

Commonwealth Community Safety Order Scheme

FEDERATION FUNDING AGREEMENT - AFFORDABLE
HOUSING, COMMUNITY SERVICES AND OTHER

Table 1: Formalities and operation of schedule

Parties	The Commonwealth The State of New South Wales (NSW)
Duration	This Schedule is effective from 1 July 2025 and expires on 30 June 2026.
Purpose	This Schedule will support the delivery of services by NSW agencies for the Community Safety Order (CSO) scheme under Division 395 of the <i>Criminal Code Act 1995</i> (Cth) which encompasses both the Community Safety Detention Order (CSDO) and Community Safety Supervision Order (CSSO). The services may include but are not limited to: a) Preparatory work required to support evidence collection and arrangements for applications made under Division 395 and related proceedings; b) Accommodation for persons subject to CSDOs; c) Assistance with case management and compliance with any orders made under Division 395; and d) Support for the CSO scheme implementation and governance.

Estimated financial contributions	The Commonwealth will provide an estimated total financial contribution to NSW of up to \$5,502,268 in respect of this Schedule. <table><tr><td colspan="3">Table 1</td></tr><tr><td>(\$)</td><td>2025-26</td><td>Total</td></tr><tr><td>Estimated total budget</td><td>\$5,502,268</td><td>\$5,502,268</td></tr><tr><td>Less estimated National Partnership Payments</td><td>\$5,502,268</td><td>\$5,502,268</td></tr><tr><td>- NSW</td><td></td><td></td></tr><tr><td>Balance of non-Commonwealth contributions</td><td>\$0</td><td>\$0</td></tr></table> The services delivered by NSW to support the CSO scheme under Division 395 of the Commonwealth Criminal Code are expected to extend beyond 30 June 2026 subject to Government’s consideration and funding approval. The parties acknowledge that any future funding arrangements beyond 30 June 2026 will be as agreed by the Parties. This funding agreement does not set precedent for nor is it binding on the inclusion of arrangements which may be negotiated in any further funding agreement between the respective Parties at the conclusion of the initial period.	Table 1			(\$)	2025-26	Total	Estimated total budget	\$5,502,268	\$5,502,268	Less estimated National Partnership Payments	\$5,502,268	\$5,502,268	- NSW			Balance of non-Commonwealth contributions	\$0	\$0
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(\$)	2025-26	Total																	
Estimated total budget	\$5,502,268	\$5,502,268																	
Less estimated National Partnership Payments	\$5,502,268	\$5,502,268																	
- NSW																			
Balance of non-Commonwealth contributions	\$0	\$0																	
Additional terms	Contingent payments Outputs 3 and 4 in Table 2 of this Schedule are contingent services. If an output is not met within a reporting period, the responsible NSW ministers may seek agreement from the Commonwealth, through an exchange of letters, to redirect the unpaid funding to another output identified in Table 2 of this Schedule. Additional outputs Additional outputs not currently listed in Table 2 may be agreed in writing by the responsible Commonwealth and NSW ministers to re-allocate unpaid funding. Milestone reports NSW will submit milestone reports at six monthly intervals. The milestone reports will detail progress against the performance outputs and reflect the volume of work undertaken and associated expense.. Milestones reports will be verified by the Department of Home Affairs before payment for the relevant six month period is processed.																		

Table 2: Performance requirements, reporting and payment summary			
Output	Performance milestones	Report due (bi-annual)	Payment 2025-26 FY
EVIDENCE COLLECTION			
1. Preparatory work required to support evidence collection and arrangements for applications made under Division 395 and related proceedings	Activities undertaken under Output 1 relate to support for the assessment of individuals for consideration of a CSDO or CSSO. These activities occur whether an application is made or not.		
	a) Document collection and analysis b) Document redaction and provision to the Commonwealth c) Enduring engagement with the Commonwealth in relation to applications made under Division 395 and related proceedings d) Intelligence and risk assessments	31/12/2025 30/06/2026	Up to \$1,227,942 per FY (up to \$613,971 per six month period due on delivery of each biannual report)
2. Provide specialist legal support associated with the Commonwealth's consideration, preparation and development of applications under Division 395 and related proceedings and management of these orders in relation to persons of interest.	Activities carried out under Output 2 relate to specialist legal work associated with supporting applications made under Division 395 and related proceedings and/or management of relevant persons, including through court processes.		
	a) Prepare material in support of court applications and other ad-hoc legal services as necessary to support applications under Division 395 and related proceedings and CSO management.	31/12/2025 30/06/2026	Up to \$2,514,949 per FY (up to \$1,257,474.50 per six month period due on delivery of each biannual report)
ACCOMMODATION SUPPORT			
3. Provision of accommodation and management of persons subject to CSDOs	Activities carried out under Output 3 relate to the provision of accommodation for one person subject to a CSDO.		
	a) Provide management of person subject to CSDO including but not limited to, sentence management, Major Offender and Intelligence Unit staff, training, programs, services and bed costs. b) Persons subject to a CSDO are to be housed in facilities determined by their classification and according to an agreed housing agreement and arrangement for person subject to CSDO.	31/12/2025 30/06/2026	Up to \$511,000 for FY 2025-26 (calculated on a per day basis, at a rate of \$1,400 per day per person on a CSDO due on delivery of each biannual report).
CASE MANAGEMENT SUPPORT			
4. Assistance with CSSO supervision case	Activities carried out under Output 4 relate to the case management and compliance support required to supervise a person subject to a CSSO.		

management and compliance	a) Support the implementation of CSSO case management and compliance capabilities. b) Provide information obtained or created for the purpose of fulfilling CSNSW's case management functions to the Commonwealth, in accordance with agreed processes or as reasonably requested by the Commonwealth.	31/12/2025 30/06/2026	Up to \$1,248,377 per FY (up to \$624,188.50 per six month period due on delivery of each biannual report)
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The Parties have confirmed their commitment to this schedule as follows:

Signed for and on behalf of the Commonwealth of Australia by

Signed for and on behalf of the State of New South Wales by



The Hon Tony Burke MP
Minister for Home Affairs
Minister for Immigration and Citizenship
Minister for Cyber Security

15/6/2026



The Hon Chris Minns MP
Premier of New South Wales

29/6/2026