This fact sheet outlines the requirements for submitting an application for amendment of service approval under the National Quality Framework, *Education and Care Services National Law Act 2010* (National Law) and the *Education and Care Services National Regulations 2011* (National Regulations) where the approved provider intends to use verandah space in the calculation of indoor space.

This type of amendment applies only to centre based services that are seeking to increase the maximum number of approved places at the education and care service by including verandah space as indoor space.

**Space requirements indoor space**

The National Regulations (regulation 107(4)) allow an approved provider to use the area of a verandah in calculating the area of indoor space, with the written approval of the Regulatory Authority. Regulation 107(5) prescribes that an area included in calculating outdoor space cannot be included in calculating the area of indoor space. This means the verandah space cannot be used in calculating both indoor and outdoor spaces at the same time.

**Submitting an application of amendment service approval – use of verandah space**

An application for amendment of service approval submitted under section 54 of the National Law should be lodged online via the National Quality Agenda IT System (NQAITS).

Section 54(3) of the National Law prescribes that the Regulatory Authority may ask the approved provider to provide any further information that is reasonable required for the purpose of assessing the application.

The approved provider is required to submit the following information in support of an amendment of service approval where the use of verandah space as indoor space is being requested:

- a plan of the education and care service premises which clearly demonstrates both the unencumbered indoor and outdoor spaces, and the verandah space
- an *NQF Space Requirements Form* completed by a registered building practitioner (this form is available at [www.education.vic.gov.au](http://www.education.vic.gov.au))
- a copy of the services’ procedure if the verandah space cannot be accessed because of severe weather conditions
- photographs of the verandah space being considered for the use as indoor space.

These documents should be uploaded when submitting the application for amendment of service approval to the Regulatory Authority.

The Regulatory Authority must make a decision on application within 60 days after the application is received (section 54(5)).

**Planning for including verandah space as indoor space**

The approved provider must ensure that every reasonable precaution is taken to protect children being educated and cared for by the service from harm and from any hazard likely to cause injury (section 167). When considering the suitability of verandah space, the approved provider should consider the safety, health and wellbeing of the children and how the use of the verandah will support the educational and developmental needs of children attending the service.

The open (or partly open) nature of verandah structures can result in exposure to inclement weather conditions, including storms, high winds and extreme temperatures. The approved provider should consider other unencumbered areas of the service that could be accessed in the event that the verandah space is not suitable for use by children.

If making changes to the verandah space in preparation for its use as “indoor space”, the approved provider should ensure that emergency egress is not impeded (for example, if fixed cafe blinds are installed to ‘weather proof’ the
verandah, the approved provider will need to consider emergency evacuation procedures and ensure that exits are not compromised).

**Prescribed fee**
There is no fee to submit an application of amendment of service approval.

**Contacting with the Regulatory Authority**
When contacting the Regulatory Authority regarding a current application please have the application reference numbers ready. These numbers begin with either ‘APP’ or ‘SE’ and will assist the officer with identifying the application.
When submitting further information please upload via the NQAITS against the appropriate application.
The Regulatory Authority can only discuss an application with the primary contact or person with management and control of the approved provider.

**Further information**
For information on submitting other types of amendment of service approval, please refer to the Fact Sheet – Amendment of Service Approval – centre based services.

The **Department of Education and Training** is the Regulatory Authority in Victoria.
Phone: 1300 307 415
Email: licensed.childrens.services@edumail.vic.gov.au

*The NQF Space Measurement form is located as part of the Fact Sheet Education and care services indoor and outdoor space.*