

Pool fence did not meet safety standards, court told

Harvey was warned

MARK Harvey told a council inspector no more work would be done on his pool fence despite him being advised it was substandard well before a three-year-old girl drowned there, an inquest has heard.

Former building surveyor Arthur Smith said his colleague, Dean Ramus, inspected the pool and fence in Roberts St, Essendon, in August 2004 and told the former Fremantle football coach the barrier did not meet the Australian standard.

But Harvey (right) told Mr Ramus he would not be getting any more work done on the barriers, Mr Smith told the Victorian Coroners Court yesterday.

Mr Smith then posted to Harvey a building order for minor works to be completed on the pool (main picture).

He phoned and left Harvey a message more than a month later to arrange a final inspection of the pool and fence, but his call was never returned.

Lauren Harris was found floating in the pool by her mother on September 26, 2008.

Her family had been renting the property from Harvey and his wife Donna, and had



raised concerns about the safety of the pool fence.

Mr Smith told the inquest that a permit to build the pool was granted to 21st Century Pools in 1995.

Either the company or Harvey were obligated to notify the council once the pool and fence were completed so a final inspection could be

carried out, but neither did, the inquest was told.

The pool was not inspected until nine years later, after Mr Smith became aware the company had ceased to operate and contacted all property owners with unfinalised building permits issued to the company.

AAP