | 21 | 10 | 13 | n/a | n/a |
| Total | 2,324 | 1,724 | 2,038 | 1,808 | 1,974 | 9.2% | -15.1% |

Counting Rules:

- These are the number of Commercial and Civil matters lodged in the State Administrative Tribunal, broken down by list type.
- The unit of measure is the number of new matters commenced in the Tribunal during the reporting period.
- If 'n/a' is present in the % Change column, the values of the columns in the table being compared are less than or equal to 10. It is not appropriate to make statistical comparisons for variables with values this low.

Development/Resource Matter Lodgments

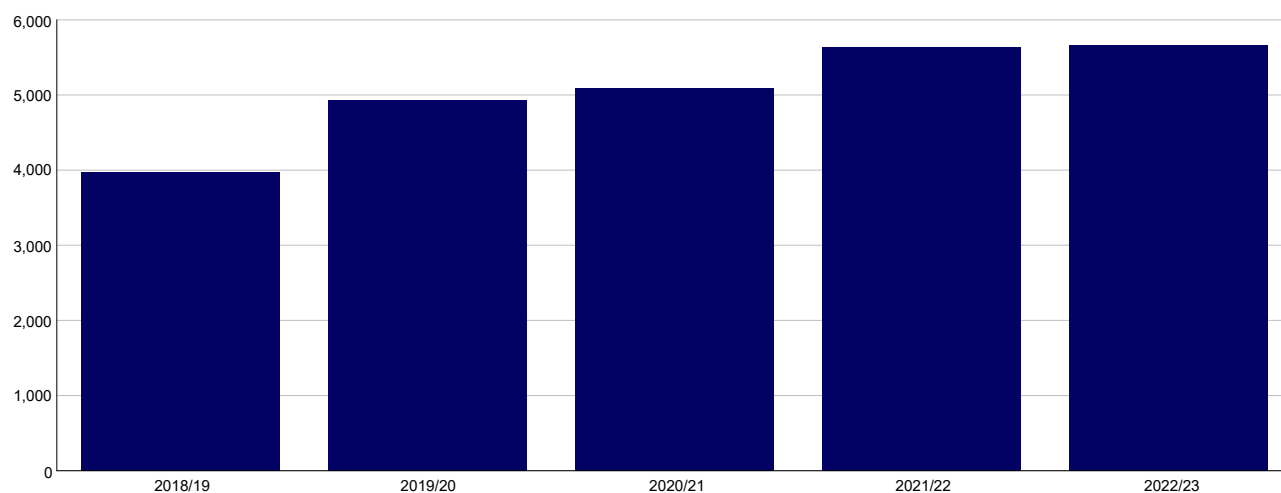


| | 2018/19 | 2019/20 | 2020/21 | 2021/22 | 2022/23 | % Change 1 Year | % Change 5 Year |
|----------------------------|------------|------------|------------|------------|------------|-----------------|-----------------|
| Agriculture and Fisheries | 5 | 8 | 5 | 10 | 3 | n/a | n/a |
| Planning and Development | 285 | 242 | 232 | 186 | 192 | 3.2% | -32.6% |
| Valuation and Compensation | 11 | 14 | 6 | 22 | 13 | -40.9% | 18.2% |
| Total | 301 | 264 | 243 | 218 | 208 | -4.6% | -30.9% |

Counting Rules:

- (a) These are the number of Development and Resource matters lodged in the State Administrative Tribunal, broken down by list type.
- (b) The unit of measure is the number of new matters commenced in the Tribunal during the reporting period.
- (c) If 'n/a' is present in the % Change column, the values of the columns in the table being compared are less than or equal to 10. It is not appropriate to make statistical comparisons for variables with values this low.

Human Rights Matter Lodgments



| | 2018/19 | 2019/20 | 2020/21 | 2021/22 | 2022/23 | % Change 1 Year | % Change 5 Year |
|---------------------------------|--------------|--------------|--------------|--------------|--------------|-----------------|-----------------|
| Guardianship and Administration | 3,932 | 4,895 | 5,053 | 5,597 | 5,606 | 0.2% | 42.6% |
| Human Rights | 45 | 45 | 52 | 48 | 63 | 31.2% | 40.0% |
| Total | 3,977 | 4,940 | 5,105 | 5,645 | 5,669 | 0.4% | 42.5% |

Counting Rules:

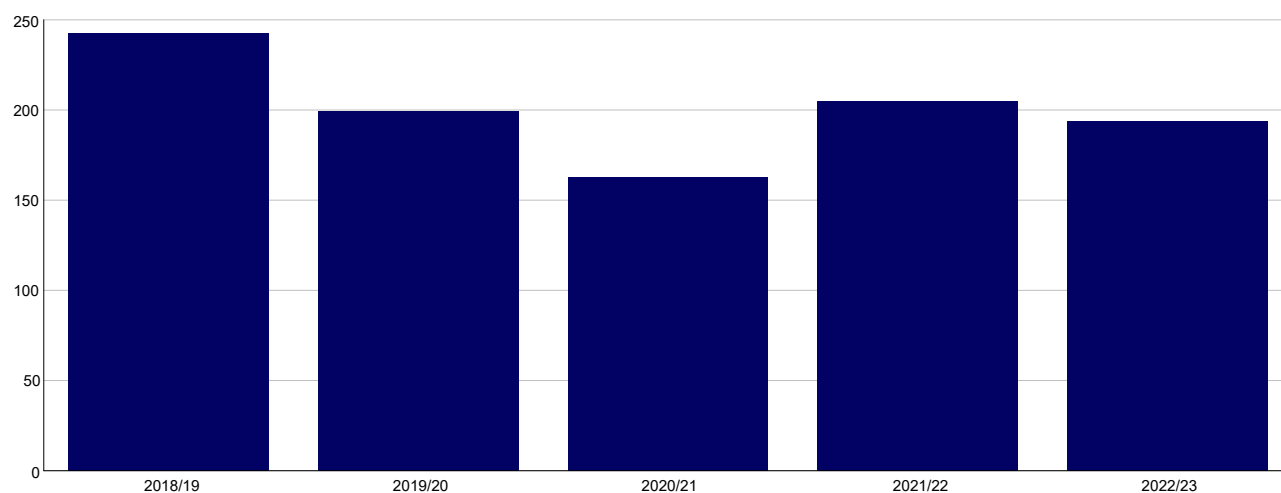
(a) These are the number of Human Rights matters lodged in the State Administrative Tribunal, broken down by list type.

(b) The unit of measure is the number of new matters commenced in the Tribunal during the reporting period.

(c) If 'n/a' is present in the % Change column, the values of the columns in the table being compared are less than or equal to 10. It is not appropriate to make statistical comparisons for variables with values this low.

(d) The decline in Human Rights lodgements from 2016/17 was due to a change in guardianship and administration application processes implemented toward the end of 2015/16. Simultaneous applications for the appointment of a guardian and an administrator for the same person were previously counted as two separate applications whereas they are now treated as a single application.

Vocational Regulation Matter Lodgments

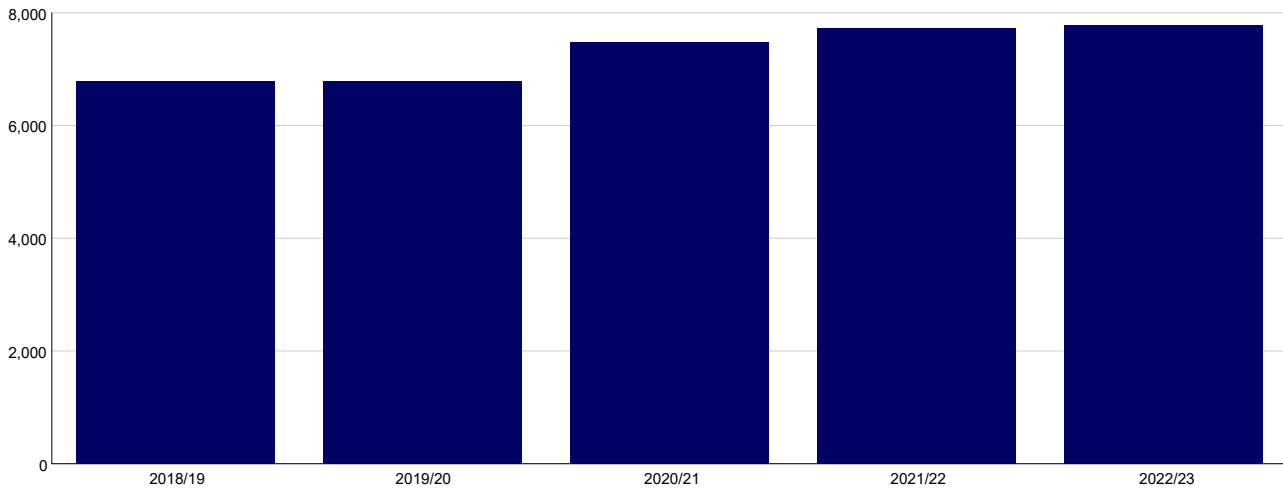


| | 2018/19 | 2019/20 | 2020/21 | 2021/22 | 2022/23 | % Change 1 Year | % Change 5 Year |
|-----------------------|------------|------------|------------|------------|------------|-----------------|-----------------|
| Vocational Regulation | 243 | 200 | 163 | 205 | 194 | -5.4% | -20.2% |
| Total | 243 | 200 | 163 | 205 | 194 | -5.4% | -20.2% |

Counting Rules:

- (a) These are the number of Vocational Regulation matters lodged in the State Administrative Tribunal, broken down by list type.
- (b) The unit of measure is the number of new matters commenced in the Tribunal during the reporting period.
- (c) If 'n/a' is present in the % Change column, the values of the columns in the table being compared are less than or equal to 10. It is not appropriate to make statistical comparisons for variables with values this low.

Matter Finalisations

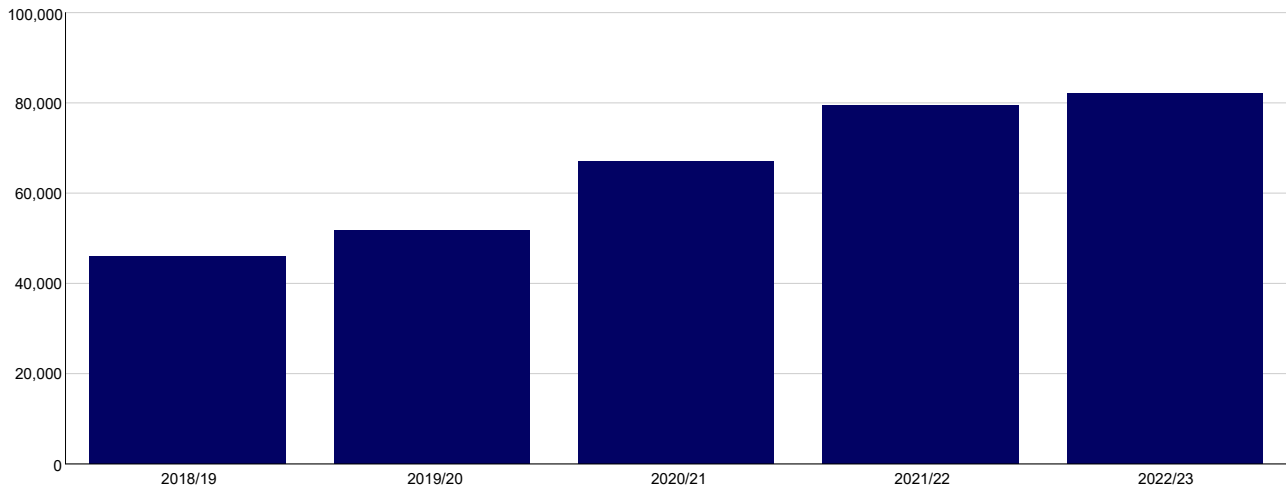


| | 2018/19 | 2019/20 | 2020/21 | 2021/22 | 2022/23 | % Change 1 Year | % Change 5 Year |
|----------------------|--------------|--------------|--------------|--------------|--------------|-----------------|-----------------|
| Commercial and Civil | 2,332 | 1,657 | 1,978 | 1,718 | 1,894 | 10.2% | -25.5% |
| Development/Resource | 323 | 277 | 247 | 216 | 195 | -9.7% | -59.3% |
| Human Rights | 3,906 | 4,671 | 5,095 | 5,630 | 5,518 | -2.0% | 28.6% |
| SAT Act Matters | | | 1 | 1 | | n/a | n/a |
| Vocational | 238 | 196 | 166 | 180 | 185 | 2.8% | -29.4% |
| Total | 6,799 | 6,801 | 7,487 | 7,745 | 7,792 | 0.6% | 12.8% |

Counting Rules:

- These are the number of matters completed in the State Administrative Tribunal, broken down by matter type.
- The unit of measure is the number of matters that have been completed by the Tribunal during the reporting period.
- Only the initial finalisation of the matter is counted here. Matters that have been previously finalised, reactivated and then refinalised are ignored.
- If 'n/a' is present in the % Change column, the values of the columns in the table being compared are less than or equal to 10. It is not appropriate to make statistical comparisons for variables with values this low.
- The decline in Human Rights finalisations from 2016/17 was due to a change in guardianship and administration application processes implemented toward the end of 2015/16. Simultaneous applications for the appointment of a guardian and an administrator for the same person were previously counted as two separate applications whereas they are now treated as a single application.

Documents Lodged



| | 2018/19 | 2019/20 | 2020/21 | 2021/22 | 2022/23 | % Change 1 Year | % Change 5 Year |
|----------------------|---------------|---------------|---------------|---------------|---------------|-----------------|-----------------|
| Commercial and Civil | 9,141 | 8,239 | 11,801 | 14,421 | 16,178 | 12.2% | 77.0% |
| Development/Resource | 4,217 | 4,183 | 3,941 | 3,329 | 3,582 | 7.6% | -15.1% |
| Human Rights | 30,330 | 37,024 | 48,414 | 58,798 | 59,297 | 0.8% | 95.5% |
| SAT Act Matters | | | 8 | 11 | 2 | n/a | n/a |
| Vocational | 2,416 | 2,417 | 3,171 | 3,117 | 3,151 | 1.1% | 30.4% |
| Total | 46,104 | 51,863 | 67,335 | 79,676 | 82,210 | 3.2% | 78.3% |

Counting Rules:

(a) These are the number of documents lodged in the State Administrative Tribunal, broken down by matter type.

(b) If 'n/a' is present in the % Change column, the values of the columns in the table being compared are less than or equal to 10. It is not appropriate to make statistical comparisons for variables with values this low.

Appendix--Definitions

The following are definitions of matter and list types that are used within the State Administrative Tribunal.

Matter Types

Matters lodged within the State Administrative Tribunal are classified by matter type. The following definitions specify the differences between the matter types used.

Commercial and Civil

Deals with building and construction disputes, commercial tenancy reviews, domestic animals disputes, firearm licensing reviews, residential parks and retirement villages disputes, strata title disputes, and state taxation decisions.

Development and Resources

Reviews decisions in respect of agriculture and fisheries, planning and development, and valuation and compensation.

Human Rights

Makes decisions that affect some of the most vulnerable people in our community in relation to guardianship, administration and discrimination, and reviews decisions of the Mental Health Review Board and the Equal Opportunity Commission.

List Types

Within each matter type, matters lodged within the State Administrative Tribunal are also classified by list type. The following definitions specify the differences between the list types used.

Agriculture and Fisheries

Review of decisions related to biosecurity, fish resources management, rights in water, soil and land conservation.

Building and Construction

Matters related to the registration and regulation of building service providers, as well as applications under the *Building Act 2011* relating to permits for building and demolition work, and standards for construction and demolition.

Commercial

Applications under the *Commercial Tenancy (Retail Shops) Agreements Act 1985*. Some of these matters can come straight to the State Administrative Tribunal, while others require a certificate from the Commissioner of the Small Business Development Corporation. Review of decisions related to construction contracts, first home owners grants, *State Superannuation Act 2000*, and *Petroleum and Geothermal Energy Resources Act 1967*.

Commercial Lease Amendments

Review of amendments to clauses within a retail shop lease agreement.

Domestic Animals

Applications under the *Dog Act 1976* and the *Cat Act 2011* relating to the control, ownership and registration of dogs and cats.

Firearms

Matters relating to the control and regulation of firearms.

Guardianship and Administration

Matters regarding orders for the appointment of guardians and administrators for people with what may generally be termed a decision-making disability, reviews of previous orders and applications for intervention into Enduring Powers of Attorney (EPA) and other applications in respect of EPAs.

Health and Safety

Review of decisions under the *Food Act 2008* in relation to food handling and the *Health Act 1911* in relation to public health.

Human Rights

Reviews decisions made under the *Children and Community Services Act 2004* in relation to the protection and care of children, decisions under the *Gender Reassignment Act 2000* and decisions of the Mental Health Review Board under the *Mental Health Act 1996*. Reviews complaints to the Equal Opportunity Commissioner.

SAT Act

Review administrative decisions made by the Executive Officer of the State Administrative Tribunal, as well as hear applications for costs.

Vocational Regulation

Hears complaints concerning occupational misconduct and reviews decisions concerning licensing.

Licences

Reviews of decisions in relations to licenses under the various road traffic, taxi and transport co-ordination acts.

Planning and Development

Reviews of decisions related to land use planning and development, as well as planning matters which are appealed within the Tribunal which is possible when the initial application was not heard by a member of the judiciary, and Planning applications which the Minister directs should be referred for a ministerial decision under section 246 of the *Planning and Development Act 2005*.

Residential Parks and Retirement Villages

Matters related to the regulation of retirement villages and the rights of residents in such villages, as well as matters related to the relationship between the operators of residential parks and tenants who live in such parks for extended periods.

SAT Act Matters

Applications in relation to costs, acceptance or otherwise of applications and for corrections to decisions or statement of reasons.

Strata Titles

A large range of applications made under the *Strata Titles Act 1985*.

Taxation

Matters under acts regulating administration and enforcement by the Commissioner of State Revenue and objections relating to local government rates.

Valuation and Compensation

Applications under the *Land Administration Act 1997* for compensation for land compulsorily acquired by the Western Australian Government. Reviews of Valuer-General decisions under the *Land Valuation Act 1978*.

Vocational Regulation

Matters related to the regulation of various occupations in Western Australia.