

The Hon Jodie Harrison MP

Minister for Women

Minister for Seniors

Minister for the Prevention of Domestic Violence and Sexual Assault



Ref: A6191544

Dr Amanda Cohn MLC
Inquiry Chair
Legislative Council
Parliament House
Macquarie Street
Sydney NSW 2000

Re: Inquiry into public toilets

Dear Dr Cohn,

I am writing in response to your correspondence dated 18 September 2024, regarding an inquiry into public toilets by the Portfolio Committee No. 8 – Customer Service.

I commend your work in ensuring that the people of NSW are provided with fit-for-purpose and dignified facilities and services that fulfil established human rights criteria and meet the needs of our diverse communities.

As requested, I have identified key issues regarding public toilets that relate to the Women, Seniors and Prevention of Domestic Violence and Sexual Assault portfolios, which the committee may consider during the inquiry based on the terms of reference provided.

I have enclosed a document outlining the key issues and further context. The issues are:

- the lack of menstruation disposal or cleaning facilities
- the gendered nature of the provision of and people's experiences of public toilets
 - including reference to public toilet strategies by Inner West Council in NSW and Hobsons Bay City Council in Victoria
- increasing the quantity of public toilet facilities for women
 - including proposed changes to the National Construction Code to increase the number of toilets for women in single auditoriums and cinemas, and provide sanitary products for women in commercial buildings
- accessibility of toilets for parents with prams
- older people's unfamiliarity with and difficulty in using self-cleaning toilets
- lack of data tracking public toilets in NSW, particularly in line with seniors' needs.

I appreciate the opportunity to provide recommendations on key issues relating to the safe, equitable and inclusive access to public toilets, opportunities to update regulations, and current best practice models and frameworks.

I wish the committee a productive session and would welcome receiving outcomes from the inquiry as appropriate.

Sincerely,

Jodie Harrison MP
Minister for Women
Minister for Seniors
Minister for the Prevention of Domestic Violence and Sexual Assault

15/10/2024

Key Issues on Public Toilets - Minister Harrison - Inquiry into Public Toilets

| Issue | Evidence | Solution |
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| <p><i>The lack of menstruation disposal or cleaning facilities</i></p> | <p>People who menstruate and use public toilet facilities can face challenges when it comes to disposing of sanitary items, or cleaning period products such as menstrual cups. Depending on the location and frequency of cleaning in the public toilet, people who menstruate could encounter one of the following issues:</p> <ul style="list-style-type: none"> • full sanitary bins and therefore no hygienic way to dispose of full sanitary products • lack of cleaning materials such as toilet paper, hot water and soap • lack of privacy and a safe space to wash menstrual cups. <p>This issue is becoming more apparent as sustainable period products become common place. People who menstruate are often embarrassed to wash their sanitary products in public bathrooms or might not consider it hygienic.</p> | <p>It would be useful to investigate bathroom infrastructure requirements and suggest toilet blocks contain at least one toilet with a sink inside the stall to allow cleaning of sustainable period products.</p> <p>There is also opportunity to explore legislation relating to sanitary waste, including requirements around infrastructure and cleaning frequency. Currently, this is not regulated in NSW and the only guidance is from <u>SafeWork NSW</u> which offers advice for managing bathrooms in a workvoiln environment.</p> |
| <p><i>The gendered nature of the provision of and people's experiences of public toilets</i></p> | <p>Safety, rights, access, and the ability to use public toilets is not the same for all individuals. Lack of public toilets impacts certain communities more than others including women and girls, seniors, people experiencing homelessness (compounded for those who menstruate), and trans and gender diverse people. How public toilet buildings are physically designed and configured impacts accessibility and reflects how they are gendered, serving some populations better than others.</p> <p>Public toilets are highly gendered places and can be sites of exclusion for trans and gender diverse people. Whilst there are proposals to amend signages from sex-based to gender-based terminologies (and from 'gender-neutral' to 'all gender' toilets) to reflect inclusivity, there are also calls to remove any gender-based signs entirely to avoid stigma and the harms being experienced by gender diverse people. Ongoing debates on this issue should be monitored and further examined.</p> | <p><u>Inner West Public Toilet Strategy</u></p> <p>The Inner West Council's public toilet strategy removes gender-based signs based on research that indicates non-gendered signage will reduce vandalism and undesired behaviour. Gender-based toilets can cause 'toilet anxiety' on users, with reports of trans people experiencing harm or threats of violence when accessing them. In the strategy, signs will instead illustrate images of the type of available infrastructure in the facility (e.g., urinal, toilet bowl, changing desks, etc.).</p> <p>The strategy recommends providing single urinals with modesty screens in place of communal urinal facilities and to manage safety and maintenance risks. It also</p> |

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| | | <p>includes the provision of period product dispensing machines.</p> <p><u>Hobsons Bay City Council</u> in Victoria also proposes the non-gendered signage in its draft public toilet strategy.</p> |
| <p><i>Increasing the quantity of public toilet facilities for women</i></p> | <p>Often, the same number of toilets are made available to men and women in public spaces. This leads to excessive queueing time for women who require more time in the toilet for a variety of reasons including menstruation; incontinence; and accompanying children or those requiring care.</p> <p>Long queues in these facilities especially at peak periods affect users including children, pregnant women and elderly women who may have difficulty waiting. Research indicates that queueing for women at peak times can reach up to 14 minutes. Women also access toilets 1.3 times more and spend 1.6 times longer than men.</p> | <p>Opening women's facilities to all genders means more people using limited facilities in women's washrooms. Rather than adapting existing women's facilities into gender-inclusive washrooms, the building of gender-inclusive, accessible self-contained rooms has been suggested as best practice.¹</p> <p><u>Proposed changes to the National Construction Code</u></p> <p>Proposed changes to the National Construction Code (NCC) received in the <u>Public Comment Draft 2025</u> to provide equitable toilet facilities to women includes increasing the number of toilets for women (closet pans) in single auditoriums and cinemas from the current male to female average of 1:1.25 to 1:1.8.</p> <p>Another proposed change is requiring dispensers for sanitary products in toilet facilities for women in commercial buildings.</p> |

¹ Anthony and Dufresne (2007) in Lewkowitz, S., & Gilliland, J. (2024). A Feminist Critical Analysis of Public Toilets and Gender: A Systematic Review. *Urban Affairs Review*, 0(0). <https://doi.org/10.1177/10780874241233529>

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| <p><i>Accessibility of toilets for parents with prams</i></p> | <p>Parents with a baby who are using a restroom themselves or to change their baby's nappy are ordinarily taking a pram into the toilet. To be sufficiently accessible, there needs to be sufficient room to bring in a pram and to turn the pram around. This is not consistently the case in public toilets.</p> | <p>The committee is encouraged to investigate measures to work towards minimum design standards that accommodate pram access. This should be aligned with/considered in conjunction with wheelchair access requirements.</p> |
| <p><i>Older people's unfamiliarity with and difficulty in using self-cleaning toilets</i></p> | <p><u>Research</u> has been cited on older people's perceptions of self-cleaning toilets to be unfamiliar and difficult to use which prevent them from utilising this technology.</p> | <p>The committee is encouraged to investigate measures to increase the accessibility of self-cleaning toilets. This could include increasing awareness of current innovations on public toilet design, including self-cleaning toilets for the ageing population.</p> |
| <p><i>Lack of data tracking public toilets in NSW, particularly in line with seniors' needs</i></p> | <p>DCJ Seniors is not aware of any data tracking the number of public toilets in NSW, or if toilet provision is aligned with the needs of the ageing population.</p> <p>The National Toilet Map identifies where toilets are (for seniors with a smartphone) though does not indicate whether there are enough public toilets, nor how well the pattern of distribution meets the needs of the local population, including their availability, cleanliness, maintenance, design and other uses of public toilets that influence their daily lives.</p> | <p>The committee is encouraged to investigate existing data tracking the number of public toilets in NSW, including the extent to which current toilets address the needs of seniors in the communities.</p> |