

PUBLIC HEALTH AND WELLBEING ACT 2008 PREMISES – PERSONAL CARE AND BODY ART INDUSTRIES

This information is to be used by people who propose to establish or purchase a prescribed business under the *Public Health and Wellbeing (PHWB) Act 2008*. It should be read in conjunction with the *PHWB Act* and the *PHWB Regulations 2009*.

Which businesses does this apply to?

- Beauty therapy
- Colonic irrigation
- Hair dressing
- Skin penetration
- Tattoo

Please Note: If your business is covered by *the Health Professionals Registration Act 2005*, *Health Services Act 1988*, or is a business of service where human tissue, human fluids or human body parts are subjected to analysis for the purposes of the prevention, diagnosis or treatment of disease in human beings you are exempt from registration under the *PHWB Act*. Current legislation does not require the registration of solaria or massage businesses.

Opening a business

If you are planning to establish a personal care or body art premises there are a number of legislative requirements which must be met.

1. Your first step should be to contact Council's Planning Department to determine whether you will require a planning permit.
2. Contact a registered Building Surveyor to discuss building requirements. A permit may be required for building works or to change the use of an existing building. The Building Surveyor can also advise on Essential Safety Measure requirements for commercial premises.
3. Having contacted Council's Planning Department and a registered Building Surveyor you should contact Council's Environmental Health Unit to determine requirements under the PHWB Act. Environmental Health and the Building Surveyor will have different requirements and therefore both departments should be consulted before final plans are drawn or building works commence.

Submit Plans for approval

The Environmental Health Unit recommends that before any final plans are drawn a copy of the proposed floor plan be submitted for approval.

The floor plan should be drawn to a scale of not less than 1:100. The plan must clearly indicate:

- The proposed use of each room (e.g. waxing, hairdressing etc.), location of fixtures such as hand wash basins, equipment washing etc.

Plans will be processed within 14 working days. If the plans are approved an endorsed copy will be forwarded to the applicant.

An Environmental Health Officer will be available to undertake a progress inspection of the construction phase of your premises.

A final inspection of the premises is required prior to rooms being registered.

Applying for Registration

Application forms for registration under the Public Health and Wellbeing Act 2008 together with details of applicable fees can be obtained from Council's Environmental Health Unit on 5471 1700.

Once the above has been received and the Environmental Health Officer is satisfied that the construction of the premises complies with the requirements of the PHWB Act registration will be granted.

Registration Period

Registration of the premises is required annually. The registration period is from 1 January to 31 December each year. An application for renewal will be sent out at the end of each year and subject to the Environmental Health Officer being satisfied that the premises complies with the requirements of the PHWB Act the premises will be granted registration for a further 12 months and a registration certificate sent out.

Additional requirements

The PHWB Regulations set out requirements for maintenance, cleanliness, sterilisation, personal hygiene and record keeping.

Buying an established PHWB premises.

Before you purchase a prescribed accommodation business you should check with Council's Environmental Health Unit to determine if the business has current registration.

It is also advisable to request a pre-transfer inspection of the business. The pre-transfer inspection will ensure that the premises comply with the requirements of the PHWB Act. A registered Building Surveyor should also be contacted to determine any building requirements.

Transfer of registration

Once the business has been purchased a transfer application form must be completed and returned to Council's Environmental Health Unit with the appropriate fee.

Upon receipt of the application if the Environmental Health Officer is satisfied that the premises complies with the requirements of the PHWB Act registration will be granted.

Please note: Any outstanding works that have been identified by the Environmental Health Unit or the Building Surveyor will become the responsibility of the new owner once transfer has occurred.

Undertaking alterations to an existing PHWB premises

Prior to undertaking alterations to an existing prescribed accommodation premises the following steps should be undertaken:

1. Consult with Council's Environmental Health Unit to discuss the proposal.
2. Consult with a registered Building Surveyor to discuss the proposal and determine building requirements.
3. Submit detailed plans of the proposed layout to the Environmental Health Unit.
4. Obtain approval from the Environmental Health Unit prior to works commencing.
5. Obtain approval from the Environmental Health Unit once works are completed.

Useful contacts

Please contact a customer service officer on (03) 5471 1700 to be directed to the appropriate person in the following Mount Alexander Shire Council departments	
Planning Department	Town planning advice including parking and signage
Local laws	Permits and advice particularly relating to signage on footpaths
Economic Development Officer	Business advice

Tourism Services	Business advice and links to tourism
External agencies	
Consumer Affairs 1300 588 181	For advice on business registration, liquor licensing etc.
Coliban Water 1300 363 200	Advice on water supply, trade waste agreements and grease traps