(11) Application No. AU 2002101002 B4 (12) CERTIFIED INNOVATION PATENT (19) AUSTRALIAN PATENT OFFICE (54)Title A temporary barrier $(51)^7$ International Patent Classification(s) E04H 017/18 Date of Filing: (21)Application No: 2002101002 (22)2002.12.19 (45)Publication Date: 2003.06.12 (45)Publication Journal Date: 2003.06.12 Granted Journal Date: (45)2003.06.12 Certified Journal Date: (45)2003.09.04 (71)Applicant(s) **Brett Thomas; Owen Thomas** (72)Inventor(s) Thomas, Owen; Thomas, Brett (74)Agent / Attorney Ahearn Fox, 24th Floor T & G Building 141 Queen Street, Brisbane, QLD, 4000

ABSTRACT

This invention relates to a temporary barrier 10 that is suitable for use in conjunction with a swimming pool which itself may be under construction. The temporary barrier 10 includes at least two panels 11 arranged end to end so as to form a barrier, each of said panels 11 including a pair of opposing post members 14 that provide support for a wall 15 located there between. The wall 15 is adapted to provide an obstruction that in use will prevent or inhibit children from climbing over said obstruction. The barrier 10 also includes a plurality of base members 12, each being adapted to engage a respective lower portion of two adjacent post members 14 in a manner that will support said post members in a generally upstanding attitude. The adjacent panels 11 are further maintained in an operative attitude by at least one connector 13 that connects a respective upper portion of two adjacent post members together.

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A Temporary Barrier

This invention relates to a temporary barrier.

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This invention has particular but not exclusive application to a temporary barrier for use in conjunction with a pool and wherein reference will be made to same. However, it will be appreciated that this invention could be used in the construction of temporary barriers that may be used for other purposes, including for controlling crowds during sporting and cultural events, and such like.

In many jurisdictions persons are required to surround their pool with a fence that will prevent, or inhibit, children gaining access to the pool without prior knowledge and consent of an adult. Furthermore, in many instances, legislation and standards have been implemented that govern the design and construction of pool fences. For example, the legislation governing the construction of pool fences specifies that where there are gaps in the fence, the width of the gap must be smaller than the width of a child's head. In other words, the width of the gap cannot exceed 100 mm.

Most pool fences include a plurality of panels each located between and often attached to a pair of opposing post members. Typically a lower portion of each post member is retained within a purposely dug hole in the ground by the addition of concrete or such like.

The panels are usually of a rigid construction and are designed such that they are see through. It is also preferable that the construction of the panels will prevent or inhibit children climbing over the panel.

With the above in mind, the panels typically include a plurality of vertically orientated panel members that are mounted to supporting top and bottom, horizontally orientated, rails. The end portions of the panels are usually affixed to an adjacent post member, either by welding abutting components together or by using clips or the like.

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Ideally pool fences should be erected prior to or soon after construction of the pool begins so as to protect persons, particularly children, from numerous hazards, including drowning. However, the erection of a permanent pool fence of the type described above may inhibit access to the construction site, pose landscaping problems, or could be easily damaged during the construction of the pool. It would appear then that there exists a need for a temporary pool fence.

It is therefore an object of the present invention to provide a temporary barrier that may be used to prevent or inhibit access to a swimming pool located behind the barrier which will alleviate some of the disadvantages associated with the prior art.

With the foregoing in view, this invention in one aspect relates to a temporary barrier that is suitable for use in conjunction with a swimming pool which itself may be under construction, said temporary barrier including:

at least two panels arranged end to end so as to form a

barrier, each of said panels including a pair of opposing post members that provide support for a wall located there between, said wall being adapted to provide an obstruction that in use will prevent or inhibit children from climbing over said obstruction, said wall including a pair of horizontally orientated rails and a plurality of vertically orientated bars and wherein each of the bars has an upper and a lower end portion that is attached to a respective one of said rails, and wherein there exists a gap between adjacent bars that is large enough that they allow persons situated on one side of said wall to see what is happening on the other side of said wall;

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a plurality of base members each being adapted to engage a respective lower portion of two adjacent post members in a manner that will support said post members in a generally upstanding attitude;

at least one connector for connecting a respective upper portion of two adjacent post members together.

In another aspect, this invention relates to a panel for use in the construction of a temporary barrier that is suitable for use in conjunction with a swimming pool which itself may be under construction, said panel:

a pair of opposing post members each having a lower end portion that is adapted to engage a base member that is adapted to maintain said post member in an upstanding

position, said opposing post members supporting a wall located there between, said wall being adapted to provide an obstruction that in use will prevent or inhibit children from climbing over said obstruction.

Preferably the wall is rigid. However, it will be appreciated that in other embodiments the wall may be flexible. For example, the wall may be constructed from a

flexible material, such as a plastics material, and wherein the construction of the wall may permit it to be folded or rolled up if so desired. The flexible wall may be supported by a frame, which itself may be demountable and may incorporate the two post members.

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The construction and/or configuration of the wall may be either open or closed. For example, the wall may consist of a sheet of material, such as glass or perspex, having a substantially closed construction and/or configuration, and wherein the wall includes no apertures, recesses or the like that could be used to provide a foothold.

Alternatively, a wall having an open construction may be constructed from a plurality of individual frame members that are arranged in a manner that will prevent or inhibit a child from climbing over same. For example, the wall in it's operative orientation may include a pair of horizontally orientated rails and a plurality of vertically orientated bars and wherein each of the bars has an upper and a lower end portion that is attached to a respective one of said rails.

In one embodiment, the post members may each include a lower end portion having a recess that is adapted to receive an upstanding spigot of the base. For example, the post members may be of tubular construction.

However, it will be appreciated that in other embodiments, each post member may include a lower end portion

that is locatable within a recess of the base.

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Preferably the post members have a circular transverse cross-section and a cylindrically shaped bore or recess.

Each base member preferably includes a body. In one embodiment, the body may be a plate like member. However, it will be appreciated that in other embodiments the body may be a cement casting or a hollow container that may be selectively filled with a particulate material or water.

In addition, the base member may include two spigots each located side by side and extending upwardly from the body. Preferably the transverse cross-sectional shape of each of the spigots compliments that of the bore or recess that is adapted to receive same. Preferably the spigots are cylindrical.

Alternatively, the base member may include two recesses formed therein, located side by side, which are each adapted to receive a lower end portion of a respective post member.

The fastener, in its simplest form, may be a flexible tie, such as a piece of rope or wire. However, it is preferred that the fastener includes two opposing end portions that are each adapted to clamp about an upper portion of a post member.

In order that this invention may be more easily understood and put into practical effect, reference will now be made to the accompanying drawings which illustrate a preferred embodiment of the invention and wherein:

FIG. 1 is a perspective view of a temporary barrier constructed in accordance with the present invention, and FIG. 2 is a perspective view of some of the parts used in the construction of the barrier illustrated in figure 1 apart and in line for assembly.

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Figure 1 shows a temporary barrier 10 for use in conjunction with a pool, not shown. The barrier 10 includes two panels 11 that are arranged end to end, and which are each supported in an upright position by two opposing base members 12. The panels are further retained in their operative positions by the inclusion of a connector 13 that is releasably connected to both panels 10, using threaded fasteners as shown.

Each panel 11 includes a pair of opposing, steel, tubular

post members 14, each having a generally rectangular transverse cross-section. The post members 14 provide support for a rigid or semi-rigid wall 15 located there between.

The wall 15 is of open construction and is made primarily of steel. The wall 15 includes an upper rail 16 and a lower rail 17, and a plurality of bars 18 that are welded to the upper and lower rails, as shown.

It is envisaged that the wall 15 would be produced in sheets. Individual sheets could in turn be cut into appropriate lengths, if required, and wherein the free ends 19 of the upper rail 16 and the free ends 20 of the lower rail 17

could be welded to an adjacent abutting post members 14 so as to complete the construction of a panel 10, as shown in figure 2.

The base members 12 each include a rectangular, plate

like, body 21 and two spigots 22 that extend upwardly from the

body, as shown in figure 2.

Typically the connector 13 includes two opposing flanges 25 each having an aperture formed therein through which a threaded fastener, such as a bolt 30, may pass. The flanges 25 are separated by an intermediate portion 26. In other embodiments, the flanges 25 may be replaced by clamps that are adapted to releasably clamp about a respective post member 14.

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In use, a temporary barrier 10 may be quickly and easily erected by firstly placing two base members 12 on the ground and then locating one spigot 22 of each base member 12 in a tubular bore 27 of a respective post member 14. The upstanding panel 11 may be connected to another panel 11 by following the same procedure, but wherein adjacent posts 14 of adjacent panels 11 share a base member 12, as shown.

The upper end portions of adjacent posts 14 are then releasably connected together using a connector 13.

It will be appreciated that the distance separating the upper rail 16 and the lower rail 17 is preferably greater than that which a child would find easy to climb over and wherein

the open construction does not provide footholds to assist the child to scale the wall. It will also be appreciated that the open construction of the wall allows persons to see what is happening on the other side of the wall, if desired.

It will of course be realised that the above has ben given only by way of illustrative example of the present invention and that all such modifications and variations thereto as would be apparent to persons skilled in the art are deemed to fall within the broad scope and ambit of this invention as is herein before defined in the appended claims.

THE CLAIMS DEFINING THE INVENTION ARE AS FOLLOWS:

1. A temporary barrier that is suitable for use in conjunction with a swimming pool which itself may be under construction, said temporary barrier including:

at least two panels arranged end to end so as to form a barrier, each of said panels including a pair of opposing post members that provide support for a wall located there between, said wall being adapted to provide an obstruction that in use will prevent or inhibit children from climbing over said obstruction, said wall including a pair of horizontally orientated rails and a plurality of vertically orientated bars and wherein each of the bars has an upper and a lower end portion that is attached to a respective one of said rails, and wherein there exists a gap between adjacent bars that is large enough that they allow persons situated on one side of said wall;

a plurality of base members each being adapted to engage a respective lower portion of two adjacent post members in a manner that will support said post members in a generally upstanding attitude;

at least one connector for connecting a respective upper portion of two adjacent post members together.

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- 2. A temporary barrier as claimed in claim 1, wherein said wall is rigid.
- 3. A panel for use in the construction of a temporary barrier that is suitable for use in conjunction with a swimming pool which itself may be under construction, said panel:
 - a pair of opposing post members each having a lower end portion that is adapted to engage a base member that is adapted to maintain said post member in an upstanding position, said opposing post members supporting a wall located there between, said wall being adapted to provide an obstruction that in use will prevent or inhibit children from climbing over said obstruction, , said wall including a pair of horizontally orientated rails and a plurality of vertically orientated bars and wherein each of the bars has an upper and a lower end portion that is attached to a respective one of said rails, and wherein there exists a gap between adjacent bars that is large enough that they allow persons situated on one side of said wall.
 - 4. A temporary barrier substantially as herein before described with reference to the drawings.

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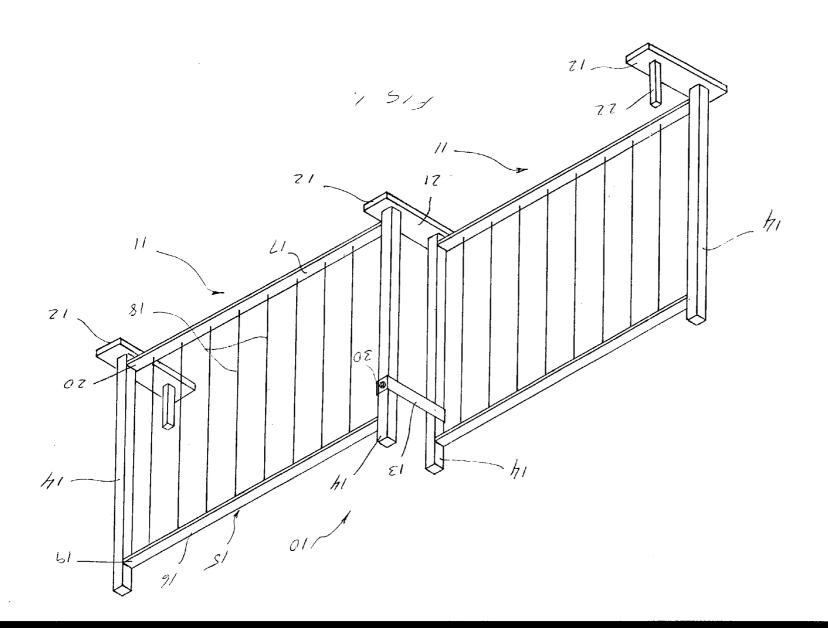
5. A panel for use in the construction of a temporary barrier substantially as herein before described with reference to the drawings.

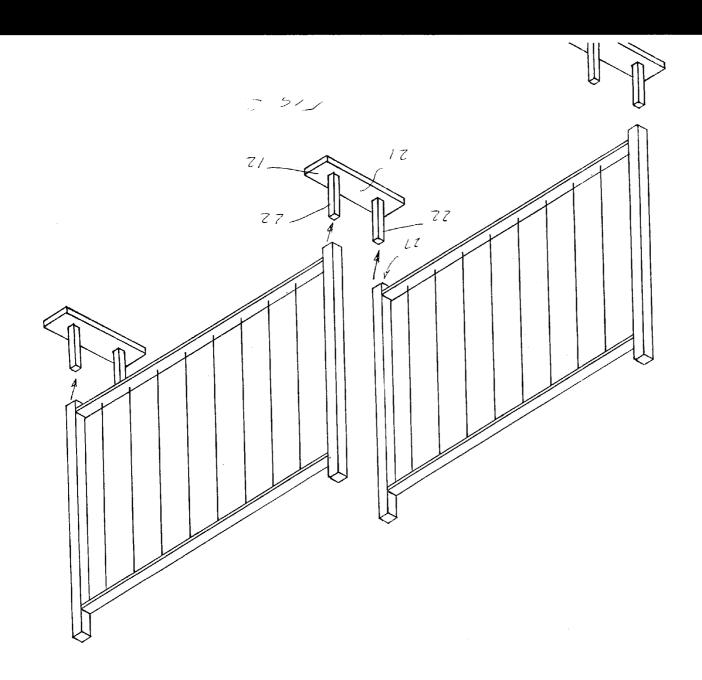
Dated this 19^{th} Day of August, 2003

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By their Patent Attorneys

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