

## CITY ART POLICY

### Council policy - Version control information

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Previous version(s): Accepting Gifts of Art to the City Policy (2010) and the Public Art Policy (2001)

Policy register reference: 311

Responsible service: Cultural Services

Contact position: Manager Arts & Cultural Services

### Policy Statement

Blue Mountains City Council (Council) is committed to delivering a City Art program of local and national significance that enriches the lives of residents and enhances the cultural vibrancy of the City of Blue Mountains.

Council will develop and maintain the City Art Collection and Blue Mountains Cultural Centre Fine Art Collection as professionally curated public art collections.

This policy guides the acquisition and management of City Art in order to ensure artistic standards; provide adequate storage, display and maintenance of artworks.

This policy acknowledges the positive outcomes of integrating art into the fabric of the City. It continues Council's commitment to strengthening and promoting the Blue Mountains' designation as a City of the Arts within a World Heritage Area.

### Scope

This policy applies to:

- Council staff;
- Councillors;
- Members of the Blue Mountains City Council City Art Committee;
- Members of the Blue Mountains City Council Sister City Committee;
- Participating artists;
- Participating donors and art funders (private and public); and
- Community groups and organisations whose work is acquired by Council, whether by commission, purchase, donation or transfer.

This policy excludes the collecting activities of the Blue Mountains Cultural Centre for the Blue Mountains Cultural Centre Fine Art Collection. Please refer to the *Blue Mountains Cultural Centre Fine Art Collection Policy*.

Note: This policy excludes ephemeral art that, due to its temporary nature, is not recorded in Council's City Art Database.

## Roles and Responsibilities

Position(s)	Responsibilities
Manager – Arts & Cultural Services	<ul style="list-style-type: none"> <li>To oversee the administration of the City Art Committee and adherence to the City Art Policy.</li> </ul>
Cultural Development Officer	<ul style="list-style-type: none"> <li>To manage the City Art Collection in accordance with this policy</li> <li>To maintain the City Art Collection register and database.</li> </ul>
City Art Committee	<ul style="list-style-type: none"> <li>To assess offers of gifts, bequests and donations of art to the City.</li> <li>To authorise the acquisition of art works for the City Art Collection and Sister City Collection.</li> <li>To make de-accession recommendations to Council's elected body.</li> </ul>
City of the Arts Trust Advisory Committee	<ul style="list-style-type: none"> <li>A Committee specifically charged with providing advice on the management of the City of the Arts Trust.</li> <li>Note – This Committee and its activity is not related to the City Art Committee.</li> </ul>
Sister City Committee	<ul style="list-style-type: none"> <li>To make recommendation to the City Art Committee to acquire items of art gifted to the City by delegates of sister cities</li> </ul>
Councillors	<ul style="list-style-type: none"> <li>To approve/reject the recommendations of the City Art Committee to de-access artworks from City Art Collections.</li> </ul>

## Definitions

Term	Definition
accession	The process of transferring title or ownership from the providing source (fieldwork, purchase, gift, transfer, or otherwise) to the Council.
acquisition	The act of gaining indefinite physical possession of an object, specimen or sample.
Arts	This policy uses a broad definition of the Arts – traditional and contemporary – including opera, ballet, orchestral music, literature, theatre, sculpture; the visual arts: craft, film, photography, creative writing, dancing and performance art and the entire spectrum of contemporary art form and blended practice, including digital art and multi-media.
City Art	Non-ephemeral artwork that has been acquired through purchase, donation or transfer by Blue Mountains City Council, primarily for display in the public domain. Where used on its own in this policy, this term refers to all Council art collections.
City Art database	The Council's database of City Art that records all relevant information about works of art in the City Art Collection.
collection	An identifiable selection of objects having some significant commonality.
Commission (commissioned art work)	An art work created as a result of a commissioning agreement that sets out the costs, intent, style and characteristics of the artwork to be produced.
deaccession/disposal	The process of permanently removing objects from a museum's collections.

ephemeral art	Transitory art works with a limited lifespan that cannot be embodied in any lasting object. Ephemeral art with a lifespan less than 6-months will not be recorded in the City Art database.
fine art	Artworks in all art forms created for aesthetic purposes, rather than practical use, including painting, drawing, sculpture, film, photography, conceptual art, and printmaking.
HPE RM	Council's electronic records-management system.
loan	An art work that has been borrowed for a period of time, defined in an agreed loan agreement or contract.
public art	Public art includes any work displayed within public spaces, with the goal of being accessible to everyone. It can be a major exhibit featuring numerous pieces or a single display. Many types of art can be considered public, ranging from buildings to commissioned graffiti. It may be permanently or temporarily installed or enacted.
Sister City	A city that, subject to Council resolution, enters into a formal relationship with the City of the Blue Mountains, for the purpose of friendship nationally and internationally.

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## 1. Introduction

The Blue Mountains identity is shaped by a proud Arts history and a strong desire to support diverse and innovative Arts practice. In 1996, the City was designated the inaugural NSW City of the Arts. In 2000, the Greater Blue Mountains area was added to the UNESCO World Heritage List in recognition of the exceptional diversity and integrity of its eucalypt forest communities. These two designations have informed the local Arts sector and the development of Council's cultural assets.

Council has a role to respond to community aspirations through the support and delivery of Arts and cultural services such as infrastructure, events, programs and permanent art collections. Maintaining high-quality collections of City Art increases the wellbeing of our City. These collections hold value for residents, enhance our natural and built environments, and tell the stories of our region.

This policy has been developed in accordance with Council's *Creative Strategy 2020 – 2027*. It is the central document for the management of City Art and should be read in conjunction with the *Blue Mountains Cultural Centre Fine Art Collection Policy*.

## 2. Collection principles

The following principles outline the Council's approach to collecting art work:

- **City Art celebrates artistic excellence**  
The Blue Mountains is a renowned source of creativity. Council seeks to acquire works of a high standard that build the region's reputation as a creative hotspot of national significance.
- **City Art responds sensitively to the Blue Mountains World Heritage National Park**  
City Art will uphold Council's commitment to a more sustainable Blue Mountains and will consider environmental impacts through all stages of acquisition and management of City Art.
- **City Art recognises the significant contribution of First Nations peoples to the identity of our region**  
The City of Blue Mountains is located within the Country of the Dharug and Gundungurra peoples. Council actively seeks to include First Nations voices in City Art projects and acknowledges the benefits of sharing local Aboriginal perspectives through art.
- **City Art is accessible to a wide audience, through multiple platforms**  
Council provides public access to works in the City Art Collection, both in person and through web-based experiences.
- **City Art engages community so that our community thrives**  
City Art creates experiences for the public, for enjoyment, wonder and learning; it tells the story of who we are. Council will seek community consultation and work with diverse community groups and individuals to facilitate City Art that is treasured by the community.

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- **City Art is achieved through positive collaboration**  
City Art projects are multilayered and can require collaboration between Council directorates, community groups and individuals. We will work together respectfully to achieve the best outcomes for our community.
- **City Art is managed according to industry best practice**  
City Art will be managed to a professional standard. Council staff seeks to employ industry standards outlined by leading arts and cultural bodies in relation to acquisitions, housing, display and promotion of artworks.

### 3. Council's Collections



#### 3.1 The Blue Mountains Cultural Centre Fine Art Collection

The Blue Mountains Cultural Centre Fine Art Collection is a stand-alone collection within Council's art holdings, which is housed within the Blue Mountains Cultural Centre according to International Museum Standards. For further details, including acquisition criteria, please refer to the *Blue Mountains Cultural Centre Fine Art Collection Policy*.

#### 3.2 The City Art Collection

Council will primarily collect artwork of particular relevance to the Blue Mountains region and/or community that is suitable for display in public buildings, public offices and public spaces throughout the Blue Mountains.

The City Art Collection includes public art. Public art within the City Art Collection includes works of all mediums, which are permanently or temporarily displayed in the public realm throughout the City of the Blue Mountains. Public art can be categorised within three tiers:

- **Tier One:** Integrating elements of functional art and design into routine capital works program.

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- **Tier Two:** Initiating and responding to opportunities for community initiated public art projects on Council managed or owned properties.
- **Tier Three:** Commissioning significant, stand-alone public art works for design, production and installation in identified areas of the City.

The City Art Collection does not include works of significant value that are deemed to require housing at the Blue Mountains Cultural Centre. These works are instead to be recommended for acquisition to the Blue Mountains Cultural Centre Fine Art Collection, and stored, preserved and secured at the Blue Mountains Cultural Centre.

*Note: The 'value' of an artwork has many different meanings, including financial, historical, rarity, relevance to a particular event, etc. For this reason a definition cannot be adequately allocated to the term. The skills and experience of members of the City Art Committee will be relied upon to assess the value of an artwork (monetarily or intrinsically) and therefore its candidacy for the Cultural Centre Collection.*

The City Art Collection will:

- Improve the aesthetic value of built and natural environments;
- Create a greater sense of belonging;
- Increase opportunities for creative expression;
- Increase value of public assets;
- Build local economy by creating opportunities for artists;
- Fulfill our region's long-standing designation as a City of the Arts;
- Provide diverse experiences to encourage cultural tourism; and
- Provide a valuable historic asset for the City.

### **3.3 Acquisitions to the City Art Collection**

The City Art Committee will adhere to the *Council's Procurement Policy* and *Asset Disposal Policy* when authorising all acquisitions to, and de-accessions from, the City Art Collection.

Works of art may be donated, purchased or commissioned for the City Art Collection.

Funding for works of art purchased by Council is the responsibility of the service managing the relevant project.

A proposal for a donation, purchase or commission must first be submitted to the City Art Committee for assessment. Works of art accepted in to the City Art Collection will be registered and catalogued on the date of acquisition and all relevant documents filed in HPE RM.

Assessment of all proposed acquisitions to the City Art Collection will be based on the following key criteria:

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- Artistic merit of the work;
- Value to residents of the Blue Mountains;
- Consideration of housing and display of artwork;
- Ongoing maintenance costs and requirements;
- Structural integrity and safety within the public domain (public art works);
- Commitment to the representation of a diverse range of arts practice and ideas; and
- Alignment with Council plans and strategies.

Costs associated with the purchase or commissioning of art works for the City Art Collection are the responsibility of the relevant Council service. In order for the art work to be accepted in to the Collection, a proposal must first be accepted by the City Art Committee. Proposals must be submitted to the Cultural Development Officer.

Gifts of art to the Council from Sister Cities may be accepted into the City Art Collection if they meet the above criteria. A proposal of acquisition from the Sister City Committee must be submitted to the City Art Committee before any acquisition is considered.

The monetary value of artworks will be determined by either;

- The current market value as set by the selling artist, agent or representing gallery
- The most recent sale price of the artwork
- The value estimated by a registered valuer (approved valuers for the Commonwealth Cultural Gifts Program or ACAA Registered valuers)

#### **4. Role of the City Art Committee**

The role of the City Art Committee is to authorise the acquisition and de-accession of artworks in the City Art Collection and Blue Mountains Cultural Centre Fine Art Collection.

At any given time, the Committee may call on specialists and/or experts to provide input in to the decision making process in a particular genre or style.

All decisions made by the Committee will be in keeping with the City Art Committee Terms of Reference.

#### **5. Display of Artwork**

Artworks from the City Art Collection will be displayed in Council buildings, suitable Council offices and public spaces that provide adequate public viewing.

Artworks will be displayed with interpretive information including (but not limited to):

- Artist's name;
- Title of artwork;
- Year of artwork;
- Materials used;

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- Dimensions;
- Collection or loan details, as required.

## 6. Maintenance and Conservation

Council is committed to maintaining, conserving and ensuring the integrity of City Art.

The moral rights of artists will be upheld together with Council's legal obligations related to the art work that it owns, including copyright and licences. Part IX of the Copyright Act 1968 provides for comprehensive protection of moral rights, including:

- Right of attribution of authorship;
- Right not to have authorship of a work falsely attributed; and
- Right of integrity of authorship of a work

Responsibility for the ongoing maintenance of City Art Collection artworks will be outlined in the initial proposal made to the City Art Committee.

Art works in the City Art Collection that are identified by the City Art Committee as requiring maintenance will be brought to the attention of the Director – Cultural & Community Services for funding consideration.

## 7. City Art Database

Council's Cultural Development Officer will maintain a database of the City Art Collection. The database will record all relevant information relating to artwork in the City Art Collection. The Cultural Development Officer will annually inspect the database entries and corresponding artworks to ensure artworks are accounted for and appropriately maintained.

## 8. Deaccession and Disposal

Work in the City Art Collection may be subject to deaccession or disposal if it:

- Falls outside the current acquisition criteria;
- Is a duplicate of another work in the Collection;
- Is in poor condition and does not warrant the continuing allocation of resources;
- Should be returned to a First Nations or other cultural group as part of a national or international convention on the restitution of cultural property;
- Is part of legislation that prevents the Council from having title to it;
- Is a public safety risk; and/or
- Has a limited life.

Proposals for deaccessioning or disposing of an art work will be subject to assessment by the City Art Committee.

Works may be disposed of by sale, exchange, gift to a public or non-profit institution, return to the original artist or destruction in accordance with Council's *Assets Disposal Policy*.

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Destruction of a work will be considered only if it is dangerous, has deteriorated beyond repair or has no perceived or tangible value.

The time of disposal of art work from the City Art Collection will be dated and noted in the City Art database.

Any proceeds gained from the disposal of art work will be used solely for ongoing care and management of Council's art collections.

## Related documents

This document should be read in conjunction with:

### Legislation

- *Local Government Act 1993* (NSW)
- *Local Government (General) Regulation 2005* (NSW)
- *Copyright Act 1968* (Cth)

### Other documentation

- Blue Mountains City Council, *Creative Strategy 2020 – 2027*
- Blue Mountains City Council, *Community Strategic Plan 2035*
- Blue Mountains City Council, *Blue Mountains Cultural Centre Collection policy*
- Blue Mountains City Council, *City Art Committee Terms of Reference*
- Blue Mountains City Council, *Sister City Committee Terms of Reference*
- Blue Mountains City Council, *Assets Disposal Policy*
- Blue Mountains City Council, *Local Strategic Planning Statement – Blue Mountains 2040: Living Sustainably*
- ICOM International Museums Standards - <https://icom.museum/en/resources/standards-guidelines/standards/>