

Nuisance bee complaint guidelines

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The *Biosecurity Act 2015* (the Act) allows for action to be taken if bees are hived (i.e. kept in a bee box), and under some form of management by a person are found to be:

- a danger to public health; or
- a danger to public safety.

NSW Department of Primary Industries (DPI) does not have a legal responsibility to manage any threat or nuisance caused by feral colonies, such as bees in a tree or bee swarms.

DPI will assess reports of bees causing a public nuisance against the requirements of the Act and the *Australian Honey Bee Industry Biosecurity Code of Practice*.

Reports of nuisance bees from an individual or a small number of neighbours does not constitute a 'public nuisance'.

DPI will investigate and may take action where a demonstrated risk to public health or public safety is determined. The criteria that defines these risks are:

Risk to public health

Beehives are considered likely to constitute a risk to public health if a person with a serious allergy to bee venom (which has been verified by an allergy specialist and is supported by medical documentation) is likely to be exposed to the bees.

Risk to public safety

Beehives that are located in close proximity to premises identified as high risk, especially schools, childcare centres, public swimming pools and hospitals may be considered a risk to public safety.

Evidence to support a complaint

To support claims of the bees causing a nuisance it is recommended that detailed records of incidents involving bees that are affecting you or others at your premises are kept. These records may include:

- the date, time and person recording the information;
- photographs with date and time stamp;
- the key points of any discussions with the beekeeper about the bees that are creating a nuisance.

Medical verification is required for complaints relating to bee venom allergies.

The investigation process

An authorised officer will attend the site to assess the complaint.

Part of the assessment will be to determine:

- if the beekeeper is registered under the Act;

- if a person with a serious bee allergy to bee venom is likely to be exposed to bees;
- if the beehives are in an appropriate location, away from areas identified as high risk;
- if the bees are aggressive and poorly managed;
- the disease status of the beehives;
- that the beehives are appropriately constructed and branded;
- that the beehives are regularly inspected for pests and diseases; and
- whether the beehives are exposed or neglected.

The outcome of the investigation depends upon the outcome of the assessment by the authorised officer as well as the specifics and nature of the complaint.

Feedback on the investigation

NSW DPI will provide feedback on the outcome of an investigation.

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