



AGENDA

Community Services Committee Meeting Tuesday, 27 August 2024

Date Tuesday, 27 August 2024

Time Following the Infrastructure Committee

Location Council Chamber
District Council Building
King George Place
Timaru

File Reference 1701632

Timaru District Council

Notice is hereby given that a meeting of the Community Services Committee will be held in the Council Chamber, District Council Building, King George Place, Timaru, on Tuesday 27 August 2024, at the conclusion of the Infrastructure Committee meeting.

Community Services Committee Members

Stacey Scott (Chairperson), Stu Piddington (Deputy Chairperson), Gavin Oliver, Peter Burt, Allan Booth, Owen Jackson, Sally Parker, Michelle Pye, Scott Shannon and Mayor Nigel Bowen

Quorum – no less than 5 members

Local Authorities (Members' Interests) Act 1968

Committee members are reminded that if you have a pecuniary interest in any item on the agenda, then you must declare this interest and refrain from discussing or voting on this item, and are advised to withdraw from the meeting table.

Beth Stewart
Group Manager Community Services

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- 1 Apologies**
- 2 Public Forum**
- 3 Identification of Items of Urgent Business**
- 4 Identification of Matters of a Minor Nature**
- 5 Declaration of Conflicts of Interest**
- 6 Chairperson's Report**

7 Confirmation of Minutes

7.1 Minutes of the Community Services Committee Meeting held on 30 July 2024

Author: Rachel Scarlett, Governance Advisor

Recommendation

That the Minutes of the Community Services Committee Meeting held on 30 July 2024 be confirmed as a true and correct record of that meeting and that the Chairperson's electronic signature be attached.

Attachments

- 1. Minutes of the Community Services Committee Meeting held on 30 July 2024**



MINUTES

Community Services Committee Meeting Tuesday, 30 July 2024

Ref: 1701632

**Minutes of Timaru District Council
Community Services Committee Meeting
Held in the Council Chamber, District Council Building, King George Place, Timaru
on Tuesday, 30 July 2024 Following the Infrastructure Committee**

Present: Clrs Stacey Scott (Chairperson), Stu Piddington (Deputy Chairperson), Gavin Oliver, Owen Jackson, Michelle Pye, Scott Shannon, Mayor Nigel Bowen

In Attendance: **Community Board Members:** Michael Thomas (Pleasant Point)

Officers: Nigel Trainor (Chief Executive), Paul Cooper (Group Manager Environmental Services), Andrew Dixon (Group Manager Infrastructure), Beth Stewart (Group Manager Community Services), Stephen Doran (Group Manager Corporate and Communications), Nicole Timney (Group Manager Property), Andrea Rankin (Chief Financial Officer), Matt Sisson (Property Projects Officer), Maddison Gourlay (Communications and Marketing Advisor), Meghan Taylor (Executive Operations Coordinator), Jess Hurst (Community Development Team Lead – Minutes)

1 Apologies

1.1 Apologies

Resolution 2024/30

Moved: Clr Stacey Scott

Seconded: Mayor Nigel Bowen

That the apologies of Peter Burt, Allan Booth and Sally Parker be received and accepted.

Carried

2 Public Forum

There were no public forum items.

3 Identification of Items of Urgent Business

No items of urgent business were received.

4 Identification of Matters of a Minor Nature

No matters of a minor nature were raised.

5 Declaration of Conflicts of Interest

No conflicts of interest were declared.

6 Chairperson's Report

6.1 Chairperson's Report

The Chairperson has attended a number of meetings including CityTown masterplan consultations and the Infrastructure Symposium in Wellington with Mayor Nigel Bowen, as well as meetings relating to the Aorangi Park redevelopment, Three Waters Next Steps, and proposed District Plan hearings.

Resolution 2024/31

Moved: Clr Stacey Scott

Seconded: Clr Michelle Pye

Carried

7 Confirmation of Minutes

7.1 Minutes of the Community Services Committee Meeting held on 11 June 2024

Resolution 2024/32

Moved: Clr Michelle Pye

Seconded: Clr Gavin Oliver

That the Minutes of the Community Services Committee Meeting held on 11 June 2024 be confirmed as a true and correct record of that meeting and that the Chairperson's electronic signature be attached.

Carried

8 Reports

Resolution 2024/33

Moved: Clr Stacey Scott

Seconded: Mayor Nigel Bowen

In accordance with section 48(1) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 7 of that Act it is moved:

1. That the publicly excluded part of the agenda are moved forward in this agenda. This specifically relates items 13.1 (public excluded minutes of the Community services committee meeting held on 11 June 2024; and the Aigantighe House Gallery Seismic Strengthening and Refurbishment).
2. It is moved to exclude the public from this part of the proceedings of this meeting, namely that stated above, as per sections 7 (2)(i); and section 7(2)(h) of the Local Government Official Information and Meetings Act 1987).

3. To readmit the public at the completion of these reports and continue with the agenda as is.

Carried

9 Exclusion of the Public

Recommendation

That the public be excluded from—

- *(b)the following parts of the proceedings of this meeting, namely,—

13.1 Public Excluded Minutes of the Community Services Committee Meeting held on 11 June 2024

13.2 Aigantighe House Gallery Seismic Strengthening and Refurbishment Project

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows at 3.48pm:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Plain English Reason
<p>13.1 - Public Excluded Minutes of the Community Services Committee Meeting held on 11 June 2024</p> <p>Matters dealt with in these minutes:</p> <p>13.1 - Progress Report - Aigantighe Heritage House Gallery Seismic Strengthening and Refurbishment Project Update</p>	<p>Section 48(1) of the Local Government Official Information and Meetings Act 1987.</p>	<p>The public excluded minutes of the meeting held on 11 June 2024 are considered confidential pursuant to the provisions of the LGOIMA Act of 1987.</p> <p>The specific provisions of the Act that relate to these minutes can be found in the open minutes of the meeting held on 11 June 2024.</p>
<p>13.2 - Aigantighe House Gallery Seismic Strengthening and Refurbishment Project</p>	<p>s7(2)(h) - The withholding of the information is necessary to enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities</p> <p>s7(2)(i) - The withholding of the information is necessary to enable the Council to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	<p>To enable Council to carry out commercial activities</p> <p>To enable Council to carry out commercial or industrial negotiations</p>

Note

Section 48(4) of the Local Government Official Information and Meetings Act 1987 provides as follows:

- “(4)Every resolution to exclude the public shall be put at a time when the meeting is open to the public, and the text of that resolution (or copies thereof)—
 - (a)shall be available to any member of the public who is present; and
 - (b)shall form part of the minutes of the local authority.”

10 Public Excluded Reports**13.1 Public Excluded Minutes of the Community Services Committee Meeting held on 11 June 2024****13.1 Progress Report - Aigantighe Heritage House Gallery Seismic Strengthening and Refurbishment Project Update****13.2 Aigantighe House Gallery Seismic Strengthening and Refurbishment Project****11 Readmittance of the Public****Resolution 2024/34**

Moved: Mayor Nigel Bowen

Seconded: Clr Stacey Scott

That the meeting moves out of Closed Meeting into Open Meeting at 4.05pm.

Carried

8.1 Community Services Group Update

The Group Manager Community Services spoke to the report to provide the Community Services Committee with a regular, high-level update on the functions of the units within the Community Service Group, including key updates, challenges and opportunities, initiatives, projects, and the impact of changes in service delivery as it pertains to the community.

Key topics discussed in the report included the proposed adjustments to library operating hours and successful software upgrades at CBay, which are enabling more accurate reporting. It was confirmed that the new Library Manager will commence duties on August 5th, and the current Acting Manager at CBay has been appointed as the permanent Recreation Facilities Manager.

There was a discussion concerning the storage and future planning for bequeathed items, and the management of collections. Councillors have requested an update on the current bequeath policy at the next Community Services meeting.

The council recognised the efforts of the customer services team for processing 2,000 rates rebate applications. This process, which was well-highlighted during the Long Term Plan consultation sessions, should continue to be widely promoted.

Resolution 2024/35

Moved: Clr Stacey Scott

Seconded: Clr Gavin Oliver

That the Community Services Standing Committee receives and notes the Community Services Update Report.

Carried

8.2 Aigantighe Art Gallery: Accessibility and Climate Control Options

The Group Manager Property and the Property Projects Officer spoke to the report to obtain approval by the Committee to use project reserve funds to undertake works which fall outside of the Seismic Strengthening contract scope, but are within the original overall House Gallery Refurbishment Project scoped works. The proposed works include the replacement of the HVAC system, installation of a lift, and accessible toilets. The HVAC system in the gallery is overdue for replacement by at least two years.

Clarification was requested on the prioritisation of this project in relation to other council initiatives and whether these additional works are the best use of this reserve fund. While officers acknowledged that a condition report is necessary to confirm that there will be no further associated costs, they expressed confidence that these enhancements would ensure the facility's full accessibility and suitability for community use, with no additional costs anticipated to complete the project.

The Committee was assured that the additional works would not delay the gallery's planned opening on November 29th. Although the HVAC system replacement has a 16-week lead time, it can be installed post-opening without affecting the schedule. The installation of the lift and accessible toilets will be coordinated with gallery operations to minimise disruption to the community. The full completion of all works is expected early next year.

Further discussions emphasised the importance of accessibility aligning with the Council's Age Friendly strategy. Queries were raised regarding the accessibility of other council facilities and buildings and it was confirmed that most facilities are accessible, though not necessarily to the new building standards triggered by new works.

Resolution 2024/36

Moved: Clr Michelle Pye

Seconded: Clr Scott Shannon

That the Community Services Committee approve unbudgeted expenditure to upgrade the bathrooms to be accessibility compliant in the modern gallery, install new HVAC/AHU for the modern gallery and install a full lift platform to all floors of the house gallery.

Carried

12 Consideration of Urgent Business Items

No items of urgent business were received.

13 Consideration of Minor Nature Matters

No matters of a minor nature were raised.

14 Public Forum Items Requiring Consideration

There were no public forum items.

The Meeting closed at 4.35pm.

.....
Clr Stacey Scott
Chairperson

8 Reports

8.1 Actions Register Update

Author: Rachel Scarlett, Governance Advisor

Authoriser: Stephen Doran, Group Manager Corporate and Communications

Recommendation

That the Community Services Committee receives and notes the updates to the Actions Register.

Purpose of Report

- 1 The purpose of this report is to provide the Community Services Committee with an update on the status of the action requests raised by councillors at previous Community Services Committee meetings.

Assessment of Significance

- 2 This matter is assessed to be of low significance under the Council's Significance and Engagement Policy as there is no impact on the service provision, no decision to transfer ownership or control of a strategic asset to or from Council, and no deviation from the Long Term Plan.

Discussion

- 3 The Actions Register is a record of actions requested by councillors. It includes a status and comments section to update the Community Services Committee on the progress of each item.

Attachments

1. **Community Services Committee Actions Required** [↓](#) 

Information Requested from Councillors (Community Services Committee)

Information Requested	Policy update for the assessment of bequests for collections at the Aigantighe Art Gallery		
Date Raised:	30 July 2024	Status:	Ongoing
Issue Owner	Group Manager Community Services	Completed Date:	
Background: Clrs requested an update on the process for managing bequests at the Art Gallery. Clrs enquired as to how bequeathed artworks are assessed, what criteria is used to accept and decline works, the process for sale of works and if there is a policy governing this process. Clrs requested a policy review.			

8.2 Community Services Group Update Report

Author: Beth Stewart, Group Manager Community Services

Authoriser: Nigel Trainor, Chief Executive

Recommendation

That the Community Services Standing Committee receives and notes the Community Services Update Report.

Purpose of Report

- 1 To provide the Community Services Committee with a regular, high-level update on the functions of the units within the Community Service Group, including key updates, challenges and opportunities, initiatives, projects, and the impact of changes in service delivery as it pertains to the community.

Assessment of Significance

- 2 This report is assessed as being of low significance under Council's Significance and Engagement Policy as it is reporting on community activities and does not propose any initiatives that influence changes in levels of service, strategic assets, or rates.

Discussion

- 3 This report is provided on a regular basis to the Community Services Standing Committee. The Community Services Group includes the main Timaru and two district libraries/service centres (Temuka and Geraldine); South Canterbury Museum; Aigantighe Art Gallery; and the district's recreational facilities (Caroline Bay Trust Aoraki Centre [CBay], district pools and Aorangi Stadium); Continuous Business Improvement function; and the Community Experience portfolio which comprises the Community Development team and Customer Services units. The Group is also involved with several longer-term capital expenditure projects such as the Aigantighe Art Gallery Heritage House Project (earthquake seismic strengthening and refurbishment); and the Aorangi Park Stadium redevelopment project.

Continuous Business Improvement

- 4 Attekus Bookable – Stage 1: Ongoing review, support and maintenance activities are in place to assist our community with using Bookable should they require it. Refinements have been undertaken to improve the user experience, including a review of the quantum and purpose of information being collected from hirers. Following LTP feedback from elected members, a review of the additional overhead charges is underway to reduce the amount of extra charges for some venues and events, and streamline the invoicing process. The process will be subject to ongoing review and refinement.
- 5 The Aorangi Stadium component has now been developed and features booking options for the stadium, lounge, and gym.
- 6 Procure-To-Pay Module – Stage 2: 'Esker Procure to Pay' went live in March 2024. As of the 1 July, all our users have been using Esker For purchasing. Further improvements are still being made to the system to enhance the overall customer experience.

- 7 Assura 2.0 Upgrade: Assura Health, Safety & Wellbeing 2.0' is a comprehensive platform for reporting incidents, injuries, safety observations, permit to work and events within our organisation. The 'Training & Competencies' module has been created with some final adjustments still being made. Once this has been finalised the project can be closed out.
- 8 CBay Software Upgrade: The implementation of 'Active Carrot' now facilitates online bookings and enrolments more efficiently, significantly reducing administrative workload for the Learn to Swim team and other areas within CBay.

Aigantighe Art Gallery

- 9 Malcom Warr: The Printroom Exhibition: Malcolm Warr's first major retrospective since 2019, is on display at the Aigantighe Art Gallery featuring thirteen serigraphs that Warr, now 85, gifted to the gallery in 1983, along with fifteen additional works he has generously loaned for the exhibition. The exhibition opened on Friday, August 9th, with 45 people attending the evening hosted by the Friends of Aigantighe. The show runs until September 22nd, showcasing both North and South Island landscapes.



Malcolm Warr, *Mt Ngāuruhoe, National Park* 1983, Serigraph on Paper, Aigantighe Art Gallery Permanent Collection ACC 1983.44, Gifted by the Artist in 1983.

- 10 Artarama: Over 700 artworks by school-aged children from across South Canterbury are showcased at Timaru's Aigantighe Art Gallery in the 45th *Artarama* exhibition. The event, organised by the gallery with support from the Rotary Club of Timaru North and the Friends of the Gallery, features a diverse range of creative expressions in painting, drawing, prints, mixed media, and 3D art. The exhibition, which categorizes entries by age and medium, celebrates young artists' skills and creativity. At the prizegiving on Saturday, 30 prizes were awarded to primary and high school students, with over 100 people in attendance.



South Canterbury Museum

- 11 The Museum recorded 2,870 service users over July, slightly below the three-year average target but still the fifth highest number recorded for July.
- 12 The Museum's Heritage Education Service has been busy delivering programmes to early childcare centres in the first weeks of Term 3. Educators are taking appropriate objects and materials into childcare centres, with some centres then arranging to visit the Museum.
- 13 Planning is underway to host a photographic exhibition that has portraits and accounts of New Zealand Navy personnel who took part in *Operation Grapple*, where New Zealand vessels observed British nuclear testing in the Pacific in the 1950s. The exhibition features two local men and will be launched in November.
- 14 Funding for Heritage Facility fitout: Following Council's decision on 16 July to discontinue the Theatre Royal and Heritage Facility the South Canterbury Museum Development Trust (SCMDT) has now been instructed to return the \$200,000 grant issued by Community Trust of Mid and South Canterbury. Under the Trust's grant policy, any grants not used within 12 months of issue have to be returned unless the trustees agree to an extension of time. The correspondence from trustees confirmed that they have elected not to extend the time and instead request a return of the full \$200,000 as soon as practicable. The trustees have indicated that they would look favourably on any future application for a grant from the Trust if a new project for the SCMDT was proposed in the future.
- 15 The team has been corresponding with other donors in the meantime, advising them that officers are awaiting further direction from the Council regarding the future of the Museum and will continue communicating with the donors as a new direction develops.

Community Development

- 16 The Community Experience Manager and the Community Development Team Lead (CDTL) recently attended the Welcoming Communities National Hui, where the CDTL presented three workshops on Timaru District Council's partnership with the Syrian former refugee community.
- 17 Welcoming Week 2024 is scheduled for 6th - 15th September. Planned events include a pool party at CBay, newcomer coffee group, and a multicultural playgroup - with additional activities to be announced in the coming weeks. A full schedule of events will be provided to all Elected Members and the wider community.

- 18 Work on the *Need Help?* community directory in collaboration with the South Canterbury Citizens Advice Bureau is ongoing, with the booklet's content expected to be finalised in the coming weeks.

Customer Services Update

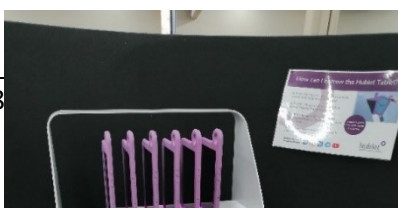
- 19 During the month of July CSOs handled 3,671 calls covering a wide variety of topics, predominantly building inspections, animal registration, rates, and kerbside collection enquiries.
- 20 5,400 dogs of the district's 9,500 dogs had been registered by the end of July and we expect an influx of payments to come in in the final week of August, before penalties are applied.

Community Funding

- 21 Investment Analysis Dashboard: The analysis of past projects has provided a good overview of previous grants and given us an opportunity to evaluate our investments in the community. Officers are currently developing a template that categorises those investments by type, category, and budget. This template will provide a clear and comprehensive dashboard in Excel, facilitating better decision-making and strategic planning.
- 22 Community funding policy: Work is progressing on revising and simplifying the Community Funding policy. Officers are hopeful that the first draft will be ready before the end of August.
- 23 Smarty Grants Online Applicant System: officers have reviewed the application, assessment, and reporting forms to ensure the alignment between different forms. The Smarty Grants online applicant system is now halfway completed. The next steps include further reviewing the forms and their layout to ensure clarity and consistency.
- 23.1 Guidance information: Officers are currently reviewing forms and creating a step-by-step guide to assist users in navigating the system. The next step will involve developing a comprehensive guide or short instructions that provide an overview of the entire process, including what to expect before submission, during the project, and after its completion.
- 23.2 Support for the Planning team: Officers will demonstrate the SmartyGrants system to the Planning team, offering necessary guidance and advice to help them set up their online system effectively, namely for the administration of their community funding programs, such as the Biodiversity and Heritage grants.
- 24 Upcoming meetings: Youth Initiatives applications closed on 2 August with three applications received. The committee will meet on 4 September. Creative Communities applications closed 9 August with the meeting scheduled for 12 September.

Timaru District Libraries

- 25 New Libraries Manager: the new Libraries Manager, Michael Priest, commenced on 5 August. Michael joins TDC after managing library networks in the United States, and the North Island.
- 26 Hublet: TDC has purchased 6 'Hublets' which are a ready-to-use self-service solution for loanable tablets. The Hublets are connected to databases that the library subscribes to. A library card is all that is needed to borrow a Hublet, which is then available for use for 30 minutes. The Hublets' usage has been averaging 7 borrows per day. In school holidays this usage increases. The July school holidays saw daily borrows go up to 18 borrows per day, peaking on 17 July with 78 total borrows.



- 27 Geraldine Library & Service Centre update: In July Geraldine Library had the shelving in their children's area replaced with new cream coloured shelving. This has made the space brighter and more inviting for children.



Before



After

- 28 Temuka, Library Service & Information Centre update: The Temuka Team Leader has recently given talks to Grey Power and a Friendship group at Temuka about the services that the library offers, as well as what council services can be accessed via the service centres. New Groups meeting at the library now include *Spin and Chatter* (spinning wheel social group) and the Crochet group, along with Mahjong.
- 29 In the last week 47 appointments have been made for applications for rates rebates.
- 30 560 dog registrations have been processed in the month of July-August.

Recreational Facilities

- 31 CBay had over 25,000 visits throughout July. Swim School and Squads have over 700 enrolments for Term 3 and our school holiday learn to swim program had 65 participants. CBay fitness is holding has a membership base of 1,450 members.
- 32 Recruitment is currently underway for the vacant Fitness Team leader and Aquatic Education Coordinator roles and should be completed by month end. Recruitment for the Events centre

team leader is still on hold whilst we await the decision on the future of the stadium. Winter sports are keeping the patronage of the stadium high.

- 33 Our annual staff CBay games were held on July 26th with over 50 staff participating. Photos from Rebekah Mulholland.



- 34 Summer pool recruitment will commence shortly, with training and development scheduled prior to district pools opening on 15 November. The expected recruitment timeline for the 2024 Summer Season is noted below.

Timaru District Council Summer Pools Recruitment Timeline



Attachments

Nil

8.3 Aigantighe Gallery Seismic repair Update.**Author:** Matt Sisson, Property Projects Officer**Authoriser:** Nicole Timney, Group Manager Property**Recommendation**

That the Committee receive and note the Progress Report for the Aigantighe Heritage House Gallery Seismic Strengthening and Refurbishment Project.

Purpose of Report

- 1 To update Council on the progress of the Aigantighe Heritage House Gallery Seismic Strengthening and Refurbishment Project.

Assessment of Significance

- 2 This matter is deemed of low significance under the Council's Significance and Engagement Policy. This was a key project in the Long Term Plan 2021 2031 and of interest to the arts and heritage community.

Discussion

- 3 The Heritage House Gallery Seismic Strengthening and Refurbishment Project was approved in the 2023/24 Annual Plan and is budgeted to cost \$3.7 million. Officers are now finalising the close out of the project with the expected handover date of 24 September 2024.
- 4 The interior and exterior painting is due to be completed by 30 August 2024, with the final seismic strengthening works to be completed on 2 September 2024. All scaffolding will be removed on completion of the painting and commissioning and remaining defect rectification will be completed up to 24 September 2024.
- 5 Council Officers are completing the required close out paperwork and details in readiness for final inspections.
- 6 It is proposed that there will be an opening following the project completion. The Timaru District Council Art Gallery Team will be reporting to the Committee on plans for an official opening.

Attachments

1. **Aigantighe House Gallery Council Report July 2024** [↓](#) 

KEY PROJECT

Aigantighe House Gallery Seismic Repairs

Progress report – Issue 9 – July August 2024



OVERVIEW

The Aigantighe House Gallery is currently undergoing a seismic upgraded to enable the continued use of the space for an art gallery and allow public access to the building again.

PROJECT UPDATE

- External scaffold roof removed
- Painting exterior at 80%
- Internal fitout at 70%
- External scaffold removal started
- Mechanical fitout continues



Project Risks

- Stress rod installation. Potential failure of procedure requiring a new design approach.

PROJECT TIMELINE

Activity	Key date
Interior and exterior painting complete	30 August 24
Seismic strengthen works complete	2 September 24
Full scaffold removal	23 August 24
Commissioning and defect rectification	24 September 24



Project Sponsors: Beth Stewart, Cara Fitzgerald **Project Manager:** Nicole Timney, Matt Sisson

Project budget
\$3.7m

Project spend to 13 August
2024
\$2,002,060

Construction
Contract

Spent to date to 14 August
2024
\$1,598,174

KEY PROJECT

Aigantighe House Gallery Seismic Repairs

Progress report – Issue 8 – June 2024



OVERVIEW

The Aigantighe House Gallery is currently undergoing a seismic upgrade to enable the continued use of the space for an art gallery and allow public access to the building again.



Items dating back to 1918 found behind fire surround.



PROJECT TEAM

Project Sponsors: Beth Stewart, Cara Fitzgerald **Project Manager:** Nicole Timney, Matt Sisson

8.4 Aigantighe Art Gallery Collection Policy update

Author: Beth Stewart, Group Manager Community Services
Cara Fitzgerald, Art Gallery Manager

Authoriser: Beth Stewart, Group Manager Community Services

Recommendation

That the Community Services Committee:

1. Receives and notes the Aigantighe Art Gallery Collection Policy update report;
2. Provides feedback for officer's consideration in the revision of the Policy and criteria for deaccessioning artworks, noting the specific guidelines and potential impacts on the collection and reputation of the Gallery.

Purpose of Report

- 1 To provide the Community Services Committee with an update on the Aigantighe Art Gallery's current processes for storing, collecting, adding, and removing artworks from the collection. This report addresses council queries about how bequests are assessed and rejected, the criteria for deaccessioning, and whether artworks are ever sold.
- 2 Additionally, this report seeks input from Council for the revision of the current policy, noting the specific guidelines and criteria associated with collections assessments, and the risks associated with potential sale of works.

Assessment of Significance

- 3 This report is deemed to be of low significance as it relates to the Significance and Engagement Policy. However, it should be noted that any proposed changes to the Collections Policy may have impact on the management and preservation of the Aigantighe Art Gallery's permanent collection, which is considered a key cultural asset of South Canterbury. Any decisions made regarding the collection's future, especially as it relates to rejecting bequests and selling artworks, could have notable reputational risks for the gallery's reputation and its relationship with the community. Therefore, careful consideration is requested to maintain public trust and uphold the gallery's cultural legacy.

Background

- 4 At the 30 July 2024 Community Services Committee meeting elected members requested an update on the process for managing bequests at the Aigantighe Art Gallery. Council enquired as to how bequeathed artworks are assessed, what criteria is used to accept and decline works, the process for sale of works. Councillors' requested an update on the existing Aigantighe Collections Policy (attachment 1) and a review of the policy.
- 5 The Aigantighe Art Gallery stores the permanent collection according to professional and best-practice Museum and Gallery standards and guidelines (Te Papa Tongarewa, Collection Management; *Artcare, The Care of Art and Artefacts in New Zealand* published by the Auckland Art Gallery). The art storage spaces in the Aigantighe Art Gallery include: one purpose-built storeroom (store of painting and work on paper), one converted storeroom (the

sculpture store) which are located in the Gallery building, and one offsite store that is shared with the South Canterbury Museum.

- 6 Most of the growth in the Gallery's permanent collection has come from gifts and donations or are purchased with funds that have been gifted to the Gallery (these are in adherence to the terms of the Estate which stipulate that the funds be used to purchase artwork for the permanent collection).
- 7 An annual capital budget of \$30 000 per annum (plus CPI increases) is also reserved for the purchase of works, which has been approved by Council in the 2024-34 Long Term Plan.
- 8 Gifted or donated artworks to the permanent collection began in 1910 when the South Canterbury Art Society began collecting art for the 'future' public art gallery – they intended to create a civic collection for the benefit of the people of South Canterbury. The Aigantighe House became the district's Public Art Gallery in 1956 and what the South Canterbury Art Society had already collected was then added to over the next few years by the Grant and Wigley families, who also gifted Aigantighe House and gardens to the people of South Canterbury.
- 9 The Aigantighe Art Gallery abides by the Code of Ethics (attachment 2) in regard to its deaccession policy and these gifts and bequests have been given for the benefit of the South Canterbury community.
- 10 When artworks are gifted to the permanent collection this is documented through a Gift Acknowledgement, an agreement between the Donor and the Aigantighe Art Gallery.
- 11 Of the 2000 + artworks in the permanent collection around 95% have been donated/gifted to the Gallery or have been purchased by gifted funds stipulated as being used to purchase artworks for the permanent collection.
- 12 Gifted or donated artworks are accepted or declined according to the Aigantighe Art Gallery's Collection Policy. The Gallery aims to collect artworks by New Zealand and local artists, however the collection also holds international artworks.
- 13 Deaccession may occur in accordance with the current policy which includes situations where the artwork no longer aligns with the Aigantighe collection policy, the artwork needs to be repatriated, the artwork is a duplicate of an artwork already in the collection, or the provenance of the artwork is considered unethical. Deaccession must be first be offered back to the Donor or the Donor's family before any other kind of deaccessioning process can take place.
- 14 The Gallery's collection policy states that artworks cannot be sold if they have been gifted or brought with funds/bequests or gifted by the Friends of the Aigantighe.

Discussion

Bequests Assessment and Rejection Process

- 15 The Aigantighe Art Gallery evaluates bequests according to the Aigantighe Art Gallery Collection Policy. Criteria includes the artwork's relevance to the gallery's mission, its cultural and historical significance, and practical considerations such as storage and conservation capacity.
- 16 Bequests may be declined if the artwork does not align with the gallery's focus, duplicates existing works, or cannot be adequately stored. The gallery's current storage limitations are a

significant factor in this process, and future bequests may need to be more selectively accepted.

- 17 Declining bequests, particularly from well-known or long-standing donors, is not common practice among notable national galleries. Unjustified rejection of bequests may pose a reputational risk to the gallery where donors and community members may perceive such decisions as a rejection of generosity or a shift in the gallery's values. It is crucial that any decision to decline a bequest is communicated transparently, with clear reasoning provided to the donor and the public to mitigate potential backlash.

Selling or Deaccessioning Artworks

- 18 The Gallery's current Collection Policy prohibits the sale of artworks acquired through gifts, bequests, or funds specifically designated for purchasing art. Deaccessioning is considered only in cases where the artwork no longer fits the gallery's mission, is a duplicate, or raises ethical concerns.
- 19 The current Policy's process stipulates that should deaccessioning be approved, artworks are first offered back to the donor or their family. If they decline, the gallery may consider selling the artwork. This process is tightly regulated and would involve transparent decision-making in line with ethical standards.

Policy Review

- 20 The existing Aigantighe Collection Policy, last updated in 2016, requires revision to address current challenges, including storage constraints and changing community expectations. The updated policy will need to incorporate specific guidelines on declining bequests and revisiting deaccessioning criteria, ensuring that the gallery manages its collection responsibly and sustainably.
- 21 The Gallery is bound by the Museum Aotearoa's *Code of Ethics* which has strict criteria around the deaccession and sale of artworks. The sale of artworks from the gallery's permanent collection carries significant reputational risks. Selling pieces that were gifted or bequeathed could be seen as a breach of trust, potentially damaging relationships with donors and the broader community (as noted in the attached COCA case study). To avoid such risks, any sale must be justified with reasonable justification (as per the Museums Aotearoa Code of Ethics) and communicated clearly to all stakeholders.
- 22 As part of the policy review, it is essential to develop clear communication strategies to handle sensitive issues around bequests and deaccessioning. This includes engaging with donors early in the process, providing transparency in decision-making, and ensuring that the community understands the rationale behind any actions taken. By doing so, the gallery can protect its reputation and continue to foster strong community relationships.
- 23 Officers seek Committee members input and suggestions for input in the revised Policy. Feedback will be considered against the industry Code of Ethics and presented to the Community Services Standing Committee at the 8 October 2024 meeting.

Attachments

1. **Aigantighe Collection Policy (current)** [↓](#) 
2. **Museums Aotearoa Code of Ethics** [↓](#) 
3. **COCA Art Gallery Collection Sale 2016 impact (case study)** [↓](#) 



Aigantighe Collection Policy 2016

1.0 Purpose

The Aigantighe Art Gallery Collection Policy provides a set of principles for the responsible stewardship and sharing through public access and use of collection art works held at Aigantighe Art Gallery.

This Policy is supported by comprehensive operational guidelines, procedures and standards, such as the Museums Aotearoa Code of practice and is updated when necessary.

2.0 Background

History

Aigantighe is the name of the historic house that became the foundation of the Art Gallery in 1956. It was built in 1908 as the retirement home of Alexander Grant (1832 – 1921) and Helen Grant (1854 – 1955), who emigrated from Scotland and farmed Gray's Hill Station in the Mackenzie Country. It was the wish of Mrs Grant that the Aigantighe became an art gallery for the general public. She lived in Aigantighe until her death in 1955. Her wishes were followed with the Aigantighe and surrounding grounds donated to the people of Timaru in 1955.

Aigantighe Art Gallery is the result of these 3 gifts which were given to the Timaru District Council. Aigantighe opened to the public in August 1956 with a collection of 80 works which comprised of the two art donations - the first from the Grant family and the second from the South Canterbury Arts Society.

Since that time the collection and gallery has grown exponentially with the Edwardian house displaying work from the permanent collection.

There are over 1500 pieces in the collection with around 10% of this collection on display at any one time.

Much of the collection was gifted either by direct donation or as a monetary bequest.

The rest of the collection includes a variety of works celebrating Victorian and Edwardian art works, Japanese prints, European prints, Australian art, Chinese art, Sculptures, Antique china and more.

The aim is to achieve a unified and balanced overall collection.

Background and context to the policy



- The acquisition of works of art is central to an art museum function.
- The Gallery will collect works of art which exemplify excellence, and / or are of historical and / or artistic significance to the Timaru District and wider Canterbury region and where appropriate (to strengthen existing parts of) to its collection art works by significant national and international artists.
- The gallery will consider acquisitions of works of art by gift, bequest, purchase, transfer or exchange.
- The relationship between cultural activities and education, employment, and economic development is well recognised by Central and Local Government policy. The presence of a respected Art Gallery institution contributes to local identity, pride of place, and social cohesion. It acts as a focal point for the artistic life of the district, celebrates the diversity of local communities, and provides a quality learning and leisure activity. It is a strong feature of the District and helps to attract new residents to the region along with tourists.

3.0 Key Definitions

- **Works of Art** or **Art Works** encompasses all media including paintings, sculpture, drawings, prints, ceramic art, glass, fibre art, photography, film, video documentation of conceptual art and site specific installations.
- **Acquisition** - an art work bought or obtained.
- **Accession** - a new art work added to an existing collection.
- **Deaccession** - the removal of art work or works from the collection.

4.0 Policy

The Aigantighe Art Gallery is the home of visual art in South Canterbury, creating connections between people and art. Aigantighe seeks to develop and care for the collection for the people of today and generations to come. Gallery staff aim to present creative, stimulating and enjoyable exhibitions for locals and visitors, now and into the future.

4.1 Collection

Collection Management depends on effective information management. Collection Policy provides a set of principles that guide the responsible management of the collection of works held at Aigantighe Art Gallery. This is an essential tool for managing the collection within the usual boundaries of budget, space and staff.

Collection management involves tasks such as; Movement & Control, Risk Management Security, Insurance & Indemnity Management Cataloguing Legal information (ownership of title, rights information), Financial information (valuations), Access information (conditions of



use). Regular checking of the condition of the entire collection, photographing works to an archival standard, and uploading images and data to the digital catalogue is a major task. Prioritising damaged art works and organising their restoration with the professional conservator is an ongoing focus. Considerable research into the collection is also being done but much vital information has been lost to history.

4.2 Objectives

- To collect:
 - Art works produced by artists born in the Timaru District/South Canterbury or wider Canterbury region
 - Art works produced by artists who have resided in the District or wider region
 - Art works produced in the District or wider region
 - Art works which have a permanence and do not require extensive conservation treatment or reworking
 - Art works where the District or wider region has motivated the subject matter
 - Art works which reflect the diversity and multi-cultural nature of the region, recognising the Treaty of Waitangi which honours Maori as Tangata Whenua.
- To recognise that the Gallery has a national role in forming its collection in a complimentary way, rather than competitive way, in its relationship with other art museums.
- To provide appropriate physical and spiritual care, and storage facilities for all works in the collection.

Works must not duplicate material already held in the collection.

4.3 Ethics

Art work known or suspected to be stolen, unethically acquired, fraudulent, or copied with fraudulent intent will not be accessioned into the collection.

Works will not be acquired with the intent of later selling, exchanging or otherwise disposing of them.

The Manager and staff will not acquire work for their personal collections which conflict with the Gallery's collection policy.

Work will not be acquired/deaccessioned by a personal whim or fashion.

Gallery staff will abide by the Code of Ethics and Professional Practice for Museums Aotearoa.

4.4 Acquisitions



4.4.1 Introduction

The acquisition of works of art is central to an art museum's function. As a portion of the annual acquisition funding is provided by Timaru District Council rates, there must be transparency and collaboration regarding purchases made with rates money.

The Gallery will collect works of art which exemplify excellence and/or are of historical and/or artistic significance, to the Timaru District and wider Canterbury region.

Where appropriate, works of National and International significance could be acquired into the collection to strengthen the existing collection.

The Gallery will collect works that reflect the diversity and multicultural nature of the Timaru District.

The Aigantighe Art Gallery has a national role in forming its collections in a complementary, rather than a competitive way in its relationships with other art museums.

4.4.2 Gifts and Bequests

The Gallery will consider acquisitions of works of art by gift, bequest, purchase, transfer or exchange.

The Gallery Manager has the authority to accept bequests without any input from the Community Development Committee or its Subcommittee.

Any works acquired by donation or bequest must meet the acquisition criteria described above.

Aigantighe Art Gallery reserves the right to respectfully decline any works of art that may be offered if it is considered to be unsuitable for the collection. This decision will be made by the Gallery Manager.

In cases where a piece of work or works have been gifted by a will, probate of the will must have been granted. In the absence of a lawful will, the deceased's family or beneficiaries must have approved, in consultation with the Trustees for the Estate, the retention of work by the Gallery either as an outright gift or by purchase from the deceased's estate. Where no next of kin or beneficiaries can be traced, retention of the work for the Gallery shall be sought by Order of the Public Trust Office.

Offers of art works considered unsuitable for the Gallery's collection may be directed to a more appropriate repository.



The Gallery will have a Deed of Gift to protect long term the interests of both the donor and the Gallery.

The Gallery will normally only accept unrestricted gifts. Any conditions attached must be approved by the Gallery Manager.

Where appropriate, the Gallery Manager will be able to accept monetary value in lieu of a work, provided that the funds are deposited in the Art Works/Asset Purchases fund and be used towards future acquisitions for the Gallery.

Unless otherwise requested, written acknowledgment of the donor/bequest will accompany the art work.

4.4.3 Purchasing/Commissions

Decisions on art works to be purchased for acquisition will be made by the Gallery Manager, in line with current financial delegations.

Art works may be purchased/commissioned with funds held in trust for this specific purpose from the following sources: bequest; rates, gifts or endowments; grants and donations; monies received from the sale of deaccessioned works; and monies received from Art Gallery fundraising.

The funds tagged for accessions and bequests will be used for the purchase of art works only and will not have the following charges levied against it; repairs and maintenance, packing and freight.

Sources of acquisitions may be artists, exhibitions, dealers, auctions or private.

4.4.4 Accessioning

All acquisitions will be accessioned into the collection by the Gallery Manager and designated staff.

Details of the acquisition will be entered into the accession register: title of work; name of artist; date of work; date work acquired; provenance; price etc.

A photograph of the work must be included in the accession file.

A condition report of the work must be undertaken and included in the accession file.

Acquisitions will be included in the next applicable Gallery reports to the Timaru District Council.



4.4.5 Deaccessioning

The process of deaccessioning is to maintain the quality and relevance of the collection. The decision to remove items from the collection is not to be taken lightly and therefore it is important that procedures be undertaken with care and only with strict reference to policy and procedural guidelines.

Art work will not be deaccessioned due to whim or fashion and must be respected as a valuable document and product of its time.

The Gallery Manager will prepare a deaccession proposal for each work being considered for deaccessioning, indicating the reasons why it should be removed from the collection. The proposal and recommendations will then be presented to the Community Development Committee or its Subcommittee, who shall decide whether or not a work shall be deaccessioned. The Gallery Manager will be responsible for ensuring that works deaccessioned are noted and records altered to reflect the change. The method of deaccession shall be decided by the Community Development Committee or its Subcommittee. They will authorise the Gallery Manager to carry out this decision.

When an item has been gifted, but no longer fits the Collection Policy, it should be offered back to the Donor in the first instance. Where a work has been gifted or bequeathed the wishes of the donor must be acknowledged.

The owners or their heirs will be advised of the outcome of the decision to deaccession where possible and given the first opportunity to acquire the art work.

Where it is appropriate, the art work will be offered for purchase, gift or exchange to a public art museum with an appropriate policy, or offered for sale at public auction or sold by an approved agent.

Reasons for deaccession will be fully documented and photographed and this documentation will be retained for Aigantighe Art Gallery records.

The Grant and Wigley collections are considered as an integral part of the Gallery history and as such no works from these collections shall be considered for deaccession.

No deaccessioned item can be obtained by any person or member of his/her family who is associated with the Aigantighe Art Gallery or Timaru District Council. The sale of such works will not be of personal benefit to employees/volunteers of the Gallery, relevant external advisors or any other parties with a declared interest in the Aigantighe Art Gallery.

Possible reasons for deaccessioning works may include but are not limited to:



- The art work is damaged or has deteriorated to the point that it is unable to be restored or conserved or conservation is unfeasible financially
- The art work has been discovered to have been illegally or unethically acquired
- The art work has been found to have been fraudulently created
- The art work is being requested for repatriation
- The art work is a duplication of, or inferior to, some related work already in the collection
- The art work no longer fits with Aigantighe's collection policy
- The art work is found to be a Health and Safety risk for members of the public and/or staff, or could damage other items in the collection
- The provenance may be of a cultural nature or due to historic circumstances is unclear.

The Aigantighe Art Gallery is resolved to refine and improve its permanent collection. Part of this process requires that the Gallery examines its existing collection and identifies any works of art, the significance and aesthetic merit of which falls substantially below the general level of the collection. If it is found that such works do not enhance the Gallery's holdings, but rather lower the overall quality, the Gallery will have the right to remove them from the permanent collection and dispose of them by the most appropriate means. The Gallery will exercise care and caution in evaluating the merit of an art work when considered for disposal.

Deaccessioned art work will not be made available for sale to employees/volunteer staff of the Gallery, relevant external advisors, or any other parties with a declared interest in the Gallery.

The sale or disposal of art work will not be of personal benefit to employees/volunteer staff of the Gallery, relevant external advisors, or any other parties with a declared interest in the Gallery.

Where a work has been gifted or bequeathed, the wishes of the donor(s) must be acknowledged.

Where possible, in the case of donors/bequests, the original owners or their heirs will be given first opportunity to acquire the art work.

Where above is not appropriate, the art work will be offered for purchase or exchange to a national art museum with an appropriate acquisitions policy, offered for sale at a public auction, or sold by an approved agent. If public auction is deemed to be the most appropriate method of sale, a reserve price will be set in consultation, with an art valuer.

Legal or other impediments must be identified before disposal takes place.

4.5 [Loaning Of Artworks](#)



4.5.1 Inward Loans

Art work enters the Gallery for a variety of reasons: exhibitions, research, evaluation prior to acquisition, photography and attribution or assessment, from a variety of sources (e.g. public or private institutions, public or private owners etc.).

Incoming loans will be recorded and condition reported on a loan agreement form. A receipt will be issued to the owner/agent.

Incoming loans will be treated with the same care as the Gallery agreement formula. Any special requirements must be agreed upon by the Gallery Manager and specified on the loan form.

Unless otherwise specified and except where work is deposited at the Gallery without prior permission from the Gallery Manager, insurance of incoming loans will be the Gallery's responsibility.

Art work will be returned to the owner/agent at the request of the Gallery Manager or lender, or as otherwise specified on the loan form.

Incoming loans should be of a specified time period.

Where possible, the Gallery Manager will issue loan requests from public or private owners six months prior to exhibition.

4.5.2 Extended Inward Loans

Approval for extending long term loans in special circumstances (e.g. family heirloom), will be at the discretion of the Gallery Manager.

The time period and condition of the loan must be approved by the Gallery Manager, and documented on the loan form.

In general, the Gallery will be responsible for the forward and return packing, freight and insurance of the art work, unless a prior arrangement has been made.

All terms and conditions of the loan arrangement will be agreed upon between the Gallery Manager and the owner and will be documented on the loan form.

4.5.3 Outgoing Loans

Timaru District Council Civic Building:



- In line with a recommendation adopted by the Community Development Committee on 17 September 2013, newly purchased work, purchased from rates, will be displayed in the Timaru District Council Civic building.
- These works will be hung by a curator to ensure the correct lighting, temperature and security is obtained.
- Works will be returned to the Gallery after no more than 6 months to ensure they are housed in the best possible environment.

Art work from the Gallery will not be loaned to individuals or private/commercial galleries, except for the purposes of conservation or framing.

The Gallery Manager will have authority to approve or decline loan requests.

A loan will be declined if, in the opinion of the Gallery Manager the condition of the work would be threatened by travel, if it is exceptionally rare or unique, or if the permanent display of the Gallery would be seriously impaired by the removal of the work requested.

In evaluating a work for loan, the record of its previous exhibition history and travel will be considered.

Loans will normally be refused if the work is already on loan, scheduled for loan or a restricted loan.

Loans will be approved if the works of art will be subjected to study, contribute a greater understanding, appreciation and knowledge of art, or the recognition of New Zealand understanding, will be furthered (e.g. overseas loans).

The Art Gallery staff must make certain that the work on loan will be packaged, transported, handled, stored and exhibited safely and securely, within accordance of national museums standards.

The condition of all outgoing works will be recorded on the approved loan agreement form and where appropriate, cumulative condition reports will be maintained by borrowing institutions.

Loans will only be approved to reputable institutions, which possess systems for environmental control e.g. temperature, humidity and lighting, and which meet the appropriate conservation standards and whose staff have demonstrated an ability to handle works of art safely.



The Gallery reserves the right to carry out periodic inspections of loans and withdraw them for any reason and at any time.

If the work is to be toured, the Gallery must receive a complete itinerary of the tour (e.g. dates and venues). The facilities of the other exhibiting institutions must be evaluated by the Gallery staff or touring agent.

Outgoing loans will be approved only within a specified time period, not exceeding three years.

The loan will not normally be approved if the recommended maximum frequency of locations and duration of exhibition is exceeded as follows:

- paintings – maximum of 6 locations with a total display period not to exceed 12 months within 3 years
- prints and drawings – maximum of 4 locations with a total display period not to exceed 12 months within 3 years
- photographs – maximum of 5 locations with a total display period not to exceed 12 months within 3 years
- sculpture and decorative arts - maximum of 6 locations with a total display period not to exceed 14 months

Where required, extensions will only be granted for three year periods.

Indefinite or permanent loans will not be approved.

Gallery ownership of the work will be acknowledged in publications, labels and other written texts, where appropriate.

Copyright permission, in accordance with the 1994 Copyright Act, must be sought by the borrowing institution, where appropriate.

Whilst on loan, the work will not be photographed, filmed, televised, repaired, conserved, reframed or installed by any other methods other than those specified, unless authorised by the Gallery Manager.

Adopted Community Development Committee 26 April 2016

CODE OF ETHICS & PROFESSIONAL PRACTICE

For Governing Bodies, Managers and Staff of Museums
and Art Galleries in Aotearoa New Zealand.

2013



Museums Aotearoa Te Tari o Ngā Whare Taonga o te Motu
The Museums of New Zealand Inc
Adopted 20 November 2013

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Introduction

Museums Aotearoa Te Tari o Ngā Whare Taonga o Te Motu, The Museums of New Zealand Inc, recognises the 2007 International Council of Museums (ICOM) definition of a museum as a foundation statement:

A museum is a non-profit making, 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.

It also affirms the principles which inform ICOM's Code of Ethics:

- Museums preserve, interpret and promote the natural and cultural inheritance of humanity.
- Museums that maintain collections hold them in trust for the benefit of society and its development.
- Museums hold primary evidence for establishing and furthering knowledge.
- Museums provide opportunities for the appreciation, understanding and management of the natural and cultural heritage.
- Museums hold resources that provide opportunities and benefits for other public services.
- Museums work in close collaboration with the communities from which their collections originate as well as those they serve.
- Museums operate in a legal and in a professional manner.

This Code of Ethics & Professional Practice amplifies and refines the requirements of the definition and principles of ICOM. It is intended for the use of members of governing bodies and the professional staff of museums and art galleries in Aotearoa New Zealand, as well as for the reference of local authority managers with direct responsibilities for such museums. It describes the responsibilities of governing bodies, museum and art gallery managers and staff to each other, to the collection which is a core element of museums and art galleries, and to those who support, fund and who visit museums and art galleries.

In reflecting on the unique aspects of Aotearoa New Zealand, Museums Aotearoa and its members recognise the relationship established by Te Tiriti o Waitangi, the Treaty of Waitangi, and we accept that the principles of tino rangatiratanga apply to many aspects of museum and art gallery

work. This recognition requires museums and art galleries to understand and incorporate the values of tangata whenua and all other peoples who have made Aotearoa New Zealand home. It recognises that full authority in relation to the collections does not rest within the institution at all times and that it is crucial to maintain regular and mutually-respectful contact with appropriate Māori, iwi and other interested groups to fully reinstate stewardship and properly value their connections to the works and activities of the museum or art gallery.

Other points of reference for museum and art gallery staff include ICOM's Code of Ethics and relevant international conventions for general guidance in professional matters. The appendices include a new section, Natural History Ethics for Aotearoa New Zealand, and make reference to relevant current international codes of ethics and other codes of professional practice developed within specific museum sector groups (such as for those in both the conservation and registration sectors). Human remains policies have been developed within our sector and two examples are provided for the reference of others in Appendix B.

A new initiative developed as a result of the review of the 2003 Code of Ethics in 2011-13 is the establishment of a Museums Aotearoa Ethics Committee. Further detail about the committee and its current membership is available from Museums Aotearoa; the terms of reference are attached in Appendix C.

The Code applies primarily to publicly-funded museums and art galleries and it is expected that organisational and individual members of Museums Aotearoa confirm and adhere to it.

It also provides guidance to those with an interest in the smooth running and increasing professionalism of their museum operations – whether public or private.

Documents such as this Code of Ethics and Professional Practice are kept in review and updated from time-to-time. While its tenets and suppositions flow from principles discussed and agreed in an international context, this Code seeks also to summarise agreed good practices specific to Aotearoa New Zealand.¹

It is anticipated that all individual and organisational members are champions of ethical behaviour, routinely inducting new staff to the Code and incorporating its principles into their daily work.

¹ It is acknowledged that there is a range of privately-funded and volunteer museums, for whom Affiliate membership status of the professional body may be more appropriate. Should it be successfully introduced in Aotearoa New Zealand, a museum accreditation system will provide independently assessed measures of success in addition to matters covered by the 2013 Code of Ethics and Professional Practice.

Responsibilities of Governing Bodies and Relevant Local Authority Managers

1.1 TO THE MUSEUM

Governing bodies and local authority managers with responsibility for museums and art galleries will:

- a ensure the museum or art gallery building is safe for public use and that management and staff are aware of and trained in emergency procedures;
- b ensure originals of key enabling documentation, such as statutes and trust deeds, are safely stored with copies available elsewhere;
- c ensure the preparation of clear statements relating to the aims, objectives, policies and plans of the museum or art gallery, its roles, structure and sustainability, and ensure these are regularly reviewed;
- d communicate these to those associated with the museum, the communities it serves and its key stakeholders;
- e secure the support and financial resources necessary to achieve the museum's aims and objectives;
- f ensure the collections are viewed as a crucial foundation of the museum or art gallery and, whether or not it is valued as a financial asset, ensure that the museum never pledges, mortgages, nor otherwise uses its collections as security to raise loan funds or to finance operations;
- g ensure that deaccessioning does not take place in the absence of a policy framework nor against the advice of the museum's professional staff. Appropriate independent advice should be sought when the value of items proposed for de-accessioning warrants it;
- h ensure that, in the event of collection items being repatriated and/or disposed of in line with staff advice, donors or their

- descendants (if any), and other museums, collecting institutions or relevant iwi are informed prior to items being sold by public auction, private treaty or other means;
- i ensure that all funds raised in the process of an approved deaccessioning are applied solely and unequivocally to the benefit of the collection;
 - j ensure that, when items are approved for loan by museums and galleries supported by public funding (in full or in part), such loans are made available to other public museums and galleries in Aotearoa New Zealand using a fee structure based solely on cost recovery;
 - k have a genuine interest in the unique characteristics of Aotearoa New Zealand, and the Treaty of Waitangi and confirm this by:
 - i understanding and taking into account the tikanga and kawa of tangata whenua;
 - ii discussing and supporting appropriate affirmative action by museums in their relationships with tangata whenua;
 - iii valuing the significance of tangata whenua and all other peoples who have made Aotearoa New Zealand home; and
 - iv recognising the principles of tino rangitiratanga and relationships between collections and peoples associated with those collections;
 - l have regard to New Zealand's official languages, including te reo Māori and New Zealand sign language;
 - m ensure that any actual or potential conflicts of interest are reported to the governing body and that their individual actions do not bring the museum or art gallery into professional, legal or public disrepute;
 - n ensure that if, at the time they join the museum or art gallery governing body, they hold a personal collection or collections relevant to the museum's or art gallery's, they provide full details of that collection to the gallery director and, during their term on the governing body, adhere to the same guidelines as those outlined for staff in 3.2.d-g (p14-15).

Those responsible for appointing members of governing bodies should ensure that individuals appointed:

- a confirm their interest in the museum, its aims and objectives, and are prepared to ensure that they are achieved;
- b reflect a mix of skills and knowledge and are broadly representative of gender, age, Māori and other perspectives appropriate to the collection and operations of the museum or art gallery.

1.2 TO THE STAFF OF THE MUSEUM

Members of governing bodies or local authority managers will also:

- a act in all respects as a good and fair employer, to both paid and unpaid staff;
- b ensure appropriate delegations are in place so that policies and plans are developed and implemented; and
- c ensure that the responsibilities included in this Code are known, reinforced and met by the museum and its staff.

Responsibilities of Museum and Art Gallery Managers

All staff employed or volunteering within a museum or art gallery have ethical responsibilities both at work and when undertaking museum-related activities beyond the walls of the museum or outside working hours. Depending on its size and capacity, many collections-related responsibilities are shared with or entirely delegated to curatorial and collections management or registration staff in a museum or art gallery.

However, managers responsible for the overall operation and well-being of the museum have a key role in ensuring the regular review and updating of the museum's or art gallery's policies and practices in relation to the public, providing maximum access to their collections and the expertise of their staff, and ensuring best practices and the implementation of continuous improvements in relation to staff, collections and the museum building and infrastructure.

The following section summarises major ethical and professional practices under various headings for easy reference. Much is equally applicable to other senior staff with key responsibilities and it is recommended that all staff and volunteers working in museums become familiar with the Code and the principles which underlie it.

2.1 TO THE PUBLIC

Museums and art gallery managers will ensure:

- a the collections in their care are accessible to their audiences by any and – where practicable – all of the following means:
 - i publishing, through various means, including mounting exhibitions and displays;
 - ii interpreting and providing information about exhibitions and collections;
 - iii providing accurate and up-to-date data through various digital platforms;
 - iv where practicable, making works available to other museums and galleries;
 - v providing access to collections storage areas;
 - vi presenting and facilitating seminars, hosting lectures and events related to the collections;
 - vii creating and providing materials for learning and education purposes such as school kits, hands-on collections and staff-assisted visits;
 - viii providing facilities for researchers;
 - ix providing opportunities for the expression of Māori and Moriori tikanga.
- b accurate, relevant and accessible interpretative information is available to visitors, taking reasonable account of those with various impairments, in a variety of appropriate formats within and accompanying exhibitions and displays;
- c that there is active engagement with tangata whenua and other relevant communities in the development of exhibitions and displays, education and public programmes, whether stand-alone or presented within the museum, as well as in relation to the general and specific care, management and use of collections of their cultural heritage;
- d that their audiences, including those who cannot visit but whose interests align with the museum or gallery and its collections, are catered for as well as practicable within the staff's capabilities and resources and – if unable to be met – that

reasonable requests for information are passed to another suitable organisation or agency;

- e that they determine and retain responsibility for the form and content of any exhibition on their premises and any other publication or public programme it produces or schedules, including being prepared to support these in public in the event they become contentious.

2.2 TO MUSEUM AND GALLERY STAFF

Museum and art gallery managers will:

- a have a genuine and confirmed interest in the unique characteristics of Aotearoa New Zealand and the Treaty of Waitangi;
- b ensure the value and significance of tangata whenua and all other peoples who have made Aotearoa New Zealand home is communicated;
- c create opportunities to use te reo Māori and New Zealand sign language;
- d provide appropriate financial rewards for the duties specified and, where practicable, provide for meaningful career paths and advice about these within the museum or gallery and/or within the broader sector, as applicable;
- e ensure staff members have opportunities for acquiring further skills through training, retraining, and personal development programmes within and, as appropriate, beyond the museum, so their potential is maximised in a given role;
- f provide essential training or development without cost to the staff member and, wherever practicable, encourage staff attendance at professional workshops, meetings and conferences;
- g ensure first aid and disaster preparedness training is given to front-line staff, including volunteers, and that an appropriate plan which ensures museum and gallery managers and all staff are aware of their responsibilities for the public, the collections and themselves in times of disaster, is developed and reviewed regularly;

- h ensure that new and revised position descriptions uniformly include reference to this Code of Ethics and to the maintenance of appropriate professional practice and ensure that staff are not required to act in a way that might conflict or be considered to conflict with its provisions;
- i ensure that they are champions of ethical and professional behaviour and acknowledge the need for co-operation and consultation between museum staff and other publicly-funded institutions with similar interests and collections.

2.3 TO THE COLLECTIONS IN THEIR CARE

Museum and art gallery managers will also ensure that:

- a there is a strong presumption that all items, once accepted into a given collection, will be maintained in optimum conditions, protected by good record-keeping and security systems and held in trust for the public and/or on behalf of iwi;
- b the collecting goals of the museum are stated clearly in its collections and acquisition, access and loans, deaccessioning and disposal and other collections-related policies (such policies should take account of collections sustainability, current and long-term storage requirements and, as appropriate, include consideration of the needs of living or working collections in its care and the specific mandates of other museums in their area);
- c except in exceptional circumstances, all items acquired for the collection or accepted on long-term loan fall within the acquisitions policy of the museum or gallery and that it can provide adequately for their physical protection, care and documentation;
- d as well as collecting the past, collections policies look to the future and consider the increasing plurality of Aotearoa New Zealand;
- e all reasonable efforts are made to ensure adequate provenance for all collection items is gained at the time of acquisition or, if not, that sufficient proof of legal title is established prior to the formal accessioning of an item into the collection;

- f provision is made for maximum public access to collection items, including making data relating to collection items available; recording provenance and other related information about them through various means, written and oral; and by lending works to exhibitions organised by other museums and galleries, providing their physical and cultural well-being is not unreasonably threatened.

In addition, museum and gallery managers will also ensure the following:

- a The museum does not acquire items collected in circumstances which are destructive or damaging to natural or cultural sites or monuments.
- b Museums may accept special responsibility for collectively-owned material, for example, Māori or Pacific Islands items, but a clear policy relating to the trusteeship of such material should be developed, new taonga registered as required by law and appropriate agreements in line with the museum's policy negotiated. Particular attention must be paid to ensuring appropriate access to and use of this material.
- c Museums will engage with people of the cultures concerned in the development of collections of cultural property, including their reproduction in digital and other formats. All museums will recognise the rights and interests of tangata whenua and Moriori in relation to cultural property. Prior to acquiring collection items, the institution will obtain the views of tangata whenua to promote the most appropriate ownership and placement of Māori cultural material.
- d No items are to be disposed of without careful consideration under the terms of an approved policy relating to the deaccessioning and disposal of collections. When practicable, views of donors or their descendants will be sought and taken into account. Policies will provide clear reasons for deaccessioning, which might include irretrievably damaged collections or items of unknown origin, or of no value within or relevance to the collection. Consideration should be given to offering these by exchange, gift or private sale to other museums or returning them to an appropriate iwi, whether or not they have an established market value.

2.4 EXHIBITION, RESEARCH AND PUBLIC PROGRAMMES

It is the responsibility of museums and art galleries to ensure that all research conducted under its auspices is conducted to a high ethical standard. Exhibitions and other programmes provided to the public will also reflect this level of care.

- a Within all museums and art galleries, processes will be established to ensure:
 - i research proposals, including those for exhibitions, are approved using an appropriate process; and
 - ii ethical and legal considerations are taken into account at the initial stages of preparing research proposals with respect to living persons and intellectual property, intangible heritage, oral histories, human remains, threatened or extinct species and animal welfare.

Note: The Museums Aotearoa Ethics Committee may be referred to for advice on such matters (see Appendix C).

- b Museums and galleries are encouraged to publish their research in a timely way, so that it is accessible and can be reviewed by communities of interest and critiqued by the scholarly community.
- c Art galleries and museums will ensure appropriate fees are paid to artists, writers and other creative practitioners involved in making and providing work for exhibition or making an additional creative contribution to the presentation of such work to the public.

Note: Reference may be made to the Artists' Alliance, Creative New Zealand, the Arts Council of New Zealand and other similar bodies (see Appendix D).

- d Art gallery and museum managers will avoid confusion about the role of the museum and ensure they and museum staff avoid all activities that may be construed as trading or dealing in cultural property, unless authorised in advance by the governing body (for example, in situations where a long-standing arrangement exists with a local arts society to sell from an annual exhibition).
- e Particular care should be taken that material covered by the institutional acquisitions policy and actively collected by the museum or art gallery is not sold directly from exhibitions in the museum or gallery.

2.5 OPERATIONS

- a Museum and art gallery managers will ensure legal requirements and best professional practice in fiscal matters are applied throughout, including timely reporting and independent review (wherever practicable by annual audit). Reporting which aligns to New Zealand's Financial Reporting Standards must be ensured, both by an annual report of accounts, whether audited or not, and a review of activities made available annually to stakeholders.
- b Museums and galleries, their governing bodies or local authority managers will ensure that commercial activities and sponsorship enhance the museum's reputation. In particular, potential sponsors are to be carefully considered (and, in the event of any doubt, approved by the governing body or within the appropriate management structure) if, for example, their brands are associated with or connected to the manufacturing and distribution of tobacco, alcohol, pharmaceuticals, weapons or pornography.
- c Sources of funding and income-generating activities should not compromise the content and standards of a museum's or gallery's programme nor its publications.
- d Museum and gallery managers and staff are to be aware of and adhere to appropriate legislation in all commercial activities. This includes but is not limited to copyright, intellectual property and fair trading. Museum shops will only sell items for which legal title, provenance and necessary certification is available.
- e Museums and galleries are expected to apply principles of sustainability to all their operations as far as practicable. When new buildings or extensions to current museum buildings are planned, or when plant and equipment is renewed, principles of sustainability will also be paramount in their planning. Re-cycling of materials in keeping with current best standards is to be encouraged.
- f Museums and galleries with responsibility for human remains will establish tikanga appropriate to the care and management, including repatriation, of these (see Appendix B). Māori human remains will be housed in a separate area (wahi tapu).

Responsibilities of Museum and Art Gallery Staff

All staff employed or volunteering within a museum or art gallery have ethical responsibilities at work and when undertaking museum-related activities beyond the walls of the museum or outside working hours.

Museum or art gallery staff will take special note of the following specific responsibilities:

3.1 TO MANAGERS AND THE GOVERNING BODY

- a Museum and art gallery staff are expected to provide good advice to their managers and governing body on all matters relating to the museum, its policies and practices, or anything which impacts or may impact on its reputation and professional standing.
- b Staff will also:
 - i act in all respects as good employees;
 - ii ensure that none of their actions brings the museum into professional, legal or public disrepute; and
 - iii ensure that activities are in the best interests of the museum and relate directly to the policies approved by the governing body.

3.2 TO THE MUSEUM

- a Staff will have a genuine interest in the unique characteristics of Aotearoa New Zealand and the Treaty of Waitangi and be able to demonstrate appropriate understanding of the tikanga and kawa of tangata whenua;
- b Staff members will not solicit, directly or indirectly, nor accept, gifts, gratuities, favours or any other things of monetary value which may be construed as compromising their position.² The governing body or local authority manager is to be informed

² Examples include gifts or favours from an artist or other person, group, or corporation which has obtained, or is seeking to obtain, contractual or other business, financial or professional relationships with the museum or art gallery.

immediately of token personal gifts or koha to individuals which do not fall into this category. Where such gifts are items which the museum collects, they must be freely offered for acceptance into the museum's or art gallery's collection and recorded through the usual channel.

- c The nature of the obligations inherent in any koha are to be clearly defined and recorded at the time of giving of the koha. Where a koha is presented to a staff member or a museum or art gallery, it becomes a bond between the giver and the receiver. An obligation may exist for the return of the koha at some future date, or for a reciprocation in kind. Where a koha is made in public to an institution, it becomes the property of the accepting institution which may also be bound by obligations of reciprocity.
- d If, at the time they join the museum staff, members hold a personal collection or collections relevant to the museum's or art gallery's, full details of that collection are to be provided to the governing body or appropriate manager.
- e During their employment in a given museum:
 - i staff involved in collecting in the same areas as the museum or gallery are to inform the governing body, local authority manager or relevant established committee of personal acquisitions as they are made – whether by gift or purchase – so the museum or gallery has the option, for a specified and limited period, to acquire such objects at the purchase price;
 - ii staff will not use the museum's affiliation to promote personal collecting activities nor seek any undue advantage in the transaction;
 - iii staff wishing to dispose of any item from a personal collection will first offer it to the museum or art gallery for consideration.
- f In summary, no staff member is to compete with their employing organisation for an object of mutual interest.
- g If a work of art or other item owned by a member of staff or the board, or a close affiliate of the museum or gallery is borrowed for inclusion in an exhibition, care must be taken to distance the museum from being seen as an overt party to a possible increase in the work's value. A proper process is to be outlined

within the museum's policy framework and levels of approval for the inclusion of such works established. In addition, care is to be taken with personal acknowledgment of such works in labels and publications. The use of 'private collection' is generally favoured in such situations.

- h Again in summary, museums and art galleries will ensure that there is no real or potential for perceived conflict of interest in showing works or items from the personal collections of individuals associated with the exhibition or with the museum or gallery.

3.3 TO THE PUBLIC

- a Staff will be proactive in their dealings with their multiple audiences, visitors and interested others, to the best of their ability and be courteous and efficient at all times.
- b Wherever practicable, staff will facilitate access to the collections by tangata whenua, Moriori, and other individuals and groups wishing to study material important to their cultural heritage. Appropriate advice may be given to members of the public about items in their possession and, if given, should be provided freely or on a cost recovery basis only.

Note: Museums should formulate a set of guidelines for such advice, including the following:

- i although the results of scholarly research, examination and treatment of museum objects may make it possible for staff to contribute to the verification of an object and its history, they are never to undertake paid authentications nor paid or unpaid valuations of works in private possession;
- ii staff should not assist with the acquisition or disposal of private property, nor express an opinion about the relative merits of dealers or agents while giving advice to the public;³
- iii no object in a museum's or art gallery's collection will be deliberately or misleadingly identified or valued;
- iv no object will be undervalued by a staff member in order to acquire it for the collection at a price advantageous to the museum or art gallery.

³ It may be useful to formulate a list of dealers and agents in the museum or art gallery's areas of interest or refer to the Ministry for Culture & Heritage for an approved list of valuers, etc, such as may result from legislation currently under consideration to promote philanthropic donations of cultural property.

3.4 TO THE COLLECTION

- a To the best of their ability, staff will ensure all collection items and taonga are handled and cared for in their totality, physically and culturally in accordance with national and international standards of best practice, including:
 - i proactively researching thoroughly best practice standards for care of collection items and ensuring every collection item is housed in good conditions;
 - ii being diligent in keeping thorough and accurate records of objects, their provenance and condition, and proactively updating these over time as new information becomes available;
 - iii maintaining a register of accidental damage to collection and loan items; and
 - iv maintaining off-site backup storage of collection information.
- b Museums and art galleries will exercise due diligence when seeking to acquire or borrow items for acquisition (or for loan), including full provenance and other relevant information. They should also ensure vendors and other sources of material for acquisition are researched and enquiries relating to unprofessional and illegal activity in the field are carried out. This is a key consideration before seeking to import material on a fixed-term loan for exhibition or research purposes.⁴

3.5 EXHIBITIONS, RESEARCH AND PUBLIC PROGRAMMES

One of the key ways that museum and art gallery staff provide access to the collections and related material in their care is through up-to-date and well-researched exhibitions, displays, book and catalogue publications, journal articles and collections-related public programmes. Collections research, exhibitions and public programmes are inter-related activities and it is important that each is informed by the others and re-freshed as new information and interpretations become available.

⁴ Immunity from Seizure legislation or similar legislation has been passed in many countries, most recently in Australia. It is in preparation also for New Zealand; reference about its progress may be made to the Ministry for Culture & Heritage.

- a Museum and art gallery staff will undertake the study of collection items, within the limits of their professional competence and the facilities of the museum. Accessibility to collections and exhibition-related research can be greatly enhanced through the regular maintenance of the museum's or gallery's web-site and, where practicable, increasing the digitisation of records.
- b Museum and art gallery staff will ensure that what they do is informed by current research in the relevant field. Individuals are encouraged to exhibit, display and otherwise make available and to publish collections-related and other research regularly and in a timely way, so it is accessible to all communities of interest and so that it may be reviewed and critiqued within the scholarly community.
- c In relation to others' research, staff will:
 - i endeavour to become aware of and respect the research areas of other *bona fide* scholars actively working and publishing in the same or a similar field;
 - ii allow such scholars full access to museum collections or records, subject to the safety of the items concerned.
- d Museum and art gallery staff engaged in research will ensure an active contribution to education and other programmes designed for the museum's varied audiences, so that understanding of the collections and related scholarly research functions of the museum and art gallery staff are understood, widely supported and celebrated within their communities of interest.

APPENDIX A

Natural History Ethics for Aotearoa New Zealand

INTRODUCTION

This Appendix supports the *Code of Ethics & Professional Practice of Museums Aotearoa* with material specific to the curation, collection and display of natural history material.⁵ *The ICOM Code of Ethics for Natural History Museums* (see <http://icomnatistethics.wordpress.com/2013/02/23/icom-nathist-code-of-ethics/> updated in 2013) covers current best practice for natural history institutions globally and is to be referred to for broader ethical considerations.

However, this Appendix considers the collection and display of items of natural history and heritage taking into account Māori customary rights.

NATURAL HISTORY AND MĀORI

For Māori, the concepts of 'nature' and 'culture' are closely intertwined, if not the same. Ancestors and supernatural beings are ever present, helping to create, shape and nurture the landscape. Spiritual knowledge is inextricably interwoven with traditional knowledge and expertise about the environment, which is handed down to successive generations.

When including Māori concepts in the interpretation of nature or display of natural objects, it is important to remember that differences exist among iwi. Museums will engage fully in consultation to ensure that the correct kōrero is being presented.

TIKANGA (CUSTOMARY PROTOCOLS)

Tikanga should be observed for certain natural history objects. For example:

- a items in which an umbilicus, placenta or human remains have been deposited are considered tapu (sacred), and are not to be near food, representations of food or cooking implements;

⁵ The ICOM Code of Ethics for Natural History Museums covers collection and display of human remains, because some natural history museums globally have anthropology collections. However, this is not the case in New Zealand, so they are not considered here.

- b individual organisms, such as the kauri tree Tāne Māhuta and rocks, such as petroglyphs and the stern and bow of the Tainui waka and Wairaka may also have substantial cultural significance or be considered tapu;
- c huia feathers, because of their cultural significance, are to be displayed with respect.

TE WHAKAATUHANGA (DISPLAY OF LIVE ANIMALS AND PLANTS)

All living plants and animals contain 'mauri' a life force or essence. All displays of live organisms will be given the respect associated with their mauri. In addition, some live organisms contain a special life force of their own. These 'tupua' are associated in Māori culture with supernatural powers. Each iwi has its own tupua, which can range from a bird such as a white kererū, a river, a log that travels upstream, or an albino eel (tuna). A live tupua is never to be displayed.

Once an animal or plant is dead, it is devoid of mauri, and is not restricted from display.

Within this general rule, however, certain cultural mores apply. Some examples include:

- a parts of animals that have been made into weapons or other items associated with death (these items may be considered tapu and consultation with the appropriate iwi is required);
- b for some iwi seeing a gecko (moko kākārīki; moko tāpiri) is considered a symbol of bad luck, but this is not universal;
- c similarly, the fantail (pīwaiwaka/tīwaiwaka) may represent either good or bad luck, depending on the iwi and the circumstances.

Objects (taonga) that are considered tapu are not to be placed near, or in the same case, as those that are 'noa' (non-sacred or free from tapu). Tapu objects should also not be displayed lower than those that are noa, should not be near food, representations of food or cooking implements.

In summary, consultation is to be undertaken when displaying native species or those that may have cultural implications.

CULTURAL IDENTITY AND RELATIONSHIPS

Some iwi consider that they whakapapa back to (descend from) biological or geological entities. For instance, Ngāi Tahu maintain a special relationship to pounamu and Ngāti Kiore to the kiore (Pacific rat). While these relationships typically do not limit collection or display, broader issues of conservation or harvesting may arise and require consultation.

KŌRERO (STORIES)

Most iwi have kōrero that they keep only for themselves, passing them on to their own uri (descendants). These include information on whakapapa, pakanga (battles), waiata (songs) and whakatauki (proverbs). Through proper consultation it is possible to gauge which kōrero is correct and appropriate for public consumption.

COLLECTING AND IWI

The exemption of proprietary rights to minerals, the conservation estate, foreshore and seabed, coupled with the lack of compensation is contentious for Māori and continue to be key issues for claims to the Waitangi Tribunal. While the Conservation Act 1987 and the Resource Management Act 1991 cover collecting such material, ethical considerations remain in dispute in a number of unresolved areas.

MARINE MAMMALS

While legislation around the customary harvest of beached marine mammals is in flux, it is important for museum staff to understand that the beaching of a marine mammal can hold immense cultural significance for local hapū (sub-tribe). Some iwi, such as Ngāi Tahu, have formalised agreements with the Department of Conservation around processes in response to whale strandings. Museums that wish to collect material from stranded whales and other marine mammals will take into consideration any agreements or expectations in place with iwi within that geographical region.

COLLECTING AND THE CROWN

Depending on the circumstances of their initial collection, wildlife items or items from conservation land may remain the property of the Crown.

APPENDIX B

Human Remains Policy and Practice

The following are offered as exemplars for the reference of other museums in Aotearoa New Zealand.

MUSEUM OF NEW ZEALAND TE PAPA TONGAREWA

This can be accessed at: <http://www.tepapa.govt.nz/SiteCollectionDocuments/AboutTePapa/Repatriation/DraftKoiwiTangataPolicy1October2010.pdf>

Otherwise go to	www.tepapa.govt.nz
click on	About Te Papa
select	Work with iwi & museums
Read more about	Karanga Aotearoa Repatriation Programme.

This takes you to Repatriation where there is a pdf of the Koiwi Tangata Policy.

CANTERBURY MUSEUM

Canterbury Museum's Human Remains Policy includes Ngāi Tahu's policy. The museum will share their policy with museum colleagues on request. Please contact: info@canterburymuseum.com.

APPENDIX C

Museums Aotearoa Ethics Committee Terms of Reference

The following draft ToR were agreed at the Annual General Meeting of Museums Aotearoa in April 2011.

- 1 To establish a small representative panel when the mediation of an ethical dilemma is required;
- 2 To advise on induction and training needs for new staff in museums and ensure progress on this is regularly reported to the Board;
- 3 To advise on specific ethical issues which individual or organisational members draw to its attention;
- 4 To consider the advice of Kaitiaki Māori in relation to ethical issues as they pertain to the Museums Aotearoa Code of Ethics;
- 5 To deal with any other ethical matters which arise within the period.

Proposed membership:

Two Museums Aotearoa Board members

2-3 Fellows of Museums Aotearoa or other senior, suitably qualified museum/gallery professionals.

Tenure:

3 year terms, renewable; appointed by Museums Aotearoa Board.

APPENDIX D

Other Relevant Codes and sources of information for New Zealand Practitioners

1 Anti-seizure legislation

Such legislation exists in UK, Europe, US and in Australia, and is under consideration in New Zealand
(www.legislation.govt.nz)

2 Legislation relating to Protected Objects

Protected Objects Act, 1975 (amended 2006)
(www.legislation.govt.nz)

3 New Zealand Conservators of Cultural Material Code of Ethics, 1995

(www.nzccm.org.nz/code-of-ethics)

4 Everyday decisions: a code of ethics for Australian registrars

Compiled and edited by Christine Law, Catherine Belcher and Carol Cooper, 2003

5 Copyright Legislation

(www.legislation.govt.nz)

6 Artists' Alliance Code of Practice

(www.artistsalliance.org.nz)

APPENDIX E

The UNESCO and UNIDROIT Conventions

UNESCO maintains that the world's cultural heritage must be preserved and transferred to future generations as evidence of human achievement and as sources of information and education. However, there is international concern at the historic and more recent examples of the pillage of various world cultural heritage and archaeological sites. In addition, the theft of objects from museums is increasing.

Museums and art galleries may protect themselves against theft by putting into place a systematic inventory of collections and by improving security norms. Museum and art gallery staff can also protect themselves and their institutions by seeking full details of provenance and other information related to items being considered for acquisition. They should also ensure sources are researched and sufficiently exhaustive enquiries relating to illegal activities in the field are made before recommending the acquisition of or import for exhibition or research purposes of loan material.

It is important to be familiar with a range of international legal instruments such as the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property and the UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects adopted in Rome on June 29, 1995.

- 1 UNESCO Convention on the Transfer of Cultural Property**
([UNESCO.org](https://www.unesco.org))
- 2 UNESCO Convention on the Trade in Endangered Species**
([cites.org](https://www.cites.org))
- 3 UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects**
([UNIDROIT.org](https://www.unidroit.org))

Other International Treaties may also be relevant to the collections and activities of museums and art galleries in Aotearoa New Zealand and include:

5 Antarctic Treaty

(www.ats.aq)

6 Madrid Protocol for international trademark registration

(www.madridprotocol.info)

7 International Commission on Zoological Nomenclature

(www.iczn.org)

8 Berne Convention for the Protection of Literary and Artistic Works

(www.berne.org)



Museums Aotearoa Te Tari o Ngā Whare Taonga o te Motu
The Museums of New Zealand Inc
Adopted 20 November 2013

Case Study: COCA Art Gallery Collection Sale 2016 and Impacts From Civic Collection Sales.

Introduction

The sale of civic art collections can have profound and lasting consequences on a community. This case study examines the example of the CoCA (Centre of Contemporary Art) Art Gallery in Christchurch, New Zealand, which sold its Canterbury Society of Arts (CSA) collection to fund the rebuild of its building post-earthquake. The backlash and consequences that followed provide valuable lessons for other communities considering similar actions.

The CoCA Case Study

In 2016, the CoCA Art Gallery faced severe financial difficulties following the Christchurch earthquakes. To address these issues, the gallery decided to sell its CSA collection, which included 180 significant works. This decision was met with widespread public backlash and significant criticism from the art community.

Prominent art historians and critics voiced their disapproval, emphasizing the cultural loss and the undermining of public trust. Art historian Warren Feeney criticized the sale, stating, "The loss of the CSA collection is a cultural tragedy for Christchurch and New Zealand. It represents a short-sighted solution to financial problems that ultimately damages the city's cultural heritage and identity" ([CoCA Art Center](#)) ([Toi Ōtautahi](#)).

Negative Public Reaction

The public fallout from the sale was significant. Many felt that the sale betrayed the original donors' intentions and the public's trust, leading to a diminished reputation for the gallery and decreased public engagement. Criticisms included:

- **Loss of Cultural Heritage:** The sale was seen as a betrayal of the community's cultural heritage. Art historian Peter Vangioni remarked, "The sale of these works has stripped Christchurch of a vital part of its artistic history" ([CoCA Art Center](#)).
- **Community Trust:** The decision eroded trust in the institution. Donors and patrons who had supported the gallery felt their contributions were disregarded. Public sentiment was encapsulated in comments like, "The gallery's actions have shown a complete disregard for the cultural value of these works" ([CoCA Art Center](#)) ([Toi Ōtautahi](#)).

Purpose of Art Donations

Donations of art to public collections are made with the understanding that these works will be shared with the people of the district in perpetuity. These donations aim to lift up and inspire all members of the community, particularly those who might not otherwise have access to such cultural and artistic resources. The artworks serve as a shared heritage, enhancing the cultural and intellectual fabric of the community. By selling these pieces,

institutions not only violate the trust of the donors but also deprive current and future generations of the opportunity to experience and learn from these invaluable resources.

Collection Policy at Aigantighe Art Gallery

The current collection policy for Aigantighe Art Gallery restricts what can be done ethically with the collection. This policy is designed to ensure that the artworks are preserved, displayed, and used in ways that honour the original intentions of the donors and benefit the public. Selling off parts of the collection would contravene these ethical guidelines and undermine the gallery's mission to serve as a steward of cultural heritage.

Guidelines from Museums Aotearoa and ICOM

The Museums Aotearoa Code of Ethics and the International Council of Museums (ICOM) Code of Ethics provide clear guidelines on the stewardship of collections. According to Museums Aotearoa, "museums must ensure that collections are held in trust for the benefit of present and future generations" and that "disposal of items through sale, exchange, or other means is only acceptable if it does not compromise the museum's responsibility to its stakeholders, particularly donors and the public" ([eHive](#)) ([NZ Travel & Business](#)).

ICOM's Code of Ethics further emphasizes that "collections should not be treated as a financial asset," and "disposal of objects from museum collections should be conducted in a manner that ensures they remain within the public domain wherever possible" .

Furthermore, the Museums Aotearoa Code of Ethics states that "Governing bodies and local authority managers with responsibility for museums and art galleries will:

- ensure that deaccessioning does not take place in the absence of a policy framework nor against the advice of the museum's professional staff. Appropriate independent advice should be sought when the value of items proposed for de-accessioning warrants it;
- ensure that, in the event of collection items being repatriated and/or disposed of in line with staff advice, donors or their descendants (if any), and other museums, collecting institutions or relevant iwi are informed prior to items being sold by public auction, private treaty or other means;
- ensure that all funds raised in the process of an approved deaccessioning are applied solely and unequivocally to the benefit of the collection" ([Museums Aotearoa Code of Ethics 2013](#))

Additional Examples of Backlash

The CoCA Art Gallery's experience is not unique. Other institutions have faced similar backlash after selling parts of their collections:

- **The Baltimore Museum of Art (BMA):** In 2020, BMA faced significant public outcry when it announced the sale of three major works to fund its diversity and equity initiatives. The decision was later reversed due to the backlash, which highlighted

concerns about the loss of cultural heritage and the museum's commitment to its mission.

- **The Berkshire Museum:** In 2018, the Berkshire Museum sold several artworks, including two Norman Rockwell paintings, to address financial issues. The sale led to public protests and legal challenges, with critics arguing that it violated public trust and the museum's ethical obligations.

Risks to Our Community

Selling a civic art collection can have several negative consequences:

- **Reputational Damage:** The loss of a collection could tarnish the region's reputation as a cultural hub. It would signal to the world that the community does not value its cultural assets, potentially deterring future donations and support from art patrons.
- **Economic Impact:** Cultural institutions attract tourists and contribute to the local economy. A diminished art collection could lead to decreased tourism and economic activity in the region.
- **Cultural Loss:** An art collection is an irreplaceable repository of a community's history and identity. Selling it would mean losing a vital part of the community's cultural heritage, which cannot be measured in monetary terms.

Conclusion

Art collections are not mere financial assets; they are invaluable cultural and educational resources that contribute to the social and cultural capital of a community. Selling these assets undermines these benefits and erodes the community's cultural heritage. It is crucial to explore alternative solutions to address financial challenges without compromising cultural legacy.

The example of CoCA Art Gallery in Christchurch serves as a stark reminder of the long-term negative consequences of selling civic art collections. Communities must consider these implications carefully and work towards preserving their art collections for the benefit of future generations.

9 Consideration of Urgent Business Items**10 Consideration of Minor Nature Matters****11 Public Forum Items Requiring Consideration****12 Exclusion of the Public****Recommendation**

That the public be excluded from—

- *(a)the whole of the proceedings of this meeting; or
- *(b)the following parts of the proceedings of this meeting, namely,—

13.1 Public Excluded Minutes of the Community Services Committee Meeting held on 30 July 2024

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Plain English Reason
<p>13.1 - Public Excluded Minutes of the Community Services Committee Meeting held on 30 July 2024</p> <p>Matters dealt with in these minutes:</p> <p>13.1 - Public Excluded Minutes of the Community Services Committee Meeting held on 11 June 2024</p> <p>13.2 - Aigantighe House Gallery Seismic Strengthening and Refurbishment Project</p>	<p>Section 48(1) of the Local Government Official Information and Meetings Act 1987.</p>	<p>The public excluded minutes of the meeting held on 30 July 2024 are considered confidential pursuant to the provisions of the LGOIMA Act of 1987.</p> <p>The specific provisions of the Act that relate to these minutes can be found in the open minutes of the meeting held on 30 July 2024.</p>

Note

[Section 48\(4\)](#) of the Local Government Official Information and Meetings Act 1987 provides as follows:

- “(4)Every resolution to exclude the public shall be put at a time when the meeting is open to the public, and the text of that resolution (or copies thereof)—
 - (a)shall be available to any member of the public who is present;
and
 - (b)shall form part of the minutes of the local authority.”

13 Public Excluded Reports

14 Readmittance of the Public