Government of Western Australia
Department of Health

Ice baths for commercial and public use

Aquatic facility guidance note 12

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).

Do I need to obtain approval to operate an ice bath?

An ice bath is a body of water maintained at a temperature between 0 to 15 degrees Celsius, where users submerge themselves for reported physical and mental health benefits.

Operating an ice bath in connection with a business, club or association is considered an aquatic facility and may require an approval.

If multiple people use the ice bath either individually or in groups and water is not disposed of after each use, approval to operate ice bath(s) or an exemption will be required. In such cases, full design requirements will apply. Please refer to the Code of Practice for the design, construction, operation, management and maintenance of aquatic facilities for further details.

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

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:

- confirm 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 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.

Classification: Official

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 system is adequate in treating the water to a quality that is safe for the patrons and designed to fail-safe at all times. The adequacy of the system includes the following.
    a. The maximum water turnover time is 30 minutes.
    b. The recirculation system ensures thorough mixing and consistent maintenance a residual chlorine level of 2mg/L for effective disinfection.
    c. Ice baths are emptied, cleaned, and sanitised with an appropriate product at least once a week.
    d. The facility is monitored and tested weekly by a suitably qualified aquatic technical personnel.
7. The aquatic facility's water recirculation system does not pose the 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 are informed of the hazards associated with the facility and must agree to the pool safety rules and conditions of use before the facility is made available for use, including the rule not to submerge their heads under water.
10. All fencing and safety barriers at the facility comply with Australian Standards 1926.1 or have been provided alternative security measures and supervision to prevent access by children and unauthorised persons, including when the facility is not in use.
11. A resuscitation notice is displayed in a prominent position within the aquatic facility area, and a suitably qualified emergency care personnel is available to respond within a reasonable time in the event of an emergency.
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)

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, as well as town planning requirements. For further assistance, please contact your local government.

Further information

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

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

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