



Government Gazette

of the State of

New South Wales

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DISTRICT COURT ACT 1973

District Court of New South Wales

Direction

Pursuant to section 173 of the District Court Act 1973, I direct that the District Court shall sit in its criminal jurisdiction at the place and time shown as follows:-

Orange	10.00am	7 March 2022 (5 weeks) In lieu of 21 March 2022 (3 weeks)
Orange	10.00am	9 May 2022 (4 weeks) In lieu of 9 May 2022 (2 weeks)
Port Macquarie	10.00am	6 December 2021 (1 week)

Dated this 21st day of September 2021

Justice D M Price AO
Chief Judge

RETENTION OF TITLE

Her Excellency the Governor has been pleased to approve retention of the title 'The Honourable' by Justice Clifton Ralph Russell Hoeben AM RFD who was appointed as a Judge of the Supreme Court on 16 August 2004, a Judge of Appeal on 23 April 2012 and Chief Judge at Common Law on 22 February 2013.

DISTRICT COURT ACT 1973

District Court of New South Wales

Direction

Pursuant to section 32 of the District Court Act 1973, I direct that the District Court shall sit in its civil jurisdiction at the place and time shown as follows:-

Bega	10.00am	1 November 2021 (1 week) Sittings Cancelled
Broken Hill	10.00am	29 November 2021 (1 week) Sittings Cancelled
Orange	10.00am	2 May 2022 (1 week) In lieu of 23 May 2022 (1 week)

Dated this 21st day of September 2021.

Justice D Price AO
Chief Judge



Retirement Villages (COVID-19 Asset Management Plans) Order 2021

under the

Retirement Villages Act 1999

I, the Hon Kevin Anderson MP, Minister for Better Regulation and Innovation, under section 204 of the *Retirement Villages Act 1999*, make the following Order.

I am satisfied that the exemptions are necessary because the provisions from which the exemptions are granted require non-compliance with a Public Health Order issued under section 7 of the *Public Health Act 2010* that relates to COVID-19.

Date: 23/09/21

The Hon Kevin Anderson MP
Minister for Better Regulation and Innovation

Explanatory note

Under section 204 of the *Retirement Villages Act 1999* (the Act), the Minister for Better Regulation and Innovation, may by order published in the Gazette, exempt retirement villages, residents and operators of retirement villages, from provisions of or under, the Act that require non-compliance with an order under section 7 of the *Public Health Act 2010* (Public Health Act) relating to COVID-19.

The objects of this Order are –

- (1) to exempt the operator from the requirement to obtain, and provide to residents, a written opinion of the auditor or an independent qualified quantity surveyor as to whether the asset management plan contains the matters specified in clauses 26D and 26F of the Regulation, and
- (2) to exempt the operator from preparing an asset management plan under clause 26C of the Regulation.

These exemptions will have effect for the duration of the prescribed period.

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Retirement Villages (COVID-19 Asset Management Plans) Order 2021

under the

Retirement Villages Act 1999

Part 1 Preliminary

1. Name of Order

This Order is the *Retirement Villages (COVID-19 Asset Management Plans) Order 2021*.

2. Commencement

This Order commences on the day on which it is published in the NSW Government Gazette and remains in force for the prescribed period.

3. Definitions

In this Order –

3-year report means a report included in the proposed annual budget relating to capital maintenance for major items of capital, including shared major items of capital, for a relevant 3-year period that is extracted from the information contained in the asset management plan current for that period.

asset management plan means an asset management plan under the Act, section 101A.

auditor means the auditor whose appointment as the auditor of a retirement village has received the consent, or is taken to have received the consent, of the residents of the retirement village under the Act, Part 7, Division 6, Subdivision 1.

independent assessment means a written opinion of the auditor or an independent qualified quantity surveyor as to whether the asset management plan contains the matters specified in clauses 26D and 26F of the Regulation

operator of a retirement village has the same meaning given to it in the Act

public health order includes any Public Health Order issued under the *Public Health Act 2010* related to COVID-19.

prescribed period means the period –

(a) starting on the commencement of this Order, and

(b) ending on 31 March 2022.

proposed annual budget means a proposed annual budget referred to in section 112 of the Act.

resident of a retirement village has the same meaning given to it in the Act.

the Act means the *Retirement Villages Act 1999*.

the Regulation means the *Retirement Villages Regulation 2017*.

4. Relationship with Orders under the *Public Health Act 2010*

To the extent that this Order is inconsistent with a Public Health Order issued under Part 2 of the *Public Health Act*, the Public Health Order prevails.

Part 2 Exemptions

Preparation of asset management plans

- (1) The Minister exempts the operator of a retirement village from the requirement to prepare an asset management plan and to have an independent assessment of an asset management plan under clause 26C(1) of the Regulation subject to the conditions of subclause (2).
- (2) The operator of a retirement village must:
 - a. present the parts of an asset management plan necessary to meet the requirements of clause 19A of the Regulation relating to the maintenance of major items of capital in the 3-year report, and
 - b. ensure that the first asset management plan produced by the operator under clause 26C (either during the prescribed period or after the prescribed period) is subject to independent assessment.