



Core and Cluster Program - Frequently asked Questions (FAQs)

On 19 October 2021, the NSW Government announced new investment in housing and specialist supports for women and children experiencing domestic and family violence (DFV).

The investment includes \$426.6 million over four years to deliver and operate new Core and Cluster women's refuges.

Construction of the new Core and Cluster refuges commenced in 2022 and will continue over four years, up to 2025-26, with delivery to occur over three tranches.

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Location of Tranche 3 refuges

Will DCJ prioritise some LGAs over others in Tranche 3?

Through the first two tranches of procurement for the program, DCJ approved 39 projects across NSW in a range of locations. The LGAs for the approved projects are on the [DCJ website](#).

In Tranche 3, DCJ is seeking high quality proposals for services in LGAs where there is a high need and where access to refuges may be challenging. DCJ will prioritise funding for Aboriginal led applications and those in areas where there is high need and accessibility challenges.

To support applicants, DCJ has published a map that shows the locations of Core and Cluster projects approved through Tranches 1 and 2 as well as existing women's refuges funded through the SHS Program. You can view the map on the [DCJ website](#).

There is already a funded Core and Cluster refuge in the LGA I was going to propose. Will you fund more than one Core and Cluster refuge in an LGA?

Tranche 3 will consider applications from all LGAs. Proposals will be assessed for their quality and how they meet existing needs and support increased access for women and children escaping Domestic and Family Violence. Applicants are encouraged to review the map of existing and new refuges when considering the LGA they are proposing for the location of their refuge.

Contracting arrangements

How will the contracting work for Core and Cluster Projects? Can there be more than one lead agency?

Core and Cluster projects will have two contracts:

- A Community Housing Assistance Agreement (CHAA) will cover the capital build components of the project, including repairs and maintenance of the asset. To hold a CHAA, an organisation is required to be a registered Community Housing provider.
- The Human Services Agreement (HSA) will cover delivery of the support service including, but not limited to, service model, target groups, minimum expected client numbers and reporting requirements. The organisation that signs the HSA is required to be a Specialist Homelessness Service (SHS) provider and be ASES accredited or working towards accreditation. If the organisation is not currently an SHS provider but has plans to work towards becoming an SHS, this is also acceptable.

It is acceptable for one lead agency to provide both capital and service delivery components of the program as long as it meets the eligibility requirements for both the service delivery and capital contracts of the program.

DCJ welcomes a partnership approach where there are two lead agencies – one that holds the capital contract and one that holds the service delivery contract.

As a Community Housing Provider can we subcontract an SHS provider for service delivery?

For Tranche 3 procurement, DCJ does not support arrangements for 100% subcontracting of service delivery to a third party as they do not represent the best value for money for the agency. Any proposed subcontracting arrangements, where part of the service delivery is outsourced to a third party, will need to be accepted and endorsed by DCJ.

DCJ prefers to contract directly for service delivery as this provides a more accountable arrangement for expenditure of public funds.

Can a party that is not an accredited Specialist Homelessness Service receive service delivery funding through the Core and Cluster Program?

Yes. Service delivery funding can be provided to an NGO that is able to demonstrate its capability to provide specialist homelessness services and to confirm it is willing to meet the requirement of becoming ASES accredited as an SHS during the contract term.

Can a party that is not a CHP receive capital funding through the Core and Cluster Program?

No. In line with the Community Housing Providers (Adoption of National Law) Act 2012, EOI proposals to deliver the refuge facility and provide asset management services must come from CHPs, or agencies who are in the process of registering to become a CHP.

DCJ cannot allocate property-related funding to an entity that is not a registered CHP.

The agreement between DCJ and a CHP, called a Community Housing Assistance Agreement (CHAA), can be drafted to include a consortium or subcontracted partners, where relevant.

Where the EOI Respondent is not yet an NRSCH Registered CHP, the Respondent should provide a copy of:

- a) any registration or compliance assessment reports from other related regulatory systems (e.g., Australian Charities and Not-for-profits Commission, PARS Aboriginal CHP registration);
- b) a Registration Plan on the proposed approach to obtain registration as a CHP under the NRSCH prior to the date the last party signs the Community Housing Assistance Agreement; and
- c) a timeline as part of the Registration Plan nominating any steps already taken towards CHP registration.

Are Tier 3 CHPs eligible to participate in the EOI for the Core and Cluster Program?

Yes. Tier 3 Community Housing Providers are eligible to apply. They must demonstrate experience or the capacity to manage and deliver a construction at the required scale.

Would the establishment of a Core and Cluster facility fall under the ‘one-off’ or ‘very small-scale’ development activities for a Tier 3 CHP under the NRSCH development scale? How many developments would change the NRSCH registration rating?

Yes, the establishment of a Core and Cluster facility is likely to fall under NRSCH’s small-scale criteria.

Please note, however, that the tier of any CHP is determined by the level of risk associated with its scale and scope of operations. Raw asset numbers alone do not necessarily impact the tier allocation. A single development could impact a CHP’s tier if the risk warranted re-assessment.

Procurement of Aboriginal led services

Will there be an Aboriginal specific procurement process in Tranche 3?

Yes. As with Tranche 2, DCJ will run a concurrent application process for Aboriginal led proposals.

The EOI process for Aboriginal led Core and Cluster projects invites proposals from registered Aboriginal organisations such as:

- Aboriginal Community Housing Providers (ACHPs)
- Local Aboriginal Land Councils (LALCs)
- Aboriginal Community Controlled Organisations (ACCOs).

Aboriginal organisations seeking to participate in the EOI process should demonstrate their alignment with the following criteria:

- an independent, not-for-profit organisation, that’s incorporated as an Aboriginal and/or Torres Strait Islander organisation and/or is a registered community service
- initiated, based, governed and operated by the local Aboriginal and/or Torres Strait Islander community
- accountable to its local community and facilitates local Aboriginal and/or Torres Strait Islander peoples’ input into service design, delivery and performance
- endorsed by the local community leadership to deliver holistic and culturally appropriate services or activities that benefit Aboriginal and/or Torres Strait Islander communities and people, including empowerment and building strength.

These criteria are based on Clause 44 of the National Agreement on Closing the Gap. The National Agreement was endorsed by state and territory jurisdictions and the National Voice for Aboriginal Children (SNAICC).

Can an Aboriginal NGO submit an EOI if partnering with a non-Aboriginal organisation?

Yes. In many cases, there will be two lead agencies for projects - one to lead on the capital development (a registered Community Housing provider or undertaking the process to become a registered CHP) and one to lead on the service delivery (usually an SHS provider or willing to become an SHS provider). If one of the lead

agencies for the proposal meets the criteria as an Aboriginal organisation, then the application can be submitted through the Aboriginal EOI process.

How will this application process be different to the non-Aboriginal process?

DCJ will prioritise Aboriginal led applications, with the aim of funding Aboriginal led applications in areas of high need. The procurement approach will be very similar to the approach in the generalist stream, but there will be greater flexibility applied in the evaluation process.

Is there support available for Aboriginal Organisations wanting to develop a proposal?

Yes. Targeted support will be available for Aboriginal Community Controlled Organisations (ACCOs), ACCO partnerships and Aboriginal-led consortia, through the Aboriginal Community Housing Industry Association NSW's (ACHIA), the Coolamon Project (Incubator-Accelerator Framework).

Customised support packages will be available to assist ACCOs interested in participating in Core and Cluster. The Project is in development, but is open to enquiries from ACCOs by contacting:

Eleanor McCall, Service Development Manager Domestic and Family Violence at ACHIA, eleanor.m@achiansw.org.au or 0437 550 981.

Properties and land

Do assets need to be owned by the Core and Cluster project lead or is a long-term lease suitable?

Core and Cluster providers must have or gain access to the land for development of Core and Cluster facilities and will be responsible for all aspects of design, planning approval, construction and asset delivery.

Gaining access to the land may be in the form of ownership, a long-term lease or any other arrangement that can satisfy DCJ that the provider has secure long-term access to the land.

A non-government party is to deliver and maintain the asset over an agreed period. The delivery model may be transacted on either government or private sector land.

Will DCJ accept lease arrangements on a part of the land only?

No. DCJ will fund the building of an asset on land which is wholly leased to the CHP. Land may need to be subdivided in order for a registerable lease to be issued. DCJ would prefer the longest possible lease terms to secure its investment into the future.

Is DCJ interested in directly purchasing development sites?

No, the CHP will purchase and develop the site.

Can DCJ provide names of organisations that landowners, service providers and other interested parties could partner with for delivery of refuges?

DCJ has developed a process for interested parties to connect with potential partners to form a proposal. Interested parties may be able to deliver on one or more of the four project components (i.e., land, asset, maintenance, service delivery) and are seeking to partner on the remaining required component/s. Parties may include local councils, landholders, construction companies, Specialist Homelessness Services, CHPs or Aboriginal Community Controlled Organisations.

For registering interest as potential partners refer to the [DCJ webpage for more information and access the form](#) required to submit interest to DCJ.

What is meant by ‘DCJ will register an interest on the title of the non-government owned Core and Cluster facilities’?

The legislation that applies is the Community Housing Providers (Adoption of National Law) Act 2012, which can be found at: http://www.austlii.edu.au/cgi-bin/viewdb/au/legis/nsw/consol_act/chponla2012564/

The Secretary of the Department of Communities and Justice is a Housing Agency under that Act. The Housing Agency, in its Community Housing Assistance Agreements, provides that the relevant property will be subject to a statutory interest. Effectively, this means a notation is put on the property title which states:

“Land is held subject to the provisions of section 18 COMMUNITY HOUSING PROVIDERS (ADOPTION OF NATIONAL LAW) ACT 2012. Consent of the Secretary of the Department of Communities and Justice is required for plans and dealings inconsistent with the interests of the Secretary of the Department of Communities and Justice.”

This operates as a gateway consent provision (that is, it is neither a mortgage nor a caveat) and the Housing Agency cannot unreasonably withhold consent – as set out in section 18.2 of the Community Housing Providers (Adoption of National Law) Act 2012.

Applicants should seek their own legal advice about this requirement.

Can statutory interest be registered on a title held by a private owner who is leasing the property to a Registered CHP?

The CHP will have a lease with the owner and the property will become a funded community housing asset in the name of the CHP. DCJ must, therefore, be able to put a statutory interest on the leasehold title. This requires the lease to be registered, regardless of whether there will be any improvements made to the property.

As above, DCJ would prefer the longest possible lease terms to secure its investment into the future.

Can DCJ provide an idea of the level of investment that would trigger registration of interest in title?

All property funded or leased to a CHP will require a registration of interest on title.

If funding for maintenance and the support service ceases after 15 years and DCJ has interest on title, can the asset be sold or re-developed at that point?

DCJ will maintain its registered interest on title in perpetuity. DCJ may agree to the property being used for other community housing purposes or sold if support funding changes or ceases. The Community Housing Assistance Agreement requires DCJ to negotiate reasonably regarding the future use of a property.

Is acquisition of an existing private market asset still permissible e.g., a block of units?

The Land and Housing Corporation's (LAHC) Domestic Violence Crisis Accommodation Functional Design Brief recommends the following residential asset types for Core and Cluster:

- multi dwelling housing – 1 story terrace
- multi dwelling housing – 2 story terrace
- dual occupancy – 2 story
- Manor houses – 2 story
- Residential low rise.

A copy of the functional design brief can be found [here](#).

How are the respective contributions to the property reflected in the contract?

The contributions to an acquired property are reflected as a percentage of the total project value:

- The Core and Cluster grant (%)
- The value of the Respondent's contribution of land, debt, equity and other financial resources (%) Contributions are defined as follows:
 - **Equity** defined as 'Cash'
 - **Land value** defined as 'The land must be owned by the CHP by the time of submitting response to RFT attaching the latest valuation'
 - **Debt** defined as 'Actual or potential loan'
 - **Tax concessions** defined as 'If the CHP is a charity, it may be eligible for tax concessions, reductions in council fees, etc.'
 - **Philanthropic resources / donations** defined as 'Includes pro-bono legal, architect, developer fees that the CHP would have paid for but which have been donated, waived or reduced. Accurate and realistic costings are required.'

Tenderers are strongly encouraged to investigate their eligibility for tax concessions.

Will a term of asset availability shorter than 15 years be considered?

The long-term tenure is to ensure continuity of service delivery and that any capital grants provided for delivery of the facility serve the program over this period of time. DCJ would prefer the longest possible lease terms to secure its investment into the future.

New legislation and building codes. Are there any new legislation and building codes to be aware of?

Design & Building Practitioners Act

Changes to the Design & Building Practitioners Act (DBP Act) have come into effect. Additional information can be located on the [NSW Fair Trading website](#).

BASIX

Changes to the BASIX requirements came into effect on 1 October 2023. These changes are designed to further improve the sustainability and energy efficiency of new homes. BASIX ratings will go from 6 star to 7-star minimums. Further information can be located [here](#).

Developable land

Tenderers must declare that the site is developable and if it impacted by hazards such as flood, bush fire or other technical due diligence issues that these issues can be safely resolved within budget and will not affect the ability of the site to be developed into a Core and Cluster model. In relation to flood and bushfire, the site assessment should include whether egress from the site is possible if either of these events occur. Being safe but enclosed by either flood or fire is not advisable.

Funding

Is funding available for both capital and operational costs?

Yes. DCJ will provide successful organisations with:

- Capital funding to establish the core and cluster facilities, including funding to purchase (if applicable) land and build or refurbish facilities; and
- Service delivery funding to operate the Core and Cluster facilities, including delivery of crisis accommodation and DFV specialist support services.

Proposals will need to include consideration of all components of the Core and Cluster delivery model. During the application process, respondents will be asked to provide a one-page budget that outlines:

- Funding required from DCJ for land provision and asset delivery, and anticipated expenditure.
- Funding required from DCJ for delivery of support services, and anticipated expenditure.
- Additional funding or in-kind resources secured to support the delivery and or operation of the facility.

When assessing proposals, DCJ will consider value for money. This will take into account additional investment brought to proposals from other levels of government, private, NGO sector and philanthropic sources.

Can existing SHS apply for service delivery funding to top up their existing funding sources?

No. Existing services are not eligible to apply for additional service delivery funding for their current refuge operations.

What is the provider payment structure and schedule for service delivery?

In terms of the support component, providers would generally receive a quarterly payment for the duration of the contract period.

Will the ASES Support Grant be available to providers delivering Core and Cluster services?

The ASES Support Grant, which totals \$16,000 per organisation, is available to all lead SHS providers and SHS subcontractors with less than \$5m in total annual revenue to gain accreditation for the first time. More information is available on the Homelessness NSW website under ASES Grants.

<https://homelessnessnsw.smartygrants.com.au/ases-support-grant>

Applications were due to close June 2023 but have been **extended to 31 December 2023**.

Providers are not eligible for the grant if:

- their total annual revenue is more than \$5m
- they have already accessed the Core and Cluster grant and used that funding for accreditation costs
- they are already accredited with:
 - Australian Service Excellence Standards (ASES) by the Department of Human Services South Australia (DHS SA), at the certificate level as a minimum.
 - QIC Health and Community Service Standards (QIC) by Quality Innovation Performance (QIP).
 - Accreditation Alliance Australia–New Zealand (AAA-NZ) Quality Standards for Community Based Services by the Te Wana Trust, at the accreditation level as a minimum.
 - Evaluation and Quality Improvement Program (EQUIP) by the Australian Council on Healthcare Standards (ACHS).
- Homelessness NSW has been engaged by DCJ to administer the ASES Support Grant and to provide tailored support to organisations, including one-on-one support.

Information about applying for ASES grants and other accreditation supports are available at Homelessness NSW's website:

<https://homelessnessnsw.org.au/sectorhub/ases/>

Is the Safe Places Emergency Accommodation (Safe Places) Program (Inclusion Round) available to existing refuges?

The Safe Places Program (Inclusion Round) constitutes a \$100 million commitment from the Commonwealth to fund 720 new safe places to assist victim-survivors (including children) leaving FDV, including existing refuges.

The Safe Places Inclusion Round will focus on improving access to appropriate emergency accommodation for First Nations women and children, women and children from culturally and linguistically diverse (CALD) backgrounds, and women and children with disability.

Grants under the Inclusion Round are only for capital works – that is, the purchase, building or renovation of dwellings to deliver new emergency accommodation places.

The assessment of proposals will be undertaken with regard to local construction and real estate costs, dwelling types, and building design that meets the needs of specific cohorts.

The Safe Places Inclusion round will evaluate eligible proposals using the following criteria:

- Suitable location to address emergency housing needs and offer access to services and facilities
- Ensuring security, safety, privacy and dignity
- Demonstrating cost effectiveness for the Commonwealth investment under two main elements: project cost and project quality
- Capacity and capability to deliver accommodation

The Safe Places Inclusion Round is open for applications until **14 November 2023**.

Will staff accommodation also be a part of this rollout?

Accommodation for refuge staff can be incorporated into the Core and Cluster facility to allow for overnight shifts. The Core and Cluster budget does not, however, include funding for staff housing external to the facility.

What is the longer-term expectation for the model e.g., once an asset is approved for maintenance and support service funding will this be guaranteed for a 15-year term?

The expectation is that funding will be available over the longer term for providers to maintain the property and deliver services from Core and Cluster facilities.

Service Delivery

What is the referral mechanism?

Providers are encouraged to read the SHS Program Specifications, which provides information about referral mechanisms for SHS.

How is 'crisis support' defined? How much flexibility is allowed in the duration of support?

Crisis accommodation is defined as short-term accommodation, usually between 6-12 weeks. It is an SHS program expectation that clients will have an active support plan that aims to help them find other permanent or transitional accommodation options within that time.

There is flexibility for clients to be in crisis accommodation for longer than three months based on individual and family needs.

Clients should not be exited into homelessness, nor should they be subjected to

unnecessary destabilisation by being referred to another crisis accommodation service due to lack of longer term options.

Applicants should consider the [Specialist Homelessness Services Program Specifications](#) when preparing a response.

Do both lead providers and any subcontractors need to achieve accreditation?

In line with the SHS Program Specifications, providers engaged to deliver support services through Core and Cluster facilities will be required to progress towards gaining accreditation with the Australian Service Excellence Standards (ASES) or the equivalent QIC Health and Community Standards (QIC). This includes both the lead provider and any subcontracted provider/s.

It is anticipated that Core and Cluster facilities will be progressively established over three tranches of procurement. Core and Cluster services through each tranche have until 30 June 2026 to achieve accreditation.

For more information about accreditation, refer to the [ASES Policy Framework: Implementing a new quality framework for specialist homelessness services in NSW](#).

How much control does the provider have in terms of intake?

Providers are encouraged to read the SHS Program Specifications, which provide information about eligibility and access, including the No Wrong Door approach.

What information is disclosed to the provider upon referral?

An initial assessment is generally provided with referrals. SHS providers record client information in the Client Information Management System (or equivalent system), including the information collected as part of the initial assessment.

Responding to the Request for Tender (RFT)

How do I submit a response to the Request for Tender?

Respondent(s) must submit their Responses in Procurement Central in electronic form only, and by the closing date and time.

Website Address: <https://justice.bravosolution.com/web/login.html>

Closing date and time is **11.00am AEDT on 11am Wednesday 31 January 2024**.

Tender submissions via email or another website, including hard copy, are not accepted.

[Procurement Central](#) first requires an account to be registered to an email address which cannot later be amended. If your organisation has previously registered an account in Procurement Central, you can access the system with the established log-in credentials (email and password).

For guidance on how to register, please refer to Procurement Central for the document '*Procurement Central Registration Info Pack*'. For guidance on how to submit a response within Procurement Central, please refer to the document '*How to respond to RFX in Procurement Central*'.

Who can I contact if I am experiencing technical difficulties with the Procurement Central System?

Tender submissions via email or another website, including hard copy, are not accepted.

For any technical difficulties when registering, accessing, or submitting your tender in Procurement Central, please contact the NSW Procurement Service Centre directly for support:

Email: customersupport@jaggaer.com

Phone: (02) 8074 8627

Hours of operation: 8:30am - 5:00pm, Monday to Friday

It is strongly recommended that you screenshot any issue or error message you encounter and send this to the helpdesk so that they can identify and resolve the issue quickly.

The Department does not administer the Procurement Central system. You must contact Procurement Central Service Centre for any access issues or difficulties.

Should you find that your issue is not resolved through speaking to the Procurement Central Service Centre please send an email to procurement@justice.nsw.au and include rfx_899 for RFT 3.1 and rfx_911 for RFT 3.2 in the subject line.

What if my submission is late?

Submissions received after the closing date and time are considered 'Late Response' and will be registered separately. We will only admit a Late Response for evaluation if, in our discretion, we decide to do so and we are satisfied that the acceptance of the Late Response would not compromise the competitiveness and integrity of the procurement process.

Can an applicant in the Tranche 3.2 Aboriginal-led stream present an RFT submission by narrative?

Besides the written RFT response, applicants in Tranche 3.2 Aboriginal-led stream will have the option to present their responses in Narrative format to the TEC once the RFT is closed. If applicants in Tranche 3.2 wish to select this option, they need to highlight this in the Qualification Envelope on Procurement Central Portal.

Where can I find more information about the Core and Cluster RFT processes?

Information about the Tranche 3 RFT can be found [here](#).

General information about the Core and Cluster Program can be found on the [DCJ website](#).

Who can I contact if I have questions about the Core and Cluster RFT?

All communications about the tender must be conducted within the Procurement Central Portal – go to Messages > Create Message.

Using Procurement Central Portal is in line with NSW Procurement Guidelines and enables equitable access and communications with parties interested in the Core and Cluster project.

Any questions received by the Department by email will be responded to through the Procurement Central Platform. Please note the **deadline to send a question is Monday 17 January 2024.** The Department will not respond to questions received after this deadline.