

NORTHERN TERRITORY OF AUSTRALIA
JABIRU TOWN DEVELOPMENT (PLANTS) BY-LAWS

TABLE OF PROVISIONS

By-law

1. Citation
2. Definitions
3. Noxious plants
4. Only approved plants to be introduced, &c.
5. Permit to introduce, &c., plant
6. Destruction of plant introduced, &c., without permit
7. Removal of grass, weeds, &c.
8. Duty of owner

SCHEDULE 1
SCHEDULE 2
SCHEDULE 3
SCHEDULE 4
SCHEDULE 5

NORTHERN TERRITORY OF AUSTRALIA

Regulations 1983, No. 5*

By-Laws under the *Jabiru Town Development Act*

The Jabiru Town Development Authority in pursuance of section 31 of the *Jabiru Town Development Act*, at a meeting held on the 27th day of January 1983, made the following By-laws and, for the purposes of section 63(2)(a) of the *Interpretation Act*, authorized Geoffrey Ernest Stolz, its Chairman, to sign them.

Dated this fourth day of February, 1983.

G.E. STOLZ
Chairman

JABIRU TOWN DEVELOPMENT (PLANTS) BY-LAWS

1. CITATION

These By-laws may be cited as the Jabiru Town Development (Plants) By-laws.

2. DEFINITIONS

In these By-laws, unless the contrary intention appears -

"approved plant" means a plant listed in Schedule 1;

"Director" means the Director of National Parks and Wildlife appointed under the *National Parks and Wildlife Conservation Act 1975* of the Commonwealth;

"land" includes premises;

"noxious plant" means a plant listed in Schedule 2;

"plant" includes a member of the plant or fungus kingdom and seeds and parts of plants;

* Notified in the *Northern Territory Government Gazette* on 18 February, 1983

Jabiru Town Development (Plants) By-laws

"propagate", in relation to a plant, includes the cultivation of a plant;

"town area of Jabiru" means the area administered by the Authority.

3. NOXIOUS PLANTS

(1) A person shall not introduce into or propagate in the town area of Jabiru a noxious plant.

Penalty: \$200.

(2) Without prejudice to proceedings which it may institute in respect of a contravention of, or failure to comply with, clause (1), the Authority may, upon giving not less than 24 hours notice of its intention to do so to the occupier of land upon which there is a noxious plant, enter upon the land and take all necessary steps to destroy or eradicate and remove all traces of the noxious plant and recover from that occupier of the land the cost of so doing as a debt due and payable to the Authority by the person on whom that notice was served.

4. ONLY APPROVED PLANTS TO BE INTRODUCED, &c.

A person shall not introduce into or propagate in the town area of Jabiru a plant, not being a noxious plant, unless the plant is -

(a) an approved plant; or

(b) the subject of a permit issued under by-law 5.

Penalty: \$200.

5. PERMIT TO INTRODUCE, &c., PLANT

(1) An application for a permit to introduce into or propagate in the town area of Jabiru a plant, which is not an approved plant or noxious plant, shall be made to the Authority in accordance with the form in Schedule 3.

(2) The Authority shall refer an application under clause (1) to the Director for his recommendation.

(3) After receipt of the Director's recommendation in relation to an application under clause (1), the Authority shall determine the application.

(4) A permit to introduce into or propagate in the town area of Jabiru a plant, which is not an approved plant or noxious plant, may be issued by the Authority and shall be in accordance with the form in Schedule 4.

6. DESTRUCTION OF PLANT INTRODUCED, &c., WITHOUT PERMIT

(1) Where the Authority has reason to believe that a person has introduced into or propagated in the town area of Jabiru a plant in contravention of by-law 4, it may -

- (a) enter on the land where the plant has been introduced or propagated;
- (b) as it thinks fit, take such steps to remove and destroy the plant; and
- (c) ensure, where necessary by a further entry onto the land, that all traces of the plant have been removed from the land in or on which it had been introduced or propagated.

(2) Where the Authority considers that a plant which has been introduced or propagated by a person in contravention of by-law 4 is, although not an approved plant, a plant which might reasonably be included in Schedule 1, the Authority may, instead of removing and destroying the plant, by notice in writing, require the person, within the time specified in the notice, to submit an application under by-law 5 in respect of that plant.

(3) The service of a notice under clause (2) shall not, where the notice is not complied with within the period specified in it, prevent the Authority from taking proceedings under by-law 4 in respect of the introduction or propagation of the plant described in the notice.

7. REMOVAL OF GRASS, WEEDS, &c.

(1) Where the Authority considers that grass, weeds or other growth on land is, or is likely to become flammable or cause a nuisance, it may serve on the occupier of the land a notice in accordance with the form in Schedule 5, requiring him to carry out such work as is specified in the notice.

(2) A notice under clause (1) may, in addition to or in substitution for the work specified in the notice, require an effective firebreak to be established in such position on the land and within such period, being not less than 2 days nor more than 21 days after the date of the notice, as is specified in the notice.

(3) The Authority may, where it cannot ascertain the identity of the occupier of land in respect of which it desires to serve a notice under this by-law, serve the notice on the owner of the land.

Jabiru Town Development (Plants) By-laws

(4) A person who fails to comply with a notice served under this by-law within the period specified in the notice is guilty of an offence.

Penalty: \$100 plus \$20 for each day during which the offence continues.

(5) The Authority may, without prejudice to any proceedings it may initiate in respect of an offence against clause (4), after the expiry of the period specified in the notice served under clause (1), carry out the work specified in the notice and recover the cost of so doing as a debt due and payable to the Authority by the person or persons on whom that notice was served.

8. DUTY OF OWNER

(1) Where the whole or part of a debt due and payable under by-law 3(2) or 7(5) is outstanding after 3 months since the debt became due and payable, the amount of the debt outstanding is a debt due and payable by the owner of the land.

(2) Subject to clause (1), nothing in these By-laws shall affect the contractual obligations which may exist between the owner and occupier of land.

SCHEDULE 1

By-law 2

APPROVED PLANTS

Botanical Name

Common Name

Part A - Trees and Shrubs

Ornamental Trees

<i>Anthocephalus cadamba</i>	Phillippine Wonder Tree/Kadam
<i>Bauhinia variegata</i>	Bauhinia
<i>Callitris intratropica</i>	Northern Cypress Pine
<i>Calophyllum inophyllum</i>	Oil Nut Tree
<i>Cassia fistula</i>	Golden Shower
<i>Cassia javanica</i>	Pink Cassia
<i>Citharexylum subserratum</i>	Fiddlewood
<i>Carpentaria acuminata</i>	Carpentaria Palm

Jabiru Town Development (Plants) By-laws

Botanical Name	Common Name
<i>Dillenia alata</i>	Red Beech
<i>Eucalyptus camaldulensis</i>	River Red Gum
<i>Eucalyptus torelliana</i>	Cadagi
<i>Eugenia suborbicularis</i>	Bush Apple
<i>Ficus elastica</i>	Rubber Tree
<i>Jacaranda mimosifolia</i>	Jacaranda
<i>Khaya senegalensis</i>	African Mahogany
<i>Lagerstroemia flos-reginae</i>	Queen's Crepe Myrtle
<i>Lysiphyllum cunninghamii</i>	Pegunny
<i>Plumeria acutifolia</i>	Frangipani
<i>Plumeria rubra</i>	Pink Frangipani
<i>Samanea saman</i>	Rain Tree
<i>Tamarindus indica</i>	Tamarind
<i>Tectona grandis</i>	Teak
<i>Terminalia catappa</i>	Indian Almond

Fruit Trees

<i>Anacardium occidentale</i>	Cashew
<i>Artocarpus heterophyllus</i>	Jacfruit
<i>Averrhoa carambola</i>	Five Corner
<i>Carica papaya</i>	Papaw
<i>Citrus spp.</i>	Citrus
<i>Cocos nucifera</i>	Coconut
<i>Durio zibethinus</i>	Durian
<i>Mangifera indica</i>	Mango
<i>Musa sapientum</i>	Banana
<i>Nephelium lappaceum</i>	Rambutan
<i>Persea americana</i>	Avocado

Shrubs

<i>Acalypha godseffiana</i>	Acalyapha
<i>Aralia balfouri</i>	
<i>Bauhinia galpinii</i>	
<i>Calytrix spp.</i>	Fringe-Myrtles
<i>Codiaeun spp.</i>	Crotons
<i>Cycas media</i>	Zamia Nut
<i>Hibiscus rosa-sinensis</i>	Hibiscus
<i>Euphorbia pulcherrima</i>	Pointsettia
<i>Ixora coccinea</i>	
<i>Lagerstroemia indica</i>	Pink Crepe Myrtle
<i>Mussaenda luteola</i>	
<i>Pedilanthus tithymaloides</i>	Zig Zag Plant
<i>Poinciana gillesii</i>	Bird of Paradise
<i>Polyscias guilfoylei</i>	Wild Coffee
<i>Ptychosperma elegans</i>	Elegant Palm
<i>Ravenala madagascariensis</i>	Travellers Palm
<i>Russelia equisetiformis</i>	Coral Plant
<i>Strelitzia angusta</i>	Great White Strelitzia
<i>Thevetia nerifolia</i>	Yellow Oleander

Jabiru Town Development (Plants) By-laws

Botanical Name

Common Name

Part B - Plants and Vegetables

Herbaceous and Ground Cover

<i>Caladium humboldtii</i>	Miniature Caladium
<i>Canna</i> sp.	
<i>Cenchrus ciliaris</i>	Buffel grass
<i>Chloris gayana</i>	Rhodes grass
<i>Monstera deliciosa</i>	Monstera
<i>Paspalum notatum</i>	Bahia Grass
<i>Sansevieria zeylanica</i>	Snake Plant
<i>Stylosanthes humilis</i>	Townsville Stylo
<i>Sorghum bicolor</i>	Sorghum

Climbers

<i>Allamanda cathartica</i>	Allamanda
<i>Bougainvillea spectabilis</i>	Bougainvillea
<i>Clerodendrum thomsoniae</i>	Clerodendron
<i>Jasminum</i> spp.	Jasmine
<i>Mucuna gigantea</i>	Burny Bean
<i>Quisqualis indica</i>	Rangoon Creeper

Fruiting Plants

<i>Ananas sativus</i>	Pineapple
<i>Passiflora edulis</i>	Passionfruit
<i>Saccharum officinarum</i>	Sugar Cane

Vegetables

Aubergine
Beetroot
Beans
Broccoli
Brussel sprouts
Cabbage
Carrot
Cauliflower
Capsicum
Chinese cabbage
Cucumber
Endive
Kohl Rabi
Marrow
Lettuce
Onion
Okra
Parsely
Pumpkin
Radish

Botanical Name	Common Name
	Rhubarb
	Rockmelon
	Watermelon
	Silver Beet
	Sweet Potato
	Turnip
	Tomato
	Zucchini

Decorative Indoor Plants

<i>Aglaonema pictum</i>	Dwarf Caladium
<i>Billbergia nutans</i>	Queen's Tears
<i>Dracaena godseffiana</i>	Gold Dust Dracaena
<i>Hedera helix</i>	English Ivy
<i>Pilea cadierei</i>	Aluminium plant
<i>Aglaonema curtisii</i>	
<i>Alocasia amazonica</i>	Giant Caladium
<i>Maranta arundinacea</i>	Arrowroot
<i>Philodendron selloum</i>	Tree Philodendron
<i>Anthurium andreanum</i>	Palette Flower
<i>Alocasia purpurea</i>	Giant Caladium
<i>Alpinia sanderiana</i>	Ribbon Plant
<i>Dieffenbachia amoena</i>	Striped Dumb Cabe
<i>Dracaena angustifolia</i>	
<i>Schefflera actinophylla</i>	Umbrella Tree
<i>Cissus discolor</i>	
<i>Hoya carnososa</i>	Wax Plant

Jabiru Town Development (Plants) By-laws

SCHEDULE 2

By-law 2

NOXIOUS PLANTS

Botanical Name	Common Name
<u>Trees</u>	
<i>Anona diversifolia</i>	Anona blanca
<i>Leucaena glauca</i>	Leucaena
<i>Psidium guajava</i>	Guava
<i>Spathodea campanulata</i>	South African Tulip Tree
<i>Ziziphus mauritiana</i>	Chinese Apple
<u>Shrubs</u>	
<i>Cassia alata</i>	
<i>Cassia obtusifolia</i>	
<i>Opuntia</i> spp.	Prickly Pear
<u>Climbers</u>	
<i>Cryptostegia grandiflora</i>	Rubber Vine
<i>Antigonon insigne</i>	Coral-Vine
<u>Herbaceous</u>	
<i>Impatiens</i> spp.	Balsam
<i>Hibiscus sabdariffa</i>	
<i>Cenchrus echinatus</i>	Mossman River Grass
<i>Brachiaria mutica</i>	Para Grass

Jabiru Town Development (Plants) By-laws

SCHEDULE 3

NORTHERN TERRITORY OF AUSTRALIA

Jabiru Town Development (Plants) By-laws

By-law 5(1)

APPLICATION FOR PERMIT TO INTRODUCE OR PROPAGATE
A PLANT, NOT BEING AN APPROVED PLANT

I, of
(name) (address)

HEREBY APPLY for a permit to introduce into or propagate in the town area of Jabiru a plant which is not an approved plant or noxious plant, and submit the following details in respect of the said plant.

DETAILS OF PLANT

- 1.1 Botanical name:
- 1.2 Family:
- 1.3 Synonyms:
- 1.4 Common Name(s):

- 2.1 Describe, in general terms, the appearance of the plant.
- 2.2 Is the species annual, biennial or perennial? If perennial, give an estimate of life span.
- 2.3 Is the species fire adapted, and if so, in what way?

PROPOSED USE

- 3.1 For what purpose is the species to be used?
- 3.2 Where and in what situation is it intended to use the species?
- 3.3 Has the species been used in environments similar to those of the Alligator Rivers Region? If so, give details.
- 3.4 Are there any other species native to, or already introduced into, the Alligator Rivers Region which could fulfil the same purposes. If so, give details and indicate why these cannot be used.

Jabiru Town Development (Plants) By-laws

ESTABLISHMENT AND MANAGEMENT

- 4.1 In what form is it proposed to establish the species? (seed, cuttings, seedlings, &c.)
- 4.2 Do you expect that supplementary watering and fertilising will be required to establish and/or maintain this species?
- 4.3 Are plants of the species subject to major insect attack or disease? If so, what specific control measures are required?

WEED POTENTIAL

- 5.1 In any of the areas referred to in 3.3 or 3.4 has the species reproduced or spread beyond cultivation or persisted after cultivation has ceased? If so provide details.
- 5.2 Is the plant a proclaimed noxious weed anywhere in Australia or known as a weed or nuisance in tropical environments? If so, supply details.
- 5.3 In the event that the species has to be eradicated, what measures would be appropriate?

POTENTIAL HAZARDS

- 6.1 Do plants of this species exhibit properties that could prove hazardous to humans or animals.
 - eg. - instability in high winds
 - toxic or irritating properties
 - host to toxic or irritating agents.

INFORMATION SOURCES

7.1 Provide references for texts
and contacts for individuals
or organizations contributing
information relevant to the
assessment of the application.
(Where possible copies of
relevant literature should be
attached.)

Signature

Date/...../.....

SCHEDULE 4

NORTHERN TERRITORY OF AUSTRALIA

Jabiru Town Development (Plants) By-laws

By-law 5(4)

PERMIT TO INTRODUCE OR PROPOGATE A PLANT,
NOT BEING AN APPROVED PLANT

Permission is hereby granted for
(name)

.....
to introduce into/propagate in* the town area of Jabiru
the plant commonly known as, the botanical
name being

Special conditions for the introduction/propagation* of
this plant are:

.....
.....
.....
.....

Dated this day of, 19 ..

.....
Signature of person authorized
by the Jabiru Town Development
Authority

* Delete if inapplicable

SCHEDULE 5

NORTHERN TERRITORY OF AUSTRALIA

Jabiru Town Development (Plants) By-laws

By-law 7

NOTICE TO REMOVE GRASS OR WEEDS

To
(full name)

of
(address)

You are hereby given notice that you are required to
destroy/clear*
(botanical name of grass or weed)
commonly known as
from the land located at
of which you are the owner/occupier*.

This notice may be complied with by
(specify measures to be undertaken to comply with notice)

Such measures shall be commenced not later than ../.../..
(date)

and shall be completed by ../.../...
(date)

Where this notice has not been complied with within the
time specified in it, the Authority may destroy, or clear
your property of, the specified plants at your expense
and, where it thinks fit, recover all or part of the
expense in a court of competent jurisdiction.

Dated this day of, 19 ..

.....
Signature of person authorized
by the Jabiru Town Development
Authority

* Delete if inapplicable.
