

Hair Dressing, Beauty Salons & Skin Penetration Businesses



1st Things 1st ...

If you are planning to operate a hair, beauty or skin penetration business, it is important that you are aware of the health risks, regulations and Council requirements involved. Unsafe or unhygienic premises or procedures in these industries can put both customers' and operators' health at serious risk and can lead to the spread of infectious diseases. Under the *Public Health Act 1991* and the *Local Government Act 1993*, Councils are required to maintain a register of these businesses. This register helps Council monitor and ensure compliance with the relevant legislation in order to reduce the potential health risks to the community.

Starting a New Hair, Beauty or Skin Penetration Business

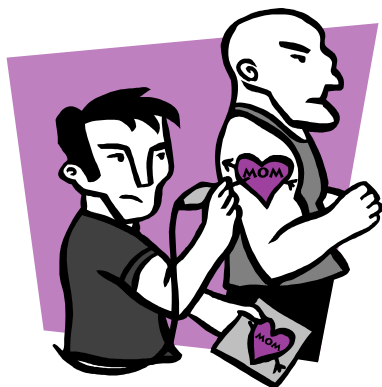
Development Approval

One of the first things you need to consider when planning for your new hair, beauty or skin penetration business is an appropriate premises to locate the business and whether or not the location has approval for your intended use. For instance if you plan on renting a premises that has been operating as an office, you will need to lodge a Development Application (DA) for a "Change of Use". Even if you will be using the premises for the same use as the previous tenants, you may still need to lodge a Development Application if you are going to be making any changes to the building or erecting any signage.

To find out whether or not you will need development approval or if there are any restrictions on the intended premises, you can contact the Duty Planner or make an appointment with one of our staff to discuss in more detail what will be required. For more information on the Development Application process check out our website www.midwestern.nsw.gov.au or drop by our offices and speak to one of our staff.

Hair, Beauty or Skin Penetration Business Registration

Whether you are required to submit a DA or not, all hair, beauty or skin penetration businesses are required to be registered with Council under the *Public Health Act 1991* and/or the *Local Government Act 1993*. A new registration is also required if a business changes owners or premises. Registration can happen either in conjunction with your DA if submitting one, or using a separate registration form (available from one of our offices or downloaded from our website). You may also need to contact the NSW Department of Fair Trading and/or the Australian Business Register with regards to obtaining an ABN and/or any other licences that may apply to your business. Their contact details are:



➤ NSW Department of Fair Trading
PH: 13 32 20
www.fairtrading.nsw.gov.au

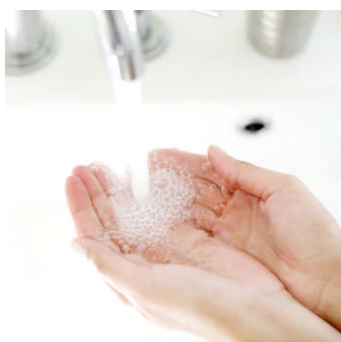
➤ Australian Business Register
PH: 13 28 66
www.abr.gov.au

Fit-out of Premises

It is important to plan and fit-out your premises adequately for functionality and to provide for an easily maintained safe and hygienic environment. While relevant legislation outlines the minimum standards required, some of the key points to remember are:

- **Floors & Walls...** are to have surfaces that are durable and smooth and capable of being easily cleaned. Floors are to be impervious to moisture and coving installed where the floor meets the walls.
- **Storage & Benches...** should be made of materials that are rigid, smooth and impervious to moisture. Construction should be free from open joints, gaps or cracks and kept in good repair. All equipment and products should be stored appropriately in clean dry sealable containers. Chemical products must be securely stored and accurately labelled with Material Safety Data Sheets available for reference.
- **Utility Basins...** for the purposes of cleaning equipment need to be supplied with potable hot and cold water capable of being mixed to a temperature of at least 40°C and should be deep enough to allow equipment to be effectively cleaned under water. Basins for washing hair are to be supplied with potable hot and cold water through a common spout with the hot water being limited to a temperature of not more than 45°C and must be provided with adequate drainage for the purposes of washing hair. Walls adjacent to basins must be covered with a material that is durable, smooth, impervious to moisture and capable of being easily cleaned. This surface should be provided from floor level to a height of 450mm above the basin and extend to 150mm beyond each side of the basin.

- **Hand Wash Basins...** are to be separate to utility basins and provided in the operational area(s) or other area(s) approved by Council. They are to be supplied with potable hot and cold water through a common spout that is capable of being mixed to a temperature of at least 40°C. Taps should be of lever-type operation or of an alternative set-up that allows for hands-free operation (e.g. sensor taps). There must be an adequate supply of liquid soap or other suitable cleansing agents along with single use paper towels. Adjacent walls must be covered as specified above in "Utility Basins".



- **Lighting & Ventilation...** must be adequate for the procedures carried out and in accordance with the requirements of the *Building Code of Australia*. Particular attention to ventilation may be required for nail technician premises or areas involving treatments that emit a lot of dust or fumes from chemicals.
- **Provision of Toilets...** for customer use is required. For businesses that carry out colonic lavage or colonic hydrotherapy procedures, a separate toilet must be provided exclusively for and in close proximity to customers undergoing these treatments.
- **Waste...** storage areas are to be separate to operational areas and of a design that allows for secure containment and ease of cleaning. An Australian Standards approved sharps container must be provided in close proximity to where procedures producing sharps waste are carried out and disposed of in accordance with the *Protection of the Environment Operations (Waste) Regulation 2005*. For disposal of sharps/clinical waste, contact a medical waste collection contractor licensed with the Environment Protection Authority (Department of Environment and Climate Control). **It is both dangerous and illegal to dispose of sharps waste into general waste systems/services.** There are also specific requirements relating to the disposal of clinical waste outlined in the *Protection of the Environment Operations (Waste) Regulation 2005* and the NSW Department of Health's *Waste Management Guidelines for Health Care Facilities – August 1998*. All toilets and wastewater collection facilities are to be connected to the town sewer.
- **Provision of Food & Beverages (if applicable)...** may require additional approval from Council and is subject to the requirements of the *Food Act 2003* and the *Australia New Zealand Food Standards Code*. The storage and cleaning facilities for the provision of food and beverages needs to be separate to those used for all else, including a sink/wash area for the related utensils unless using disposable cups, utensils, etc.



Mobile Hair, Beauty or Skin Penetration Business

Mobile hair, beauty and skin penetration businesses need to be registered with and obtain approval from their base local council as outlined for permanent premises in **Starting a New Hair, Beauty or Skin Penetration Business** above. Mobile operators who travel to other council areas are additionally required to notify the local councils within those areas of the following details:

- The procedures to be carried out;
- The length of time at the site;
- The location;
- Where waste will be disposed; and
- Show the current approval given by home/base local council.

An initial inspection will be required of the mobile facilities before approval is given to ensure compliance with relevant regulations. Further inspections of individual sites of operation may also be required depending on the location and the nature of procedures being conducted. The mobile facility/vehicle must not be used for any other purpose other than that which it is designed and approved for, for example a vehicle approved for the use of a skin penetration business must not be used in any way for accommodation or the preparation of food.

Some basic requirements to be mindful of:

- The mobile facility, any treatment or storage areas, all products, utensils and equipment must be kept in a clean and hygienic condition at all times.
- Adequate storage must be provided to keep clean items clean, sterile items sterile and waste and soiled/used items separate and contained.
- All chemicals must be stored safely and securely and be accurately labelled with Material Safety Data Sheets available for reference.
- If an autoclave is not available for sterilising reusable skin penetration items, then pre-sterilised single-use items should be used and disposed of immediately after use.
- An Australian Standards approved sharps container must be provided in close proximity to where procedures producing sharps waste are carried out and disposed of in accordance with the *Protection of the Environment Operations (Waste) Regulation 2005*. For disposal of sharps/clinical waste, contact a medical waste collection contractor licensed with the Environment Protection Authority (Department of Environment and Climate Control). **It is both dangerous and illegal to dispose of sharps waste into general waste systems/services.** There are also specific requirements relating to the disposal of clinical waste outlined in the *Protection of the Environment Operations (Waste) Regulation 2005* and the NSW Department of Health's *Waste Management Guidelines for Health Care Facilities - August 1998*.
- Mobile operators need access to handwash facilities with hot and cold running water, preferably through a common spout, that is capable of being mixed to a temperature of at least 40°C. They must also have an adequate supply of soap and single-use paper towels. If access to facilities with running water is not possible at a site, then waterless alcohol-based antiseptic hand gels, foams or liquids can be used.
- Facilities must either be connected to the sewer or have a wastewater storage vessel suitable for all liquid wastes produced. Any wastewater must be discharged into the sewer and not to the stormwater. Depending on the volume and nature of the waste, a trade waste agreement may be required with the local council.

Legislation & Guidelines for Hair, Beauty or Skin Penetration Businesses

- Further related information including handy factsheets in PDF format and “*Waste Management Guidelines for Health Care Facilities – August 1998*” can be found in the “Environmental Health” section of the **NSW Department of Health’s** website:
Website: www.health.nsw.gov.au
Phone: (02) 9391 9000
- **NSW Legislation** – *Public Health Act 1991, Local Government Act 1993, Protection of the Environment Operations (Waste) Regulation 2005, Food Act 2003*, etc.
Website: www.legislation.nsw.gov.au
Phone: (02) 9321 3333
- For information relating to the provision of **food and beverages**, refer to the **Food Handling** section of our website – www.midwestern.nsw.gov.au.
- **Public Health Unit** – www.health.nsw.gov.au/publichealth.

Dubbo Office

PO Box 739
Dubbo NSW 2830
Ph: (02) 6841 5569
Fax: (02) 6841 5571

Council Offices:

86 Market Street MUDGEE
109 Herbert Street GULGONG
77 Louee Street RYLSTONE

PO BOX 156
MUDGEE NSW 2850

Ph: 1300 765 002 or (02) 6378 2850
Fax: (02) 6378 2815
email: council@midwestern.nsw.gov.au

