

SERVICE STANDARD 4.2.2

FIRE PERMITS

ITEM	DESCRIPTION
Version Number	v4.0
SOPs	> None
Owner	Executive Director Field Operations
Contact	Director State Operations
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1 Purpose

- 1.1 The *Rural Fires Act 1997* (the Act) requires a person to obtain a fire permit when they propose to light a:
 - a. certain classes of fire during a bush fire danger period; and
 - b. a fire which will be lit in circumstances where it may be dangerous to a building at any time.
- 1.2 This Service Standard provides information on how fire permits are to be issued by the NSW Rural Fire Service (NSW RFS).

2 Policy

- 2.1 Permits for fires which are proposed to be lit on land in a “rural fire district”, may only be issued by the NSW RFS Commissioner or delegate.
- 2.2 The Commissioner has delegated the power to issue permits to certain members of the NSW RFS.
- 2.3 In respect of rural fire districts, fire permits may be issued by:
 - a. The Fire Control Officer (FCO) in relation to any part of the rural fire district to which they have been appointed; or
 - b. Any member of the NSW RFS, who has been appointed as a Fire Permit Officer (FPO) by the FCO, in relation to those parts of a rural fire district specified from time to time.
- 2.4 NSW RFS members appointed as FPOs must apply the provisions of any current Guideline or Handbook approved by the Deputy Commissioner, Field Operations for the purpose of issuing fire permits.
- 2.5 A member of the NSW RFS who has been delegated the power to issue fire permits must not issue a fire permit to:
 - a. themselves;
 - b. a member of their immediate family;
 - c. any of their employees;
 - d. in relation to any land which they own or occupy; or

e. in any other circumstance to which a reasonable belief may exist to a conflict of interest.

- 2.6 For the purpose of this Service Standard, a conflict of interest shall be determined to mean, where a conflict arises between the performance of the member's duties (issuing a fire permit) and their own personal, professional or business interests, or that of individuals or groups, with whom they are closely associated. This shall exclude any associations in the course of a brigade membership to which the FPO may belong.

Fire permits

- 2.7 Fire permits are to be issued in the form and structure defined in the relevant current Guideline or Handbook approved by the Deputy Commissioner, Field Operations.

Fire Permit Officer Appointments

- 2.8 The FCO, for each "rural fire district", must ensure any member authorised by them as a FPO is recorded as holding the "Permit Officer" role within the individual member's SAP membership record. An FPO is not authorised to issue permits until such SAP record is updated.
- 2.9 The Director, State Operations, will provide a schedule from SAP of the authorised "Permit Officers" at the commencement the bush fire danger period for each "rural fire district", within ten working days, to the Deputy Commissioner, Field Operations.
- 2.10 The Commissioner or the FCO, who appointed the member as an FPO, may revoke that appointment at any time, by removing the Permit Officer role from their SAP membership record.
- The Commissioner or the FCO, who has revoked an FPO appointment, not at the request of the FPO, must provide twenty-one (21) days written notice of the intention to revoke the member's FPO appointment.
- 2.11 The Commissioner or the FCO, must revoke the appointment of an FPO at the request of the FPO, by removing the Permit Officer role from their SAP membership record.

Issuing Fire Permits

- 2.12 A fire permit is only to be issued from:
- An approved standardised manual pad permit book, printed and issued, as approved by the Deputy Commissioner, Field Operations.
 - The FCO is to ensure permits issued from any approved permit pad book are kept as directed by Area Command and, or the Director, State Operations.

Breach of Fire Permits

- 2.13 In the event a breach of a fire permit has been identified, all information regarding the type of breach, and the circumstances surrounding or supporting the breach, should be entered into the approved electronic system ICON for the appropriate legal process to be undertaken.

Reporting requirements – Details of fire permits issued

- 2.14 Section 97 of the Act requires the NSW RFS Commissioner to provide a report to the Bush Fire Co-ordinating Committee, within two months after the end of the financial year, detailing:
- bush fires lit pursuant to a fire permit, issued by and in, an area of an appropriate authority;
 - any action taken with respect to fire permits that are inconsistent with any Bush Fire Risk Management Plan applying to the area; and
 - FCOs must ensure that all appropriate information is entered into the approved electronic systems SAP, ICON and Guardian to enable the Commissioner to meet the reporting obligation.

3 Related documents

- > [Rural Fires Act 1997](#)
- > [Rural Fires Regulation 2022](#)
- > [Interim Guideline for Fire Permit Officer](#)
- > [Operational Brief Fire Permits 2023/24](#)

4 Amendments

AMENDMENT DATE	VERSION NO	DESCRIPTION
1 September 1999	1.0	Initial release
15 October 2001	1.1	<ul style="list-style-type: none"> ➤ Repealed and remade SS 4.2.2 v1.0 ➤ Clauses 1.5, 1.6, 1.7
1 August 2002	2.0	<ul style="list-style-type: none"> ➤ Repealed and remade SS 4.2.2 v1.1 ➤ Clauses 1, 2, 3, 4, 5, 7 ➤ Addition of appendices 1 and 2
21 February 2003	2.1	<ul style="list-style-type: none"> ➤ Repealed and remade SS 4.2.2 v2.0 ➤ Appendices 1 and 2
16 July 2003	2.2	<ul style="list-style-type: none"> ➤ Repealed and remade SS 4.2.2 v2.1 ➤ Clauses 1.1, 1.3, 1.4, 2.3(b), 2.5, 2.6, 2.7 and 2.9 ➤ Update Guidelines to align with amendments to clauses as per dot point above
7 November 2003	2.3	<ul style="list-style-type: none"> ➤ Repealed and remade SS 4.2.2 v2.2 ➤ Clause 2.3(b) ➤ Guidelines clause 2.2 ➤ Appendix 3 Clause 2.3(b)
1 September 2008	2.4	<ul style="list-style-type: none"> ➤ Repealed and remade SS 4.2.2 v2.3 ➤ Update to new format, and role titles following realignment ➤ SOP 4.2.2 – update references to align with Rural Fires Regulation 2008, specifically re. Notice required prior to lighting fires
29 October 2009	3.0	<ul style="list-style-type: none"> ➤ Repealed and remade SS 4.2.2 v2.4 ➤ Updates version 2.4 to align with the Rural Fires Amendment Act 2009, including updating position titles. ➤ Replaces Guidelines for Permit Issuing Officers v.3.4 and provides a link to new version 3.5. ➤ Updates references in the Guidelines for Permit Issuing Officers to align with Rural Fires Amendment Act 2009, and the introduction of the National Fire Danger Ratings (FDR) arising from the 2009 Victorian Bushfires Royal Commission including: <ul style="list-style-type: none"> ▪ the introduction of the Severe and Catastrophic FDR; ▪ the increased Penalty Notice amounts for certain fire related offences; and ▪ the notification required when intending to burn off or burn fire breaks (specifically clause 2.4 of the Guidelines). ➤ Clause 2.8(b) (formerly clause 2.8) <ul style="list-style-type: none"> ▪ Specifies reporting timeframes for local reports to the Regional Manager. ➤ Clause 2.8(d) (formerly clause 2.9) <ul style="list-style-type: none"> ▪ Changes the reporting timeframe for the consolidated reports to the Commissioner.
1 August 2023	4.0	<ul style="list-style-type: none"> ➤ Repeals and remakes SS 4.2.2 v3.0 ➤ Interim changes for 2023/24 BFDP standardising all manual Fire Permits and ahead of the Guardian online Fire Permits module (no BRIMS Fire Permit Module available from July 2023) ➤ Change in terminology from Permit Issuing Officer (PIO) to Fire Permit Officer (FPO)