
GOVERNANCE POLICIES

State Administrative Tribunal



Policy Number:	G14
Relevant Delegation:	Not Applicable
Adoption Details:	22 February 2016
Last Review Details:	25 November 2019

POLICY OBJECTIVE:

To prescribe procedures for the Shire's administration in relation to dealing with matters before the State Administrative Tribunal (SAT).

POLICY SCOPE:

This policy relates to all matters appealed to the State Administrative Tribunal.

POLICY STATEMENT:

INTRODUCTION

The State Administrative Tribunal is the primary place for the review of decisions made by Government agencies, public officials and local governments. It is important that there are clear processes and procedures set out for informing the Council of any appeal and for determining the most appropriate manner to deal with the matters raised.

PRINCIPLES

- (a) All matters before the SAT are dealt with in a timely manner.
- (b) The persons identified to appear before the Tribunal are appropriate to the matter under review.

PROVISIONS

- 1.1 The Chief Executive Officer is authorised to determine the most appropriate manner to deal with matters relating to the State Administrative Tribunal.
 - 1.2 In the first instance, the Shire's senior staff (in conjunction with qualified Town Planning consultants or legal advisors, if required) will defend Council decisions in the State Administrative Tribunal. The Chief Executive Officer may engage the services of a qualified professional (agent) to represent the Shire in the subject SAT Review application.
 - 1.3 Where a decision of Council has been appealed a confidential report will be submitted to the Council. The report will include the Shire's response and appropriate conditions (where required by the SAT).
 - 1.4 Where the SAT has directed the Council in a matter and requires a response and such response closing date does not allow for sufficient time for the Shire's Administration to prior report to the Council, the CEO is authorised to reply to the SAT with appropriate conditions.
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1.5 The Shire’s draft response will be circulated to all Councillors for comment before replying to the SAT and will include details relating to the timeframe and closing date for comments. Councillors’ comments will be included, wherever appropriate, in the Shire’s response/submission to the SAT.

PENALTIES:

Not applicable.

KEY TERMS/DEFINITIONS:

Not applicable.

Responsible Officer: Chief Executive Officer
Contact Officer: Relevant Senior Manager (matter at hand)
Relevant Legislation: Not applicable

Review History:

Date Review Adopted:	Resolution Number
Adopted – 22 February 2016	
Reviewed – 24 October 2016	
Reviewed – 25 November 2019	291119
Former Policy No:	G2.10