

Volatile Substance Abuse Prevention Act 2005

Part 4 Division 3

Ali Curung Volatile Substance Management Plan

Table of Contents

1. Background.....	2
Definitions of terms used.....	2
2. The management area to which the plan relates	3
3. Practices and procedures relating to the management of the possession, supply and use of volatile substances.....	4
4. Amendment or replacement of management plan	8

1. Background

This plan has been developed in accordance with the provisions of the *Volatile Substance Abuse Prevention Act* (the Act) and represents the decision of residents and other interested persons of the community within the identified area management area, including the Ali Curung Community, Barkly Regional Council, Police and members of the public.

This management plan sets out the practices and procedures to apply in relation to the possession, supply and use of certain volatile substances within the management area, the enforcement of the practices and procedures and applicable penalties for non-compliance.

This management plan applies to all persons (including legal entities) within the Ali Curung management area, and in line with the objects of the *Volatile Substance Abuse Prevention Act*, and is intended to provide protections from the harmful effects of volatile substance misuse.

Definitions of terms used

in use means being used at the time in a substantial way, and does not include a container of the substance being situated in a vehicle or near to the site where the substance will later be used, or for example, transferred into a fuel tank connected to and forming part of a vehicle or machinery, or transferred into containers for application;

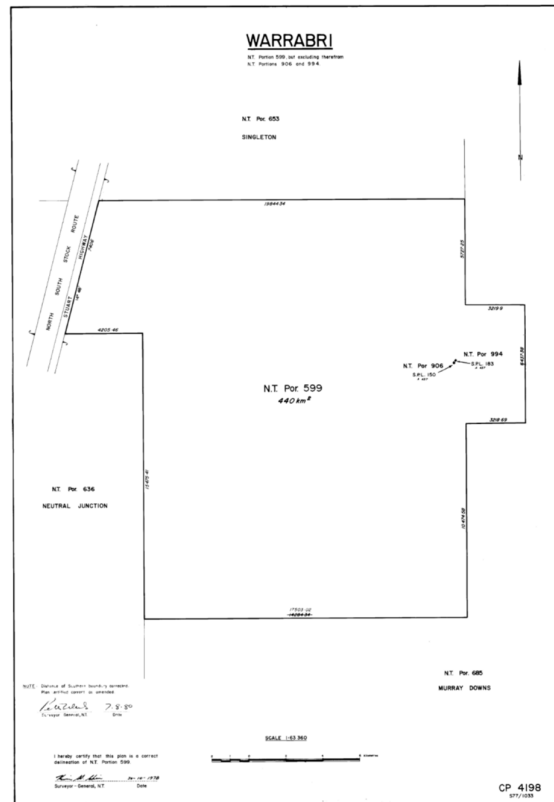
person includes a natural person, an individual in their capacity as a business operator, and a legal entity.

volatile substance is a compound that gives off vapours or fumes at room temperature. Volatile substances are also commonly known as solvents or inhalants. They include butane gas, aerosol sprays (any propellant/gas), petrol, glue, correction fluids, felt-tip markers, paint and paint thinners

2. The management area to which the plan relates

Volatile Substance Abuse Management Area: Ali Curung Locality

All those parcels of land in the Locality of Ali Curung, Northern Territory of Australia containing a total area of 440 square kilometres more or less, being the whole of NT Portions 906 and 994 within the Townsite of Ali Curung and being more particularly delineated on survey plan A/437 lodged with the Surveyor-General, Darwin, together with the whole of NT Portion 599 and being more particularly delineated on survey plan CP4198 lodged with the Surveyor-General, Darwin.



3. Practices and procedures relating to the management of the possession, supply and use of volatile substances

Substance	Practices	Procedures	Enforcement	Penalty
	General	<ol style="list-style-type: none"> 1. Barkly Regional Council is responsible for the erection and maintenance of signs visible to all traffic into and exiting from the management area advising of: <ol style="list-style-type: none"> a) the management area; b) requirements for compliance with the management plan; and c) penalties for non-compliance with the management plan. 2. The Central Land Council is responsible for providing applicants for entry permits to enter any land within the management area with relevant information about the management plan, including where to obtain or inspect a copy of the plan. 	Not applicable.	Not applicable.
Possession of petroleum, diesel, aviation fuel, LP Gas.	Compliance with the procedures specified in this management plan for possession of petroleum, diesel, aviation fuel, LP Gas within the management area is required.	<ol style="list-style-type: none"> 3. Possession of petroleum, diesel, aviation fuel, LP Gas is limited within the management area to low aromatic unleaded fuel (e.g. Opal), diesel and aviation fuels, LP Gas, electricity/batteries for use as motor fuels. 4. Any persons conducting any business or performing work within the management area which requires or involves the possession of petroleum, diesel, aviation fuel, LP Gas (other than within a fuel tank connected to and forming part of a vehicle or machinery) must: <ol style="list-style-type: none"> a) ensure each substance is held in a safe container in accordance with the relevant Australian Standard; b) ensure that each safe container of any substance, when not in use, is stored in a secure facility in accordance with the relevant Australian Standard for storage of the substance(s) and these procedures; c) provide to the NT Police representative at Ali Curung a site specific management plan for the safe possession, storage and use of each substance in the possession of the person (or entity) which includes: <ol style="list-style-type: none"> i. a full inventory of the petroleum, diesel, aviation fuel, LP Gas substances and amounts in the possession of the person; ii. any known, predictable or calculable volumes of substances used, distributed or relocated by the person over a specific period; iii. the location and a detailed description of the manner of storage used for each substance; and 	<p>Section 53 of the <i>Volatile Substance Abuse Prevention Act</i> provides for an offence where a person contravenes a management plan.</p> <p>NT Police may in accordance with sections 117, 118, 119 of the <i>Police Administration Act</i> exercise powers and functions of search and seizure where there is reasonable suspicion of an offence relating to the contravention of the management plan.</p>	100 penalty units or imprisonment for 6 months for contravening a management plan.

Ali Curung Volatile Substance Management Plan

Substance	Practices	Procedures	Enforcement	Penalty
		<ul style="list-style-type: none"> iv. an amended or updated inventory if the person changes the location or manner of storage of any substance, or substances stored by the person (or entity) are changed. d) allow the NT Police representative at Ali Curung to inspect the storage facility and substances stored in the facility for compliance with these procedures e) comply with a reasonable direction by the NT Police representative at Ali Curung in relation to the safe and secure storage of substances in accordance with these procedures 5. Any storage facility, including a 'shipping container' used for storage of substances including petroleum, diesel, aviation fuel, LP Gas must be fitted with a fully operational 'lock shroud' which is secured when the storage facility is not in use. 6. Whenever safe containers of substances including petroleum, diesel, aviation fuel, LP Gas are not in use they must be safely and securely stored in the appropriate storage facility identified in the person's site specific management plan. 		
Possession of paint products, glue products.	Compliance with the procedures specified in this management plan for possession of paint products or glue products within the management area is required.	<ul style="list-style-type: none"> 7. Possession of paint products and glue products containing a volatile substance is limited within the management area is limited to those products that will be used in accordance with their intended purpose. 8. Any persons conducting any business or performing work within the management area which requires or involves the possession of paint products or glue products containing volatile substances must: <ul style="list-style-type: none"> a) ensure each substance is held in a safe container in accordance with the relevant Australian Standard; b) ensure that each safe container of any substance, when not in use, is stored in a secure facility in accordance with the relevant Australian Standard for storage of the substance(s) and these procedures; c) provide to the NT Police representative at Ali Curung a site specific management plan for the safe possession, storage and use of each paint product or glue product in the possession of the person (or entity) which includes: <ul style="list-style-type: none"> i. a full inventory of the paint products or glue products containing volatile substances and amounts in the possession of the person; 	Section 53 of the <i>Volatile Substance Abuse Prevention Act</i> provides for an offence where a person contravenes a management plan. NT Police may in accordance with sections 117,118, 119 of the <i>Police Administration Act</i> exercise powers and functions of search and seizure where there is reasonable suspicion of an offence relating to the contravention of the management plan.	100 penalty units or imprisonment for 6 months for contravening a management plan.

Ali Curung Volatile Substance Management Plan

Substance	Practices	Procedures	Enforcement	Penalty
		<ul style="list-style-type: none"> ii. any known, predictable or calculable volumes of paint products or glue products containing volatile substances used, distributed or relocated by the person over a specific period; iii. the location and a detailed description of the manner of storage used for each paint product or glue product containing volatile substances; iv. an amended or updated inventory if the person changes the location or manner of storage of a paint product or glue product containing volatile substances stored by the person (or entity) are changed; and v. allow the NT Police representative at Ali Curung to inspect the storage facility and substances stored in the facility for compliance with these procedures. <p>d) comply with a reasonable direction by the NT Police representative at Ali Curung in relation to the safe and secure storage of paint products or glue products in accordance with these procedures</p> <p>9. Any storage facility, including a 'shipping container' used for storage of paint products or glue products containing volatile substances must be fitted with a fully operational 'lock shroud' which is secured when the storage facility is not in use.</p> <p>10. Whenever safe containers of paint products or glue products containing volatile substances are not in use they must be safely and securely stored in the appropriate storage facility identified in the person's site specific management plan.</p>		
Supply of petroleum, diesel, aviation fuel, LP Gas.	Compliance with the procedures specified in this management plan for supply of petroleum, diesel, aviation fuel, LP Gas within the management	<p>11. Any persons conducting any business or performing work within the management area which requires or involves the supply of petroleum, diesel, aviation fuel, LP Gas must:</p> <ul style="list-style-type: none"> a) not supply these products to a person if they suspect that the person will either inhale the substance or supply it to another person with the intent to inhale the product. 	Section 52 of the <i>Volatile Substance Abuse Prevention Act</i> provides for an offence for supply of a volatile substance to a second person if the first person knows or ought to know the second person intends: <ul style="list-style-type: none"> a) to inhale the volatile substance; or b) to supply the volatile substance to a third person for inhalation by 	200 penalty units or imprisonment for 2 years for unlawful supply of volatile substances. 100 penalty units or imprisonment for 6 months for contravening a management plan.

Ali Curung Volatile Substance Management Plan

Substance	Practices	Procedures	Enforcement	Penalty
	area is required.		<p>the third person or any other person.</p> <p>Section 53 of the <i>Volatile Substance Abuse Prevention Act</i> provides for an offence where a person contravenes a management plan.</p> <p>NT Police may in accordance with sections 117,118, 119 of the <i>Police Administration Act</i> exercise powers and functions of search and seizure where there is reasonable suspicion of an offence relating to the contravention of the management plan.</p>	
Supply of paint products, glue products.	Compliance with the procedures specified in this management plan for supply of paint products or glue products within the management area is required.	<p>12. Any persons conducting any business or performing work within the management area which requires or involves the supply of paint products or glue products containing volatile substances must:</p> <p>a) not supply these products to a person if they suspect that the person will either inhale the substance or supply it to another person with the intent to inhale the product.</p> <p>(Note: A retailer has the right to refuse to supply a person (to enter into a contract with any other person) with any item/product. Retailers have the right to withdraw particular items from sale).</p>	<p>Section 52 of the <i>Volatile Substance Abuse Prevention Act</i> provides for an offence for supply of a volatile substance to a second person if the first person knows or ought to know the second person intends:</p> <p>a) to inhale the volatile substance; or</p> <p>b) to supply the volatile substance to a third person for inhalation by the third person or any other person.</p>	<p>200 penalty units or imprisonment for 2 years for unlawful supply of volatile substances.</p> <p>100 penalty units or imprisonment for 6 months for contravening a management plan.</p>

Ali Curung Volatile Substance Management Plan

Substance	Practices	Procedures	Enforcement	Penalty
			<p>Section 53 of the <i>Volatile Substance Abuse Prevention Act</i> provides for an offence where a person contravenes a management plan.</p> <p>NT Police may in accordance with sections 117, 118, 119 of the <i>Police Administration Act</i> exercise powers and functions of search and seizure where there is reasonable suspicion of an offence relating to the contravention of the management plan.</p>	

4. Amendment or replacement of management plan

In accordance with Division 3, section 51 of the *Volatile Substance Abuse Prevention Act 2005* the management plan may be amended or replaced:

1. A minimum of 10 residents of a management area, or a community council for a council area within which there is a management area or part of a management area, may:
 - a) prepare an amendment to the management plan for the management area; or
 - b) prepare a new management plan to replace the management plan for the management area.
2. Section 50 applies (with the necessary changes) in relation to an amendment to or replacement of a management plan but, if the Minister considers that an amendment is of a minor nature, the Minister need not hold the meeting referred to in section 50(4).