

Flag Flying Policy

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1. POLICY OBJECTIVE

The purpose of this policy is to provide consistent guidelines for the flying of flags at Greater Dandenong City Council's civic and community flagpole sites throughout the municipality.

This policy purposefully divides the civic and community flagpole sites into two distinct categories for flags to be flown as follows:

- at each of Council's **civic** flagpole sites. It ensures that Council complies with flag protocols issued by both the Department of Prime Minister and Cabinet and the Department of Premier and Cabinet – Protocols Unit and provides for specific arrangements for flying flags at half-mast on days of significance or in remembrance of persons or events at these sites;
- at each of Council's **community** flagpole sites and provides for specific criteria for the provision of such flags by community groups and members to Council so that community flags can be flown at these sites.

2. BACKGROUND

Flags represent the past, present and future, they boost local and national identities, strengthen community cohesion and mark civic pride.

Australian National Flags are flown by the Council at various civic locations across the municipality, in accordance with Australian Flag Protocols. Throughout the year, Department of Prime Minister and Cabinet and the Victorian Government's Department of the Premier and Cabinet releases flag notifications that Council must adhere to for flying National Flags on special occasions or occasions when flags should be flown at half-mast.

In addition to Council's civic flagpoles, Council has installed community flagpoles in two locations for use by the community, upon application. This occurs where a particular flag is not nationally recognised but holds significant importance to specific community groups and members.

3. SCOPE

This policy applies to Council's four civic and two community flagpole sites.

Civic flagpole sites

Greater Dandenong City Council, as an expression of its governance responsibilities, flies nationally recognised flags at each of its civic flagpole sites. Council's Governance Unit is responsible for ensuring that the flags are displayed with due diligence, dignity and attention to position.

The locations of Council's four (4) civic flagpole sites are as follows:

- Corner Lonsdale and Langhorne Streets, Dandenong (three flagpoles);
- Springvale Community Hub (three flagpoles);
- Dandenong Civic Centre (three flagpoles); and
- Drum Theatre (one flagpole).

Community flagpole sites

Greater Dandenong City Council, in recognising the diversity of communities within the municipality, also flies community flags upon request at each of its community flagpole sites. Council's Governance Unit is responsible for ensuring that the flags are displayed with due diligence, dignity and attention to position.

The locations of Council's two (2) community flagpole sites are as follows:

- Multicultural Place, Buckingham Avenue, Springvale (one flagpole); and
- Harmony Square, Walker Street, Dandenong (two flagpoles).

When this policy does not apply

This policy does not apply to the promotional gateway banner pole sites which are located at:

- Springvale Road, Springvale (near Boulton St);
- Princes Hwy, Dandenong (opposite Robinson St);
- Princes Hwy, Dandenong (near Peter Stevens Motorcycles);
- Douglas St and Heatherton Rd, Noble Park;
- Menzies Ave, Dandenong; and
- Brady Rd, Dandenong North.

These banner pole sites are maintained by the Media and Communications Unit within Council and are used solely for the purpose of promoting the city and events.

The flag poles located at the Pillars of Freedom, on the corner of Lonsdale and Clow Streets, near Palm Plaza is a monument of the Dandenong RSL and is maintained by the RSL. Council does assist the RSL from time to time in the maintenance of this monument and will replace the Australian flag prior to Anzac Day and Remembrance Day events.

The flagpole located at War Memorial Reserve on the corner of Heatherton Road and Mons Parade, Noble Park (adjacent to the Noble Park RSL) is a monument of the Noble Park RSL and is maintained by the RSL. Council does assist the RSL from time to time in the maintenance of this monument and the replacement of the Australian flag prior to Anzac Day and Remembrance Day events.

Flags that may cause offense

Council will consider requests to fly other flags in accordance with this policy and the Australian National Flag Protocols. In doing so, regard shall be given to whether the flying of a flag would cause offence to sectors of the community or whether highlighting a particular issue, cause or group would be inconsistent with Council's commitment to strengthening community resilience, inclusion and safety.

While this policy only applies to flags flown at Council's civic and community flagpole sites, Council reserves the right to direct those responsible for flagpoles on other Council-owned sites to remove any flag that may be deemed offensive.

4. POLICY

4.1 FLYING OF FLAGS AT CIVIC FLAG POLES

Council will, always, strictly adhere to the flag protocol of the Federal and State Governments and the guidelines set out in this policy and, as such, will display and fly only official flags of recognised states at Council's civic flagpole sites. (Further information or clarification on flag flying protocols can be accessed at [Australian-national-flag-protocols](#) These include the:

- Australian flag;
- Victorian flag;
- Aboriginal flag;
- Torres Strait Islander flag;
- United Nations flag;
- Greater Dandenong City Council house flag (pennant);
- Charitable House Flags; and
- Any other flag prescribed by the State and Federal Government's flag protocols.

The following civic flagpole sites will fly the following flags:

- Corner Lonsdale and Langhorne Streets Dandenong, where there are three flagpoles, the Australian, Aboriginal and Torres Strait Islander flags will be flown;
- Dandenong Civic Centre, where there are three flagpoles, the Australian, the Aboriginal and the Torres Strait Islander flags will be flown; and
- Drum Theatre where there is one flagpole will fly the Australian Flag.
- Springvale Community Hub where there are three flagpoles the Australian, the Aboriginal and the Torres Strait Islander flags will be flown.

The Australian flag at Council's office locations will always be flown in the pre-eminent position unless the Federal or State Government requests another official flag be flown.

Where declared by the Federal or State Government, a special flag or flags may be flown. When Council receives advice on special declarations by the government, the Torres Strait Islander flag would be replaced with the special flag at the Civic Centre flagpoles.

Council will not fly or display flags of former regimes or countries that are not recognised by the Australian Government at its civic flagpole sites.

Council restricts the flying of unofficial flags at its civic flagpole sites to ensure that the representation of the city's cultural and ethnic diversity is not compromised and that no particular group within our city is either highlighted or disappointed.

This policy does not restrict any community group from flying unofficial flags at their own private community events for the duration of that event.

Council will not:

- fly flags at, or maintain, a flagpole site outside its four civic and two community flagpole sites unless otherwise specified in this policy;
- remove flags from its existing civic flagpole sites for any commercial or decorative reasons; and
- provide flags to groups within the community.

Council will not approve requests from community groups or members who:

- do not share Council's views on embracing diversity and multiculturalism and promoting a safe and peaceful community;
- are representative of a political party;
- undertake an activity for commercial gain;
- offer programs that may present a hazard to the community; and
- make request to fly other flags in place of the Australian, Aboriginal or Torres Strait Islander flags on National Sorry Day (26 May), during National Reconciliation Week (27 May – 3 June) or during NAIDOC week (Sunday to Sunday first week in July).

4.2 GUIDELINES TO DISPLAY THE AUSTRALIAN NATIONAL FLAG

The Australian flag will be flown at Council's four civic flagpole sites on a permanent basis. The Australian National flag takes precedence over all other flags.

The Australian flag should never be flown when it is in damaged, faded or in a dilapidated condition. When the material of a flag deteriorates to a point where it is no longer suitable for use, it should be destroyed privately and in a dignified way.

The flag should always be flown aloft and free as close as possible to the top of the flag mast, with the rope tightly secured.

The canton (Union Jack) should be in the uppermost left quarter as viewed by the person facing the flag.

The flag may only be flown at night when illuminated. In accordance with National Flag Protocols, street lighting is considered appropriate illumination when the flag(s) are clearly visible.

The flag should not be allowed to fall or lie flat on the ground.

The flag should not be used to cover a statue, monument or plaque for an unveiling ceremony, or to cover a table or chair or any other furniture.

The Australian National flag must be flown as determined under national protocols. For further information go to [Australian-national-flag-protocols](#)

4.3 FLYING THE ABORIGINAL FLAG

The Australian Aboriginal flag was proclaimed as a flag of Australia under Section 5 of the *Flags Act 1953* in July 1995.

Council will fly the Aboriginal flag at its civic flagpoles at the Dandenong Civic Centre, those on the corner of Lonsdale and Langhorne Streets, Dandenong and those at the Springvale Community Hub permanently in recognition of Aboriginal people as the traditional owners of the land on which the City of Greater Dandenong is located.

Council will fly the Aboriginal flag in Harmony Square on the community flagpole during Reconciliation and NAIDOC weeks and at other times as required to mark any other key indigenous events.

Council will fly the Aboriginal flag at half-mast at council offices to mark the passing of an esteemed local elder or Aboriginal leader, following a request from the relevant local Aboriginal community organisation.

4.4 FLYING THE TORRES STRAIT ISLANDER FLAG

The Australian Torres Strait Islander flag was proclaimed as an official flag of Australia under Section 5 of the *Flags Act 1953* in July 1995.

Council will fly the Torres Strait Flag at its civic flagpoles at the Dandenong Civic Centre, those on the corner of Lonsdale and Langhorne Streets, Dandenong and those at the Springvale Community Hub in recognition of Torres Strait Islander people within the City of Greater Dandenong.

Council will fly the Torres Strait Islander flag in Harmony Square on the community flagpole during Reconciliation and NAIDOC weeks and at other times as required to mark any other key indigenous events.

Council will fly the Torres Strait Islander flag at half-mast at the Dandenong Civic Centre to mark the passing of an esteemed local elder or Torres Strait Islander leader, following a request from the relevant local community organisation.

On occasions where declared by the Federal or State Government, to fly a special flag the Torres Strait Islander Flag may be replaced with a special flag.

4.5 FLYING THE VICTORIAN STATE FLAG

The Victorian State flag was originally proclaimed on 10 February 1870.

Council will fly the Victorian State Flag at the Dandenong Civic Centre annually on the 10 February to recognise the anniversary of the first proclaimed Victorian Flag.

Council will fly the Victorian State Flag at the Dandenong Civic Centre upon any known visits to the City by Victorian dignitaries.

The Victorian Flag will replace the Torres Strait Islander flag on these special occasions at the Dandenong Civic Centre.

The Victorian Flag will be flown at half-mast, where declared by the Federal or State Government.

4.6 FLYING OF FLAGS AT HALF MAST

Flags are flown in the half-mast position as a sign of mourning.

To bring the flag to the half-mast position, the flag must be raised to the top of the mast, then immediately lowered slowly to the half-mast position. An acceptable position would be when the top of the flag is a third of the distance down from the top of the flagpole.

When flying the Australian National flag at half-mast with other flags, all flags in the set should be flown in the same position. The Australian National flag should be raised first and lowered last.

Under no circumstances should a flag be flown at half-mast at night.

The Department of the Prime Minister and Cabinet or the Protocol Unit of the Victorian State Government's Department of Premier and Cabinet provides notices to Council when all flags must be flown at half mast, such as on the death of a member of the Royal Family, the head of state, Governor-General or distinguished Australian citizen.

At the discretion of the Chief Executive Officer or in their absence the Manager, Governance, the Australian flag will be flown at half-mast to acknowledge the passing of a past Mayor or Councillor on the day of the funeral. Council will also acknowledge the death of a current Councillor, Council staff member or community leader and other esteemed community identities such as Living Treasures on the day of that person's funeral.

Following a request from the relevant local Aboriginal or Torres Strait Islander community and at the discretion of the Chief Executive Officer or in their absence the Manager, Governance, the Aboriginal and Torres Strait Islander Flag will be flown at half-mast to mark the passing of a local elder or First Nations person who has contributed significantly to the Greater Dandenong community.

4.7 FLYING FLAGS OF OTHER COUNTRIES

Council may consider flying the national flags of other countries during Council sanctioned visits by dignitaries of the country, or as a show of support in times of crisis, at the discretion of the Chief Executive Officer or in their absence the Manager, Governance. The Governance Business Unit will advise the appropriate officers/departments when this protocol applies.

4.8 SIGNIFICANT DATES

- Australia Day – 26 January
- Proclamation of Victoria – 10 February
- National Apology Day – 13 February
- Commonwealth Day – 2nd Monday in March
- ANZAC Day - 25 April - at half-mast until 12 noon
- National Sorry Day – 26 May
- Reconciliation Week (27 May – 3 June)
- King's Birthday – 2nd Monday in June
- NAIDOC Week – Sunday to Sunday first week in July
- Australian National Flag Day – 3 September
- United Nations Day – 24 October
- Remembrance Day – at half-mast from 10.30am until 11.03am

4.9 FLYING OF FLAGS AT COMMUNITY FLAG POLES

From time to time, Council receives requests for flags to be flown at specific civic flagpole sites, however Council must at all times observe the Federal and State Government flag protocols and the guidelines set out in this policy at those sites.

To accommodate such requests from community groups or members, Council has made provision for two separate community flagpole sites:

- Multicultural Place, Springvale; and
- Harmony Square, Dandenong.

Community flagpole sites have been installed as a means for different communities within Greater Dandenong to express and symbolise identity, pride and belonging which are celebrated at different and significant cultural and/or community days and events.

Request to Fly a Flag on a Community Flag Pole Application Form [Click Here](#)

4.10 CRITERIA FOR CONSIDERATION OF FLYING A COMMUNITY FLAG

Community flag flying requests will be forwarded and assessed by the Governance Unit and considered on an individual basis. Only applications in writing from locally based communities for events or internationally recognised days and activities will be eligible to be considered. Where community, Council, State or Federal sensitivities are identified during an application assessment, approval may be referred to Council for resolution. Groups or members applying to have a community flag flown at Council's community flagpole sites will be required to provide the flag that is to be flown as stipulated on the application form. All requirements and guidelines for an application to be made in writing are provided for in Appendix 1 to this policy.

The following criteria will be considered when a request to fly a community flag at one of Council's community flagpole sites during days of cultural or other significance is received by Council.

The flying of the community flag:

- promotes respect for all;
- is part of an event or ceremony;
- is consistent with Council's values and policies;
- embraces a sense of belonging and enhanced community life;
- is not connected to individual advancement, political or cultural sensitivities; and
- will not expose Council or its wider community to adverse criticism.

On days where specific community flags are not flown at community flagpole sites, Council will:

- at Multicultural Place where there is one (1) community flagpole, fly the Greater Dandenong City Council house flag;
- at Harmony Square, Dandenong where there are two (2) community flagpoles, fly the Australian Flag and the Greater Dandenong City Council House Flag

Council will also take priority at these sites if it is holding a community event at either Multicultural Place in Springvale or Harmony Square in Dandenong.

Applicants whose requests to fly flags are approved are responsible for providing to Council the required number of flags at the appropriate standard size (1800cm x 900cm) and (where relevant) are responsible for any costs associated with the event/celebration.

Council reserves the right to withdraw approval to fly a flag at any time.

5. RESPONSE TO THE OVERARCHING GOVERNANCE PRINCIPLES OF THE LOCAL GOVERNMENT ACT 2020

Background

Section 9 of the *Local Government Act 2020* states that a Council must in the performance of its role give effect to the overarching governance principles.

Consideration

This policy is relevant to the overarching governance principles (a) (b) and (c) giving expression to these principles by:

- adhering to the *Flags Act 1953* and actively responding to flag notifications received by the Department of the Prime Minister and Cabinet and the Victorian Department of Premier and Cabinet Protocols;
- ensuring all residents and community groups are accorded respect and consideration of their needs and preferences regardless of gender, religious belief, nationality, race or any other point of difference; and
- undertaking regular reviews of Council's Flag Flying Policy and presenting it to Council for re-adoption.

The overarching governance principles contained within the *Local Government Act 2020* can be accessed at the following link:

[Local Government Act 2020](#)

6. CHARTER OF HUMAN RIGHTS AND RESPONSIBILITIES ACT 2006 – COMPATIBILITY STATEMENT

Background

Council, Councillors and members of Council staff are a public authority under the *Charter of Human Rights and Responsibilities Act 2006* and, as such, are all responsible to act in accordance with the *Victorian Charter of Human Rights and Responsibilities 2006* (the Charter).

Consideration

The *Charter of Human Rights and Responsibilities Act 2006* has been considered in the preparation of this policy. It is acknowledged that this policy is purely administrative in its nature and will not impact negatively on any rights identified in the Charter.

The *Charter of Human Rights and Responsibilities Act 2006* can be accessed at the following link:

[Charter of Human Rights and Responsibilities Act 2006](#)

7. RESPONSE TO THE GENDER EQUALITY ACT 2020

Background

The *Gender Equality Act 2020* came into operation on 31 March 2020. It requires that councils take positive action towards achieving workplace gender equality and promote gender equality in their policies, programs and services.

Consideration

Council's Diversity, Access and Equity Policy and the *Gender Equality Act 2020* have been considered in the preparation of this policy but are not relevant to its contents. It is acknowledged that this policy does not adversely impact community members or Council employees of different genders.

This policy does not have a direct and significant impact on members of the public or Council employees therefore a gender impact assessment is not required.

The *Gender Equality Act 2020* can be accessed at the following link:

[Gender Equality Act 2020](#)

8. CONSIDERATION OF CLIMATE CHANGE AND SUSTAINABILITY

Background

One of the overarching governance principles of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

In January 2020, this Council joined a growing number of cities around Australia and declared a "Climate and Ecological Emergency" and committed this Council to emergency action on climate change. Council has developed a Climate Change Emergency Strategy and Action Plan 2020-30 to help the City of Greater Dandenong become a resilient, net zero carbon emission city with an active community prepared for the challenges of changing climate.

The strategy and action plans can be accessed at the following link:

[Greater Dandenong Website – Sustainability, Climate and Energy](#)

Consideration

It is acknowledged that this policy is purely administrative in its nature and will have no impact or influence on Council's Declaration on a Climate and Ecological Emergency, Council's Climate Change Emergency Strategy 2020-2030 or the requirements of the *Local Government Act 2020* in relation to the overarching governance principle on climate change and sustainability.

9. RESPONSIBILITIES

9.1 CHIEF EXECUTIVE OFFICER (CEO)

The CEO is responsible for:

- considering and approving applications to fly alternative flags at Council's Civic Flagpole sites, in line with this policy; and
- determining when it is appropriate to refer an application to fly a flag to Council for a decision.

9.2 MANAGER GOVERNANCE

The Manager Governance is responsible for:

- considering and approving applications to fly alternative flags at Council's Civic Flagpole sites, in line with this policy on behalf of the CEO; and
- determining when it is appropriate to refer an application to fly a flag to Council for a decision on behalf of the CEO.
- Reviewing this policy.

9.3 GOVERNANCE

The Governance unit is responsible for:

- receiving and considering requests for the flying of flags at Councils Community Flagpole sites;
- receiving and considering requests for the half-masting of flags;
- maintaining a register of all flag arrangements for the flagpoles;
- preparing Council Reports where a Council decision is required;
- maintaining a supply of those flags included on the Annual Flag Schedule and requesting timely replacement of damaged flags where a flag is rendered unsuitable for display;
- ensuring that the flags displayed are acknowledged with due diligence, dignity and attention to position; and
- maintaining a subscription to the Department of Premier and Cabinet and the Department of Prime Minister and Cabinet's Flag Network email notification services.
- organising maintenance or works required for any civic or community flagpole sites and associated infrastructure.

9.4 BUILDING MAINTENANCE

The Building Maintenance Unit is responsible for undertaking any maintenance or works required at civic and community flagpole sites as advised by the Governance Unit.

10. REPORTING, MONITORING AND REVIEW

This policy will be reviewed once every four years or following advice from the Australian Government's Department of Prime Minister and Cabinet and/or the Victorian Department of Premier and Cabinet. The requirements of this policy will be measured against the Australian Flag Protocols, Council's Reconciliation Action Plan and feedback from the local community.

11. REFERENCES AND RELATED DOCUMENTS

Legislation

- *Charter of Human Rights and Responsibilities Act 2006*
- *Flags Act 1953 (Commonwealth)*
- *Gender Equality Act 2020*
- *Local Government Act 2020*

Related Council and Other Policies, Procedures, Strategies, Protocols, Guidelines

- Indigenous Policy
- Reconciliation Action Plan

Other Related Documents

- Australian Government Department, National Flag Protocols can be accessed at <https://www.pmc.gov.au/government/australian-national-flag/australian-national-flag-protocols>
- Department of Prime Minister and Cabinet 'Australia Flag Booklet' –can be accessed at <https://www.pmc.gov.au/resource-centre/government/australian-flags-booklet-0>
- Victorian Department of Premier and Cabinet, Flag Notifications and Protocols can be accessed at <https://www.vic.gov.au/flag-notifications>
- This Policy is a revised version of the Council's Flag Flying Policy last endorsed by Council on 12 September 2016.
- Notice of Motion No. 36 – Flying of the Torres Strait Island Flag adopted by Council on 13 November 2017
- Application to Fly a Community Flag from Council's Community Flagpoles <https://www.greaterdandenong.vic.gov.au/flag-flying-policy>