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## ***ARTS, CULTURE AND HERITAGE SERVICES***

# **PUBLIC ART POLICY**

**City of Johannesburg**  
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## **1. Preamble**

A vibrant public art programme offers a range of benefits and opportunities for enhancing the urban environment, increasing the use and enjoyment of public space, and building social cohesion. Public Art provides a means of celebrating Johannesburg's unique culture, diverse communities and rich history. It offers shared symbols which build social cohesion, contribute to civic pride and help forge a positive identity for the city. Through this art, the City projects its collective identity and vision, while individuals and community groups in neighbourhoods are also empowered to also express their unique identities.

Public art supports the creative industries, creating opportunities for artists, designers and fabricators. Further, public art acts as a catalyst for development and economic growth through raising confidence, attracting visitors and stimulating investment.

The City recognises the cultural diversity of the Johannesburg's population, and shall incorporate diversity in all aspects of the Johannesburg Art in Public Places Programme. The means of promoting diversity shall include the following:

- a) Commissioning artworks throughout Johannesburg's neighbourhoods
- b) Ensuring representation of Johannesburg's multi-cultural community among selection panels and artists selected for commissions
- c) Acquiring artworks in a wide variety of styles and media
- d) Encouraging new art forms as well as established and traditional forms of art

## **2. Mission**

To celebrate Johannesburg's unique character and identity and enhance the urban environment through a vibrant, diverse city-wide programme of public art.

## **3. Purpose of the Public Art Policy**

The Public Art Policy aims to promote good management of public art in Johannesburg, to encourage new forms of creative expression, to create opportunities for artists, and to provide for the ongoing maintenance of public art. The policy offers the rationale for the City of Johannesburg's Art in Public Places Programme, and identifies roleplayers, responsibilities, and procedures to be employed in launching and implementing this programme.

The objectives of the City's Art in Public Places Programme are:

1. To enhance the public urban environment and profile the image of the city through an on-going and dynamic programme of public art
2. To increase public awareness and enjoyment of the visual arts
3. To stimulate the creation of new works and the growth of arts-related businesses within the city

## **4. The Public Art Action Plan**

Each year the co-ordinator of the Art in Public Places Programme (the Manager: Public Art) shall prepare a Public Art Action Plan that identifies prospective new projects and reports on the status of ongoing projects.

The Public Art Action Plan will identify:

- The status of ongoing projects
- Prospective projects for the coming year
- Budgets for prospective City projects
- Public art projects initiated from outside of Council, including private developments, to be reviewed by the City's Public Art Approvals Committee

Development of the Public Art Action Plan should coincide and be co-ordinated with Council's annual Capital Budget planning. This planning process for public art is intended to facilitate project identification, but does not preclude introducing projects at other points during the year.

The Public Art Approvals Committee will review the Action Plan in order to select new projects for the coming financial year. The selection will be made on the basis of opportunity, impact and geographical distribution, as well as administrative capacity and available budget.

The following criteria will be considered in the selection process:

- a) Projects where the artwork can have the greatest positive impact on the site, the surrounding community, and on the City as a whole
- b) Widespread and equitable of projects in neighbourhoods throughout the City
- c) Projects with strong pledges of community support or private funding
- d) Projects in the early stages of design that allow the artwork to be fully integrated with the project design
- e) Equitable distribution across City Departments and UACs, based on the portion of funds contributed to the Public Art Fund.

Once approved by the Public Art Approvals Committee, the Public Art Action Plan shall be submitted to the Executive Mayor for approval.

## **5. Selection of Artworks**

Depending on the project requirements and available budget, the selection of public artworks can be done in the following ways:

1. Open Competition. The City calls for all qualifying artists to submit proposals for evaluation by an art selection panel. Open competitions can generate public interest and attention but may be by-passed by well-established artists. Open competitions are also more costly and time-consuming to run because of the number of submissions received.
2. Open/Invitational Competition. The City invites specific artists as well as other interested artists to submit proposals for jurying. This format allows opportunities for lesser-known artists to participate, while attracting the higher profile and particular talents attached to 'name' artists.

3. Invitational Competition. An invitational competition may be deemed appropriate for attracting artists with a particular specialisation or having a special connection to the subject matter of the proposed artwork.
4. Direct Selection. The artist is chosen directly by the Public Art Approvals Committee or Selection Panel.
5. Direct Purchase of Existing Artwork

In the case of a competition, early notice should be given to artists that a competition is pending. This should be widely advertised to reach a broad, diverse constituency. Proposal calls will be made through newspaper notification and may be expanded through such avenues as arts organisations, specialist publications and the City of Johannesburg Website. The call to enter should contain all the information necessary for artists to make an informed decision regarding entry.

Proposal calls must include:

- Criteria for eligibility of entrants
- Details of the project such as concept, location, site data, materials, budget, etc.
- Submission requirements: format, media, maquette requirements, etc.
- Procedural requirements including information on delivery and return of submissions

Proposals will be assessed according to the following criteria:

- a) Consistency in meeting the requirements of the project brief
- b) Appropriateness to the site or facility, its architecture and function
- c) Artistic excellence, including quality of the artists' previous work
- d) Durability, maintainability and potential for vandalism.

## **6. Programme Staff**

Responsibilities of City of Johannesburg personnel attached to the Art in Public Places Programme will include:

- Developing the Public Art Action Plan
- Arranging meeting of the Public Art Approvals Committee
- Implementing selected Projects
- Liaising with City Departments and UACs
- Consultation with community stakeholders and other interested and affected parties

## **7. Public Art Approvals Committee**

The Art in Public Places Programme involves the acquisition of unique products and services which need to be evaluated by a specialised body of experts in consultation with community representatives and other stakeholders. A Public Art Approvals Committee (hereafter referred to as the PAAC) should accordingly be established to guide the selection process.

The PAAC will be responsible for overseeing the selection of projects, sites and artists. The Committee is also responsible for advising on other aspects of programme planning such as review of design, fabrication and installation of artworks, maintenance, relocation and removal of works from the City's collection.

The PAAC will consist of nine core members representing a range of diverse interest groups and communities. Committee members should be knowledgeable in public art trends and artists, architecture, urban planning and related design fields. Diversity of cultural background, professional skills and interests shall be considered in making appointments to the PAAC.

Members of the PAAC shall be Johannesburg residents who are appointed by the Director of Arts, Culture and Heritage Services. The term of office for the PAAC shall be for three (3) years and no member shall serve more than two consecutive terms.

Committee members serve without compensation, but may be reimbursed for travelling and other expenses consistent with City Policy.

In addition to regular Committee members, the following individuals are to be consulted by the Committee wherever applicable: the Ward Councillors of the area for which the artwork is proposed; officials from Johannesburg City Parks or other affected Council Departments or UACs; as well as representatives from the relevant heritage authorities to be consulted for public art projects intended for designated heritage sites.

Meetings of the PAAC shall be chaired by the MMC for Community Development. The said MMC may also exercise delegated powers to approve the acquisition of artworks as recommended by the PAAC.

The role of the PAAC will include the following:

- To review and advise on all proposed artwork gifts and donations to the City
- To review and advise on public art projects implemented by the City of Johannesburg
- To advise staff on the operation of a maintenance programme for public art
- To encourage the development of public-private partnerships for public art

## **8. Artist Selection Panels**

The Public Art Approvals Committee will advise on the artistic parameters for particular projects, and may establish a selection panel to evaluate submissions and select the artist/s who will be commissioned to complete the project, or the PAAC may act as the selection panel themselves.

Selection Panels are ad hoc panels assembled to select an artist and/or artwork. Panels should reflect the cultural, racial and gender diversity of the City. The number and composition of the panellists may vary depending on the complexity, scale and location of the project. In general, panels will have a minimum of three voting members and a maximum of seven (striving to appoint an uneven number). Panel composition should typically include the following as voting members:

- Representative from the Department/s responsible for the facility
- Ward Councillor and/or neighbourhood representative
- Professional Artist/s

- Architect or urban design professional

Community representatives will be invited to serve on selection panels to ensure community input into the planning for each public art project.

## **9. Artist's Warranties**

Artists contracted by the City shall assure the following warranties:

- The art is unique and original and does not infringe any copyrights
- Execution and fabrication of the art will be performed in a professional manner
- The art as installed by the artist will be free of defects in material and workmanship

## **10. Gifts and Donations**

Historically, gifts of public art presented to the City have formed a major part of the collection. Gifts of public art should continue to be an important source of new material. Funds for the maintenance of the public art collection are however limited, as are the number of sites on municipal property that may be suitable for gifts or other future public art projects.

A careful review process must therefore evaluate proposed gifts of public art according to the mission, goals and selection criteria that guide the programme as a whole.

Proposed new gifts will be assessed and reviewed to ensure that the acceptance of such gifts takes place in a fair and consistent manner and supports the goals of the City's Art in Public Places Programme. Proposed gifts of public art shall be reviewed by the Public Art Approvals Committee in the same manner as proposals for commissions or purchases by the City, and be subject to the same criteria that guides the public art programme as a whole. Factors to be considered in assessing gifts will include the City's commitment to creating a diverse collection of public art, artistic merit, site suitability, as well as Council's liability and maintenance.

Memorial gifts shall also be judged on the following criteria:

1. Representation of broad community values
2. The person, group or event being memorialised must be deemed significant enough to merit such an honour
3. The location suggested or chosen for the memorial should be appropriate: generally, there should be a sound historical and/or geographical justification for the memorial being located at a particular site.

The donor should underwrite the costs of installation and maintenance of the artwork. Unless specific exemption is granted by the PAAC, the donor shall contribute 5% of the total commission cost towards maintenance of the item concerned, to be deposited upfront in the Public Art Fund.

## **11. The Percent for Public Art**

The Percent for Public Art Policy requires that one percent (1%) of the construction budget of all major city building projects (R 10 million or more) be devoted to public

art. The one per cent for public art will be levied on all capital projects for building construction /renovation carried out by the City of Johannesburg. The percentage is calculated on the total construction/ renovation costs of public buildings and facilities, including design fees and landscaping. All projects meeting these criteria will be deemed eligible for the public art levy and contribute to the Public Art Fund unless Council approves specific exemptions for particular projects.

Funds from the percent for public art will be used towards the development of art to be displayed in public areas, including the commission, design, purchase and installation of works of art, as well as the employment of administrative staff connected thereto.

The Percent for Public Art Policy shall be implemented through open and publicly-accountable processes.

## **12. The Johannesburg Public Art Fund**

The Public Art Fund is an account that is set up to receive funds appropriated for the City's Art in Public Places Programme. This includes funds from City appropriations for this purpose as well as funds from donated to the City by private benefactors, developers or other sources.

The City of Johannesburg may apply to external sources for funding of specific projects, with the funds being deposited in the Public Art Fund.

The Public Art Fund shall be used exclusively for expenses relating to the Johannesburg Art in Public Places Programme, including the administration, selection, commissioning, acquisition, maintenance and relocation of works of art.

Construction projects contributing to the Public Art Fund will receive preferential consideration in the allocation of artworks. However, not all sites may receive artworks. One of the benefits of the fund is that it is not necessary that all public art projects be linked to a city Capital project. There are places in the City that merit art projects where there is no immediate construction planned.

## **13. Signage and Public Information**

The City shall where appropriate provide a plaque or sign adjacent to the artwork furnishing the name of the artist and title of the work, date and other relevant information.

The completion of a major public art project will be announced by a press release, a dedication or unveiling ceremony or other means of communication.

The City will maintain a database of public art located throughout Johannesburg, describing the artworks, documenting their history and recording their state of conservation. The database will be made accessible to researchers and the broader public, with copies made available at the Michaelis Art Library in the City's Central Library Building and at the Johannesburg Art Gallery.

## **14. Maintenance**

Works of public art belonging to the City shall be inspected periodically and the City be maintained in the best possible condition. The Office of the Manager: Public Arts will monitor such maintenance. The City shall make reasonable attempts to consult

the artist on major changes or repairs that differ from those suggested in the artist's maintenance recommendations at the time of acquisition. Where appropriate, the City may offer the artist the opportunity to do the work or to supervise it. The City shall however reserve the right to make minor repairs without consulting the artist.

## **15. Alteration, Re-Siting, Removal or De-acquisition of Artworks from the Collection**

The City may at its sole discretion relocate, remove or deacquisition a work of art. When such steps are contemplated, prior consultation with the artist will however be sought. No artwork shall be changed, relocated or removed from a site integral to the concept of the work without first consulting with the artist if reasonably possible. The artist shall notify the City of any change of address.

Relocation of a work of art may be recommended where the site has become inappropriate: for example, it is no longer publicly accessible; the artwork may be at risk of vandalism; the physical setting is to be radically altered or destroyed; or the artwork may be displayed to better effect at a new site.

Because the City has a responsibility for conserving the Public Art Collection, the de-acquisition of a work of public art should be a careful, deliberate and seldom-used procedure. Consideration of removing an existing work from the collection should receive the same careful review as a decision to acquire a new artwork. The decision-making process should be informed by professional judgement, broad public interest, and Council's stewardship role of the City's cultural heritage. Artworks should not be disposed of simply because they are not currently in fashion, because their worth has not yet been recognised, or because they may be challenging or controversial. Public art has a long historical tradition of controversy; public art may continue to be controversial and often is.

A work of art may however be considered for removal or de-acquisition for reasons including the following:

- The artwork may be found to be offensive, hurtful or discriminatory
- A work has received adverse public reaction, which is well-founded, from a significant number of individuals or organisations.
- The work causes excessive or unreasonable maintenance
- It has been damaged irreparably or to an extent where restoration is impractical
- It presents a physical threat to public safety

Any recommendation to remove a work of art from public view or de-acquisition the artwork (remove from Council's collection) should be made to the Public Art Approvals Committee and shall require a majority vote of the full membership of the Committee. An artist whose work is being considered for such removal or de-acquisition shall be notified and be invited to address the Public Art Approvals Committee. The views of the Department/s responsible for the site and other stakeholders will also be sought.

Final approval for de-acquisition shall be required from Council. The Administrator of the Art in Public Places Programme will prepare a report for Council. The report will include: reasons for suggested removal or de-acquisition; history and evaluation of the work; and suggested courses of action and costs.



Where appropriate, the following courses of action may be considered, in order of preference:

- 1) Relocate the work of art
- 2) Remove the work from display and place it in storage
- 3) Exchange, sale or disposal of the work of art.

All proceeds from the sale of public works of art shall be deposited into the Public Art Fund for the maintenance and repair of the City's public art collection.

#### **16. Removal of Unwanted Graffiti**

Special attention should be given to keeping major landmarks and declared heritage sites clear of unwanted graffiti. Working under the direction of the Manager: Public Art, an Anti-Graffiti Rapid Response Unit will be responsible for the timeous removal of objectionable and unwanted graffiti from key points. Further, the City should be pro-active in protecting prominent sites from unsightly graffiti by, where appropriate, applying treatments to discourage and/or repel graffiti.