



Council Policy

Cultural Collections

Version 2 - 28 August 2023

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Policy - external Cultural Collections

Introduction

Purpose

The Cultural Collections Policy is a set of principles that guides collections, access, loans, conservation, and de-accessions. The Cultural Collections Policy is a reference document that should be used in conjunction with appropriate procedures, professional expertise, and resources.

Scope

The Cultural Collections Policy guides the decision-making process for shaping the cultural collections of Lake Macquarie City Council (Council). The Cultural Collections are managed by Arts, Culture and Tourism department (ACT), supported by a Cultural Collections Consultative Committee drawn from the broader community.

Policy statement

Cultural collections are a set of physical and digital resources that can be used:

- to contribute to the development of outstanding museums, galleries, exhibitions and learning experiences within the Lake Macquarie region
- to create a physical and collective sense of place and identity
- as a valuable asset, exhibition and loan resource
- to reflect quality contemporary visual arts, museum and public arts practice
- to build on existing holdings
- to ensure the ongoing cultural custodial role of the city's arts and cultural institutions
- to enrich knowledge, understanding and experience of the history and contemporary life of the city and region
- to contribute to, and foster, critical historical, arts and cultural debate
- to interpret thematically the history and development of the city
- to conserve heritage, public and visual arts for the benefit of the community and future generations
- provide educational and research opportunities for the community.

Principles

Ethical practice

- It is the legal and moral responsibility of Council to ensure all acquisitions are legally obtained, exported, and imported. When an item is acquired for the collections, legal title must be proven and then transferred from the donor or vendor to Council.
- All collecting activity and collection management processes will be conducted in accordance with the International Council of Museums Code (ICOM) Code of Ethics for Museums and within the framework of the NSW Heritage Office Movable Heritage Principles.
- Acquisition is dependent on the availability of supporting documentation or other evidence of the provenance of the item.
- No items shall be acquired from significant heritage sites and buildings where acquisition and removal would diminish the significance of the place, except in circumstances where the item is at risk.
- All Aboriginal items and art works will be acquired in consultation with the Aboriginal community through endorsed Council mechanisms.
- No Aboriginal art works or items of cultural significance to the region will be acquired in circumstances where the item has no provenance, no Aboriginal collecting institution can acquire it, or it is culturally sensitive in any way.
- Items will not be accepted with restrictions attached, unless there are cultural factors that affect display and access to items.

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Policy - external Cultural Collections

- Copyright should be transferred to Council unless a suitable agreement can be reached that ensures required access for exhibition, publication and promotional purposes.
- In the case of an artwork, the copyright remains with the artist and a limited copyright licence will be negotiated to cover exhibition, publication and promotional purposes. All processes related to de-accessioning items will be executed in accordance with Lake Macquarie City Council's Asset Management Policy.
- No staff, committee members, or volunteers may benefit or in any way acquire items that have been de-accessioned unless these persons are the original donor or donor's family. Caution and transparency are essential in the all de-accessioning processes.
- De-accession of items acquired under the Cultural Gifts Program will only be considered against all current tax implications, against de-accessioning policy guidelines and in consultation with the donor.
- Gifts made under the Cultural Gifts Program will not be returned to the donor, as the donor has already received the benefit of a tax deduction for the gift.
- The management and development of all collections must be in reference to Council's Code of Conduct.
- All collecting will be discussed with the Cultural Collections Consultative Committee to promote transparency in processes.

Responsible collecting

- ACT will undertake targeted and coordinated collecting in order to enhance the depth and value of its collection as a reflection of Lake Macquarie.
- The collections will reflect traditional, recent and evolving areas of the history and arts practice of Lake Macquarie and reflect its cultural diversity and personal stories.
- Items will only be acquired when ACT can provide appropriate resources, storage, environmental conditions, and care to ensure safety, exhibition potential and physical/digital access.
- Digital and/or new media works will only be acquired if ongoing technical support can be guaranteed for the display the artwork, including but not limited to a contractual agreement with the artist to be able to transfer the artwork to a compatible display method in the case of obsolete technology.
- If the item duplicates another already in the collection, an assessment of the value of the duplicate is to be carried out. In most cases duplicates should not be acquired.
- To be considered for acquisition an item must be of a quality and condition that is relevant to this policy.
- ACT will actively pursue non-collecting initiatives, such as assisting the community to document and care for heritage collections in their original context, and by collecting electronic and/or duplicated copies of materials held in other institutions or in private collections.
- Adequate documentation should accompany the item to be able to make an informed decision as to the significance the item will have to the collection.
- During ongoing consolidation of the collection, ACT will undertake a considered program of de-accessioning to ensure materials held are only those relevant and appropriate.
- In the longer term, de-accessions should be minimised through careful, strategic collection.
- Copies or fakes may be retained if these items can provide an insight into the collecting or research activities. If the fake or copy cannot be used in any cultural programming and transferred to a 'study/education collection'.

Forms of collection

- Materials may be acquired as donations, bequests, purchases, commissions or transfers.

Policy - external Cultural Collections

- In some cases, the proposed donation may be eligible for tax deductions under the Cultural Gifts Program. The Cultural Gifts Program encourages gifts of significant cultural items to public art galleries, museums and libraries by offering donors a tax deduction for the market value of their gifts, under subdivision 30-A of the *Income Tax Assessment Act 1997*.

Collection loans

- Collection loans may only be made or accepted for fixed periods and for specific purposes. No items will be accepted on indefinite loan.
- Loans will be accepted/permitted for a period of up to 12 months for the purposes of exhibition or research to/from appropriate institutions, or as determined by ACT. Extended agreements will be made at the discretion of the ACT Manager.
- Loans will be accepted or made on a case-by-case basis, ensuring all loans are returned by the date indicated on the loan documentation and the requesting institution is able to adequately care for the item.
- With the agreement of both parties, loans can be re-negotiated prior to the return date.

Objectives

The Lake Macquarie Cultural Collections are made up of the following sub-collections:

- Museum and Social History Collection
- Visual Arts Collection (including collections held at MAC – Museum of Art and Culture, yampang)
- Family History and Local Studies Collection
- Civic Collection
- Urban and Public Art Collection.

The Cultural Collections Policy shall be reviewed every five years for its relevance and accuracy in relation to the ICOM of Ethics for Museums, Aboriginal and Torres Strait Islander Protocols for Libraries, Archives and Information Services and within the framework of the NSW Heritage Office Movable Heritage Principles, and to ensure strategic collecting priorities reflect the changing nature of Lake Macquarie.

Definitions

- 'ICOM (International Council of Museums) Code of Ethics for Museums' is a reference text, setting the standard for the practice of museum professionals.
- 'NSW Heritage Office Movable Heritage Principles' were developed as part of a Movable Heritage Project, managed jointly by the NSW Heritage Office and the NSW Ministry for the Arts to assist the NSW Government and community organisations to manage their movable heritage items and collections and to develop appropriate conservation policies.

Museum and Social History Collection

Acquisition principles

Items are considered for acquisition where they fall into the following categories:

- three dimensional items
- documents and printed material
- original artworks
- original maps
- original photographs
- engravings

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Policy - external Cultural Collections

- film footage
- digital photographs and videos
- images that depict or are associated with people, places and events significant or unique to Lake Macquarie's history (hereafter referred to as 'items').

ACT collects items that are relevant to the Lake Macquarie region, with an emphasis on items provenance to the region and related to people closely associated with the area at key periods in history.

In some exceptional cases, items may be acquired without provenance to a Lake Macquarie family, place, person, institution or firm if the item was typically used in Lake Macquarie or if the item elucidates taste or style associated with or unique to the Lake Macquarie Region.

Items without provenance in rare circumstances will only be accepted where they assist in the interpretation of the region's history, via one of the identified criteria and/or have an educational role.

Acquisition criteria

Items will be considered if they fall in to the following prioritised criteria:

Criteria 1 – Historic

Being an item with provenance to the Lake Macquarie region during one of the six major chronological phases of the history of the region:

- pre-European contact, mapping and colonisation to 1840
- the development of primary industry and the growth of towns and villages 1841-1900
- Federation to the end of the Wars 1901–1945 (Federation, local government, the depression and wars)
- Post War transformation of the Lake Macquarie Region 1946–1980, including migration, beach culture, and change in industries
- the migration to the coast, move away from traditional industries, from 1981 onwards, including the development of coastal communities, retirees and sea change.

Items of significant natural history of the region may also be considered if suitable under the principals outlined in this policy.

Criteria 2 - Thematic

Within the historical scope, ACT has an interest in particular themes, against which items may be considered for collection including:

- natural environment: geology, geography, climate, topography
- industry: mining, maritime industry
- people, events, leisure, sport, and culture of the district
- Aboriginal history
- the built environment, towns and villages
- land development and environmental change
- maritime and river history
- photography
- children's and women's history
- health and services
- law and order
- Lake Macquarie involvement in world wars
- locally invented, made and improvised items.

Policy - external Cultural Collections

The Heritage Collections Council significance assessment method and criteria will be used as a general framework for assessing proposed acquisitions.

The primary assessment criteria are:

- historic significance
- aesthetic significance
- scientific or research significance
- social or spiritual significance.

The comparative criteria are:

- provenance
- representation
- rarity
- condition, intactness, integrity
- interpretive potential.

De-accession principles

De-accessioning is the process of de-registering an item from the collection for clearly stated reasons, and disposing of it in accordance with approved policies.

De-accession criteria

The assessment criteria for de-accessioning are:

- little or no relevance to the Cultural Collections Policy and Acquisition Criteria
- little or no significance
- poor condition and lack of provenance or documentation
- duplication in the ACT Collection or other relevant collection
- inability to safely store and manage the item
- acquisition of a like item of greater significance rendering earlier acquisition redundant.

In exceptional circumstances, items may be de-accessioned where the item is of particular indigenous cultural significance and its return to the community will support the maintenance and renewal of cultural traditions.

Education resources

An item not considered appropriate for formal acquisition to the collection may be accepted as an educational resource.

This includes items that:

- have not been acquired by ACT
- do not meet the Cultural Collections Policy selection criteria for acquisition
- may be used as a 'hands on' or 'extra' in an exhibition or public program
- will not be stored with acquired items
- can be disposed of at any time.

Visual Arts Collection

Acquisition principles

The Visual Arts Collection should be actively developed through gift, donation, bequest, purchase and commissioning of new works. The works must be of the highest quality and artistic merit and either relate

Policy - external Cultural Collections

to, or enhance, the display possibilities of the artworks in the collection.

The Visual Arts Collection consists of:

- two-dimensional art, craft and design, including painting, works on paper and photography
- three-dimensional art, craft and design, including sculpture, ceramics and installation
- digital artworks, including, but not limited to, video, sound works, new media
- works by highly-regarded Australian artists – national, international and Hunter-based.

Acquisition criteria

The Visual Arts Collection consists of four active focus areas:

- *yapang*
- 21st Century
- 20th Century
- Still Waters Clear Visions.

Works will be considered if they meet the following conceptual and thematic criteria:

yapang

Under this focus area, work will be acquired that reflects contemporary Aboriginal and Torres Strait Islander arts practice. Acquisitions should enhance and augment current holdings of works on paper and ceramics to include all art media. Artworks will not be acquired if cultural and spiritual sanctions apply.

21st Century

A strong holding of significant contemporary art, craft and design in all media forms the basis of this focus area. Acquisitions should reflect the best in Australian contemporary practice on a national and regional level and enhance and augment the current holdings.

20th Century

This collection focuses on a wide range of media and thematic approaches. Artists represented particularly include those working in the 1950-1960s and 1980-1990s. New acquisitions should complement current holdings with works by significant artists.

Still Waters Clear Visions

This focus area not only refers to 'water' as a literal and metaphorical theme, but also a clear expression or vision of the complex social and environmental aspects of the city and region interwoven through its Aboriginal and post-contact history and contemporary lifestyles.

De-accession principles

De-accessioning is the process of de-registering an artwork from the collection for clearly stated reasons, and disposing of it in accordance with approved policies.

De-accession criteria

Artworks which are recommended for de-accessioning must be assessed against at least one of the following criteria:

- Deterioration to the point that its significance is irreparably reduced.
- It poses a threat to other collection items.
- The cost of conservation is unreasonable and affects the ability of ACT to care for broader collection items.

Policy - external Cultural Collections

- Legal title of the work is in question. Legal title to the artwork must be clearly established before the de-accessioning process can commence, and where there is doubt, legal guidance must be sought.
- In exceptional circumstances, items may be de-accessioned where the artwork is of particular Indigenous cultural significance and its repatriated to the community of its origin will support the maintenance and renewal of cultural and community traditions.

Family History and Local Studies Collection

Acquisition principles

Family History Collection

The Family History Collection provides primary and secondary resources with a strong focus on Australian genealogical information.

Primary records include microfilm copies of Parish registers, Shipping and Convict records.

Online resources such as Ancestry.com and Find My Past provide access to family history records outside Australia.

Secondary resources include monograph histories containing details of families and individuals, with particular reference to Lake Macquarie, and indexes to primary records and guides for conducting family history research.

The collection comprises distinct family histories that hold exclusive historical content related to Lake Macquarie. Publications are not part of this collection.

Local Studies Collection

The Local Studies Collection aims to provide access to the unique social, cultural, environmental and industrial history of Lake Macquarie City. This collection is primarily digital, however acquisition of newspapers, books, maps, photographs will be considered if of local significance.

The creation of digital content ensures optimal access and resource preservation, and is a major focus of managing the collection. Part of this material includes an extensive photographic collection, available through the library and Lake Macquarie History online website. Formats include newspapers, books, maps, photographs and digital recordings.

Correspondence and meeting minutes of community groups may be considered for collection if of local significance, and able to contribute to existing collection items through research and exhibition.

The collection does not currently include material archived as part of Council's Record Management System. These documents are available in Council records. Exceptions to this include Council approved documents that are in high demand (evaluated after six months) and items of lasting significant merit, for example, heritage studies, flora, fauna or environmental studies.

De-accession principles

In managing this collection, ACT reserves the right to deselect material that does not fit within the scope of the Cultural Collections Policy.

De-accession criteria

The assessment criteria for de-accessioning are:

- superseded by a new edition
- contains outdated and inaccurate information
- multiple copies no longer required
- is in poor condition
- considered to be of insufficient merit to warrant conservation work.

Policy - external Cultural Collections

Civic Collection

Acquisition principles

The Lake Macquarie Civic Collection consists of gifts, awards and items associated with Council's internal and external relationships.

Items within this collection do not hold historic significance, as those within the Museum and Social History Collection. They represent Council's relationships with sister cities, notable civic awards and certificates and other items that may have been gifted to Council or the Mayor.

Items within this collection will be accepted on a case-by-case basis in consultation with other Lake Macquarie City Council staff and stakeholders.

All opportunities for digital collecting will be sought.

De-accession principles

Items from the Civic Collection may be de-accessioned if they no longer hold relevance to Council's relationships with external and internal partners. For example, sister city gifts may no longer be significant if the sister city relationship has been dissolved. All de-accessioning decisions will involve extension consultation with all relevant stakeholders.

Urban and Public Art Collection

Acquisition principles

Lake Macquarie City Council's Cultural Collections delivers diverse urban and public art to the community in a creative celebration of place, culture, identity and environment.

Council is responsible for managing, maintaining and activating urban and public art, each of which has a curatorial intention and cultural purpose.

The Urban and Public Art Collection consists of three key collecting areas defined by purpose and lifespan:

Ephemeral/temporary works

These are site-specific or project-based artworks and have a limited life span or display time. These works are either retired or rotated as directed and outlined within the project plan, artist contract and/or the cultural collection procedure. The intent of these works is that they are short-term in nature.

Generally, contractual agreement would not include conservation, preservation or restoration of the artwork and therefore they will not go through the de-accessioning process. These works can include murals to temporary installations. Urban Art created by untrained artists and/or artists that fall within categories such as outsider art, street art and graffiti art will be classified as ephemeral/temporary works.

Urban art

Urban art is defined within the Urban and Public Art Strategy. Functional man-made urban art attached to infrastructure will have a life span determined by the infrastructure and the works functionality. Maintenance and conservation will be determined on a case-by-case basis in line with Council policy, procedure and strategy. Generally, maintenance may occur to maintain the artworks functionality. These works will not go through the de-accessioning endorsed process.

Policy - external Cultural Collections

Permanent public artworks

These works are on permanent display within the city and have a long lifespan outlined within the commissioning procedure, contractual agreement and/or maintenance report which includes appropriate conservation, preservation and restoration to be completed when suitable. Collection focuses will be defined by the specific site as outlined within an Urban and Public Art Precinct plan.

Civic and Community Collection

Memorials, monuments or an item with cultural civic value located within the public domain will fall within the Civic and Community Collection. The Urban and Public Art Project Leader will liaise closely with appropriate heritage officers and advisers, regarding legislative requirements and collection management procedure. These works will be recognised as permanent works and adhere to the de-accessioning process. This does not include items which have been heritage listed.

Acquisition criteria

Urban and Public Art will be considered for acquisition if it adheres to one or of the following criteria:

Conceptual:

Local identity:

- Responsive to local culture, identity, and the city's aspirations.
- Represents local Aboriginal culture, history and/or contemporary arts practice.
- Inspired by Lake Macquarie; place, people, activity, community, relevant events, culture and the city.
- Emerging, mid-career and established artists living within the area and will add value to the collection.

Australia and international:

- The work has been created to be site specific for Lake Macquarie.
- Artworks that represent diverse cultures.
- Artworks that represent Aboriginal culture, history and contemporary arts practice, locally and nationally.
- Artworks that activate public space and engage the community.
- Artworks that develop culture and contemporary ideas by influential national and international artists.
- Artworks that create tourism and interest in Lake Macquarie.
- Artworks that enhance the liveability of the city.

General criteria:

All Urban and Public Art acquisitions need to:

- be of either local, regional, national or international significance
- build the collection as an asset culturally and in value
- contribute to the construction of a collection with relevance and significance to the public
- not unnecessarily duplicate items already in the collection
- can be appropriately managed with Council resources of installation, maintenance and conservation.

De-accession principles

De-accessioning refers to the process undertaken to remove a work of art from public display and permanently removed from the collection. Council will undertake an audit of its urban and public art

Policy - external Cultural Collections

collection every five years for valuation and asset life. Ephemeral works, such as murals, are dictated by the lifecycle of each project and do not need to adhere to the deaccession process. For these projects, the city returns the site back to its original condition or recommissions the site for a new artwork.

De-accession criteria

Urban and Public Art items will not be sold, given away or disposed of, and will remain as part of Lake Macquarie City Council's Cultural Collections unless they meet one of the following criteria:

- The item is a lesser quality duplicate of an item Council already owns.
- The item lacks any supporting information detailing provenance to enable proper identification or to establish its relevance to the collection.
- The artwork does not meet one of the following documents requirements: the Urban and Public Art Policy, the Urban and Public Art Strategy, the Cultural Collections procedure or policy.
- The work is at the end of its intended life span outlined in the maintenance report and/or contractual agreement.
- Maintenance and repair obligations and costs have become excessive in relation to the value and age of the artwork.
- There is a significant threat of damage to the work if left in its current location.
- The work has become unsafe, or is affected by changes in health and safety regulations.
- The site where the work is located is to be redeveloped or significantly physically altered.
- The work is no longer culturally appropriate.
- The work is damaged, deteriorated or destroyed beyond reasonable repair or conservation.

Review and evaluation

The effectiveness of sponsorship, including guidelines and criteria, is reviewed every four years.

Policy - external Cultural Collections

Controlled Document Information

Authorisation Details

Folder No:	F2019/01476	TRIM Record No:	D11118120
Audience:	External		
Department:	Arts, Culture & Tourism	Officer:	Manager Arts, Culture and Tourism - Jacqui Hemsley
Key focus area(s):	Creativity		
Review Timeframe: Max < 4 years	4 years	Next Scheduled Review Date:	30 June 2027
Authorisation:	Adopted by Council - 28 August 2023		
Authorisation - Council Adoption Date:	28 August 2023		

Related Document Information, Standards & References

Related Legislation:	(Legislation Name)	(Relationship/Context)
Related Policies:	Library Collections Policy (Adopted by Council - 2 February 2020)	As this Policy manages the non-depreciable collections, the Library Collections Policy manages the depreciable collections.
Related Procedures, Guidelines, Forms, WHS Modules/PCD's, Risk Assessments, Work Method Statements:	Cultural Collections Procedure (D10660686) Cultural Collections - Incoming Temporary Loan Agreement (D10562162) Cultural Collections - Copyright Permission Template (D09961978) Cultural Collections - Deed of Gift (D09961979)	(Relationship/Context) Aligned internal procedures
Standards, COP's & Other References	ICOM Code of Ethics for Museums NSW Heritage Office Movable Heritage Principle	Sector standards and guidelines

Definitions

Term / Abbreviation	Definition
Nil	

Consultation (update for each version created)

Key Departments, Teams, Positions, Meetings:	Arts Culture and Tourism, Executive, Councillors and external stakeholders
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Version History

Version No	Date Changed	Modified By	Details and Comments
1	19 Sep 2019	Jessica Dowdell	New policy created

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Policy - external Cultural Collections

2	30/06/2023	Jacqui Hemsley	<p>Additional text as required to allow acquisitions through the Cultural Gift Program. Page 3 <i>“Gifts made under the Cultural Gift Program will not be returned to the donor as the donor has already received the benefit of a tax deduction for the gift.”</i></p> <p>Updated policy template, adjustment to grammar and aligned with style guide</p>
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