

CITY OF BUNBURY ART COLLECTION COUNCIL POLICY

POLICY STATEMENT

This policy guides the acquisition, deaccession, management, conservation, interpretation, exhibition and loan of works of art acquired for the permanent collection of the City of Bunbury.

POLICY SCOPE

This policy applies to City of Bunbury Staff.

POLICY DETAILS

The City of Bunbury Art Collection is owned and managed by the City of Bunbury, through the Bunbury Regional Art Gallery, on behalf of the City of Bunbury rate-payers.

Bunbury Regional Art Gallery will apply professional art museum 'best practice' standards to develop and manage the Collection.

Acquisitions will be made by purchase, commission, donation, gift, bequest, or transfer. Deaccession will be made upon recommendation of the Director of Bunbury Regional Art Gallery and where this exceeds the approved delegation limit, by resolution of Council.

Artworks will be identified for potential acquisition by the Director, Bunbury Regional Art Gallery or the Collection Curator/Registrar.

Once an artwork has been identified as a potential acquisition under the criteria detailed (2.1.1) it will be considered by an acquisition panel as outlined within this Policy.

Artworks purchases for the Collection will be enabled through an annual acquisition budget allocation by the City of Bunbury and, where possible, by corporate, private and public sources.

POLICY PROCEDURE

1. The Collection

1.1 Introduction:

The City of Bunbury Art Collection is a significant regional art collection owned and managed by the City of Bunbury, through the Bunbury Regional Art Gallery, on behalf of the City of Bunbury rate-payers and residents.

Bunbury Regional Art Gallery applies professional art museum 'best practice' collection management systems, knowledge and skills appropriate to developing and managing a significant regional art collection.

1.2 Mission

To acquire works of art which expand, enhance and build on the strengths of the City of Bunbury Art Collection in alignment with BRAG's mission, making it a significant resource and attraction for residents, tourists, and scholars through exhibitions and public programs.

1.3 History of the Collection

In the late 1940's, The West Australian philanthropist, Sir Claude Hotchin donated significant artworks to towns across Regional Western Australia. His aim was to bring art to the people of regional Western Australia and to encourage regional artists. In 1948, the then town of Bunbury received the first of twenty two works donated by Sir Claude Hotchin. This donation marked the beginning of the Bunbury Art Collection and a committee was established to manage the Collection. From 1948 until the early 1950s, the Society of Artists managed and acquired works for the Collection, until a Collection Committee was established under the Local Government Act. From then until they disbanded in 2009, the Society of Artists was represented on the Committee.

In 1979, the City purchased the old Convent of Mercy to permanently house and exhibit the Collection and to provide the community with an 'A' class gallery that became Bunbury Regional Art Galleries.

In 2008 the City of Bunbury Art Collection Committee accepted a generous gift of twenty one artworks donated by Alcoa of Australia. A significant number of prominent Australian artists are represented in the Alcoa Gift.

A collection of 330 botanical watercolour paintings by Bunbury artist Rosetta Kelly (1861-1963) were purchased in 2010. The works were painted between 1916 and 1940 and are of significant local historical interest.

In 2022, 105 watercolours by the the well known West Australian artist Frank Norton were donated to the City Art Collection. The watercolours were made during Norton's now famous around the world trip to research galleries to support the vision of a new Art Gallery of WA.

From the original twenty two Hotchin Bequest artworks donated in 1948, the Collection has grown to over eight hundred items with works dating from 1841 to the present day.

Bunbury Biennale

Background:

In the early 1990's, the City of Bunbury Art Collection Committee resolved to develop and expand the Collection by increasing the focus on acquiring artworks by contemporary West Australian artists. In 1993, the first Bunbury Biennale was launched to facilitate this new direction. Its aim was to invite established and emerging artists to submit contemporary works and from these, acquire new works to further enhance the Collection.

Another major goal for the inaugural Bunbury Biennale was to challenge and confront audiences with ideas about the nature of contemporary art, and ways to seeing the world. It was held with the belief that it would benefit and educate the Bunbury and South West community by providing a broader context in which local art could be viewed and accessed.

The Bunbury Biennale has historically been central to the City of Bunbury Art Collection's acquisitive program, presenting the best practitioners the State has to offer from which new works may be included in the Collection. The Biennale is held every two years and is conducted at Bunbury Regional Art Galleries.

Noongar Country Exhibition

BRAG has held an annual Noongar artists' exhibition since 2002. Noongar Country is open to all Aboriginal artists living and working on Noongar Country and provides a regular opportunity to build on a growing collection strength.

The Survey

This exhibition focusses on artists who live and work in the South West and Great Southern regions of Western Australia. It offers a cash prize and alternates with the Bunbury Biennale.

1.4 Scope

- This policy applies to all works of art owned and managed by the City of Bunbury as part of the City of Bunbury Art Collection.
- This policy does not apply to works held in the other City of Bunbury collections such as the Bunbury Museum and Heritage Centre Collection, the Sister Cities Collection and the Local Studies Collection.

2. Policy Guidelines

2.1 Acquisition and Collection Development

2.1.1 Acquisition Criteria

- Works in all media may be acquired in the visual arts including: painting, drawing, sculpture, ceramics, pottery, photography, printmaking, textiles, wood, glass, mixed media, installation works and digital and audio-visual work. Work that will fill gaps in the existing collection or build on holdings of artists whose work is already held in the collection.
- Contemporary and historical works by Australian and International artists with strong links to Bunbury and the South West such as subject matter, issues and themes.
- Work that reflects current directions within the broader context of Australian art.
- In alignment with the gallery's mission, particular emphasis is given to contemporary art by:
 - Artists living and working in the South West region
 - Contemporary Indigenous artists of Noongar heritage
 - Artists who have a focus on creating ecological, environmental, or biological artworks.

2.2 Acquisition Guidelines

All Collection acquisitions are subject to a process of due diligence to ensure that artwork acquired for the collection:

- Are of public art collection quality;
- Are consistent with one or more collection acquisition criteria;

- Have clear legal title (proof of ownership and provenance) to enable full transfer of title to the City of Bunbury Art Collection;
- In good condition or can be conserved and stabilised;
- Unlikely, in the future, to result in major expense (for conservation, storage, display and security) unless such likelihood is identified and considered in the approval process;
- Unlikely to cause occupational safety and health problems in the course of handling, storage, display and accessibility;
- Comply with the Museums Australia Code of Ethics for Art, History and Science Museums (1999) and the UNESCO Cultural Convention of 1970 regarding “means of prohibiting and preventing illicit import, export and transfer of ownership of cultural property”.

The City of Bunbury and Bunbury Regional Art Gallery will be mindful of religious and/or cultural sanctions attached to objects, especially from Australian Aboriginal culture and will not acquire or exhibit an object in breach of the Aboriginal Heritage Act 2006.

All acquisitions which are donations, gifts or bequests will be accompanied by a Deed of Gift or a Deed of Acquisition, completed and signed by the donor.

All acquisitions will be subject to consistent art museum standard registration procedures before they are stored or displayed.

2.3 Acquisition Approval Process and Procedures

Artworks will be identified for potential acquisition by the Director Bunbury Regional Art Gallery or the Collection Curator/Registrar.

Once an artwork has been identified as a potential acquisition under the criteria detailed it will be considered by an acquisition panel made up of the Director, Bunbury Regional Art Gallery, a member of the BRAG Curatorial Team, one City of Bunbury Elected Member and one external art industry professional. In the event that a member of the curatorial team is unavailable, the Manager of Community Connection may step in as an adjunct.

An acquisition proposal form will be completed as soon as possible detailing the rationale for inclusion the collection considered against the selection criteria and identifying availability of funds in the appropriate budget line. The proposal form will be circulated to the acquisition panel. Where possible the panel will meet to consider the proposed acquisition or alternatively approval or non-approval can be given by email. The majority of panel members must approve the recommended acquisition.

2.4 Gifts and Bequests

- Bequests and Donations to the Collection are encouraged to further enhance the Collection but must comply with the acquisition criteria, processes and guidelines detailed in this Policy.
Bunbury Regional Art Gallery will maintain endorsement for Deductible Gift Recipient DGR status with the Australian Tax office for the City of Bunbury Art Collection to enable donors to obtain a deductible tax incentive.

- Any donations gifted through the Cultural Gifts Program of which the City of Bunbury of the Bunbury Regional Art Gallery is the Deductible Recipient will need to align with the City of Bunbury Art Collection Council Policy.
- As a pre-requisite for DGR status the City of Bunbury will establish and maintain a gift fund for any monies for any monies or artworks to be accountable and separately identified and be for the sole purpose of the City of Bunbury Art Collection.
- Winding up clause: If for any reason in the unlikely event of the gift fund being wound up, or revoked, any surplus assets of the gift fund remaining after the payment of liabilities attributed to it, shall be transferred to a fund, authority or institution with similar objectives to the Bunbury Regional Art Gallery under the guidance of the Art Gallery of Western Australia.
- The Collection Curator/Registrar, in consultation with the Director Bunbury Regional Art Gallery will receive offers of gifts and bequests and submit them to the acquisition panel for consideration. If physical examination is not possible, photographs with information on the work will be considered alternative.
- Gifts and Bequests should be unconditional however conditions attached to works offered should be given special consideration prior to acquisition.,
- Long term incoming loans will be considered under guidance from the Director, Bunbury Regional Art Gallery and the Collection Curator/Registrar and in accordance with a loan agreement being signed by all parties.
- Long term outgoing loans will be considered under guidance from the Director, Bunbury Regional Art Gallery, the Collection Curator/Registrar and a City of Bunbury Director in accordance with a loan agreement signed by all parties.
- When preparing an Acquisition Proposal Form the Collection Curator/Registrar will ensure that supporting documentation will include:
 - Artist's name,
 - Background information on the artist,
 - Title of the work,
 - Provenance of the work,
 - A current valuation of the work (if available)
 - Reason for donation,
 - A brief condition report commenting on any significant issues,
 - Any limitations on being able to properly store and maintain the work,
 - Once a gift/bequest has been approved, a Deed of Gift form shall be completed by the donor.

2.5 Deductible Gift Recipient (DGR) status from the Australian Tax Office

- Bunbury Regional Art Gallery will maintain endorsement for Deductible Gift Recipient DGR status with the Australian Tax office for the City of Bunbury Art Collection to enable donors to obtain a deductible tax incentive.
- As a pre-requisite for DGR status the City of Bunbury will establish and maintain a gift fund for any monies for any monies or artworks to be accountable and separately identified and be for the sole purpose of the City of Bunbury Art Collection.
- Winding up clause: If for any reason in the unlikely event of the gift fund being wound up, or revoked, any surplus assets of the gift fund remaining after the payment of liabilities attributed to it, shall be transferred to a fund, authority or institution with similar objectives to the Bunbury Regional Art Gallery and under the guidance of the Art Gallery of Western Australia.

2.6 De-accessioning and Disposal of Collection Artworks

De-accessioning and disposal should only occur in rare cases, consistent with the role of a public art collection as a valuable community resource.

A recommendation to deaccession an artwork must include the artwork's catalogue information, a statement of justification, proposed method of disposal and where the work has been lost or stolen the date it was last seen, by whom, and steps taken to locate the artwork.

The Director Bunbury Regional Art Gallery will make recommendations for deaccessioning artworks in consultation with the Collection Curator/Registrar.

Recommendations to deaccession artworks will be presented as a report to Council for consideration and approval. No work shall be de-accessioned unless it has been in the collection for five years to provide a fair and reasonable period for review.

Deaccessioning should only be considered if there is little to no risk of an adverse effect on the City of Bunbury's ability to attract future donations of artwork or financial assistance towards the purchase of artworks.

Any deaccessioned artworks donated to City of Bunbury Art Collection under the Cultural Gifts Program are not returned to the donor, as the donor has already received the benefit of tax deduction for the donation, as per Cultural Gifts Program requirement.

Artworks may be considered for removal from the Collection under the following criteria:

- The work does not meet the acquisition criteria for the Collection.
- The work does not have historical or artistic merit as determined by industry experts.
- The work is in poor condition and is considered to be of insufficient merit to allocate the resources to ensure its conservation.
- The work is irreparably damaged or destroyed, or is missing or stolen without hope of return.
- The artwork lacks any supporting information to enable proper identification or to establish its relevance to the collection, or is of insignificant historical, artistic or archival value.
- The work poses a hazard to people, surroundings, or other objects in the Collection,
- The artwork is a duplicate or forgery that serves no specific cultural function.
- The work proves to be not authentic or not of an original nature A substantiated request for the return of the work to its owner/donor is received. In this instance the donor may be required make restitution of any unreasonable financial loss to the Collection,
- Legal evidence proves that the work is the property of a party other than that represented at time of acquisition and should legal process be indicated, recovery of associated costs will be sought from the dealer or agent responsible for the acquisitions.

2.7 Method of Disposal and Documentation

- The proceeds of work(s) sold should be used for further acquisitions or maintenance of other work(s) for the collection as required.

- Work acquired by donation may, at the discretion of the Council be offered in the first instance to the donor or the family of the donor if deceased.
- Other than above, disposal shall be carried out in line with the disposal of asset legislation under the *Local Government Act 1995* and the City of Bunbury Disposal of Minor Assets Management Policy.
- Full documentation including photographs of de-accessioned works is to be retained.
- The Director Bunbury Regional Art Gallery, the Collection Curator/Registrar members of the Acquisition Panel, staff of the City of Bunbury and Bunbury Regional Art Gallery and families, are prohibited from purchasing or otherwise acquiring de-accessioned work(s) due for disposal.

After deaccessioning the following shall be maintained:

- Record of deaccession against the object in the accession register; and
- A record of all previous documentation, including catalogues, cards, correspondence and research, to be placed in a separate deaccession file housed with the accession and registration records.

3.0 Collection Management, Care, Valuation and Conservation

Collection items will be exhibited, stored, sited and otherwise maintained in accordance with the National Standards for Australian Museums and Galleries and shall not be stored or hung in situations where conditions are detrimental to the work or have the potential to be harmful to the public.

The display of items with cultural and/or religious significance will be in accordance with the *Code of Ethics for Art, History and Science Museums* (1999).

- Only personnel trained in arts handling will handle Collection items.
- Professional registration procedures and appropriate records of the collection will be maintained, including cataloguing, documentation, continued research and loans management.
- A conservation management plan will be established using the expertise of an appropriate conservator and maintained to ensure necessary work is completed in a timely manner. The conservation management plan will be regularly reviewed.
- Only appropriately trained and accredited conservators will be contracted to advise or work on the Collection.
- A full professional valuation of the entire collection will take place every five years. The valuer(s) will be accredited by the Australian Tax Office. Interim valuations will be obtained as required.
- Collection storage facilities will be fully climate controlled and maintained at appropriate established industry levels of temperature and humidity.
- Storage facilities will be inspected at least once every quarter for security, damp, pests, and any other condition that may pose a risk to the work/s.
- A Collection Disaster Management Plan will be prepared and a fully equipped disaster management kit will be maintained in an appropriate location.
- Where works are held or displayed outside of BRAG facilities the ambient environment and the works shall be closely monitored.
- All works will be documented in the City of Bunbury database system. Information will include:

- Artist's name, Curriculum Vitae and Artist Statement;
- Relevant dates and details including provenance;
- Record of donation or how it was acquired;
- Photographic record;
- Construction/ installation record;
- Interpretative material;
- Conservation/ restoration details;
- Condition Report;
- Installation instructions.
- Copyright status and licensing information

3.1 Exhibitions

Bunbury Regional Art Gallery will regularly exhibit works from the City of Bunbury Collection..

Collection exhibitions will be installed and curated in a considered and professional manner which prioritises public access to the Collection and its many stories.

4 Loans

4.1 Objectives

To create a foundation of reciprocal goodwill of loan of works between the Bunbury Regional Art Gallery and appropriate regional, state, national and international galleries.

To promote Bunbury Regional Art Gallery, the City of Bunbury and the region as a whole to a broader audience will profile the significance of the Collection on a local, national or international level.

To capitalise on opportunities that benefit Council from loans to other institutions through negotiation or reciprocal services that build and foster care of the work such as conservation, photography, professional development or valuation, etc. as appropriate.

4.2 Rights and responsibilities

Bunbury Regional Art Gallery will consider requests for loans in accordance with this Policy and the Director Bunbury Regional Art Gallery will have authority to approve requests which comply with the Policy.

The gallery requesting the loan will be responsible for all costs associated with the loan, including all packing, transport and insurance requirements during the term of the loan.

When making any decision on requests for loan of works from the Collection, the Director will take into consideration the physical condition of the work and its ability to withstand the rigours of travel.

This consideration must also be made in relation to loans which include touring.

4.3 Parameters

Any requests for loans which are outside the guidelines of this Policy will be referred to the CEO.

Any proposal for Bunbury Regional Art Gallery staff or a Council representative to travel with art works as couriers or to attend exhibitions where works are loaned are to be approved by the Director Sustainable Communities.

4.4 Procedure

Consideration for outgoing loans of works will be undertaken in the context of the development of meaningful reciprocal arrangements that are in the best interests of Council.

Requests will be considered and approved by the Director Bunbury Regional Art Gallery, subject to an Outward Loan Agreement being signed by the applicant.

Appropriate transport, packing and courier services are to be approved by the Director Bunbury Regional Art Gallery and will be detailed in the Loan Agreement.

Before an agreement is signed, applicants must provide a satisfactory facilities report detailing the conditions under which the loaned work will be handled and exhibited including environmental control (climate), security and display standards.

Applicants must also provide documentation proving adequate insurance cover for the borrowed work for the loan period including when in transit, during exhibition preparation and display period.

4.5 Inward Art Loans

As part of the Art Collection exhibition program, the City of Bunbury may enter into arrangements with other institutions and/or individuals to borrow works of art to complement public exhibitions of the Art Collection.

- All borrowed artworks will be covered by an extended insurance through the City of Bunbury,
- All lenders will be acknowledged in any public display, marketing and promotions,
- A formal loan agreement, including the Terms and Conditions of the loan must be completed by both the Lender and the City of Bunbury.

COMPLIANCE REQUIREMENTS

LEGISLATION

- *Local Government Act 1995*
- *Income Tax Assessment Act 1997 Division 376 – Gifts or Contributions*
- *Aboriginal Heritage Act 2006*
- *Copyright Act 1968*
- *UNESCO Cultural Convention 1970*

INDUSTRY

- *Cultural Bequests Program Guidelines (no 1) 1997*

- *Cultural Bequests Program(Maximum Approval Amounts) Determination (No 1) 1997*
- *Australian Government's Cultural Gifts Program*
- *Museums Australia, Code of Ethics for Art, History and Science Museums (1990)*
- *National Standards for Australian Museums and Galleries (Version 1.2)*

ORGANISATIONAL

Document Control					
Document Responsibilities:					
Owner:	Director Sustainable Communities		Owner Business Unit:		Community Facilities
Reviewer:	Manager Community Facilities		Decision Maker:		Council
Document Management:					
Adoption Details	Res 118/13 21 May 2013		Review Frequency:	biennial	Next Due: 2025
Review Version	Decision Reference:		Synopsis:		
DOC/455540[v4]	Council Decision 185/23		Policy reviewed and amended following consultation with BRAG advisory group		
DOC/455540[v3]	Council Decision 69/21 27 April 2021		Policy reviewed and amended		
DOC/455540[v2.5]	Senior Governance & Risk Officer 27 May 2020		Removed reference to Delegation DAG10 (clause 2.3) as Delegation of Authority no longer applicable. Updated Delegation 1.1.13 Disposal of Property condition e. states “Bunbury Art Gallery, Museum Heritage and local studies collection pieces are excluded from this delegation.”		
DOC/455540[v2]	Council Decision 049/20 17 March 2020		Consolidate policies and corporate guidelines in accordance with revised Policy Framework.		
DOC/455540[v1]			Converted from Mydocs to CM9		
CP-027041	Res 319/16 6 September 2016				
Date Printed	17 October 2023				