



# Office of Local Government

5 O'Keefe Avenue NOWRA NSW 2541  
Locked Bag 3015 NOWRA NSW 2541

Our Reference:  
Your Reference:  
Contact:  
Phone:

A621448  
Policy Team  
02 4428 4100

Ms Liz Reid  
President and Director (NT)  
Mr Simon Burchill  
Manager  
Physical Disability Australia  
PO Box 345  
TOOWONG QLD 4066

By email: [manager@pda.org.au](mailto:manager@pda.org.au)

Dear Ms Reid and Mr Burchill

Thank you for your letter dated 24 September 2018 to the NSW Minister for Innovation and Better Regulation, the Hon. Matt Kean MP, asking him to direct local councils to remove Master Locksmith Access Key (MLAK) locks from wheelchair accessible public toilets, as they can hinder access for people with physical disabilities. Minister Kean has forwarded your letter to the Minister for Local Government, the Hon. Gabrielle Upton MP, who has asked the Office of Local Government to respond on her behalf.

I have noted your concerns and can appreciate the difficulty MLAK locked wheelchair-accessible public toilets can pose to people with a physical disability.

The NSW Government is strongly committed to eliminating discrimination against people with a disability and to supporting equal access to public facilities in accordance with the relevant anti-discrimination laws.

However, neither the Minister for Local Government, nor the Office of Local Government, can direct councils about how to maintain their public toilets. Under the *Local Government Act 1993*, councils are locally elected and largely independent bodies, responsible primarily to their local communities for their decisions and actions.

As this is a matter for each council to consider, potentially as an action under their Disability Inclusion Action Plan required under the *Disability Inclusion Act 2014*, I suggest that you directly contact relevant local councils to raise the reasons for your concerns, and to request removal of the locks. Council contact details are available on Office of Local Government website, including in a format suitable for a mail merge, at: <https://www.olg.nsw.gov.au/content/download-council-contact-details>

I trust this information is of assistance.

Yours sincerely

**Tim Hurst**  
**Chief Executive**  
**Office of Local Government**

11/10/18

