

HERBERT SMITH FREEHILLS ADVISES NSW GOVERNMENT ON SECOND PHASE OF THE SOCIAL & AFFORDABLE HOUSING FUND

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News

Herbert Smith Freehills' market-leading infrastructure team has advised the New South Wales Department of Family and Community Services (FACS) on the successful completion of four transactions that will comprise Phase 2 of the \$1.1 billion Social and Affordable Housing Fund (SAHF Phase 2). This follows the completion of the first phase of SAHF in March 2017 (SAHF Phase 1), on which Herbert Smith Freehills also advised.

SAHF Phase 2 builds on the success of SAHF Phase 1 by continuing to support partnerships between the private and community sectors, providing long-term operational subsidies to bridge the funding gap between existing revenue streams and commercially viable projects.

SAHF Phase 2 establishes service agreements that provide access to an additional 1,200 social and affordable dwellings, which will complement the 2,200 dwellings provided under SAHF Phase 1.

Herbert Smith Freehills partner [Nicholas Carney](#) led a cross-practice team, with support from partner [Erin Wakelin](#) and executive counsel [Amelia Fleming](#). They were assisted by senior associates Alanna Lofthouse, Kimberly Lean, Laura Ferraro, solicitors Stephanie Purcell, Lan Wei, Clare Brennan, Arnica Mullins, graduate Max Turner, and paralegal Cecilia Ngu.

Herbert Smith Freehills was appointed by the NSW Government in December 2017 to advise on all aspects of the procurement process for SAHF Phase 2. This involved:

- a market engagement process to refine and improve the procurement process implemented in SAHF Phase 1; and
- carrying out the revised SAHF Phase 2 procurement, comprising the EOI stage, RFP stage, and parallel negotiations with the multiple shortlisted parties.

A key objective for SAHF Phase 2 was to continue delivering high quality services as seen in SAHF Phase 1. SAHF Phase 2 also sought to increase Social and Affordable Housing options for vulnerable cohorts of tenants, including women aged 55 years and over.

“It has been a privilege to continue advising the NSW Government’s as it continues to deliver social and affordable housing across the State,” Mr Carney said.

“We are incredibly proud of completing complex transactions with four selected service providers in a short space of time to bring SAHF Phase 2 to life.”

“We demonstrated that we are market leaders in the social and affordable housing space by providing expert advice on unique policy and commercial problems, as well as managing multiple streams of documents, negotiations and contract completions.”

Alanna Lofthouse said that one of the firm’s priorities was to facilitate cooperation and partnerships between the service providers and the Government.

“To achieve this cooperation we worked closely with FACS and NSW Treasury to design and coordinate a collaborative, transparent and efficient procurement process,” she said.

“We are thrilled to have partnered with the NSW Government for a second time on the SAHF program, and look forward to working closely with the NSW Government in the future.”

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