



Date: _____ 20____

The Town Clerk

Dear Sir, Re: Extreme inadvisability of advising ratepayers to empty swimming pools

Please bring this important communication to the attention of the appropriate Team Leader.

Once again, we have to advise you of the danger and extreme inadvisability of your Fencing Staff telling ratepayer pool owners to empty their pools if it is found that they do not currently meet the requirements of the Fencing of Swimming Pools Act 1987 and subsequent amendments

There is a very good chance that such advice could lead to catastrophic damage to the swimming pool due to hydraulic floatation.

Such an event – the pool “floating” – would completely destroy the swimming pool, incurring a cost of many tens of thousands of dollars. Although I am sure you have your lawyers ensure that Council will avoid any financial responsibility if this happens, I am of the opinion that any consequent Legal Action brought against your Council will incur unfavourable publicity and moral outrage amongst possibly thousands of pool owners in your district even when it fails.

Why do you find it necessary to run this risk, when it is far more sensible to insist that the offending customer is instructed to have temporary fencing installed immediately (at their cost) rather than give them a list of options that includes emptying the pool – with the associated risk of catastrophic destruction?

Despite many existing swimming pools having hydrostatic valves fitted, many others do not, and many may have hydrostatic valves that may have become inoperable over the years. Fiberglass and Vinyl Liner pools are particularly susceptible to damage in the event of being emptied while there is a high water-table, and many sprayed concrete pools are also at risk.

Several cases have been brought to our attention recently where a ratepayer has followed Council fencing staff's warning to empty the pool or face a \$200,000 fine, the pool has been emptied, **and is now destroyed**. Was this the Council's intention? What are we to advise these people?

Yours faithfully,

Laurence E (Larry) Ogden Dip Pool Tech - Certified Builder Lic#108/2024
Chief Executive Officer

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