

PUBLIC HEALTH AND WELLBEING ACT INFORMATION KIT

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This guideline has been developed to provide new and existing personal care and body art premises with a summary of their responsibilities under the Victorian *Public Health and Wellbeing Act 2008*.

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

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Note: The requirements outlined in this guide are in relation to Council's Environmental Health Unit only.

Registration Requirements

All businesses in Victoria that undertake activities in the table below must register with their local Council and comply with the *Public Health and Wellbeing Act 2008 (PHWA 2008)* and its associated regulations.

Premise Type	Activities Undertaken
Hairdressing (including hair ups and hair extensions)	Including any activities to maintain, alter or enhance a person's appearance in relation to their face or hair.
Beauty Therapy	Including facial or body treatment; application of cosmetics; manicure or pedicure; nail treatments and epilating.
Skin Penetration	Including piercing, dry needling and tattooing.
Acupuncture	Includes myotherapy and acupuncture activities that are not registered under the <i>Chinese Medicine Registration Act 2000</i>
Colonic Irrigation	Bowel cleansing and detoxification by non-natural methods.

Unsafe or unhygienic practices can lead to the spread of infectious diseases that can affect the health of the client as well as jeopardise the health of the operator.

It is an offence under the *PHWA 2008* to operate a personal care and/or body art premise without registration. Council may issue infringements and/or prosecute any person/company that operates without registration.

The *Infection prevention and control guidelines for hair, beauty, tattooing and skin penetration industries* were developed by the Department of Health to assist businesses to comply with the Act and Regulations. The guidelines can be obtained from the Department of Health website:

<https://www.health.vic.gov.au/publications/infection-prevention-and-control-guidelines-for-hair-beauty-tattooing-and-skin>

Approval Process for New Businesses

Contact should be made with the following additional departments and organisations to ensure all other approvals and permits are obtained.

Within Council:

- **Statutory Planning**
For all planning requirements including parking and signage
- **Building**
For all building permit and toilet requirements
- **Local Laws**
For advertising signs on the footpath
- **Rates**
For details on the rates and charges that are likely to apply

For all departments call City of Ballarat on 5320 5500.

External to Council:

- **Property Owner**
If you do not own the property you are proposing to operate your business from, it is your responsibility to seek the approval of your landlord/agent
- **Business Victoria**
Phone: 13 22 15
- **Consumer Affairs Victoria**
Phone: 1300 55 8181
- You should also contact the appropriate industry association for advice

Note: It is strongly recommended that infection prevention and control, and sterilisation training is undertaken as a way of reinforcing the correct principles and procedures for competent, safe and hygienic practices. Environmental Health Officers can provide you with different training options that are available upon request.

Registration Process

An application must be lodged with Council that includes the following:

- A fully completed 'Application to Register a Health Premises' for (or complete the online application form at <https://forms.ballarat.vic.gov.au/RegisterHealthPremises>)
- A detailed floor plan of the proposed interior layout; and
- Payment of the prescribed fee (pro rata fees apply depending on when you set up and begin trade).

Note: The floor plan must meet the following requirements:

- Drawn accurately to a scale of not less than 1:100;
- Include the location of equipment, appliances and other fixtures such as cleaning sinks and hand wash basins; and
- Include a checklist detailing the types of finishes in the premises and adequate information to demonstrate that the premise meets the requirements outlined in this guide.

An example of an acceptable floor plan can be found on Page 7 of this guide.

When starting a new business, the application fee is initially higher, this takes into account additional statutory assessments and approval of plans, including inspections and administrative costs associated with the application.

Your application will be processed once all required information and full payment is received. An Environmental Health Officer will assess your plans and respond in writing detailing proposed alterations and amendments within 5-7 working days.

An assessed copy of the plans will be returned for your records. **Please note:** Council is unable to assess plans that fail to provide the necessary information.

Once you have received your assessed plan from Council's Environmental Health Unit, you can commence any required work on the premises.

Once all works are completed, contact the Environmental Health Unit to arrange an inspection.

Final Inspection

A final inspection is required before the Public Health and Wellbeing Act 2008 registration will be issued. Please contact the Environmental Health Unit to arrange a final inspection date and time.

Note:

- All works must be finalised; and

- The premises must be clean and ready to commence trading.

Registration commences once the inspection has been completed and the registration certificate issued.

Registration Renewal

All registrations expire on 30 September each year.

The annual registration renewal process aims to support businesses as much as possible, however the onus for renewing registration rests with the proprietor. Proprietors must make application to renew their PHWA 2008 registration.

Renewal paperwork will be sent to the licensee prior to the expiration of their current registration certificate. The environmental health unit request that proprietors make application to renew their registration approximately two weeks prior to the expiration of their current registration as this allows the unit to process your renewal prior to certificates expiring.

Ongoing registration of a low-risk health premises

Eligible businesses which provide hairdressing services and/or low risk beauty therapy services can apply for a once off/ongoing registration.

Hairdressing services includes:

- Cutting hair with scissors or razors
- Colouring and styling of hair

Low risk beauty therapy is defined as the application of cosmetics that does not involve skin penetration or tattooing, and includes:

- Temporary makeup
- Henna tattoos
- Spray tans
- Eyelash and eyebrow tinting

Inspections

All registered premises are inspected annually to check for compliance with the *PHWA 2008* and relevant regulations.

Hairdressers & low risk beauty businesses are generally exempt from annual inspections however inspections may still be conducted to ensure compliance with the PHWA 2008 or to investigate complaints.

Notice to be displayed – Scope of registration

You must display a notice about the scope of registration for the class of business your premises are registered for. The notice that is to be displayed can be found on the Department of Health website.

<https://www.health.vic.gov.au/infectious-diseases/notices-about-scope-of-registration-and-client-information-sheets>

Transfer of Registration (taking over an existing registered business)

If you purchase an existing registered business, **prior to settlement** you will need to:

- Contact City of Ballarat to ensure the premise has a current registration.
- Lodge an 'Application to Register/Transfer a Health Premises'.
- Pay the prescribed transfer fee.

An inspection is required before the PHWA 2008 registration will be issued. Please contact the Environmental Health Unit to arrange an inspection date and time.

Mobile Operators

No mobile skin penetration procedures (e.g. tattoos) are permitted to be conducted in Victoria.

All mobile personal care operators must register their principal place of business. The principal place of business is the place at which the business calls are received. Mobile Operators must follow the same obligations as a fixed premise.

Construction and Fit Out 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 personal care or body art premise as they are considered best practice.

General

Floors, Walls and Ceilings

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

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

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

Furniture and Equipment

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

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 effectively dispersed.

Hand wash Basin

All premises must provide a permanently fixed hand wash basin located in all treatment rooms. An adequate supply of hot and cold water is to be provided through a single outlet mixer tap set-up.

The hand wash basin is to be sealed to the wall and provided with an impervious splashback.

The hand wash basin must be supplied with liquid soap and single use paper towel.

Where higher risk activities are performed (skin penetration) the hand wash basin must be hands free.

The environmental health unit can help you to determine the type of hand wash basin required, based on your activities.

Equipment sink

A sink, separate to the hand wash basin, equipped with hot and cold water through a single outlet must be provided for the purpose of washing equipment and instruments only.

This sink must not be used for any other purpose, i.e. cleaning kitchen utensils such as coffee cups. Should you require a sink to clean food utensils you must install a double bowl sink.

Cleaning sinks are to be located in the cleaning area, separate to all treatment rooms.

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.

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

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

Rubbish Storage

An adequate number of plastic, bag lined, washable bins with tight fitting lids, are to be provided for the disposal of hair, paper and other trade waste.

Animals

Animals, other than guide dogs for hearing or sight impaired clients are not permitted in treatment areas.

Records

Accurate records of every treatment carried out on each client should be maintained.

Cleaning

When cleaning items, personal protective equipment (gloves, face mask, plastic apron etc.) should be worn.

Clean items as soon as possible after use using warm water, a detergent, a non abrasive scouring pad and brushes.

Suitable disinfectants must be used for items that cannot be immersed in water (scissors, tweezers etc.). They must be disinfected using a chemical solution as per manufacturer's instructions.

Note: Immersing items in disinfectant for long periods of time is not recommended.

Colonic Irrigation

Further requirements are needed for colonic irrigation premises. For more information contact the Environmental Health Unit.

Skin Penetration

Where skin penetration (electrolysis, tattooing, body piercing etc.) is performed, the hand wash basin must be hands free.

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

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

Accurate records must be kept of each client. These must include name, address, treatment date, phone number and sterilisation information relevant to the instruments used. Information of the procedures completed should also be included.

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

Clinical Waste

Clinical and related waste, such as blood-stained swabs and gloves must be placed into a plastic, bag lined, washable bin with a sealable lid. 'Infectious Waste', must be disposed of according to the Environment Protection Authority (EPA).

Sharps are also considered to be clinical waste and a suitable sharps container that complies with Australian Standard 4031:1992 must be available on-site.

Note: You cannot legally transport and/or dispose of your own clinical or infectious waste.

The only acceptable disposal method for clinical and infectious waste is through a licenced medical waste contractor. To find a licenced medical waste contractor search Yellow Pages under 'Waste Reduction & Disposal Services'. Your licenced medical waste contractor will supply suitable sharps containers for you to use.

Further information regarding the management of clinical and related waste is available on the EPA website <https://www.epa.vic.gov.au/for-business/find-a-topic/manage-clinical-and-related-waste>

Cleaning

Ultrasonic cleaner – uses high energy sound waves to dislodge contaminants. It cleans but does not disinfect or sterilise. Instruments need to be rinsed thoroughly after cleaning and water needs to be changed regularly.

Autoclave – is the most cost effective means of sterilising instruments. The autoclave must comply with Australian Standard 2182. It must be serviced every 12 months and heat sensitive indicator strips must be used each time the autoclave is used (a class 4, 5 or 6 indicator must be placed in the load and one incorporated in the packaging). The chemical indicators demonstrate that sterilisation has been achieved.

Please see Figure 1 for a suggested layout of the cleaning room for skin penetration premises.

Single Use Equipment

Should you wish to only use single use equipment (e.g., tattoo grips, piercing clamps etc.) please contact the Environmental Health Unit to discuss the required set-up.

FIGURE 1 - SUGGESTED LAYOUT FOR A REPROCESSING AREA

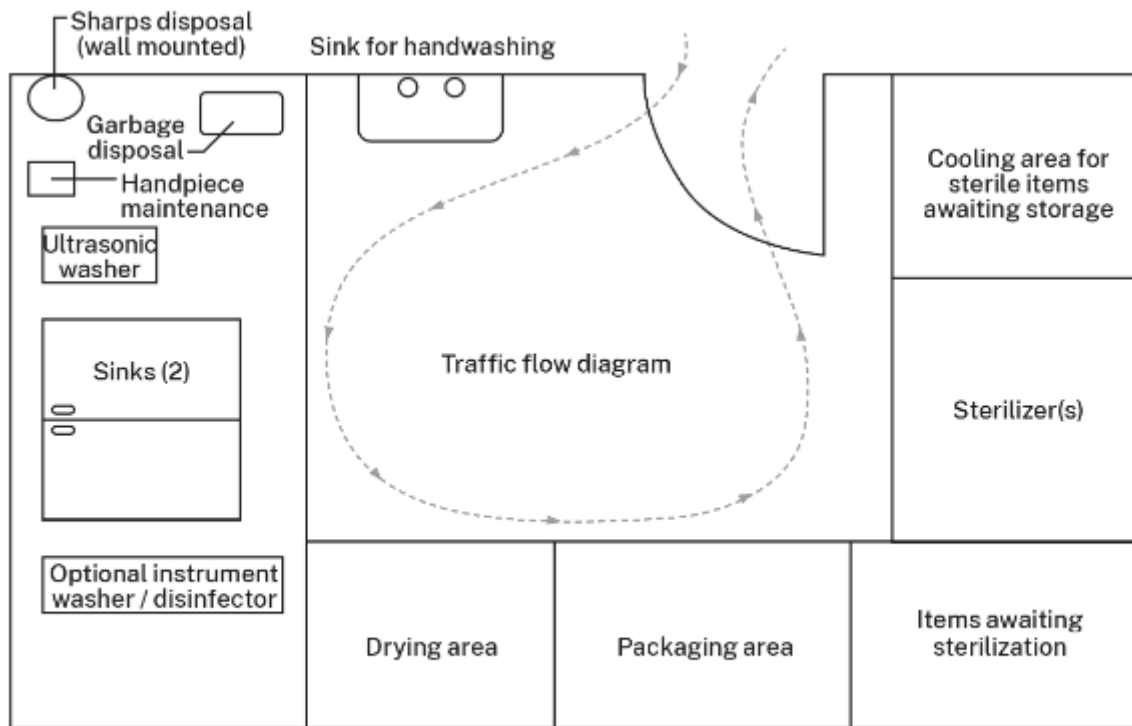
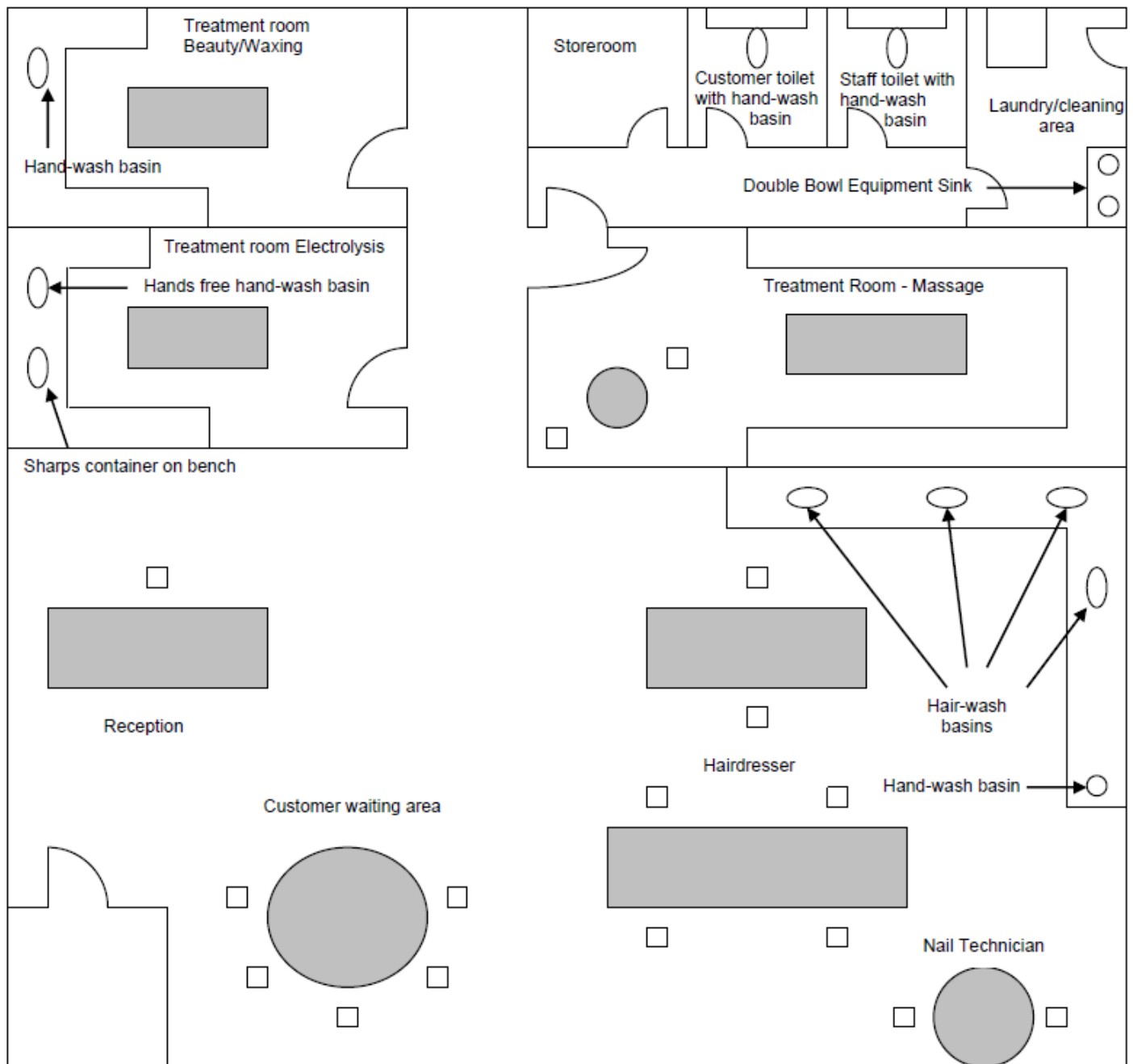


Figure 1: Suggested sterilisation area layout (AS/NZS 4815:2006)

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.

FIGURE 2 – SAMPLE PLAN



Finishes

Floors: Examples of finishes e.g. polished floorboards, tiles.

Walls: Painted plaster board washable paint, tiling behind wet areas – splash backs.

Ceilings: Painted plaster board washable paint.

Hand-wash basin: Hot & cold water through a common outlet and provided with soap and paper towelling through dispensers.

Equipment: Examples of finishes include vinyl, laminex, stainless steel etc.