



Public Health Wellbeing Act and Residential Tenancies Act  
Construction and Operation Guidelines



This guideline has been developed to;

- provide new and existing personal care and body art industry premises with a summary of their responsibilities under the Victorian *Public Health and Wellbeing Act 2008*.
- provide new and existing caravan parks with a summary of their responsibilities under the Victorian *Residential Tenancies Act 1997*.

To assist in reading, this document is broken into the following sections:

1. Registration requirements
2. Relevant Legislation
3. Approval process for new business
4. Construction and fit out requirements

## 1. Registration Requirements

Every business that involves personal care or body art premises such as hairdressing, make-up, beauty therapy, skin penetration (piercing and tattooing) and colonic irrigation must register with their local Council.

### **Public Health and Wellbeing Act 2008**

#### **Mobile operators**

- Mobile operators must register their principal place of business. The principal place of business is usually the place at which the business calls are received.
- Mobile Operators must follow the same obligations as a fixed premise. You are to comply with relevant sections of the '*Health Guidelines for Personal Care and Body Art Industries*.'
- No skin penetration procedures are permitted to be conducted via mobile operations (e.g. Tattooists, Piercing etc).

#### **Taking over an existing personal care or body art business**

- Ensure the premise has a current registration.
- Organise with the current proprietor to have an inspection request of the premises undertaken by Council's Public Health Services to ensure any outstanding problems/issues are identified prior to purchase.
- Apply to transfer the registration of the premises before taking over its operation.

Registration with Swan Hill Rural City Council lasts for 12 months. Pro rata fees apply depending on when you set up and open.

Registration is renewable and you will receive a renewal notice from Council at least 1 month prior to the expiry of your current registration. An application to renew registration must be submitted before your current registration expires.

It is an offence under the *Public Health and Wellbeing Act 2008* to operate a hair, beauty, tattooing or skin penetration premises without registration.

Council may issue infringements and/or prosecute any person/company that operates without registration.

#### **Registration/renewal of a caravan park**

- An application must be lodged with the council and include a plan of the caravan park clearly indicating the location and number of all buildings and facilities and all long term sites, short term and camp sites.
- Provide the most recent report provided from the relevant fire authority.
- Include the schedule of works for the caravan park and the status of the works.
- Include the emergency management plan for the caravan park.

If you intend opening a Caravan Park please talk with Council's Public Health Services.

## 2. Relevant Legislation

Legislation: *Public Health and Wellbeing Act 2008*

Regulations: *Public Health and Wellbeing Regulations 2019*

Guidelines: *Infection prevention and control guidelines for hair, beauty, tattooing and skin penetration industries*

The *Victorian Public Health and Wellbeing Act 2008* along with various regulations apply to all businesses that undertake the following activities:

Premises Type	Activities Undertaken
Hairdressing	Including maintain, alter or enhance a person's appearance in relation to their face or scalp hair
Beauty Therapy	Including facial or body treatment; application of cosmetics; manicure or pedicure; nail treatments and epilating.
Skin Penetration	Including ear piercing, body piercing and tattooing
Accommodation	Any premises that provides accommodation for more than 5 people including hotels, motels, guest houses (B&B's), school dormitories and rooming houses.
Acupuncture	Including activity of acupuncture and is not registered under the Chinese Medicine Registration Act 2000
Colonic Irrigation	Also known as colonics, colonic lavage, colon irrigation, high colonic or colon hydrotherapy.

Some business such as those that provide accommodation may also require registration under the *Food Act 1984* for any meals that are provided.

The application fee that is paid for the first registration contains a surcharge that covers the initial inspections of the premises and approval of the plans.

All premises registered under the *Public Health and Wellbeing Act* are inspected at least once per year for compliance with the *Public Health and Wellbeing Act* and relevant regulations.

If opening a new business that will require registration under the *Public Health and Wellbeing Act* further information is available from Public Health Services.

The Infection prevention and control guidelines for hair, beauty, tattooing and skin penetration industries have been developed by the Department of Health and Human Services to assist people with compliance. The guidelines can be obtained from the Department of Human Services website. To obtain a copy go to <http://www.health.vic.gov.au> and search for 'Infection prevention and control guidelines for hair, beauty, tattooing and skin penetration industries' or contact Council's Public Health Services.

### **Residential Tenancies Act**

The *Residential Tenancies Act* requires the registration of all Caravan Parks.

Many caravan parks also operate a kiosk and as such registration under the *Food Act* will also be required. An application to renew registration must be submitted before the expiry of the current registration. All registrations issued under the *Residential Tenancies Act* expire on 31<sup>st</sup> December.

All Caravan Parks are required to have in place an Emergency Management Plan. It is advisable to obtain a copy of this plan prior to you taking over so that you are fully aware of your obligations under that plan. All business registered under the *Residential Tenancies Act* are inspected at least once per year for compliance with *the Residential Tenancies Act* and relevant regulations.

### 3. Approval process for new business

#### Starting a hair, beauty, tattooing or skin penetration premises

- Contact the appropriate industry association for advice.
- Consult with Council's Public Health Services to discuss the proposal of the new business on (03) 5036 2591.
- Contact should be made with the following additional departments and organisations to ensure all other approvals, registrations or licences are obtained.
  - o Building Surveyor for building permits
  - o Council's Planning Department for Town Planning
  - o Council's Regulatory Services for permits and advice on Local Laws.
  - o Rates office to discuss what rates and charges are likely to apply.
- Submit detailed plans of the interior layout to Council's Public Health Services. An Environmental Health Officer will assess your plans and respond in writing or contact you regarding alterations and amendments within 5-7 working days.
- Obtain approval from Council's Public Health Services for the plans before commencing work on the premises.
- Complete work and contact the Public Health Services to arrange an inspection prior to registration being granted.

#### Other Contacts:

- Lower Murray Water - for advice on water supply and grease traps. Phone: 5036 2150
- Grampians Wimmera Mallee Water (Ultima, Manangatang & surrounds) - for advice on water supply Phone: 1300 659 961
- Liquor Licensing Victoria Phone: 9655 6696
- Consumer & Business Affairs Victoria Phone: 1300 558 181

### 4. Construction and fit out requirements

Before operating a personal care or body art business such as hairdressing, beauty, tattooing and body piercing, the proprietor/operator must consider a number of compliance issues. The following items must be addressed in order to register your business.

#### Plans and Specifications

Submit a copy of a current plan representing the following details:

- Drawn accurately to a scale of not less than 1:100.
- The proposed layout of the premises, showing the purpose of each area and its intended use. The layout of the premises should also show the positions of equipment, appliances and other fixtures such as cleaning sinks and hand wash basins.
- A checklist is to be provided, detailing the types of finishes in the premises and adequate information to demonstrate that the premises meets the requirements outlined in this guideline.

#### General Structural Requirements

The following structural requirements are based on the '*Infection prevention and control guidelines for hair, beauty, tattooing and skin penetration industries*'. These guidelines are to be adhered to when designing a premises and undertaking any construction on a proposed or existing hair, beauty, tattooing or skin penetration premises.

An inspection of your premises MUST occur prior to opening of the business. It is the responsibility of the owner to request this inspection and a minimum of 48 hours notice is required.

## Floors, Walls and Ceilings

The floors, walls and ceiling of every compartment in the premises shall be:

- Constructed of a smooth, durable and impervious material.
- Constructed without cracks or open joints.
- Capable of being readily cleaned.
- Unable to provide harbourage of pests.

An appropriate splash back should be installed behind all plumbing facilities, e.g. tiles, stainless steel sheeting or other approved finishes.

## Furniture and Equipment

Shelves, benches and tables are to be made of a durable, smooth and impervious material.

## Lighting

There should be sufficient natural or artificial lights for the activities conducted.

## Ventilation

Adequate ventilation shall be provided to ensure that any odours/fumes generated are sufficiently dispersed.

## Hand wash Facilities

All premises must provide a hand wash basin located in the immediate area(s) of treatment. The hand wash basin shall be supplied with:

- Soap (liquid soap recommended).
- Paper towel.
- An adequate supply of hot and cold water discharged through a common outlet (e.g. mixer tap).

***Where skin penetration (including tattooing) is performed, the hand wash basin must be hands free. This device may be foot/knee operated or an automatic tap.***

## Equipment sink

A sink, separate to the hand basin, equipped with hot (not less than 70°C) and cold water through a single outlet must be provided for the purpose of washing equipment and implements only. This sink must not be used for any other purpose, i.e. cleaning kitchen utensils such as coffee cups. Sinks are to be located in the cleaning area.

Items that cannot be immersed in water, such as scissors, tweezers etc. must be disinfected using a chemical solution as per manufactures instructions.

Suitable disinfectants include:

- 70% w/w ethyl alcohol
- 80% v/v ethyl alcohol
- 60% v/v isopropyl alcohol

## Storage Facilities

All clean linen, towels and clothing must be stored in a clean environment (off the floor) to reduce the likelihood of contamination. A washable leak-proof receptacle should also be provided for soiled linen, towels and protective clothing.

A separate cupboard/area is to be provided for the storage of personal belongings.

Clean instruments must be stored in a clean, dry environment such as inside a drawer or a separate container (off the floor).

## Rubbish Storage

An adequate number of plastic, bag lined, washable bins with tight fitting lids, marked 'General Waste', are to be provided for the disposal of all hair and other non-recyclable trade waste.

If sharps are used, a suitable sharps container that complies with AS 4031:1992 must be available on-site. Look at the Yellow Pages under waste reduction and disposal services for medical waste.

## Clinical Waste

Clinical and related waste, such as blood stained swabs, cotton wool and gloves must be placed into a plastic, bag lined, washable bin with a close fitting lid marked 'Infectious Waste', and disposed of in accordance with the Environment Protection Authority.

Further information available for correct disposal is available in the Yellow Pages under 'waste reduction and disposal services – medical waste'.

## Colonic Irrigation

Further requirements are needed for colonic irrigation. For more information contact the Public Health Services.

## Animals

Animals, other than assistance dogs for hearing and sight impaired clients are not permitted in procedure areas.

## Skin Penetration

Ultrasonic cleaner – uses high energy sound waves to dislodge soil. It cleans but does not disinfect or sterilise.

Instruments need to be rinsed thoroughly after cleaning and water needs to be changed regularly (at least daily).

Autoclave – appropriate method of sterilisation and the Autoclave must comply with Australian Standard 2182. They must be serviced every 12 months and heat sensitive indicator strips must be used each time the autoclave is used (one indicator in load and one in packaging).

## Cleaning

- When cleaning items, wear personal protective equipment (gloves, face mask, plastic apron) and clean the item/s as soon as possible after use. Clean items using a detergent, a non abrasive scouring pad and brushes.
- When sealing wrapped items, they can be taped with Class 1 indicator tape and 'Steripeel' bags can be self sealed, heat sealed or folded (3 times) and taped with Class 1 indicator tape.

- Each cleaned item is to be packed and labelled with a non toxic, water resistant, felt tip marking pen.
- When packaging and wrapping batch control numbers must be used, these link the patient/client with the items. Within these batch control numbers the following information must be included – steriliser identification, date of sterilisation and cycle or load number.
- The packing and wrapping chemical indicators demonstrate that a sterilisation process has occurred.

Where skin penetration (including tattooing) is performed, the hand wash basin must be hands free. This device may be foot/knee operated or automatic taps.

A double bowl sink must be installed to ensure adequate pre-cleaning of items is undertaken. This must be located in a separate room to the area of treatment.

Separate containers are also to be provided for dirty instruments during skin penetration procedures, labelled 'Instruments for Cleaning' and 'Instruments for Sterilisation'.

Class S sterilisers are used for medical surgeries, podiatrist, tattooist and body piercer.

Storage of sterile stock is to be clean and dry, dust free, dedicated to sterile stock storage only, above the floor and not in direct sunlight.

Record Keeping – Accurate records must be kept of each client. These must include name, address, treatment date and contact number. Information of the work done should also be included.

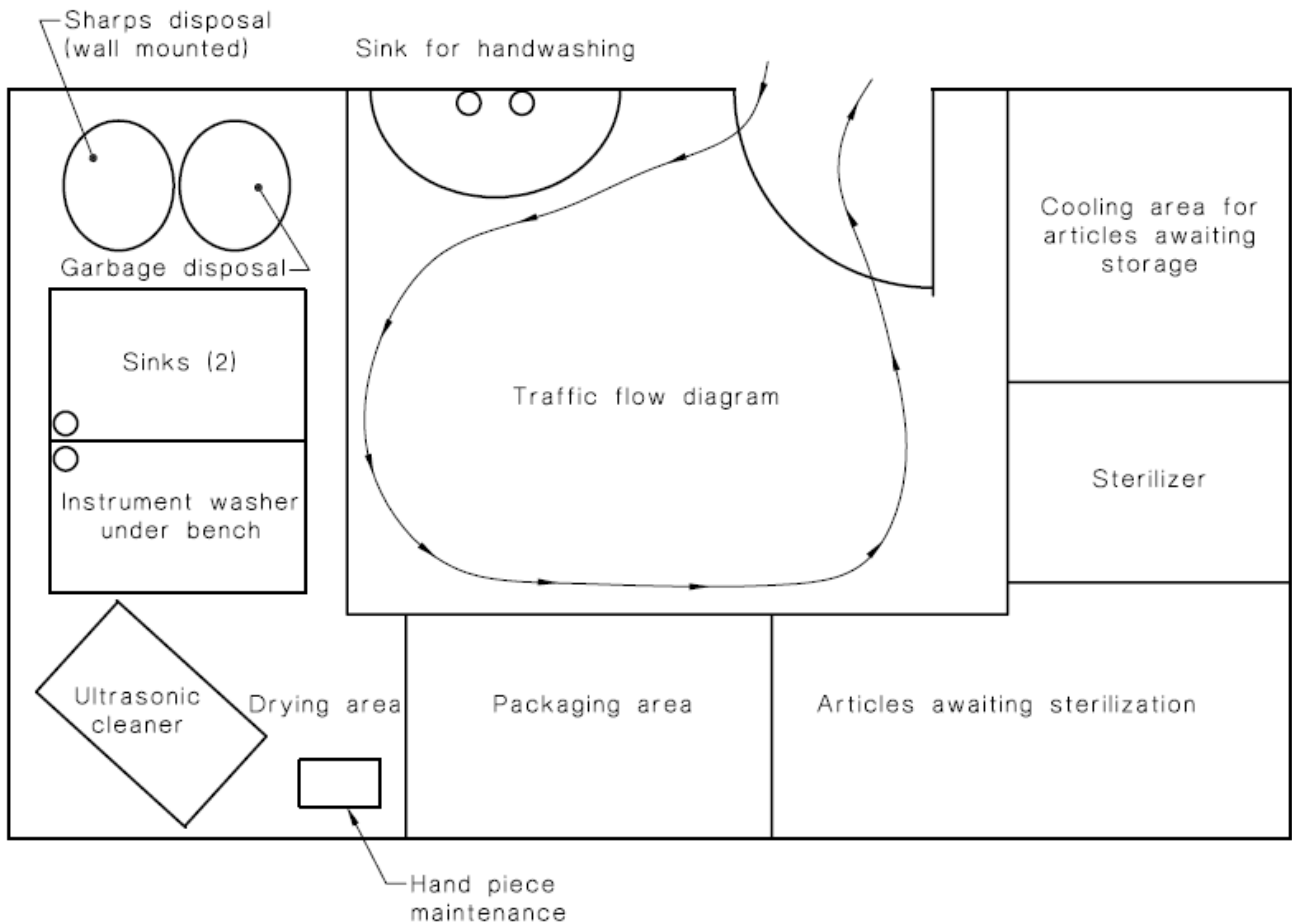


FIGURE 1. SUGGESTED LAYOUT FOR A REPROCESSING AREA

**Reference: AS/NZS 4815:2001**

NOTES:

- 1 Arrow direction indicates the flow of instruments and equipment from dirty—clean—sterile.
- 2 Personnel working in the processing area should wash their hands—
  - (a) After handling soiled items and removal of gloves;
  - (b) Before handling clean items; and
  - (c) Before handling sterile items.