



19 March 2026

Mr Dan Kearney
A/Executive Director Building and Energy
Department of Local Government, Industry Regulation and Safety
Locked Bag 14 Cloisters Square Perth WA 6850
By email: be.consultation@demirs.wa.gov.au

CC: Mr Kishor Dabasia, Principal Building Surveyor

Dear Mr Kearney,

RE: CONSULTATION ON LIVABLE HOUSING PROVISIONS IN WESTERN AUSTRALIA

Thank you for your letter of 30 January 2026 inviting the Australian Institute of Architects WA Chapter (the Institute) to provide feedback on the application of Livable Housing Design Standards (LHDS) in Western Australia, including appropriate exemptions, concessions, and transition arrangements.

The Institute welcomes this consultation and has prepared this submission in conjunction with our response to the Hon Dr Tony Buti MLA, Minister for Commerce, on the same subject. Our position draws on the views of our Practice Committee, consultation with members, and the implementation experience of every Australian jurisdiction that has already adopted LHDS provisions. We address each element of LGIRS's consultation directly below.

1. General Position: Support for Adoption

The Institute strongly supports the adoption of Livable Housing Design Standards in Western Australia. WA and NSW are the only jurisdictions that have not adopted livable housing provisions under NCC 2022. This places WA out of step with national practice and is increasingly difficult to justify.

We acknowledge the Government's decision to extend the disapplication of LHDS to 30 April 2027 as part of NCC 2025 adoption. While we understand the reasons for this transitional position, we urge LGIRS and the Minister to use this period purposefully to finalise and announce an implementation framework, not as a further deferral, but as a structured pathway to mandatory adoption.

Being a late adopter is, in this instance, an advantage. WA can draw directly on the tested implementation models of Tasmania, South Australia, Queensland, Victoria, and the ACT, adapting their exemption frameworks and technical solutions to Western Australian conditions without extended trial and error. The Department of Communities' social

housing program provides practical evidence that LHDS-compliant housing is achievable across diverse WA contexts.

2. Cost of Inaction

Retrofitting housing to meet basic accessibility needs is significantly more expensive, and often less effective, than designing for accessibility from the outset. National Construction Code analysis estimates retrofit costs of \$19,000 to \$27,500 per dwelling, compared to around 1 per cent of construction cost upfront, with some modifications not feasible in existing buildings.¹

As the population ages, the largely preventable costs associated with falls will continue to escalate without changes to housing design. Falls already cost Western Australia's health system an estimated \$311 million annually, with a hospitalisation occurring every 15 minutes.²

Improving housing accessibility is a preventative measure that supports broader system sustainability, particularly in reducing demand across health and care services.

3. Response to Industry - Suggested Modifications

LGIRS has outlined five modifications previously suggested by industry. We address each in turn.

3.1 Not applying Part 1 of the LHDS (Step-free access provisions)

The Institute does not support a blanket exemption from Part 1 of the LHDS. Step-free access to the dwelling is one of the two most important livability provisions and removing it wholesale would fundamentally undermine the purpose of adoption. No Australian jurisdiction that has adopted LHDS has taken this approach.

However, we recognise that step-free external access presents genuine site-specific design challenges, particularly on steep sites and constrained lots. Our position is that these challenges should be addressed through a targeted, site-based exemption framework, not through the wholesale removal of the requirement. We propose the following automatic site-based exemptions for Part 1 provisions:

- 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 (consistent with the Tasmanian and South Australian model);
- Narrow lot frontages where width constraints demonstrably prevent step-free path construction (South Australia, Queensland, and Victorian approach);

¹ Centre for International Economics (for the ABCB), Decision Regulation Impact Statement, February 2021, Tables 3.32 and 6.15:

<https://www.abcb.gov.au/sites/default/files/resources/2022/Final-decision-RIS-accessible-housing.pdf>

² Injury Matters, 2023 Western Australian Falls Report: <https://www.injurymatters.org.au/stay-on-your-feet/2023-western-australian-falls-report/>

- Irregularly shaped allotments where compliance is demonstrably impractical through standard design solutions; and
- Allotments with insufficient on-site space for step-free path construction as defined in NCC performance requirements.

Sites with these exemptions must still comply with all other LHDS requirements in full. An exemption from step-free entry does not reduce the obligation to deliver internal accessibility features.

3.2 Not applying LHDS to all Class 2 apartment buildings

The Institute does not support a blanket exemption for Class 2 buildings. Apartment buildings are, in many respects, the building type where LHDS provisions are easiest and most cost-efficient to incorporate at the design stage. WA's apartment sector already substantially complies with the four internal LHDS requirements, and a Class 2 exemption would primarily serve to reduce accessibility in new supply where it costs the least to provide.

We note that every other Australian jurisdiction applies LHDS provisions to Class 2 buildings. An exemption would place WA out of step with national practice and complicate supply chains for developers and builders operating across state borders.

We acknowledge that some Class 2 configurations, particularly small infill apartment buildings on constrained sites, may face genuine challenges with external step-free access. These are appropriately addressed through the site-based exemption framework at 3.1 above, not through a building-class-wide exemption.

3.3 Not applying LHDS to small Class 1 buildings

The Institute has reservations about a blanket small Class 1 exemption but recognises there is a reasonable case for targeted exemptions for the smallest and most constrained residential allotments. Our preferred approach is to address this through the site-based exemption framework, described above, which would, in practice, capture most small lots where compliance is genuinely impractical, rather than through a size-based categorical exemption.

If LGIRS proceeds with a small Class 1 exemption, we recommend it be defined by allotment area and frontage dimensions consistent with the South Australian and Tasmanian models, and that it applies only to external access requirements. Internal LHDS requirements should apply to all Class 1 dwellings regardless of lot size, as these add negligible cost and are entirely within the control of the designer.

3.4 Not applying LHDS to alterations and extensions to existing buildings

The Institute supports an exemption for alterations and extensions to existing buildings, subject to a sensible threshold. Retrofitting LHDS compliance into an existing building, particularly for external step-free access, can be genuinely impractical and disproportionately costly where existing structural conditions are fixed.

We recommend this exemption be framed consistently with the approach used in other jurisdictions: alterations and extensions are exempt from LHDS provisions where compliance would require structural alteration to existing fabric, provided that any new or

extended internal spaces comply with internal doorway, bathroom, and corridor requirements where these can be achieved without structural alteration. A blanket exemption for all alterations regardless of scope would be too broad and should be avoided.

3.5 A transition by delaying adoption by 2 years

The Institute does not support a flat two-year delay as a transition mechanism. The Government has already extended the disapplication period to 30 April 2027, which effectively provides that transition buffer. What industry now needs is not further delay, but policy certainty: a firm adoption date, a clear framework, and the technical guidance needed to prepare.

In place of a blanket two-year delay, we recommend a phased implementation approach that distinguishes between the simpler internal requirements and the more complex external access requirements. This model has been designed to be immediately adoptable within the NCC 2025 transition framework.

- Phase 1 – Internal requirements only (commencing 1 May 2027, aligned with the end of the current disapplication period): internal door and corridor widths; a toilet on the ground or entry level; a step-free shower recess; and reinforced bathroom walls for future grab rail installation.
- Phase 2 – External access requirements (commencing 1 May 2028, twelve months later): a safe, continuous, step-free path of travel from the street entrance or parking area to the dwelling entrance; and at least one level (step-free) entrance into the dwelling.

This approach respects the concerns raised by industry while delivering a structured pathway to full compliance that is consistent with the national standard. The twelve-month gap between phases provides industry with defined preparation time for the more complex site-specific design responses required by external access provisions.

4. Proposed Exemption Framework

In summary, the Institute recommends the following exemption framework, drawn directly from approaches already operating in other Australian jurisdictions:

Site-Based Exemptions (Automatic - applying to external access requirements)

- 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 unable to contain a 9m × 15m rectangle beyond the primary frontage;
- Narrow lot frontages where width constraints demonstrably prevent compliance;
- Irregularly shaped allotments where compliance is demonstrably impractical through standard design solutions; and
- Allotments with insufficient space for step-free path construction as defined in NCC performance requirements

Building Type Exemptions

- Transportable or manufactured homes built off-site 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; and
- 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 included on the primary living level.

All exemptions apply only to the specific requirements listed. Sites or buildings that qualify for an exemption from external access requirements must still comply fully with all internal LHDS requirements.

5. Supporting Measures

Adoption of LHDS will be most effective when supported by clear technical guidance and industry education. We recommend LGIRS commit to the following ahead of Phase 1 commencement:

- A comprehensive industry education campaign featuring WA-specific examples and deemed-to-satisfy design solutions;
- Industry workshops facilitated by the Department of Communities, drawing on its established LHDS social housing program, to demonstrate completed compliant homes to builders, certifiers, and designers;
- Integration of LHDS compliance checks into standard building permit and inspection processes to reduce administrative burden; and
- Publication of clear deemed-to-satisfy solutions adapted to Western Australian building typologies and site conditions.

The Institute's Practice Committee is available to work directly with LGIRS and the Building and Energy team on the development of this technical guidance material.

6. The Case for a Clear Adoption Announcement

The Institute wishes to emphasise the practical importance of policy certainty for industry. The current open-ended position, where WA has deferred without a clear adoption timeline, makes forward planning for builders, educators, and the supply chain genuinely difficult. Training cannot be scheduled, design software and documentation templates cannot be updated, and supply chains cannot be normalised until a firm date is known.

We urge LGIRS to recommend that the Minister announce WA's LHDS phased implementation framework alongside or shortly after the NCC 2025 adoption announcement. A clear public commitment to the Phase 1 and Phase 2 dates proposed above would enable investment in preparation to begin immediately.

Every preventable fall in the home, every premature entry into residential care, and every costly post-construction modification represents avoidable human suffering and avoidable public expenditure. The health and economic case for livable housing is well established. WA is now well positioned to proceed with confidence, drawing on national experience.

Next Steps

We recommend LGIRS endorse and progress the phased adoption model outlined in this submission for Ministerial approval.

The Institute welcomes the offer of a face-to-face meeting and would be pleased to meet with Mr Dabasia and the LGIRS team at the earliest opportunity. We can facilitate attendance by Practice Committee members with relevant technical expertise in residential and multi-residential design.

Please do not hesitate to contact me directly if any aspect of this submission requires clarification or elaboration.

Yours sincerely,



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