



1.0 AUTHORITY

- *The Flags Act 1953*
- Australian Flags – Part 2 - The protocols for the appropriate use and the flying of the National Flag.

2.0 INTENT

The purpose of this policy is to establish clear, consistent guidelines for the proper use and flying of flags at Mornington Peninsula Shire (Shire) Offices in accordance with the official protocols provided by the Department of Prime Minister and Cabinet.

3.0 SCOPE

This policy applies to the following:

- Shire employees responsible for flag management at Shire Offices.
- Shire owned flagpoles at war memorials and other locations across the Mornington Peninsula, with the exception of those managed by community groups and other organisations such as the Returned Service League.

4.0 GOVERNANCE PRINCIPLES

Under the *Local Government Act 2020*, Council must give effect to the following overarching governance principles:

- Council decisions are to be made and actions taken in accordance with the relevant law.
- collaboration with other Councils and Governments and statutory bodies is to be sought.
- regional, state and national plans and policies are to be taken into account in strategic planning and decision making.
- the transparency of Council decisions, actions and information is to be ensure

5.0 POLICY STATEMENT

5.1 Flags Flying Protocol

All flags flown on flagpoles managed by the Shire must comply with the protocols specified in Australian Flags – Part 2 (Protocols). The Protocols, administered by the Department of the Prime Minister and Cabinet, provide guidelines for the appropriate use and flying of the Australian National Flag.

The Protocols apply to the flying of the Australian National Flag on its own or when it is flown alongside the Victorian State Flag and/or other flags. These additional flags can include the Australian Aboriginal Flag, the Torres Strait Islander Flag, Shire Flag, house flags, club pennants, corporate flags, and company flags. The Protocols govern the proper display and appropriate positioning of flags.



5.2 Shire Offices

Shire Offices have six flagpoles positioned at the entrance.

These flagpoles permanently display the following flags in the order of precedence:

- Australian National Flag
- Victorian State Flag
- Australian Aboriginal Flag
- Torres Strait Islander Flag
- Intersex Inclusive Progress Pride Flag'; and
- Shire Flag.

5.3 Flying Flags at Half-Mast

The Governance Team is responsible for facilitating and administering the flying of flags at half-mast in accordance with this policy and the Protocols.

Flags may be flown at half-mast in the following circumstances, as a symbol of mourning or in response to specific events:

5.3.1 Direction from the Prime Minister and Cabinet or Victorian Department of Premier

The Australian National Flag will be flown at half-mast, following direction from the State or Federal Government.

The Department of Prime Minister and Cabinet and/or the Victorian Department of Premier and Cabinet may issue a Flag Notification instructing flags to be flown at half-mast. Following that, the Shire will lower its flags accordingly and in accordance with the Protocols.

5.3.2 Commemorating Local Elders

The Shire may fly its flags at half-mast on the passing of an Aboriginal or Torres Strait Island elder or significant community members.

A relevant local Aboriginal community organisation may make the request of the Shire's Chief Executive Officer (CEO). following CEO approval (and following consultation with the Shire's Cultural Heritage Advisor), the Shire will fly all flags at its Shire Offices at half-mast on the day, or part of the day, of the funeral of an elder or significant community member.

5.3.3 Community Members, Councillors and Shire Staff

The Shire may fly its flags at half-mast on the passing of a significant community members.

On request and in consultation with the CEO and the Mayor, the Shire will fly all flags at its Shire Offices at half-mast on the death of a current or former Councillor or member of Shire staff or on the day, or part of the day, of their funeral.



5.3.4 Discretionary Requests

In all other circumstances, the CEO, in consultation with the Mayor, has the authority to make discretionary decisions regarding flying all flags at its Shire Offices at half-mast.

5.4 Request to Fly other Flags

Community groups may request permission to fly other flags on Shire managed flagpoles. Examples include acknowledging the Italian Republic Day or sporting grand finals.

Requests to fly other flags can be made to the Governance Team. The CEO, in consultation with the Mayor, will review these requests and the Governance Team will facilitate the decision.

Such requests will not be approved if they, in the sole discretion of the CEO, may cause offense to any community sectors or if they are inconsistent with the Shire's values and commitment to inclusiveness.

5.5 Communication of Flag Protocol and Notifications

The Governance Team is responsible for providing information about the Protocol, Flag Notifications and any situations where flags are flown at half-mast.

Communications will be posted to the Shire's website and internally.

5.6 Flagpole Locations New/Relocation

The installation of additional flagpoles or the relocation of existing ones must be conducted in compliance with the Protocols. This includes the placement of new flagpoles, changes to current flagpole locations, and any modifications to associated lighting and plaque arrangements.

Consultation with the Manager Legal and Governance must take place before any decisions are made regarding flagpoles.

5.7 Management and Maintenance

Flagpoles - The Governance Team is responsible for reporting any required repairs and maintenance of flagpoles to the Contract Coordinator - Furniture and Signs for appropriate action.

Flags - The Governance Team is responsible for the replacement of worn and damaged flags.

5.8 Complaints

Concerns or complaints about the flying of flags, the placement of flagpoles or any other matter regarding flags, should be made in the first instance to the Manager Legal and Governance.

6.0 HUMAN RIGHTS CHARTER COMPATIBILITY

This policy has been assessed as being compatible with *the Charter of Human Rights and Responsibilities Act 2006 (Vic)*.

ASSOCIATED DOCUMENTS



- Acknowledgement of Special Events or Achievements Policy.

7.0 DEFINITIONS

Australian Flags – Part 2.	The set of guidelines and protocols outlined in Australian Flags – Part 2, administered by the Department of the Prime Minister and Cabinet. These protocols govern the proper handling and display of the Australian National Flag and ensure compliance with national standards. https://www.pmc.gov.au/sites/default/files/resource/download/australia-flag-booklet-fa-accessible.pdf
Protocols	See Australian Flags – Part 2.
Shire Offices	Shire Offices located at 90 Besgrove Street, Rosebud, 2 Queen Street, Mornington; and 21 Marine Parade, Hastings.
Worn and Damaged Flags	Refers to flags that are no longer in a presentable or usable condition due to wear, tear, or damage. These flags need to be replaced to maintain the proper dignity of flags at Shire Offices and other locations in accordance with the Australian Flags – Part 2 – Dignity of the flag.

8.0 POLICY SPONSOR

The Manager Legal and Governance is responsible for overseeing the application and review of the Flags Policy.

9.0 DOCUMENT CONTROLS

The Shire will review, adjust, evaluate and publish this policy in line with policy review and renewal processes.

10.1 Document Version Table

Document Version Control				
Version	Section	Revision Description	Date Revised	Approved by

Administrative Updates

It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this document, such a change may be made administratively. Examples include a change to the name of a Shire department, the change to an existing policy or



document referred to in this policy, and minor updates to legislation and the like which does not have a material impact. However, any change or update which materially alters the document must be by endorsement of the Executive Team.