

Modifications to BCA 2025 – Building Amendment Regulations (No.2) 2026

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The Building Amendment Regulations (No.2) 2026 (Building Amendment Regulations) came into operation on 1 May 2026 to coincide with adoption of the 2025 edition of the National Construction Code (NCC 2025). These amend the Building Regulations 2012 (Building Regulations).

The Building Amendment Regulations have:

- continued the disapplication of the separate NatHERS heating and cooling load limits in Part J3D3(2) of Volume One and Clause S42C2(1) of Volume Two of the NCC 2025;
- continued the disapplication of the livable housing design provisions in Part G7 of Volume One and Part H8 of Volume Two of the NCC 2025;
- maintained the transitional arrangement for bushfire construction requirements for Class 9b primary or secondary schools and early childhood centres in Part G5 of Volume 1¹ of the NCC 2025; and
- clarified the effects of regulation 31A(2)(b).

Minor administrative amendments have also been made to schedules 4 and 5 of the Building Regulations.

Modifications to Building Code

Energy efficiency

The amended Building Regulations continue to disapply the separate NatHERS heating and cooling load limits which were introduced in NCC 2019.

Energy assessments using House Energy Rating Software for Class 1 buildings, Class 2 sole-occupancy units and Class 4 parts of a building must still achieve a rating that complies with the combined heating and cooling loads from the 2022 NatHERS climate files and star bands, but the separate winter heat loss and summer heat gain targets, from the Australian Building Codes Board NatHERS Heating and Cooling Load Limits Standard, remain optional for NCC 2025.

Livable housing design

The amended Building Regulations continue to disapply the livable housing design requirements which were introduced in NCC 2022.

Compliance with the livable housing design requirements in Part G7 of Volume One and Part H8 of Volume Two will remain voluntary for Class 1 buildings or Class 2 sole-occupancy units.

¹ WA's extended transition to the Part G5 bushfire construction requirements for Class 9b schools and early childhood centres has an end date of 30 April 2028.

Modification to Building Code in relation to certain buildings and decks in bush fire prone areas (regulation 15D)

The amended Building Regulations modify the application of Part G5 of Volume One of NCC 2025 to allow building proponents to continue to apply Part G5 of NCC 2019 Volume One Amendment 1 in relation to Class 9b early childhood centres and primary or secondary schools until 30 April 2028.

From 1 May 2028, any new building permit applications for early childhood centres and primary or secondary schools will need to demonstrate compliance with the bushfire prone area requirements in Part G5 of Volume 1 of NCC 2025.

Applicable building standards generally (regulation 31A)

A new sub clause 31A(2A) has been inserted into the Building Regulations to clarify that the default 12-month transitional provision will not apply to the expiry of the above noted Part G5 concession.

Areas where building permit not required for certain work (Schedule 4 - Clause 1)

Clause 1 of Schedule 4 of the Building Regulations, which sets out areas of the State where building permits are not required, has been amended to remove reference to the Mullewa Ward of the City of Greater Geraldton. This reflects restructuring with that local government district and has been implemented at the request of the local government.

Areas of State where Part 8 Division 2 applies (Schedule 5)

Schedule 5 of the Building Regulations, which sets out the areas of the State in which swimming pool fencing and related inspection requirements apply, has been amended to provide for increased coverage in the local government districts of Boddington, Greater Geraldton, Harvey and Irwin. These amendments have been implemented at the request of the relevant local governments.

Department of Local Government, Industry Regulation and Safety

Building and Energy Division

Level 1 Mason Bird Building
303 Sevenoaks Street
(entrance Grose Avenue)
Cannington Western Australia 6107

Locked Bag 14, Cloisters Square
Perth WA 6850

Call: 1300 489 099

Email: be.info@lgirs.wa.gov.au

www.lgirs.wa.gov.au/building-and-energy

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