



New South Wales Counter Terrorism Plan

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Owned by:	NSW State Counter Terrorism Committee
Endorsed by:	NSW State Emergency Management Committee as a sub-plan to the NSW State Emergency Management Plan



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Introduction

1. The NSW Counter Terrorism Plan is the NSW Government plan to inform the general public, business, those working in the counter terrorism field and government about NSW's counter terrorism arrangements. It outlines responsibilities, authorities and the mechanisms to prevent, prepare for, respond to and recover from acts of terrorism within NSW. The NSW Counter Terrorism Plan takes an inclusive approach to countering terrorism, developing strong linkages across NSW government agencies, the community and the Australian, state and territory governments.
2. Terrorism continues to present a serious and sustained threat to NSW. Since 2014 Australia's National Terrorism Threat Level has been PROBABLE. That means credible intelligence indicates individuals or groups continue to possess the intent and capacity to conduct a terrorist attack in Australia.
3. The 2015 attack outside the NSW Police Headquarters, the siege at Martin Place in Sydney in 2014, multiple arrests and disrupted activity in NSW and nationally as well as international attacks are reminders that the threat of terrorism is real and present.
4. The NSW Police Force is the combat agency for terrorism. The Counter Terrorism and Special Tactics Command has a specific focus on preventing, preparing for, and responding to terrorism in NSW.
5. The NSW Department of Premier and Cabinet, the Department of Justice and the NSW Police Force collaborate on and lead state level counter terrorism development. A range of NSW Government agencies continue to participate in the ongoing planning, development and implementation of prevention, preparedness, response and recovery counter terrorism measures.
6. NSW contributes to the development of a comprehensive and consistent approach by Australian, state and territory governments to counter the threat of terrorism.
7. The NSW Counter Terrorism Plan is a sub plan of the NSW State Emergency Plan and complements the NSW Counter Terrorism Strategy, which establishes the NSW Government's principles and objectives in counter terrorism, and the National Counter Terrorism Plan, which details national arrangements.



Preparedness

8. Preparation for terrorism includes activities, arrangements and planning which overlays and informs the other areas of prevention, response and recovery. The NSW Government prepares for terrorism through processes of planning, capability assessment, exercising and training, community engagement and intelligence led risk assessment.
9. NSW relies upon an intelligence led prevention and preparedness approach to support its whole of government counter terrorism activities. These activities encompass targeted prevention measures based on risk management principles and the maintenance of capabilities to manage various types of terrorist threats, attacks and their consequences.

Legal Framework

10. A 'terrorist act' is defined in the *Criminal Code Act 1995* (Cth), and has the meaning of an act or threat, intended to advance a political, ideological or religious cause by coercing or intimidating an Australian or foreign government or the public, by causing serious harm to people or property, creating a serious risk to the health and safety to the public, or seriously disrupting certain types of critical infrastructure, electronic systems or trade.
11. NSW cooperates with the Australian, state and territory governments to ensure that terrorist activity does not escape prosecution. Terrorist activity can be prosecuted under a range of NSW and Commonwealth legislation. At the Commonwealth level, key legislation includes the *Criminal Code Act 1995* and the *Crimes Act 1914*.
12. Within NSW, agencies have specific legislation in place to assist in prevention, response and recovery relating to terrorism. These include:
 - *Terrorism (Police Powers) Act 2002 (NSW)*
 - *State Emergency and Rescue Management Act 1989 (NSW)*
 - *Terrorism (High Risk Offenders) Act 2017 (NSW)*
 - *Crimes (Administration of Sentences) Act 1999 (NSW)*
 - *Criminal Procedures Act 1986 (NSW)*
 - *Bail Act 2013 (NSW)*
13. NSW legislation ensures our agencies have effective powers and legal frameworks to support efforts to keep the public safe from terrorism.



14. Amendments and reviews of legislation involving counter terrorism are undertaken in close consultation between the Department of Justice, Department of Premier and Cabinet, the NSW Police Force, and other agencies as required.

Governance Arrangements

15. A comprehensive administrative structure has been set in place across the Australian and state levels of government to manage all aspects of the threat of terrorism within NSW and Australia.

National

16. The Council of Australian Governments is chaired by the Prime Minister and includes the First Ministers from each state and territory and the President of the Australian Local Government Association. The Council of Australian Governments is Australia's peak inter-governmental forum and its role includes increasing national cooperation among governments including in relation to counter terrorism.
17. The nature of terrorism means that its implications may cross jurisdictional boundaries. Accordingly, NSW actively contributes to a national, cooperative approach to counter terrorism. Coordination and consultation between jurisdictions was first established by the Inter-Governmental Agreement on Australia's National Counter Terrorism Arrangements. The Agreement was revised and agreed by all Australian Governments, as well as the New Zealand Government, in 2017.
18. The Australia-New Zealand Counter Terrorism Committee is co-chaired by the Department of Home Affairs and the First Minister representative from a jurisdiction. Membership of the Australia-New Zealand Counter Terrorism Committee is comprised of senior representation from relevant Australian government agencies, First Ministers' departments or a delegated agency and each policing jurisdiction.
19. The NSW representatives on the Australia-New Zealand Counter Terrorism Committee are the Deputy Secretary, Social Policy Group, Department of Premier and Cabinet and the Deputy Commissioner, Investigations and Counter Terrorism, NSW Police Force.
20. The role of the Australia-New Zealand Counter Terrorism Committee is to:
 - enable effective counter-terrorism coordination through inter-jurisdictional and inter-agency cooperation
 - review current and emerging domestic and international trends in terrorism
 - identify risks and appropriate mitigation activities



- review, monitor and advise on the adequacy of Australia's counter-terrorism legislation and recommend legislative changes where required
- develop strategic and policy advice on Australia's counter-terrorism efforts
- develop and manage national counter-terrorism strategies, plans and other documentation to coordinate Australia's counter-terrorism efforts and
- provide advice in relation to the administration of the special fund to maintain and develop the nation-wide capability, administered by the Australian Government on the basis of advice from the Australia-New Zealand Counter Terrorism Committee.

21. The Inter-Governmental Agreement requires the Australia-New Zealand Counter Terrorism Committee to maintain the National Counter Terrorism Plan, which outlines the responsibilities, authorities and mechanisms to prevent, prepare for, respond to and recover from acts of terrorism within Australia.

New South Wales

22. The NSW Government is responsible for:

- primary operational responsibility to prevent, prepare for, respond to and recover from acts of terrorism within NSW
- maintaining NSW policies, legislation and plans in relation to terrorism
- maintaining whole of government counter terrorism capabilities
- determining prevention strategies and operational responses to threats
- seeking assistance from, or providing assistance to, other jurisdictions in the event of a terrorist incident
- contributing to the national strategy in a national terrorist situation.

23. In order to meet its obligations, the NSW Government maintains a comprehensive governance structure with clearly defined roles and responsibilities.

24. The State Counter Terrorism Committee has full coverage of NSW's counter terrorism and countering violent extremism specific capabilities and leads and coordinates the NSW Government policy and arrangements in NSW. The committee is chaired by the NSW Department of Premier and Cabinet and includes senior representation from relevant NSW Government agencies.

25. The State Counter Terrorism Committee oversees the full range of capabilities required to meet the threat of terrorism across preparedness, prevention, response and recovery. The



State Counter Terrorism Committee has a number of sub committees and advisory groups which provide expertise on specific topic areas.

26. The State Emergency Management Committee is chaired by the NSW Department of Justice and is established under the *State Emergency and Rescue Management Act 1989* (NSW), providing the Committee with responsibility for emergency planning and oversight of consequence management capabilities at the state level.
27. Both State Committees work collaboratively to ensure consistent and robust arrangements across both portfolios.

NSW Capability

28. NSW maintains a range of capabilities to prevent, prepare for, respond to and recover from acts of terrorism. The development, maintenance, planning and training of NSW capability is shared across government and is informed by the current and emerging security environment.
29. NSW has highly developed counter terrorism capabilities across government. Of these, approximately half are primary counter terrorism capabilities with the remaining capabilities considered emergency management focussed that are vital to support counter terrorism operations and strategic policy development.
30. NSW adopts a multi-agency approach to countering terrorism. Individual agencies are responsible for the development and maintenance of specialist capabilities in their respective areas as described in the NSW State Emergency Management Plan. Whole of government coordination and direction of capability development is based on an intelligence led and risk based approach.

Exercise Management

31. The NSW Counter Terrorism Exercise Steering Committee reports to the State Counter Terrorism Committee. It is chaired by the Assistant Commissioner, Counter Terrorism and Special Tactics Command and includes membership from a wide range of agencies. The Steering Committee is responsible for the approval, management and conduct of all exercises within NSW that have a counter terrorism theme or focus.
32. NSW evaluates its capability and plans through operational deployment and a comprehensive exercise and training regime to develop, maintain and test counter terrorism capabilities. Where practicable, NSW considers the need and opportunity for interoperability with other Australian, state and territory government agencies and capabilities.



Information Management

33. Digital information security requirements for all NSW Government agencies are outlined in the NSW Government Digital Information Security Policy. This policy supports the NSW Government's digital information systems security objectives including:
- Confidentiality. To uphold authorised restrictions on access to and disclosure of information including personal or proprietary information.
 - Integrity. To protect information against unauthorised alteration or destruction and prevent successful challenges to its authenticity
 - Availability. To provide authorised users with timely and reliable access to information and services
 - Compliance. To comply with all applicable legislation, regulations, cabinet conventions, policies and contractual obligations requiring information to be available, safeguarded or lawfully used
 - Assurance. To provide assurance to parliament and the people of NSW that information held by the NSW Government is appropriately protected and handled
34. NSW Government agencies with counter terrorism responsibilities are to ensure that appropriate standards for the transmission, storage and handling of security classified material, outlined in the Australian Government Protective Security Policy Framework, are maintained at all times.

Public Information and Awareness

35. The National Security Public Information Guidelines provide a framework for Australian, state and territory government agencies responsible for public information and media activities relating to national security issues and incidents.
36. In accordance with the National Security Public Information Guidelines, NSW has responsibility for the development and implementation of NSW arrangements for public information in relation to terrorism.
37. NSW has a whole of government approach to public information arrangements, which are articulated in the NSW Counter Terrorism Public Information Response and Recovery Arrangements. These arrangements facilitate the effective management, coordination and release of public information messages and ensure the release of information is timely, accurate and authorised.



38. The NSW Government uses a suite of tools for communicating counter terrorism information to the public through a range of channels including websites, social media and traditional media.
39. During and following a terrorism incident, the release of information to the public will need to balance the competing interests of transparency, with the sensitivities necessary for the incident response and operational requirements. Some information may therefore be withheld under public interest immunity.
40. In the event of a significant terrorist incident, an Emergency Media Centre may be established by the NSW Police Force to provide a location from which local, state and international media can work and liaise with government agencies during and after a terrorist incident.
41. The secureNSW website provides a central online location for counter terrorism information. The site details NSW counter terrorism arrangements, information on relevant legislation, and security advice for business and the broader community. secureNSW has the capability during and after an incident to securely collect key information from the public, including images and video. The site will also enable those directly affected by the incident to register with the Australian Red Cross.
42. During a response to terrorism, activation of emergency management warning and alert structures may occur. Emergency Alert is the national telephone warning system that can send voice messages to landline and text messages to mobile phones within a defined areas to provide information. sydneyAlert provides information and instructions to building managers, emergency wardens and security staff to assist them direct occupants of building during an incident in Sydney CBD or North Sydney CBD. Standard Emergency Warning System (SEWS) is the siren sound used throughout Australia for various emergency events of significance, and is broadcast immediately before an urgent safety message.
43. In the event of a terrorist incident occurring in NSW, the Premier of NSW, NSW Commissioner of Police and the Prime Minister or delegate will be the initial primary spokespersons for information related to the incident. The NSW Counter Terrorism Public Information Response and Recovery Arrangements outline public information responsibilities for other NSW government agencies in response to a terrorist incident in NSW.



Prevention

44. The NSW Government invests significantly in resources and training to ensure that our agencies are best prepared for the consequences of a terrorist attack.
45. Prevention of terrorism in NSW incorporates a whole of government, risk based approach and includes, but is not limited to, the following capabilities:
 - Interventions to support individual move away from the influence of violent extremism
 - mitigation of the risk of terrorism through community engagement and the promotion of social cohesion
 - deployment of overt or covert and robust protective security arrangements to deter terrorism based on sound risk management principles
 - detection and disruption of terrorist planning and preparations through intelligence and law enforcement at the earliest possible stage
 - cooperative partnerships with Australian and international government intelligence and law enforcement networks.

Intelligence and Investigation

46. The NSW Police Force in partnership with Australian, state and territory law enforcement and intelligence agencies, conduct ongoing intelligence and criminal investigations into terrorist threats impacting upon NSW. Information is collected, analysed and disseminated between relevant NSW and Australian government agencies and where appropriate, business sectors or individuals within the community.
47. The NSW Police Force maintains investigative capabilities to generate intelligence relevant to the prevention of terrorism and to collect evidence that may support prosecutions for terrorism and related criminal offences.

Threat Assessment and Risk Management

48. The NSW Police Force, in collaboration with partner law enforcement and intelligence agencies, uses threat and risk assessment models to assess the intent and capability of potential terrorist actors. Threat and risk assessments form part of the material that the NSW Police Force and other agencies rely upon to make informed, risk-based decisions that encompass activities that reduce the severity or impact of an emergency. The NSW Police Force determines the operational and security response to threats and where appropriate engages sectors, facilities and individuals regarding implementation of protective security measures to mitigate risk.



49. The NSW Police Force is responsible for the assessment and management of all terrorist related threats or those purported to be terrorist related.
50. Intelligence information involving a threat is assessed by the NSW Police Force Counter Terrorism and Special Tactics Command using a process modelled from the Australian/New Zealand Risk Management Standard, AS/NZS ISO 31000:2009 to guide the determination of the level of risk in relation to a threat.

Engaging the Public

51. Members of the public are best placed to provide early warnings to risk, counter violent ideologies and support efforts to promote social cohesion. Community action and collaboration is key to CVE and building a unified, resilient society. Community groups cooperate and work closely with the police and government agencies in their joint effort to prevent crime and keep us safe.
52. Opportunities for dialogue within and between communities are available and important, creating safe environments where discussions and debate can take place, and people are able to respectfully disagree, increase understanding and tolerance, and find common ground. The NSW Government can play a supportive role in these dialogues and also learn from the communities about local issues and solutions.
53. There are a range of agencies who actively engage with the community to build positive working relationships and mutual benefit. They develop partnerships to increase the understanding of NSW countering terrorism and countering violent extremism arrangements and may act as a conduit for community issues and concerns related to terrorism.
54. The Multicultural NSW Community Resilience and Response Plan (COMPLAN) details the preparedness, prevention, response and recovery arrangements for a coordinated approach by NSW Government agencies and local government partners to managing and mitigating community harmony risks and improving conditions for community harmony within NSW. The multi-agency COMPLAN Committee ensures a coordinated NSW Government response to local and international events which may affect community relations and community harmony.

Critical Infrastructure

55. NSW has a whole of government approach to the protection of critical infrastructure from terrorism. The NSW Department of Justice and the NSW Police Force Terrorism Protections Unit work in collaboration to support the owners and operators of NSW critical infrastructure. This support involves providing guidance on the implementation of appropriate risk based protective security measures to counter threats from terrorism.



56. At the national level, the National Guidelines for Protecting Critical Infrastructure from Terrorism define critical infrastructure as:

“those physical facilities, supply chains, information technologies and communication networks which, if destroyed, degraded or rendered unavailable for an extended period, would significantly impact on the social or economic wellbeing of the nation, or affect Australia’s ability to conduct national defence and ensure national security”.

57. In accordance with these national guidelines, the NSW Government is responsible for identifying and classifying critical infrastructure of high criticality to the state and maintaining a database of these facilities. The NSW Department of Justice has responsibility for the development and implementation of a sustainable program for protecting critical infrastructure from terrorism including the engagement of all relevant agencies and critical infrastructure owners and operators.
58. The NSW Police Force is responsible for processing and disseminating relevant intelligence and threat information to appropriate sectors and critical infrastructure owners and operators. Where appropriate, NSW may share information and intelligence with the Australian, state and territory governments.
59. Local and Regional Emergency Management Committees are required to incorporate critical infrastructure into their emergency management plans from an all hazards perspective.

Major Hazard Facilities

60. The operation of a major hazard facility is regulated by the Work Health and Safety Regulation 2017. The operator of a major hazard facility is required to provide details of security arrangements to the Commissioner of Police and to have regard for any written advice from the Commissioner in relation to their security arrangements.
61. A multi-agency team in SafeWork NSW manages the licensing requirements of major hazard facilities including the safety requirements, emergency and security arrangements.

Business and Industry

62. The NSW Government is committed to working with business and industry sectors in relation to counter terrorism.
63. The NSW Police Force focuses on preparedness, prevention and response arrangements related to the business community.



64. NSW Government collaborates with the Australian Government in their engagement with the private sector including through protection of assets and people and also working with leading social media companies to support positive alternative narratives to extremist propaganda.

Countering Violent Extremism

65. NSW is committed to a whole of government approach to countering violent extremism. NSW is a member of the Australia New Zealand Counter Terrorism Committee's Countering Violent Extremism Sub Committee, represented by the NSW Department of Premier and Cabinet, NSW Department of Justice, the NSW Police Force and Multicultural NSW. Multiple agencies are represented on a range of national sub committees relevant to their portfolio area.
66. Within NSW, the Countering Violent Extremism Steering Committee reports to the State Counter Terrorism Committee and ensures whole of government coordination. A number of agencies are represented including the Department of Premier and Cabinet, Justice (including Corrective Services NSW and Juvenile Justice NSW), the NSW Police Force, Department of Education, Department of Family and Community Services, Multicultural NSW, NSW Ministry of Health and NSW Treasury.
67. Since 2015 the NSW Government has invested significantly in a range of programs and initiatives aimed to protect young people from violent extremist influences, divert and disengage vulnerable individuals, and safeguard social cohesion against the divisive impacts of extremist hate and fear. A range of NSW agencies work on implementing these initiatives under the Government's \$47 million CVE package.

Fixated persons

68. A fixated person has an obsessive preoccupation that they pursue to an excessive degree. This could be a fixation on a public office holder or a cause.
69. Fixated Persons are assessed and overseen by a joint initiative of the NSWPF Counter Terrorism and Special Tactics Command and NSW Health. Police and Health jointly decide on the actions required to manage a fixated person, where they pose a threat to the safety of an individual or section of the community.
70. Intervention and disruption are based on the threat level and the risk factors associated with each person. The Fixated Persons Investigation Unit is the key NSWPF team responsible for investigating fixated person cases in NSW. Health may work with the local mental health service to support the individual to engage in treatment.
71. This process complements our robust counter terrorism arrangements by seeking to deal with individuals who are not classified as terrorist risks, but are assessed as presenting a threat.



Surface Transport

72. In line with the Inter-Governmental Agreement on Surface Transport Security 2005, NSW is responsible for surface transport operations including security risk assessment and protective security planning and advice.
73. The Mass Surface Transport Security Steering Committee is chaired by NSW Police Force and comprises of representatives from key transport agencies, peak transport industry associations, Transport for NSW, Roads and Maritime Services and the Department of Justice.
74. The committee ensures a consistent strategic approach to transport security planning on both the public and private transport systems.
75. The NSW Police Force, Transport for NSW and transport owners and operators are primarily responsible for the development, implementation and delivery of surface transport security strategies, plans and related protective security advice. The Transport Management Centre, through its operational and public communications functions, is also a critical stakeholder.

Aviation

76. The *Aviation Transport Security Act 2004 (Commonwealth)* establishes a regulatory framework to safeguard against acts of unlawful interference with aviation in respect of Australian registered aircraft in Australian airspace and airports.
77. Security at all NSW airports is the responsibility of the airport owner and operator. Airports declared as security controlled airports under the *Aviation Transport Security Act 2004* are required to prepare a Transport Security Program and must comply with their approved Transport Security Program, the *Aviation Transport Security Act 2004*, and related regulations.
78. NSW maintains responsibility for counter terrorism prevention, preparedness, response and recovery at all airports within NSW. Additionally the Australian Federal Police maintain a full-time policing presence at Sydney Airport, as it is one of nine designated airports within Australia. This function is part of the Unified Policing Model as agreed to by the Council of Australian Governments on 27 September 2005 and meets a commitment to counter terrorism first response. In fulfilling their responsibilities the NSW Police Force engages with the owners and operators of regional airports through a range of security programs and exercises.



Maritime

79. The *Maritime Transport and Offshore Facilities Security Act 2003 (Commonwealth)* establishes a regulatory framework to safeguard against acts of unlawful interference with ports, port facilities, ships and offshore petroleum extraction.
80. NSW maintains responsibility for counter terrorism prevention, preparedness, response and recovery within its internal and state waters. NSW Police Force and other Government agencies engage with port operators and/or Transport for NSW in relation to port security.
81. Where applicable, port owners and operators are supported to implement measures to build resilience and manage maritime threats, preventative security, counter terrorism preparedness strategy and arrangements within port limits.
82. NSW supports the Australian Government's responsibilities for offshore maritime counter terrorism prevention through the Maritime Border Command (a blend of Australian Border Force and Australian Defence Force members) and the States and Territory Police Services Memorandum of Understanding for Co-operation in Maritime Security.

Protection of Crowded Places from Terrorism

83. *Australia's Strategy for Protecting Crowded Places from Terrorism* provides guidance for owners and operators of locations which are easily accessible by large numbers of people on a predictable basis.
84. The Strategy was developed by the Australia-New Zealand Counter Terrorism Committee, with in-depth involvement by the NSW Police Force and includes the following materials:
 - Crowded Places Self-Assessment Tool
 - Crowded Places Security Audit
 - Hostile Vehicle Mitigation Guidelines
 - Chemical Weapon Guidelines
 - Active Armed Offender Guidelines
 - Improvised Explosive Device Guidelines
85. While it is the responsibility of event owner/operators to protect their events from terrorism, we all have an interest in, and a responsibility to protect our crowded places.
86. Organisers of major events and owners and operators of crowded places are encouraged to consider the terrorist threat as part of their risk assessment process and to engage with the



NSW Police Force and other relevant government authorities early in the planning process. NSW Government support coordinated by the NSW Police Force may be provided on the basis of assessed threat.

Chemical Biological Radiological and Nuclear Security

87. NSW develops and implements protective security strategies to manage the illegal or unauthorised use of chemical, biological and radiological agents through a variety of control measures including education, training and awareness raising, licensing, tracking of chemicals, reporting of unaccounted losses, security of premises, vetting of people with access to specified materials and point of sale identification systems. These measures are achieved via legislation, industry-government partnerships and through education and awareness.
88. NSW is a signatory to the 2008 Inter-Governmental Agreement 'An Agreement on Australia's National Arrangements for the Management of Security Risks Associated with Chemicals'.
89. NSW CBRN/Hazmat Steering Committee has responsibility for chemical security in NSW including coordinating awareness raising activities that were developed as part of the Inter-Governmental Agreement.
90. NSW also maintains a multi-agency chemical, biological, radiological and nuclear capability through the NSW Emergency Management Plan and NSW Hazardous Materials/Chemical, Biological, Radiological, Nuclear Management Plan, and supports the National Chemical, Biological, Radiological and Nuclear Security Strategy.
91. The NSW Chemical, Biological, Radiological and Nuclear/Hazardous Materials Steering Committee reports jointly to the State Counter Terrorism Committee and the State Emergency Management Committee. It is chaired by Fire and Rescue NSW and provides specialist advice to the NSW Government on prevention, preparedness, response and recovery capabilities relating to chemical, biological, radiological, nuclear and hazardous materials. This committee is responsible for the development, implementation, maintenance and review of NSW protocols that align to the National Chemical, Biological, Radiological and Nuclear Security Strategy.
92. NSW Police Force collaborates with emergency services through a multi-agency coordination team, to assist the emergency services response to a 'suspicious substance' or to a more specific chemical, biological, radiological and nuclear incident. This team operates within the Counter Terrorism and Special Tactics Command. Notifiable incidents may include but are not limited to the theft, deliberate release or misuse of hazardous materials or chemical, biological, radiological and nuclear materials, including those used in a domestic or industrial nature, as well as security incidents involving radioactive sources.



Response

93. The NSW Government and its agencies are responsible for the operational response to a terrorist act within NSW, with the primary considerations being to minimise loss of life, prevent further incidents and recover as quickly as possible. The Australian Government supports this response as appropriate. The arrangements established by the NSW Counter Terrorism Plan apply to any location within the state, where a terrorism incident occurs.
94. A terrorist incident involving NSW will necessitate high level decision making within the NSW Government, taking account of policy implications, national cooperative responses, public anxiety and any intrastate, interstate, national and international dimension of the incident.
95. The scale or complexity of the incident may also require information sharing and decision making with the Australian Government to determine the level of the National Terrorism Threat Advisory System and whether or not the incident requires the declaration of a National Terrorist Situation.
96. Factors that may lead to the declaration of a National Terrorist Situation include the:
- scale and nature of the incident, including the use of any chemical, biological, radiological or nuclear materials
 - involvement of multiple jurisdictions
 - involvement of Australian Government interests
 - significance of the threat
 - impact of a threat involving civil aviation or maritime operations
 - involvement of critical infrastructure
 - involvement of foreign or international interests.
97. If a National Terrorist Situation is declared, overall responsibility for policy and broad strategy in relation to the situation transfers to the Australian Government, in close consultation with affected states or territories.
98. At all times NSW maintains responsibility for the operational management and deployment of police and emergency services within the state.



Operational and Crisis Arrangements

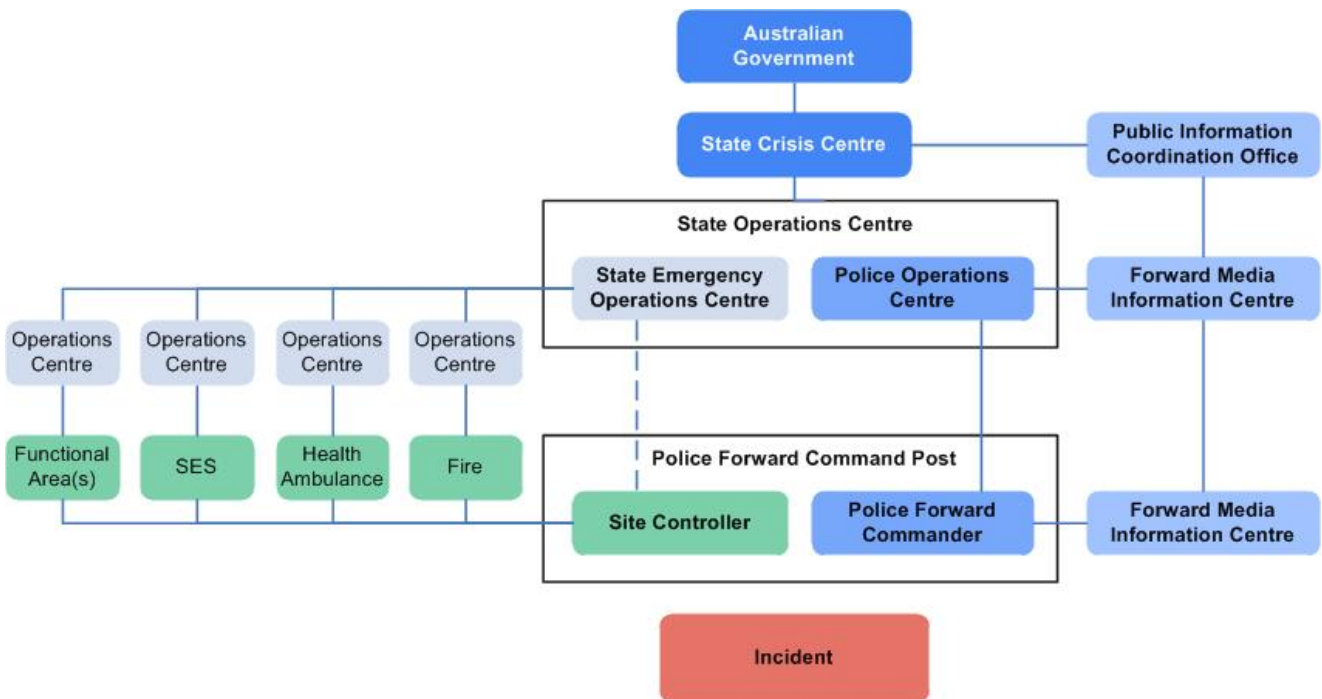
99. As outlined in the NSW State Emergency Management Plan, the NSW Police Force is the designated combat agency for terrorism in NSW. The NSW Commissioner of Police is responsible for the response to, and management of, a terrorist incident within NSW. The NSW Commissioner of Police will appoint a Police Commander who will have operational control of the response to an act of terrorism.
100. Response to incidents of terrorism requires a diverse range of resources, skills and knowledge and requires clearly defined lines of command and control. NSW uses an Incident Command and Control Model to effectively manage such an incident. The Incident Command and Control Model establishes a whole of government approach to the management of terrorist related prevention and response operations within NSW ensuring that the full resources of the NSW Government are available to respond to an incident.
101. The Incident Command and Control Model combines the NSW emergency management arrangements, as defined by the *State Emergency and Rescue Management Act 1989* and the NSW State Emergency Management Plan, with the agreed counter terrorism arrangements outlined by the National Counter Terrorism Plan. It provides the platform for seamlessly addressing the strategic, operational and tactical management of a terrorist incident.
102. The Crisis Policy Committee is chaired by the Premier and includes the Minister for Police, Minister for Counter Terrorism and all Ministers with portfolios relevant to the emergency. The Crisis Policy Committee is responsible for:
- overall policy management
 - liaising with the National Crisis Committee on matters requiring national coordination
 - liaising through the State Crisis Centre with the Commonwealth Crisis Centre on requests for support or information from the Commonwealth Government or other States or Territory Governments
 - oversight of the NSW Government media strategy and coordination of the NSW Government messaging and communication.
103. Two key State-level capabilities can be established in a terrorist incident:
- the NSW State Crisis Centre will be established on advice from the NSW Commissioner of Police to support the Crisis Policy Committee response to a significant threat or incident. This is coordinated by NSW Department of Justice and ensures information is centralised to support the Crisis Policy Committee in decision making, liaison with the Australian and other state and territory governments and coordination of inter-jurisdictional assistance.



- the State Operations Centre, which is a consolidation of the Police Operations Centre and the State Emergency Operations Centre, would be managed by a nominated and trained Police Commander. This unique arrangement is designed to effectively control both crisis and consequence management operations. The State Emergency Operations Centre is managed by the State Emergency Operations Controller to coordinate support to the Police Commander from agencies and functional areas which are business units within NSW Government that perform specific emergency management functions. Agency support that is non-operational would be coordinated through the State Crisis Centre.

104. Police will establish a Police Forward Command Post at the incident site under the command of a Police Forward Commander. If police require support from other agencies, the Incident Command and Control Model provides for a senior police officer (Site Controller) to attend the site and take control of the supporting emergency services and functional areas which may include transport, health, engineering and welfare services. In the event of an attack involving multiple locations, the Police Commander may appoint a number of Police Forward Commanders to manage the respective sites.

Figure 1 – NSW Counter Terrorism Response Arrangements



105. The police forward commander has command of all police resources allocated to the incident site. This role is responsible for the operational management and decision-making relating to



police resources at the incident site, reporting to the Police Commander at the State Operations Centre.

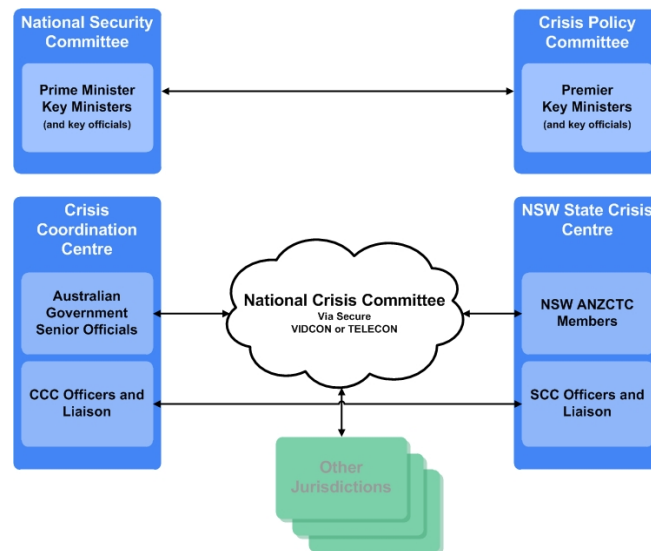
106. A Site Controller may be appointed by the State Emergency Operations Controller to assist the Police Forward Commander. The Site Controller will establish a Site Control at the incident site and assume control of all supporting emergency service organisations and agencies allocated to the incident site. The Site Control is a combination of the Police Forward Command Post and Local Emergency Operation Centre. The Site Controller is responsible for tasking and prioritising the activities of supporting emergency services and functional areas, ensuring relevant information is shared. In the event of an attack involving multiple locations, the State Emergency Operations Controller may appoint a number of Site Controllers to manage the respective sites.

National Crisis Arrangements

107. The National Crisis Committee may be convened in the event of a terrorist incident, or threat, to provide high-level coordination between the Australian Government and state and territory governments. The National Crisis Committee meets via secure video or telephone conference and is comprised of Australian, state and territory senior officials and subject matter experts.

108. The National Crisis Committee ensures alignment of any Australian, state and territory government response to a terrorism incident or threat. The National Crisis Committee, chaired by the Commonwealth Counter-Terrorism Coordinator, considers a range of options for national level policy, strategy, public messaging.

Figure 2: NSW Interaction with National Crisis Management Arrangements





Public Information

109. Under the NSW Counter Terrorism Public Information Response and Recovery Arrangements the NSW Police Force is the lead agency for the management of information to the public in the event of an imminent or actual terrorist incident. The NSW Police Force is the only authorised source for information on casualties including numbers of deceased.
110. The Public Information Functional Area Coordinator is responsible for the coordination, development and provision of public information during a terrorist incident. The Public Information Functional Area Coordinator will coordinate public information support to the State Crisis Centre, State Operations Centre, Site Control, Public Information Coordination Office, Forward Media Information Centre and Emergency Media Centre as required.
111. The Public Information Functional Area Coordinator is responsible for the management of the Public Information Coordination Office and may request additional public information resources from other government agencies as required. Requests for additional resources are coordinated through the State Emergency Operations Controller.
112. A Forward Media Information Centre may be established near the incident site to provide for press conferences and official operational briefings.
113. An Emergency Media Centre may be established by NSW Police Force to provide a location from which local, state, national and international media will receive official briefings, press conferences and liaise with government agencies during and after a terrorist incident.

Community response

114. The NSW Community Resilience and Response Plan, sponsored by Multicultural NSW, details the preparedness, prevention, response and recovery arrangements for a coordinated approach by NSW Government agencies and local government partners to managing and mitigating community harmony risks and improving conditions for community harmony in NSW.
115. The objectives of the Community Resilience and Response Plan are:
- a. To clearly define roles and responsibilities of NSW Government agencies and local government partners in managing and mitigating community harmony risks across the phases of prevention, preparedness, response and recovery
 - b. To facilitate coordination, cooperation and communication across NSW Government agencies and community stakeholders throughout each plan phase



- c. To identify resources available to agencies and communities to assist in implementing the Community Resilience and Response Plan and meeting community harmony objectives
- d. To specify protocols and procedures to activate, implement, evaluate and amend the plan
- e. To establish a Community Resilience and Response Plan Committee and to detail the management arrangements adopted by the Committee.

116. The arrangements developed and outlined in the Community Resilience and Response Plan are available to support emergency operations conducted in accordance with the State Emergency Management Plan.

Surface Transport

117. The operational response and management of all terrorist related surface transport incidents is the responsibility of the NSW Police Force. The NSW Commissioner of Police may consult with Transport for NSW and operators regarding changes to, or cessation, of network services.
118. The NSW Police Force and is responsible for the dissemination of threat information and intelligence through Transport for NSW to transport operators and the transport sector.

Aviation

119. Sydney Airport is one of nine designated airports within Australia where the Australian Federal Police maintain a full-time policing presence. Through the Airport Police Commander the Australian Federal Police has responsibility for counter terrorism first response at Sydney Airport. This does not limit the ability of NSW Police Force to respond to an incident, occurring in the Australian Federal Police area of direct operational responsibility, which requires a police presence. NSW Police Force will take control of the operational response to any terrorist incident as soon as sufficient NSW Police Force resources are available and an officer of an appropriate level is present to assume the role of Police Forward Commander.
120. At regional airports all counter terrorism responses will be under the command of the NSW Police Force.
121. The operational management of all terrorist related aviation incidents involves NSW Police Force working in partnership with Australian Government and state agencies and aviation owners, operators and regulators, including the dissemination of relevant threat information and intelligence to the sector.



122. An airborne aircraft, subject to a threat or act of terrorism, is the responsibility of the Australian Government, including the activation of national level response procedures.

123. An aircraft that is on the ground in NSW and subject to a threat or act of terrorism is the responsibility of the NSW Police Force.

Maritime

124. The NSW Police Force is responsible for the operational command and control of all maritime terrorist incidents within NSW internal and state waters including waterways, shipping channels, ports and port facilities.

125. The Australian Border Force is responsible for controlling the response to offshore maritime terrorist incidents including ships and offshore oil and gas facilities.

126. The operational management of all terrorist related maritime incidents involves NSW Police Force working in partnership with Australian government and state government agencies and maritime owners, operators and regulators, including the dissemination of relevant threat information and intelligence to the sector.

Critical Infrastructure

127. The operational management of all terrorist related critical infrastructure incidents is the responsibility of the NSW Police Force.

128. The NSW Police Force works in partnership with critical infrastructure owners and operators and is responsible for the dissemination of threat information and intelligence to the sector.

129. For Australian Government owned assets, with an Australian Federal Police presence, the initial response will be provided by Australian Federal Police who will hand over control to the NSW Police Force.

Crowded Places

130. The operational management of a terrorist related incident at a crowded place is the responsibility of the NSW Police Force.

131. The NSW Police Force works in partnership with owners and operators of crowded places and is responsible for the dissemination of threat information and intelligence to the sector.



Criminal Investigation

132. The NSW Police Force has a primary role in detecting, preventing and investigating terrorism.

133. Terrorism specific legislation exists within Commonwealth, state and territory statutes. As such, Australian, state and territory police agencies have agreed to cooperate in all cases where jurisdictional considerations overlap. In NSW, this cooperation occurs through the Joint Counter Terrorism Team comprising members of the NSW Police Force, NSW Crime Commission, Australian Federal Police and the Australian Security Intelligence Organisation.

134. The NSW Police Force and law enforcement partners have developed flexible and adaptable investigative arrangements to respond to any terrorist related threat or incident. These arrangements harness the major criminal investigative capability of the NSW Police Force and partners, and provides for a rapid, scalable and sustainable response to any situation.



Recovery

135. The NSW Government has detailed arrangements to support the recovery of individuals and communities following a major emergency. However, the impact of a terrorist incident may be of a scale and complexity that requires special recovery considerations of the impacts on a community. These considerations include:

- Investigation of the Crime Scene. The recovery process will coincide with a detailed investigative process to determine the perpetrators of the incident and the methodology used to conduct the act. Those affected by the incident may be asked to provide evidence to inform these investigations. A protracted investigation following an incident that results in mass casualties and widespread damage is likely and there will be a strong public interest in a detailed and professional examination of the crime scene being undertaken, while at the same time a strong public interest in recovery processes commencing rapidly.
- Public and Business Confidence. In times of turmoil, the public typically looks to government for leadership, advice and support. The restoration of public confidence following a terrorist incident will be a key priority of the NSW Government throughout the recovery process. This will include the dissemination of timely information to the public the provision of appropriate supportive services including support for affected businesses and promoting consumer confidence.
- Victims' of Crime Support. There may be an increased need for mental health support for those directly affected. Affected groups will include survivors who have been physically and/or psychologically injured, witnesses and families of the deceased.
- Social cohesion. There may be an increased need to support communities to maintain social cohesion and community harmony. Social cohesion recovery arrangements are detailed in the NSW Community Resilience and Response Plan (COMPLAN) and the COMPLAN Committee may be convened as a working group of the State Recovery Committee.

NSW Recovery Plan

136. The NSW Recovery Plan outlines the strategic intent, responsibilities, authorities and mechanisms for recovery following a major natural or non-natural disaster.

137. The NSW Recovery Plan has provisions for recovery responses at the local, regional and state level depending on the size and impact of the emergency. It describes the support that can be provided to the coordinating authority during emergency operations.

138. The NSW recovery arrangements described in this plan are consistent with the arrangements in the NSW State Emergency Management Plan and the NSW Recovery Plan.



Recovery Committee

139. Recovery committees are the strategic decision making body for recovery. Recovery committees provide support to local authorities in managing the recovery process. They provide visible and strong leadership and have a key role in restoring confidence to the community through assessing the consequences of the emergency and coordinating recovery activities.
140. Under the *State Emergency and Rescue Management Act 1989*, the State Emergency Recovery Controller is responsible for coordinating the recovery from a significant emergency, including terrorist incidents. The State Emergency Recovery Controller may, in accordance with the Act, issue directions to agencies with functions in connection with the recovery from an emergency.
141. The State Recovery Committee will convene following a significant terrorist incident that requires a coordinated recovery and will be chaired by the State Emergency Recovery Controller.

Crisis Policy Committee

142. While the Crisis Policy Committee would not typically remain in session following the conclusion of the response phase, it may provide initial guidance to the State Recovery Committee during the transition to recovery.

Recovery Coordinator

143. Under the provisions of the NSW Recovery Plan, a Recovery Coordinator may be appointed by the Premier to assist the State Emergency Recovery Controller in the recovery process.

Service Agencies

144. The NSW State Emergency Management Plan, sub plans and supporting plans outline the agencies responsible for recovery services after a major natural or non-natural emergency. These plans and supporting arrangements incorporate local, regional and state level coordination arrangements. More information on these plans is available at www.emergency.nsw.gov.au.

Recovery Centres

145. The recovery centre is a one stop shop that centralises services available through the Australian Government, NSW Government and non-government organisations. These centres streamline the provision of services to people adversely affected by an emergency and openly recognise the importance of empowering members of the community to find the assistance they require to re-establish themselves.



146. A terrorist incident in a highly populated area is likely to affect a widely dispersed population. In an event where there is not a single geographic community impacted, a range of strategies to provide recovery access points will be required. 1800 support telephone lines, websites and social media pages would also be a key strategy for promoting recovery information and services more broadly.



Glossary

Chemical, Biological, Radiological or Nuclear (CBRN) incident

A combination of circumstances or conditions involving CBRN materials intended to cause damage or harm people and the environment.

Critical Infrastructure

Physical facilities, supply chains, information technologies and communication networks which, if destroyed, degraded or rendered unavailable for an extended period, would significantly impact on the social or economic wellbeing of the nation, or affect Australia's ability to conduct national defence and ensure national security.

Combat Agency

Means the agency identified in EMPLAN as the agency primarily responsible for controlling the response to a particular emergency.

Exercise

A pre-planned and structured activity carried out for the purpose of training to develop, validate or evaluate a capability, capacity or interoperability.

National Terrorist Situation

When declared, overall responsibility for policy and broad strategy in relation to that situation transfers to the Australian Government, in close consultation with affected states or territories. This may involve determining overall policy objectives where resources are inadequate, pre-positioning resources, international liaison, and determining public communication messages. The role of the Australian Government does not include operational management and deployment of emergency services. This is the responsibility of the states and territories.

Crowded Places

Crowded places are locations which are easily accessible by large numbers of people on a predictable basis.

Police Forward Commander

The Police Forward Commander is responsible for the operational management and decision-making relating to police resources at the incident site, reporting to the Police Commander at the State Operations Centre.

Recovery Centre

Established in the immediate aftermath of a suspected terrorist incident to provide support to victims, family and friends of people affected by the event. These centres will enable agencies



to follow up those directly affected by the terrorist incident, to ensure they receive access to appropriate services.

Site Control

Site Control is a combination of the Police Forward Command Post and Local Emergency Operation Centre managed by the nominated Site Controller.

Site Controller

Would be appointed by the State Emergency Operations Controller to assist the Police Forward Commander to assume control of all supporting emergency service organisations and agencies allocated to the incident site.

Surface Transport

Any activity or system associated with or relating to the movement of people or goods by rail, road, or waterborne vessels not regulated under the *Maritime Transport Security Act 2003*.

Terrorist Act

Defined under Australian law as an act or threat, intended to advance a political, ideological or religious cause by coercing or intimidating an Australian or foreign government or the public, by causing serious harm to people or property, creating a serious risk to health and safety to the public, or seriously disrupting trade, critical infrastructure or electronic systems (*Criminal Code Act 1995 [Commonwealth]*).

Threat Assessments

Describes the threat to an event, facility, sector or individual.

Transport Precinct

A zone which includes major mass surface transport operations for passengers or freight and any other operations that are physically connected with the transport area.