



New South Wales

Youth and Community Services Regulation 2005

under the

Youth and Community Services Act 1973

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Youth and Community Services Act 1973*.

JOHN DELLA BOSCA, M.L.C.,
Minister for Disability Services

Explanatory note

The object of this Regulation is to remake, with no changes in substance, the *Youth and Community Services Regulation 2000* which is repealed on 1 September 2005 by section 10 (2) of the *Subordinate Legislation Act 1989*.

This Regulation prescribes the forms of applications for a licence under Part 3 of the *Youth and Community Services Act 1973* and for the Minister's consent to the replacement of a licensed manager by another person.

This Regulation is made under the *Youth and Community Services Act 1973*, including sections 11, 14 and 32 (the general regulation-making power).

This Regulation comprises or relates to matters of a machinery nature.

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Youth and Community Services Regulation 2005

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1 Name of Regulation

This Regulation is the *Youth and Community Services Regulation 2005*.

2 Commencement

This Regulation commences on 1 September 2005.

Note. This Regulation replaces the *Youth and Community Services Regulation 2000* which is repealed on 1 September 2005 by section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Definitions

- (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.
- (3) Notes included in this Regulation do not form part of this Regulation.

4 Form of application for licence: section 11

The prescribed form of application for a licence under Part 3 of the Act is Form 1.

5 Form of application for change of licensed manager: section 14

The prescribed form of application for the Minister's consent to the replacement of the licensed manager by another person is Form 2.

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Schedule 1 Forms

Schedule 1 Forms

(Clause 3 (2))

Form 1 Application for licence

(Clause 4)

(Youth and Community Services Act 1973)

Disability Licensing Adviser:

Address:

Phone:

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 postcode 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.

Name:

Qualifications:

Suitability of the nominated Licensed Manager

- (1) 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.
- (2) The person nominated as manager should enclose the names and contact numbers of two persons/referees who can be contacted by the Department of Ageing, Disability and Home Care regarding the

nominated manager's suitability to manage a residential centre for people with disabilities.

- (3) 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 Department of Ageing, Disability and Home Care with the following:

- (1) A copy of Council's development consent for the premises nominated in this application.
- (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 item 4 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 premises, as requested in item 6 (1).
- (11) A copy of any Orders currently applying to the premises as requested in item 6 (2).
- (12) A list of all proposed fees and charges for services.

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Schedule 1 Forms

- (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.

8 **Name and signature of person completing this application**

Name [*please print*]:

Position:

Signature:

Date:

Form 2 **Application for a change of licensed manager**

(Clause 5)

(Youth and Community Services Act 1973)

Disability Licensing Adviser:

Address:

Phone:

1 **Licensee**

Name of the licensee:

Registered address:

Postal Address [*as above*, *if same*]:

Telephone:

Fax:

2 **Licensed premises**

Name [*if applicable*]:

Address and postcode 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.

(1) Name:

Qualifications:

- (2) Suitability of the Licensed Manager
 - (a) 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.
 - (b) The person nominated as manager should enclose the names and contact numbers of two persons/referees who can be contacted by the Department of Ageing, Disability and Home Care regarding the nominated manager's suitability to manage a residential centre for people with disabilities.
 - (c) 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 item 3 (2) 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.

5 Name and signature of person completing this application

Name [*please print*]:

Position:

Signature:

Date: