Department of Primary Industries

FACTSHEET

Nuisance bees

Doug Somerville,
Technical Specialist, Honey Bees, Goulburn

Beekeepers can do much to reduce possible inconvenience to the general public. See Primefact No. 894 *Backyard beekeeping*:

www.dpi.nsw.gov.au/agriculture/livestock/honey-bees/management/responsibilities/backyard

Likewise, the public should appreciate that the presence of a managed bee hive is not necessarily threatening.

Bees are an important insect in our community and economy, being responsible for the majority of the pollination of flowering plants, both in urban and rural areas. Beekeeping can also be a rewarding and interesting hobby.

Legal requirements

Section 18 of the Apiaries Act 1985 (www.legislation.nsw.gov.au) empowers the Director-General of NSW Department of Primary Industries to prohibit the keeping of bees on premises which are unsuitable for that purpose because the bees are a public nuisance or are a danger to public health and safety. It is limited to bees that are hived and under some form of management. NSW DPI does not have a legal obligation covering feral colonies or swarms.

In cases where bees on a particular premises are such a danger to public health or public safety as to require the immediate removal of the bee hives, an inspector may, without notice, cause the bee hives to be removed and relocated to another place.

If you have a complaint about bee hives or bee activity, you should first investigate all other possible solutions, ie contact the owner of the bee hives. If this does not produce a satisfactory result, then contact the NSW DPI Regulatory Specialist, Apiaries who is available to discuss your concerns:

Phone: 02 6741 8374.

If you wish action to be taken, you will need to submit a report outlining as much detail as possible. *Nuisance bee report form*:

http://www.dpi.nsw.gov.au/__data/assets/pdf_file/0011/116597/nuisance-bee-report.pdf

This will include your name and address; the name and address of the person who owns the bees, if known; the reasons for your concern; and a map of the location of the hives in relation to the area in which you are experiencing a problem. You will also be asked what action you have taken to contact the beekeeper or owner of the premises to alleviate the problem.

Other documents to support the case against the bees should also be tendered – for example, medical documentation to support claims of life threatening allergies to bee venom and petitions from neighbours.

After you have submitted your complaint, an apiary inspector will investigate the matter and endeavour to contact the beekeeper concerned. The inspector will also speak with the persons making the complaint.

This inspector will submit a report to the Director-General with various recommendations which will consider all elements of the issue, both from the bee owner's perspective and that of the persons making the complaint.

When the Director-General is satisfied that the best possible solution has been reached, an order may be issued. This order may canvass any number of possible outcomes. Usually, if the nuisance bee problem is significant, the beekeeper will be ordered to remove all or a large number of the hives on the location in question. The order will contain a time period for this to happen.

Failure to carry out this order within the time allowed may result in legal action by the department against the owner of the bee hives.

If a beekeeper who receives an order under Section 18 of the Apiaries Act is aggrieved by that order, he or she has the right to appeal. The

Order is still in force while the appeal is heard. Persons making the complaint may have to appear in court to give evidence.

The premises will be inspected to ensure that the order has been carried out.

Acknowledgements

Updated to Primefact format by David Fuller, Enquiries Officer, Richmond

© State of New South Wales through NSW Department of Primary Industries 2011. You may copy, distribute and otherwise freely deal with this publication for any purpose, provided that you attribute NSW Department of Primary Industries as the owner.

ISSN 1832-6668

Disclaimer: The information contained in this publication is based on knowledge and understanding at the time of writing (September 2011). However, because of advances in knowledge, users are reminded of the need to ensure that information upon which they rely is up to date and to check currency of the information with the appropriate officer of NSW Department of Primary Industries or the user's independent adviser.

TRIM Number: PUB 11/70[v2]