



## USER GUIDE #25 - BEE KEEPING

**Bee keeping is regulated under Local Law No. 2 (Animal Management) 2011 which provides a set of criteria for the keeping of bees. While the local law itself does not trigger a local law application, it is used to determine whether bee keeping activities are relevant to Mackay Region Planning Scheme 2017. If the local law requirements are not met, beekeeping is defined as “Animal husbandry” under the planning scheme.**

**This user guide is provided to clarify the requirements under the Local Law and the planning scheme.**

### MACKAY REGION PLANNING SCHEME 2017

The planning scheme is the primary instrument for managing development in our local government area.

#### The planning scheme:

- outlines a 20 year vision for the region
- identifies zones and overlays over land
- defines various forms of development
- determines the level of assessment for each type of development
- sets benchmarks for the assessment of development

### WHAT IS BEE KEEPING

Bee keeping is the practice of keeping one or more bee hives on a property. A bee hive is an artificial home for bees. Bee hives are kept in an apiary.

### LOCAL LAW REQUIREMENTS FOR BEE KEEPING

Local Law No. 2 (Animal Management) 2011 provides criteria regarding the keeping of bees. If these requirements are met, the activity is not relevant to the planning scheme and no development application to council is required. If the requirements are not met then it is defined as “Animal husbandry” under the Mackay Region Planning Scheme 2017 and an application may be required.

The requirements of the local law are:

- all hives are setback a minimum 1m from side and rear boundaries
- hives are contained within a minimum 1.8m impenetrable vegetative barrier or solid fence preventing unauthorised access from neighbouring properties, roads and other public land.
- all hives are setback a minimum 20 m from roads, footpaths, parks and property entrances

- the following maximum number of hives may be kept on a premises:
  - 2 hives on a lot size 400m<sup>2</sup> to 1000m<sup>2</sup>
  - 5 hives on a lot 1001m<sup>2</sup> to 2000m<sup>2</sup>
  - 10 hives on a lot 2001m<sup>2</sup> and over
- no hives are permitted to be kept on an allotment with an area less than 400m<sup>2</sup>

## ANIMAL HUSBANDRY UNDER THE MACKAY REGION PLANNING SCHEME 2017

If the above local law requirements are not met then the bee keeping activity is defined as “Animal husbandry” under the Mackay Region Planning Scheme 2017.

Animal husbandry is defined as the use of premises for producing animals or animal products on native or improved pastures or vegetation and includes ancillary facilities related to this use.

An Impact assessable Material change of use application is required for Animal husbandry in all zones except for the following:

- Animal husbandry is “Accepted development” in the Emerging community zone and the Rural zone (no application required, no requirements apply).
- Animal husbandry is Accepted development in the Industry investigation zone unless involving a roofed building over 100m<sup>2</sup> in area, in which case it is Code assessable (assessment against relevant codes, no public consultation).
- Animal husbandry is accepted development subject to requirements in the Rural residential zone. The requirements are that buildings associated with Animal husbandry have a maximum height of 5.5m and a maximum site cover of 200m<sup>2</sup>. If one or more of the requirements for accepted development are not met then it is Code assessable against only those matters of non-compliance.

Note that an overlay may change the category of development and assessment - for more information refer to User guide #3 - Do I need to lodge a development application?

## REQUIREMENTS FOR MATERIAL CHANGE OF USE APPLICATION

An Impact assessable application for Animal husbandry (Bee keeping) will be assessed against the planning scheme and involve public notification.

An application would need to contain the minimum application requirements (see User guide #5 - Making a development application) and demonstrate that the activity would not cause any negative safety, amenity or other effects on neighbouring properties and the environment and that it is generally consistent with the purpose of the scheme and zone.

### OTHER RELEVANT USER GUIDES:

#### General

- #1 Using the planning scheme
- #2 What is my zone and other planning scheme designations?
- #3 Do I need to lodge a development application?
- #5 Making a development application
- #6 The development assessment process
- #8 After a development approval is issued

## FOR MORE INFORMATION

This user guide provides an overview of the requirements for bee keeping only.

### Council provides general development advice:

- [Online enquiries](#) can be lodged via the [Planning advice online enquiries form](#)
- Phone enquiries and appointments can be lodged by phoning 1300 MACKAY (1300 622 529)

You may wish to contact a qualified professional who can provide assistance and, if necessary, prepare and lodge a development application on your behalf.

FOR MORE INFORMATION PHONE COUNCIL  
ON **1300 MACKAY** (1300 622 529)  
OR VISIT THE WEBSITE **MACKAY.QLD.GOV.AU**