

## **Volatile Substance Abuse Prevention Act 2005**

### **Part 4 Division 3**

# **Gapuwiyak Locality Volatile Substance Management Plan**

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## 1. Background

On 4th December 2010 the area described as Gapuwiyak Volatile Substance Abuse Management area was declared a management area pursuant to section 47(2)(a) of the Volatile Substance Abuse Prevention Act (the Act).

This management plan for the Gapuwiyak has been developed in accordance with the requirements of the Act and represents the express wishes of residents within the area including the Local reference Group, Community Advisory Board, East Arnhem Council, Gapuwiyak CEC, Laynhapuy Homelands Association NT Police, Arnhem Land Progress Association (ALPA) and other interested persons.

The plan details community management of the possession, supply and use of volatile substances, specifically 'sniffable fuels' and is complimentary to and not in derogation of the provisions of the Act.

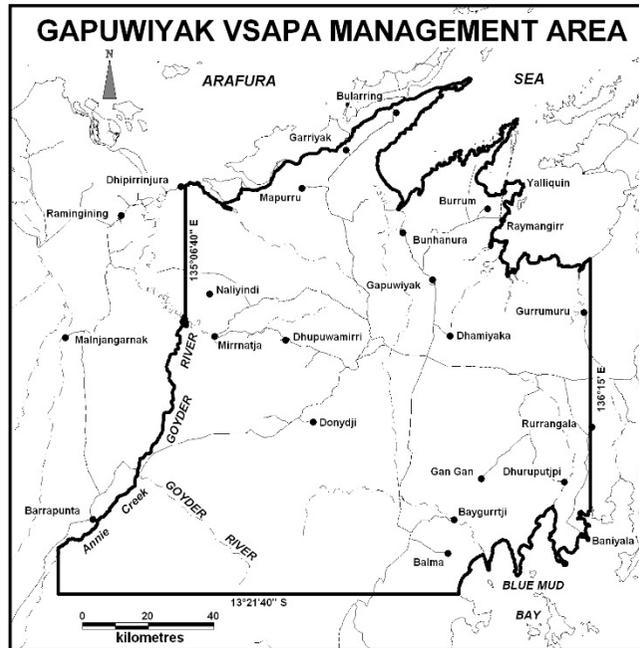
The Gapuwiyak Community does not permit the passive observation/supervision of volatile substance misuse, therefore any entity including an individual conducting business or living within the Gapuwiyak Management Area must comply with the practices and procedures of this management plan.

## 2. The management area to which the plan relates

Volatile Substance Abuse Management Area Gapuwiyak Locality

All that parcel of land near Gapuwiyak in the Northern Territory of Australia bounded by lines described as follows:

Commencing at the intersection of the meridian of East Longitude 135 degrees 6 minutes 40 seconds with the Low Water Mark of the Arafura Sea; thence generally easterly, north-easterly, south-westerly, again north-easterly, southerly and again easterly by the said Low Water Mark and across the mouths of all creeks and rivers contiguous to the sea coast to intersect the meridian of East Longitude 136 degrees 15 minutes; thence south along the said meridian to intersect the Low Water Mark of Blue Mud Bay; thence generally south-westerly, north-westerly, again south-westerly, again north-westerly and again south-westerly by the said Low Water Mark and across the mouths of all creeks and rivers contiguous to the sea coast to intersect the parallel of South Latitude 13 degrees 21 minutes 40 seconds; thence east by the said parallel to a point due south of the intersection of the eastern bank of Annie Creek and the parallel of South Latitude 13 degrees 15 minutes; thence north to the said intersection point on Annie Creek; thence generally north-easterly by the eastern banks of Annie Creek and Goyder River to intersect the meridian of East Longitude 135 degrees 6 minutes 40 seconds; thence north by the said meridian to the point of commencement, all geographical co-ordinates quoted herein being on the Australian Geodetic Datum 1966 and the position of Low Water Mark described herein being as at Lowest Astronomical Tide.



## 3. Monitoring and management

The Gapuwiyak Advisory Board and Mala Leaders Group shall undertake to implement, administer, review and revise the Gapuwiyak VSA Management Plan as necessary.

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

Substance	Practices	Procedures	Penalty
<p>Possession, supply and use of volatile substances.</p>	<p>The plan will manage the possession, supply and use of volatile substances in the Milingimbi management area.</p>	<p>Only Low aromatic unleaded fuel (e.g. Opal), Diesel and Aviation fuels are permitted as motor fuels within the Gapuwiyak Volatile Substance Management area.</p> <p>All persons residing or employed within the Gapuwiyak VSA Management area will take “reasonable care” in the use, securing and disposal of volatile substances.</p> <p>All contractors situated within the Gapuwiyak community will provide the NT Police representative at Gapuwiyak a full inventory of all volatile substances and amounts stored on site, and will allow the NT Police representative to inspect the storage facility to be used for storage of volatile substances</p> <p>Non-residents guilty of an offence under the Gapuwiyak VSA Management Plan will be reported to Traditional Owners, or any relevant contracting parties (e.g. Local Reference Group, East Arnhem Regional Council) who may decide to cancel their entry permit, or take other action as deemed appropriate by them.</p> <p>East Arnhem Regional Council will erect signs visible to all traffic entering into and exiting from the management area (e.g. Entry road) advising of the management area, the existence of the management plan and associated restrictions and that it is an offence to breach the plan.</p> <p>Residents, visitors, government and non government service providers known to be entering or within the management area will be advised of the management plan and where to obtain or inspect a copy of the plan. (East Arnhem Regional Council)</p> <p>Residents, visitors, government and non government service providers will only use vehicles fuelled with either diesel, low aromatic fuels (Opal), or other approved fuels (e.g. LP Gas, battery/electricity) (‘sniffable unleaded fuel is prohibited). Diesel and low aromatic fuel is available in Gapuwiyak and Nhulunbuy.</p>	<p>100 penalty units or imprisonment for 6 months for contravening a management plan</p> <p>200 penalty units or imprisonment for 2 years for unlawful supply of volatile substances.</p> <p>A person must not supply a volatile substance to a second person if the first person knows or ought to know the second person intends:</p> <ul style="list-style-type: none"> <li>(a) inhale the volatile substance; or</li> <li>(b) to supply the volatile substance to a third person for inhalation by the third person or any other person.</li> </ul>

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Substance	Practices	Procedures	Penalty
		<p>All persons applying to the East Arnhem Regional Council or Northern Land council for a permit to enter any land encompassed within the management area will be advised of the management plan and where to obtain or inspect a copy of the plan.</p> <p>All persons will be encouraged to report any breaches of the management plan to the NT Police, Community Night Patrol, East Arnhem Regional Council, and Laynhapuy Homelands Association as soon as possible. The identity of any informer will be kept confidential in accordance with Part 5, Division 2 of the Act.</p> <p>'Shipping container' will be used as storage for volatile substances and must be fitted with a 'lock shroud'. All volatile substances will be stored in appropriate shipping containers overnight.</p> <p>Volatile substances are not to be stored within vehicles, or 'tool boxes' in vehicles overnight. During 'normal work hours' any volatile substances stored in vehicles must be kept secured at all times.</p> <p>All contractors and residence will comply with reasonable direction from NT Police representative regarding the security, storage, and disposal of any volatile substances, or tools/equipment which may be used to access volatile substances.</p>	
<p>Engagement by minors in the inhalation of volatile substances.</p>	<p>No person over the age of 18 years will coerce, encourage, assist or facilitate any person under the age of 18 years to engage in volatile substance abuse.</p>	<p>All individuals including government and non government service providers and contractors will comply with the practices and procedures contained within the management plan.</p> <p>Any person residing or employed within the Gapuwiyak VSA Management area will report any evidence of volatile substance abuse (bottles with paint or glue inside, individuals seen engaging in volatile substance abuse) to the Gapuwiyak Clinic, East Arnhem Regional Council, NT Police or Gapuwiyak CEC representative, who then will contact the most appropriate agency/person.</p>	

**Gapuwiyak Locality Volatile Substance Management Plan**

Substance	Practices	Procedures	Penalty
<p>Possession and use of fuel that may be used for inhalation.</p>	<p>No person in the management area will possess petrol other than indicated in the procedures</p>	<p>The agency responsible for the supply of fuels for the local fuel bowsters will ensure that only fuel that can not be used for inhalation is available for sale in the area. (e.g. Low aromatic fuel and diesel)</p> <p>East Arnhem Regional Council will ensure that all approved contractors into the area requiring fuel (e.g. butane gas) that may be used for inhalation and that is required for the operation of equipment are notified that it may only be brought into the area for that purpose, and the contractor is responsible for such fuel and equipment to be secured from tampering by unauthorised persons at all times (sniffable unleaded fuel is prohibited).</p> <p>Persons, other than contractors approved by the East Arnhem Regional Council, Local Reference Group, suspected of possessing fuel that may be used for inhalation may be in breach of this part of the management plan and will be notified to Police by the person/s with the suspicion of a breach.</p> <p>Any contractor who is suspected of failing to ensure the security of equipment requiring fuel that may be used for inhalation or failing to ensure the security of the fuel itself may be in breach of this part of the management plan and will be notified to Police by the person/s with the suspicion of a breach.</p>	
<p>Possession and use of paint and/or glue that may be used for inhalation</p>	<p>No person in the area will possess paint and/ or glue other than described in the procedures.</p>	<p>All contractors, government and non government agencies and business that possess paint or glue that may be use for inhalation will ensure that these substances are secured from unauthorised access at all times.</p> <p>All contractors, government and non government agencies and business that possess paint or glue that may be use for inhalation will ensure that tools (bolt cutters etc) and equipment that could be used to access these volatile substances are secured from unauthorised access at all times.</p> <p>Any contractor, government and non government agency or business who is suspected of failing to ensure the security of paint or glue that may be used for inhalation and or tools/equipment used to access these volatile substances may be in breach of this part of the management plan and will be notified to Police by the person/s with the suspicion of a breach.</p>	

**Gapuwiyak Locality Volatile Substance Management Plan**

<b>Substance</b>	<b>Practices</b>	<b>Procedures</b>	<b>Penalty</b>
Supply of fuel that may be used for inhalation.	No person will supply petrol that may be used for inhalation to any person for any purpose in the management area.	Any person/s suspected of supplying fuel that may be used for inhalation to any person in the management area may be in breach of this part of the plan and will be notified to Police by the person/s with the suspicion of a breach.	200 penalty units or imprisonment for 2 years for unlawful supply of volatile substances:
Supply of paint and/or glue that may be used for inhalation.	No person/s will supply paint and/or glue that may be used for inhalation to any person other than indicated in the procedures.	Paint and/or glue that may be for inhalation will NOT be supplied or sold to another person/s by businesses/agencies or individuals if they believe that the volatile substance maybe used for inhalation within the Gapuwiyak VSA Management area.  Persons suspected of supplying paint and/or glue that may be used for inhalation to any person in the area may be in breach of this part of the plan and will be notified to Police by the person/s with the suspicion of a breach.	200 penalty units or imprisonment for 2 years for unlawful supply of volatile substances:

**5. Amendment or replacement of management plan**

In accordance with section 51 of the Act a management plan may be amended and/or replaced with a new management plan by:

1. A minimum of 10 residents of a management area; or
2. A community council for a council area within which there is a management area or part of a management area.

Section 50 applies (with the necessary changes) in relation to an amendment to or replacement of a management plan.