

From: Kendrick Koa <[kendrick.koa@chu.com.au](mailto:kendrick.koa@chu.com.au)>  
 Date: Fri, May 5, 2023 at 5:24 PM  
 Subject: CL 02080783 - McCrae landslip 611-615 Point Nepean Road MCCRAE  
 To: paul willigenburg Personal Information j Personal Information  
Personal Information [ud.mbc.m.com.au](mailto:ud.mbc.m.com.au)>

Good Afternoon ,

CH U have been able to secure the Geo technical report from the neighbouring property 10-12 View Point Road which has been forwarded to the Owner's Corporation.

CH U's appointed engineer Logocon has reviewed the geo technical report and noted that the report does not highlight anything new.

Logocon's report states that the preliminary slope stability analysis indicates that the proximate cause of the slope failure on the neighbouring site is inadequate construction of the slope at an excessively steep angle beyond the safe slope angle making the slope unstable and susceptible to failure. The inadequate construction of the slope has resulted in the eventual failure.

The policy wording on pages 19-20 states:

### ***Exclusions***

***1. We will not pay for Damage caused by or arising directly or indirectly from:***

*f. vibration or from **the removal or weakening of or interference with the support of land or buildings or any other property, Erosion or Earth Movement.** However We will pay if the Damage is due to:*

*i. earthquake or seismological disturbance, Tsunami, explosion, physical impact by aircraft;*

*ii. bursting, leaking or overflowing of water tanks, pipes, drains, gutters or other water or liquid carrying apparatus;*

As such, I regret to advise that we are unable to pay the claim as the damage is caused by factors outside the policy terms.

A decline letter has been issued to the Owner's Corporation which outlines the next steps should you wish to escalate the matter.

Kind regards,

Kendrick Koa

Senior Loss Adjuster CHU Assess

A Level 21, 150 Lonsdale Street, Melbourne Vic 3000

CHU Underwriting Agencies Pty Ltd

Incorporating CHU, Flex Insurance (CHU iSAVER) and CHU Services

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UNDERWRITING AGENCY CLAIMS TEAM  
OF THE YEAR EXCELLENCE AWARD 2020

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