

Access to Private or Government Land

The ACT Rural Fire Service Chief Officer has issued this standard operating procedure (SOP) under Section 38(1) of the *Emergency Act 2004* – A Chief Officer may determine standards and protocols.

Purpose

This SOP is to inform ACT Rural Fire Service (ACT RFS) personnel on the procedures for accessing ACT Government, private and leased lands in the ACT for firefighting, training, meeting with landholders and conducting prescribed burns. It also describes the processes to follow when attempting to access a fire on lands where delays may occur due to:

- a locked access gate
- no easy identifiable access
- when a fence needs to be cut to gain access to private or leased land.

Scope

This SOP is applicable to all personnel from the ACT Rural Fire Service, as defined in the *Emergencies Act 2004*.

Background

Under the *Emergencies Act 2004*, powers may be delegated to nominated ACT RFS members by the Chief Officer ACT RFS, under the following Sections:

Section 34 – General Powers of the Chief Officer

Section 35 – Direction by the Chief Officer to service members

Section 68 – Fires in rural areas

Section 69 – Securing the area at or after fire

Section 59D – Casual volunteers

Section 196 – Authorised person's power to require name and address.

Refer to ACT RFS Service Standard 3.1.6 Powers of Members.

The ACT Government manage much of the land within the ACT. Members of the ACT RFS may need to access these lands for fire suppression, training or familiarisation purposes. Access to land managed by the Environment, Planning and Sustainable Development Directorate (EPSDD) must be in accordance with the Joint Arrangement for Fire Management Operations in the ACT between EPSDD and the Justice and Community Safety Directorate (JACS) (the Joint Arrangement).

Access to EPSDD managed land must comply with the conditions specified in Attachment A of the Joint Arrangement.

Responsibilities

Members	<p>May only enter government managed, private and leased lands when authorised by the RFS Duty Officer (DO) or Incident Controller or permitted by the landholder and the DO notified.</p> <p>Must follow this procedure and 3.1.6 Powers of Members Service Standard when entering government managed, private and leased lands.</p> <p>Advise RFS DO if any fences or gates have been damaged to gain access for fire suppression.</p>
RFS Duty Officer (DO) / Brigade Officers	Obtain approval to enter land three days in advance for training and area familiarisation activities.
RFS Operations staff	Conduct annual key audit.
DO / Incident Controller / Officer in Charge	<p>Obtains prior approvals from land manager for planned entry for training or area familiarisation.</p> <p>Advises land manager when land is accessed for fire suppression.</p> <p>Ensures temporary repairs are conducted to fences when property is exited and advises land manager of location and extent of damage caused to a fence or gate.</p>

Operating procedure

Entering land for fire suppression

While it is often necessary for fire fighters to gain access through locked gates or fences during fire suppression activities, firefighters have a responsibility to ensure there is minimal impact to these areas as a result of that access.

The following procedures should be followed:

- Use keys whenever they are available to unlock a gate to allow access.
- Never drive over a fence; always gain access by using a gate or only if necessary, by cutting a fence.
- If gaining access to a locked gate where no key is available, always cut a link in the chain rather than cutting a padlock.
- If cutting a fence, use staggered cuts so that the wire can be temporarily twisted back into place.

- The Incident Controller should ensure that the fence or gate is temporarily repaired if practicable and advises the DO of the location and extent of damage.

Note, for additional safety considerations when entering the Majura Field Firing Range, see the Standard Operating Procedure: 2.2.17 Attending Fires on Majura Field Firing Range.

Government managed land

Prior approval is NOT required to enter ACT Government land for fire suppression.

The DO should advise the appropriate directorate representative who may be able to support the response by:

- advising on the best access and egress
- arranging for gates to be opened
- advising on known hazards in or near the incident.
- advising on other activities that may be taking place in the vicinity of the incident
- advising of any special considerations.

If a land management representative is present, seek their advice about how to access the fire, but do not compromise crew safety.

Private or leased land

Prior approval is NOT required to enter private or leased land for fire suppression.

If necessary, fences can be pulled down, severed or removed, provided that the Incident Controller ensures that fences are temporarily repaired if practicable, and the landholder notified as soon as possible.

The DO must notify the Incident Controller if crews are unable to make a temporary repair to the fence. The DO will take all reasonable action to ensure the fence is temporarily repaired and the landholder notified. If there are stock in a paddock that has had the fence pulled down, severed or removed, firefighting crews should make a reasonable effort to ensure that there is no possibility of stock straying onto a roadway or adjoining paddocks. This may require crews to remain on site until the fence is repaired.

Entering government managed land for training and area familiarisation

Before entering any locked off ACT Government land for training or familiarisation, the ACT RFS brigade officer or DO should obtain prior approval from the appropriate land manager, at least three days in advance, following the procedures detailed in the Joint Agreement.

Brigade officers must inform members of any limitations or restrictions on their entry to these lands and members must comply as directed.

Leaving land after fire suppression, training or area familiarisation

All ACT Government land must be left secured when ACT RFS departs. Any gates that were locked on entry must be re-locked. If any chain/padlock has been cut to gain access, the Officer in Charge must immediately notify the DO so that a replacement padlock can be fitted.

If a fence has been cut to allow access, repair action must be taken on departure if possible and the DO notified.

Note, for additional considerations on the spread of biological and seed hazards, see the Standard Operating Procedure: 2.2.16 Managing Vehicle and Equipment Biosecurity, for clean-up processes required before leaving the property.

Driving on ACT Government land

RFS crews must always take care when driving on ACT Government land, as road conditions can change dramatically in a short space of time. Roads may also be used by logging trucks, heavy equipment, joggers and hikers.

Roads may become impassable, depending on conditions, or have been altered.

There is a 20 km/h speed limit on all ACT Government lands unless otherwise signposted.

Key security

Keys to EPSDD lands are provided to ACT RFS and assigned to vehicles according to Schedule 5 of the Joint Arrangement.

ACT RFS Operations staff will conduct an annual audit before the start of the fire season to ensure that all supplied keys are safely stored and accounted for.

If any keys cannot be located, brigade officers must immediately notify the DO.


Brigade members must not make copies of the keys provided under any circumstances.

Document information

Version history

Author	Version	Version Approval Date	Summary of Changes
Andrew Stark	1.0	15/02/2011	1 st Version
Greg Potts	2.0 Draft	13/03/2020	Reviewed and updated
Rod Anderson	3.0	28/06/2021	Administrative Review
Steve Quinlan	3.0	08/03/2023	Administrative Review

Approved by

Name	Title/Role	Signature	Date
Rohan Scott	CO ACTRFS		08/02/2024

Document Owner

Position	Section
RFS Director	Operations

Next review due: 01/02/2027

Related documents

Document name
ACT Emergencies Act 2004
3.1.6 Powers of Member Service Standard
2.2.16 Managing Vehicle and Equipment Biosecurity Standard Operating Procedure
2.2.17 Attending Fires on Majura Field Firing Range Standard Operating Procedure
Work Health Safety Act 2011
Work Health Safety Regulation 2011
Joint Arrangement for Fire Management Operations in the ACT between the Environment, Planning and Sustainable Development Directorate (EPSDD) and the Justice and Community Safety Directorate (JACS)

Signed documents will be scanned and filed in TRIM.

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