

Flags

COUNCIL POLICY NO. 148

1. POLICY OBJECTIVE

This policy governs the flying of flags outside key Council assets in Kerang and Cohuna and establishes a mechanism to consider requests for the flying of other flags significant to the Gannawarra community.

2. SCOPE

This policy outlines the protocols in relation to the flag poles managed by Gannawarra Shire Council, but excludes those managed by other organisations.

3. POLICY

It is important that the Council and external organisations adhere to the Department of the Premier and Cabinets protocols for flying and/or use of flags, to ensure that flags are being used with the proper respect and dignity.

3.1 Regular locations for flying of flags

Council will fly flags on a permanent basis at the following locations:

Location	Number of flag poles	Flags flown
Kerang Council Building (49 Victoria Street, Kerang)	2	<ul style="list-style-type: none"> • Australian National Flag • Aboriginal Flag <p>NOTE: Flags flown continuously over the 24-hour period, except during times of replacement or maintenance of flags and poles</p>
Garden Park, Cohuna (90 King George Street, Cohuna)	3	<ul style="list-style-type: none"> • Australian National Flag • Aboriginal Flag • Community flagpoleTorres Strait Island Flag <p>NOTE: Flags flown continuously over the 24-hour period, except during times of replacement or maintenance of flags and poles</p>

Council has the capacity to fly flags on a temporary basis at the following locations:

Town	Location/s	Number of flag poles
Kerang	Atkinson Park (near soundshell)	1
	Bendigo Road median strip (near intersection of Bendigo Road and Andrew Street)	1

3.2 Definition of flags

3.2.1 Australian National Flag

The Australian National Flag is the chief national symbol and was raised for the first time on 3 September 1901 in the presence of the first Australian Prime Minister, the Hon. Edmund Barton.

This symbol of nationality stands for the democracy which allows Australians to discuss its meaning and origins.

The flag has three elements on a blue background: the Union Jack, the Commonwealth Star and the Southern Cross. The Union Jack in the upper left corner represents the history of British settlement. Below the Union Jack is a white Commonwealth, or Federation, star. It has seven points representing the unity of the six states and the territories of the Commonwealth of Australia.

The star is also featured on the Commonwealth Coat of Arms. The Southern Cross is shown on the flag in white. It is a constellation of five stars that can only be seen from the southern hemisphere and is a reminder of Australia's geography.

The Australian National Flag may be flown everyday throughout the year.

Guidelines regarding the flying of the Australian National Flag are outlined in *The Australian flags – part 2: The protocols for the appropriate use and the flying of the flag*. This can be viewed at www.pmc.gov.au/resource-centre/government/australian-flags-booklet/part-2

3.2.2 The Aboriginal Flag

The Australian Aboriginal flag was proclaimed as a flag of Australia under Section 5 of the *Flags Act 1953* on 14 July 1995. The symbolic meaning of the flag colours (as stated by its designer and aboriginal elder Mr Harold Thomas) are:

Black: Represents the Aboriginal people of Australia

Red: Represents the red earth, the red ochre and a spiritual relation to the land

Yellow: Represents the Sun, the giver of life and protector.

The Aboriginal Flag may be flown everyday throughout the year.

3.2.3 The Torres Strait Island Flag

The Torres Strait Islander Flag was created as a symbol of unity and identity for Torres Strait Islander peoples, designed by the late Bernard Namok from Thursday Island.

The flag was recognised by the Aboriginal and Torres Strait Islander Commission in June 1992 and given equal prominence with the Aboriginal flag.

The flag was proclaimed as a flag of Australia under Section 5 of the *Flags Act 1953* on 14 July 1995.

The Torres Strait Islander Flag may be flown everyday throughout the year.

3.3 Order of precedence

The Australian National flag takes precedence in Australia over all other flags when it is flown in company with other flags. Thereafter when flown in the community, the order of precedence of flags is:

- The Australian National Flag.
- State and Territory flags.
- Other flags prescribed by the *Flags Act 1953* including:
 - The Australian Aboriginal flag.
 - The Torres Strait Islander flag in either order.
 - Ensigns and pennants including local government; Commonwealth, state and territory agencies; and non-government organisations.
 - Ensigns and pennants of Council supported causes.

3.4 Dignity of Flags

All flags should be treated with respect and dignity. Flags must be handled ceremoniously, which means:

- Taking time to handle them formally, carefully, and respectfully and avoiding sudden movements when raising and lowering flags;
- Flags must never fall to or be laid on the ground; and
- Flags must never be flown if they are damaged, faded or dilapidated.

3.5 Retirement of Flags

In accordance with the Australian National Flag Protocols, when the material of a flag begins to deteriorate, it can either be placed in a permanent place of storage or be destroyed privately and in a dignified way. This may include cutting the flag into small unrecognisable pieces, placing it in an appropriate sealed bag or closed container, and then placing it in the normal rubbish collection.

Alternatively, Council may choose to hold a ceremony to mark the retirement of a used flag, such as the Australian National Flag. Further information on this process can be found in the Australian National Flag Protocols on the Department of the Prime Minister and Cabinet website.

3.6 Flying a Flag at Half-Mast

Flags are flown at half-mast as a sign of mourning.

There may be times when direction is given by the Department of Premier and Cabinet for the Australian National Flag and the Victorian State Flag to be flown at half-mast. Compliance with notifications from the Department of Premier and Cabinet is mandatory.

All flags that are flown alongside the Australian National Flag will be flown at half-mast when the Australian National Flag is flown at half-mast. The Australian National Flag should be raised first and lowered last.

[Where there is an identified opportunity to fly a Flag at half-mast for the passing of an individual who contributed significantly to the Gannawarra Shire community, the Chief Executive Officer will make a determination on this opportunity.](#)

3.6.1 ANZAC Day

On 25 April each year, flag/s are to be flown at half-mast until 12 noon, then at the peak of the flagpole for the remainder of the day.

3.6.2 Remembrance Day

On 11 November each year, flag/s must be flown at the peak of the flagpole until 10.30am, when it is lowered at half-mast for the Remembrance Day service and raised back to the peak from 11.02am for the remainder of the day.

3.6.3 Flying the Aboriginal Flag at half mast

~~Following a request from the relevant Aboriginal Community and at the discretion of the Chief Executive Officer or in their absence the Director Corporate Services, the~~ The Australian Aboriginal Flag ~~will~~ ~~may~~ be flown at half-mast to mark the passing of an Aboriginal person who has contributed significantly to the Gannawarra Shire community. ~~All requests need to be directed to and approved by an Aboriginal Community Controlled Health Organisation that operates in the municipality. This is currently Mallee District Aboriginal Services (MDAS).~~

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3.6.4 Flying the Torres Strait Flag at half mast

~~Following a request from the relevant Torres Strait Islander Community and at the discretion of the Chief Executive Officer or in his/her absence the Director Corporate Services, the~~ The Torres Strait Islander Flag ~~will be~~ ~~may be~~ flown at half-mast to mark the passing of a Torres Strait Islander person who has contributed significantly to the Gannawarra Shire community. ~~All requests need to be directed to and approved by an Aboriginal Community Controlled Health Organisation that operates in the municipality. This is currently Mallee District Aboriginal Services (MDAS).~~

3.6.4 Notification of flags flying at half mast

Apart from ANZAC Day and Remembrance Day, Council will notify the public when either the Australian National Flag, Aboriginal Flag or Torres Strait Island Flag is flown at half-mast through one or more of Council's communication channels, including the reason.

3.7 Community Flag Schedule

Upon adoption of this Policy and upon every subsequent review, Council shall adopt a Community Flag Schedule which sets out which flags shall be flown, when they shall be flown, and which flag poles shall be used.

The schedule is to be considered a living document, and therefore can be added to by Council resolution, either for a one-off occasion or on an ongoing basis.

In considering the addition of flags to the Community Flag Schedule, regard shall be given to whether the flying of the flag will cause offence to sectors of the community or whether highlighting a particular issue, cause or group would be inconsistent with Council's values, commitment to inclusiveness or does not align to Federal or State legislation.

3.8 Application Process for Requests to Fly Additional Flags

An application to fly an additional flag not listed in the Community Flag Schedule can be done by writing to the Chief Executive Officer. The application must indicate:

- How the flying of the flag would recognise the social, inclusive, cultural, environmental, economic or historical matter of Local, State and/or National significance that has a direct relevance to the Gannawarra Shire Council community;
- What time period the flag is requested to be flown and the reason for the duration. Flags will not be permitted to be flown for longer than 7 days, unless Council resolves for the flag to be flown for a longer period of time;
- Who will raise and lower the flag; and
- If the occasion requires a Mayor or Councillor to be in attendance, and whether they are required to make a speech.

All requests to fly additional flags will be determined by Council resolution.

Any flag proposed to be flown must be provided by the applicant at his/her cost, be in good condition and meet appropriate dimensions noted in the *Flags Act 1953*.

Council will not enter into agreements to raise flags with parties:

- That are involved in or encourage unlawful activities or causes;
- That promote gambling, alcohol or tobacco products;
- Who do not share Council's views on promoting a diverse, tolerant and inclusive community;
- That are associated with religious, political or extremist groups or which may incite unrest or ill-feeling within the community;
- Whose purposes to display the flag requested for flying misrepresent the flag's intent; or
- That are for advertising purposes, unless it is for a Council related event.

4. POLICY REVIEW

It is recommended this policy be reviewed annually. At the time of review, this policy was compliant with the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

5. FURTHER INFORMATION

Members of the public may inspect all Council policies at Gannawarra Shire Council's Kerang and Cohuna Offices, or online at www.gsc.vic.gov.au.

Any enquiries in relation to this policy should be directed to the Chief Executive Officer on (03) 5450 9333.

