

12 Authorising sale of Rotorua Aerodrome and providing for disposal of proceeds

Whereas the Rotorua Aerodrome in the City of Rotorua consists of the land described in subsection (6), and is controlled by the Rotorua City Council (in this section referred to as the **City Council**):

And whereas the land comprises public reserve land subject to the Reserves and Domains Act 1953, closed street, and freehold land held by the City Council:

And whereas part of the public reserve portion of the aerodrome was formerly part of an area set aside for use as a public cemetery, and another part was acquired in exchange for cemetery land:

And whereas the aerodrome has become inadequate for the needs of the district, and it is proposed to construct a new aerodrome at Rotokawa in the County of Rotorua:

And whereas it is desirable that the present aerodrome should be sold and the proceeds applied in or towards the costs of acquisition and development of the new aerodrome and in or towards the development of the Rotorua Public Cemetery or in the acquisition and development of land for a new cemetery:

Be it therefore enacted as follows:

- (1) The land described in subsection (6) is hereby vested in the Corporation of the City of Rotorua for an estate in fee simple freed and discharged from all trusts, reservations, and restrictions affecting any part of the same at the date of the passing of this Act, and the said land shall be held, administered, and disposed of in accordance with the provisions of this section.
- (2) The said land shall continue to be held and used for the purposes of an aerodrome for so long as it may be required for those purposes.
- (3) The City Council is hereby empowered, as the need for any part of the said land to be held and used for aerodrome purposes ceases, from time to time, but subject always to the prior written approval of the Minister of Works, to subdivide or resubdivide the same into lots, and to sell the same by public auction, public tender, or private contract, or partly by one and partly by the other of such modes of sale, subject to such conditions as to title, time, or mode of payment of purchase money or otherwise as it thinks fit, and with or without a grant or reservation of rights of way, rights of water easements, drainage easements, or other rights, privileges, or easements in favour of the purchaser or purchasers or the City Council, or any other person. The City Council in subdividing the land may construct or provide public streets, service lanes, access ways, sanitary and water drains, water supplies, electric power lines, and such other services or public works as may be deemed necessary for the use, convenience, and enjoyment of the subdivisions.
- (4) The net proceeds from the subdivision and sale of the said land shall be applied progressively by the City Council as they become available as follows:
 - (a) amounts up to but not exceeding the sum of 16,300 pounds, being the present value of areas totalling 16 acres 2 roods 30 perches and three-tenths of a perch, which were formerly parts of a public cemetery reserve, shall be paid by the City Council to a special account and shall be held in trust as a fund to be used for the purchase and development of land for a new cemetery to serve Rotorua or for the development of the existing cemetery in Rotorua:
 - (b) amounts up to but not exceeding the sum of 1,350 pounds, being the present value of an area of 1 acre 1 rood 12 perches and three-tenths of a perch, being land which was acquired in exchange for part of a former public cemetery reserve, shall be dealt with in the same manner as the amount of 16,300 pounds referred to in paragraph (a):
 - (c) all amounts received over and above the sum of 17,650 pounds (being the total sum required to be set aside under paragraphs (a) and (b)) shall be divided into 2 equal portions. One portion shall be paid to the Minister of Works, who shall lodge it to the credit of the Public Account, and the other shall be shared by the City Council with the Rotorua County Council in such proportions as they may agree. The City Council and the Rotorua County Council shall apply their shares of such proceeds in reduction of any loans raised in connection with the acquisition and development of the new aerodrome at Rotokawa and any excess shall be held in reserve and used for the future development of that aerodrome as from time to time agreed between the City Council, the Rotorua County Council, and the Minister of Works.
- (5) The District Land Registrar for the Auckland Land Registration District is hereby authorised to issue such certificates of title, to deposit such plans, to accept such documents for registration, to make such entries in the register books, and to do all such other things as may be necessary to give effect to the provisions of this section.
- (6) The aerodrome land vested in the Corporation of the City of Rotorua and authorised to be sold under the provisions of this section is particularly described as follows:

All those areas in the South Auckland Land District in Block I, Tarawera Survey District, containing together 136 acres 2 roods 6 perches and fifteen one-hundredths of a perch, more or less, and being—

 - (a) Lots 21 to 29, DP 3194, being part Section 25, Suburbs of Rotorua: total area, 2 acres 1 rood fifteen and one-tenth perches, more or less: all certificate of title, Volume 445, folio 83, Auckland Registry:
 - (b) Lots 52 to 60, DP 3194, being part Section 25, Suburbs of Rotorua: total area, 2 acres 1 rood fifteen and one-tenth perches, more or less: all certificate of title, Volume 445, folio 85, Auckland Registry:
 - (c) Lots 61 to 69, DP 3194, being part Section 25, Suburbs of Rotorua: total area, 2 acres 1 rood 13 perches, more or less: all certificate of title, Volume 445, folio 86, Auckland Registry:
 - (d) Lots 92 to 100, DP 3194, being part Section 25, Suburbs of Rotorua: total area, 2 acres 1 rood 13 perches, more or less: all certificate of title, Volume 445, folio 88, Auckland Registry:
 - (e) part Section 130, Suburbs of Rotorua, Lot 20, and parts Lots 18 and 19, DP 3194, being parts Section 25, Suburbs of Rotorua: total area, 1 acre 1 rood 12 perches and three-tenths of a perch, more or less:
 - (f) part Lot 2, DP 26782, being part Section 26, Suburbs of Rotorua: area, 13 acres 2 roods 21 perches and three-tenths of a perch, more or less:

- (g) Section 80, Suburbs of Rotorua: area, 79 acres 12 perches and eighty-six one-hundredths of a perch, more or less:
 - (h) Lots 1 to 11 and 30 to 41 of Section 82, Suburbs of Rotorua: total area, 5 acres 2 roods 6 perches and three one-hundredths of a perch, more or less:
 - (i) Lots 12 to 29 of Section 82, Suburbs of Rotorua: total area, 4 acres 2 roods 38 perches and thirty-six one-hundredths of a perch, more or less:
 - (j) Section 83, Suburbs of Rotorua: area, 5 acres and twenty-four and seven-tenths perches, more or less:
 - (k) closed street: area, 7 acres 3 roods 35 perches and six-tenths of a perch, more or less:
 - (l) Section 16, and parts Sections 15 and 17, Block I, Tarawera Survey District: total area, 6 acres 2 roods 29 perches and eight-tenths of a perch, more or less:
 - (m) part Section 11, Block I, Tarawera Survey District: area, 3 acres and 9 perches, more or less:
- As shown on the plan marked L and S 22/3455 G, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (SO plans 21358, 22106, 22866, 26060, 28646, 28648, 32744, 34438, 39686).