

APIARY

CODE OF PRACTICE



ISBN 0 7306 8685 X

First published June 1997. Revised May 2011 and published by the Victorian Government Department of Planning and Community Development Melbourne.

© The State of Victoria Department of Planning and Community Development 2011.

This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the *Copyright Act 1968*.

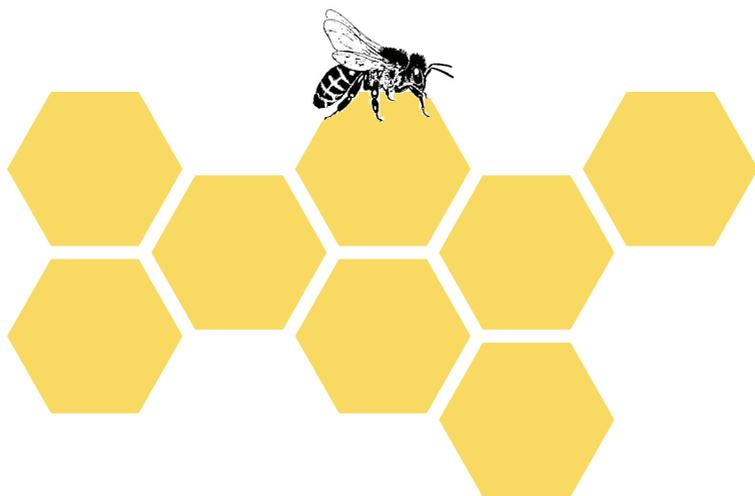
Authorised by the Victorian Government, 1 Spring Street, Melbourne.

This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.

www.dpcd.vic.gov.au/planning

APIARY

CODE OF PRACTICE





ACKNOWLEDGEMENTS

These guidelines have been prepared by the honey bee industry in consultation with the Department of Planning and Community Development, Department of Primary Industries, Department of Sustainability and Environment, Municipal Association of Victoria, Country Fire Authority, Victorian Farmers Federation, Crop Pollination Association Incorporated and the Victoria Police.

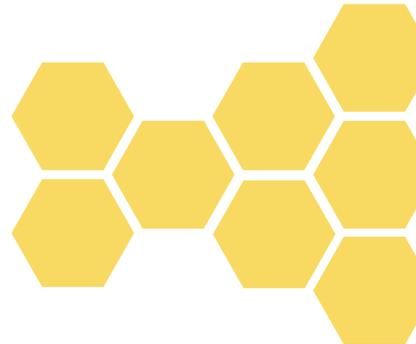
Photographs courtesy of Peter Kaczynski.





TABLE OF CONTENTS

1 INTRODUCTION	1	5 STATUTORY PLANNING REQUIREMENTS	9
1.1 General background	1	5.1 Urban areas	9
1.2 Application and purpose of this Code	1	5.1.1 Hive density	9
1.3 Prior requirement to register as a beekeeper	1	5.1.2 Hive locations	9
1.4 Use of land for apiary	2	5.2 Rural areas	10
1.5 Apiary and the natural environment	2	5.2.1 Hive density and location	10
1.6 Land owner's consent.	2		
2 DEFINITIONS	3	6 ROLE OF GOVERNMENT AGENCIES AND STATUTORY AUTHORITIES	11
3 TYPES OF APICULTURE	4	6.1 Local Government	11
3.1 Permanent occupation of apiaries on properties	4	6.2 Department of Planning and Community Development	11
3.2 Migratory apiary	4	6.3 Department of Primary Industries	11
3.3 Queenbee rearing and/or breeding	4	6.4 Land Management Agencies	11
3.4 Crop pollination	4	6.5 Fire Authorities	11
3.5 Research and education	5	6.6 VicRoads and Victoria Police	11
3.6 Package bee production	5		
3.7 Associated activities	5	7 ADVICE AND ASSISTANCE	12
4 MANAGEMENT OF APIARIES	6		
4.1 Management of hives	6		
4.2 Swarming	6		
4.2.1 Hiving swarms	6		
4.2.2 Feral swarms	6		
4.3 Provision of water	7		
4.4 Docile bees	7		
4.5 Bee sites	7		
4.6 Storage of spare equipment	7		
4.7 Robbing bees	7		
4.8 Flight paths	8		
4.9 Transportation of hives	8		
4.10 Use of smoke by apiarists	8		





1

INTRODUCTION

1.1 General background

Honey bees play a significant role in the balance of nature, especially through the pollination process. Pollination is important for the viability of many pastoral enterprises, market gardens and orchards. As at June 2010 the estimated value of pollination to Victorian agricultural and horticultural crops was estimated to exceed \$400 million. Horticultural and seed industries are partially or completely dependent on effective pollination by honey bees.

This Code has been prepared by the Victorian honey bee industry in consultation with various government agencies to form a basis of honey bee management which is compatible with other land uses. This Code applies to any apicultural activity across Victoria, including commercial, recreational, domestic apiaries and apicultural activities associated with research and educational institutions.

This Code is a document for the management of beehives and incorporates a reference or minimum standard by which all persons who own, manage or operate honey bee hives in the State of Victoria must comply. This Code is formulated to form the basic prescription for harmonious co-occupation by beehives and land occupiers in Victoria. The aim of the Code is to ensure that the keeping of honey bees does not become a nuisance to people, property, domestic animals or native flora and fauna.

Expert technical advice is available from apiary officers of the Department of Primary Industries (Refer to Part 7 for Advice and Assistance).

1.2 Application and purpose of this Code

This Code applies to apiaries within Victoria and forms a reference and the standard which is to be used by beekeepers, the general public and planning decision makers.

Recognition of the habits of honey bees by this Code allows beekeepers and planning decision makers to undertake a consistent and speedy evaluation of the suitability of land as an apiary location.

1.3 Prior requirement to register as a beekeeper

All beekeepers who keep one or more hives in Victoria are required to be registered with the Department of Primary Industries in accordance with the *Livestock Disease Control Act 1994*.

It is important that honey bees are maintained in a healthy condition to fulfil their role in agriculture and food production.

The requirements of the *Livestock Disease Control Act 1994* for compulsory registration of beekeepers and branding of hives enables the Department of Primary Industries' apiary inspectors to determine ownership of hives when conducting disease control programs. Branding of hives is necessary because honey bees are often kept on land which is not owned by the beekeeper.



1.4 Use of land for apiary

The Apiary Code of Practice sets out a number of requirements which, if complied with, enables beekeeping to be established on land in Victoria without a planning permit. A planning permit is required for an apiary if any of the requirements of this Code cannot be met.

This Code provides a standard approach for consideration of the need for a planning permit. If a planning permit is required, this Code provides a consistent approach for consideration of the application and the resolution of contentious issues where a solution can be reached.

Where land has a history of lawful apiary, existing use provisions in Section 6(3) of the *Planning and Environment Act 1987* apply. In this case, nothing in the planning scheme or an amendment can prevent the continuance of apiary which has been lawfully established (provided the land owner consents). In the case of apiary which is seasonal, existing use provisions cease if the use does not take place on the land concerned for two years in succession. Where apiary is a non-conforming use, beekeepers are encouraged to comply with this Code of Practice. Enforcement of planning controls usually only occurs if a complaint is received and/or there is a clear observance of a breach by a planning or enforcement officer.

Where the keeping of bees on particular land contravenes the planning scheme, an order to remove the hives or change the conditions of operating the hives would come from the responsible authority. If the owner of the land or the occupier (beekeeper) of land still fails

to comply with the request, the responsible authority or other concerned parties can seek an enforcement order through the Victorian Civil and Administrative Tribunal to cease the use and have penalties imposed.

1.5 Apiary and the natural environment

Public lands support a significant proportion of the honey bee industry in Victoria. European honey bees are an introduced species, and while they might be providing a partial food source for some native animals, concerns have been expressed that they compete for nectar, pollen and/or water with native fauna. Apiculture is excluded from Reference Areas, Wilderness Areas (including Wilderness Parks) and Essentially Natural Catchments (apiculture in these catchment areas is not permitted under the *Heritage Rivers Act 1992*).

Apiary is also a restricted use in National Parks, State Parks, Natural Conservation Reserves, Flora and Fauna Reserves and in some other reserves.

1.6 Land owner's consent

On private land, permission of land owners (or their agent) must be obtained prior to placing hives on land not owned by the beekeeper. The beekeeper should comply with any conditions or requirements of the owner and maintain the apiary and immediate surrounds in a clean and tidy condition when in use.

On public land, consent for use must be obtained through the government agency or manager responsible for that land.



2

DEFINITIONS

Apiarist and Beekeeper:

a person keeping bees.

Apiary:

land used for the keeping of bees in hives and on-site extraction of honey and/or other beehive products.

Apiculture:

the management of beehive(s).

Beehive:

any receptacle housing a honey bee colony or which has housed such a colony, as per *Livestock Disease Control Act 1994*.

Bee site:

any place where beehives could be sited (see Apiary).

Flight path:

the distinct route taken by many bees leaving from or returning to their hive.

**Foundation comb:**

a sheet of beeswax impressed with the pattern of cell bases on which the bees build comb.

Honey bee or European honey bee:

Apis mellifera.

Honey bee colony:

a honey bee community consisting of queen, drones, workers and brood.

Honeycombs:

removable frames which contain wax cells made by honey bees. The cells house honey, pollen and/or brood (eggs, larvae and pupae).

Honey extraction:

the removal of honey from combs.

Honey flow:

the gathering of nectar from flora by honey bees.

Pollination:

the transfer of pollen by honey bees from anthers to stigmas of flowers for plant fertilisation.

Robber bees:

bees from any other hive attempting to gain access to stored or spilt honey.

Strong hive:

a populous honey bee colony.

Super:

any box containing frames placed above the bottom box of a beehive.

Swarm:

cluster or flying mass of honey bees, including workers, queen and drones.



TYPES OF APICULTURE

3

3.1 Permanent occupation of apiaries on properties

This is a method of beekeeping where beehives are permanently sited or located. This method of beekeeping is usually practiced by small and hobbyist beekeepers throughout Victoria, including urban areas. The numbers of hives kept by such people varies, but it is usually small. Apiary activities within this category include the extraction of honey and beeswax.

3.2 Migratory apiary

This is the periodic movement and relocation of beehives to coincide with flowering periods of different flora. Periodic movement involves beekeepers transporting beehives within Victoria or interstate to sites which may be on private or public land; for example, farm properties, National or State Parks, and State Forests, though not restricted to these. Apiary activities within this category include the extraction of honey and beeswax.

Migratory beekeepers seek to maintain access to a number of sites in a variety of floral environments to support a yearly cycle of movements. These sites are likely to be on both public and private land.

3.3 Queenbee rearing and/or breeding

This is the raising of queen bees from selected stock to supply the honey bee industry with queen bees of a genetically improved quality. This practice is usually undertaken in what the industry refers to as a 'queen breeding yard'. A queen breeding yard may be within the property where the beekeeper resides or another usually in close proximity and includes isolated areas free from the influence of other honey bees.

3.4 Crop pollination

This is the siting of hives in broad hectare and intensive agricultural and horticultural regions for pollination within rural and urban environments. Hives used for pollination are usually only located for the flowering period of the selected crops. Pollination areas include, though not restricted to, the Dandenong Ranges, Bacchus Marsh, Goulburn Valley and Sunraysia Districts.





3.5 Research and education

This is the placement of beehives in an educational or research institution for the purpose of examination, education, experimentation and research. The length of time the beehives remain at a particular location will vary according to the needs of the educationalists and/or researchers.

3.6 Package bee production

This is the removal of adult bees and queen from hives into small secure well ventilated packages. Such packages are usually 1-2 kg and consigned to overseas destinations.

3.7 Associated activities

Producers packers

These are beekeepers who package their own beehive products in accordance with the health regulations.

Honey packers

Honey packers purchase honey from beekeepers for packaging for sale on the domestic and export markets in accordance with the health regulations.

Beeswax processors

Beeswax processors clean and refine beeswax and produce foundation comb.





MANAGEMENT OF APIARIES

4

4.1 Management of hives

Procedures for good management of hives may vary according to the conditions of the area where hives are placed. Various management practices are described in good reference books such as “Beekeeping”. Beekeepers should practice good management.

4.2 Swarming

Swarming is a natural instinct of honey bees and occurs chiefly in spring to early summer.

Honey bee colonies must be managed to prevent or minimise swarming. Further information on appropriate management techniques can be obtained from DPI and the Victorian Apiarists’ Association.

The division of a colony of honey bees into two or more units by the beekeeper will reduce its population and its likelihood to swarm. Reuniting of these units can take place at a later time in order to reduce the number of hives. This procedure is known as artificial swarming and its practice is effective in removing the swarming impulse.

The use of artificial swarming should be recognised as a sound hive management practice. The implementation of such a practice will require a time span of nearly 12 weeks while the hive is divided. During this period the presence of additional units specifically dedicated to such a practice is not to be construed as being in contravention of any density control which may be imposed under the limits prescribed in Section 5.1.1 of the Code.

Other factors, such as the provision of additional supers for brood rearing and honey storage, and the replacement of old or failing queens may also reduce the swarming impulse.

It should not be immediately assumed that swarms found in the vicinity of managed hives have in fact issued from these hives. This is due to the fact that swarms issuing from other hives, and in particular feral colonies, may fly into nearby managed apiaries.

4.2.1 *Hiving swarms*

Beekeepers must take responsibility for a swarm that has issued from one of their colonies and capture it as soon as possible after it has formed into a cluster.

Swarms should be collected to prevent them becoming a nuisance if they fly to nearby properties.

4.2.2 *Feral swarms*

Swarms issue from feral honey bee colonies and may fly into the vicinity of managed apiaries or native bushland, including conservation reserves.





Beekeepers are encouraged to make themselves available for the collection of accessible feral swarms on both private and public land. The Victorian Apiarists' Association Inc. 'Bees Helpline' can provide names of apiarists who are prepared to deal with swarms in greater Melbourne and other areas of the State. Some councils and other utilities may also maintain lists of swarm collectors.

4.3 Provision of water

If honey bees do not have access to water, the beekeeper must provide it on the property on which the hives are managed. This water must be placed, where possible, in a partially shaded position in close proximity to the hives. It is necessary to place this water in position before or as the hives are brought on to the property. This helps the bees to orientate to this water before they look for other sources elsewhere.

To allow the bees to alight and drink, water containers should include suitable floating material, or stones, bricks or sand to provide a beach effect if using a shallow pan. The use of Boardman feeders for water supply in urban areas is encouraged.

4.4 Docile bees

Honey bee colonies managed in urban areas must be maintained with young queens of a docile strain. Docile queens are specially bred and sold by queen breeders. Docility is one of the main selection criteria.

4.5 Bee sites

Migratory beekeepers must keep their sites in a clean and tidy manner at all times while hives are on location and ensure their sites are litter free when vacating them.

4.6 Storage of spare equipment

Previously used beehive components (eg. boxes) currently not housing bees, but stored for future use may attract bees and swarms. Hive components not stored in a bee proof area should be stacked in a manner that will not allow bees to enter. Exposure of sticky combs to bees is an offence under Section 53 of the *Livestock Disease Control Act 1994*.

4.7 Robbing bees

When nectar is scarce, honey bees may rob honey from other hives. When such conditions prevail hives should be opened to a minimum. If robbing becomes extreme, they should not be opened at all until field conditions improve.

Exposure of honey (including sticky honeycombs) in the open may encourage robbing and is an offence under Section 53 of the *Livestock Disease Control Act 1994*. All spilt honey should be cleaned up immediately. Buildings and mobile vans used for honey extraction purposes must be made bee proof, as far as practicable, to prevent robbing.



4.8 Flight paths

Beekeepers must locate and manage their hives to minimise the risk of interference with the general public, particularly in broad-hectare field crop areas and in those areas used intensively for public access or recreation.

4.9 Transportation of hives

Beekeepers must take appropriate care when transporting hives of honey bees. All loads of hives and supers of honey must be secured in accordance with the Road Safety (Vehicles) Regulations 2009.

4.10 Use of smoke by apiarists

Smoke is used by beekeepers as a management aid to subdue honey bees.





5 STATUTORY PLANNING REQUIREMENTS

5.1 Urban areas

For the purpose of this Code, urban areas include Residential, Industrial, Business and Special Purpose Zones.

5.1.1 Hive density

One of the primary limitations on beekeeping is the real or perceived interaction between bees and people who live in or use areas near hives. In conjunction with management practices outlined in the previous section, hive density limits are set to minimise the risk of conflict between people and honey bees. Schedule 1 indicates the maximum hive number per tenement.

Schedule 1

Tenement size	No. of hives
500 m ² or less	1
501 m ² to 1000 m ²	2
1001 m ² to 2000 m ²	5
2001m ² to less than 4000 m ²	10
4000 m ² to less than 1ha	60
1 ha to 2 ha	100
Larger than 2 ha	No limit



Within urban zones where land is used for horticulture and/or agriculture crops which require honey bee pollination, higher stocking rates of hives may be introduced on tenements which are 1 ha or greater without a permit provided:

- the higher densities are not retained on the land for a period exceeding three months
- the increased hive numbers are directly related to the pollination requirements of the crop concerned
- the increased hive density does not increase the risk of conflict between people and honey bees.

Where a beekeeper has undertaken swarm collection and a need for temporary storage of swarms is required on a tenement which possesses a density control, such control can be exceeded for a maximum of 14 days after which the density control must be observed.

In any other instance which does not conform with the above dispensations a planning permit is required for the keeping of bees where it is proposed to exceed hive densities.

5.1.2 Hive locations

Hives can be kept within 3 metres of a boundary fence if:

- the height of the solid fence is more than 2 metres
- on the adjoining property to the fence, a building of not less than 2 metres high is constructed on the fenceline immediately adjacent to the hives which has no window or other openings in the elevation on the fenceline



- the adjoining property to that fence is unimproved land
- an impenetrable vegetative barrier (such as a hedge) not less than 2 metres high is located on the property boundary adjacent to the hives.

If the above conditions cannot be met, the minimum distance hives can be kept from a fence is 3 metres.

If a bee flight-path interferes with the use of neighbouring land a bee proof barrier (such as trees, hedge, fence, building) must be assembled.

5.2 Rural areas

Rural areas include all rural zones.

5.2.1 *Hive density and location*

If an apiary in a rural area complies with the Code, no planning permit is required.





6

ROLE OF GOVERNMENT AGENCIES AND STATUTORY AUTHORITIES

6.1 Local government

Local government authorities are responsible for the administration and enforcement of planning schemes and local laws within Victoria.

6.2 Department of Planning and Community Development

The Minister for Planning is responsible for administration of the *Planning and Environment Act 1987* and all changes to planning schemes have to be approved by the Minister.

6.3 Department of Primary Industries

The Department is responsible for the administration of the *Livestock Disease Control Act 1994*. All beekeepers, except for apiarists registered in South Australia and New South Wales who move hives into Victoria for up to 90 days, are required to register with the Department to comply with the *Livestock Disease Control Act 1994* and its Regulations. The Department's apiary officers can provide expert advice to persons on all aspects of apiculture and honey bee pollination.

6.4 Land management agencies

A number of Government agencies own and manage public land and consent to use public land for an apiary will be required. Permits and licences may also be required from other agencies such as the Department of Primary Industries, Department of Transport, Department of Sustainability and Environment and Parks Victoria.

6.5 Fire authorities

Consultation with the appropriate fire authority prior to using land for an apiary is recommended. The Country Fire Authority is responsible for land in rural areas and the Metropolitan Fire Brigade is responsible for land in the Metropolitan Fire District. The Department of Sustainability and Environment is the fire authority for public land.

6.6 VicRoads and Victoria Police

Regulations relating to the transport of hives are contained in the *Road Safety Act 1986* and the Road Safety (Vehicle) Regulations 2009 and administered by VicRoads and Victoria Police.





ADVICE AND ASSISTANCE

7

Organisations

- **Department of Primary Industries**

PO Box 2500
Bendigo Delivery Centre VIC 3554

Ph: 136 186

Contact the DPI Customer Service Centre for contact details of apiary officers in Victoria.

Contact the DPI Bee Registrar for enquiries relating to registration as a beekeeper.
www.dpi.vic.gov.au

- **Victorian Apiarists Association Inc**

The Secretary
PO Box 40
California Gully VIC 3556

Ph: (03) 5446 1455

Publications

For advice about relevant publications such as guidelines for apiaries on public lands and parks please telephone the Department of Sustainability and Environment and the Department of Primary Industries on 136 186.

Enforcement of the Code

Local councils are responsible for enforcement of the Code except for those matters which do not fall under their jurisdiction. Section 6 of the Code indicates the role of government authorities and statutory authorities. The Code is incorporated into the *Victoria Planning Provisions*.

Swarms

A Bees Helpline (Honey bee swam removal hotline) is operated by the Victorian Apiarists' Association Inc. Users of this service can obtain contact details of apiarists who are prepared to remove free hanging and accessible swarms. Information can be obtained by calling 1902 241 059 (call cost \$2.20 per minute; a higher rate applies from mobile and public phones. Some councils keep a list of apiarists who collect swarms.



