

# Museum and Gallery Collection Policy

## 1 Purpose

The Museum and Gallery collections comprise of over 500 artworks by local and national artists, including paintings, sculptures, ceramics and works on paper, and over 17,000 museum objects, including photographs and oral histories; with material relating to domestic, maritime, business, tourism and industry history. Indigenous artefacts and photographs of local Elders also form a significant part of the collection. The Museum and Gallery will be combined in Yarrila Arts and Museum (YAM) at Yarrila Place. In transitioning to YAM, exhibition space will increase, enabling new, state-of-the-art exhibitions, programs and events. The City continues to actively acquire new objects to build on existing collections in order to support the cultural needs and heritage of the Coffs Harbour region.

This document sets the policy for the development and management of the City of Coffs Harbour's (City) Museum and Gallery permanent collections, to:

1. Ensure services are clearly aligned with relevant plans and strategies.
2. Establish principles and criteria for collecting, conservation, loans, de-accessioning and disposal.
3. Enrich and engage the community culturally and artistically.

## 2 Policy

This Policy covers the management of the City's Museum and Gallery collections.

### 2.1 Professional Ethics

The City's Museum and Gallery are guided by the ethical guidelines, standards and expectations of the International Council of Museums *ICOM Code of Ethics for Museums* (2017) and *National Standards for Australian Museums and Galleries* (2016).

The City will endeavour to ensure the protocols and customs of diverse people and communities are reflected in its activities, and will use the Australian Government, Ministry for the Arts, *Australian Best Practice Guide to Collecting Cultural Material* (2014), Australia Council for the Arts *Protocols For Using First Nations Cultural And Intellectual Property In The Arts* (2019) and Museums Australia Inc. *Continuous Cultures, Ongoing Responsibilities* (2005), for guidance.

The City will seek to protect the freedom of artistic expression and oppose any proposal, from whatever source, that attempts to restrict the form or content of artistic activity within its programs.

### 2.2 Objectives

1. Build valuable, appreciated and accessible art and social history collections and an exhibition schedule of high calibre for the region;
2. Be a responsible custodian of the collections, undertaking considered collecting of works that enhance the collection and develop exhibitions that foster curiosity, diversity and engagement;
3. Ensure the vision and mission of the City's cultural institutions is upheld, engaging in activities that maintain the Museum and Gallery's reputation as an educational and

research facility, community space while upholding integrity, accessibility and excellence;

4. Champion the work of those who have always called, and those who have come to call, Gumbaynggirr country home.

## 2.3 Principles

1. Acknowledgement and respect to the First Nations peoples [Aboriginal and Torres Strait Islanders] of Australia, the people of the Gumbaynggirr nation on which the Museum and Gallery operates, with a commitment to a future with reconciliation and renewal at its heart;
2. Acknowledgement of the ongoing effects of dominant debates and discussions within cultural institutions and their collections, and a commitment to addressing issues in past practice, collections gaps and exhibition program bias's as identified through these discussions;
3. Abide by contemporary museums and galleries best practice for balancing the preservation and access needs of the collections;
4. Ensure the activities of the Museum and Gallery are undertaken in an ethical, transparent and considered manner that reflects the ethos of responsible artistic and cultural work and which maintains the City's reputation.

## 2.4 Potential and Direct Conflicts of Interest

To avoid potential and direct conflicts of interest, employees and volunteers of The City are prohibited from entering City art competitions where there is a cash prize or the potential for their work to be acquired. Works offered for donation or sale by City staff who are also artists will be assessed under the same acquisition policy criteria as all other potential acquisitions, however, City staff who are directly employed to work within the Museum and Gallery Services area are prohibited from exhibiting their work or offering their work for donation or sale to the Museum and Gallery. For more information on Conflicts of Interest, refer to the City's Code of Conduct.

## 2.5 Acquisitions

Full legal ownership of items donated, gifted or bequeathed is assumed by the City, including the right to decide conditions of display, housing and access to items. The City reserves the right to decline donations, gifts, and bequests in accordance with this policy.

When considering the acquisition of Aboriginal and Torres Strait Islander material or artwork for the Museum and Gallery collection, staff are guided by the principles set out in the *Museums Galleries Indigenous Roadmap Project* and the *Australian Best Practice Guide to Collecting Cultural Material*. The Museum and Gallery also recognises the principles of the Museums Australia document, *Continuous Cultures, Ongoing Responsibilities: Principles and Guidelines for Australian Museums Working with Aboriginal and Torres Strait Islander Cultural Heritage*. In addition, staff will consult and collaborate with relevant traditional owners or authorised representatives, as appropriate.

### 2.5.1 Assessment Criteria

Assessment Criteria determine the direction and breadth of the collection development. The Museum and Gallery will represent outstanding examples of visual arts and material culture. Assessment Proposals for the Museum and Gallery collections are assessed by a Collection Committee comprised of relevant internal and, where appropriate, external stakeholders, led by the Cultural Services Leadership.

### 2.5.1.1 **Conceptual Assessment Criteria**

The Museum and Gallery will continue to develop a permanent collection that integrates art and history including:

- a) Material culture of historical or contemporary significance to the Coffs Harbour LGA, recognizing that the region can include the Gumbaynggirr lands from Nambucca to South Grafton on the Mid North Coast of NSW
- b) Artwork by Aboriginal and Torres Strait Islander artists, particularly those with connection to Gumbaynggirr Country
- c) Contemporary art, of any medium, that is of the Still Life genre
- d) Australian art, of any medium, that reflects national arts practice and provides context for the existing art collection
- e) Local and regional arts practitioners whose work responds to or reflects on the Coffs Harbour LGA, including works by artists living and working within North Coast NSW

### 2.5.1.2 **General Assessment Criteria**

In addition to the ethics, objectives and principles outlined in sections 2.1-2.3, acquisition proposals must also meet the following requirements:

- a) Excellent potential for research or use in educational programs
- b) Exceptionally high artistic, aesthetic and conceptual merit
- c) The condition of the item must be reasonable
- d) Good potential for permanent, featured or touring exhibition
- e) Documentation or other evidence of provenance must be available
- f) Can be safely stored, handled and exhibited
- g) Does not pose a potential risk to the collection
- h) Have valid legal ownership documentation
- i) Are not duplicates, forgeries or works that have been falsely attributed
- j) Have been obtained by legal methods
- k) Have clear image usage rights
- l) Are not of a secret or sacred nature for First Nations Australians
- m) Are not culturally insensitive, or discriminatory in nature

### 2.5.2 **Methods of Acquisition**

Acquisition and accessioning of artwork and objects is conducted in accordance with this policy. The Museum and Gallery acquires items by various methods and is committed to ensuring all acquisitions are negotiated and managed on terms that are ethical, responsible and transparent to public scrutiny.

Objects or artworks for inclusion in the collection will be acquired through the following means:

- a) Deed of Gift
- b) Deed of Deposit
- c) Cultural Gifts Program
- d) Bequests
- e) Commissions
- f) Purchases

In line with the collection focus, the Museum and Gallery will acquire the winning artwork of the STILL: National Still Life Award for the art collection, and may purchase works from



the accompanying STILL exhibition. This focus does not preclude the purchase of artworks from other exhibitions when deemed appropriate and in line with the acquisition policy criteria.

#### **2.5.2.1 Deed of Gift**

Any donation of artwork or object by a living individual, individuals, groups or institution is considered a gift. Upon acceptance of the artwork or object to be donated, the donor must sign a Deed of Gift which formalises the process of transfer of title, possession and permissions to the City. The Museum and Gallery will not accept gifts or donations that are accompanied by restrictions or conditions that compromise any part of this policy.

#### **2.5.2.2 Deed of Deposit**

Where Indigenous material has been offered for acquisition, the Museum and Gallery will consult with the traditional custodians to determine if the material should be accepted through Deed of Gift or managed as a Deed of Deposit, ensuring that the material remains in the legal possession of Indigenous peoples but formalises a caretaker role for the Museum and Gallery, creating a safe physical place of deposit for important Indigenous material. This practice also allows Indigenous people to determine the ongoing use and access of their material within the Museum and Gallery. These determinations will be documented in the Deed of Deposit.

#### **2.5.2.3 Cultural Gifts Program**

The Museum and Gallery is a registered institution for the Australian Government's Cultural Gifts Program (CGP), which offers tax incentives to encourage people to donate artworks and cultural items to public galleries and museums. Donations made under this program will be, in addition to this policy, required to meet the conditions outlined in the *Cultural Gifts Program Guide*.

#### **2.5.2.4 Bequests**

Objects or artworks offered to the Museum and Gallery by bequest are subject to the same process of assessment as all incoming proposals. Accepted bequests will be required to be accompanied by copies of all appropriate legal documentation to be retained for the City's records.

In accordance with the bequest conditions, artworks or objects that do not meet the requirements of this Policy may be disposed of to benefit the collection, as outlined in the *ICOM Museum Code of Ethics* [See 2.8 De-accession and Disposal].

#### **2.5.2.5 Commissions**

From time to time the City will commission works to augment the Collections or for a specific exhibition or program. Newly commissioned artworks will be subject to the terms and conditions outlined in the Artist Agreement.

#### **2.5.2.6 Purchases**

From time to time the City will purchase works or objects to augment the Collections for a specific exhibition or program. The Museum and Gallery are registered as a Donations Gift Recipient (DGR) organisation, and as such, monetary donations received by the Museum and Gallery become part of the nominated funds to service, build and preserve the Collection.

### **2.5.3 Support from Friends group**

The acquisition of works is actively supported by the Friends of Coffs Harbour Regional Gallery (FCHRG). This external, non-profit, volunteer organisation supports the collection

and exhibitions program through events and fundraising, primarily contributing funds to expand the permanent art collection for visitors and residents to enjoy. The FCHRG are a conduit to the community and seeks to contribute to the development of the collection. The FCHRG do not contribute to the decision making around acquisitions, however as an important stakeholder with strong links in the arts community, the FCHRG Executive may sometimes be consulted on acquisitions.

## 2.6 Copyright

In addition to the accession process, works for the collection are subject to a Non-Exclusive Copyright Licence agreement. This licence is between the copyright owner of the Artwork which grants the City a non-exclusive, perpetual, and fee-free licence to reproduce the artwork or object for promotional, archival, catalogue, education and curatorial purposes.

## 2.7 Loans

All loans are considered and conducted in accordance with this policy. The Museum and Gallery assess loan requests for various purposes and is committed to doing so in line with the *ICOM Museum Code of Ethics (2017)*, *National Standards for Australian Galleries and Museums (2016)* and Museums Australia Inc. *Continuous Cultures, Ongoing Responsibilities (2005)*.

### 2.7.1 Outgoing Loans

The Museum and Gallery supports sharing the contents of the Collection for the benefit of the public and the Collection itself, and will seek to agree to outgoing loan requests wherever possible.

All loans will be assessed to balance preservation of the selected work/s and the access needs of our community and program. Loan requests must be received in writing no less than 6 months prior to the loan commencement date.

The museum and gallery will consider loan requests:

- a) From Recognised cultural institutions
- b) For conservation work
- c) For provenance research
- d) From partnering external stakeholders
- e) To facilitate cultural practice, protocols or access for Traditional Owners

Conditions for any museum objects or artwork/s selected to be loaned will be outlined in the Outgoing Loan Agreement.

The Museum and Gallery does not lend to private individuals, or to commercial galleries, institutions or venues, except where there are extraordinary circumstances and pre-negotiated terms that bring benefit to the Collection and the City.

### 2.7.2 Incoming Loans

The Museum and Gallery will loan objects from recognised cultural institutions or reputable private collectors for the purpose of enhancing or providing context to an exhibition, program, or research project.

The Museum and Gallery will exercise the same standard of care and utilise the assessment criteria for its own Collection, when caring for and considering incoming loans. On occasion, the Museum and Gallery may hold works in trust for a brief period of time for a lender (in accordance with mutually agreed upon terms). For the purposes of this policy, such circumstances constitute an incoming loan and a loan agreement would be used to formalise the agreement.

## 2.8 De-accession and Disposal

As the Collection grows, and with continuous research, consultation and evaluation, the Museum and Gallery may refine the Collection through engaging in a formal process of removing an artwork or object from its possession, and/or for disposal. Proposed artworks or objects for de-accession are assessed by a collection committee comprised of relevant internal and, if appropriate, external stakeholders, led by the Cultural Services Leadership.

De-accessioned objects and artworks must be disposed of in accordance with the *ICOM Code of Ethics* (2017), the Australian Government *Cultural Gifts Program Guidelines* (2022) and Coffs Harbour City Council's *Disposal of Assets Policy* (2017).

This process is governed by assessment against this policy, adherence to best practice, international standards and ethics, other applicable City policies and any additional considerations deemed necessary by the Collection Committee.

### 2.8.1 De-accession Criteria

In determining a case for de-accessioning an object or artwork, all collection items will also be assessed against the following criteria:

- a) There are duplicates of an artwork or object in the collection
- b) The artwork or object has been lost or stolen
- c) A successful claim for repatriation has been made
- d) The artwork or object has been damaged or has deteriorated to such an extent that repair or exhibition of the work is no longer possible, and the cost of restoration/conservation outweighs the artwork/objects value to the Collection
- e) The artwork/object no longer meets the objectives or focus of the Museum and Gallery's Collection detailed in sections 2.1-2.3
- f) The significance or aesthetic merit of the artwork/object falls well below the general level of the museum and gallery collection
- g) The artwork/object is deemed to be of a substantial risk to staff, the public, museum and gallery facilities or to other works
- h) The artwork/object lacks supporting information for correct identification, attribution or establishment of its relevance to the Collection
- i) The artwork/object is proven to be a forgery
- j) A substantiated request for the return of an artwork/object to its owner/donor
- k) Legal ownership of an artwork/object cannot be clearly established or determined by the museum and gallery
- l) Following a bequest offer, in accordance with the bequest conditions, artworks/objects that do not meet the requirements of this Policy may be disposed of to benefit the collection, as outlined in the *ICOM Code of Ethics* (2017)

### 2.8.2 Disposal Principles

- a) In accordance with the *ICOM Code of Ethics*, funds raised through the sale of de-accessioned items will be directed toward the development of the Museum and Gallery's collection or the conservation of the collection.
- b) Artworks or objects donated through the Cultural Gifts Program (CGP) cannot be disposed of in any other way without reference to, and approval of, the Federal government agency that administers the CGP, as disposal without reference violates the conditions of CGP. Artworks or objects donated through the CGP cannot be returned to the donor as the donor has already received the benefit of the tax deduction for the gift.

### 2.8.3 Disposal Method

Where an artwork or object is damaged beyond repair it may be disposed of by permanent destruction; if otherwise the following methods are in order of preference:

- a) artwork or object is to be returned to the original donor
- b) artwork or object is donated, transferred, or exchanged with another museum, gallery; or exchange with the artist for a more relevant or valuable work
- c) artwork or object may be sold through reputable dealers or by public auction

## 2.9 Conservation

### 2.9.1 Preventive Conservation

The Museum and Gallery aims to achieve high standards of collection care and storage of its collections, adhering to best practice for museum and gallery collections. Conservation work shall involve appropriate stabilisation of objects or artworks rather than restoration and any conservation treatments will be undertaken by qualified conservators (or trainees under supervision) in accordance with ethical guidelines.

While conservation treatment may be necessary to allow objects to be used, where possible, the collections are preserved by reducing the potential for deterioration and damage rather than through treatment, repair or restoration. That is, preventive conservation methods are applied in preference to conservation treatments.

- a) Systems are provided to monitor, and measures put in place to maintain and improve the state of the collections and the environments and spaces in which they are stored or displayed
- b) Guidelines are provided for the appropriate environmental conditions in which to store, handle, display, study and transport the collections
- c) Measures are taken to prevent damage and minimise the risk of deterioration of objects wherever they are stored, handled, displayed, exhibited or loaned
- d) The risk of damage to the collections by pests is reduced by implementing and maintaining a pest management program. Inspection of objects on display and in storage for evidence of insects, mould and other damaging agents shall be done on a routine basis
- e) All museum and gallery workers will be provided with guidelines and procedures for handling and moving objects
- f) Cleaning of objects shall be done in accordance with specific guidelines and only under the supervision of a trained collections officer

## 3 Exclusions

This policy does not address associated activities and procedures relating to exhibitions, public program activations, commercial activities, public art or the administration of *Coffs Collections*.

## 4 Definitions

**Aboriginal or Torres Strait Islander art:** Artwork by an Aboriginal or Torres Strait Islander artist; or group of artists; containing Aboriginal or Torres Strait Islander themes or content.

**Accessioning:** The formal process of acquiring and cataloguing artwork and objects into the Collection.

**Artwork:** For the purposes of this policy, the terms 'artwork', 'work of art', 'work' and related terms are used interchangeably to describe all art or other material acquired into the collection.

**Coffs Collections:** is the City's public online digital portal and archive where digitised material from the City's cultural collections can be discovered and accessed electronically, located at <https://coffs.recollect.net.au>

**Collection:** Works of art or social history objects that have been formally accessioned and for which the Museum and Gallery is legally responsible.

**Collection exhibition:** An exhibition of works of art or social history objects that is largely drawn from the collection and may include incoming loans and/or commissions.

**Curator:** The role responsible for the interpretation, study and development of the collection and the conceptualisation, research, development and presentation of exhibitions

**De-accessioning:** The formal process of removing an artwork or object from the Collection catalogue.

**Disposal:** Following de-accession, the responsible disposal of the artwork or object.

**Exhibition:** A curated display developed with a specific theme or themes that is accessible by the public.

**Exhibition program:** The ongoing schedule of temporary, collection and touring exhibitions.

**Gallery:** Coffs Harbour Regional Gallery/Yarrila Arts and Museum (YAM).

**Incoming loan:** Any contracted arrangement between the Museum and Gallery and the owner of an artwork or object for the temporary transfer of possession of that object to the Museum and Gallery for the purpose of display or programming.

**Local artist:** Any artist residing or having spent the bulk of their arts practice in the Coffs Harbour LGA or any of the adjoining council areas.

**Material Culture:** the totality of physical objects made by a people for the satisfaction of their needs especially: those articles requisite for the sustenance and perpetuation of life.

**Museum:** Coffs Harbour Regional Museum/Yarrila Arts and Museum (YAM).

**Object:** Any medium that is part of the museum collection.

**Outgoing Loan:** Any contracted arrangement between the Museum and Gallery and another institution or borrower, for the temporary transfer of possession of that artwork or object from the Museum and Gallery for the purpose of display, programming or research.

**Provenance:** The history and ownership of an item from the time of its discovery or creation to the present day, from which authenticity and ownership is determined.

**Recognised Cultural Institutions:** a permanent institution in the service of society and its development, open to the public, which acquires, conserves, researches, communicates and exhibits the tangible and intangible heritage of humanity and its environment for the purposes of education, study and enjoyment.

**Regional artist:** Any artist living or having spent the bulk of their arts practice outside the metropolitan area.

**Relevance:** The ways in which an artwork or object relates to and fulfils the goals of the Museum and Gallery which in turn reflects the scope of the collections and exhibitions policy.

**Still life:** A genre that traditionally has animals, flowers, table settings and/or symbolic objects as its subject matter or is defined as such by the artist or curator in the context of contemporary art.

**Temporary exhibition:** An exhibition of works or objects that has a defined curatorial rationale and a finite display period, title and location.



**Touring exhibition:** Can refer to either an exhibition originally developed onsite at the Museum and Gallery, that is then prepared and adapted to be displayed offsite at another institution or organisation; or an exhibition developed offsite by another institution or organisation for display at the Museum and Gallery.

**Traditional Owners:** Refers broadly to the traditional owners of the land that constitutes present day Australia, also referred to as First Nations people, Indigenous Australians, Aboriginal Peoples, and/or Torres Strait Islander peoples.

## 5 Key Responsibilities

Position	Directorate	Responsibility
Mayor	Council	To lead councillors in their understanding of, and compliance with, this policy and guidelines
General Manager	Executive	To lead staff (either directly or through delegated authority) in their understanding of, and compliance with, this policy and guidelines.
Executive Leaders: Director	Sustainable Communities	To communicate, implement and comply with this policy and related guidelines.
People Leaders	Community and Cultural Services	To implement this policy and related procedures.
Team & Service Leaders	Cultural Services	To implement this policy and related procedures.
All City officials	The City	To comply with this policy and consider its implications for related projects and programs.

## 6 References (laws, standards and other Council documents)

- Australia Council for the Arts [Protocols For Using First Nations Cultural And Intellectual Property In The Arts](#) (2019)
- [Australian Government Copyright Act 1968](#)
- [Australian Government Movable Cultural Heritage Act 1987](#)
- [Australian Government, Ministry for the Arts, Australian Best Practice Guide to Collecting Cultural Material](#) (2014)
- [Australian Government Protection of Cultural Objects on Loan Act 2013](#)
- [Australian Government Cultural Gifts Program Guidelines](#) (2022)
- Australian Museum and Galleries Association (AMaGA) [A roadmap for enhancing indigenous engagement in museums and galleries](#) by Terri Janke and Co (2019)
- [Clear Expectations; Guidelines for Institutions, Galleries and Curators working with Trans, Non-Binary and Gender Diverse Artists](#) by Spence Messih and Archie Barry (2019)
- [Code of Conduct](#)
- [MyCoffs Community Strategic Plan 2032](#)
- [Creative Coffs: Cultural Strategic Plan 2017-2022](#) (2017)
- [Library, Museum and Gallery Strategy 2020-2023](#) (2020)
- [Disability Action Plan 2017-2022](#) (2017)
- [Disposal of Assets Policy](#)
- [International Council of Museums ICOM Code of Ethics for Museums](#) (2017)
- Museums Australia Inc. [Continuous Cultures, Ongoing Responsibilities](#) (2005)
- National Association for the Visual Arts (NAVA) Code of Practice (2017)
- [National Standards for Australian Museums and Galleries](#) (2016)

## 7 Details of Approval and revision

- **Approval date:** 11/05/2023
- **Responsible Group:** Community and Cultural Services Group
- **Responsible Section:** Community Programs
- **Superseded policies/procedures:** Coffs Harbour Regional Gallery Collections Policy; Coffs Harbour Regional Gallery Loans Policy; and Coffs Harbour Regional Museum Collection and Conservation Policy
- **Next review date:** 28/08/2025

### Table of amendments

Amendment	Authoriser	Approval ref	Date
<p>Previously separate policies for Regional Gallery and Regional Museum combined into a single policy document.</p> <p>Updated to refer to YAM and include reference to a key stakeholder group Friends of Coffs Harbour Regional Gallery.</p> <p>Additional section on conflict of interest added.</p> <p>Added reference to Deed of Deposit for appropriate handling of Indigenous cultural material, and the Cultural Gifts Program (CGP) to fulfil requirement to the CGP to be identified in this Policy.</p> <p>Deleted reference to the Internal Furnishing Loans Scheme as it is not an active scheme.</p> <p>Definitions updated to reflect changes. References updated to reflect changes and newer versions. Responsibilities updated to reflect organisational changes.</p>	Council	2023/77	11/05/23