



# **Starting a Skin Penetration or other Personal Appearance Business Information Guide**

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2019

## 1 Interpretation

### What is a skin penetration business?

Any business which carries out the following activities by people who are not registered as health professionals:

- Body, nose and ear piercing;
- Tattooing and cosmetic tattooing;
- Semi-permanent make-up;
- Colonic lavage;
- Waxing and hair removal with tweezers;
- Electrolysis;
- Microdermabrasion;
- Nail treatments (cuticle cutting and acrylic nail application);
- Blackhead removal using a needle; and
- Any other procedure that involves penetrating or removal of the skin or is prescribed by the [Public Health Regulation 2012](#)

Acupuncture businesses must be registered with the [Chinese Medicine Board of Australia](#) for them not to be considered as skin penetration businesses and to be allowed to use the terms 'acupuncture' or 'traditional Chinese medicine' in signage or advertising.

Skin penetration procedures not covered by the [Public Health Act 2010](#), the [Local Government Act 1993](#), or the regulations thereunder, include procedures carried out by, or carried out under the direct supervision of a registered health professional such as a dentist, chiropractor, osteopath, pharmacist, physiotherapist, nurse or doctor. These professionals are governed by other legislation and infection control guidelines and are not regulated by Council.

All other skin penetration businesses must be registered with Council. Please read the section below on development approval before registering.

### What about other Personal Appearance Businesses?

Other businesses such as hairdressing and barber shops, are regulated by Council under the [Local Government Act 1993](#).

## 2 Development Approval

### Starting a personal appearance business or renovating an existing shop?

For all new businesses that are going to be used for personal appearance services and involve a change of use, building work, or internal renovations, development consent is required before you start as it is not considered as Exempt Development.

If you are not changing the use of a premises, and you are not carrying out any building works or renovations, then simply [notify Council of your business](#).

## Things to consider before leasing a shop as a personal appearance business

### Site considerations

- Is the site suitable?
- Is there already a Development Consent in place to use the site as a personal appearance business?
- Is the site large enough for all the activities, equipment and facilities that will be required?

Once a suitable site is found, you may need to apply for Development Consent. You should speak with Council's Duty Planner to check if the proposal is permitted and what requirements are necessary.

Personal appearance businesses need to [notify Council](#) of their proposed activity **prior** to operation commencing.

### What do I do if I want to set up a home salon?

Home beauty salons, hair salons, barbershops and personal appearance businesses must comply with the *Woollahra Local Environmental Plan 2014*. You should speak with Council's Duty Planner to check if the proposal is permitted and what requirements are necessary.

### Standards for construction and operation

The construction or fit-out of a barber or hairdresser must comply with the [Local Government Act 1993](#) and [Local Government \(General\) Regulation 2005](#). The standards can be found in [Schedule 2 of the Regulation](#).

Businesses conducting skin penetration procedures must also comply with the [Public Health Act 2010](#) and [Public Health Regulation 2012](#).

More information on hygiene requirements for skin penetration procedures can be found on the [NSW Health website](#).

Before you start operating, you can request Council carry out a fit-out inspection to ensure the premises comply with the relevant standards. A fee is charged after the inspection takes place, which is charged on a half hour basis.

## 3 Personal Appearance Business Registration

It is an offence to operate a personal appearance business without consent. When a personal appearance business opens up or changes owners in the Woollahra Local Government Area, Council must be notified.

To notify Council of a new personal appearance business or to update details relating to an existing business, please complete and submit the [online form](#).

It is mandatory to complete all fields as information is required to comply with the [Public Health Regulation 2012](#). **Registration is free.**

## 4 Personal Appearance Business Inspections

Council's Food and Health Officer carries out inspections of personal appearance businesses in the Woollahra Local Government Area to make sure they comply with public health legislation requirements. They check that premises are clean, that equipment is either sterilised or single-use, and that procedures are carried out in a safe and hygienic manner.

### What happens during an inspection?

Council's Food and Health Officer will:

- Arrive at the premises unannounced, introduce themselves and show their photo ID card
- Ask to speak to the person in charge
- Conduct the inspection whilst the business is open and trading
- Proceed whether the business owner is present or not
- Conduct interviews/ask questions of staff members
- Record non-compliances, this may involve use of a camera or other recording device
- Produce a written report detailing the inspection outcome.
- Provide advice and guidance on how to improve standards/operations
- Provide opportunity to ask questions and discuss the inspection results

Unsatisfactory inspections are followed up to ensure compliance with public health legislation.

### What is assessed during the inspection?

- The skills and knowledge of staff to carry out procedures safely
- The cleanliness of the premises
- Safe use and handling of all equipment including skin penetration equipment
- Sterilisation records, and the maintenance and validation of the sterilisation equipment (if kept on the premises)
- Whether staff hygiene and practices are safe and adequate
- The design and condition of the premises, including surface finishes, washing facilities and the location of hand wash basins
- The provision of sharps waste containers and safe waste disposal
- Whether there are any other public health risks related to the business activities

### Fees and Charges

Council charges [fees](#) to contribute to the costs of administration, inspection, regulation and education of businesses.

You will receive an invoice from Council after an inspection has been carried out. A re-inspection fee may be charged if a business is found to be non-compliant and a follow-up inspection is required.