



Service Standard 1.3.1

Operational Delegations and Authorisations

Version	3.8
SOPs	None
Policy Owner	Deputy Commissioner Field Operations
Policy Contact	Deputy Commissioner Field Operations
Approval Date	27 February 2025
Next Review	26 February 2026

1. Purpose

- 1.1 Management efficiency is maximised when tasks are delegated to the lowest appropriate level within an organisation.
- 1.2 Statutory powers within the Rural Fires Act 1997 (the Act) are vested in the Commissioner, local authorities, Fire Control Officers (FCOs), and officers of brigades and groups of brigades.
- 1.3 This Service Standard establishes:
 - a. Delegations of the Commissioner under sections 14 and 45A of the Act;
 - b. authorisations of the Commissioner under section 39 of the Act;
 - c. delegation of the Minister under section 99 of the Act in relation to total fire ban orders;
 - d. delegations of the Commissioner under section 2.29 of the *Environmental Planning and Assessment Act 1979*; and
 - e. delegation of the Commissioner under section 60H of the *State Emergency and Rescue Management Act 1989*.

2. Policy

- 2.1 Operational command responsibilities of the NSW RFS are to be generally exercised at the District (local government area) level by the District Manager, ranked staff members of the NSW RFS and officers of rural fire brigades and groups of rural fire brigades.
- 2.2 Operational co-ordination responsibilities of the NSW RFS on an inter-district basis are generally exercised by District, Area Commands and State Operations.
- 2.3 Liaison and administrative responsibilities of the NSW RFS are also exercised at District, Area Command and State level.
- 2.4 All operational intelligence and command responsibilities of the Commissioner are generally exercised through the State Operations Centre.
- 2.5 The Commissioner may delegate responsibilities by virtue of section 14, and for coordinated bush fire fighting activities relating to incidents under section 45A of the Act. By virtue of section 39 of the Act, the Commissioner may authorise officers and members of rural fire brigades to exercise any function of the Commissioner under the Act. The Commissioner must keep a record of all such authorisations given.

Note: Only functions clearly identified in the Act as belonging to the Commissioner are delegated in the Instruments of Delegation. Normal command arrangements do not require formal delegation and operate through the chain of command in accordance with established procedures.

3. Definitions

None

4. Document control

Release history

Version No	Date	Description
1.0	1 Sep 1999	Initial release
1.1	21 May 2001	Instrument of Delegation 22(2A)
1.2	1 Jul 2001	Instrument of Delegation re. Service Level Agreement
1.3	1 Aug 2002	Instrument of Delegation re Permits
1.4	26 Sep 2002	Instrument of Delegation
1.5	1 Nov 2002	Instrument of Delegation table p.5.
2.0	April 2003	Service Standard revised
2.1	23 Dec 2003	Instrument of Delegation p.8
2.2	27 May 2005	Instrument of Delegation Reg. 9
2.3	5 Mar 2007	Instrument of Delegation Reg. 9 and Reg. 40 Instrument of Delegation s62A, s68, s69(1), s69(2) & (3) s70, s70(3), s73, s74, s74C, s74D, s74E(a), s74E(b), s74G s74H, s100B, s100F Instrument of Delegation pertaining to Section 79BA of the Environmental Planning and Assessment Act, 1979 All references to Executive Director Risk Management updated to Executive Director Community Safety

Version No	Date	Description
		References to Phil Koperberg, Commissioner updated to Rob Rogers, Acting Commissioner
3.0	21 Jan 2009	Update titles and delegations post realignment Incorporates SS 1.1.3A Supplementary Delegations – Unincorporated Area of NSW v1.2
3.1	29 Oct 2009	Instruments of Delegations updated to reflect current practice and changes arising from the Rural Fires Amendment Act 2009
3.2	14 Dec 2010	Updated to reflect current practice and position titles
3.3	19 Dec 2011	Reviewed to ensure recent delegations relating to NSPs are in place
3.4	6 Nov 2012	New delegation for DOS to delegate inspection and other NSP activities
3.5	19 Mar 2013	New delegation for ranked officer Level 1 and above as a result of the 2012 rank review
3.6	22 Nov 2013	Instrument of Delegation for certification of participation in emergency operations
3.7	7 Jun 2022	Repeals and remakes SS1.3.1 v3.6 Changed title from “Delegations and Authorisations” to “Operational Delegations and Authorisations” Complete review to align with Area Management Model and HQ functional realignment
4.0	27 Feb 2025	Review to align with HQ functional realignment Various updates and amendments

Approved by

Name	Position	Date
Rob Rogers AFSM	Commissioner	27 Feb 2025

Related documents

Document name
Rural Fires Act 1997
Rural Fires Regulation 2022
Service Standard 1.2.1 NSW RFS Ranking and Rank Insignia
Service Standard 4.2.2 Fire Permits
Policy P6.1.3 Environmental Assessment for Bush Fire Hazard Reduction Works

INSTRUMENT OF DELEGATION

I, ROB ROGERS, Commissioner of the NSW Rural Fire Service, pursuant to the provisions of sections 14, 39, and 45A of the *Rural Fires Act 1997* (the Act) extend the delegations listed below, whether in a permanent or acting capacity (such acting capacity having been formally authorised):

Reference	Officer	Delegation
s12 (2)	Deputy Commissioner	Delegation is limited to determination and allocation of duties for positions attached to the State Operations Centre and DCOC only (not any other members of staff).
s15(4) *	Deputy Commissioner Field Operations Director Area Operations Area Commander	Delegation is limited to decision to form an operational support rural fire brigade.
s17(1) *	Deputy Commissioner Field Operations Director Area Operations Area Commander	Delegation is limited to decision to disband an operational support rural fire brigade.
s18 *	Deputy Commissioner Field Operations Director Area Operations Area Commander	Determine territory of a rural fire brigade and appoint officers.
S20 *	Deputy Commissioner Field Operations Director Area Operations Area Commander	Maintain and ensure accurate register of members of rural fire brigade using approved organisational systems.
s22 (2A)	All officers of the Service of and above the rank of Officer Level 1	Exercise powers and functions of officers of brigades
s29(1)(c)	All officers of the Service of and above the rank of Officer Level 3	Authorise entry of premises without giving notice in a particular case.
s31	All officers of the Service of and above the rank of Officer Level 3	Authorise use of force to enter premises in a particular case and give notice in accordance with s31(3) of the Act.
s33B	All officers with a current qualification in Fire Investigation which is endorsed by DCOC	Enter and inspect any land for the purposes of investigating the cause or origin of any fire.
s33C	Deputy Commissioner Director State Operations	Apply to an authorised officer for a search warrant for any land for the purposes of the investigation of the cause or origin of any fire.
s35	Deputy Commissioner Field Operations	Appoint acting Fire Control Officer.
s37(4)	Deputy Commissioner Strategic Capability	Approve standard of facilities and accommodation made available by a local authority to the Fire Control Officer.
s44	Deputy Commissioner (only in the absence of Commissioner where no person is appointed to act in the role)	Take charge of bush fire fighting operations and prevention measures in the conditions defined in this section.
s62A	General Counsel	Conduct performance audit of bush fire management plans. Make enquiries to determine whether or not bush fire hazard reduction work has been carried out in accordance with any bush fire risk management plan.

Reference	Officer	Delegation
s62C - s62H inclusive	Deputy Commissioner Field Operations	Designation, inspection, removal of designation and other activities associated with Neighbourhood Safer Places.
s62L - s62ZQ	Deputy Commissioner Field Operations	Provide for the establishment, maintenance, protection, certification and registration of fire trails (whether existing or new) and for associated purposes.
s65A	Deputy Commissioner Operational Coordination	Nominate a member of the Service as a hazard management officer.
s68	Deputy Commissioner Operational Coordination	Determine appeals lodged of hazard management notice pursuant to s68 of the Act.
s70	Deputy Commissioner Field Operations Director Area Operations Area Commander	Carry out bush fire hazard reduction work in default of compliance with a notice issued pursuant to s70 of the Act.
s73	Deputy Commissioner Field Operations Director Area Operations	Carry out bush fire hazard reduction work.
s74C	Deputy Commissioner Director Area Operations Area Commanders Manager Strategic Hazards Management District Manager Director Community Resilience	Receive bush fire hazard complaints and provide notice in accordance with s74C(4) of the Act.
s74CA	Deputy Commissioner Director Area Operations Area Commander Manager Strategic Hazards Management Director Community Resilience	Receive misdirected bush fire hazard complaints in accordance with S74CA of the Act.
s74D (except the power to authorise under s.74D(3))	Deputy Commissioner Director Area Operations Director Built & Natural Environment Area Commanders Manager Strategic Hazards Management District Managers Hazard Management Officer (HMO)	Investigate and determine bush fire hazard complaints. Authorise entry on to land to investigate complaint.
s74E(1)	Deputy Commissioner Director Area Operations Director Built & Natural Environment Area Commander Manager, Strategic Hazards Management	Direct Hazard Management Officer to issue and serve notice pursuant to provisions of s66 of the Act.
s74F	Deputy Commissioner	Notify complainant of action taken in relation to bush fire hazard complaint.

Reference	Officer	Delegation
	Manager Strategic Hazards Management District Manager Area Commander Director Area Operations Director Built & Natural Environment	
s82	Deputy Commissioner Operational Coordination	Vary bush fire danger period.
s.85(a)	Deputy Commissioner Director Area Operations Area Commander District Manager Fire Permit Officer appointed in accordance with provisions of Service Standard 4.2.2	Act as appropriate authority in respect of fire permits
s100B	Deputy Commissioner Field Operations Director Built and Natural Environment Manager Development Assessment and Planning Manager Planning and Environment Services	Issue (or refuse) bush fire safety authority.
s100E(1)(b)	Director Community Resilience Manager Environmental Services Staff members certified in accordance with the provisions of Policy P6.1.3 as having completed an RFS Certificate Issuing Course	Act as an issuing authority for bush fire hazard reduction work to be carried out on private land by a person other than the Commissioner
S100E(2)(a)	Director Community Resilience Manager Environmental Services Staff members certified in accordance with the provisions of Policy P6.1.3 3 as having completed an RFS Certificate Issuing Course	Act as a certifying authority for bush fire hazard reduction work to be carried out on any land by the Commissioner
s119(6)	Deputy Commissioner State Operations Controller State Duty Operations Officer Major Incident Coordinator Director Area Operations Area Commanders District Manager Shift Coordinator Operational Communications Centre District Duty Operations Officer	Use fire fighting equipment outside the area of the council in which the equipment is vested.
Reg. 6(1)(b*)	Deputy Commissioner People & Corporate Services	Determine requirements for attaining membership of a rural fire brigade.
Reg. 7(1) *	District Manager	Vary probationary period.
Reg. 7(2) *	District Manager	Remove name of probationary member from brigade register.
Reg. 8(1) *	District Manager	Compulsorily remove name from brigade register.

Reference	Officer	Delegation
Reg. 8(2) *	Area Commander Director Area Operations	Exercise discretion to remove name from brigade register.
Reg. 8(3) *	Deputy Commissioner Director Area Operations Area Commander District Manager	Form opinion as to whether a person is no longer a fit and proper person to be a member of a rural fire brigade and remove that person's name from brigade register.
Reg. 8(4) *	Director Area Operations Area Commander District Manager	Give notice prior to removing a person's name from brigade register.
Reg. 9	Deputy Commissioner	Conduct and determine appeals relating to membership in circumstances where the Commissioner is the appropriate appeal authority.
Reg 11 (2)-(3)*	Deputy Commissioner	Determine appeals concerning disciplinary action.
Reg. 33	District Manager Manager, Strategic Hazards Management Director Area Operations Area Commander	Provide copy of bush fire hazard reduction notice to designated entities.
Reg 35	District Manager	Give notice of issue of fire permit.
Reg. Schedule 2 cl (3)	Deputy Commissioner Operational Coordination	Authorise officers to issue penalty notices pursuant to Schedule 2 of the Rural Fires Regulation 2022 – Penalty Notice offences Note: See the Schedule of Authorisations below for details of the authorisations.
SS 2.1.2 Clause 2.8	Area Commander	Exceptional Circumstances provisions within SS 2.1.2 Brigade Constitution to maintain RFB business.

NOTES

1. The delegations extended in relation to those sections of the Act marked with an asterisk (*) only have effect where the relevant local authority and the Commissioner have agreed in accordance with the provisions of section 12A of the Act that the function specified should be exercised by the Commissioner on behalf of the local authority.
2. The delegations extended in relation to those sections of the Act marked with a hash (#) refer to functions which may, depending upon the particular circumstances, be exercised by either a local authority or the Commissioner. In as far as those occasions when the function may be exercised by a local authority are concerned, the delegation will only have effect where the relevant local authority and the Commissioner have agreed in accordance with the provisions of section 12A of the Act that the function specified should be exercised by the Commissioner on behalf of the local authority.
3. For the purpose of this Service Standard and related documents District Manager includes a Team or Zone Manager.
4. A reference to a District Manager in this delegation refers to the District Manager for the relevant rural fire district.
5. A reference to a Fire Control Officer (FCO) in this Service Standard and related documents refers to a District Manager.
6. A reference to a role includes a reference to all roles above that role in the line of supervision.

7. Delegations will continue to apply where there are minor changes in role title arising from organisational realignments or role description amendments



Rob Rogers AFSM
Commissioner

DATED this 27th day of February 2025


INSTRUMENT OF DELEGATION

I, ROB ROGERS, Commissioner of the NSW Rural Fire Service, pursuant to the provisions of section 2.29 of the *Environmental Planning and Assessment Act 1979* extend the delegations listed below to the persons holding the offices as listed below, whether in a permanent or acting capacity (such acting capacity having been formally authorised by the immediate superior of the officer holder):

Reference	Officer	Delegation
Section 4.14 Consultation and development consent – certain bush fire prone land	Deputy Commissioner Field Operations Director Built and Natural Environment Manager Development Planning and Policy Manager Planning and Environment Services Supervisor Development Assessment and Planning	Provide advice concerning measures to be taken with respect to a development on bush fire prone land to protect persons, property and the environment from bush fire.
Section 5.5	Deputy Commissioner Field Operations Deputy Commissioner Operational Coordination	Act as determining authority of REFs (Review of Environmental Factors).
Section 10.3	Deputy Commissioner Field Operations	Designation of land within an area of Council, to be bush fire prone land having regard to the Bush Fire Risk Management Plan, and Certification of Bush Fire Prone Land map.

NOTES

1. A reference to a role includes a reference to all roles above that role in the line of supervision.
2. Delegations will continue to apply where there are minor changes in role title arising from organisational realignments or role description amendments



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Rob Rogers AFSM
Commissioner

DATED this 27th day of February 2025

INSTRUMENT OF DELEGATION

I, ROB ROGERS, Commissioner of the NSW Rural Fire Service, pursuant to the provisions of section 60H of the *State Emergency and Rescue Management Act 1989* extend the delegation listed below to the persons holding the offices as listed below, whether in a permanent, acting or operational capacity (such acting capacity having been formally authorised by the immediate superior of the officer holder):

Reference	Officer	Delegation
Section 60H Certificate evidence that employee took part in emergency operations	Director State Operations Director Area Operations Area Commanders District Manager Incident Controller State Operations Controller	Issue a certificate to the effect that a NSW Rural Fire Service member took part in particular emergency operations carried out by the NSW Rural Fire Service in respect of that emergency.

NOTES

1. For the purpose of this Service Standard and related documents District Manager includes a Team or Zone Manager.
2. A reference to a District Manager in this delegation refers to the District Manager for the relevant rural fire district.
3. A reference to a role includes a reference to all roles above that role in the line of supervision.
4. Delegations will continue to apply where there are minor changes in role title arising from organisational realignments or role description amendments



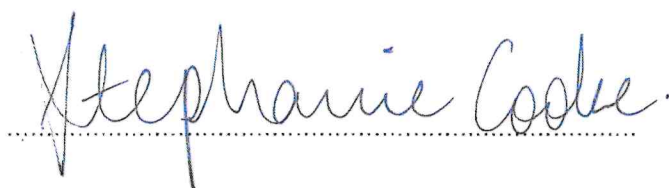
Rob Rogers AFSM
Commissioner

DATED this 27th day of February 2025

INSTRUMENT OF DELEGATION

I, **Steph Cooke MP**, Minister for Emergency Services and Resilience and Minister for Flood Recovery, pursuant to the provisions of section 99 of the *Rural Fires Act 1997*, extend the delegation listed below to the persons holding the offices as listed below, whether in a permanent, acting or operational capacity (such acting capacity having been formally authorised by the immediate superior of the officer holder):

REFERENCE	OFFICER	DELEGATION
<u>Section 99</u> Total fire bans	Commissioner Deputy Commissioner (In the absence of the Commissioner only)	Declare a total fire ban for part or parts of the State as specified in the declaration, if it is necessary or expedient in the interests of public safety to do so.



Hon Steph Cooke MP
Minister for Emergency Services and Resilience
Minister for Flood Recovery

DATED this 22 day of June. 2022

TABLE OF AUTHORISATIONS

Reference	Persons Authorised	Limitations of /Authorisation	Area of Responsibility
s65A Hazard Management Officers	A person with competencies in Certificate Issuing Officer (CIO) and Hazard Management Officer (HMO) who holds a role specified in the Schedule of Hazard Management Officers at Part 24.3 of the Hazards Management Handbook	Hazard Management Officers (HMO) appointed under s65A: Level 1: An officer appointed as a Level 1 HMO can recommend a notice be issued under s66 but is not authorised to issue such a notice. A Level 1 HMO cannot deal with an objection to notices under s67; Level 2: An officer appointed as a Level 2 HMO can issue a notice under s66 for private lands but can only recommend a notice be issued for public lands. A Level 2 HMO cannot deal with an objection to notices under s67 relating to public lands; Level 3: An officer appointed as a level 3 HMO can issue a notice under s66 for private or public lands. A Level 3 HMO can deal with any objection to notices under s67;	Deputy Commissioner Operational Coordination
Reg Schedule 2 cl (3)(c) Penalty Notice Officers	A person listed on the Schedule of Penalty Notice Issuing Officers	nil	Deputy Commissioner Operational Coordination



Rob Rogers AFSM

Commissioner

DATED this 27th day of February 2025

TABLE OF AUTHORISATIONS

Reference	Persons Authorised	Limitations of /Authorisation	Area of Responsibility
s65A Hazard Management Officers	A person with competencies in Certificate Issuing Officer (CIO) and Hazard Management Officer (HMO) who holds a role specified in the Schedule of Hazard Management Officers at Part 24.3 of the Hazards Management Handbook	Hazard Management Officers (HMO) appointed under s65A: Level 1: An officer appointed as a Level 1 HMO can recommend a notice be issued under s66 but is not authorised to issue such a notice. A Level 1 HMO cannot deal with an objection to notices under s67; Level 2: An officer appointed as a Level 2 HMO can issue a notice under s66 for private lands but can only recommend a notice be issued for public lands. A Level 2 HMO cannot deal with an objection to notices under s67 relating to public lands; Level 3: An officer appointed as a level 3 HMO can issue a notice under s66 for private or public lands. A Level 3 HMO can deal with any objection to notices under s67;	Deputy Commissioner Operational Coordination
Reg Schedule 2 cl (3)(c) Penalty Notice Officers	A person listed on the Schedule of Penalty Notice Issuing Officers	nil	Deputy Commissioner Operational Coordination



Peter McKechnie AFSM

A/Deputy Commissioner Operational Coordination

DATED this 27th day of February 2025