

**INQUIRY INTO REVIEW INTO THE DESIGN AND
BUILDING PRACTITIONERS ACT 2020 AND THE
RESIDENTIAL APARTMENT BUILDINGS (COMPLIANCE
AND ENFORCEMENT POWERS) ACT 2020**

Organisation: Forward Thinking Design

Date Received: 29 June 2024

Regarding The Design and Building Practitioners Act 2020 - the Interior Design/Interior Architecture profession was not consulted in the drafting of the D & BP Act. Since 2022 the NSW government has not acted upon the 'Further inquiry into the regulation of building standards' Legislative Council Report "Recommendation 4 - 33 That the NSW Government urgently create a category for registration under the Design and Building Practitioners Act 2020 for interior designers'.

Prior to the introduction of the current building regulations many, if not the majority, of interiors projects were designed and led by Interior Designers/Interior Architects. With the introduction of restrictions on which professions could lodge Regulated Designs (under the D & BP Act), the share of that work that was legitimately being delivered by Interior Designers was effectively assigned to architects and building designers, through no fault of us, the highly qualified and capable interior designers.

When I directly questioned the Government representative coordinating with the Design Institute of Australia, the representative was not able to produce any proof or statistics of how many defected multi-storey apartment buildings were defected due to error or omission by an interior designer but rather said that our profession was not provided with a recognition pathway to (even restricted recognition) as a Design Practitioner "... as an oversight". They said they didn't realise our profession even existed at the time the Act was drafted and enacted and that's why we were excluded from registration and practice - by omission.

According to our professional body, the Design Institute of Australia; as a profession, Interior Designers are continuing to trade because the Act's restrictions have not yet been introduced to all the other building classes beyond the current Class 2 and 3 restrictions - "If they are further restricted and unable to continue to provide the full range of their services it is not an overstatement to say that an entire profession will be rendered obsolete. For decades, Interior Designers have been preparing the equivalent of regulated designs but the new approvals system does not accommodate them. The available workaround of engaging others (architects and builders) to lodge regulated designs is creating complexities in a challenging insurance market and is unlikely to be sustainable". The experience of my practice bears this out. We have already lost our work designing new offices, public areas and tenancies below social housing apartments. This was work we used to do pro bono and low bono for our charity clients in fulfilment of our social purpose as a Certified Social Enterprise but now the Act prohibits us from delivering these services as the charities are instead forced to pay for an Registered Architect. Once the Act's restrictions are extended to all building classes I can't see how my 20 year old business will continue. I will no longer be able to employ or contract anyone and I will lose my entire personal income.

The work around to use architects to lodge our designs has damaged the reputation of our profession and is costing clients far more as they have to engage both us AND an architect. Clients are frequently choosing not to engage us at all even when, in my firms case, we only do commercial work, not residential. Our female, small business dominated profession is seeking licencing/registration, a route to recognition and return to unimpeded practice of our profession. I am afraid that continued discrimination by the NSW government may lead to designers taking their/our own lives as we continue to lose our professional standing, businesses and entire livelihoods.