



# WARRNAMBOOL ART GALLERY

## WARRNAMBOOL ART GALLERY Collection Policy 2023 – 2026 (August 2023)

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# 1. Introduction

The Warrnambool Art Gallery collection began in 1886 with Joseph Archibald's inaugural donation of museum curios, which was then expanded to include significant early acquisitions of European art.

Since then, Warrnambool Art Gallery has developed a substantial collection of Australian art spanning from European colonisation to contemporary work. The collection comprises significant colonial paintings, a strong representation of works on paper including Melbourne modernist works and contemporary pieces, alongside a thoughtful selection of ceramics, sculpture and installations. Warrnambool Art Gallery is also the custodian of Aboriginal and Torres Strait Islander artefacts, contemporary cultural material and works of art.

The collection is a significant cultural asset owned by the Warrnambool City Council and held in trust for the people of Warrnambool and South West Victoria. The Collection Policy is central to Warrnambool Art Gallery's commitment to effectively develop, manage, and conserve the cultural material and works of art in its care, while providing engagement and access opportunities to the public on local, state and national platforms.

# 2. Purpose

This Policy has been developed to provide guidelines for the management and development of the Warrnambool Art Gallery collection. It identifies the focus of the collection and stipulates the process by which artworks are acquired into the collection and deaccessioned.

# 3. Scope

The policy relates to the collection owned or held in custodianship by the Warrnambool City Council and housed in the Warrnambool Art Gallery. While all care has been taken to identify the provenance of art, articles and artefacts this has not always been possible. This policy relates to all items held in the collection regardless.

It outlines the strategic approach to developing the collection in a measured way that responds to current storage demands, existing strengths and gaps within the collection while taking into consideration future audiences and current trends in contemporary practice.

## 4. Definitions

Term	Definition
Collection	Works of art and cultural material, in various media, that are the property of Warrnambool Art Gallery and have been formally accessioned.
Acquisition	A work of art or cultural material purchased, donated, commissioned or obtained for the Collection.
Accession	The process which formally acknowledges an item as part of the Collection
Donor	An individual, organisation or group who has made or is proposing to make a gift to Warrnambool Art Gallery
Deed of Gift	A formal, legally binding document that establishes that title of a work of art is given to Warrnambool Art Gallery as a gift by the donor(s). The Deed of Gift also outlines the terms and conditions of the gift and its acceptance.
Acquisition Proposal	Detailed information about a work of art or cultural material proposed for acquisition and outlines considerations in assessing the acquisition. The submission will detail the known provenance of the work and will identify costs and, in the case of works acquired through purchase, the potential funding source. The submission will include a brief report outlining the argument for acquisition and relevance to the collection
Deaccession	The process of removing a work of art or cultural material from the Collection and the recording of the disposal or removal when it is sold, donated, destroyed or lost
Cultural Material	Includes objects of all types and is not limited to: antiquities; material from archaeological excavations; objects of ethnological interest; objects of artistic interest; palaeontological objects; digital born objects and multimedia creations; archives including written, sound, photographic and cinematographic; and specimens of fauna, flora, minerals and anatomy.
Work of art	A diverse range of human activities, creations and methods of expression
Works on paper	Includes works of art drawn, painted or otherwise created on paper using a variety of media e.g. pencil, charcoal, paint, ink, various types of print techniques and collage.

## 5. Statement of Principles

The ongoing maintenance and development of the collection underpins the objectives of the Warrnambool Art Gallery.

Warrnambool Art Gallery is committed to developing its collection in-line with the highest ethical standards and legal requirements and all acquisitions are managed in ethical, honourable and responsible terms. Warrnambool Art Gallery operates with transparency in its dealings and is visible to public scrutiny, in order to maintain and build upon its reputation in the sector and the community.

Warrnambool Art Gallery recognises the UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property 1970 (the Convention) and acknowledges that Australia is a signatory to the Convention. Warrnambool Art Gallery also recognises and is bound by the terms of the Protection of Moveable Cultural Heritage Act 1986 and is guided by the International Council of Museums (ICOM) Code of Ethics, Museums Australia Code of Ethics and the Australian Best Practice Guide to Collecting Cultural Material and the National Standards for Australian Museums and Galleries.

Where relevant Warrnambool Art Gallery will also refer to the following policies and guidelines:

- Aboriginal Heritage Act (2006) and Aboriginal Heritage Amendment Act (2016)
- Copyright Act 1968
- Control of Weapons Act V.072 (1990)
- Firearms Act (1996)
- Underwater Cultural Heritage Act (2018)
- The Historic Shipwrecks Act (1976)
- Victorian Heritage Act (1995)
- Australia Museums and Galleries Association Victoria (AMaGA) – First peoples: a roadmap for enhancing Indigenous engagement in museums and galleries (2019)
- Australia Council for the Arts – Protocols for using First Nations cultural and intellectual property in the arts (2020)
- Australian Government Ministry for the Arts – Australian Best Practice Guide to Collecting Cultural Material (2015)
- Australian Government Cultural - Gifts Program
- National Standards for Australian Museums and Galleries (2023)
- Charter of Human Rights Act (2007)
- Warrnambool Art Gallery Storage Management Plan (2018)
- Warrnambool City Council Procurement Policy (2020)
- Warrnambool City Council Staff Code of Conduct (2020)

## 6. Selection Criteria

### **Relevance**

Works of art or cultural material deemed to fit one or more of the Acquisition Categories as determined by the curatorial team or relevant experts when necessary

### **Significance and rarity**

Works of art or cultural material that has significant historic, aesthetic, scientific or research and/or social or spiritual value. The aesthetic significance of an item may be based on its craftsmanship, style, technical excellence, beauty, skill and quality of design and execution. Works of art must be unique, relatively rare or an excellent example of its type.

### **Provenance**

Warrnambool Art Gallery will not purchase, or accept as a gift, bequest, or loan any work of art or cultural material where provenance is questionable including, but not limited to, theft, sale under duress, or unethical obtainment.

Acknowledging there might be exceptional circumstances in the collection of First Nations cultural material and artefacts Warrnambool Art Gallery will seek expert guidance if provenance is uncertain

### **Condition**

Warrnambool Art Gallery has limited capacity or funding to store or undertake conservation of works of art or cultural material in poor condition. Only in exceptional circumstances, and at the discretion of the Gallery Director, will a work of art requiring conservation be acquired. Generally works of art or cultural material must be suitable for long term-storage and in condition suitable for display.

### **Interpretive Potential**

Works of art or cultural material that has high value through its potential communicative power including its interpretative potential within the context of art historical scholarship must also be considered.

### **Display and Storage practicalities**

Warrnambool Art Gallery has limited storage facilities. Practicalities regarding the storage and movement of works of art or cultural material, including but not limited to, long-term storage concerns and workplace health and safety issues, and associated costs in managing these factors, must play a pivotal role in assessing prospective acquisitions. Potential for regular display and ease of installation must be taken into consideration.

## 7. Collection Priorities

Priority will be given to selection of early and mid-career artists demonstrating a committed exhibition history, evidence of consistent and innovative work and excellent aesthetic and conceptual thinking should be acquired. The likelihood of a continued career should be a factor in decision making. Early and mid-career artists must be acquired mindful of inherent and calculated risk. The priorities and concerns of current collecting are as follows:

- a) Australian artists who are likely to become financially out of reach in 5 to 10 years.
- b) Less established Australian artists, with a strong career trajectory, and who are currently producing affordable, exemplary works of art.
- c) Australian artists who have established practices and are able to fill a gap in contemporary collecting.
- d) Works of art that can be accommodated within current storage limitations.
- e) Works of art by artists who have been traditionally under-represented in the collection including but not limited to, women, First Nations artists, culturally diverse artists and other marginalised groups
- f) Contemporary works which are not collected in the early career of artists become unattainable in time, and will leave future custodians with inherited gaps or lesser examples.
- g) Warrnambool Art Gallery currently has limited collection resources and do not have the capacity to purchase retrospectively unless it is a modest sum or significant additional funds are solicited.
- h) Warrnambool Art Gallery acknowledges that historically acquisitions have favoured the collection of male artists. Acquisitions in recent years has sought to redress this and the gallery is commitment to equity in the collection and will continue to build a collection that is broadly reflective of Australia's diverse population.
- i) Acquisitions should be considered in relation to the following Collection Categories within the collection, with the view to enhance the gallery's ability to tell important, relevant and diverse stories that reflect local, state and national concerns.

## 8. Collection Categories

Works of art and cultural material will be acquired by the Warrnambool Art Gallery based on its relevance to the following defined collection areas and in-line with the gallery's Strategic Plan.

### **Contemporary Australian Art**

Warrnambool Art Gallery aims to develop a selective, but exceptional collection of Contemporary Australian Art. The selection of works of art and cultural material will be informed by gallery's existing areas of focus and should take into account relationships to existing works and/or key themes already in the collection, as well as current storage limitations.

Warrnambool Art Gallery seeks to collect works of art by artists who are actively contributing to dialogues in Australian art, have a record of creating innovative work, and produced works that will be of public interest and importance in the long term. Works that best represent the practice of artist and fit the following criteria will be sought:

- a) Contemporary art by established or early to mid-career Australian artists in a range of media which will contribute to the concerns and ideas inherent in the existing collection.
- b) Contemporary art by established or early to mid-career Australian artists in a range of media, which has a direct relationship to existing work or themes in the collection
- c) Contemporary art made by artists who are from, currently reside, or have a significant connection to Warrnambool, South-West Victoria or surrounding region.
- d) Contemporary art or cultural material that references Warrnambool, South-West Victoria or surrounding regions, including other important geographic and cultural landmarks
- e) Contemporary art made by artists who have traditionally been under-represented in the collection including but not limited to, women, First Nations artists, culturally diverse artists and other marginalised groups

### **Colonial and Modern Australian Art**

The Warrnambool Art Gallery holds an important selection of colonial art and modern art but it is not a comprehensive collection of either period. While it is currently beyond Warrnambool Art Gallery's capacity to develop a comprehensive collection in these areas, they should inform any possible retrospective acquisitions.

Warrnambool Art Gallery will pursue work by artists that have made a significant contribution to Australian art or demonstrate a substantial contribution to current themes within the existing collection. Works that best represent the practice of the artist, and are of public interest and importance in the long term will be sought. Proposed donations of



significant Australian artists that do not fall into the following categories should still be considered. The following areas are of particular focus:

- a) Works of art by artists working in Australia from c. 1800 to c. 1900, with particular consideration given to pieces depicting aspects of Warrnambool, South-West Victoria and other important geographic and cultural landmarks.
- b) Works of art by Modernist artists working in Melbourne from c.1930 to c.1955 and later 20<sup>th</sup> century, with particular consideration given to artists connected to the George Bell School or the Angry Penguins
- c) Works of art, of the same time period, made by artists who have traditionally been under-represented in the collection including but not limited to, women, First Nations artists, culturally diverse artists and other marginalised groups.

### **Australian Printmaking and Works on Paper**

The Warrnambool Art Gallery currently holds a significant selection of prints as part of its collection including modern through to contemporary works. New acquisitions in this category would continue to grow an area that is a current strength of the collection.

Warrnambool Art Gallery seeks to collect works by artists that have made a noteworthy contribution to Australian art, demonstrate a history of creating innovative work, and produced works that will be of public interest and importance in the long term. Works that best represent the practice of artist and fit the following criteria will be sought:

- a) Works on paper by established or early to mid-career artists who are underrepresented in the collection
- b) Works on paper made by artists who are from, currently reside, or have a significant connection to Warrnambool, South-West Victoria or surrounding region.
- c) Works on paper that reference Warrnambool, South-West Victoria or surrounding regions, including other important geographic and cultural landmarks
- d) Works on paper made by artists who have traditionally been under-represented in the collection including but not limited to, women, First Nations artists, culturally diverse artists and other marginalised groups

### **Exceptional Art of Merit – International Art**

From time to time, the opportunity to acquire an exceptional artwork of merit will arise. This is essential in leveraging the gallery's existing collection and could be a one-off situation. For an artwork to be collected under this category, the artist must be an established or mid-career artist who has made a major contribution to their field, have an established reputation for consistently creating innovative work, and produced works that will be of public interest and importance in the long term. The work should be an excellent example of their practice.

## 9. Acquisitions

Warrnambool Art Gallery acquires works of art and cultural material through donation, bequest, purchase, transfer or commission.

Conditional donations of either funds for acquisition, or works of art, will generally not be accepted, except under exceptional circumstances, at the discretion of the Gallery Director.

### 9.1. Acquisition Process

Acquisitions will be considered by the Warrnambool Art Gallery curatorial team including the Gallery Director, at dedicated meetings to determine the proposed acquisition against the Acquisition Categories, Acquisition Criteria and Collection Priorities. Consultation with community and industry experts will occur as appropriate.

Once the curatorial team has met and approved an acquisition, an Acquisition Proposal will be prepared for approval by Manager Recreation & Culture and will be procured in accordance with Council's Procurement Policy. On approval of the Acquisition Proposal, relevant transfer of title documentation, such as Deed of Gift or Purchase Agreement must be completed.

On finalisation of transfer of title and receipt of the material it should be accessioned and catalogued in accordance with the Accessioning and Cataloguing Procedures (2023).

A summary of all works of art and cultural material acquired each financial year will be submitted to Manager Recreation & Culture.

### 9.2. Consultation with community groups and experts

Where necessary, should an item fall outside the expertise of the curatorial team, advice will be sought from recognised, knowledgeable experts in the field.

Should this apply to the acquisition of First Nations works of art, cultural material or artefacts associated with South West Victoria, Warrnambool Art Gallery will consult with acknowledged First Nations leaders as identified by Warrnambool City Council, as well as consult internally with the Aboriginal Liaison Officer and any identified First Nations positions within Warrnambool Art Gallery as necessary.

## 10. Funds for Acquisitions

Warrnambool City Council provides a core funding for the acquisition of new works of art or cultural material by Warrnambool Art Gallery, as part of their yearly operating budget.

Acquisitions beyond the capacity of this budget are supplemented by application to various philanthropic foundations, programs and individuals including the Warrnambool Art Gallery Foundation.

## 11. Management of Collection and Record Keeping

The Warrnambool Art Gallery collection will be managed, documented and catalogued by appropriately qualified staff with industry specific experience as outlined in the Accessioning and Cataloguing Procedure (2023).

In accordance with the National Standards for Australian Museums and Galleries, Warrnambool Art Gallery aims to achieve best practice in the documentation, storage, conservation and display for works of art, in line with the Collection Care Policy (2023) as well as upholding those standards for the maintenance of exhibition and storage areas as outlined in Warrnambool Art Gallery's Collection Storage Management Plan (2017).

## 12. Access

The collection is accessible to the public through regular exhibitions displayed in the gallery, during scheduled opening hours, 7 days a week. Regular curator talks, artist talks, education programs, digital and printed publications and in-house video and audio are produced in relation to the collection.

Collection records and images are accessible for research purposes by appointment or through general enquiry. Due to excessive demands currently placed on storage areas, easy and safe access to works of art or cultural material in these areas is limited. All access is at the discretion of staff and must be facilitated by a staff member. A genuine effort to facilitate access where possible will be made.

A selection of the collection is currently available through the Warrnambool Art Gallery website, with the aim of this being increased yearly.

## 13. First Nations Collection

The Warrnambool Art Gallery acknowledges the Aboriginal Heritage Act 2006, in recognising, protecting and conserving the collection of First Nations artefacts currently held

by the gallery, in ways that are based on respect for the knowledge and cultural traditional practices of First Nations peoples.

Warrnambool Art Gallery will continue to research and build on current knowledge of its collection of First Nations artefacts and to recognise the broader political and social importance of the gallery's collection for First Nation's culture.

Where possible, Warrnambool Art Gallery will provide First Nation's people with access to the collection, related documents, and research. Any contribution to knowledge will be recorded with permissions.

Access to First Nations artefacts and cultural material within the collection by nonIndigenous people, such as researchers and artists, should be undertaken in consultation with and permission of relevant Aboriginal and Torres Strait Islander advisory bodies or authorities. An agreement in writing that outlines the details of the access and outcomes including payments, sales, publications and acknowledgements should be recorded.

The gallery will endeavour to form dialogue and agreements with Traditional Owners regarding the future management of these artefacts, including repatriation, displays, education, joint-management, partnerships and custodianship where applicable. Warrnambool Art Gallery will also seek to work with Traditional Owners to ensure that cultural standards and requirements are upheld in storage of collections. Warrnambool Art Gallery will give serious consideration to requests relating to cultural items where current industry benchmarks may not be practicable, for example, requests for use of objects for ceremonial purposes.

Warrnambool Art Gallery is committed to following AMaGA's First Peoples: A Roadmap for Enhancing Indigenous Engagement with Museums and Galleries.

## 14. Loans

The loan of works of art to or from Warrnambool Art Gallery will be considered in-line with the Warrnambool Art Gallery's Strategic Plan (2023), and Collection Care Policy (2023).

Extended or long-term loans (over 6 months) will be considered by the Gallery Director on a case-by-case basis with consideration given to risk, importance to the community of SouthWest Victoria, conservation concerns and budget limitations.

Loan agreements must be signed by an authorised representative of both organisations. The agreement must outline the purpose, conditions and period of the loan. All communication and documentation regarding the loan will be recorded. Documentation regarding loans will be kept on the Master Schedule of Loans document and where relevant, on Council's insurance schedule.

## 15. Deaccessioning

### 15.1. Criteria for Deaccessioning

Works of art and cultural material in the collection may be deaccessioned for a variety of reasons including, but not limited to:

- Item falls outside the Acquisition Categories outlined in this policy
- Of negligible historical, social or aesthetic merit
- It lacks any supporting information to enable proper identification or to establish its relevance to the collection
- The item is of lesser quality than other works of the same type or by the same artist, either already in the collection, or about to be acquired
- Damaged beyond repair or conservation work is beyond the means of Warrnambool Art Gallery's budget
- The storage of a work is currently unsafe for either staff or the work, is at risk of significant damage or the provision of safe, accessible storage is beyond the means of the Warrnambool Art Gallery
- Stolen or otherwise missing beyond hope of recovery
- Subject to a repatriation claim
- The authenticity, attribution or genuineness of the item is questionable or determined to be false or fraudulent
- The work of art was acquired unethically

Trends and popular taste must not be a criterion for deaccessioning works.

Works which fall outside of the major collection areas, but are of highly significant historical, aesthetic or educational value, and are widely known to be part of the Warrnambool Art Gallery collection, should not be deaccessioned.

### 15.2. Deaccessioning Process

Items proposed for deaccession, or disposal should be assessed against the criteria for Acquisition and Deaccession by the curatorial team including the Gallery Director. A report recommending deaccessioning of items as agreed by the curatorial team will be submitted to the Manager Recreation & Culture for approval. The recommendation will include:

- Full catalogue details including photograph of the work
- All available information regarding provenance and history
- Reasons for deaccessioning
- Reference to any particular circumstance or issues
- A recommendation regarding the proposed means of disposal

Proposed deaccessioned items will be subject to a cooling off period of 12 months and timed in such a way as to not adversely affect Warrnambool Art Gallery's capacity to attract future donations of artworks or financial assistance towards acquisitions of artworks.

Deaccessioning will not be actioned as a means of augmenting Gallery revenue.

When a work of art or cultural material has been deaccessioned, all details including communication, decision and disposal method, shall be recorded in the file pertaining to the item (both in Vernon CMS and hard copy) and the decision formally recorded in the minutes of the curatorial team meeting.

No member of the Warrnambool Art Gallery Foundation, employee of Warrnambool City Council or those who are associated with Warrnambool Art Gallery which might give them an advantage in acquiring a work is permitted to acquire, directly or indirectly a work deaccessioned by Warrnambool Art Gallery. No member of Warrnambool Art Gallery Foundation or employee of Warrnambool City Council may benefit from the sale or trade of a work of art from Warrnambool Art Gallery's collection.

## 16. Disposal

Works of art or cultural material to be deaccessioned shall be returned to the donor or family. If after a thorough search this is not possible, it should be:

- Transferred to another appropriate institution
- Sold by public auction, where appropriate
- Used as an educative / interpretive tool
- Destroyed or recycled if appropriate

The method of disposal shall be conducted in accordance with:

- Aboriginal Heritage Act 2006 and Aboriginal Heritage Amendment Act 2016
- Works of art acquired through the Australian Government's Cultural Gifts Program should not be returned to the donor, as the donor has previously received the benefit of a tax deduction for the gift. It is preferable that works acquired through the Cultural Gifts Program is not deaccessioned.
- If works of art or cultural material that were purchased with funds derived from the Warrnambool Art Gallery Foundation are deaccessioned, any funds raised from that process should be directed to the Foundation and the original donor acknowledged in the records of the Foundation
- If works of art or cultural material that was purchased with funds derived from the Warrnambool City Council are deaccessioned, any funds raised from that process will be directed to the WARRNAMBOOL ART GALLERY acquisition fund
- Any income derived from the disposal of gifts must be used to purchase a work or works in lieu of the original gift. The donor's generosity should be acknowledged in credit lines where possible.
- Any other funds derived from deaccessioning should be used for the care of the collection and/or acquisitions.