

Any person who keeps bees in the City of Wanneroo must be a registered beekeeper if required by the Biosecurity and Agriculture Management (Identification and Movement of Stock and Apiaries) Regulations 2013.

A permit is **not** required to keep bees in the City of Wanneroo if the land is zoned General Rural, Special Residential, Special Rural, Rural Community, Urban Deferred or Rural Resource under a local planning scheme and -

- (i) before establishing the bee hives on the land, the occupier of the land notifies, in writing, the occupier of each property adjoining the land that the bee hives are to be kept;
- (ii) each bee hive is kept at least 10 metres from any thoroughfare (including a footpath) or public place and at least 5 metres from any other boundary of the land;
- (iii) a good and sufficient supply of water on every apiary site is provided in a way that is readily accessible to the bees on that site;
- (iv) and bees from the bee hives do not become a nuisance

A permit is **not** required to keep bees in the City of Wanneroo if the land is zoned Residential and -

- (v) no more than 2 bee hives are kept on the land;
- (vi) before establishing the bee hives on the land, the occupier of the land notifies, in writing, the occupier of each property adjoining the land that the bee hives are to be kept;
- (vii) each bee hive is kept at least 10 metres from any thoroughfare (including a footpath) or public place and at least 5 metres from any other boundary of the land;
- (viii) a good and sufficient supply of water on every apiary site is provided in a way that is readily accessible to the bees on that site; and
- (ix) bees from the bee hives do not become a nuisance.

A permit **is** required to keep bees in the City of Wanneroo if the conditions above cannot be met.

An applicant for a permit must -

- (a) be a registered beekeeper if required by the Regulations;
- (b) provide the information (including any comments from neighbours) that may be required by the local government;
- (c) apply in the form below; and
- (d) pay any application fee imposed by the local government under sections 6.16 to 6.19 of the Act.

### **Determination of application**

(2) The local government may -

- (a) refuse to determine an application that does not comply with clause 2.2;
- (b) approve an application subject to any conditions that it considers appropriate; or
- (c) refuse to approve an application.

(3) The permit conditions may include that -

- (a) each bee hive must be kept at least 10 metres from any thoroughfare (including a footpath) or public place and at least 5 metres from any other boundary of the land; and
- (b) may include that no more than 2 bee hives are to be kept.

(4) If the local government approves an application, it is to issue to the applicant a permit in the form determined by the local government from time to time.

(5) A permit is valid from the date of issue until it is cancelled under this local law.

(6) A permit holder must comply with the permit conditions.

A copy of the City of Wanneroo Bee Keeping Local Law 2016 can be found on the City's website.

## How the City determines if bees from bee hives are a nuisance.

A person must not keep or allow to be kept bees or beehives, or both, on land so as to create a nuisance.

The City of Wanneroo Bee Keeping Local Law 2016 defines nuisance as:

**nuisance** means –

- (a) *an activity or condition which is harmful or annoying and which constitutes a reasonable basis for legal liability in the tort of public or private nuisance at law;*
- (b) *an unreasonable interference with the use and enjoyment of a person of his or her ownership or occupation of land; or*
- (c) *an interference which causes material damage to land or other property on the land affected by the interference;*

Should the City receive a nuisance complaint, the following, but not limited to, criteria will be used by Health Services when investigating a nuisance:

- Affected person having documented medical support of having an allergy to bee stings
- Large numbers of bees frequenting the affected person's property and impeding their usual enjoyment of their property. For example, bees flying through a pergola, patio, swimming pool, pets drinking water container being contaminated by bees etc.
- Bees flight paths going through an affected persons backyard
- Compliance with the WA Apiarist Society - Best Practice Guidelines for Urban Beekeeping
- Hives not being kept in close proximity to child and aged care facilities
- Aggressive hives not being removed or managed
- Compliance with the City's Bee Keeping Local Laws, including:
  - Setback distances for the hives
  - Water supply provided in a sunny position and in close proximity to the bee hive (less than 5m with ability for bees to land and drink e.g. pebbles or floating material)
  - The bee keeper being registered with DAFWA if required
  - The Bee Hive being registered (branded number on box)
  - Fencing / screening – measures taken to reduce a nuisance
  - The keeper having adequate education or qualifications in bee keeping

If, in the opinion of an authorised person, the bees on any land (whether or not the subject of a permit) are likely to endanger the safety of any person or create a serious public nuisance, the authorised person may give to the owner or occupier of that land a written notice requiring the owner or occupier as the case may be to remove the bees before the date specified in the notice.

# Application for Keeping of Bees

City of Wanneroo Bee Keeping Local Law 2016



## Owner's Details.

Mr  Mrs  Miss  Ms

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Suburb: \_\_\_\_\_ Postcode \_\_\_\_\_

Telephone (H) \_\_\_\_\_ (W) \_\_\_\_\_

(M) \_\_\_\_\_ (Email) \_\_\_\_\_

## Information to be provided with application:

- The number of hives to be kept on the premise \_\_\_\_\_
- Anticipated duration of how long the hives will be kept at the premise \_\_\_\_\_  
\_\_\_\_\_

- Site plan indicating setback distances from neighbouring properties.
- Provide details on the permanent water supply to be provided and show where this is located on the site plan.

An adequate and permanent supply of water is to be provided in a receptacle on the land where bees are kept, and this supply is to be easily accessible by the bees.

- Comments from all adjoining properties.
- I have attached a copy of my current Certificate of Registration from the Department of Agriculture WA: Yes / No

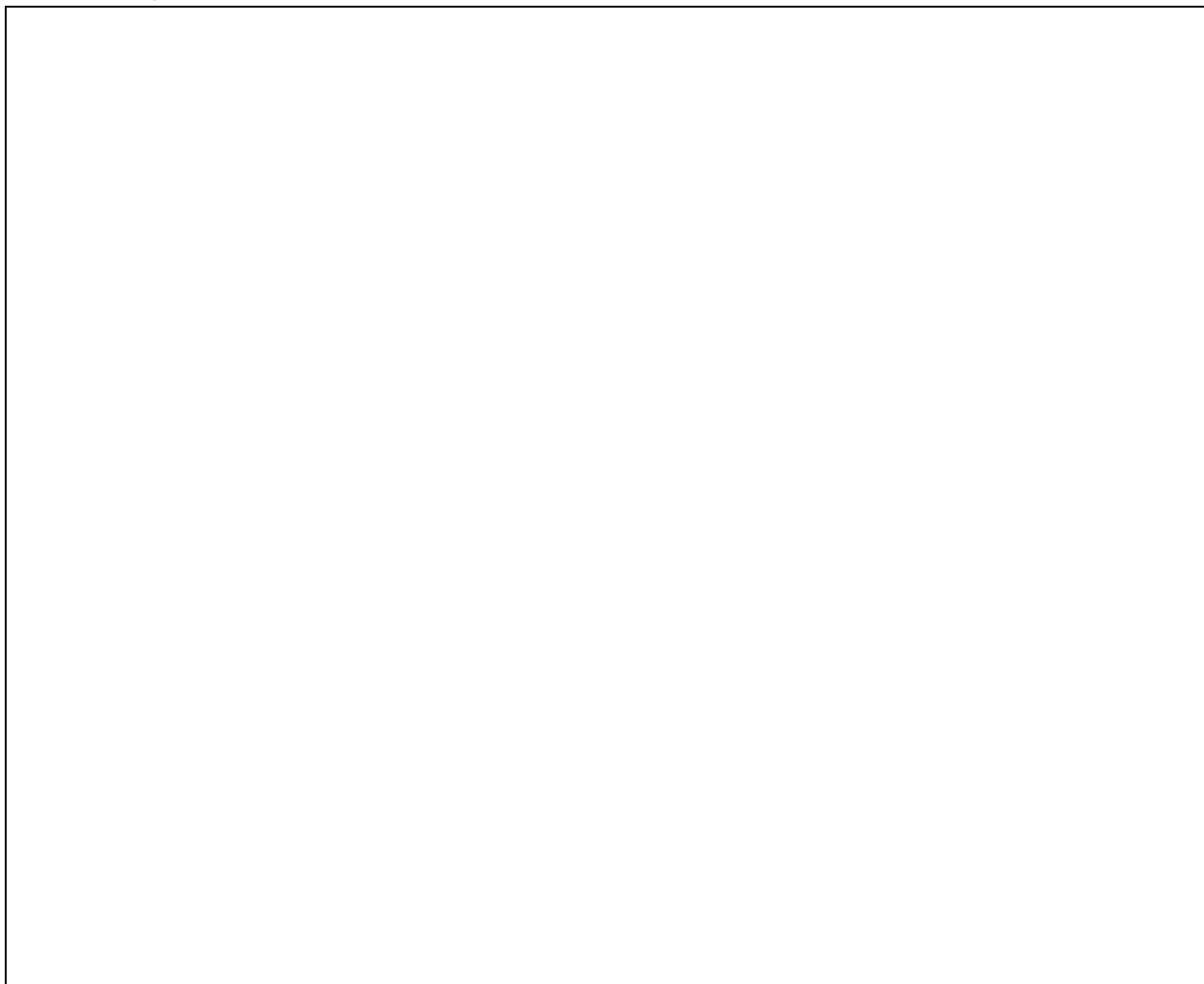
*Please Note: Your application will not be processed without evidence of a current certificate if required by legislation.*

Should the City receive complaints relating to your keeping of bees and an Officer deems a nuisance to exist, then the officer may instruct you to take certain measures as appropriate or revoke your Permit.

\_\_\_\_\_  
(Applicant's signature)

\_\_\_\_\_  
(Date)

Site plan:



### **Lodging your Application**

#### **\$164.50 application fee to be submitted with application form\***

In Person: City of Wanneroo Administration Centre, 23 Dundebur Road, Wanneroo, Monday to Friday 8.30am to 5.00pm. Payment by Cash, Cheque, EFTPOS, Visa or Mastercard. *Credit card payments incur a surcharge of 0.38% (incl GST).*

By Mail: Locked Bag 1, Wanneroo WA 6946  
*Cheques to be made payable to the 'City of Wanneroo' and crossed 'Not Negotiable'*

By Email: [health@wanneroo.wa.gov.au](mailto:health@wanneroo.wa.gov.au)  
*Payment can be made by calling 9405 5285 to pay by Visa or Mastercard.  
Credit card payments incur a surcharge of 0.38% (incl GST).*

**\*\*Please allow up to 28 days for application to be processed\*\***

**\*No refunds for application fees.**

(These comments are required if you are applying for a permit)

## Neighbour's Comments about Keeping of Bees

At \_\_\_\_\_

I \_\_\_\_\_, residing at

\_\_\_\_\_ provide the following comments to the keeping of bees at the above Address:

\_\_\_\_\_  
\_\_\_\_\_

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

I \_\_\_\_\_, residing at

\_\_\_\_\_ provide the following comments to the keeping of bees at the above Address:

\_\_\_\_\_  
\_\_\_\_\_

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

I \_\_\_\_\_, residing at

\_\_\_\_\_ provide the following comments to the keeping of bees at the above Address:

\_\_\_\_\_  
\_\_\_\_\_

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

## Sample Letter to Neighbour

Date:

Your name

Your address

SUBURB WA POSTCODE

Dear Sir / Madam

### **BEE KEEPING LOCAL LAW 2016 - NOTIFICATION TO ADJOINING OWNERS OF INTENT TO KEEP BEES AT (YOUR ADDRESS)**

Please be advised that I am intending to keep up to two bee hives at the abovementioned property. The City of Wanneroo Bee Keeping Local Law 2016 allows up to two bee hives to be kept in a residential area without requiring a permit provided that:

- no more than 2 bee hives are kept on the land;
- before establishing the bee hives on the land, the occupier of the land notifies, in writing, the occupier of each property adjoining the land that the bee hives are to be kept;
- each bee hive is kept at least 10 metres from any thoroughfare (including a footpath) or public place and at least 5 metres from any other boundary of the land;
- a good and sufficient supply of water on every apiary site is provided in a way that is readily accessible to the bees on that site;
- bees from the bee hives do not become a nuisance; and
- Any person who keeps bees in the City of Wanneroo must be a registered beekeeper if required by the Biosecurity and Agriculture Management (Identification and Movement of Stock and Apiaries) Regulations 2013

If my bees are becoming a nuisance, please don't hesitate to contact me on (*your phone number*), so I can make the necessary modifications to reduce their impact on your property.

If you consider the bees are still a nuisance you can contact Health Services at the City of Wanneroo who will investigate the matter on your behalf.

**E-mail to:**

Health@wanneroo.wa.gov.au

**Post to:**

Health Services  
City of Wanneroo  
Locked Bag 1  
WANNEROO WA 6946

Should you have any further enquiries please do not hesitate to contact me.

Yours faithfully

Your Name