

# Investigation of nuisance bee complaints

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## 1. Purpose

This policy outlines how the Department of Primary Industries (the Department) will investigate nuisance bee complaints and ensure that standardised compliance actions are consistently applied. It does this by:

- Outlines the investigation process
- Determining what is a risk to public health
- Determining what is a risk to public safety
- Determining what medical evidence is required to implement compliance action

## 2. Scope

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

The Department 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, and will not investigate these matters.

The Department 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 and the Department will only take action if a risk to public health or public safety is proven.

### 3. Outcomes

#### 3.1 The investigation process

An authorised officer will investigate all nuisance bee complaints to determine if there is a risk to public health and safety. Part of this assessment will include:

- 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 the 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 disease, 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

#### 3.2 Determining a risk to public health

Beehives are considered to constitute a risk to public health if they are located in the adjoining premises or within close proximity of a person with a serious allergy to bee venom, or a person with a serious medical condition, that will likely result in hospitalisation or death if stung by a bee.

##### 3.2.1 Medical evidence required to implement compliance action

In cases where a complainant has a medical condition that would result in a risk to public health due to the location of a bee hive/s, the Department is required to sight medical evidence to enable compliance action to be taken to remove the public health risk. The Department will consider the following medical evidence when determining if a public health risk is present:

- A specialist report confirming a person has an allergy to bee venom
- A medical certificate stating if a person is stung by a bee they will develop anaphylaxis<sup>1</sup>
- A medical certificate stating a person will have a serious medical reaction if exposed to bee venom which is likely to result in hospitalisation or death if stung by a bee

<sup>1</sup>Anaphylaxis – “Anaphylaxis is a potentially life threatening, severe allergic reaction and should always be treated as a medical emergency. Not all people with allergies are at risk of anaphylaxis.” (ASCI, *Anaphylaxis*, 2019)

### 3.3 Determining a risk to public safety

Beehives may be a risk to public safety if they are located in the adjoining premises or within close proximity to premises identified as high risk, including

- Schools
- Childcare centres
- Public swimming pools
- Hospitals
- Nursing homes/aged care

### 4. Related procedures

Procedure - Biosecurity undertaking

Procedure - Biosecurity directions

Procedure - Seizure of Things under the Biosecurity Act 2015

### 5. Legislation

*Biosecurity Act 2015*

*Privacy and Personal Information Protection Act 1998*

### 6. Revision History

Version	Date issued	Notes	By
1.0	25/06/2021	New policy developed in response to the <i>Biosecurity Act 2015</i> .	<i>Manager, Regulatory Operations Unit</i>

### 7. Contact

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