

Apiculture (beekeeping) on public land policy

ORIGINATOR: WORKING GROUP – DEPI PUTTING THE BUZZ BACK IN AGRICULTURE PROJECT
DISTRIBUTION: DEPARTMENT OF ENVIRONMENT AND PRIMARY INDUSTRIES; PARKS VICTORIA
VICTORIAN APIARISTS ASSOCIATION INC.; VICTORIAN FARMERS FEDERATION

CONTENTS

	Page No.
1. APPLICATION	1
2. DEFINITIONS	1
3. BASIS	2
4. OBJECTIVES	2
5. BACKGROUND	3
6. PUBLIC LAND POLICY CONTEXT	3
7. BEEKEEPING POLICY	4
7.1 ACCESS TO FLORAL RESOURCES	4
7.1.1 Public land planning	4
7.1.2 Emergency response	5
7.1.3 Native vegetation protection – clearing apiary sites and access tracks	5
7.2 SECURITY OF PUBLIC LAND FLORAL RESOURCES	6
7.2.1 Timber production	6
7.2.2 Managing fire	6
7.3 ADMINISTRATION	6
7.3.1 Public land bee site licences	7
7.3.2 Bee sites	7
7.3.3 Licence/Site allocation	7
7.3.4 Fees and charges	8
7.4 NATIVE TITLE, TRADITIONAL OWNERS & CULTURAL HERITAGE	8
7.5 COMMUNICATIONS/ENGAGEMENT	8
8. LEGISLATION	8
9. REFERENCES	9

1. APPLICATION

This *Apiculture (beekeeping) on public land policy* and the associated *Apiculture (beekeeping) on public land standard operating procedure* relate to the conduct of apiculture (beekeeping) on all public land (forests, parks and reserves) managed by the Department of Environment and Primary Industries (DEPI) and Parks Victoria.

This document should also inform other public land managers about the benefits of beekeeping and processes for the administration and management of beekeeping.

2. DEFINITIONS

In this policy –

Apiary means a bee hive or group or ‘load’ of managed bee hives;

Apiary site means a site (usually within a clearing or semi-cleared site) where an apiary may be located. Beekeepers may sometimes refer to an **apiary site** as a ‘bee farm’ or ‘bee yard’;

Apiculture (also referred to as **beekeeping**) means the management and husbandry of honeybees;

Bee forage area (also referred to as a **bee range**) means the area over which bees forage for nectar and pollen;

Beekeeper means a person, persons or business entity engaged in the conduct of **apiculture** or beekeeping;

Bee site means an **apiary site** or the place on which bee hives are kept and a **bee forage area** or **bee range**. On public land bee sites are classified as follows:

- **Category One bee site** (bee forage area or bee range diameter = 1.6 km); and
- **Category Two bee site** (bee forage area or bee range diameter = 3.2 km);

Bee site licence means a licence or permit under the relevant legislation and regulation pertaining to public land;

Bee smoker (also referred to as a **smoker**) means a device used to calm or control bees. The hand held device generates smoke from smouldering fuels (e.g. pine needles);

Public land means forests, parks and reserves and does not include public land managed by Committees of Management, Trusts, Municipal Councils or government agencies other than the **public land manager**; and

Public land manager means the Department of Environment and Primary Industries and/or Parks Victoria.

3. BASIS

In recognition of the role of the European Honeybee in helping to assure the food security of Victorians and Australians via the provision of crop pollination services, the Victorian Government is committed to a viable and productive honeybee industry.

A viable and productive honeybee industry is heavily dependent on access to and maintenance of secure floral resources within the state's forests, parks and reserves and streamlined and efficient regulation/administration.

4. OBJECTIVES

This policy and the associated standard operating procedure seek to:

- encourage apiculture on public land;
- maximise coexistence or minimise conflict between apiculture and other public land uses/values;
- establish an efficient, effective and uniform system for the management and administration of apiculture on public land; and
- ensure an appropriate financial return to the State from the use of a public resource.

5. BACKGROUND

For more than a century bee sites were established on public land wherever there were suitable floral resources and access and the prescribed spatial separation of apiary sites could be achieved. Apart from apiary site and bee range size prescriptions, the only real limitations on the establishment of bee sites related to the extent and standard of the public land road network and capabilities of beekeepers vehicles.

Given that public land, particularly state forests, is approaching capacity in terms of bee sites on prime honey flora, there is competition for existing sites and consistent demand for new opportunities.

As at February 2012, there were 3,637 bee sites on the 7.6 million ha of forests, parks and conservation reserves in Victoria. One thousand, nine hundred and forty three sites are located in the 3.16 million ha of state forest, 1,235 bee sites are located within the 3.4 million ha of national, state and other parks and the remaining 459 sites are located on other public land, including conservation reserves.

In recent decades, drought, fires and, according to beekeepers, management practices/activities (e.g. fire management and forestry operations) have impacted significantly on the productivity of the Victorian honeybee industry. For example, since 2002/03, bushfires have impacted on the productivity of more than 500 public land bee sites.

These impacts together with the array of often competing uses of public land and the fact that there are limitations on availability of 'unutilised' floral resources generate challenges and complexities for public land managers in terms of achieving coexistence between beekeeping and other public land uses and deriving the maximum value from public land for the wider community.

DEPI administers public land beekeeping according to the relevant legislation (see Section 8).

6. PUBLIC LAND POLICY CONTEXT

Victoria's public land encompasses approximately one third of the state and provides enormous environmental, social, cultural and economic benefits to all Victorians.

Public land, depending on its category, may have multiple purposes, including:

- protecting of natural, cultural and heritage values;
- providing recreational and health benefits to the public;
- providing educational and scientific benefits to the community;
- establishing built public assets and utilities/services infrastructure; and
- supporting economic use of public land resources such as apiary, grazing, and tourism opportunities.

The role of public land managers is to manage the land and its natural resources in a sustainable, efficient and effective manner on behalf of the community having regard to the purpose for which that land was reserved.

Public land is diverse and extensive allowing many different uses to be catered for. However, public land is also a finite resource and resource limitations mean that compromises will need to be made

to get the best outcomes (including continued provision of opportunities for individuals, businesses and communities) for all Victorians.

Great care needs to be taken when managing forests and parks to make sure that they are healthy and productive so that current and future generations will continue to benefit from them.

The Government is committed to making sure that our growing and diverse population benefits fully from our estate.

7. BEEKEEPING POLICY

The Victorian Government recognises the importance of the honeybee industry in helping to ensure Victorian food security, boost regional jobs and support the state's billion-dollar agricultural exports. Accordingly, DEPI seeks to encourage and support beekeeping on public land except wilderness and reference areas and reduce administrative burden on beekeepers.

7.1 ACCESS TO FLORAL RESOURCES

Apiaries are permitted on public land except on public land within the following distances from the boundary of a wilderness park or zone or reference area:

- 0.8 km (in the case of Category One bee sites);
- 1.6 km (in the case of Category Two bee sites).

Note: These distances ensure alignment of bee range or bee forage area boundaries with the boundaries of wilderness and reference areas.

7.1.1 Public land planning

Beekeeping will be considered as a part of all public land planning processes.

Relevant planning processes include:

- Regional management plans: These plans will indicate the overarching importance and narrative for a region's beekeeping identifying any specific important issues and any particular regional considerations/directions in the management of bees;
- Operational plans and management plans:
 - Park or forest management plans: these plans may address local beekeeping issues and considerations and provide strategies for the management of beekeeping within a park or parks or a forest planning area;
 - Master plans: master plans generally apply to small development envelopes or areas. However they may impact on beekeeping on adjoining public land;
 - Recreation plans: see master plans, above;
 - Road management plans: these plans have implications and present opportunities for beekeepers in planning and management of and works on the road network;
 - Planned burning and other fire management planning and operations: DEPI, working with beekeepers, will:

- consider current and projected availability and diversity of floral resources in planning for planned burns; and
- notify relevant beekeepers in advance of planned burns (and beekeepers should assist this process by providing DEPI with appropriate contact details).

Where specific beekeeping values have been identified as part of an operational or management planning process, the public land manager may consider application or utilisation of the following tools to protect or minimise impact on those values:

- Management prescriptions: for example the current Bendigo Forest Management Plan (and timber harvesting prescriptions) includes prescriptions to protect Yellow Box (*Eucalyptus melliodora*) and Summer Flowering Red Ironbark (*Eucalyptus tricarpa*);
- Forest zoning: while DEPI does not support broad-acre application of special management zones to ensure protection of bee sites, it is recognised that a zoning solution may be appropriate in some locations.

In circumstances where the above processes do not adequately recognise or protect beekeeping values, the public land manager may consider the development of an apiary management plan. While 'single issue' plans are not generally favoured by DEPI, it is recognised that such plans are useful/warranted in some situations. For example, the *Gippsland Apiary Plan* has provided a solid framework for maximising coexistence between beekeeping and timber production in that area.

7.1.2 Emergency response

DEPI will, so far as is practicable, consider beekeeping in planning and implementing response to emergency incidents/natural disasters.

DEPI's first priority will be the management of the incident or disaster, and beekeepers should not assume that their interests and assets can be protected.

DEPI will consider beekeeping in planning and implementing rehabilitation and recovery following emergency incidents/natural disasters.

Where access to an apiary has been prevented or a bee site has been rendered unproductive as a result of a natural disaster or other emergency incident, the land manager may consider alternative options for beekeepers including alternative sites if available or fee waivers.

7.1.3 Native vegetation protection – clearing apiary sites and access tracks

Removal, destruction or lopping of native vegetation to create or maintain apiaries and/or access to apiaries shall be subject to the applicable *Victoria Planning Provisions* (DPCD undated) and *Victoria's Native Vegetation Management – A Framework for Action* (NRE 2002) (and future *Permitted clearing of native vegetation – Biodiversity assessment guidelines*).

In addition, removal, destruction or lopping of native vegetation must not occur without approval of the public land manager.

As a general principle, and so far as is practicable, apiary sites should be located on existing clearings, breaks or openings within public land.

7.2 SECURITY OF PUBLIC LAND FLORAL RESOURCES

Public land managers will optimise the security of public land floral resources in a manner that is consistent with statutory obligations and government policy.

7.2.1 Timber production

Victoria's timber industry policy is predominantly enshrined in the *Timber Industry Action Plan* (TIAP). The TIAP details how the government will implement its forestry policy and assist the timber industry to meet its key challenges. Primary policy settings underpinning the TIAP are the provision, for the timber industry, of greater resource certainty and secure long-term access to native timber supplies.

Timber production operations are conducted in accordance with forest management plans, the *Code of Practice for Timber Production 2007*, the allocation order (for public native timber harvesting), and all other relevant laws and regulations governing timber harvesting. The code stipulates requirements for wood utilisation and coupe planning, which in turn determine harvesting techniques and rehabilitation requirements, including in relation to roads and log landings.

Beekeeping will be considered in timber production planning, with view to optimising coexistence between the two activities.

7.2.2 Managing fire

The *Code of Practice for Bushfire Management on Public Land 2012* establishes the framework for bushfire management (including planned burning and bushfire response) on Victoria's public land.

The code commits fire agencies to reduce the risk of bushfires to human life and recognises the role of fuel management in reducing bushfire risk over broad areas. The code also commits fire agencies to engagement with communities and stakeholders (including beekeepers) in the planning and management of fire.

DEPI, within the context of compliance with the code, will seek to minimise the impacts of managing fire on public land beekeeping.

7.3 ADMINISTRATION

The government's economic strategy, *Securing Victoria's Economy: Planning, Building, Delivering*, promotes sustained productivity improvements through a more affordable and competitive business environment (e.g. by reducing administrative burden on businesses).

DEPI aims to administer beekeeping on public land in a streamlined and efficient manner. DEPI will also strive for continuous improvement in the administration of public land beekeeping.

7.3.1 Public land bee site licences

To undertake beekeeping activities on public land the beekeeper must be a registered beekeeper under the *Livestock Disease Control Act 1994 (Vic)* and the holder of a current public land bee site licence.

Beekeeping activities must be in accordance with the conditions of the bee site licence.

Bee site licences do not provide any exclusive interest or property right in the land.

Licences will be issued for a term of 10 years and are renewable.

7.3.2 Bee sites

DEPI will continue to administer two categories of bee sites:

- **Category One bee sites** (sites formerly subject to three and six month licences/permits). These sites are 1.6 km in diameter.
- **Category Two bee sites** (sites formerly subject to annual Bee Farm and Bee Range Licences). These sites are 3.2 km in diameter.

No new Category Two bee sites will be established, and as licences for existing Category Two sites are surrendered or discontinued by the beekeeper, these sites will be converted to Category One sites.

Apiary sites will be operationally adequate, definable and, as a general principle, signposted (pegged). Operational adequacy will vary from beekeeper to beekeeper or according to operational or seasonal circumstances, and accordingly DEPI and/or Parks Victoria will not, as a general principle, include judgments about operational adequacy in decision-making in relation to a given apiary site.

As a general principle, new apiaries must be located at the centre or close to the centre of the bee range and bee sites must not overlap (although it is recognised that for practical or operational purposes, some overlap - up to 10% - may be necessary).

7.3.3 Licence/site allocation

DEPI favours competitive processes to allocate access to public land resources, noting that for cost effectiveness the department may choose to allocate bee site licences on a first come first served basis.

The department may also allocate bee site licences via other means including ballot or expression of interest. Usually such approaches will be applied to a number or batch of bee sites, particularly where these are identified by DEPI and/or Parks Victoria, or to those cases where there are a number of applicants for a particular site.

All bee sites will be allocated through an open and transparent process.

7.3.4 Fees and charges

Government policy in relation to pricing, fees and charges is that full cost recovery will be sought, except for certain specific circumstances where prices, fees and charges will be set according to commercial rates (higher than full cost recovery) or subsidised (lower than full cost recovery).

Government fees and charges are, as a general principle, subject to annual adjustment based on the 'Annual Rate' (also known as the 'Treasurer's Rate') published prior 1 March of each year.

Fees and charges for bee site licences will be in accordance with government fees and charges policies.

7.4 NATIVE TITLE, TRADITIONAL OWNERS & CULTURAL HERITAGE

The *Native Title Act 1993 (Cwlth)* and the *Traditional Owner Settlement Act 2010 (Vic)* provide the basis for determining matters of native title and traditional ownership in Victoria. DEPI will adhere to the provisions of the legislation in relation to the issue of bee site licences.

DEPI recognises and supports the protection of Aboriginal cultural heritage on public land. DEPI will adhere to the provisions of the *Aboriginal Heritage Act 2006 (Vic)* and associated regulations to provide for the protection of Aboriginal cultural heritage in all of its activities on public land, including management of beekeeping.

7.5 COMMUNICATIONS/ENGAGEMENT

To optimise public land beekeeping productivity and coexistence with other public land uses, DEPI and Parks Victoria will undertake or facilitate good communications and engagement with beekeepers.

DEPI recognises that education and training of staff in relation to beekeeping on public land is essential for the effective management and administration of the activity.

8. LEGISLATION

Aboriginal Heritage Act 2006 (Vic)

This Act facilitates protection of Aboriginal cultural heritage and broadens Aboriginal community involvement in decision making.

Country Fire Authority Act 1958 (Vic)

Section 40 of this Act relates to the lighting of fires (including the operation of smokers) on days of total fire ban. A permit is required to operate a smoker or utilise fire for the extraction of honey on a day of total fire ban.

Flora and Fauna Guarantee Act 1988 (Vic)

This Act protects significant listed flora and fauna species and communities.

Forests Act 1958 (Vic)

Section 52 of the Act provides that licences may be granted for a range of purposes, including any purpose connected to state forest or forest produce. Bee sites may be licensed under this provision of the Act.

Forests (Fire Protection) Regulations 2004

Regulation 24 stipulates fire protection requirements in relation to apiculture on public land, including the use of smokers and the provision of fire fighting equipment (knapsack spray and rake).

Land Act 1958 (Vic)

Sections 141 – 148 of the Act provide for bee farm and range licences and section 149 relates to temporary apiary rights.

Land Regulations 2006

The Land Regulations prescribe fees and charges for activities such as: lodgement and recording licence applications; preparation and issue of a licence; consent to the transfer of a licence; and preparation of a duplicate licence document.

Livestock Disease Control Act 1994 (Vic)

This Act requires the registration of all apiarists and sets the standards and conditions for apiculture and disease control. Section 125 provides a mechanism or process for managing abandoned hives on Crown land.

National Parks Act 1975 (Vic.)

Section 21(1)(b) of the Act allows a permit to be granted to allow the operation of an apiary in a park reserved and/or managed under the Act.

Native Title Act 1993 (Cwlth) and Traditional Owner Settlement Act 2010 (Vic)

These Acts provide the basis for determining matters of native title and traditional ownership in Victoria.

Planning and Environment Act 1987 (Vic)

This Act provides the basis for planning schemes in Victoria, including the *Victoria Planning Provisions* and the development and incorporation of codes of practice, including the *Apiary code of practice* (DPCD 2011).

9. REFERENCES

DPCD (2011) *Apiary code of practice*, Department of Planning and Community Development, Victoria.

DPCD (Undated) *Victoria Planning Provisions*, Department of Planning and Community Development, located at <http://planningschemes.dpcd.vic.gov.au/vpps/> (website accessed 20 May 2013).

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DSE (2008) *Bendigo Forest Management Area, Management Plan*, Department of Sustainability and Environment, Victoria.

DSE (2012) *Code of Practice for Bushfire Management on Public Land*, Department of Sustainability and Environment, Victoria.

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