

1995—No. 544

**YOUTH AND COMMUNITY SERVICES ACT 1973—  
REGULATION**

(Youth and Community Services Regulation 1995)

NEW SOUTH WALES



*[Published in Gazette No. 105 of 1 September 1995]*

HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Youth and Community Services Act 1973, has been pleased to make the Regulation set forth hereunder.

RONALD DAVID DYER, M.L.C.,  
Minister for Disability Services.

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**Citation**

1. This Regulation may be cited as the Youth and Community Services Regulation 1995.

**Definitions**

2. (1) In this Regulation, “the Act” means the Youth and Community Services Act 1973.

(2) In this Regulation, a reference to a Form is a reference to a form set out in Schedule 1.

**Form of application for licence**

3. For the purposes of section 11 (1) of the Act, the prescribed form of application for a licence to enable premises to be used as a residential centre for handicapped persons and to authorise a person specified in the application to have the conduct of a residential centre for handicapped persons at those premises is Form 1.

**Form of application for change of licensed manager**

4. For the purposes of section 14 (1) of the Act, the prescribed form of application for the Minister’s consent to the replacement of the licensed manager by another person is Form 2.

**Repeal**

5. The Youth and Community Services Regulation 1981 is repealed.

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**SCHEDULE 1**

**Form 1**

(Cl. 3)

Disability Licensing Adviser: .....

Address: .....

Phone: .....

**YOUTH AND COMMUNITY SERVICES ACT 1973**

**APPLICATION for Licence of a Residential Centre to the MINISTER FOR  
DISABILITY SERVICES**

**1. PERSON OR BUSINESS APPLYING FOR A LICENCE TO CONTROL  
A RESIDENTIAL CENTRE**

NAME OF THE ORGANISATION, BUSINESS OR PROPRIETOR/S  
applying for a licence: .....

.....  
.....

Registered Address: .....

.....  
.....

Postal Address ("as above", if same): .....

.....  
.....

Telephone: ..... Fax: .....

**2. PREMISES TO BE LICENSED**

NAME (if applicable): .....

ADDRESS AND P/CODE OF THE PREMISES TO BE LICENSED: .....

.....  
Telephone: .....

**3. OWNERS OF PREMISES**

NAME AND ADDRESS OF THE OWNER/S OF THE PREMISES: .....

.....  
.....

**4. PERSON TO CONDUCT THE CENTRE (Licensed Manager)**

Name of the person/s to be authorised to have day to day management of the premises.

4a. NAME: .....

.....  
.....

QUALIFICATIONS: .....

.....  
.....  
.....  
.....

**4b. SUITABILITY OF THE NOMINATED LICENSED MANAGER**

- The proposed licensee must enclose information explaining why the person nominated as manager is considered to be a person with suitable character, experience and competence to manage a centre accommodating persons with disabilities.
- The person nominated as manager should enclose the names and contact numbers of two persons/referees who can be contacted by the Ageing and Disability Department regarding the nominated manager’s suitability to manage a residential centre for people with disabilities.
- The person nominated as manager must complete the attached “Criminal Record Check” authorisation form.

**5. THE MAXIMUM NUMBER TO BE ACCOMMODATED**

The maximum number of persons to be accommodated in the residential centre according to the requirements of the Youth and Community Services Act 1973.

Maximum Number:.....

**6. COMPLIANCE WITH THE REQUIREMENTS OF THE LOCAL COUNCIL**

The applicant must provide the Ageing and Disability Department with:

1. A copy of Council’s development consent for the premises nominated in this application, and
2. A copy of any Orders given by the Council currently applying to those premises.

**7. LIST OF DOCUMENTS TO BE SUPPLIED**

The following documents and information must be supplied with your application before it will be processed:

1. A floor plan, to scale, showing the dimensions and use of each room.
2. A copy of the site plan.
3. A full explanation of the services to be provided at the premises.
4. A written “ENTRY” AND “EXIT” criteria for residents using this service.
5. A written list of what you will be expecting from residents using this service, by way of behaviour, tasks, needs and the like.
6. A copy of the “Menu” for a two or four week period.
7. A complete list of staff positions, job descriptions, hours and days of work.
8. Information requested in 4b, relating to the person nominated to be approved as the licensed manager.
9. A written list of the criteria used by you when appointing staff, to ensure that staff have adequate knowledge and understanding of the needs of people with disabilities and the ability to deal with these residents in a fair, just and appropriate manner.
10. A copy of Council’s development consent for the centre, as requested in 6.1.
11. A copy of any orders currently applying to the premises as requested in 6.2.
12. A list of all proposed fees and charges for services.
13. If applicable, a copy of the constitution, memorandum of articles or the like of the organisation or business applying for the licence.
14. If applicable, a complete list of directors of the company.
15. If applicable, a copy of the lease relating to the premises.
16. A “Criminal Record Check” authorisation form completed and signed by each staff person.

**NAME AND SIGNATURE OF PERSON COMPLETING THIS APPLICATION**

Name: .....  
*(Please Print Name)*

Position: .....

Signature: ..... Date: .....

**Form 2**

(Cl. 4)

Disability Licensing Adviser: .....  
Address: .....  
Phone: .....

**YOUTH AND COMMUNITY SERVICES ACT 1973**

**APPLICATION FOR A CHANGE OF LICENSED MANAGER to the  
MINISTER FOR DISABILITY SERVICES**

**1. LICENSEE**

NAME OF THE LICENSEE: .....  
.....  
.....  
Registered Address: .....  
.....  
.....  
Postal Address (“as above”, if same): .....  
.....  
.....  
Telephone: ..... Fax: .....

**2. LICENSED PREMISES**

NAME (if applicable): .....  
ADDRESS AND P/CODE OF THE PREMISES TO BE LICENSED: .....  
.....  
Telephone: .....

**3. PERSON NOMINATED TO CONDUCT THE CENTRE (Licensed  
Manager)**

Name of the person/s to be authorised to have day to day management of the  
premises.  
3a. NAME: .....  
QUALIFICATIONS: .....  
.....  
.....  
.....

3b. SUITABILITY OF THE LICENSED MANAGER

- The licensee must enclose information explaining why the person nominated as manager is considered to be a person with suitable character, experience and competence to manage a centre accommodating persons with disabilities.
- The person nominated as manager should enclose the names and contact numbers of two persons/referees who can be contacted by the Ageing and Disability Department regarding the nominated manager’s suitability to manage a residential centre for people with disabilities.
- The person nominated as manager must complete the attached “Criminal Record Check” authorisation form.

**4. LIST OF DOCUMENTS TO BE SUPPLIED**

The following documents and information must be supplied with your application before it will be processed:

1. Information requested in 3b, relating to the person nominated to be approved as the licensed manager.
2. A “Criminal Record Check” authorisation form completed and signed by the person nominated as manager.

**NAME AND SIGNATURE OF PERSON COMPLETING THIS APPLICATION**

Name: .....  
*(Please Print Name)*

Position:.....

Signature: ..... Date:.....



**NOTES**

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**EXPLANATORY NOTE**

The object of this Regulation is to repeal and remake, without any major changes in substance, the Youth and Community Services Regulation 1981.

The Regulation prescribes the forms of applications for a licence to enable premises to be used as a residential centre for handicapped persons and to authorise a person specified in the application to have the conduct of a residential centre for handicapped persons at those premises and for the Minister's consent to the replacement of the licensed manager by another person.

The Regulation is made under the Youth and Community Services Act 1973, in particular sections 11, 14 and 32 (1) (f).

This Regulation is made in connection with the staged repeal of subordinate legislation under the Subordinate Legislation Act 1989, and comprises matters of a machinery nature.

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