



Aquatic Facility Guidance Note 12

Ice baths for commercial and public use

Ice baths where users submerge themselves in cold water for reported physical and mental health benefits are an emerging type of aquatic facility in Western Australia.

Do I need to obtain approval to operate an aquatic facility?

Any water body that is controlled or used by or in connection with any club, business or association is considered an aquatic facility under *Health (Aquatic Facilities) Regulations 2007* (Regulations).

Under the Regulations, a person must not operate an aquatic facility without a Certificate of Compliance and Permit to Operate issued by the Chief Health Officer (CHO).

If you intend to operate an ice bath in connection with a business, club or association, approval may be required.

Single use ice baths:

Where water is disposed of after each user, the ice bath is not considered an aquatic facility and approval, or exemption is not required.

Multi-use ice baths:

An approval to operate an aquatic facility or exemption will be required if multiple people use the ice bath either one at a time or in groups and water is not disposed of after each use.

Note: Full design requirements will be applied to ice baths requiring approval. Please refer to the Code of Practice for the Design, Construction, Operation, Management and Maintenance of Aquatic Facilities.

Can my aquatic facility be exempted?

Under Regulation 5(3) the CHO may exempt an aquatic facility if satisfied that:

1. only persons who have a long-term connection with the facility and their guests are permitted to have access to it; and
2. the health and safety of the persons using the facility will not be compromised; and
3. it is in the public interest to exempt the facility.

To be exempted, the owner of the aquatic facility must:

- demonstrate to the CHO that the above 3 conditions apply; and
- confirm and commit to ensuring that whenever the aquatic facility is available for use, that the aquatic facility meets the [minimum health and safety requirements](#) below.

An exemption is only valid providing that the owner/operator maintain compliance with the below minimum health and safety requirements.

Minimum Health and Safety Requirements

1. The aquatic facility is structurally sound and engineered for its anticipated use.

2. Patrons are always visible at all depths of the water body and when the facility is in use.
3. A concourse is established around the water body to prevent slips, trips and falls and to reduce dirt and debris from being transferred into the water.
4. There are sufficient means of access and egress into and out of the water body.
5. All steps and protrusions in the water body are clearly visible.
6. The aquatic facility's water treatment and recirculation systems are interlinked to ensure both operate at the same time and are able to treat the water to a quality that is safe for the patrons.
7. The aquatic facility's water recirculation system does not pose a risk of entrapment or injury to the patrons.
8. All electrical equipment and electrical installations comply with WA Electrical Requirements and have been installed by a licensed electrician. Installations shall be double insulated or equipotentially bonded.
9. All patrons must be informed of all hazards associated with the facility and agree to the pool safety rules and conditions of use before the facility is made available for use.
10. All fencing and safety barriers for the facility comply with Australian Standards 1926.1 or have been provided alternative security measures and supervision to prevent access by children and unauthorised people including when the facility is not in use.
11. A resuscitation notice is displayed in a prominent position in the aquatic facility area.
12. Patrons have access to toilet facilities.

To further reduce health risk and maximise safety it is recommended that the *Position Statement on Cold Water Immersion Therapy Safety Precautions in Aquatic, Fitness and Leisure Settings* (January 2024) published by AUSactive, is implemented.

[Cold Water Immersion \(https://ausactive.org.au/cold-water-immersion-position\)](https://ausactive.org.au/cold-water-immersion-position)

Are there any other regulatory requirements I need to meet?

If the aquatic facility is exempted under Health legislation, you must still meet other regulatory requirements of the local government such as home occupation and business approvals and town planning requirements.

For further assistance, please contact the contact your local government.

Further information

For further information, please contact the Environmental Health Directorate on 9222 2000.

This document can be made available in alternative formats on request for a person with a disability.

© Department of Health 2024

Copyright to this material is vested in the State of Western Australia unless otherwise indicated. Apart from any fair dealing for the purposes of private study, research, criticism or review, as permitted under the provisions of the *Copyright Act 1968*, no part may be reproduced or re-used for any purposes whatsoever without written permission of the State of Western Australia.