

Department of Primary Industries

APIARIES ACT 1995

Section 26

Apiaries (Prohibition of Importation) Order 2009

I, IAN MACDONALD, M.L.C., Minister for Primary Industries, being of the opinion that the importation into New South Wales of bees, beehives, apiary products or appliances is likely to result in the spreading of the notifiable disease American Foulbrood in New South Wales, make the following Order pursuant to section 26 of the Apiaries Act 1985.

1. Name of Order

This Order is the Apiaries (Prohibition of Importation) Order 2009.

2. Commencement

This Order commences on the date it is published in the *Government Gazette*.

3. Definitions

In this Order:

AFB means the disease American Foulbrood (Paenibacillus larvae).

escorts means worker bees that are packaged with a queen bee for the purposes of transit.

gamma irradiation means the method of sterilisation or decontamination that involves exposing material to gamma rays.

health certificate means a certificate issued in another State or a Territory, being a certificate that:

(a) certifies that:

(i) the bees or beehives to which it relates are free of AFB, or

(ii) the apiary products or appliances to which it relates have been obtained from an apiary that is free of AFB, and

(b) is issued by a person authorised to issue such certificates by the government department that administers beekeeping in the State or Territory concerned.

honeycomb means a structure of cells, made by bees out of beeswax, in which honey is stored.

processed honey means honey that has been separated from the honeycomb and filtered to remove extraneous matter.

queen bee means a fertile female bee.

the Act means the Apiaries Act 1985.

unprocessed honey means honey that has been separated from the honeycomb but not filtered to remove extraneous matter.

Note: apiary, apiary product, appliance, bee, beehive, beeswax, frame, honey, inspector, package, raw beeswax and refined beeswax all have the same meaning as in the Act.

4. Prohibition of importation

The importation into New South Wales of bees, beehives, apiary products and appliances is prohibited, except for

such importations of bees, beehives, apiary products and appliances as are specified in Schedule 1 and comply with the relevant conditions of exception (if any) set out in that Schedule.

Notes:

1. The provisions of this Order operate in conjunction with "Proclamation 550 – Bee louse" made under the Stock Diseases Act 1923 and published in *Government Gazette* No. 131 of 6 August 2004 at page 6419.
2. For further information contact Industry and Investment NSW Regulatory Specialist (Bees) (02) 6741 8374.

Signed this 28th day of October 2009.

IAN MACDONALD, M.L.C.,
Minister for Primary Industries

SCHEDULE 1

Exceptions and conditions of exception

1. Importations from another State or a Territory of bees and beehives that are certified as being free of AFB, subject to the following conditions:
 - (a) The bees and beehives must be accompanied by an appropriate health certificate issued in the State or Territory from which they are imported.
 - (b) If ownership of the bees and beehives is transferred to a person in New South Wales, the health certificate must be given to the new owner (unless the new owner was the applicant for the health certificate).
 - (c) The owner for the time being of the bees and beehives must retain the health certificate.
2. Importations from another State or a Territory of apiary products and appliances that are certified as having been obtained from an apiary that is free of AFB, subject to the following conditions:
 - (a) The apiary products and appliances must be accompanied by an appropriate health certificate issued in the State or Territory from which they are imported.
 - (b) If ownership of the apiary products and appliances is transferred to a person in New South Wales, the health certificate must be given to the new owner (unless the new owner was the applicant for the health certificate).
 - (c) The owner for the time being of the apiary products and appliances must retain the health certificate.
3. Importations from another State or a Territory of bees, beehives, apiary products and appliances that were moved out of New South Wales into that State or a Territory under the authority of a certificate (being a certificate that is the New South Wales equivalent of a health certificate) given by an inspector appointed under the Act subject to the following condition:
 - (a) The bees, beehives, apiary products or appliances must be imported into New South Wales no later than 12 weeks after the date of the certificate.
4. Importations from another State or a Territory of apiary products consisting of unprocessed honey or raw beeswax that are packaged and transported in a bee-proof vehicle

or container, directly to a facility for processing, subject to the following condition:

- (a) A notice to the following effect must be affixed to the dashboard of the vehicle transporting the unprocessed honey or raw beeswax:

THIS VEHICLE IS TRANSPORTING
DISEASED BEE MATERIAL.
IN THE EVENT OF AN ACCIDENT, CONTACT
NSW DEPARTMENT OF INDUSTRY AND
INVESTMENT ON 1800 675 888

5. Importations from another State or a Territory of apiary products consisting of unprocessed honey or honeycomb (other than honeycomb in frames) or raw beeswax that are accompanied by a Declaration, made by the person responsible for the husbandry of the apiary from which the products were obtained, stating that the person examined the apiary for visible symptoms of AFB no more than 30 days before the apiary products were extracted and, to the best of the person's knowledge and belief, the apiary was free from such symptoms at the time of the examination, subject to the following conditions:

- (a) The Declaration must be in or to the effect of the form set out in Schedule 2 and duly completed by the person responsible for the husbandry of the apiary from which the apiary products were extracted.
- (b) If ownership of the apiary products is transferred to a person in New South Wales, the Declaration must be given to the new owner.
- (c) The owner for the time being of the apiary products must retain the Declaration.

Note: "Proclamation 550 – Bee louse" made under the Stock Diseases Act 1923 and published in *Government Gazette* No. 131 of 6 August 2004 at page 6419, imposes further conditions that must be complied with in regard to the importation of honeycomb from Tasmania.

6. Importations from another State or a Territory of apiary products consisting of processed honey or refined beeswax that were obtained from an apiary that the importer believes, on reasonable grounds, to be free of AFB.

7. Importations from another State or a Territory of queen bees and escorts that were obtained from an apiary that the importer believes, on reasonable grounds, to be free of AFB.

8. Importations from the Australian Capital Territory of beehives (including parts of beehives but not including bees) and appliances for the purposes of gamma irradiation, subject to the following conditions:

- (a) The beehives, parts of beehives and appliances must be packaged and transported as follows:
- (i) the beehives, parts of beehives and appliances must not contain any bees,
 - (ii) honey that had been stored in frames in the beehives or parts of beehives, must have been extracted from the frames,
 - (iii) the beehives must be bee-proof,
 - (iv) each beehive (single box) must be bagged or shrink-wrapped,
 - (v) each bagged or shrink-wrapped beehive (single box) must be stacked into groups of

two and given a lid and base or stacked into groups of three and given a lid and base (each item with a lid and a base being referred to as a unit),

- (vi) each unit must be double-bagged or double-shrink-wrapped so as to seal the entire unit, and the plastic bags (used for the double-bagging or double-shrink-wrapping) must be sealed with tape,
- (vii) each unit must be labelled with the name, address and telephone number or numbers of the owner of the unit,
- (viii) each unit must be double-strapped using a strapping device that locks under the base of the unit,
- (ix) each unit must not exceed 25kgs in weight,
- (x) each part of a beehive and each appliance must be double-bagged or double-shrink-wrapped so as to seal it, and the plastic bags (used for the double-bagging or double-shrink-wrapping) must be sealed with tape,
- (xi) the units, parts of beehives and appliances:
 - (A) must be transported in a bee-proof vehicle or container, or
 - (B) must be completely enclosed by a double layer of tarpaulin, which must be left with the units, parts of beehives and appliances for irradiation,
- (xii) a notice to the following effect must be affixed to the dashboard of the vehicle transporting the units, parts of beehives and appliances:

THIS VEHICLE IS TRANSPORTING
DISEASED BEE MATERIAL.
IN THE EVENT OF AN ACCIDENT, CONTACT
NSW DEPARTMENT OF INDUSTRY and
INVESTMENT ON 1800 675 888

SCHEDULE 2

Declaration for apiary products entering NSW

(Exception 4 (a) of Schedule 1)

Declaration for apiary products entering NSW

I, [Full name and address must be shown in BLOCK LETTERS] of [Address]

Telephone: _____ Mobile: _____

Beekeeper Registration No: _____

make the following declaration:

- 1 I am the person responsible for the husbandry of the apiary from which the products specified below were extracted.

<i>Apiary product</i>	<i>Quantity</i>
Unprocessed honey	
Honeycomb (not including honeycomb in frames)	
Raw beeswax	

- 2 I examined the apiary for visible symptoms of the disease American Foulbrood (*Paenibacillus larvae*) no more than 30 days before the apiary products were extracted, and to

the best of my knowledge and belief the apiary was, at the time of my examination, free from any such symptoms.

I declare that the information above is true and correct.

Signed:

Date:

FISHERIES MANAGEMENT ACT 1994

Fisheries Management (Aquaculture) Regulation 2007

Clause 37 (3) – Notice of Granting of Class 1 Aquaculture Lease

THE Minister has granted the following Class 1 Aquaculture Lease:

OL61/134 within the estuary of the Hawkesbury River, having an area of 2.0414 hectares to Peter O’Sullivan of Mooney Mooney NSW, for a term of 15 years expiring on 23 September 2024.

FISHERIES MANAGEMENT ACT 1994

Fisheries Management (Aquaculture) Regulation 2007

Clause 39 (4) – Notice of Aquaculture Lease Renewal

THE Minister has renewed the following class 1 Aquaculture Leases:-

OL59/060 within the estuary of Port Stephens, having an area of 2.5845 hectares to G Moffat and Son Pty Ltd of Raymond Terrace NSW, for a term of 15 years expiring on 3 November 2019.

OL97/008 within the estuary of the Crookhaven River, having an area of 1.5442 hectares to Raymond Douglas Prendergast of Orient Point NSW, for a term of 15 years expiring on 19 May 2024.

OL97/007 within the estuary of the Crookhaven River, having an area of 1.518 hectares to Philip Cranston of Culburra Beach NSW, for a term of 15 years expiring on 19 May 2024.

OL62/173 within the estuary of Tuross Lake, having an area of 3.8762 hectares to Trevor and Christina Kennedy of Kirribilli NSW, for a term of 15 years expiring on 23 June 2024.

AL05/013 within the estuary of Pambula River, having an area of 2.1849 hectares to Bruce and Mary Whatman of Pambula NSW, for a term of 15 years expiring on 7 July 2024.

AL05/014 within the estuary of Pambula River, having an area of 1.7172 hectares to Bruce and Mary Whatman of Pambula NSW, for a term of 15 years expiring on 7 July 2024.

OL64/193 within the estuary of Pambula River, having an area of 1.0092 hectares to Currumbene Aquaculture Pty Ltd of Millingandi NSW, for a term of 15 years expiring on 4 September 2024.

BILL TALBOT,
Director, Fisheries Conservation and Aquaculture,
Fisheries, Compliance and Regional Relations,
NSW Department of Primary Industries

FISHERIES MANAGEMENT ACT 1994

Notice of Receipt of Application for Aquaculture Lease

Notification under Section 163 (7) of the Fisheries Management Act 1994 and Clause 33 of the Fisheries Management (Aquaculture) Regulation 2007

INDUSTRY AND INVESTMENT NSW (I&I NSW) advises an application has been received for a new aquaculture lease over public water land for the purpose of cultivating Sydney rock oysters. Location is Brisbane Water, described as follows:

- 1.0885 hectares over former oyster lease OL68/387

I&I NSW is calling for written submissions from any person supporting or objecting to the oyster lease proposal, citing reasons for the support/objection. I&I NSW is also calling for expressions of interest from persons or corporations interested in leasing the area specified above, for the purpose of aquaculture. An expression of interest must be in the form of a written response referring to lease number OL68/387 to be signed and dated with a return address.

If additional expressions of interest are received, I&I NSW may offer the area for leasing through a competitive public tender process, auction or ballot. If granted the lease will be subject to standard covenants and conditions of an aquaculture lease and aquaculture permit, under the Fisheries Management Act 1994.

Specific details of the proposed lease can be obtained or enquiries made with I&I NSW, Aquaculture Administration Section, Port Stephens (02) 4982 1232. Objections or expressions of interest for consideration in the determination of the application must be received at the address below, within 30 days from the date of publication of this notification.

Director, Fisheries Conservation and Aquaculture Branch, Aquaculture Administration Section, Port Stephens Fisheries Institute, Locked Bag 1, Nelson Bay NSW 2315.

BILL TALBOT,
Director,
Fisheries Conservation and Aquaculture Branch,
Industry and Investment NSW

FISHERIES MANAGEMENT ACT 1994

Notice of Receipt of Application for Aquaculture Lease

Notification under Section 163 (7) of the Fisheries Management Act 1994 and Clause 33 of the Fisheries Management (Aquaculture) Regulation 2007

INDUSTRY AND INVESTMENT NSW (I&I NSW) advises an application has been received for a new aquaculture lease over public water land for the purpose of cultivating Sydney rock oysters. Location is Wagonga Inlet, described as follows:

- 0.1777 hectares over former oyster lease OL78/076

I&I NSW is calling for written submissions from any person supporting or objecting to the oyster lease proposal, citing reasons for the support/objection. I&I NSW is also calling for expressions of interest from persons or corporations interested in leasing the area specified above, for the purpose of aquaculture. An expression of interest must be in the form of a written response referring to lease number OL78/076 to be signed and dated with a return address.