

## New South Wales

### Emergency Response Planning and Administration

- 7.1 The key policy concepts behind emergency response planning in the State of NSW are set out in the manual *Emergency Management Arrangements for NSW*, issued in September 2003. The governing principles are:
- An all hazards approach where a single set of management arrangements apply to all incidents
  - An all agency approach where all relevant state, local government and non government organisations are involved in emergency management
  - A comprehensive approach where all aspects of an incident are included – prevention, preparation, response and recovery.<sup>1</sup>
- 7.2 In evidence to the Committee the Deputy Director-General of the NSW Premier's Department told the Committee that in the last 12 months the Government had established a Cabinet standing committee on counter terrorism chaired by the Premier. 'The purpose of that committee is to oversee, further develop and augment the arrangements and capabilities at the state level to deal with a terrorist incident or the threat of a terrorist incident.'<sup>2</sup>
- 7.3 At the administrative level is the Chief Executive's Counter-Terrorism Coordinating Group, chaired by the Director-General of the Premier's Department. Both the Cabinet Committee and the Chief Executive's Group

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1 The Emergency Management Arrangements for NSW, State Emergency Management Committee, p. 5.

2 B O'Reilly, Transcript, 18 November 2003, p. 130.

ensure that there are clear and direct lines of communication in place between the State Government and the operational agencies concerned with responding to an incident. The Premier's Department stated:

The police have the responsibility for operational matters, with other agencies contributing to policy formulation and direction on an as required basis. The focal points for the response to an incident are the State Crisis Centre, which has direct links to the Commonwealth, and the Police Operations Centre. Other assistance is also available through the state emergency operations centre, which is the Centre for the Coordinated Response of Emergency Management.<sup>3</sup>

- 7.4 The planning and response capacity of the NSW authorities had been tested by recent events. The Premier's Department told the Committee that the government remained committed to cooperation with the Commonwealth to maintain the quality of its capability:

Over the years, New South Wales has faced many emergencies. It has also planned and hosted the Olympic Games. New South Wales is a willing partner in the national counter-terrorism arrangements and has also taken significant steps to strengthen the overall capabilities of all of its organisations that might be expected to have some role in an incident or the threat of an incident.<sup>4</sup>

## Counter Terrorism Legislative Consistency between State and Commonwealth

- 7.5 The NSW jurisdiction's counter terrorism legislation has recently been made compatible with that of the Commonwealth under the terms of the National Counter Terrorism Agreement. The Committee was informed at its Sydney hearing by the Deputy Director-General of the NSW Cabinet Office that the referral of powers to the Commonwealth had been enacted, as also had amendments to the *State Emergency and Rescue Management Act 1989*. The NSW government had also enacted the *Terrorism (Police Powers) Act 2002* in December 2002.<sup>5</sup>
- 7.6 *The Terrorism (Police Powers) Act 2002* provides for a person to be held for decontamination so that they do not present a threat to other members of

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3 B O'Reilly, Transcript, 18 November 2003, p. 130.

4 B O'Reilly, Transcript, 18 November 2003, p. 130.

5 J L Schmidt, Transcript, 18 November 2003, p. 150

the community and for the controlling authority (generally the police) to establish control over a site by preventing entry to or from it.<sup>6</sup>

7.7 Together with the legislative amendments noted above, legislative basis for counter terrorist and emergency management in NSW resides in *The State Emergency and Rescue Management Act 1989* (SERM Act). The Act sets out the responsibilities of the Minister, the establishment of relevant emergency management committees, the production of disaster plans and arrangements for controlling operations.

7.8 Under the SERM Act the Minister is responsible for:

- Ensuring that adequate measures are taken by government agencies to prevent, prepare for, respond to and assist recovery from emergencies;
- Coordinating the activities of government agencies in taking those measures; and
- Arranging for the preparation and review from time to time of the State Disaster Plan

7.9 Under the SERM Act the State Emergency Management Committee comprising a representative of the Minister, the State Emergency Operations Controller and representatives of the State Emergency Services Organisations including the Police, is responsible for emergency planning and management.<sup>7</sup>

## Consequence Management

### Response capacity

7.10 The capacity to respond to a terrorist incident in NSW has been developed from the recent experience of the State in hosting the Olympic Games in 2000. The NSW Deputy Police Commissioner told the Committee that since the Olympics the approach to counter terrorism had changed with the advent of the September 11 type attack. As a result of this and of the Bali bombing the NSW police conducted two major reviews of their counter terrorism capabilities. A Counter Terrorism Coordination Command was created. More recently, in September 2003:

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6 A P Scipione and BW Howard, Transcript, 18 November 2003, p. 152.

7 The Emergency Management Arrangements for NSW, pp. 8-9

We now have the State Protection Group tactical operations teams...The number of staff allocated to the Counter Terrorism Coordination Command is approaching 400...The other thing we have acknowledged...is to work with the whole of government...we have worked to engage each and every agency.<sup>8</sup>

## Mass Casualty response

- 7.11 The capacity of the NSW health and emergency authorities to respond effectively to a terrorist incident producing mass casualties was outlined at the Committee's Sydney hearing by the CEO of the NSW Ambulance Service. He emphasised the comprehensiveness of the planning and operational delivery:

We have a standing New South Wales health plan and a standing New South Wales ambulance plan that integrate a whole-of-health response for any major disaster producing mass casualties—from the pre-hospital care response and acute hospital treatment to public health issues which inevitably flow from major events, particularly if a contaminant is involved, and also mental health services required at the time and for any community disaster. These responses have become more detailed, as has our response preparedness.<sup>9</sup>

- 7.12 The NSW Ambulance Service explained to the Committee that planning, specialist equipment, resources and training had been rationalized into a central state unit:

All this work has been pulled together by a centralised counter-disaster unit which integrates New South Wales Health and ambulance service planning, training, preparedness and doctrinal development for managing and preparing for major events. This is a permanent unit now housed within the ambulance service. It coordinates all of the equipment, technical analysis and training activities.<sup>10</sup>

- 7.13 As in the other states, the ability of the hospital system to deal in a flexible manner with a surge in demand for specialist services is a feature which has been recently tested:

As to the question of burns, it is important to note that there is substantial capacity across the New South Wales and national

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8 A P Scipione, Transcript, 18 November 2003, p. 139

9 G J Rochford, Transcript, 18 November 2003, p.150.

10 G J Rochford, Transcript, 18 November 2003, p. 151.

health system to flex and respond to any type of casualty that requires specialised treatment. The capability can be expanded at very short notice...The ability of the health system to flex is an important part of our response to any of these sorts of events. The specific capability for burns is available in the number of currently dedicated beds that provide routine care to burns victims across the nation and the ability to designate additional beds in hospitals and to bring on extra staff with skills and expertise in the treatment of long-term burns victims should the number exceed those routine capabilities that are already resident in the system.<sup>11</sup>

## **Chemical, Biological and Radiological Incident response capacity**

- 7.14 With respect to the particular challenges represented by a chemical, biological or radiological attack, the NSW Ambulance Service stated that the capacity to deal with such incidents had already been integrated with the 'all hazards' planning and response:

We have a range of initial response capabilities that will follow a disaster. In particular, we have invested significantly in our ability to respond to a disaster involving a contaminant of any kind—chemical, biological or radiological. Substantial personal protective equipment has been purchased and a vehicle has also been purchased to allow the treatment of contaminated patients without necessarily moving them to the hospital environment and disabling a hospital through subsequent contamination.<sup>12</sup>

- 7.15 Training initiatives have allowed emergency responders to familiarise themselves with the use of the equipment as part of a strategy of continuous improvement:

Those capabilities have involved a substantial training program that allows ambulance officers, nurses and medical first respondents to train together in the use of that equipment in response to a major event and in the exercise of disaster plans. Those joint training exercises have also overlapped to other emergency services, with special casualty access team paramedics with special access skills also being trained in far greater numbers.<sup>13</sup>

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11 G J Rochford, Transcript, 18 November 2003, p.151.

12 G J Rochford, Transcript, 18 November 2003, p. 151.

13 G J Rochford, Transcript, 18 November 2003, p. 151.

- 7.16 The NSW Deputy Police Commissioner referred the Committee to the specialist equipment recently purchased to enable police and emergency services to respond more effectively to CBR incidents:

It has allowed us to purchase a joint aviation asset, which was a significant step forward, in order to transfer and transport urban search and rescue teams, hazards material people or bomb disposal experts from police. We have been able to procure that and it is about to be commissioned in the very near future. We have also been able to have purpose built an armoured vehicle that will allow us to move into contaminated or dangerous situations with a view to resolving them. They have even been used operationally in recent times.<sup>14</sup>

- 7.17 The purchases are part of a:

five year \$17.3 million plan for increased health capacity to respond, which includes 700 personal protective equipment suits, respirators and special decontamination facilities at hospitals across NSW [as well as] the upgrading of two laboratories to provide improved diagnostic facilities.<sup>15</sup>

## Infrastructure protection

- 7.18 NSW is currently participating in the National Counter Terrorism Committee's program for the inventory management of the State's critical infrastructure sites 'identifying them, looking at interdependencies, looking at vulnerabilities'.<sup>16</sup> The process began in NSW in October 2002 and is being oversighted by the Critical Infrastructure Protection Branch in the Commonwealth Attorney-General's Department. The program covers all industry sectors including utilities, energy and transport, 'all of which are being managed positively and in a relatively standard way throughout the states and territories. Risk assessments, business continuity plans and emergency planning have been looked at, security is being upgraded.'<sup>17</sup>

## Aviation Security

- 7.19 The Committee raised with the Committee the issue of aviation security in NSW as part of the critical infrastructure protection strategy. The Director General of the NSW Premier's Department told the Committee that there
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14 A P Scipione, Transcript, 18 November 2003, p. 147.

15 B O'Reilly, Transcript, 18 November 2003, p. 147.

16 B W Howard, Transcript, 18 November 2003, p. 155.

17 B W Howard, Transcript, 18 November 2003, p. 155.

were four security designated airports in the State out of a total of over 30 and that the choice of those four did not appear to be based on clear risk management principles:

Federal legislation has the responsibility for security at the airports. The fundamental issue is that, firstly, if we were to put in all the security in the world we could not guarantee 100 per cent safety. Secondly, is the cost of that security to be borne by the Commonwealth or is it to be borne by the operator? If it were to be borne by the operator, a number of regional airports would shut down; there is no doubt about that. So, in relation to the whole issue of risk assessment for airports, we are saying that the best way would be to have a risk assessment developed for airports. It may be at category levels, depending on the throughput of passengers and that sort of thing and where the landing or destination is...At the moment it is a bit of a scatter gun approach.<sup>18</sup>

7.20 NSW had recently discussed this issue with the Commonwealth:

We recently attended a hearing organised by the Commonwealth, and we gave evidence about why we believe there needs to be better risk assessment associated with non-regulated airports. We have given evidence on that, as have the private operators and councils.<sup>19</sup>

7.21 The Commonwealth informed the Committee at its hearing on 8 March 2004 that DOTARS was undertaking a comprehensive risk assessment program for regional airport security which should be completed by mid 2004.

## Intelligence and Threat Assessment

7.22 Intelligence and threat assessment, including threats to critical infrastructure such as airports is the single most important element in the risk management strategy adopted by all States and Territories. The Deputy Police Commissioner told the Committee that within the NSW Counter Terrorism Coordination Command there is 'a dedicated analytical and intelligence group, which is responsible for looking at national and international trends...it gets access through...ASIO and through the Australian Federal Police to restricted information.'<sup>20</sup>

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18 B O'Reilly, Transcript, 18 November 2003, p.136.

19 B O'Reilly, Transcript, 18 November 2003, p. 133.

20 A P Scipione, Transcript, 18 November 2003, p.138

- 7.23 In general terms, in the Deputy Commissioner's opinion, 'there is nothing to suggest to me that, at any time, the Commonwealth authorities have withheld from New South Wales police that information that we should and would reasonably expect to get.'<sup>21</sup>

## Risk Management

### Communications Interoperability

- 7.24 In addition to the risk management issue raised in the previous section with regard to airport security, an important matter raised with the Committee at its Sydney hearing was that of communications interoperability. The Deputy Director General of the NSW Premier's Department described the issue in the following terms:

Over time, as states have worked independently, one state may have entered into arrangements for a type X communication; another state may have a type B. If something were to happen, and if there is to be a national approach to an issue of terrorism, agencies would be working cross borders, and we have got to make sure that the communications are linked and people can talk to each other quickly and easily. NCTC has recognised that as a major project.<sup>22</sup>

- 7.25 Within the NSW itself the issue of communications interoperability is being dealt with through the Australian Police Ministers Council which is attempting to secure a nationally compatible radio communications system to replace the 64 channel radio frequency block traditionally used for police organisations. The Deputy Police Commissioner told the Committee that 'the NSW Police chaired the first meeting of all states and territories as recently as last week to work through a work plan in terms of providing advice both to the National Counter Terrorism committee and to the Australian Police Ministers.'<sup>23</sup>
- 7.26 In response to a question from the Committee, the Assistant Commissioner of the NSW Fire Brigade pointed out that the NSW Fire

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21 A P Scipione, Transcript, 18 November 2003, p. 146.

22 B O'Reilly, Transcript, 18 November 2003, p. 133.

23 A P Scipione, Transcript, 18 November 2003, p. 133.



**Brigade and the Rural Fire Service suffer similar communications equipment incompatibility:**

To get around the compatibility issues, we have, cooperating in the same frequency bands, dedicated frequencies at command level to work across organisations. But we do not have that ability to work across organisations outside the state borders.<sup>24</sup>

- 7.27 The Committee was told that communications interoperability was a major issue currently facing the states and territories and was one being addressed as a priority by the National Counter Terrorism Committee which had called on all states and territories to set up working groups to identify communications arrangements required to guarantee compatibility nationally.<sup>25</sup>

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24 J B Anderson, Transcript, 18 November 2003, p. 134.

25 B O'Reilly, Transcript, 18 November 2003, p. 135.

