




Speech By  
**Tim Nicholls**

**MEMBER FOR CLAYFIELD**

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Record of Proceedings, 10 November 2015

**ENERGY AND WATER OMBUDSMAN AMENDMENT BILL**

 **Mr NICHOLLS** (Clayfield—LNP) (5.13 pm): It would be remiss of me in consideration of this bill not to rise up and reflect on a few pieces of history in relation to the bill and also to offer my support for this outstanding piece of LNP policy. It is always good to see my old sparring partner from the Brisbane City Council, the minister, bring in yet another good idea initiated by the LNP.

It goes back even further than that. It goes back to July 2007, back when full retail contestability was introduced by the then Beattie and Bligh governments, when they then sold off the electricity retailers. At that stage they had not descended into the recidivism and recalcitrancy of the current left-wing controlled, union dominated ALP government in this state, but actually did see some benefit in allowing full retail competition. Their heroes actually went forward with it. One of the important aspects of that was to allow a dispute resolution process to be put in place.

I remember very clearly in this House standing up and speaking on the bill and speaking on the merits of the electricity ombudsman at that stage, Mr Barry Adams, a fine electricity ombudsman who did a great job. Certainly in terms of those relatively few complaints, but nonetheless serious complaints, that were received by me in my electorate office, Barry Adams made himself immediately available to help resolve those complaints and I think served for something like four years up until 2011 when the then deputy ombudsman for the state of Queensland, Forbes Smith, was appointed to take over that role.

In particular, I recall a lengthy and long-going incident involving a small business that occurred around late 2010, early 2011, if memory serves me correctly. The reason I remember it is that it occurred at Ashgrove Avenue in the electorate of the minister for small business. A little milk bar called Milk had been charged—erroneously as it subsequently turned out—by their electricity provider some \$25,000. They ran a milk bar that used lots of refrigeration to keep all their goods and perishables intact. They had made a number of requests to the retailer that had not been satisfactorily resolved. They had gone to the local member at the time—

**Mr Minnikin:** Who was that?

**Mr NICHOLLS:** I am struggling to think who was the member for Ashgrove in 2011; it was the recently re-elected member for Ashgrove—and had got no satisfaction. The matter was then referred to me.

**Ms JONES:** I find that personally offensive and I ask the member to withdraw.

**Mr NICHOLLS:** I withdraw. Having received an unsatisfactory response, the owner and operator, Amanda, I believe, if memory serves me correctly, contacted Ms Madonna King of ABC Radio fame at the time I was engaged in sparring lessons with the then treasurer Andrew Fraser. She referred the matter to me. I took the matter up with Barry Adams and asked him to investigate. Notwithstanding the fact that the retailer had not been able to do anything, other avenues that had been investigated by this small business operator, which was paying over the odds for electricity, had not resulted in any

satisfactory conclusion, the involvement of Barry Adams at that time saw that that power bill was actually reduced substantially—by more than half—and actually reflected the true cost of electricity into those premises at that time showing that, in fact, decent representation by someone who is prepared to go after a matter can actually end up with a result notwithstanding the Electricity Ombudsman being in place.

When we think back to the need for an Electricity Ombudsman, if you like the establishment of it, we have the Labor Party and its sale of the electricity retailers—the full retail contestability that they introduced; we saw the appointment of Mr Barry Adams and the operation from July 2007 of his organisation, the Electricity Ombudsman Queensland, then the appointment of Forbes Smith; we of course have the small business Milk that was being done over and deserved to have their case heard but was not yet getting satisfaction but finally got satisfaction—I think a subsequent member there used to frequent that place quite regularly. He obviously supported that small business in a way that they were not then being supported by other elected representatives who were happy to see \$15,000 go out the door and make plans about sea level rises, but nothing to do with helping a small business in that part of the world.

Therefore, one can imagine that I do fully support this piece of legislation, as it provides additional services for those small business that would not otherwise be able to access them. It was a great idea when it was promoted by Mark McArdle, the member for Caloundra, in March 2014, it was a good idea when it went through the regulatory impact statement that was initiated by our government shortly afterwards and it is still a good idea. It was considered by the Office of Best Practice Regulation. It is another innovation of the LNP government. The bill before the House today will see the culmination of a good outcome for small businesses throughout the state that will be able to access a fair, just and speedy resolution process for disputes with their retailers.