

Skin Penetration and Beauty Home Business

What is a Home Business?

A home business is a business, whether or not involving the sale of items online, carried on in a dwelling, or in a building ancillary to a dwelling, by one or more permanent residents of the dwelling. The business must not involve any of the following:

- (a) The employment of more than two persons other than the residents.
- (b) Interference with the amenity of the neighbourhood because of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise.
- (c) The exposure to view, from adjacent premises or from a public place, of unsightly matter.
- (d) The exhibition of signage, other than a business identification sign.
- (e) The retail sale of, or the exposure or offer for retail sale of, items, whether goods or materials, not produced at the dwelling or building, other than by online retailing.

Home businesses do not include bed and breakfast accommodation, home occupation (sex services) or sex services premises.

What is a Skin Penetration Home Business?

A skin penetration home business is a home business that involves any skin penetration procedures (whether medical or not), e.g. acupuncture, tattooing, ear piercing, hair removal or the penetration of a mucous membrane, etc., and includes any procedure declared by the [Public Health Regulation 2022](#) to be a skin penetration procedure. Skin penetration does not include:

- (a) Any procedure carried out by a registered health practitioner, or by a person acting under the direction or supervision of a registered health practitioner, in the course of providing a health service, or
- (b) Any procedure declared by the [Public Health Regulation 2022](#) to not be a skin penetration procedure.

Do I need approval from Council to operate a Home Business?

Skin penetration home businesses require development consent from Council before they can operate. This requires a development application (DA) to be lodged with and approved by Council. A list of the information required to be submitted with a home business DA is provided in Appendix A at the end of this factsheet. Additional information on DAs is available on Council's [Development](#) webpage.

Home Business Design and Construction

Skin penetration and beauty home businesses must comply with specific design, construction and operational requirements. A list of these requirements is provided at the end of this factsheet.



Notifying Council before operating a Home Business

For approved home businesses, you must notify Council by submitting Council's [Notification of Beauty, Hairdresser, Barber, Skin Penetration Procedures](#) form before you begin operating the business.

Home Business inspections by Council

Council will undertake both pre-commencement and ongoing inspections to ensure compliance with statutory requirements.

Useful Weblinks

[Standards Australia](#)

[Local Government Act 1993](#)

[Part 2, Schedule 2 of the Local Government \(General\) Regulation 2021 \(Hairdressers\)](#)

[Part 3, Schedule 2 of the Local Government \(General\) Regulation 2021 \(Beauty Salons\)](#)

[NSW Health Factsheet on Hygiene Standards for Hairdressing and Barbers](#)

[Public Health Act 2010](#)

[Public Health Regulation 2022](#)

Where can I find more information?

For further information contact Council on 13 22 63.

Appendix A - Information to be Submitted with a Home Business Development Application

Information	Requirements
Floor Plan	A plan that shows the floor layout of the dwelling, room names, dimensions and areas and the location of the proposed business area. The plan must be to an appropriate scale to ensure legibility.
Statement of Environmental Effects (SEE)	<p>Refer to Council's 'How to Prepare a Statement of Environmental Effects Factsheet'. The SEE must also address the following requirements:</p> <ul style="list-style-type: none"> (a) What type of home business is proposed? (b) What is the full extent of activities/services proposed or products being manufactured? (c) What are the proposed hours of operation? (d) How many staff are proposed? (e) How many staff will reside at the premises? (f) How many vehicles will be visiting the premises per hour/day/week? (g) Is there adequate space in the driveway for visitors' vehicles, without compromising space for residents' vehicles? (h) Is there any business identification signage proposed? If so, provide details of its location, size and content (i) Is the existing domestic waste service sufficient to cater for the dwelling and the business? (j) How will clinical waste (if any) be disposed of? (k) Provide a clear description of all fit out works required in order to comply with the applicable National Construction Code, food and/or health legislation.
Waste Management Plan	A statement that describes how construction and operational waste will be managed.

Appendix B - Design, Construction and Operational Requirements for Skin Penetration Home Businesses

Skin Penetration Home Businesses	Achieved?
The premises must be structurally adequate.	<input type="checkbox"/>
The premises must be connected to Sydney Water reticulated sewer.	<input type="checkbox"/>
Unsewered premises must be connected to a separate dedicated pump-out waste water system. A separate waste water approval from Council will be required.	<input type="checkbox"/>
The premises must be provided with natural or mechanical ventilation.	<input type="checkbox"/>
An exhaust system may be required, e.g. where a clothes dryer is used inside the premises.	<input type="checkbox"/>
Stand alone portable sinks cannot be used.	<input type="checkbox"/>
A hand wash basin supplied with warm, potable water with single use paper hand towels or an automatic hand dryer and liquid soap (or an alcohol-based hand cleaner) must be provided.	<input type="checkbox"/>
An equipment cleaning sink with basins fitted with common spouts for the supply of hot and cold running water must be provided.	<input type="checkbox"/>
A cleaner's sink and laundry facility supplied with hot and cold running water (for mops, buckets, disposal of cleaning waste water and linen washing) must be provided. Use of the dwelling's residential laundry may be permitted.	<input type="checkbox"/>
All wash basins situated against any wall must be provided with splash backs (from floor level to 450mm above the top of the wash basin and from the centre of the wash basin to 150mm beyond each side of the wash basin).	<input type="checkbox"/>
Floor coverings, shelves, fittings and furniture must be constructed of or covered with material that is durable, smooth, impervious to moisture and capable of being easily cleaned.	<input type="checkbox"/>
A waste disposal bin and sharps container must be provided.	<input type="checkbox"/>
The premises must be maintained in a state of cleanliness and good repair.	<input type="checkbox"/>
Facilities for storing appliances and utensils in a hygienic manner must be provided.	<input type="checkbox"/>
All equipment must be maintained in good working order, be cleaned and dried after use and be kept in a clean and dry condition.	<input type="checkbox"/>
All reusable articles used to penetrate a person's skin for skin penetration procedures must be sterilised, whether at the premises or off-site in accordance with Australian Standard 4815-2006 - Office based health care facilities - Reprocessing of reusable medical and surgical instruments and equipment, and maintenance of the associated environment.	<input type="checkbox"/>
A benchtop autoclave must be maintained in accordance with Australian Standard 2182-1998 - Sterilizers - Steam - Benchtop.	<input type="checkbox"/>
There must be at least one person present at the time the autoclave is used who is adequately trained in its operation.	<input type="checkbox"/>
Records must be kept of the times and dates that all sterilised equipment was sterilised and include the length of time the equipment was autoclaved and the temperature and pressure levels of the autoclave. The records must be kept for a minimum of 12 months.	<input type="checkbox"/>
For colonic lavage procedures, a toilet must be provided where the procedures will be carried out. For closed systems a toilet in close proximity is required. For open systems a toilet in the immediate vicinity is required	<input type="checkbox"/>

Appendix C - Design, Construction and Operational Requirements for Beauty Home Businesses

Beauty Home Businesses	Achieved?
The premises must be structurally adequate.	<input type="checkbox"/>
The premises must be connected to Sydney Water reticulated sewer.	<input type="checkbox"/>
Unsewered premises must be connected to a separate dedicated pump-out waste water system. A separate waste water approval from Council will be required.	<input type="checkbox"/>
The premises must be provided with natural or mechanical ventilation.	<input type="checkbox"/>
An exhaust system may be required, e.g. where a clothes dryer is used inside the premises.	<input type="checkbox"/>
Lighting adequate for the carrying out of hairdressing must be provided.	<input type="checkbox"/>
Stand alone portable sinks cannot be used.	<input type="checkbox"/>
A hand wash basin supplied with warm, potable water with single use paper hand towels or an automatic hand dryer and liquid soap (or an alcohol-based hand cleaner) must be provided.	<input type="checkbox"/>
A hair washing sink with basins fitted with common spouts for the supply of hot and cold running water must be provided.	<input type="checkbox"/>
An equipment cleaning sink with basins fitted with common spouts for the supply of hot and cold running water must be provided.	<input type="checkbox"/>
A cleaner's sink and laundry facility supplied with hot and cold running water (for mops, buckets, disposal of cleaning waste water and linen washing) must be provided. Use of the dwelling's residential laundry may be permitted.	<input type="checkbox"/>
All wash basins situated against any wall must be provided with splash backs (from floor level to 450mm above the top of the wash basin and from the centre of the wash basin to 150mm beyond each side of the wash basin).	<input type="checkbox"/>
Floor coverings, shelves, fittings and furniture must be constructed of or covered with material that is durable, smooth, impervious to moisture and capable of being easily cleaned.	<input type="checkbox"/>
The premises must be maintained in a state of cleanliness and good repair.	<input type="checkbox"/>

