



27 February 2026

Hon Dr Tony Buti BPE DipEd MIR LLB DPhil MLA
Attorney General; Minister for Commerce; Tertiary and International Education;
Multicultural Interests
Level 10, Dumas House
2 Havelock Street, West Perth WA 6005

CC: Mr Allan Shiell, Standards Manager, LGIRS

Dear Minister Buti,

RE: RESPONSE TO SETTING STANDARDS FOR THE INCREASE IN HOUSING SUPPLY

Thank you for your letter of 8 January 2026 regarding the National Construction Code 2025 (NCC 2025) and the Livable Housing Design Standards provisions (LHDS). The Australian Institute of Architects WA Chapter (Institute) welcomes this opportunity to engage constructively with the government on both matters. We have consulted our Practice Committee and members and set out below our considered response to each.

Part 1: National Construction Code 2025

The Institute supports the adoption of NCC 2025 and acknowledges its role in improving the quality, safety, and sustainability of the built environment. We recognise the Cook Government's commitment to housing supply and note that getting the adoption settings right, including any necessary WA-specific variations, will be critical to ensuring those supply objectives are not inadvertently compromised.

In response to the Minister's invitation, we have compiled the following member feedback for LGIRS consideration. Our Practice Committee reviewed the NCC 2025 changes, and the observations below reflect both the technical briefing prepared for members and the practical concerns raised at that meeting.

1.1 General Position

Our members broadly regard NCC 2025 as a logical and proportionate extension of NCC 2022 provisions. Most commercial building changes, including enhanced waterproofing standards, updated condensation management, and tightened thermal performance requirements, are well-founded and align with contemporary practice.

The NCC is a cornerstone of Australia's strategy for emissions reduction, construction productivity, and climate resilience. The Institute maintains that regular updates are essential for ensuring that new construction meets evolving community needs and delivers safer, healthier, and more efficient buildings.

1.2 Specific Technical Concerns Warranting WA Consideration

The following matters have been identified by WA practitioners as potentially requiring WA-specific variations or transitional guidance:

Enhanced Waterproofing and Drainage (Part F1D4 and F1D5)

The new requirements for membranes to be applied directly to structural substrates, combined with 70mm setbacks, minimum 1:80 grades to drainage, and integral hobs at perimeters, represent a significant change from current practice. Our members have raised the following concerns:

- Membranes applied directly to structural substrates will necessitate integral falls within concrete slabs. This is technically achievable but adds design complexity and has cost implications, particularly for multi-residential projects where multiple wet areas are involved.
- The 70mm setback requirement (increased from previous standards) will require careful review of floor-to-floor heights, particularly in renovation and fit-out contexts where existing structural slab depths are fixed.
- For existing Class 2 buildings undergoing renovation or fit-out, the combination of membrane-to-structural-substrate requirements and 70mm setbacks presents the most acute compliance challenge. Where existing slab depths and floor-to-floor heights are fixed, achieving integral falls within the slab is structurally impractical without significant remediation. We recommend LGIRS consider whether a screed-based fall system constitutes a compliant deemed-to-satisfy solution under F1D4 and F1D5, as this represents the most practical compliance pathway for Class 2 apartment renovation work in WA's existing building stock.
- We note that these Volume One provisions apply to Class 2–9 buildings only. We are not seeking any variation to Volume Two (Class 1 housing) waterproofing requirements at this time and are satisfied that existing residential provisions remain appropriate for WA conditions.

Mandatory Sprinklers in Carparks — Cost and Design Implications (Part E1D9)

The extension of mandatory fire sprinkler requirements to all carparks with more than 40 bays, including open deck configurations, is a significant change. Our members have identified the following concerns:

- Sprinkler systems in carparks, including open-deck configurations, will require additional slab-to-slab clearance to accommodate pipe runs, hangers, and head placements. In projects where slab depths have already been optimised for structural and acoustic performance, this is likely to increase floor-to-floor heights and therefore overall building height and cost.
- For mixed-use developments where carpark levels sit below residential or commercial floors, the cumulative impact of increased slab-to-slab heights in parking levels may affect overall building envelopes, particularly in height-restricted zones under local planning schemes.
- We request that LGIRS assess whether the 40-bay threshold is calibrated appropriately for WA's mix of medium-density residential and commercial development, and whether a transitional period for projects at DA or building permit stage should apply.

Solar PV Requirements — Commercial Buildings

Mandatory on-site solar PV covering 100% of available roof space (or equivalent output per m² of conditioned space) is broadly supported by our membership. We note, however, that WA's unique Climate Zone mix, spanning Zones 1 through 6 across the state, may benefit from WA-specific technical guidance on minimum output thresholds to ensure provisions are appropriately calibrated to local solar resources and roof orientations common in the Perth metropolitan context.

EV Charging — No New Provisions in NCC 2025

We note that notwithstanding proposals in the May 2024 Public Comment Draft, no new EV charging provisions were included in the final NCC 2025. NCC 2022 requirements for EV pre-provisioning in commercial buildings continue to apply. We acknowledge this decision and do not seek any WA variation in this area but encourage government to monitor the pace of EV uptake in WA and to signal the anticipated timing for any future NCC provisions so that industry can plan.

Condensation Management — Regional Implications

NCC 2025 updates condensation management requirements, including revised roof ventilation rules that increase airflow needs and adjust vent areas for steeper pitched roofs in cooler climate zones. While Perth's Climate Zone 5 position means these provisions are less acute here than in Victoria or Tasmania, WA's southern regions, including Albany, Esperance, and parts of the Great Southern, sit in cooler zones where updated condensation management requirements will have practical design implications. We request that LGIRS and the Standards team confirm whether state-issued technical guidance will be provided to assist WA practitioners working in these regional climate zones, particularly where condensation risks intersect with the updated thermal performance requirements also introduced in NCC 2025.

1.3 Our Offer of Engagement

We welcome the opportunity for our Practice Committee to meet directly with Mr Allan Shiell and the LGIRS Standards team to discuss these technical matters.

We also note that Building Ministers have agreed to pause further residential NCC changes following the NCC 2025 adoption cycle, with no further residential amendments anticipated until approximately 2029. This has a direct bearing on WA's strategic position: NCC 2025 adoption represents the natural legislative vehicle for introducing the Livable Housing Design Standards, and deferring beyond this cycle would leave WA without a clear pathway to adoption for a further three years. We would welcome confirmation of WA's intended NCC 2025 adoption date so that industry, educators, and the supply chain can begin preparation with appropriate lead time.

Part 2: Livable (Accessible) Housing Design Standards

The Institute strongly supports the adoption of Livable Housing Design Standards (LHDS) as part of NCC 2025, and we are grateful that the Minister has initiated this consultation. WA and New South Wales now stand alone among Australian jurisdictions in not mandating these provisions in some form. This is a position we believe WA should move decisively to remedy.

We acknowledge the pressures on the housing construction sector and the government's sensitivity to adding cost burdens. Our proposal is designed precisely to navigate these

tensions, delivering immediate, practical progress on uncontested accessibility requirements while giving industry a managed pathway to full compliance.

2.1 A Window of Opportunity

Being late to adopt LHDS is, paradoxically, an advantage to this jurisdiction. WA can draw directly on the implementation experience of Tasmania, South Australia, Queensland, Victoria, and the ACT. Their approaches to exemptions, transition arrangements, and technical solutions provide a proven roadmap that can be adapted to Western Australian conditions without the need for extended trial and error. The Department of Communities has also been operating to LHDS standards in its own social housing program, demonstrating these requirements are achievable across diverse WA contexts including regional and remote areas.

2.2 Proposed Phased Implementation Approach

We propose a two-phase implementation that delivers immediate progress on the four internally focused LHDS requirements, which attracted broad stakeholder consensus at the 2024 Building Better Homes Roundtable, while allowing industry additional preparation time for the two external access requirements, which require more complex site-specific design responses.

Phase 1: Immediate Implementation (1 May 2026)

We recommend four LHDS requirements commence with NCC 2025 adoption:

1. Internal doors and corridors with adequate width for comfortable movement
2. A toilet on the ground or entry level
3. A step-free shower recess in the bathroom
4. Reinforced walls around toilet, shower and bath for future grab rail installation

These requirements can be incorporated within current building practices at minimal additional cost when planned from the design stage. Apartment buildings in WA already substantially comply. They directly address the internal accessibility that allows people to remain in their homes as they age.

Phase 2: Deferred Implementation (1 May 2027)

The two remaining requirements would commence twelve months later:

- A safe, continuous, step-free path of travel from the street entrance or parking area to the dwelling entrance
- At least one level (step-free) entrance into the dwelling

This twelve-month gap provides industry with defined preparation time to develop technical solutions, educate the workforce, and adjust design and documentation practices for the more complex site-specific requirements of external step-free access. The deferred timing is not a concession to inaction, it is a structured pathway that ensures those provisions, when they arrive, are implemented effectively.

2.3 Exemption Framework: Strategic, Not Wholesale

We strongly caution against exempting entire categories of LHDS requirements. No Australian jurisdiction that has adopted LHDS has taken a wholesale exemption approach. Such an approach would create confusion for builders, certifiers, and designers; undermine market normalisation of accessibility features; and position WA with a unique non-standard framework that complicates national supply chains and training programs.

In place of wholesale exemptions, we recommend adopting the consistent inter-jurisdictional model of targeted, site-based exemptions. We propose the following framework, drawn directly from the approaches already operating in other states:

Site-Based Exemptions (Automatic)

- Sites where the existing natural ground level slopes from the boundary in excess of 1:14, and compliant ramping would exceed allowed gradient or length
- Allotments less than 300m² that cannot contain a minimum 9m × 15m rectangle beyond the primary frontage (Tasmania and South Australia model)
- Narrow lot frontages where width constraints are demonstrably limiting (South Australia, Queensland, and Victorian approach)
- Irregularly shaped allotments where compliance is demonstrably impractical through standard design solutions
- Insufficient on-site space for step-free path construction as defined in NCC performance requirements

Building Type Exemptions

- Transportable or manufactured homes built off-site (consistent with multiple jurisdictions) where reasonable Site-Based Exemptions exist
- Temporary worker accommodation, seasonal, mining and construction camps, where reasonable Site-Based Exemptions exist
- Specific tourist accommodation categories where unique design requirements apply
- Heritage-listed buildings where accessibility modifications would compromise protected values

Modification for Sanitary Facilities

- The ground-level toilet requirement may be waived where no habitable rooms exist on the entry level, provided an accessible toilet is provided on the primary living level.

Critically, these exemptions still require all other LHDS requirements to be met. A site exempted from step-free entry due to extreme slope must still provide the full suite of internal accessibility features. This ensures that even in challenging circumstances, the maximum achievable level of accessibility is delivered.

2.4 The Case for Timely Action

The health and economic case for livable housing is compelling. Every preventable fall, every premature entry into residential care, and every costly post-construction modification represents both human suffering and public expenditure that could have been avoided through better initial design. Incorporating accessibility features during construction costs a fraction of retrofitting them later, and the long-term savings to the health and aged care systems far exceed any marginal construction cost.

We also note that voluntary accessibility features in a deregulated market are, in practice, more expensive, currently priced as custom one-offs. Standardisation through regulation will reduce costs and increase availability as accessibility becomes the market norm rather than the exception. This serves both your stated goal of increased housing supply and your concern for consumer choice.

Finally, we emphasise the importance of policy certainty for industry. The current open-ended position, where WA has deferred without a clear timeline, makes forward planning for builders, educators, and suppliers genuinely difficult. A phased announcement provides the certainty industry has consistently sought and enables investment in training and design capacity to begin immediately.

2.5 Supporting Measures

To support successful implementation, we recommend government commit to:

- A comprehensive education campaign for industry, showcasing WA examples and technical solutions
- Industry workshops facilitated by the Department of Communities, drawing on its established LHDS program, to showcase completed LHDS-compliant homes to industry
- Streamlined compliance processes that integrate LHDS checks into standard building inspections
- Clear deemed-to-satisfy design solutions adapted to Western Australian building typologies and site conditions

Summary and Next Steps

The Institute is ready to work collaboratively with LGIRS on the technical details of both matters raised in your letter. We can facilitate connections between your department, and our members with relevant technical expertise.

On NCC 2025: We request an early meeting with Mr Allan Shiell and the LGIRS Standards team to work through the technical matters identified above.

On Livable Housing: We urge the Minister to announce a phased implementation position, consistent with the framework outlined above, alongside or shortly after the NCC 2025 adoption announcement. We are available to meet at the earliest convenience to discuss this proposal and to provide any further technical information that would assist.

Minister, this is an opportunity for WA to act decisively, informed by the lessons of every other Australian jurisdiction, and to position our housing sector as genuinely fit for the future. We look forward to your continued engagement.

Yours sincerely,



Jonathan Speer
Executive Leader
Australian Institute of Architects – WA Chapter
jonathan.speer@architecture.com.au