



# **Guidelines** Public Art Acquisitions and Deaccessions 2010

*city of villages*



*Circle/s in the Round' for (Miles and Miles +1), Newell Harry, Temperance Lane 2010*

# Guidelines

## Public Art Acquisitions and Deaccessions 2010

### Purpose

The City of Sydney's City Art Collection includes monuments, memorials, sculptures and fountains located in public spaces. As a collection it reflects the history and creative heart of the City and contributes significantly to the beauty of the public domain.

Public art and other cultural objects are acquired into the City Art Collection through direct commission, or by other means of acquisition on the advice of the City of Sydney's Public Art Advisory Panel. On occasion the City has been the recipient of gifts by private individuals or transfers of artworks by other authorities or developers. These guidelines provide a process and criteria for new works regardless of their provenance.

The collection is carefully maintained by the City and a Conservation Plan ensures the longevity of significant items which have become degraded over time. It is sometimes necessary to relocate, remove or dispose of an art work or cultural object if there are significant changes to the context in which the item is located, or if the item itself poses a risk to the public or is not able to be maintained. Artworks and cultural objects in public spaces are subject to extreme wear and may also be subject to vandalism and graffiti.

The purpose of this document is:

1. To ensure that new art works and cultural objects strengthen and reinforce the City of Sydney City Art Policy and the City Art Public Art Strategy, and are consistent with the Council's Sustainable Sydney 2030 vision for Sydney; and
2. To ensure that the deaccessioning, removal and/or disposal of items in the City's public art collection is carried out ethically and thoughtfully.

# Policy

## Acquisitions

### Standards

New acquisitions should be based on the following criteria:

- Contemporary and high quality artwork
- Site specific response
- Consistency with Council strategic directions including the *City of Sydney Public Art Policy* and the *City of Sydney Public Art Strategy*
- Consistency with current planning, heritage and environmental policies, accessibility standards, urban design and public domain plans, and Plans of Management.
- Evidence of funding source and satisfactory budget including resources for commissioning process and an allocation for ongoing maintenance.
- Consideration of maintenance and durability, public safety, and the public's access to and use of the public domain.

Works shall have permanency as long as they retain their physical integrity and authenticity and so long as they reinforce the City of Sydney Public Art Policy and are in accordance with City of Sydney's Sustainable Sydney 2030 plan, its directions, objectives and actions, and Council's vision for Sydney.



Aspire, Warren Langley 2010

# Implementation

## Commissions

Commissioning of artworks and/or cultural objects may be integrated within the City's Capital Works Projects or may be curated art projects in keeping with the City of Sydney's four year Delivery Plan and City Art Public Art Strategy.

The commissioning process will vary depending on the nature of the project but will include some form of competitive selection and a creative response to a site-specific brief.

The Public Art Advisory Panel will advise on the appropriate selection process for artists and curators within Council's procurement processes.

Artworks at the concept design stage will be assessed by the Public Art Advisory Panel who will then make a recommendation regarding the suitability of the artwork for the collection. Depending on the work, the recommendation will be passed to the CEO, and where necessary Council, for approval.

## Proposals

Unsolicited proposals for new artworks or memorials will follow the same procedure as commissions initiated by the City.

The commissioning process will vary depending on the nature of the project but will include some form of competitive selection and a creative response to a site-specific brief.

Artworks at the concept design stage will be assessed by the Public Art Advisory Panel who will then make a recommendation regarding the suitability of the artwork for the collection. Depending on the work, the recommendation will be passed to the CEO, and where necessary Council, for approval

The Public Art Advisory Panel will advise the City on selection, development and execution of the proposal.

## Gifts and bequests

Gifts and bequests for artworks and/or cultural objects will be presented to the Public Art Advisory Panel who will make a recommendation regarding the suitability of the artwork for the collection. Depending on the work, the recommendation will be

passed to the CEO, and where necessary Council, for approval.

## **Transfers**

Where art works or cultural objects are transferred to the care of the City, they will be assessed by the Public Art Advisory Panel who will then make a recommendation regarding the suitability of the artwork for the collection. Depending on the work, the recommendation will be passed to Council or the CEO for approval.

## **General**

All objects entering the permanent collection will be accompanied by a legal document transferring full rights of ownership to the City of Sydney. Council will have exclusive irrevocable copyright licence of the works, however full copyright will remain with the artist/author of the work/object.

All objects entering the permanent collection will be listed in the City Art Database. All objects acquired for the collection will be documented and the City of Sydney shall retain records of accession.

All art works and cultural objects donated by gift or bequest or transferred to the City must be accompanied by a certificate of authenticity.

Provisions for the maintenance of the art work must be allocated to the maintenance schedule operated by the City of Sydney.

A period of review should be allocated to each work on accession, under the advice of the Public Art Advisory Panel.

# Deaccessions

## Process

The request to decommission an item may be made by the community, another government authority or a division of the City. This request must be made in writing to the Public Art Program Manager and the reasons for the request clearly outlined in the document.

The Public Art Program Manager will present the request to the Public Art Advisory Panel with additional information about the work, including an assessment by an independent conservator and/or an independent heritage consultant, as required.

The Public Art Advisory Panel will assess the request and make a recommendation regarding the item. This may include whether the item should be relocated, removed from the public domain or destroyed. Depending on the work, the recommendation will be passed to Council or the CEO for approval or endorsement.

Relocation, removal or disposal of an item will be recorded in the City Art Database. All decisions and actions should be fully documented.

Where the City intends to remove, relocate, destroy or demolish any public artwork, it will:

- First, make reasonable enquiries as to the identity and location of the artist (or the artist's representative). If, after making reasonable enquiries, the City cannot identify or locate the artist (or the artist's representative) the City may remove, relocate, destroy or demolish the public artwork as it sees fit.
- If the City identifies and locates the artist (or the artist's representative), it will before the removal, relocation, destruction or demolition of the artwork give the artist (or the artist's representative), written notice stating:
  1. the City's intention to remove, relocate, destroy or demolish the artwork; and
  2. that the artist may, within 3 weeks of the notice, seek to have access to the artwork for:
    - (a) making a record of the artwork; and/or
    - (b) consulting in good faith with the City about the removal or relocation.
- If the artist notifies the City that they would like access to the artwork (for recording or consulting), the City will give the artist a reasonable opportunity to access the artwork within a further 3 week period.
- If requested, the City will consult in good faith with the artist in relation to the removal,



relocation, destruction or demolition of the artwork. However, the City is under no obligation to agree to any demands of the artist, whether or not those demands or requests are reasonable.

- Where the public artwork is moveable (that is, anything that may be picked up and carried around), the City will also give the artist a reasonable opportunity to remove the artwork from the place where it is situated before taking any further action.
- Where the artist requests from the City that they wish to be unidentified as the creator of the artwork in any new location or after any change above, the City will comply with such a request.

For specific guidance on the City's moral rights obligations under the Copyright Act 1968 (Cth), please see the Public Art, Copyright & Moral Right Guidelines prepared by Legal Services, August 2006.

Objects which are destroyed should be disposed of in a responsible manner.

## Criteria

Objects may be deaccessioned if they meet at least one of the following criteria:

1. Objects which are not relevant or consistent with the purposes and objectives of the City of Sydney Public Art Policy or Council's Sustainable Sydney 2030 or Corporate Plans.
2. Objects which lack physical integrity.
3. Objects which lack authenticity.
4. Objects which are duplications.
5. Objects for which the adequate care and maintenance required for their upkeep is unavailable.
6. Objects for which the cost of the adequate care and maintenance required over a five-year period exceeds the original value of the object.
7. Objects located in the public domain which may cause risk to the public.
8. Objects integrated into the fabric of City-owned buildings, streets or parks which are subject to redevelopment by the City where the object is not salvageable.

# Related Information and Glossary

This document is part of a suite of documents developed to assist in the implementation of the Public Art Policy. These documents include:

- City of Sydney Public Art Policy
- City of Sydney City Art Public Art Strategy
- City of Sydney Interim Guidelines for Public Art in Private Developments 2006
- City of Sydney Interim Guidelines for Aerosol Art 2006
- City of Sydney Public Art Copyright and Moral Rights Guidelines 2006

## Review Period

Three Years

## Review Date

May 2014

## Contact

Public Art Program Manager  
City Projects

*city of villages*