



nsw Federation of  
Housing Associations inc

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## Directors' Bulletin



### In this Bulletin

[A message for directors about the new Regulatory Framework for community housing](#)

[Relaunch of the directors' network ebulletin](#)

### Links of interest

[Directors Network page](#)

[The AICD](#)

[Community Housing Division](#)

[Women on Boards](#)

[Our Community](#)

[Governance Good Practice](#)

[Guides](#)

### Contact Us

[Federation website](#)

[General Email](#)

## Message from the Registrar of Community Housing for housing association directors

The Registrar of Community Housing, Roxane Shaw, has recorded a special webcast to brief sector directors on the requirements of the new Regulatory Framework. Please follow the link below to see the message:

<http://www.vimeo.com/4380387> (Running time 8:25)

*If you are having difficulty viewing this, try updating your media player. Otherwise we can burn a copy on CD and send to you on request.*

The Registrar also provided the briefing notes below:

### The Regulatory Framework

In 2007, the NSW government outlined its strategy for community housing - *Planning for the Future: New Directions in Community Housing in New South Wales*. Two of the key objectives of the strategy are to facilitate the growth of the community housing sector and to build the capacity of, and confidence in, community housing.

To facilitate these objectives, the *Housing Act 2001* (NSW) was amended to provide for the establishment of a new registration and regulatory system for community housing providers, to be administered by the Registrar of Community Housing. The Housing Regulation 2009 will prescribe a Regulatory Code which sets out the requirements for registered community housing providers.

### The Regulatory Code

The Regulatory Code will have eight performance areas with requirements that community housing providers must meet. The eight performance areas are:

1. Fairness and Tenant Satisfaction
2. Sustainable Tenancies and Communities
3. Asset Management
4. Sound Governance
5. Standards of Probity
6. Protection of Government Investment
7. Efficient and Competitive Delivery of Community Housing
8. Development Projects

### The Registrar of Community Housing

The Registrar of Community Housing reports directly to the Minister for Housing and registers community housing providers independently of Housing NSW. While this reporting structure guarantees the Registrar's independence, the Registrar's office operates as a business unit of Housing NSW.

The Registrar is supported by a small team of staff, including analysts, a financial specialist, communication specialists and administrators.

The functions of the Registrar are set out in the Housing Act:

- maintain a register of community housing providers
- assess the suitability of organisations to be registered
- register suitable community housing providers
- investigate complaints and other matters involving registered community housing providers
- provide information in relation to community housing
- provide advice to the Minister in relation to community housing and any regulation
- advise on the matters to be included in a regulatory code for registered community housing providers
- undertake any other function given to the Registrar by legislation

The Registrar of Community Housing regulates the community housing sector based on five key principles: transparency; proportionality; accountability; consistency; and co-regulation.

### **Registration**

Registration will be completed by self assessment and validated through information or evidence. On-site inspections by the Registrar's staff may also be conducted to gather further information.

A provider's application will be assessed according to Evidence Guidelines which are aligned with the requirements in the Regulatory Code.

The level of requirements for each performance area is proportionate to the scope and scale of operation associated with the registration class of a provider. Importantly, not all classes of provider are required to meet every requirement.

Four registration classes have been established to reflect the scale and type of activities that providers are engaged in. They are:

1. Growth provider
2. Housing provider
3. Housing manager
4. Small housing manager

The criteria for decisions about a provider's registration class is indicative and in some cases may be negotiated with the Registrar's office to ensure the class best reflects the provider's current housing portfolio and business structure.

### **Sound Governance**

The draft Housing Regulation 2009 contains the following requirements for sound governance arrangements:

**12 Object:** The object of this Part is to ensure that community housing providers have sound governance that supports confidence in the community housing industry.

**13 Expertise of governing body:** A registered community housing provider must have a governing body that, in the opinion of the Registrar, is effective and has a range of expertise that is sufficient for the scale and scope of the community housing provided.

**14 Decision-making: class 1, 2 or 3:** A class 1, 2 or 3 registered community housing provider must ensure that its operations are subject to such arrangements, controls and decision-making processes as are satisfactory in the opinion of the Registrar.

**15 Compliance with legal and other requirements:** A registered community housing provider must comply with such legal and regulatory requirements, professional standards and guidelines as are, in the opinion of the Registrar, relevant to its operations.

**16 Planning: class 1, 2 or 3:** A class 1, 2 or 3 registered community housing provider must undertake planning that, in the opinion of the Registrar, adequately identifies the priorities and resources necessary to sustain the long-term delivery of community housing.

**Further information**

If you have questions about the regulatory framework, please contact:

Tel: 1800 330 940  
Fax: (02) 8753 8294  
Email: [registrar@housing.nsw.gov.au](mailto:registrar@housing.nsw.gov.au)  
Web: [www.rch.nsw.gov.au](http://www.rch.nsw.gov.au)

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## Relaunch of the directors' network ebulletin

[New approach to resourcing sector directors.](#)

Welcome to the NSW Federation of Housing Association's relaunched directors' ebulletin. Following consultation with sector directors we have adapted our approach to resourcing housing association directors. Directors said that they valued our sector expertise, so we will provide key sector information directly to housing association directors. Our approach is to use the new ebulletins to get information on key sector governance issues to directors as quickly as possible and to support the bulletins with further materials, webcasts and briefing sessions where necessary.

Let us know what you think of our approach or suggest topics that you would like us to provide information on by emailing [adamwest@communityhousing.org.au](mailto:adamwest@communityhousing.org.au)

NSW Federation of Housing Associations Inc  
Suite 301, 64-76 Kippax Street, Surry Hills NSW 2010 Australia | T +61 (0)2 9281 7144 | F +61 (0)2 9281 7603

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