



Industrial Chemist & Consultant

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Reference: L2025

April 28th, 2016

**Members of Parliament
Standing Committee on Environment and Public Affairs
Parliament House Perth Western Australia 6000**

Dear Members of the Standing Committee on Environment and Public Affairs,

Submission for Petition No. 119 – Building Commission and State Administrative Tribunal

This submission has been presented to you as a result of my professional experience with the Building Commission and with the corresponding matters of the State Administrative Tribunal (SAT).

Clearly the forbearance of the Building Commission must be based on the established knowledge and experience of building materials & processes. Commission representatives displaying indecisive or offering contradictory responses accordingly affect the integrity of the commission and are a source of injustice.

Similarly, proceedings based on the Building Services (Complaint Resolution & Administration) Act 2011 (WA) {BSCRA Act} must proceed on evidence, or as a corollary, be dismissed on a lack of evidence.

Consequently, the inability to discriminate between right and wrong in matters of building materials & processes have also marred the State Administrative Tribunal. In my experience with the SAT, the **STATE ADMINISTRATIVE TRIBUNAL ACT 2004 - SECT 9** was breached with respect to the main objectives of the Tribunal in dealing with matters within its jurisdiction being,

- (a) to achieve the resolution of questions, complaints or disputes, and make or review decisions, fairly and according to the substantial merits of the case; and
- (b) to act as speedily and with as little formality and technicality as is practicable, and minimise the costs to parties; and
- (c) to make appropriate use of the knowledge and experience of Tribunal members.

Analyses - Research & Development - Product Manufacture - Consulting Chemist



In my experience with these respected organisations, I can sincerely state to you that there is an urgent need for clarity and consistency within both the Commission and the Tribunal in matters related to the WA building industry.

I remain yours faithfully,

Peter Wrobel