

## Application for Service Approval | Centre-Based

The Department of Education’s Early Childhood Education Directorate is the Regulatory Authority for early childhood education in New South Wales. Any person or organisation who intends to operate an early childhood education service must apply for provider approval. Once provider approval is obtained, approved providers must then apply for service approval for each service they intend to operate.

### How to apply for centre-based service approval

Centre-based services include long day care, preschool, out of school hours care (OSHC) and vacation care. These services are regulated under the National Quality Framework (NQF). The NQF consists of the Children (Education and Care Services) National Law (NSW) and Education and Care Services National Regulations. Centre-based service approval applications must be submitted online through the [National Quality Agenda IT System](#) (NQA ITS) portal.

### Preparation of policies and procedures

All policies and procedures required under regulation 168 must be prepared before a service approval application is submitted. It is the approved provider’s responsibility to prepare policies and procedures that reflect all legislative requirements. Applicants should seek their own independent legal advice if assistance is required in this area.

### Supporting documentation

Applicants must provide the Regulatory Authority with a range of documentation to support their application. Section 295 of the National Law states a person must not give the Regulatory Authority any information or document that the person knows is false or misleading. All information and documentation supplied must be current and accurate. The Regulatory Authority performs searches to verify information that has been provided.

An application for centre-based service approval must include all of the documentation listed in the table below. The table includes prescribed information set out in regulation 24 and 25 of the National Regulations. This list is not exhaustive and the Regulatory Authority may ask an applicant to provide any further information that is reasonably required for the purpose of assessing the application, per section 45 of the National Law.

| Document  | Notes  |
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| <b>SA01 Application for Service Approval</b>  | <p>This form must be submitted electronically through the <a href="#">NQA ITS portal</a>. All questions on the application form must be answered.</p> <p>Payment of the application fee can be made online when submitting this form. If payment is not made within two days of submission, the application will not progress and may be closed.</p>   |
| <b>Site plans and unencumbered calculations prepared by a building practitioner</b> | <p>A service approval application must include a copy of plans prepared or certified by a building practitioner that clearly show all of the following as required by regulation 25(1)(b):</p> <ul style="list-style-type: none"> <li>• Location of all buildings, structures, outdoor play areas and shaded areas</li> <li>• Location of all entries and exits</li> <li>• Location of nappy change areas (if applicable), toilet and washing facilities, and any food preparation areas</li> <li>• The boundaries of the premises</li> <li>• The landscape of, or landscaping plans for, outdoor spaces that will be used by the education and care service, specifying the natural environments that are or will be provided</li> <li>• Floor plan that indicates the unencumbered indoor and outdoor space suitable for children</li> </ul> |

| Document  | Notes   |
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|   | <ul style="list-style-type: none"> <li>• Calculations carried out by a building practitioner of the areas referred to in regulation 107 and 108 relating to unencumbered indoor and outdoor space</li> <li>• Location of any associated children’s service</li> <li>• Location of all fences and gates, specifying the type of fence or gate used or to be used</li> <li>• Elevation plans of the premises.</li> </ul> <p>The calculations must refer to all <b>unencumbered</b> indoor and outdoor areas as shown on the plans.</p> <p>Both the plans and calculations must be prepared or certified by a building practitioner and must contain their full name and licence/registration/accreditation number for verification by the Regulatory Authority. A building practitioner is defined under <a href="#">regulation 4</a>.</p> <p>Before engaging a building practitioner, applicants should check their registration or accreditation with the appropriate body:</p> <ul style="list-style-type: none"> <li>• Architects – Refer to <a href="#">Architects Accreditation Council of Australia</a></li> <li>• Landscape architects – Refer to <a href="#">Australian Institute of Landscape Architects</a></li> <li>• Building designers – Refer to <a href="#">Building Designers Association of Australia</a></li> <li>• Surveyors (NSW) – Refer to <a href="#">NSW Board of Surveying and Spatial Information</a></li> <li>• Private certifiers (NSW) – Refer to <a href="#">NSW Building Professionals Board</a></li> </ul> |
| <b>Right to occupy   non-school sites</b>                       | <p>If the service is located on a non-school site, the application must contain evidence that the approved provider has the right to occupy the service premises. Evidence may include a lease agreement, contract for the sale of land, or a land title. A rates notice is <b>not</b> an accepted form of evidence.</p> <p>Evidence must be appropriately signed and dated by all applicable parties and indicate a commencement date for the right to occupy.</p>   |
| <b>Right to occupy   public government school sites</b>         | <p>If the service is located within a <b>government school</b>, evidence may include a signed copy of the out of school hours care (OSHC) Licence Agreement issued by the Department’s School Infrastructure, Assets Management Unit (AMU). However, if this agreement has not yet been finalised, applicants may provide a copy of the letter confirming the successful tender application. Providers should not apply for service approval until they have been notified by the AMU of the successful outcome of their tender application.</p>  |
| <b>Right to occupy   registered non-government school sites</b> | <p>If the service is located within a <b>non-government school</b>, a signed and dated letter from the school principal must be provided. The letter must list all indoor and outdoor areas the provider has permission to use, include the full premises address and a commencement date for the right to occupy.</p>  |
| <b>NS01 Nominated supervisor consent form</b>                   | <p>This form is available from the ACECQA website. <a href="#">Access the NS01 form here.</a></p> <p>The commencement date for the nominated supervisor must not be after the proposed commencement date for the service. The nominated supervisor details provided in this form must be consistent with the information entered through the NQA ITS portal when submitting the application.</p>  |
| <b>Soil assessment or soil statement</b>                        | <p>The application must include one of the following:</p> <ul style="list-style-type: none"> <li>• Soil assessment for the site of the proposed service</li> <li>• Signed and dated soil statement as per regulation 25(1)(d)(iii), completed by an approved person with management or control under the provider approval.</li> </ul> <p>Applicants providing a soil assessment should indicate which section of the document concludes the site history does not indicate that the site is likely to be contaminated in a way</p>   |

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|   | <p>that poses an unacceptable risk to the health of children. If this information is not provided in the application, the Regulatory Authority may request a soil statement be provided instead.</p>   |
| <p><b>Development consent (planning permit)</b></p>         | <p>The application must include at least one of the following:</p> <ul style="list-style-type: none"> <li>• A copy of the development consent for the proposed early childhood education premises, if consent was required under the NSW Environmental Planning and Assessment Act OR;</li> <li>• If consent was not required, a signed and dated letter from the local council confirming this information.</li> </ul> <p>The Regulatory Authority will not accept development consent that is not for the classification of an early childhood education service.</p> <p>If the development consent indicates a maximum number of children for the service, this must match the proposed number in the service approval application.</p> <p><b>School sites:</b> Development consent is generally not required for school sites. However, the Regulatory Authority may request this evidence if the building is a new construction.</p>  |
| <p><b>Building compliance certification</b></p>             | <p>The application must contain documentation issued or given in respect of the <b>final</b> construction and fit out of the premises as specified under regulation 25(1)(g)(i), being one of the following:</p> <ul style="list-style-type: none"> <li>• A copy of any occupancy permit</li> <li>• Certificate of final inspection</li> <li>• Building certificate</li> <li>• Certificate of classification</li> <li>• Building surveyor’s statement.</li> </ul> <p>A <b>final occupation certificate</b> would fulfil this requirement. If engaging a private certifier to issue a final occupation certificate, applicants should check they are accredited by the <a href="#">NSW Building Professionals Board</a>. A construction certificate does <b>not</b> meet this requirement.</p> <p>An application may also include a statement made by a building practitioner that states the early childhood education service premises complies with building requirements under the relevant building law or planning and development law. However, if the building is a new construction, applicants must provide a <b>final</b> occupation certificate.</p> <p><b>School sites:</b> Building compliance certification is generally not required for school sites. However, the Regulatory Authority may request this evidence if the building is a new construction.</p> |
| <p><b>Insurance</b></p>                                     | <p>The Regulatory Authority must obtain evidence of public liability insurance per regulation 29 prior to issuing service approval. Applicants must provide evidence of a current insurance policy, which must be issued in the approved provider’s legal entity name. If this is not available at the time of application, applicants should advise the Regulatory Authority in writing.</p>  |
| <p><b>Additional requirement for OSHC services only</b></p> | <p>If you are an approved provider applying to operate an outside of school hours care (OSHC) service, which will educate and care for children over preschool age, please read the following information:</p> <p><b>Applying for an indoor space waiver:</b><br/>To apply for an indoor space waiver from regulation 107 in line with the Department’s before and after school care (BASC) commitment, please also submit an <b>SA08 Application for</b></p>  |

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|          | <p><b>Service Waiver</b> – select ‘regulation 107’ as the requirement to be waived (Note: there is an application fee associated with this form).</p> <p><b>Outdoor space requirements:</b><br/>Special consideration may also be given to OSHC services that do not have the required amount of outdoor space. Outdoor space requirements are set out in regulation 108, which states that the approved provider must ensure that, for each child being educated and cared for by the service, the education and care service premises has at least 7 square metres of unencumbered outdoor space. Contact the Regulatory Authority to discuss other ways to comply with outdoor space requirements.</p> |

## Timeframes

If an application is incomplete or the Regulatory Authority requires further information, the contact person for the application will be notified by email. From this time, applicants will have an additional **14 days** to provide the remaining information. If the information is not provided within the timeframe, the application may be terminated. Once an application is deemed complete, the Regulatory Authority has **90 days** to make a decision. Applicants can track the status of their application by logging into their account on the NQA ITS portal.

## Information and assessment session

The Regulatory Authority applies a risk-based approach to the approvals process. Part of this process may require the persons with management or control of the service to attend an online assessment session and/or an interview with Department of Education staff. In this situation, the Regulatory Authority will inform the approved provider primary contact who will be required to attend a session or interview. [Access more information about this approach here.](#)

## Pre-approval visit

A pre-approval visit will be arranged to inspect the service premises as part of the approval process. At this stage, all construction must be complete, and the service must be ready and equipped to provide education and care. During the visit, Authorised Officers will review the approved provider’s policies and procedures to ensure they comply with regulation 168 of the National Regulations. In some circumstances, the visit may be arranged following receipt of an interim occupation certificate. In this situation, a final occupation certificate must still be provided to the Regulatory Authority prior to approval.

## More information

More information about service approval applications is outlined in part 3 division 1 of the Children (Education and Care Services) National Law (NSW) and part 2.2 division 1 of the Education and Care Services National Regulations.

For further information, contact Early Childhood Education, Information and Enquiries on 1800 619 113 or by email at [ececd@det.nsw.edu.au](mailto:ececd@det.nsw.edu.au).