

**Submission  
No 32**

**INQUIRY INTO FURTHER INQUIRY INTO THE  
REGULATION OF BUILDING STANDARDS**

**Organisation:** Mima Design Pty Ltd

**Date Received:** 28 August 2021

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Submission to the Parliament of NSW Public Accountability Committee on:

## **Further inquiry into the regulation of building standards**

28 August 2021

### **Scope of this Submission:**

This submission outlines Mima Design Pty Ltd's concerns that the new system for design practitioner registration in NSW is having unintended detrimental impacts on our company and on the interior design industry as a whole.

Mima Design is a specialist interior design consultancy based in NSW, well respected and known within the Australian retail design fraternity. They have worked with start-ups, entrepreneurs and national brands, providing full design implementation services for the past two decades, and have a strong track record with the major retail property landlords in Australia.

Over the past 20 years Mima Design has undertaken over 500 retail and hospitality projects of varying sizes providing the following services, without incident across Australia; site feasibility, layout planning and spatial concepts, interior fit-out design, construction documentation, authority approvals, tender and design project management.

Our Principal, Mark McConnell holds a BA (Hons) Degree in Three Dimensional Design and is registered as an interior building designer by the Victorian Building Authority. He has been practicing in commercial interior fit-out design and delivery for over two decades, without incident.

### **The Role of Interior Design and Interior Architecture**

We recognise that the differences between the role of interior decorators vs. the role of interior designers/interior architects, in building design and construction, is not always well understood.

Interior decoration is generally how a space looks rather than how it functions. Interior decorators focus on the art and décor of the building. Interior decorators are not consulted on the structure of the space, and usually come into the project towards construction completion. Mima Design are NOT interior decorators.

Interior Designers are usually responsible for the aesthetics, finishing, function and planning of the spaces we inhabit. Interior Architecture is the design of the technical aspects of building. Mima Design's business centres around offering both interior design and interior architectural services for retail and hospitality fit-out projects, which are often located within Class 2 developments.

On building Class 6 fit-out projects across Australia, we are working in the interior design category and usually the lead design consultant responsible for coordinating a team of engineers and consultants including structural, mechanical, hydraulic, fire and accessibility. Our scope of design coordination may include changes to building use, services, lighting, internal walls, ceilings, shopfronts, signage, egress, layouts, fire protection, finishes and compliance with the National Construction Code, Australian Standards, Food and Disability codes etc. These works are always designed in conjunction with the structural and services engineers, fire safety consultants and other qualified and licensed third parties, which we coordinate under the current regulatory consent system. All designs are then lodged to Council and/or Private Certifier before our clients' Development Approval, Complying Development Certificates, Construction Certificates and Occupation Certificates are issued. We prepare, lodge and coordinate all these regulatory approval applications on a regular basis.

Interior Designer is included as an occupation under the Australian & New Zealand Statistical Classification of Occupations (ANZCO) 23 Design, Engineering, Science and Transport Professionals | 2321 Architects, Designers, Planners and Surveyors | 2325 Interior Designers | 232511 Interior Designer.

### **Restriction of Trade Incurred Under the New Registration System**

Under the framework in effect from 1 July 2021 only registered design practitioners can lodge fit-out design regulatory compliance documentation.

Despite having a BA (Hons) Degree in Three Dimensional Design, and 20+ years working in the field, without incident, our Principal appears to be ineligible to meet the requirements for registration. As we are not an architectural or building design company, no one else on our team is eligible either. This is not because of appropriate skills and experience, but because the registration system specifies qualifications rather than competencies, and the qualifications are drawn only from architecture, building design and the building trades. Interior design/interior architecture qualifications have been omitted entirely.

In regards to our current work, designing retail and cafe/restaurants in Class 2 buildings, we now potentially have a new obligation to find a registered individual to take responsibility for compliance declarations on our behalf. This would cause clients to question our capability and represents an increased cost to our clients. Once the regulatory transition period concludes, even this sub-optimal approach will not be available, and we will no longer be able to trade as we have done to date.

To our knowledge, none of the building faults that the Design and Building Practitioners Act and Regulation were set up to address were caused, or contributed to, by any act or omission by an interior designer or interior architect. Rather, the building faults have occurred as a result of the acts or omissions of the architects, building designers, certifiers, engineers and builders that the Act and Regulation recognise and seek to regulate and/or protect.

We, at Mima Design, would support the introduction of a registration or licensing system for interior designers/interior architects and formal regulation by the Government, through a framework created in consultation with ourselves and our industry. We would expect a qualified and registered interior designer/interior architect to hold a design related tertiary degree, plus presentation of a professional portfolio showing a minimum 5 years of postgraduate experience, references and a competency assessment.

Please also note that we are currently fully insured for the work we do as an interior designer, but that the Act and Regulation exert a prohibitive influence on our ability to renew this insurance in full, and thereby also restrict our trade in the future.

### **Conclusion**

Ineligibility to register as Design Practitioners or Principal Design Practitioners unnecessarily restricts the trade of our company and others. Under this new regulatory framework, as it stands, we are unable to independently perform the work we are skilled, qualified and experienced to do. The new rules are already tarnishing our reputation and causing unfounded client hesitation in engaging our services.

The building reforms remove highly skilled and experienced design practitioners from the industry. The new registration framework needs to be urgently reassessed to address the exclusion of interior designers and interior architects like ourselves.

We would welcome the opportunity to discuss this further.

Thank you for the opportunity to comment.

**Mark McConnell**  
Design Director

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