



# **ATTACHMENTS**

**Ordinary Council meeting  
Separate Attachments 1**

**Monday, 20 May 2024**



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# 53D Esmeralda Street, Tauranga

## EXECUTIVE SUMMARY

1. In 2019, Council acquired 53D Esmeralda Street (Property) under the Public Works Act 1981 from Jian Wei Cau and Feng Lian Cao. The Property purchased was a ¼ share of Lot 100 Deposited Plan S21135 and Lease of Flat 4 comprised in record of title SA50C/583. The reason for the acquisition of the Property was to facilitate flood mitigation measures to reduce the flood hazard for surrounding properties under Council’s Stormwater Level of Service.
2. The mitigation works included construction of a floodwall at the rear of the exclusive use area of the cross-lease property Council acquired. In June 2020, Council entered into agreements with the owners of 53A, 53B and 53C Esmeralda Street to record Council’s acquisition of Section 2 SO 573282 from 53D Esmeralda Street.
3. Although the exclusive use areas for 53A, 53B and 53C Esmeralda Street were not affected by the acquisition, the agreements were required to record the change in the underlying fee simple lot that 53A, 53B and 53C Esmeralda Street each held an interest in.
4. Construction of the floodwall was completed at the end of 2022 and the land required for the floodwall was then surveyed and vested in Council.
5. Covenant Area D shown on the plan below is the new exclusive use area for Flat 4. The Property, which includes a 3-bedroom dwelling, is no longer required for strategic or operational purposes and is now available for disposal.

























































































































































































































































































































































































































































































