



# Collections Policy

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Mitchell Shire Council acknowledges the traditional custodians of the land, those of the Taungurung and Wurundjeri People. We pay our respects to their rich cultures and to elders past and present.

## **Purpose**

Mitchell Shire Council's Visual Arts, Civic History, and Non-infrastructure Heritage Assets Collections are wholly maintained and managed by Mitchell Shire Council for its residents. The Visual Arts, Civic History, and Non-infrastructure Heritage Assets Collections are part of the fabric and history of Mitchell Shire and represents its diverse population.

The Collections Policy will guide the development and management of each of these collections owned by Mitchell Shire. Art and art works are periodically acquired by the Council while Civic History and Heritage items can either be recorded and returned or displayed (in the case of awards, civic gifts, furniture and other municipal objects). This Policy also sets out the parameters for acquisition and de-accessioning.

## **Scope**

The Visual Arts, Civic History, and Non-infrastructure Heritage Assets Collections will contribute to creating vibrant and self-sustaining communities by reflecting and documenting: growth and change; the diversity of people, land and environment; and the social, historical, and cultural life of the municipality.

## **Principles**

The Collections Policy will:

- Reflect and express Mitchell Shire's diverse community and contribute to developing the Shire's cultural character and create a sense of belonging.
- Acknowledge and reflect the Shire's rich and long-standing Aboriginal Cultural and Aboriginal Cultural Heritage, both tangible and intangible.
- Acknowledge and reflect the Shire's diverse cultural and Historical Cultural Heritage, both tangible and intangible.
- Reflect and document the built, environmental, cultural and social history of the Shire.
- Accessibility and visibility of the Collections to the public, including online accessibility to the community.

## **Objective(s)**

The Collections Policy obliges Council to:

- Acquire artworks within the broad parameters of Australian art with priority given to works by artists from Mitchell Shire and works about the municipality.
- Acquire artworks in a variety of media, including contemporary and innovative forms that reflect changing aesthetic styles.

- Acquire artworks by Aboriginal artists and artists from diverse cultural backgrounds.
- Acquire artworks, civic history, and heritage items that have educational, social, cultural and economic value.
- Acquire civic history and heritage material of significance and relevance to Mitchell Shire and its people.
- Manage the Collections according to best practice curatorial principles and practices.
- Make the Collections accessible to the community and researchers where practical, including online, and as long as the items are in good condition.

### **Context/Rationale**

The Visual Arts, Civic History, and Non-infrastructure Heritage Assets Collections are part of a much broader Arts, Culture, and Heritage portfolio that has previously been ad-hoc recorded and managed. There have been instances where items from the Visual Arts and Civic History Collections have been “gifted” away, and while some of these items have been returned, the occurrences were due to a lack of ownership knowledge, proper recording of the items and little Collections Management.

To this effect, the Mitchell Shire Visual Arts, Civic History, and Non-infrastructure Heritage Collections are wholly maintained and managed by Mitchell Shire Council. The acquisition and de-accessioning of items must follow procedure to protect and enrich the Shire’s Collections

### **Visual Art Collection**

The Visual Art Collection comprises over 70 artworks dating from 1962 to the present and includes: paintings, drawings, prints, photographs, and sculptures. The Collection limitedly reflects the Shire’s diverse cultural makeup with artworks by artists from different backgrounds.

For the most part the Visual Art Collection consists of paintings and works on paper and canvas. Painting and drawing are ideal mediums for depicting traditional and familiar scenes and this is the main feature of the Collection. It is a record of the local landscape and life in the Shire.

Most of the artworks in the Visual Art Collection have been purchased at local art and craft exhibitions. However, the Council did commission Glenn Cottier in 1999 and 2007 to complete a total of 11 works depicting various landscapes within the Shire.

### **Civic History Collection**

The Civic History Collection comprises items relating to the history and activities of Mitchell Shire Council. It includes a range of objects and memorabilia, such as: awards, plaques, badges, medals, photographs, documents, maps and plans, posters, signs, and cultural and commemorative gifts.

The Collection contributes to the history and corporate memory of Mitchell Shire Council by providing a record of many of its activities and events. It also highlights the relationship between the Council and the community.

Most of the civic history items in the Collection have been acquired internally and some pre-date amalgamation, like the Kilmore Medal. Most were created, received or used by Councillors or staff in the course of their work or through community activities and events. A small number of the civic history items have been donated, usually these relate to Mitchell Shire Council or were donated by someone with a direct relationship with Mitchell Shire.

The Collection is important for its value both as a corporate record as well as its local history significance.

### **Non-infrastructure Heritage Assets Collection**

The Non-infrastructure Heritage Asset Collection is made up of items relating to historic places and activities in the Shire. The Collection includes a variety of items associated with the Shire's historic buildings and activities in those buildings (such as furniture, gavels, keys, clocks, and books), and important events for the wider community (tanks, artillery guns and historic memorials).

The Collection's items have a contextual symbiotic relationship with their places of origin. While the historic buildings themselves do not necessarily need the Collection items to be significant and the items do not need the buildings to be significant either, the overall importance and significance of both the builds and the items is greater when the association is maintained. For instance, the keys and gavel from the Old Seymour Courthouse (HO124) are significant in and of themselves but to retain them as we retain the Old Seymour Courthouse means that the items and the building have an increased significance because their context is retained.

Most of the Collection's items are furniture and were acquired with their buildings during 1994 amalgamation of local governments. While they are of financial value, their socio-historic and political cultural value is greater as long as they remain associated with their buildings.

In terms of the military items and historic memorials, these have either been gifted to the Shire or were acquired during amalgamation. They help to celebrate and acknowledge important events in the Shire or for the community.

### **Policy**

The Visual Arts, Civic History, and Non-infrastructure Heritage Assets Collections will contribute to creating vibrant and self-sustaining communities by reflecting and documenting the growth and change in the municipality; the diversity of the Shire's

community; the physical land and environment; and the social, historical and cultural life of the Shire.

### Acquisitions

Acquisition is the process through which Council accepts artworks, civic history and heritage items into its Collections. Methods of acquisition include:

- Donation/gift
- Bequest
- Purchase
- Commission by Mitchell Shire Council
- Items relating to Council business

An Acquisitions Advisory Group (AAG) will be established to make key decisions regarding significant acquisitions and de-accessions over \$2,000 in value for The Visual Arts, Civic History, and Non-infrastructure Heritage Assets Collections. The AAG will be comprised of five members including:

- a) Two Mitchell Shire Council representatives being a Councillor and the Arts, Culture and Heritage Advisor.
- b) Three community members to collectively represent a diverse range of arts and cultural expertise. At least one of these members to be a practicing artist or/and art professional

Artwork, civic history and heritage items valued at \$1,999 or less can be accepted into or de-accessed from the Collections by the CEO, the Director Advocacy and Community Service or the Manager Liveable Communities under delegation following the Acquisition and De-accessioning Criteria. However, the non-monetary value must be given due consideration.

Depending on the nature of the project, the AAG may call on any of the following experts from Council to aid in decision making:

- the Tourism or/and Economic Development team.
- Landscape and Open Space Planning Officer
- Landscape Architect
- Urban Design Officer
- Communications team

The AAG may also seek additional support and advice from the other specialist Shire staff as needed.

### Acquisition Criteria

Criteria for the acquisition of artworks, civic history and heritage items into The Visual Arts, Civic History, and Non-infrastructure Heritage Assets Collections fall into two categories, compulsory acquisition criteria and priority acquisition criteria, based on the principles and objectives stated in this Policy.

To be eligible for acquisition into The Visual Arts, Civic History, and Non-infrastructure Heritage Assets Collections, artworks, civic history and heritage items must meet **all** the compulsory acquisition criteria and **one or more** of the priority acquisition criteria. Acquisition must also consider a number of additional requirements as outlined in the following. Further to this, Council's Property Holdings, Acquisition and Disposal Policy must be adhered to.

### Compulsory Criteria

Artworks, civic history and heritage items must meet all the compulsory acquisition criteria as follows:

- Artworks, civic history and heritage items must be of local, regional or national significance.
- Artworks, civic history and heritage items must be in good condition and unlikely in the future to result in major expense to Council, for example to conserve, store or display, unless such a likelihood is identified and considered in the acquisition process. An artwork, civic history or heritage item in poor condition will be considered only if it is of local, regional or national significance, and funds for conservation or restoration (if appropriate) are available for a period of 10 years.
  - If the cost of conservation and preservation after the period of 10 years is reasonable to the item's significance.
- Artworks, civic history and heritage items must be able to be managed appropriately under conditions that Council can feasibly provide, including display and interpretation, storage, maintenance and conservation, and availability for research.
- Artworks, civic history and heritage items must be able to be conserved and preserved according to the Australian Institute for the Conservation of Cultural Material's reCollections manual.
- Artworks, civic history and heritage items must be safe to handle and unlikely to cause Occupational Health and Safety incidents.
- There must not be a duplicate artwork, civic history or heritage item in the Collection, or, the artwork, civic history or heritage item being considered for acquisition must be of particular cultural value, better condition, rare, or more representative than the artwork(s) or heritage item(s) already in the Collection or able to be utilised for future programs.
- Artworks, civic history and heritage items must have clearly established and verifiable provenance, in circumstances where this is not available the artwork, civic history or heritage item will be considered for acquisition only if it is of local, regional or national significance.
- Artworks, civic history and heritage items must be purchased or donated without condition. The artwork, civic history or heritage item must come with a clear legal title (proof of ownership or 'provenance') and allow full transfer of title to Council. However, in cases where the donor/vendor retains the legal title to the artwork, civic history or heritage item, consideration will be given to Council accepting the artwork, civic history or heritage item on a permanent or

long-term loan basis, depending on verification of ownership and the conditions attached to the loan.

### Priority Criteria

In addition to meeting the compulsory acquisition criteria, priority will be given to artworks, civic history and heritage items that fulfil **one or more** of the following criteria:

- a) A clear connection to Mitchell Shire and its people, such as:
  - Artwork by an artist who has lived, worked, exhibited or contributed to the culture of the Shire.
  - Artworks about the municipality.
  - Artworks, civic history and heritage items that demonstrate a connection to the municipality.
- b) Reflect the following themes:
  - Past, present and future of Mitchell Shire.
  - Community identity and sense of belonging.
  - Growth and development.
  - Icons of Mitchell Shire: places and people, including notable individuals, families, businesses/companies and organisations who have made a significant contribution to the municipality.
  - Environment, changing landscapes and place.
  - The work of the Council.
- c) Engage with important cultural, social, historical, and environmental issues, and significant events.
- d) Reflect the changing cultural diversity of the municipality.
- e) Enhance the quality and diversity of the collections.
- f) Artworks that are innovative or representative of current or emerging trends within a broader context of contemporary Australian art, including artworks that are original, experimental, and authentic.
- g) Artworks that build upon and strengthen the Aboriginal art component of the collection.
- h) Artworks by artists from different cultural backgrounds that reflect the cultural diversity of the municipality.
- i) Heritage items that:
  - Are significant for their historic, aesthetic, scientific/research or social/spiritual value.
  - Are associated with Council owned places.
  - Tell a story to aid interpretation of exhibition or program themes.
  - Are unique and/or a rare example of a particular kind.
  - Are an excellent representative example of a particular kind.



### Additional requirements

In addition to the compulsory and the priority acquisition criteria several other requirements need to be taken into account, as follows:

- a) Consider artworks by artists at all stages of their careers for acquisition, including established, mid-career and emerging artists.
- b) Comply with Museums Australia's Code of Ethics for Art, History and Science Museums (1999) and the UNESCO Convention on the Means of Prohibiting and Preventing Illicit Import, Export and Transfer of Ownership of Cultural Property (1970), *Protection of Moveable Cultural Heritage Act 1986*, and *Protection of Moveable Cultural Heritage Regulations 2018*.
- c) Comply with all legislation, regulations, religious and/or cultural sanctions attached to objects and artworks, especially objects and artworks from Aboriginal Australian, and not acquire or exhibit an object in breach of the *Aboriginal Heritage Act 2006* or *Aboriginal Heritage Regulations 2018*.

### De-accessioning

De-accessioning is the process by which Mitchell Shire Council can legally remove artworks, civic history or heritage items from its Collections.

De-accessioning must occur with the best interests of the community in mind, as well as to ensure the development and effective management of the Collections, and according to the criteria provided in this document.

Artworks, civic history or heritage items cannot be de-accessioned if any legal encumbrance exists, which prohibits them from being de-accessioned, or if their provenance is contested. Artworks, civic history or heritage items are not eligible for de-accessioning on purely aesthetic or financial value grounds. Also, Council's Property Holdings, Acquisition and Disposal Policy must be adhered to.

### De-accessing criteria

To be considered for de-accessioning an artwork, civic history or heritage item must meet one or more of the following criteria:

- The artwork, civic history or heritage item does not comply with Mitchell Shire Council's collection policy objectives.
- The conservation and/or storage costs are beyond the capacity of the Council.
- The condition of the artwork, civic history or heritage item is poor, and it does not have sufficient significance to warrant the allocation of resources for conservation.
- The artwork, civic history or heritage item is irreparably damaged or destroyed or missing or stolen without hope of return.
- The attributes of the artwork, civic history or heritage item means it cannot be displayed and it does not possess research potential.
- The artwork, civic history or heritage item is a duplicate, copy or reproduction and has no specific function.



- Council receives a substantiated request for the return of the artwork, civic history or heritage item to its owner/donor.
- The artwork, civic history or heritage item has insufficient provenance information to enable identification or verification of its relevance to the Collection.

### *Disposal Methods*

Disposal refers to the removal of an artwork, civic history or heritage item from the Collections.

An artwork, civic history or heritage item approved for de-accessioning must be disposed of by the following methods (in priority order):

- Disposed of in accordance with Council's Property Holdings, Acquisition and Disposal Policy.
- Offered for sale or donation, as appropriate, to its creator or donor, or their family member to comply with all existing **Moral Rights** obligations.
- If after a thorough search this is not possible, the artwork, civic history or heritage item should be:
  - Offered to a suitable agency or institution.
  - Sold on the public market, with consideration given to use the funds for the development and/or management of the Collection.
  - Whenever an artwork, civic history or heritage item is offered for sale:
    - Obtain an up-to-date valuation of the artwork, civic history or heritage item from an appropriately qualified valuer, and
    - Only dispose of the artwork, civic history or heritage item for a fair market value.
- Use the artwork, civic history or heritage item as an educative/interpretive tool.
- Dismantled, destroyed or recycled if no other options are appropriate.

Any heritage item that was formerly held under the *Public Records Act 1973* must be disposed of in accordance with the Public Records Office of Victoria Standards for disposal.

### Movement of Items in the Collections

As Mitchell Shire Council owns numerous buildings, it is important to know where items in the Collections are. This necessitates the correct documentation and recording of when items in the Collections are moved from one Council owned property to another. This documentation must be added to Electronic Document Management System.

If community members and staff are granted access to view items in the Collections that are not on display, under no circumstances are they allowed to remove or take the item(s) from Council premises. Community members and staff are permitted to non-destructively record the item(s) including photographing, drawing, photocopying

and measuring. However, the likeness of the item(s) is not permitted to be broadcast on social media platforms unless written permission is granted from the Arts, Culture and Heritage Advisor, Collections Manager or Manager Liveable Communities (or equivalent).

## **Definitions**

*Art:* in its broadest meaning is the expression of creativity or imagination, or both. Art is an original work of visual art that is either created by the artist or artists; or produced under the authority of the artist or artists.

*Conservation:* is the hands-on actions or/and processes that are aimed at safeguarding and maintaining the current condition and character-defining elements of a cultural resource so as to retain its value and extend its physical life. Conservation seeks to maintain and increase the value of the item by keeping it in its present form. This may encompass restoration including removing non-original features or debris (including dirt) or/and sympathetically adding back features or elements that are missing (for instance, paint).

*Heritage Item:* See *Protection of Moveable Cultural Heritage Act 1986* and *Protection of Moveable Cultural Heritage Regulations 2018*.

*Preservation:* is the non-invasive act of minimising deterioration and preventing future damage of the object aimed at maintaining the item in its current form and condition. Preservation, like conservation, aims to sustain and increase the value of the item by keeping it in its current condition but does not include restoration.

*Thorough Search:* A thorough action or activity is one that is done very carefully and in a detailed way so that nothing is overlooked.

## **Responsibilities**

The areas responsible for maintaining and upholding this Policy are:

- The Arts, Culture and Heritage Advisor
- Manager Liveable Communities
- Information Services
- Governance

## **Related Documents**

- *Protection of Movable Cultural Heritage Act 1986*
- *Protection of Moveable Cultural Heritage Regulations 2018*
- *Heritage Act 2017*
- *Aboriginal Cultural Heritage Act 2006*
- *Aboriginal Cultural Heritage Regulations 2018*
- *Public Records Act 1973*
- *Copyright Act 2006*
- Mitchell Shire Council's Property Holdings, Acquisition and Disposal Policy
- Mitchell Shire Council's Public Arts Policy

- Museums Australia Code of Ethics for Art, History and Science Museums 1999
- UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, export and Transfer of Ownership of Cultural Material 1970
- National Conservation and Preservation Policy and Strategy 1998
- Heritage Collections Council- Volume 1, Development of a Best Practice Model for Conservation and Preservation Assessment Plans for Cultural Collections- Method and Analysis
- Heritage Collections Council- Volume 2 A Best Practice Model for Conservation and Perseveration Assessment- Plans for Cultural Collections
- reCollections-
  - Caring for Cultural Material
  - Damage and Decay
  - Handling, Transportation, Storage and Display
  - Managing Collections
  - Managing People