

Alexander Park Dressage, Salt Ash Pony Club or Bruce's BMX?



IMAGE: MYSTERIOUS PILES OF DEBRIS-FILLED DIRT HAVE APPEARED AROUND THE PERIMETER OF THE HORSE PARK. (ABC/ANN ARNOLD)

This is copy of a letter to a Port Stephens Councilor from the Salt Ash Pony Club that has found its way To TRRA.....

Councilor,

Salt Ash Pony Club would like a few questions answered from Port Stephens Council in email form. If you could please answer these yourself or pass onto appropriate person/s to be addressed or to be tabled at your next meeting.

- *Firstly as you are aware a large amount of dirt (and rubble) have been dumped on our grounds at Bruce Mackenzie complex, Richardson Rd, Salt Ash apparently by Port Stephens Council.*
- *Can you please advise if there was a DA for this soil to be moved onto this site?*
- *Where did this soil come from?*
- *Is this a vision from council to build a BMX bike track on these grounds or is this just Mr. Bruce Mackenzie's vision?*
- *Has there been a feasibility study done in the Salt Ash area regarding number of children who would use an unsupervised/isolated bike track.*

- *Has there been studies done on flora and fauna in this area, as we have asked council before to clear more land for parking and were told NO due to upsetting flora and fauna.*
- *Is there venom certificates for this soil and can you please provide them to us?*
- *We have had some private testing done on this soil and has come back as positive to acid sulphate, what steps can be taken next with this and is this area safe for users of the grounds.*
- *Should this soil be removed from site immediately or just fenced off for now.*
- *At what cost is this bike track going to be for council and how many people are for this project as Mr. Mackenzie said it is for six kids.is this really financially viable.*

After attending a grounds committee meeting last night we were left completely speechless , as were others in the room ,to the conduct of our own grounds Committee Chairman Mr. Bruce Mackenzie and his rude and arrogant behavior and his attitude towards other people's opinion of this proposed BMX bike track.

We believe that this Committee is run under Port Stephens council 355b Committee standard constitution and as such last night's meeting which was chaired by Mr. Bruce Mackenzie was not run correctly as far as:

- 1. No minutes or agenda*
- 2. Several items were omitted from previous minutes.*
- 3. Minutes from previous meeting were not moved and seconded. Therefore I believe this meeting should be called null and void.*
- 4. Mr. Mackenzie would not listen to any members questions regarding issues arising from this proposed BMX bike track. He openly said that the BMX bike track is going to happen regardless of what we do and who we contact, that he has enough people on council that will vote for it to be approved at the meeting after a DA has been lodged. its seems to me that there is a conflict of interest with Mr. Mackenzie being on this committee as he completely over ruled any query about this BMX track and said that he would lodge a DA himself and it will be approved. Remembering that our meeting in August this BMX bike track was discussed and all ten people in the room voted unanimously against any involvement of this.*
- 5. Mr. Mackenzie also stated that Port Stephens Council have had this soil tested and it is not contaminated. If this is the case can you please provide Salt Ash Pony Club with these documents as they differ from our results significantly. He also accused myself of getting soil from a different site and then saying that it was from Bruce Mackenzie complex so it came back as contaminated. This is the most ridiculous thing I have heard when all we are trying to do is keep our members free of a potentially hazardous material .We have a video of the soil collection and bagging of the soil if it is required.*
- 6. Five different horse riding clubs have major concerns over safety issues, security issues etc. regarding this project and all disagree with this proposal.*

7. *How can Mr. Mackenzie as Chairperson of this Committee treat all other members the way he does. Surely safety should come first to Port Stephens Council with both the safety of horse riders and also the safety and supervision in a very isolated spot for BMX riders.*



From the ABC Background Briefing Website - Friday 02 October 2015

No-one knew where the soil had come from. Huge mounds of it, 50 to 60 truckloads, someone thought, just dumped.

The bucolic green fields of the Salt Ash horse park, near Raymond Terrace on the mid-north coast of NSW, are a public venue, used by various horse groups.

Now, around the perimeter of the grassy parking area, there were mysterious piles of debris-filled dirt.

There was consternation. Could it be contaminated? Kids would play in it. And then ... was it true that the mayor arranged to have it dumped, because he wants to build a BMX bike track there? Because if so, that could be a problem. Bikes, horses, children and horse floats are potentially not a good mix.

Yes, it was true. The mayor of Port Stephens, Bruce Mackenzie, had arranged to have fill from a council road project diverted to the horse park.

'I had a visit from about eight young kids. And they wanted a BMX track, so I got off my backside and I'm going to build them a BMX track,' Mackenzie said.

Mackenzie is also the chairman of the horse park's grounds committee. The park is named The Bruce Mackenzie Complex. It's a place dear to his heart.

Did he consult other people who use the horse park? Well, he 'talked to' the committee—the one he's chairman of—but there was no formal resolution. If they hadn't agreed, that wouldn't have been a problem. The council—the one he's mayor of—would rule on it.

The mayor leads a majority voting bloc on council. He partly funded the group's election campaign in 2012.

'If the committee didn't approve it, I would have put it straight to council, because we can override the committee, because the horse people do not own that land,' he says.

'And as far as I'm concerned, some youngsters at Salt Ash, instead of knocking little old ladies down and burning cars, and committing suicide—I'm going to provide them with something to do of a weekend, i.e. the BMX track. Full stop. No questions asked. It's going to bloody happen.'

According to a Port Stephens Council spokeswoman, there has been no development application for the BMX track.

Recently there's been another project at the horse park—building an all-weather dressage arena. In NSW, local government councillors' involvement in local clubs is a non-pecuniary

interest. The mayor approved \$100,000 of council funds to be spent on the dressage arena. Asked if that's a conflict of interest, he said he was the best placed person to make those decisions.

'Being chairman of that [committee], and I've done so much work there personally with a fence, and my plant equipment to put the fence up, and spreading fertilizer on it, and things like that, I haven't got an interest. The only interest I've got is to make it the best horse ground in the Hunter Valley, which it is... If that's going to jeopardise my career in local government, so be it.'

Once the \$100,000 came through from the council, the mayor's company Macka's Sand and Soil did some work on the site, and invoiced the horse park—\$5,000 for supplying sand, and \$26,000 for contracting the grading work.

'I could do a better job, and it would have been a cheaper job for me to do it on behalf of the horse grounds, than the bloody council staff.'



IMAGE: THE COUNCIL'S RECENT TENDERING PROCESS FOR A PROPOSED SAND MINE HAS BEEN CONTROVERSIAL. (ABC/ANN ARNOLD)

Beyond the horse park there are bigger deals worrying locals.

Under Bruce Mackenzie's stewardship, the council has a strong development agenda. Mackenzie, as well as being the main sand miner in the area, has a substantial property portfolio. He's also led the council into significant property investments, which he says bring in excellent revenue.

All the more reason, he says, to have developers sitting on councils.

'If a developer sticks to the rules and doesn't try to influence his developments, why shouldn't he be on it? He can bring something to it,' Mackenzie says.

'You can't tell me that if I hadn't been here, Port Stephens Council would have their investments, if I hadn't have been on council. There was no way in the wide world they would have those investments. I'm proud of what I've done, and if you call me a developer, so be it, who gives a bugger?'

Sunday's *Background Briefing* looks at a controversial tendering process for a proposed sand mine, in which the mayor firstly put in a bid with his own company, Macka's Sand, and then, when that appeared it would not be successful, advocated strongly for the lease to be awarded to a company owned by Nathan Tinkler, the controversial businessman and political donor.

There's growing disenchantment, says the new Labor MP Kate Washington, with how politics and business mix in the area.

'I think people's eyes have opened to what's been happening in Port Stephens for so long,' she says. 'Long-standing, endemic, systemic relationships with developers that have been put before the interests of the community.'

Transcript: ABC Radio -Background Briefing 04 October 2015

The full Transcript is available on our website [HERE](#)

This is an Extract relating to the discussion on the Horse Park only:

Ann Arnold: But the hands-on, can-do approach of the Port Stephens Mayor is well illustrated in micro at the local horse park.

This is a place close to Bruce MacKenzie's heart, a horse-riding park at Salt Ash, near his home. It's called the Bruce MacKenzie Complex. Not only is it named after him, he's also the chairman of its grounds committee.

It's a public park, used by numerous horse clubs, in a scenic country setting. Recently, someone dumped tonnes of soil there. The dirt has concrete chunks and other debris in it, and has since been tested for contamination. None was found.

MP Kate Washington:

Kate Washington: People are trying to determine exactly what it's been dumped there for, but we understand that it's because the Mayor has indicated that he would like to see a BMX park there.

Ann Arnold: And yes, that's exactly what happened.

A big pile, or several piles of soil have arrived unexpectedly there in the car park. Did you deliver that for this purpose?

Bruce MacKenzie: No, I did not deliver it.

Ann Arnold: Did you get it delivered?

Bruce MacKenzie: I got it delivered for that purpose.

Ann Arnold: The Mayor confirmed that purpose was a BMX bike track. He said the soil came from a council road project.

Should you have checked with other users of the park about whether to drop all that soil there?

Bruce MacKenzie: I didn't tell them it was coming there at the time, because we had to get rid of it.

Ann Arnold: Bruce MacKenzie says he's meeting a need of young people in the community.

Bruce MacKenzie: Because I had a visit one day from about eight young kids, and they wanted a BMX track, so I got off my backside and I'm going to build them a BMX track.

Ann Arnold: Did you consult any of the other people who use the horse park about that?

Bruce MacKenzie: Yeah, I did. We didn't carry a resolution, but I spoke to them about it.

Ann Arnold: Bruce MacKenzie says he didn't need a formal resolution from the voluntary committee at the horse grounds, the committee that he chairs, because Port Stephens Council could override them anyway.

Bruce MacKenzie: And if the committee didn't approve it, I would have put it straight to council, because we can override the committee, because the horse people do not own that land, and as far as I'm concerned, some youngsters at Salt Ash, instead of knocking little old ladies down and burning cars and committing suicide, I'm going to provide them with something to do of a weekend, i.e. the BMX track. Full stop. No questions asked. It's going to bloody happen.

Ann Arnold: According to a Port Stephens Council spokeswoman, there has been no development application for the BMX track.

Horse park users won't speak publicly. But they are worried about the risks of bike riders using the same areas as horses.

State MP Kate Washington:

Kate Washington: BMX bikes and horses aren't a good mix, and when you're dealing with young children on horses, it would just potentially be disastrous. That's why development applications are important because those sorts of assessments are made in the process. When things are done regularly without that kind of scrutiny and approval process at play, this is what we see.

Ann Arnold: It's not just the BMX track. The Mayor's roles on both the council and the horse park committee have overlapped on financial issues as well. Bruce MacKenzie doesn't see a conflict of interest.

In Council, do you vote on matters concerning the sports ground? The horse park?

Bruce MacKenzie: We don't have many things here, but I do, because to me, being Chairman of that, and I've done so much work there personally with a fence, and my plant equipment to put the fence up, and spreading fertilizer on it, and things like that. The only interest I've got is to make it the best horse ground in the Hunter Valley, which it is.

Ann Arnold: But I think there's a rule that that is supposed to be a conflict of interest, if you have a strong involvement in a local club.

Bruce MacKenzie: If it is, it is. I don't give two hoots. If that's going to jeopardise my career in local government, so be it.

Ann Arnold: Did you approve Section 94 Council Funds of \$100,000 to be given to the horse park?

Bruce MacKenzie: Totally and absolutely.

Ann Arnold: And what was it for?

Bruce MacKenzie: We built a new arena. An all-weather arena for the dressage.

Ann Arnold: Did you then supply the soil and build the horse park for that soil?

Bruce MacKenzie: I think we provided a bit of sand.

Ann Arnold: Having allocated \$100,000 of council money for the dressage arena, the Mayor's company, Macka's Sand and Soil, then took on some of the work, billing the horse park \$5,000 for sand, and \$26,000 for the grading work.

Is it appropriate, and especially in terms of public perception, for a councillor, but especially the Mayor, to be voting to spend council funds, and then bill basically those same funds, invoice for those same funds to your own private company?

Bruce MacKenzie: I can do a better job, and it would have been a cheaper job for me to do it on behalf of the horse grounds than the bloody council staff.

Ann Arnold: *Background Briefing's* co-ordinating producer is Linda McGinness, research by Lawrence Bull, technical production by Marty Peralta, the executive producer is Wendy Carlisle, I'm Ann Arnold.

PS: TRRA has been also made aware that Council has commenced work on its **Pepper Tree Road Project** and proposes to dump a further 1500 meters of excess material on the controversial **Ferodale Sports Complex** (proposed site for new bowling green, carpark and building).

This land is in the middle of a flood plain and was used by Buldev to stockpile material from its Woolworths site previously. The only DA relevant to this site dates back to 2002. Independent surveying demonstrated that the site had been over filled by Buldev to the tune of 20,000 cubic meters and it subsequently had to be removed a few years ago. Some of the Buldev Woolworths project material was used on the Kirrang Drive bunding, other material was also dumped on a property at the end of Abundance Rd. in a flood plain zone. Despite complaints to the compliance officers and agreement that it was placed illegally it has never been removed. More material should not be placed on this site unless there is a new DA approved. The contract for the construction of Peppertree Road should have included disposal of excess materials but it obviously has not.

What sort of example does this Council set to developers and construction companies if it allows itself and its Mayor to behave in this manner? Any wonder it cannot get others to comply with the rules if it does not follow them itself.