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Department	Planning, Environment and Communities
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## Art Collection Policy

## Policy Statement

Through this policy Kiama Council acknowledges its role in the preservation and care of significant or key cultural works of its local artists and artists associated with our local government area.

It is understood that not all artists and their work are of significance to the State or Federal stage. But are locally significant through what they reflect about the qualities and uniqueness of our community, culture, experiences, and natural and man-made spaces.

Kiama Council has made a commitment to preserving elements of our local cultural history through the accumulation of its current Art Collection and undertakes a coordinated and deliberate approach to our Collection for the future.

This policy outlines how council will oversee a formal council Art Collection that reflects the depth and breadth of our artistic talent and the unique character of the Kiama local government area. As custodians of a public collection, Kiama Council embraces the management of its Collection.

The Kiama Council Art Collection is managed by the Cultural Development Team.

## Objectives of the Policy

The objectives of the Kiama Council Art Collection Policy are to:

- set a framework for the ongoing development of the Collection
- establish an ongoing management system for the conservation, registration, documentation and maintenance of the Collection
- establish a clear set of guidelines and process for the acquisition of new artworks and for the deaccessioning of artworks from the Collection
- clarify the protocols for gifting, donations, and loans of artworks, to and from Kiama Council

## Scope of the Collection

The scope of the Collection is defined into two main categories;

- the Visual Art Collection, and
- the Public Art Collection.

All heritage collection items should be referred to the Kiama Family History Centre, Kiama and District Historical Society and/or Gerringong and District Historical Society and their associated policies.

### Collection Categories:

- The Visual Art Collection

Includes painting, photography, contemporary art, mixed media, drawing, and printmaking that are created for indoor exhibition and display environments

- Public Art Collection

Includes artworks developed specifically for the public domain and built environment. These artworks can be sculpture, media works, lighting installations, and land art, murals, mosaics, street art, stencilling, media works, architectural interventions, digital works, and urban design.

## References

This document should be read in conjunction with the following:

- Art Collection Procedure: Acquisition & Deaccession

## Consultations

nil

## Definitions

For the purpose of this document the following definitions apply:

Term	Definitions
Collection	The Art Collection of Kiama Municipal Council
Deaccession	The process of selling or otherwise disposing of works from the collection
Bequest	Something given or left by will or transmitted from the past
Provenance	A record of ownership of a work of art or an antique, used as a guide to authenticity or quality.
Commissioning	To pay an artist to undertake the development of a specific piece of artwork.
Acquisition	The acquiring of art works through purchase, gift, donation, or bequest

## Variation and review

This policy was adopted by Council/ELT on 19 April 2024.

This policy will be reviewed March 2027. Any amendments to this document must be by way of Council resolution/approved by the Executive Leadership Team.

Council reserves the right to review or vary this document and associated processes at any time if required.

Date reviewed	Date adopted	Amendment
1998	1998	Created
2005	November 2005	Unknown
2010	November 2010	Unknown
2024	19 April 2024	Review and rewrite of policy

## Policy

### 1.1 Aims of the Collection

To develop a unique collection containing works that fulfil the following criteria:

- acquire outstanding examples of artist's work
- be of sufficient breadth and depth to sustain a diversity of views and interpretations
- increase the understanding and enjoyment of local history and contemporary art as they pertain to the culture of Kiama
- be recognised for such excellence, community and organisational relevance, and industry standing, as to further the Collection development
- acquire artworks that best reflect the cultural development of Kiama Council

### 1.2 Collection Management and Access

Kiama Council will ensure the Collection is recorded and maintained through the provision of an appropriate arts management database system. All aspects of the two collection categories will be recorded in the database for the purposes of insurance, conservation, and community access.

The database will be managed by the Cultural Development Officer.

Maintenance and conservation schedules will be developed retrospectively for Kiama Council's existing artworks across the two collections during the development of the collection management database.

The services of a professional art conservator will be utilised when necessary.

### 1.3 Acquisition And Collection Development

To be considered for acquisition to the Collection any item must meet the essential acquisition criteria.

#### Essential Acquisition Criteria

- artistic merit of the object
- relevance and importance to the area of Kiama
- enhance the scope of the collection
- have a verified provenance
- be an unconditional donation or purchase that has valid and clearly verifiable legal title
- have the necessary resources allocated to resolve all foreseeable issues related to conservation, presentation, and storage, as part of the acquisition
- purchased works, donations, and loans must be accompanied by a valuation certificate for the purposes of insurance, alongside a maintenance manual and conservation plan
- a more appropriate agency does not exist to house the artwork

### 1.4 Donations and Bequests

Donors will be made aware that no conditions will be accepted as part of the donation or bequest and that the art works become the property of the Kiama Municipal Council and subject to the Art Collection Policy guidelines prevailing.

Donations will be receipted within the convention and standards of the Department of Taxation Cultural Gifts Program, noting however that Kiama Council does not have Deductible Gift Recipient (DGR) status.

If, for whatever reason, Council decides to accept a gift of a work of art that it does not want in the Collection, such works can, with the permission of the donor, be registered as assets in the same way that furniture and fittings are, to be sold at a later date. These works should not be formally accessioned. Any works subsequently purchased with the proceeds of such a sale should be registered as the gift of the original donor.

Public Art Collection donations accepted by Council will be on the basis of an agreed timeframe. This timeframe can, and may, be reviewed at any time during the originally agreed life cycle should any concerns arise regarding the condition of the artwork, questions around provenance of the artwork, or concerns for public safety arise.

All permanent donations must be accompanied by legal documents including a certified valuation certificate, provenance list for the artwork, and a legal document transferring full rights of ownership to Kiama Council.

Kiama Council will have exclusive copyright license of the works, however full copyright will remain with the artist/author of the artwork/object.

## 1.5 New Initiatives

When new initiatives or offers by donation or bequest create an opportunity for new collecting areas to be established, they must be weighed carefully against current and predicted resources so as not to compromise the ability to adequately care for and utilise the existing collection.

## 1.6 Loans

### 1.6.1 External Loans

Kiama Council will loan works to external organisations for exhibition purposes under the provisions of a legal loan agreement.

The borrowing institution is expected to provide all requested insurances, condition reports, and condition controls required for the exhibition of the work on loan. Evidence of the aforementioned must be provided with a signed and returned copy of an official loan agreement provided by Kiama Council.

The terms and conditions on the loan of a specific artwork are non-negotiable.

### 1.6.2 Internal Loans

Kiama Council's Cultural Development Officer will manage the internal loan of works for exhibition in Kiama Council offices and community venues.

## 1.7 Relocation of Public artworks

Circumstances sometimes arise where redevelopment of a site, upgrades, or construction render an artwork inappropriate and require its relocation.

If it is decided a work needs to be relocated Council must first consult the artist and notify them of the intention to relocate the work. Council staff must ensure they work with the artist throughout the relocation process, unless the artist has articulated otherwise.

Council staff must prepare a report on the insurance, risk assessment, valuation, engineering, and legal aspects of relocating the artwork prior to the artwork being relocated.

## 1.8 Deaccessioning

Deaccessioning should occur rarely and must only take place as a part of Collection development and improvement.

The major danger of deaccessioning, apart from the risk of disposing of a work that future generations might value, is the potential of undermining of public confidence in the Collection and may discourage further gifts and donations. People give to galleries in perpetuity and in the confident expectation that artwork will be managed wisely.

In general, the work of living artists (especially local living artists) should not be sold, as this will tend to depress the market value of that artist's work. However, an exchange with the artist for a more appropriate work is acceptable.

Deaccessioning will be undertaken in accordance with Kiama Council's Deaccessioning Procedure. Deaccessioning will include consideration of the following criteria:

- a work of art whose significance or aesthetic merit falls substantially below the general level of the collection
- a work of art which lowers the overall level of quality or representation of its specific area in the collection
- a work of art which has deteriorated to the extent that it is no longer recognisable as a work of art and is beyond restoration to an acceptable standard
- a work of art that requires a level of ongoing maintenance and repair that is beyond the financial and social value of the work
- a work of art in the collection which is no longer perceived as falling within Kiama Council's existing acquisitions policy
- a work of art that is a duplication, or is duplicated in the collection
- a work of art that contains materials that are considered hazardous or has the potential to cause physical harm
- a more appropriate agency exists to house the artwork

### 1.8.1 Methods for disposal of deaccessioned artworks

Artworks that have been scheduled for deaccession should, in the first instance, be offered to be returned to the artist.

Deaccessioning of gifts or bequests of works of art should be undertaken in consultation with either the donor, or the surviving family of the donor or the appropriate trustee or executor, unless despite every reasonable effort they cannot be located.

In the event that the donor or artist do not wish to have the artwork returned to them Kiama Council may dispose of the artwork by the following methods,

- The artwork may be offered to a more appropriate collecting institution
- The artwork may be resold through the secondary art market
- The artwork may be dismantled and/or destroyed in the event of no other option being suitable

Councillors, Council Staff and their families are ineligible from procuring an item deaccessioning from the collection by any means.

## Attachments / supporting documents

- Nil

## Authorisation

Name: Adopted by Council - Council Resolution No: 24/059OC

Date: 19 April 2024