

State Archives and Records Authority of New South Wales

Functional Retention and Disposal Authority: FA231

This authority covers records documenting the function of lake and foreshore management

Issued to Lake Illawarra Authority and Chipping Norton Lake Authority

This functional retention and disposal authority is approved under section 21(2)c of the *State Records Act 1998* following prior approval by the Board of the State Archives and Records Authority of New South Wales in accordance with section 21(3) of the Act.

State Archives and Records Authority of New South Wales

Functional Retention and Disposal Authority

Authority no FA231

SR file no 07/0066
19/0369

Scope

This functional retention and disposal authority covers records documenting the function of *lake and foreshore management* from 1977 onwards.

Public office

Lake Illawarra Authority and Chipping Norton Lake Authority

Approval date

18/04/2007

Reissued date

01/10/2021 No changes to disposal classes or actions.

About the Functional Retention and Disposal Authority

Purpose of the authority

The purpose of this retention and disposal authority is to identify those records created and maintained by NSW public offices which are required as State archives and to provide approval for the destruction of certain other records created and maintained by NSW public offices, after minimum retention periods have been met.

The approval for disposal given by this authority is given under the provisions of the *State Records Act 1998* only and does not override any other obligations of an organisation to retain records.

The retention and disposal of State records

The records retention and disposal practices outlined in this authority are approved under section 21(2)(c) of the *State Records Act 1998* (NSW). Part 3 (Protection of State Records) of the Act provides that records are not to be disposed of without the consent of the State Archives and Records Authority of New South Wales (NSW State Archives and Records) with certain defined exceptions. These exceptions include an action of disposal which is positively required by law, or which takes place in accordance with a normal administrative practice (NAP) of which NSW State Archives and Records does not disapprove. Advice on the State Records Act can be obtained from NSW State Archives and Records.

The authority sets out how long the different classes of records generated by an organisation must be kept to meet its legal, operational and other requirements, and whether the records are to be kept as State archives. NSW State Archives and Records reviews and approves organisations' retention and disposal authorities under the *State Records Act*. It is the duty of a public office, in submitting a draft retention and disposal authority for approval, to disclose to NSW State Archives and Records any information which affects the retention of the records covered by the authority.

NSW State Archives and Records' decisions take into account both the administrative requirements of public offices in discharging their functional responsibilities and the potential research use of the records by the NSW Government and the public. One of NSW State Archives and Records' functions is to identify and preserve records as State archives. These are records which document the authority and functions of Government, its decision-making processes and the implementation and outcomes of those decisions, including the nature of their influence and effect on communities and individual lives. Criteria for the identification of State archives are listed in *Building the Archives: Policy on records appraisal and the identification of State archives*. The Policy also explains the roles and responsibilities of NSW State Archives and Records and of public offices in undertaking appraisal processes and disposal activities.

Implementing the authority

This retention and disposal authority covers records controlled by the public office and applies only to the records or classes of records described in the authority. The authority should be implemented as part of the records management program of the organisation. Two primary objectives of this program are to ensure that records are kept for as long as they are of value to the organisation and its stakeholders and to enable the destruction or other disposal of records once they are no longer required for business or operational purposes.

The implementation process entails use of the authority to sentence records. Sentencing is the examination of records in order to identify the disposal class in the authority to which they belong. This process enables the organisation to determine the appropriate retention period and disposal action for the records. For further advice see *Implementing a retention and disposal authority*.

Where the format of records has changed (for example, from paper-based to electronic) this does not prevent the disposal decisions in the authority from being applied to records which perform the same function. The information contained in non paper-based or technology dependant records must be accessible for the periods prescribed in the classes. Where a record is copied, either onto microform or digitally imaged, the original should not be disposed of without authorisation (see also the *General Retention and Disposal Authority – Original or source records that have been copied*). Public offices will need to ensure that any software, hardware or documentation required to gain continuing access to technology dependent records is available for the periods prescribed.

Disposal action

Records required as State archives

Records which are to be retained as State archives are identified with the disposal action 'Required as State archives'. Records that are identified as being required as State archives should be stored in controlled environmental conditions and control of these records should be transferred to NSW State Archives and Records when they are no longer in use for official purposes.

The transfer of control of records as State archives may, or may not, involve a change in custodial arrangements. Records can continue to be managed by the public office under a distributed management agreement. Public offices are encouraged to make arrangements with NSW State Archives and Records regarding the management of State archives.

Transferring records identified as State archives and no longer in use for official purposes to NSW State Archives and Records' control should be a routine and systematic part of a public office's records management program. If the records are more than 25 years old and are still in use for official purposes, then a 'still in use determination' should be made.

Records approved for destruction

Records that have been identified as being authorised for destruction may only be destroyed once a public office has ensured that all requirements for retaining the records are met. Retention periods set down in this authority are *minimum* periods only and a public office may keep records for a longer period if necessary. Reasons for longer retention can include legal requirements, administrative need, and government directives and changing social or community expectations. A public office **must not** dispose of any records where the public office is aware of possible legal action (including legal discovery, court cases, formal applications for access) where the records may be required as evidence.

Once all requirements for retention have been met, destruction of records should be carried out in a secure and environmentally sound way. Relevant details of the destruction should be recorded. See *Destruction of records: a practical guide*.

Organisations should review functional retention and disposal authorities regularly to ensure that they remain relevant as the organisation's functions and activities, operating environment and requirements for records change. Retention requirements may change over time. This can occur when:

- business needs or practices change
- new laws, regulations or standards are introduced
- new technology is implemented
- government administration is restructured and functions are moved between entities, or
- unforeseen or new community expectations become apparent.

NSW State Archives and Records recommends that organisations check any functional retention and disposal authorities more than 5 years old to ensure that the retention periods and disposal actions remain relevant.

Regardless of whether a record has been authorised for destruction or is required as a State archive, a public office or an officer of a public office **must not** permanently transfer possession or ownership of a State record to any person or organisation without the explicit authorisation of NSW State Archives and Records.

Administrative change

This retention and disposal authority has been designed to link records to the functions they document rather than to organisational structure. This provides for a stable functional retention and disposal authority that is less affected by administrative change. The movement of specified functions between branches or units within the public office does not require the authority to be resubmitted to NSW State Archives and Records for approval. However, when functions move from one public office to another the public office that inherits the new function should contact NSW State Archives and Records to discuss use of any existing functional retention and disposal authority issued to a predecessor organisation.

Amendment and review of this authority

NSW State Archives and Records must approve any amendment to this authority. Public offices that use the authority should advise NSW State Archives and Records of any proposed changes or amendments to the authority.

NSW State Archives and Records recommends a review of this authority after five years to establish whether its provisions are still appropriate. Either the public office or NSW State Archives and Records may propose a review of the authority at any other time, particularly in the case of change of administrative arrangements or procedures which are likely to affect the value of the records covered by this authority.

In all cases the process of review will involve consultation between NSW State Archives and Records and the public office. If the process of review reveals that this authority requires amendment, the necessary amendments will be made and approved.

Contact Information

State Archives and Records Authority of NSW
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**Functional Retention and Disposal Authority
Lake Illawarra Authority and Chipping Norton Lake Authority**

Authority no: FA231

Dates of coverage: 1977+

List of Functions and Activities covered

Function	Activity	Reference
LAKE & FORESHORE MANAGEMENT		1.0.0
	ACQUISITION	1.1.0
	ADVICE	1.2.0
	CONSERVATION	1.3.0
	CONSTRUCTION	1.4.0
	DISPOSAL	1.5.0
	EXHIBITIONS	1.6.0
	FINANCIAL ASSISTANCE	1.7.0
	JOINT VENTURES	1.8.0
	LEASING-OUT	1.9.0
	LIAISON	1.10.0
	MAINTENANCE	1.11.0
	MONITORING	1.12.0
	PLANNING	1.13.0

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List of Functions and Activities covered

Function	Activity	Reference
	PROCEDURES	1.14.0
	RESEARCH	1.15.0
	SUBMISSIONS	1.16.0
	VEGETATION MANAGEMENT	1.17.0

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No	Function/Activity	Description	Disposal Action
1.0.0	LAKE & FORESHORE MANAGEMENT	The function of improving the environment of lakes and foreshores. Includes improving lakes by deepening and clearing water channels and bays, constructing silt traps and nutrient filters to prevent water pollution, landscaping and conservation of foreshores, provision of recreational facilities, and carrying out land reclamation and associated works for the protection of the environment.	
1.1.0	Acquisition	The process of gaining ownership or use of property as required in the conduct of business through purchase or requisitions.	
1.1.1		Records relating to the acquisition of land and property by the authority.	Retain minimum of 7 years after disposal/transfer of land, then destroy
1.2.0	Advice	The activities associated with offering opinions by or to the organisation as to an action or judgement.	
1.2.1		Records documenting the receipt and provision of advice relating to the management of lakes and foreshores. Includes advice requested from experts on how to deal with environmental issues and advice to councils on proposed developments around the lake foreshores.	Retain minimum of 7 years after last action, then destroy
1.3.0	Conservation	The activities involved in the preservation, protection, maintenance, restoration and enhancement of lake, foreshore, structures and artefacts.	
1.3.1		Records documenting the conservation of buildings, land,	Retain minimum of 20 years after last

* SEE *HOW TO USE THE FUNCTIONAL RETENTION AND DISPOSAL AUTHORITY*

Lake Illawarra Authority and Chipping Norton Lake Authority

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No	Function/Activity	Description	Disposal Action
		lake, structures and artefacts around the lake and foreshore.	action, then destroy
1.3.2		Records documenting conservation of sites identified as having significance to Aboriginal people. Records include: <ul style="list-style-type: none"> • site assessments and plans • records of consultations • records of site inspections • records of remedial action • records of site monitoring. 	Required as State archives
1.3.3		Conservation management plans for the lake and foreshore.	Retain minimum of 2 years after plans are superseded, then destroy
1.4.0	Construction	The process of making, erecting, renovating or restoring a structure or the environment. Includes major maintenance work involving structural changes.	
1.4.1		Records documenting the making, erecting, renovating or restoring structures or facilities such as car parks, beaches, boat sheds, jetties, pollutant traps etc.	Retain minimum of 7 years after the lifetime or disposal of structure or facility, then destroy
1.5.0	Disposal	The process of disposing of property no longer required by the organisation, by sale, transfer, auction or destruction.	
1.5.1		Records documenting the disposal of land and property. Includes sales and transfers.	Retain minimum of 7 years after disposal or 7 years after date of last action, whichever is longer, then destroy

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No	Function/Activity	Description	Disposal Action
1.6.0	Exhibitions	<p>The activities associated with mounting displays for the purpose of information or educating the viewer, or promoting the activities, services, projects or programs of the organisation.</p> <p>For submission received from the public and stakeholders following an exhibition, use LAKE & FORESHORE MANAGEMENT - Submissions.</p>	
1.6.1		Records relating to the design, setting up and publicising of exhibitions relating to various aspects of lakes and foreshores and their management.	Retain minimum of 2 years after last action, then destroy
1.7.0	Financial Assistance	The activities associated with assessing applications for financial assistance from the organisation.	
1.7.1		Records related to assessing applications for financial assistance from the organisation.	Retain minimum of 7 years after last action, then destroy
1.7.2		Records documenting unsuccessful applications made to the agency for financial assistance relating to lake and foreshore management.	Retain minimum of 2 years after last action, then destroy
1.8.0	Joint Ventures	The activities involved in managing joint operations or co-research between the organisation and other organisations or agencies, where there is a contract, joint contribution of funds and/or time.	
1.8.1		Records documenting joint ventures with other agencies or councils and relating to the management of lakes and foreshores, such as joint research projects.	Retain minimum of 7 years after action completed, or after expiry of agreement, whichever is longer, then destroy

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No	Function/Activity	Description	Disposal Action
1.9.0	Leasing-Out	The activities involved in leasing-out property or facilities to another party for a specified period and agreed price. Includes the formal documentation setting out conditions, rights, responsibilities etc. of both parties.	
1.9.1		Records relating to the leasing-out of lake and foreshore property or facilities. Includes leasing-out of moorings and boat sheds.	Retain minimum of 7 years after lease expires or is terminated, then destroy
1.10.0	Liaison	The activities associated with maintaining and documenting contact and consultation between the organisation and other organisations, groups and individuals.	
1.10.1		Records documenting liaison and consultations between the agency and other stakeholders associated with the lake and foreshore management function. Includes meetings, discussions on issues and exchange of information.	Retain minimum of 5 years after last action, then destroy
1.10.2		Contact details of stakeholders and interested parties.	Retain until administrative use ceases, then destroy
1.11.0	Maintenance	The activities associated with the upkeep, repair, servicing and preservation of property, structures, facilities, artefacts etc.	
1.11.1		Records documenting maintenance work relating to the lake and foreshore management property, structures, facilities, artefacts. Includes foreshore clean ups, repairs to facilities etc.	Retain minimum of 7 years after action completed, then destroy
1.12.0	Monitoring	The activities relating to the monitoring of environmental	

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No	Function/Activity	Description	Disposal Action
		and ecological conditions associated with the lake and its foreshores.	
1.12.1		Surveys and investigative reports into rare, threatened and managed flora and fauna species found in lake area.	Required as State archives
1.12.2		Records relating to sampling and monitoring activities for water quality, water salinity, incidence of macro algae and other environmental conditions.	Retain minimum of 15 years after last action, then destroy
1.13.0	Planning	The process of formulating ways in which objectives can be achieved. Includes determination of services, needs and solutions to those needs.	
1.13.1		Final versions of strategic plans developed by the agency and relating to the management of lakes and foreshores. Includes environmental management plans, floodplain management plans and lake management plans.	Required as State archives
1.14.0	Procedures	Standard methods of operating laid down by an organisation according to formulated policy.	
1.14.1		Records relating to the development of procedures.	Retain minimum of 2 years after procedures are superseded, then destroy
1.15.0	Research	The activities involved in investigating or enquiring into a subject or area of interest in order to discover facts, principles etc.	
1.15.1		Final research reports produced or commissioned by the agency and relating to the management of lakes and	Required as State archives

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No	Function/Activity	Description	Disposal Action
		foreshores.	
1.15.2		Records relating to the conduct of research relating to the management of lakes and foreshores. Includes literature searches, surveys, questionnaires, statistics, consultations, observations and draft reports.	Retain minimum of 2 years after report is finalised, then destroy
1.16.0	Submissions	The receipt of formal statements supporting or objecting to proposals or drafts relating to proposed lake and foreshore actions.	
		Records relating to submissions received by the agency on proposed activities relating to the management of lakes and foreshores. Includes submissions regarding environmental impact statements for projects.	Retain minimum of 5 years after last action, then destroy
1.17.0	Vegetation Management	The activities associated with managing vegetation. Includes landscaping, weed control and bush regeneration.	
1.17.1		Records documenting vegetation management works relating to the management of lakes and foreshores. Includes establishment of landscaped areas, bush regeneration and weed control.	Retain minimum of 7 years after action completed, then destroy

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