

# Flag Flying

Classification:	Council Policy
Policy Name:	Flag Flying
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ECM Tracking No.:	986147
Responsible Officer:	General Manager Urban and Community
Relevant Legislation:	<i>Copyright Act 1968</i> <i>Flags Act 1953</i> <i>Flags Act 1953 - Proclamation (Australian Aboriginal Flag)</i> <i>Local Government Act 1999</i>
Related Policies:	Heritage Policy Streetscape Policy Be the Future of Burnside – Our Strategic Community Plan 2016-2026

## 1. Introduction

- 1.1 The City of Burnside currently has three flagpoles at the Civic Centre. Two flagpoles are located adjacent to the Council Chambers on Greenhill Road, while the third pole is situated next to the car park, at the entrance to the Library. The western flagpole adjacent the Council Chambers permanently displays the Australian National Flag while the eastern flagpole displays the Australian Aboriginal Flag, except when it is required for other approved flags. The third flagpole at the entrance to the Library permanently displays the Australian flag, in accordance with Council Resolution C11485 (14 November 2017).
- 1.2 Consistent with Council’s Civic Centre Frontage Landscape Concept Plan, two additional flagpoles will be installed adjacent to the Council Chambers on Greenhill Road. Once installed, flags will be flown in the following order from west to east (in line with protocol set by the Australian Government):
  - 1.2.1 Australian National Flag;
  - 1.2.2 Australian Aboriginal Flag;
  - 1.2.3 Torres Strait Islander Flag; and
  - 1.2.4 Flag bearing the City of Burnside logo.

- 1.3 This Policy provides the basis for flying flags in the City of Burnside, as well as underpinning operational guidelines for policy implementation.
- 1.4 Care and control of the flagpoles and flags on Council facilities leased to community and non-Council organisations is the responsibility of the building/facility lessee.

## 2. Strategic Plan Desired Outcomes

- 2.1 A vibrant and diverse community that has a strong sense of belonging and wellbeing.

## 3. Our Approach

- 3.1 Share and celebrate cultural and social diversity through local events, programs and projects.

## 4. Legislative Requirements and Corporate Policy Context

- 4.1 This Policy reflects Council's *Be the Future of Burnside – Our Strategic Community Plan 2016-2026* strategic objectives for the City.
- 4.2 Flags flown in response to Council's governance responsibilities will be flown in accordance with relevant legislation and protocol guidelines when required.
- 4.3 The *Commonwealth Flags Act 1953* and relevant Proclamations (this Act formally identified the Australian National Flag, as well as the Aboriginal and Torres Strait Islander Flags as "Flags of Australia").
- 4.4 The South Australian State Flag was authorised by State Proclamation in 1904 as the State Flag of South Australia (it has not been proclaimed as a 'flag of Australia' under the *Flags Act 1953*).
- 4.5 The Australian Aboriginal Flag was first raised on 12 July 1971 at Victoria Square in Adelaide, and was proclaimed on 14 July 1995. Permission is not required to fly the Australian Aboriginal Flag. The Australian Aboriginal Flag is protected by copyright and may only be reproduced in accordance with the provisions of the *Copyright Act 1968* or with the permission of Mr Harold Thomas, the designer of the flag.

## 5. Interpretation

- 5.1 For the purpose of this Policy, a flag is defined as a piece of cloth attached by one edge to a staff, rope or pole, and which bears a distinctive design.

## 6. Policy

### **Flying the Australian National Flag (as per the protocol set by the Australian Government)**

- 6.1 The Australian National Flag is to be flown at all times on both the Greenhill Road entrance to the Civic Centre and the Library entrance and must be flown in regulation with the protocol as set by the Department of the Prime Minister and Cabinet, Australian Government.
- 6.2 The flag should be raised briskly and lowered ceremoniously.
- 6.3 The flag should be raised no earlier than first light and lowered no later than dusk.

- 6.4 When the flag is raised or lowered, or when it is carried in a parade or review, everyone present should be silent and face the flag. People in uniform should salute.
- 6.5 The flag should always be flown freely and as close as possible to the top of the flagpole with the rope tightly secured.
- 6.6 Unless all flags are raised and lowered simultaneously, the Australian National Flag should be raised first and lowered last.
- 6.7 When the Australian National Flag is flown with flags of other nations, all flags should be the same size and flown on flagpoles of the same height
- 6.8 When flying with only one other national flag, the Australian National Flag should fly on the left of a person facing the flags.
- 6.9 Two flags should not be flown from the same flagpole.
- 6.10 The flag may be flown at night only when it is illuminated.
- 6.11 The flag should never be flown if it is damaged, faded or dilapidated. When the material of a flag deteriorates it should be destroyed privately and in a dignified way, i.e. it may be cut into small unrecognisable pieces then disposed of with the normal rubbish collection.
- 6.12 The flag should not be flown upside down, even as a signal of distress.
- 6.13 The flag should not fall or lie on the ground or be used as a cover (although it can be used to cover a coffin at a funeral).

#### **Order of precedence**

- 6.14 The Australian National Flag takes precedence over all flags when it is flown in company with other flags.
- 6.15 Thereafter when flown in the community, the order of precedence of flags is:
  - 6.15.1 National flag of other nations;
  - 6.15.2 State and Territory flags;
  - 6.15.3 Other Australian flags prescribed by the *Flags Act 1953*, including but not limited to, the Australian Aboriginal Flag and the Torres Strait Islander Flag; and
  - 6.15.4 Ensigns and pennants - local government; Commonwealth, state and territory agencies; non-government organisations.
- 6.16 The Australian National Flag should not be flown in a position inferior to any other flag or ensign and should not be smaller than any other flag or ensign.

#### **Flying Flags at Half-Mast**

- 6.17 Flags are flown at half-mast as a sign of mourning.
- 6.18 There are times when direction will be given by the Australian Government for all flags to be flown at half-mast. Notification of these occasions will be received via email from the Commonwealth Flag Network.

- 6.19 Flags in any locality may be flown at half-mast on the death of a local citizen or on the day, or part of the day, of their funeral.
- 6.20 The half-mast position will depend on the size of the flag and the length of the flagpole. The flag must be lowered to a position recognisably half-mast to avoid the appearance of a flag which has accidentally fallen away from the top of the flagpole. An acceptable position would be when the top of the flag is a third of the distance down from the top of the flagpole.
- 6.21 When lowering the flag from a half-mast position it should be briefly raised to the peak and then lowered ceremoniously.
- 6.22 The flag should never be flown at half-mast at night, even if it is illuminated.
- 6.23 When flying the Australian National Flag with other flags, all flags in the set should be flown at half-mast. The Australian National Flag should be raised first and lowered last.

#### **Flagpole Available for Alternative Flags**

- 6.24 Until such time as additional flagpoles are installed in line with clause 1.2 of this Policy, the eastern flagpole in front of the Council Chambers will be used to fly the Australian Aboriginal Flag, except when it is required to fly other approved flags.
- 6.25 Once the additional flagpoles are installed, the eastern flagpole in front of the Council Chambers will be used to fly the flag bearing the City of Burnside logo, except when it is required to fly other approved flags.
- 6.26 Alternative national flags (representing Official Countries as recognised by the Australian Department of Foreign Affairs and Trade) will be flown from time to time to celebrate Australia's multicultural society and recognise the different nationalities represented within the City of Burnside. In these circumstances, a resolution of Council is not required.
- 6.27 Flags that are not alternative national flags (representing Official Countries as recognised by the Australian Department of Foreign Affairs and Trade) will only be flown when directed through a resolution of Council.
- 6.28 The City of Burnside will make available the use of the flagpole to allow for the recognition of specific events, cultural celebrations or other suitable purposes and the following is to be observed:
  - 6.28.1 Official Countries (as recognised by the Australian Department of Foreign Affairs and Trade) will have the opportunity to submit a flag to be flown on significant dates of celebration, recognition or remembrance.
  - 6.28.2 The Aboriginal flag is to be flown during times of significance to the Indigenous community.
  - 6.28.3 The City of Burnside will not supply any of the flags. The particular nation's society is to provide the flag to be flown by the City of Burnside.
  - 6.28.4 The flag will be flown on the official date of the day of celebration only.
  - 6.28.5 Should a request be made to fly a national flag, on a day other than an official ceremonial day for the applying Country, a request should be made to the City of Burnside Chief Executive Officer for consideration.

6.28.6 If there is a request to fly a flag on a particular date that conflicts with another booking, priority will be given to the earliest made booking.

6.28.7 The City of Burnside website will advertise this service.

6.29 It is the responsibility of the organisation supplying the flag to ensure that:

6.29.1 It is made of durable material.

6.29.2 It has standard fittings for attachment to the flagpole halyard.

6.29.3 It is approximately 2,700mm by 1,350mm in size.

6.29.4 It is not torn, damaged or frayed.

6.30 Flags will not be flown in hazardous weather conditions.

### **Flying flags at Council locations apart from Civic Centre**

6.31 Care and control of the flagpoles and flags on Council facilities leased to community and non-Council organisations is the responsibility of the building/facility lessee.

## **7. Review and Authority**

7.1 This Policy will be reviewed every two years in accordance with Council's Policies and Protocols Framework.

## **8. Availability**

8.1 The Policy is available to be downloaded, free of charge, from Council's website [www.burnside.sa.gov.au](http://www.burnside.sa.gov.au)

8.2 The Policy will be available for inspection without charge at the Civic Centre during ordinary business hours and a copy may be purchased at a fee as set annually by Council.

City of Burnside Civic Centre; 401 Greenhill Road, Tusmore SA 5065

Telephone; 8366 4200; Email; [burnside@burnside.sa.gov.au](mailto:burnside@burnside.sa.gov.au)

Office hours: Monday to Friday, 8.30am to 5.00pm (except public holidays)

## **9. Further Information**

9.1 For further information about this policy please contact:

City of Burnside

401 Greenhill Road

Tusmore SA 5065

T. 08 8366 4200