



## Service Standard 4.2.2

# Fire Permits

<b>Version</b>	5.0
<b>Policy Owner</b>	Deputy Commissioner Field Operations
<b>Policy Contact</b>	Director State Operations
<b>Approval Date</b>	24 July 2024
<b>Next Review</b>	24 July 2027

### 1. Purpose

- 1.1. The *Rural Fires Act 1997* (the Act) requires a person to obtain a fire permit when they propose to light:
  - certain types of fire during a bush fire danger period; and
  - 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 issued by the 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 RFS Commissioner or an appropriately delegated officer.
- 2.2. The Commissioner has delegated the power to issue permits to certain members of the RFS.
- 2.3. In respect of rural fire districts, fire permits may be issued by:
  - The Fire Control Officer (FCO) in relation to any part of the rural fire district to which they have been appointed; or
  - Any member of the 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. 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. An FCO may grant 'Pre-Approved status' to certain applicants that have a proven track record of safe management of fire in specific agricultural applications. The criteria for such Pre-Approval is outlined in the NSW RFS Fire Permit Guidelines.
- 2.6. A member of the RFS who has been delegated the power to issue fire permits must not issue a fire permit to:
  - themselves;
  - a member of their immediate family;

- any of their employees;
  - in relation to any land which they own or occupy; or
  - in any other circumstance to which a reasonable belief may exist to a conflict of interest.
- 2.7. For the purpose of this Service Standard, a conflict of interest shall be determined to mean: *where a conflict arises, or may be perceived to arise, between the performance of the member's duties (i.e. issuing a fire permit) and their own personal, professional or business interests, or that of individuals or groups, with whom they are closely associated.*
- 2.8. This shall exclude any associations in the course of a brigade membership to which the FPO may belong unless clause 2.6 applies.

### Fire permits

- 2.9. 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.
- 2.10. Any manual fire permit issued must be entered into the Guardian online portal within 72 hours.
- 2.11. Any application for a fire permit lodged in the Guardian online portal must be actioned in accordance with the NSW RFS Fire Permit Guidelines.
- 2.12. A Fire Permit for Deceased Livestock destruction can be issued via the Guardian online portal or using the manual fire permit. Permits for this purpose must also be entered into the Guardian online portal within 72 hours which is the maximum duration for this type of activity. The FPO must ensure the Fire Permit Holder is aware of the requirements to notify within a minimum of one hour of commencement of burn.

### Fire Permit Officer Appointments

- 2.13. The FCO for each rural fire district must ensure any member authorised by them as an FPO is recorded as holding the Fire Permit Officer role within the individual member's SAP membership record. An FPO is not authorised to issue permits until the SAP record is updated.
- 2.14. The Director State Operations will produce a report from SAP of the authorised Permit Officers as at the commencement of the Bush Fire Danger Period (BFDP), for each rural fire district and within ten working days of the commencement of the BFDP. This report will be provided to the Deputy Commissioner Field Operations.
- 2.15. 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.
- 2.16. The Commissioner or the FCO who is proposing to revoke an FPO appointment that is 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.
- 2.17. 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

- 2.18. A fire permit is only to be issued from:
- An approved standardised printed manual fire permit pad, approved by the Deputy Commissioner Field Operations; or
  - Accessing the Guardian online fire permit portal.
- 2.19. The FCO is to ensure permits issued from any approved permit pads are kept in accordance with P5.1.6 Records Management.

### Issuing a Fire Permit for Deceased Livestock destruction during a Total Fire Ban (TOBAN)

- 2.20. A Fire Permit for Deceased Livestock destruction is not suspended or cancelled automatically when a TOBAN is declared and may be issued when requested by a landowner.
- 2.21. Prior to issuing a Fire Permit for Deceased Livestock destruction on a day of total fire ban, the FPO is to ensure that an exemption for the destruction of deceased livestock has been applied to the total fire ban order (Annexure A).

### Declining or refusing to issue a Fire Permit for Deceased Livestock destruction

- 2.22. An FPO cannot decline or reasonably refuse to issue a Fire Permit for Deceased Livestock destruction unless otherwise prescribed by this Service Standard.
- 2.23. Where a District has suspended the issuing of normal permits, any such suspension does not apply to a Fire Permit for Deceased Livestock destruction and such permits should continue to be issued upon request.
- 2.24. An FPO may decline or refuse to issue a Fire Permit for Deceased Livestock destruction in the following circumstances:
- Where in the opinion of the FPO, the applicant has not sufficiently taken steps to meet the prescribed conditions of the Fire Permit; or
  - On a day of TOBAN, where an exemption has not been granted within the TOBAN order for the disposal of deceased animal carcasses.
- 2.25. To assist in determining if the disposal of deceased animal carcasses has been approved within any issued TOBAN order a guide has been developed and attached as Annexure A.

### Breach of Fire Permits

- 2.26. 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 ICON and Guardian for the appropriate legal process to be undertaken.

### Reporting requirements – Details of fire permits issued

- 2.27. Section 97 of the Act requires the Commissioner to provide a report to the Bush Fire Coordinating Committee within two months after the end of the financial year.
- 2.28. FCOs must ensure that all appropriate information is entered into the approved electronic systems including but not limited to SAP, ICON and Guardian to enable the Commissioner to meet the reporting obligation.

## 3. Document control

### Release history

Version	Date	Summary of changes
1.0	1 Sep 1999	Initial release
1.1	15 Oct 2001	Repealed and remade SS 4.2.2 v1.0
2.0	1 Aug 2002	Repealed and remade SS 4.2.2 v1.1
2.1	21 Feb 2003	Repealed and remade SS 4.2.2 v2.0
2.2	16 Jul 2003	Repealed and remade SS 4.2.2 v2.1, update Guidelines
2.3	7 Nov 2003	Repealed and remade SS 4.2.2 v2.2

Version	Date	Summary of changes
2.4	1 Sep 2008	Repealed and remade SS 4.2.2 v2.3 update references to align with Rural Fires Regulation 2008, specifically re. Notice required prior to lighting fires
3.0	29 Oct 2009	Repealed and remade SS 4.2.2 v2.4 Updates version 2.4 to align with the Rural Fires Amendment Act 2009 and the introduction of the National Fire Danger Ratings (FDR) Replaces Guidelines for Permit Issuing Officers v.3.4 and provides a link to new version 3.5. Changes the reporting timeframe for the consolidated reports to the Commissioner.
4.0	1 Aug 2023	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)
5.0	24 July 2024	Repeals and remakes SS 4.2.2 v3.0 and repeals SS 4.2.2A Fire Permits (Deceased Livestock). Incorporates relevant content from SS 4.2.2A Updated to include references to fire permit module in Guardian

## Approved by

Name	Position	Date
Rob Rogers AFSM	Commissioner	24 July 2024

## Related documents

Document name
<a href="#">Rural Fires Act 1997</a>
<a href="#">Rural Fires Regulation 2022</a>
<a href="#">NSW Government Gazette No 16 of 9 Feb 2018 TOBAN Exemptions</a>
<a href="#">Fire Permit Guidelines 2024</a>
<a href="#">P5.1.6 Records Management</a>
<a href="#">Service Standard 1.3.1 Operational Delegations &amp; Authorisations</a>
<a href="#">Annexure A Sample Total Fire Ban (TOBAN) Order</a>

## Annexure A

To determine if an exemption has been granted for the disposal of deceased stock, the number ten (10) should be listed within the exemptions column of the TOBAN order.

A complete listing of exemptions can be found here: [NSW Government Gazette No. 16 of 9 February 2018](#)



### TOTAL FIRE BAN ORDER

#### *PROHIBITION ON THE LIGHTING, MAINTENANCE AND USE OF FIRES IN THE OPEN AIR*

Being of the opinion that it is necessary or expedient in the interests of public safety to do so, I direct by this order that the following parts of the State for the periods specified the lighting, maintenance or use of any fire in the open air is prohibited (subject to the exemptions specifically listed hereunder and further set out in the *Schedule of standard exemptions to total fire bans* published in the NSW Government Gazette No 16 of 9 February 2018):

Fire Weather Area	Classes of Exemption (Special Conditions)
Greater Hunter	2,3,4,5,6,7,8,9,10,11,12,13,14,15,16,17,18

This direction shall apply for the periods specified hereunder:

00:01 hours to 23:59 hours on **26/01/2024**

A handwritten signature in black ink, appearing to be 'Rob Rogers', written over a horizontal line.

ROB ROGERS, AFSM  
Commissioner  
By delegation from the Minister for Emergency Services