



# CHUBB INSURANCE COMPANY OF AUSTRALIA LIMITED

A.B.N. 69 003 710 647  
AFS Licence No. 239778

Level 14, 330 Collins Street Melbourne Victoria 3000 Australia  
Telephone: 61-3-9242 5111 • Facsimile: 61-3-9642 0909 • DX: 31310 - Midtown

31 August 2015

Dear Members of Eureka Tower Owners Corporation 1, 2, 3, 5 & 6

## IMPORTANT NOTICE

### Insurance Claim for Property Damage – Eureka Tower, 7 Riverside Quay, Southbank Date of Loss: 10 September 2014

On 10 September 2014 a pipe located upon the 62<sup>nd</sup> floor of the Eureka Tower failed, as a consequence of which water entered the property and caused significant damage from floors 10 to 62.

The Owners Corporation managers lodged a claim with Chubb Insurance for the damage sustained, which claim has been accepted and paid by Chubb in accordance with the terms and conditions of the applicable policy of insurance.

Under the terms of the policy of insurance between Chubb and the Owners Corporation, Chubb now has the right to recover from those responsible for the damage, the monies it has paid out to or on behalf of the affected Owners Corporations 1, 2, 3, 5 & 6 and various unit owners in response to the claim on the policy.

It is Chubb's intention to commence legal proceedings against those responsible for the damage, which in turn requires that a special resolution be passed by the members of Owners Corporations 1, 2, 3, 5 & 6 in accordance with the requirements of section 18 of the Owners Corporation Act 2006. Chubb has requested that such a special resolution be passed.

The Owners Corporations of which you are members are required to comply with Chubb's request and accordingly I request that you complete and return the **attached ballot form by email to: [insuranceballot@eurekatower.com.au](mailto:insuranceballot@eurekatower.com.au)** or by post to **Antoinette Hall, 7 Riverside Quay, Southbank 3006** at least **48 hours** before the closing date of the ballot.

**The closing date of the ballot is 4:00pm Friday 25 September 2015.**

For the avoidance of any doubt, if litigation is required **ALL** costs related to that litigation will be borne by Chubb and **no costs will be borne by the members of the Owners Corporations involved in the proceedings or by the Owners Corporations themselves.**

Yours sincerely

A handwritten signature in black ink, appearing to read 'M Belcher', with a long horizontal flourish extending to the right.

**Mark Belcher**  
**National Claims Recovery Specialist • Claims**