

Submission to the House of Representatives Standing Committee on Economics Inquiry into insurers' responses to 2022 major floods claims

Submission by Dr Helen Haines MP
Independent Federal Member for Indi

31 October 2023



**Helen
Haines MP**
INDEPENDENT FEDERAL MEMBER FOR INDI

Introduction

The physical, psychological, and financial consequences of the 2022 floods continue to impact people across the country, including in my electorate of Indi.

Indi extends across 29,187 square kilometres of Victoria's North East, from Corryong on the upper Murray River to Kinglake near Melbourne's outer north-eastern fringe. It has a spectacular landscapes – of mountains, valleys, national parks and farm land. Our communities include nine local governments – Alpine, Benalla, Indigo, Mansfield, Murrindindi, Strathbogie, Towong, Wangaratta and Wodonga – and the unincorporated alpine areas of Falls Creek, Mount Hotham, Mount Buller and Lake Mountain.

The October 2022 floods impacted all nine local government areas across Indi.

Following these floods, 1,349 constituents in Indi were approved for the Australian Government Disaster Recovery Payment, more than 156 people were approved for the Disaster Recovery Allowance. Indi received a further 1,053 primary producer grants and 56 small business grants to support recovery from the floods.

The recent floods in Indi are not the only recent natural disaster that has devastated this region. Many of the communities impacted by the 2022 floods were also affected by the Black Summer Bushfires in 2019-2020. While the scope of this inquiry is limited to the 2022 floods, similar challenges with insurance were faced during the 2019-2020 bushfires. I have worked with businesses and households in my electorate since the bushfires and I have warned the former and current government that we are facing a crisis of un-insurability in some parts of Australia due to the increasing risk of natural disasters caused by climate change.

The inquiry should broaden its scope to consider more forms of natural disasters as the insurance implications are similar across all disasters. Attached to this submission are letters I have written to the former treasurer Josh Frydenberg and to Emergency Management Minister Murray Watt on this topic.

This submission supports the recommendations of the [Weathering the Storm](#) report commissioned by CHOICE, the Climate Council, Financial Counselling Australia, Financial Rights Legal Centre, and the Tenants' Union of NSW, released earlier this year. It contributes to these recommendations by highlighting the experience of constituents in Indi, particularly in relation to insurance complexity and affordability.

The way we support people through the hardest of challenges is central to our national identity. It is essential we get disaster insurance right, especially so as the intensity and frequency of natural disasters increases with climate change.

I urge the Government to intervene in failing insurance markets when it comes to insurance from natural disasters, to plan for the long term as this issue will only continue to grow.

To do this, this inquiry must make considerations informed by the experiences of people across the nation, over multiple forms of natural disasters. In doing so, it is my hope that insurance becomes accessible, affordable, easily understood, and works to protect the people of Indi where it has recently failed.

Recommendations

I support the recommendations made by the [Weathering the Storm](#) report commissioned by CHOICE, the Climate Council, Financial Counselling Australia, Financial Rights Legal Centre, and the Tenants' Union of NSW. I also support the recommendations of the Climate Council's [Uninsurable Nation](#) report. With support for these recommendations in mind, my submission focusses on the specific context of the people of Indi, and the concerns constituents have directly raised with me.

Challenges faced in understanding insurance policies and processes

Recommendation 1: *Simplify insurance policies so people can clearly understand what coverage they have. The Federal Government should legislate standard definitions for a broad range of common terms and conditions in home and contents insurance contracts. Fair and simple insurance policies should also be designed with the specifics of regional and rural properties in mind.*

Recommendation 2: *Address widespread underinsurance through Federal legislation requiring insurance companies to inform customers when they believe they may be underinsured. Insurance companies should also detail how customers can achieve full insurance cover, and at what cost.*

Insurance affordability challenges

Recommendation 3: *Require insurers to disclose a breakdown of insurance costs to new and renewing policy holders.*

Breakdowns should clearly detail the contribution to the total cost and change in cost of individual insurance premiums. The breakdown should include, but not be restricted to:

- 1. risks associated with each type of natural disaster or other risk,*
- 2. changes in costs to replace insured assets, at minimum broken down by home and contents,*
- 3. policy holder actions to reduce the risk and cost of damage,*
- 4. changes to the extent of assets covered by the policy,*
- 5. impacts of any government levies or duties not controlled by the insurance provider.*

Recommendation 4: *Recognise and reward the efforts of property owners who undertake actions to reduce their risk of exposure to natural disasters. This may include installation of sprinkler systems or gutter guard, reducing vegetation close to assets, building to a high Bushfire Attack Level rating, or other measures aimed at reducing exposure to bushfire risk. Similarly, efforts to reduce flooding damage such as raising floor levels or installing electrical wiring high in walls should be rewarded.*

Recommendation 5: *Insurers should work with governments to incentivise impacted policyholders to use insurance pay outs to build back better – where it is appropriate to build back. Building back better means accounting for changing risks and increasing resilience to future natural disasters. The committee should explore the appropriate role of government in this space.*

Insurance access challenges

Recommendation 6: *The Federal Government should work with state, territory and local governments to develop a national framework for supporting property owners who cannot access or afford insurance.*

This framework should include assistance to achieve insurability by reducing exposure to disaster risk and increasing resilience in the face of disasters. It should also include plans and support for the

relocation of high-risk communities, noting that it is often the most financially vulnerable who find themselves in high-risk communities.

Recommendation 7: *Planning laws should account for increasing natural disaster related risks and impacts on insurability of properties. New policy settings are required to prevent new developments on land deemed to be highly exposed to climate change related hazards.*

Consideration of regional, rural and remote Australia

Recommendation 8: *The Federal Government's future work to address insurance access and affordability, as well as any investigations and reviews of insurer responses to natural disasters, must explicitly consider the unique circumstances of regional, rural and remote Australia.*

Challenges faced in understanding insurance policies and processes

In response to Terms of Reference 2.b, the different types of insurance contracts offered by insurers and held by policyholders

Many constituents in Indi were stranded when the October 2022 floods destroyed key access bridges on their property. Many people struggled with the financial pressure of repairing fencing and bridges on, or providing access to, their properties. These assets on a property are essential safety assets as they direct access to and from properties and safely contain livestock, preventing their straying onto rural roads.

The complexity of insurance often results in unintentional underinsurance.¹ Residents in regional, rural, and remote areas have to consider additional structures such as fencing, water pumps and bores, driveways and internal roads and tracks in insurance coverage. Insurance policies may independently cover home and contents damaged floods or provide general cover for external structures at an additional premium. However, it can be difficult to determine if insurance policies cover these elements in tandem.

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Insurance affordability challenges

In response to Terms of Reference point 2.g, affordability of insurance coverage to policyholders

Affordability considerations in Indi

Residents across Indi are increasingly struggling to afford rapidly rising insurance premiums. For many this means they risk underinsurance or are forced to miss out on insurance cover all together.

Indi's average income is lower than most electorates, rating 133 of all 151 federal electorates. At \$1,367, the median weekly household income across Indi is more than 21% lower than the national average of \$1,746.² In addition, exposure to natural disasters such as floods and bushfires in Indi is significantly higher than the national average. Natural disasters, increasing property prices and other factors, have all combined to push insurance premiums to unaffordable levels for many across Indi. The Actuaries Institute's 2023 Home Insurance Affordability Update finds that nationally the median increase in home insurance premiums over the 12 months to August 2023 was almost 30%. Increases were far greater for the highest risk households, such as many households in Indi. Premiums increased

¹ CHOICE et al. (2023), *Weathering the storm: Insurance in a climate crisis*, <https://www.choice.com.au/consumer-advocacy/policy/policy-submissions/2023/august/climate-insurance-report>

² Australian Bureau of Statistics (2021) *Census 2021*, <https://abs.gov.au/census/find-census-data/quickstats/2021/CED223>

by more than 50% for the 5% of households paying the highest premiums, according to the Actuaries Institute.³

This increasing level of financial pressure resulting from rising premiums has led many people in Indi to contact my office to raise their concerns about insurance affordability. Most households across Indi have seen their insurance premiums increase markedly in recent years, with many stories of premiums doubling or more, just in the space of a couple of years.

“I am really concerned about the cost of the out-of-control spiral in Home Insurance costs. I haven’t had any claims for the last 15 years. A quote to renew my home insurance has gone from \$1000 to over \$4000 per year.”

– Graham Parker of Benalla

Access to affordable home and contents insurance is critical to household wellbeing and financial security. Yet under the status quo, insurance affordability is only expected to get worse each year, putting more pressure on vulnerable people and exposing them to even higher risks if they are unable to adequately insure their properties.

Natural disaster risk in Indi

Acting now to address insurance affordability concerns is critical, as global heating is increasing both the frequency and severity of natural disasters. With its forested hills and wide flood plains, Indi is particularly vulnerable. The Climate Council’s *‘Uninsurable Nation: Australia’s Most Climate-Vulnerable Places’*⁴ lists Indi as the 8th most at-risk federal electorate for insurance to become unaffordable within the next 10 years. Indi is the second most at-risk electorate in Victoria for natural disaster related insurance unaffordability.⁵ More than 11% of all properties in Indi are at high risk of insurance premiums being unaffordable within the next 10 years. This is significantly higher than the 2.6% of homes deemed effectively uninsurable in Victoria by 2030, and the 3.6% of properties deemed uninsurable nationally.

Table 1: Properties in the electoral division of Indi classified by insurance unaffordability risk level.

Risk Level	% of total properties in Indi	# of properties in Indi
High Risk	11.3%	11,215
Medium Risk	11.0%	10,991
Total Properties	22.3%	99,086

Source: Climate Council 2022

In the Rural City of Wangaratta, bordering on the King and Ovens Rivers in Indi, 60% of all properties are at high risk of insurance premiums rising to become unaffordable by 2030. A further 11% of properties are at medium risk of insurance being unaffordable within the next 10 years. In the alpine

³ Actuaries Institute (2023), *Home Insurance Affordability Update*, <https://www.actuaries.asn.au/docs/thought-leadership-reports/home-insurance-affordability-update.pdf>

⁴ Climate Council (2022), *Uninsurable Nation: Australia’s Most Climate-Vulnerable Places* https://www.climatecouncil.org.au/wp-content/uploads/2022/05/CC_Report-Uninsurable-Nation_V5-FA_Low_Res_Single.pdf

⁵ The Climate Council report classifies a household as facing high risk of becoming uninsurable if average annual damage costs equate to 1% or more of the replacement cost of the property. Properties are classified as facing medium risk of un-insurability if annual damage costs that equate to 0.2-1% of the property replacement cost.

valley town of Bright, almost 20% of properties will be considered at high risk of insurance unaffordability by 2030.

This risk evaluation only considers the damage to buildings directly resulting from natural disasters and does not consider risk to farming or business land, roads, or other key pieces of infrastructure. Further, the Climate Council's evaluation uses a very conservative estimate of \$314,000 as the replacement cost of a dwelling. Recent construction material and labour price increases, as well as more stringent building requirements in bushfire zones, indicate that rebuild costs are likely to be considerably higher. As a result, the impacts of flooding and other natural disasters in Indi may be more expansive than just these numbers.

Recommendation 3: *Require insurers to disclose a breakdown of insurance costs to new and renewing policy holders.*

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Insurance access challenges

While the cost of insurance in regions such as Indi has dramatically increased in recent years, in some instances, insurance companies have refused to offer insurance to properties altogether. Since the 2019-2020 Black Summer Bushfires I have been contacted by many businesses across Indi, notably in the alpine resort areas of Falls Creek, Mt Hotham and Mount Buller. Businesses have found it impossible to access insurance after the fires, or premiums have increased to a level that made continued operations unviable.

“[Insurance] underwriters are now not insuring any buildings with wooden cladding or wooden flooring, which accounts for a majority of buildings in the alps. Buildings valued at over \$20 million at alpine resorts are unable to be insured at all. For those who have been able to get insurance, the premiums from 2019 to 2022 have risen enormously, some up by 700 percent. This is simply unviable.”

– Steve Belli, Mt Hotham Chamber of Commerce President

The case of businesses in the alpine resort areas, as well as insurance access challenges for other businesses and households across Indi, highlight that insurance companies have complete power to deny insurance coverage, leaving residents and businesses to face the consequences of uninsurance. Further, as insurance companies decide not to offer insurance to certain properties, banks may follow suite, reducing access to credit, and increasing credit risks and costs for existing loans, leading to declining property values.

Analysis undertaken by the Reserve Bank of Australia indicates that many areas across Indi are likely to see property values decreased by between 2% and 10% by 2050 due to the increasing impacts of climate change.⁶ In some severe instances, the RBA indicates that certain areas may even become uninhabitable as banks no longer consider high-risk properties sensible for lending.⁷ (RBA 2021).

This points to potential market failure for insurance, which could create existential challenges for households and businesses in some of the most beautiful parts of our country.

The Government has already intervened in insurance markets for terrorism and cyclones through the existing Australian Reinsurance Pool Corporation (ARPC), established in 2003 to correct a market failure in commercial property insurance that occurred in the wake of the September 11 terrorist attacks.

It was expanded to include cyclones, but this does not cover the range of natural disasters which we face across Australia. Clearly successive Australian Governments have recognised that there is a role for public intervention in failed insurance markets. I believe the case exists for the Federal Government to play a similar role in other natural disaster related insurance, including bushfire and flood.

While it is reasonable, and even desirable, that commercial actors price in natural disaster risks and send market signals to discourage investment in high risk areas, we must acknowledge that this can have a very human cost, and it is often the most vulnerable that are impacted by increasing risks and resultant market signals. For example, analysis by the Actuaries Institute suggests that, in general, low-income households are exposed to higher flood risk than their counterparts.⁸ Vulnerable low-income households need to be supported.

Recommendation 6: *The Federal Government should work with state, territory and local governments to develop a national framework for supporting property owners who cannot access or afford insurance.*

This framework should include assistance to achieve insurability by reducing exposure to disaster risk and increasing resilience in the face of disasters. It should also include plans and support for the relocation of high-risk communities, noting that it is often the most financially vulnerable who find themselves in high-risk communities.

⁶ Reserve Bank of Australia (2023), *Climate Change and Financial Risk*, <https://www.rba.gov.au/publications/bulletin/2023/jun/climate-change-and-financial-risk.html>

⁷ Reserve Bank of Australia (2021), *Climate Change Risks to Australian Banks* <https://www.rba.gov.au/publications/bulletin/2021/sep/climate-change-risks-to-australian-banks.html>

⁸ Actuaries Institute (2023), *Home Insurance Affordability Update*, <https://www.actuaries.asn.au/docs/thought-leadership-reports/home-insurance-affordability-update.pdf>

Recommendation 7: *Planning laws should account for increasing natural disaster related risks and impacts on insurability of properties. New policy settings are required to prevent new developments on land deemed to be highly exposed to climate change related hazards.*

Consideration of regional, rural and remote Australia

In response to Terms of Reference point 4, inquiry consideration of findings from other reports such as Deloitte's external review of insurers' responses to the 2022 floods, and ASIC's claims handling review.

ASIC's [2023 claims handling review](#) presents a general description of insurer responses to home insurance claims. Their findings, while important, do not paint an accurate picture for regional, rural and remote Australia. Regional Australia is mentioned only once in the review, with the methodology noting that research was commissioned into insurance responses covering both metropolitan and regional locations across Australia.

The generalisation of insurance responses across metropolitan and regional Australia does not account for the unique circumstances of regional, rural and remote communities. These circumstances include factors such as limited emergency housing availability in regional communities for individuals needing to temporarily relocate from their properties due to natural disaster damage. People in these circumstances, need to search further from their homes, workplaces, and community support networks to obtain emergency housing compared to their city counterparts.

ASIC's review noted insurers are more than likely underreporting the number of customers that are either permanently or temporarily vulnerable. Insurers need to be more aware of the situations of their customers, their vulnerabilities and their needs, if adequate access to insurance is to be provided and resilience improved. Remoteness and access to essential services is another factor contributing to vulnerability.

The lack of proactive consideration of households and businesses in regional, rural and remote means the needs of these communities are overlooked in reviews and policy decisions. Given that it is regional communities that are most at risk from natural disasters, such communities should be at the centre of reviews and government policy making.

Recommendation 8: *The Federal Government's future work to address insurance access and affordability, as well as any investigations and reviews of insurer responses to natural disasters, must explicitly consider the unique circumstances of regional, rural and remote Australia.*

Conclusion

Regional areas like my electorate Indi are home to thriving communities set amongst beautiful natural landscapes. Yet our location means that these communities also face increased risks. Communities across Indi have been hard hit by floods, bushfires, storms and even landslides in recent years. These disasters take a toll on individuals, families, businesses, emergency services and community organisations. Recovery is hard enough in the best of circumstances, but the last thing people need after a disaster is stress relating to insurance.

Stresses relating to insurance are only set to increase if action isn't taken, as insurance premiums rise, and natural disasters increase in frequency and severity.

This inquiry is an opportunity for Government to understand the issues and work with insurance companies to improve outcomes for people in Indi and across Australia. This opportunity should not be missed. I call upon Federal and state governments to implement the recommendations in my submission to ensure all Australians have access to fair and affordable insurance and are adequately supported in the facing of increasing risks.

Sincerely,
Helen Haines MP

Helen
Haines MP



The Hon Josh Frydenberg MP
Treasurer
House of Representatives
PO Box 6022
Parliament House
CANBERRA ACT 2600

Dear Treasurer,

Re: Bushfire Insurance for Small Businesses

I am writing to you to about the increasingly dire situation facing small businesses in my electorate who are unable to access to insurance after the devastating 2019-20 fires.

As you know, my electorate was heavily affected by the fires. The economy of Victoria's alpine region is in large part based on the tourism sector, with hospitality, outdoor and adventure, and food and wine businesses generating billions of dollars of activity for the region and employing around 20% of the workforce.

However, in the wake of the fires, many small businesses have found it impossible to access insurance for their businesses. I have been contacted by many small businesses who say they either cannot access these products at all, or that premiums have increased to levels that make continued operations simply unviable. As we look towards an increasingly disrupted climate, with more frequent and intense bushfires, if insurance continues to be unavailable then the multi-billion-dollar tourism economy of our region will face an existential crisis.

As such, I am writing to echo Small Business Ombudsman Kate Carnell in calling for Government intervention in this failing insurance market. Ms Carnell has proposed that the existing Australian Reinsurance Pool Corporation (ARPC), established in 2003 to correct a market failure in commercial property insurance that occurred in the wake of the September 11 terrorist attacks, be expanded to cover major natural disasters.

Triennial reviews of the *Terrorism Insurance Act* conducted in 2006, 2009, 2013, 2015, and 2018 have all found that there was insufficient terrorism insurance available on commercially reasonable terms and therefore that this Act should continue in operation. Clearly, therefore, successive Australian Governments have recognised that there is a role for public intervention in failed insurance markets. I believe the case exists for the Federal Government to play a similar role in bushfire-related insurance.

I would be happy to meet with you to discuss this issue further, and I urge the Government to seriously consider this as an urgent economic imperative for many parts of regional Australia.

Yours faithfully,

Dr Helen Haines MP
Independent Federal Member for Indi

29 November 2021

Ref: HH330542/HM

Cc: The Hon Josh Frydenberg MP
Cc: Senator Bridget McKenzie

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Helen
Haines MP



The Hon. Murray Watt
Minister for Agriculture, Fisheries and Forestry and Minister for Emergency Management

Dear Minister Watt, *Murray*

Agriculture and Bushfire Recovery Priorities for Indi

First can I offer you my congratulations on your appointment as Australia's new Minister for Agriculture, Fisheries and Forestry, and Minister for Emergency Management.

As an Independent Member from a regional electorate that is home to a significant and diverse agricultural sector, and which also heavily affected by the 2019-20 bushfires, these portfolios have been central to my work over the last three years.

I am writing to you to outline the policy priorities for Indi that I hope to work with you on this Parliament.

Bushfire Insurance

The incoming Government needs to address the urgent issue that many residents and small businesses in bushfire-affected areas are now unable to access insurance. The Black Summer fires in our region marked a turning point in the insurance sector, whereby people who had previously been able to access insurance products were told that they were either un-insurable, or that their premiums had gone up to unviable levels.

Over recent months I have been consulting widely with individuals and businesses affected by these issues and it is clear that that intervention is needed to address a market failure in the provision of insurance. In Falls Creek, for instance:

- An accommodation business had premiums go up 180% in two years
- A not-for-profit ski club had premiums go up 70% in two years
- A tourism operator had premiums go up 50% in two years with less cover

The other Alpine resorts of Mt Hotham and Mt Buller are facing similar challenges. In responding to market failure in the provision of disaster insurance in Northern Australia, the previous Government established a re-insurance pool through legislation. Some local constituents in Indi have proposed the use of mutuals as a mechanism to tackle the problem. I ask the incoming Government to consider and present options to tackle the market failure in the provision of insurance in bushfire-prone regions.

Agricultural Visas

I am sure you are well aware of the critical shortages of agriculture workers in Australia at the moment. As long ago as 2019, the NFF found that 80% of farmers experienced serious difficulties in finding workers, and we know that the dairy sector alone loses \$364 million a year in lost productivity due to labour shortages.

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This is why I am inviting you to reconsider the Labor Party's decision to walk away from the plan to introduce an Agriculture Visa for South East Asia. Like many in the farming community, I was deeply unimpressed with the unacceptably slow progress from the previous Government in introducing its Agriculture Visa. However, the Labor Party's decision to effectively scrap the scheme in favour of existing arrangements with the Pacific Islands is similarly disappointing.

Australia should not be placing unnecessary barriers in place to getting workers onto our farms. In my view, we should be enabling workers from the Pacific, from South East Asia, and from any part of the world where people are willing to come and work in Australian agriculture. I invite you to expedite the delivery of new visa arrangements that fix the workforce shortage as soon as possible.

Net Zero Emissions Farms

I have proposed the establishment of a network of 200 Agricultural Extension Officers (AEOs) to work one-on-one with farmers to implement emissions reduction strategies, and to enable individual farms to opt-in to become zero emissions certified.

I work closely with agricultural communities in my electorate, and farmers tell me that they want to take practical steps to reduce their emissions but they do not have sufficient support to do so. Accessing carbon credits, for instance, is overly complex and costly.

AEOs would work with farmers to baseline emissions, access carbon and biodiversity markets, deploy new technologies and feed supplements, adopt electric or hydrogen-fueled on-farm vehicles, and accredit farms as zero emissions using a new standard under the Government's existing ClimateActive certification scheme.

The National Farmers Federation have endorsed my proposal as the best election policy they had seen on climate and agriculture. I am also writing to the new Minister for Climate Change and Energy Chris Bowen, and I hope to work with both of you to develop and implement this much-needed proposal.

The PBO has fully costed this proposal at \$33 million a year or \$130 million over the forward estimates.


* * *

I have developed the above policies through a careful, evidence-based and consultative process. As a regional Independent, I am determined to bring the voice of regional Australia to the Parliament.

I would also like to extend an invitation to you to visit the communities of Indi to hear directly from my constituents about these issues. In particular, I would invite you to meet with the bushfire-affected communities of the Towong Shire and the Alpine Shire, and with groups of local farmers about the need for a net zero-focused Agricultural Extension network.

I look forward to working productively with you over the next three years to make real and practical steps to making our region more resilient to natural disasters, and continuing to grow the agriculture sector into the future.

Yours sincerely,


Independent Federal Member for Indi

17 June 2022

Ref: HH367979/HM