

## Resolution of Council

**21 August 2023**

### Item 12.12

#### **Reinstating Removed or Damaged Women's Artworks**

Moved by Councillor Scott, seconded by Councillor Gannon –

It is resolved that:

- (A) Council note:
- (i) in March 2023, Council voted unanimously to identify new opportunities to commemorate significant women and to support increased equality of gender, First Nations and cultural diversity within the public art realm;
  - (ii) Anne Graham's 'Passage' fountain in Martin Place has a non-operational misting mechanism;
  - (iii) City staff identified this work as needing to be reviewed and have plans for its reinstatement in the 2024/25 financial year;
  - (iv) the conservation and maintenance of the City Art collection is governed by the City's Public Art Policy and City Art Public Art Strategy adopted by Council on 16 May 2011;
  - (v) the Public Art Policy states, inter alia, "The City will continue an ongoing collection management system to maintain and assess works in its collection involving conservation and refurbishment of many historical items on a carefully monitored basis";
  - (vi) the City's rigorous process for the removal of public art is set out in the Guidelines for Public Art Acquisitions and Deaccessions adopted by Council on 16 May 2011 and is consistent with Moral Rights legislation;
  - (vii) an artwork may be deaccessioned if it meets one of the following criteria set out the Guidelines:

- (a) it is 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;
  - (b) it lacks physical integrity or authenticity or is a duplication;
  - (c) adequate care and maintenance required for its upkeep is unavailable or the cost required over a five-year period exceeds the original value of the object;
  - (d) it is located in the public domain and may cause risk to the public; or
  - (e) it is 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;
- (viii) the process for deaccessioning artworks set out in The Guidelines includes:
- (a) informing the artist or artist's representative of the intention to deaccession their artwork;
  - (b) consulting with the artist in good faith about the deaccession; and
  - (c) providing the artist with access to the artwork to document it and/or remove it;
- (ix) in 1999, the City of Sydney commissioned ten public artworks with the artworks being mostly located in the Royal Botanic Gardens as part of the Sydney Sculpture Walk;
- (x) given the expected lifespan of the Sydney Sculpture Walk was ten years, the City reviewed all ten artworks in 2016 in accordance with the Guidelines which resulted in the following three artworks by women being deaccessioned:
- (a) Robyn Backen's 'Archaeology of Bathing' (1999-2019), as a part of the Sydney Sculpture Walk, which reflects the history of bathing from the original Domain Baths for Ladies;
  - (b) Debra Phillip's 'Viva Voce' (1999-2019), as a part of the Sydney Sculpture Walk, acknowledging the historical and contemporary importance of the area as a site of public oratory and celebrating the importance of free speech and public debate; and
  - (c) Lynne Roberts-Goodwin's 'Tankstream' (1999-2019) that marked the course of Sydney's first water supply;
- (xi) these artworks were an important collection of innovative, site-specific art works which addressed the social, cultural and historic aspects of each location, and all but two of the works were created by women;
- (xii) the City's collection of public art and cultural heritage is carefully managed and maintained, in addition to:
- (a) regular basic cleaning;
  - (b) specialised maintenance;

- (c) annual structural certification;
  - (d) carrying out repairs and corrective maintenance; and
  - (e) a comprehensive conservation program;
- (xiii) since the establishment of the current public art program in 2005, the City has led the way in commissioning art works that reflect the great diversity of voices and stories in our communities;
- (xiv) this leadership is evident in the City's permanent collection (where, for example, 80 per cent of works commissioned since 2005 have been created by women), in temporary art commissioned by the City, and in work commissioned by others within the Local Government Area;
- (xv) the City ensures all public art commissions are open to all artists and genders, placing emphasis on specific cultural sensitivity and awareness where required;
- (xvi) staff conduct regular reviews to ensure works are properly cared for, and also identify works which may require deaccession;
- (xvii) Margel Hinder's Bronze Sculpture and Fountain in Denis Winston place, while not owned by the City, is also not operational; and
- (xviii) Hinder's sculpture commemorates the legacy of Denis Winston and celebrates human scale, diversity in housing, landscaped spaces and sculpture as essential to the pleasures of urban living; and
- (B) the Chief Executive Officer be requested to ensure:
- (i) that Anne Graham's 'Passage' fountain in Martin Place is fully operational including the misting mechanism; and
  - (ii) the City applies gender and diversity lenses to future City art projects commissioned.

The motion, as varied by consent, was carried unanimously.

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