

## Response to information request from RNZ

1 August 2023

Dear Tim

Thank you for your email last month asking for the following information:

1. A copy of the diaries – be they digital and/or physical – of the chief executive, the mayor and all councillors for 19 June 2023, 20 June 2023, and 21 June 2023.

**GoreDC Response:** *The Council will not be providing a copy the diaries held by the chief executive or elected members in accordance with the Local Government Official Information and Meetings Act Section 7 (2)(a) to protect the privacy of individuals.*

2. A copy of any emails (and/or the related email thread) sent by the chief executive, the community lifestyle services general manager, the mayor or any other elected members which contain the word “mediation”, “arbitration” or “facilitation” from 28 March 2023 until 23 June 2023, inclusive of those dates.

**GoreDC Response:** *We have attached copies of emails relevant to your request. Sections have been redacted in accordance with the Act Section 7 (2)(a) to protect the privacy of individuals and Section 7(2)(g) to maintain legal professional privilege*

3. How much the council has spent on legal advice, legal fees (eg, legal fees for and/or lawyers engaged on behalf of the mayor, the chief executive, or any other party involved which is not the Gore District Council directly but which has been covered by the council), travel costs and any other related fees (such as mediator or arbitrator fees) for mediation, arbitration or facilitation between the mayor and chief executive since 28 March 2023. I would like that information broken down into the four categories above.

**GoreDC Response:** *The Council has not incurred legal expenses or other relevant costs relating to mediation, arbitration or facilitation between the mayor and chief executive since 28 March 2023.*

4. A copy of any memorandum or legal advice circulated between the mayor, elected members, council staff and/or the chief executive since 28 March 2023 relating to mediation, arbitration or facilitation.

**GoreDC Response:** *As above for question 2.*

If you are unsatisfied with the response, you are entitled to lodge a complaint with the Office of the Ombudsmen. You can find more information on its website <http://www.ombudsman.parliament.nz>

Kind regards



Sonia Gerken  
GM Communications & Customer Support

## Media Statement

30 March 2023

### Extraordinary Council Meeting

*The following is a statement from the Deputy Mayor Keith Hovell and the General Manager Community Lifestyle Services Rex Capil.*

On Tuesday 28 March, the Gore District Council held an extraordinary meeting. The purpose of the meeting was to provide councillors with an update from the Chief Executive's Appraisal Committee.

The meeting was held in committee in accordance with the Local Government Official Information and Meetings Act Section 7(2)(a) – to protect the privacy of natural persons, including that of deceased natural persons.

The meeting was publicly notified on the Council's website Public Notice page on Thursday 23 March. It was also notified retrospectively on the Council's Noticeboard, in The Ensign, on Wednesday 29 March.

These notifications are in keeping with the Local Government Official Information and Meetings Act Section 46 (3)(b).

The extraordinary meeting was called by Gore District Mayor Ben Bell.

All councillors were present at the meeting, which deputy mayor Cr Keith Hovell chaired.

Both the Mayor and Chief Executive Stephen Parry were given the opportunity to address the meeting and answer questions from councillors separately.

At no point during the meeting was there a vote of no confidence in the mayor.

The following resolutions were passed unanimously:

#### **Resolution 1**

With regards to relationships and being a good employer, the Council acknowledges and understands the obligations of the Local Government Act 2002, specifically Section 39 (governance principles), Section 41 (governing bodies), Section 41A (role and powers of Mayors), Section 42 (Chief Executives) and Schedule 7 Part 1, clause 36 (local authority to be a good employer),

THAT as the employer of the Chief Executive, the Council note the breakdown in the relationship between the Mayor and the Chief Executive and agree to nominate and appoint an elected member (not the Mayor) to act as a dedicated intermediary between the Mayor and Chief Executive for governance and relevant operational matters,

THAT the dedicated elected member provide formal, bi-monthly written updates to be placed on the Council agenda,

AND THAT Terms of Reference and delegations for the designated elected member be drafted and presented for consideration and adoption at the April Council meeting.

### **Resolution 2**

The Council requests Terms of Reference be drafted for the Chief Executive Appraisal Committee for consideration and adoption at the April Council meeting,

THAT in accordance with Schedule 7, Part 1, clause 31 (1) of the Local Government Act 2002, the Council remove the Mayor from the Chief Executive Appraisal Committee,

AND THAT the Council appoint Crs Keith Hovell, Richard McPhail, John Gardyne and Bronwyn Reid as members of the Chief Executive Appraisal Committee.

### **Resolution 3**

Cr Highsted moved THAT in respect of the mediation and/or facilitated meeting held on 19 December 2022, the Council note that this process is incomplete and therefore has not been concluded,

There were two other parts to resolution 3. These are withheld in accordance with the Local Government Official Information and Meetings Act Section 7 (2)(a).

**ENDS**

**Please note:** Given this is an employment matter, there will be no further comment.

**Recommendation**

1. The Mayor and Councillors support and have full confidence in the Chief Executive and staff in providing for the ongoing functioning of the council in undertaking its day to day activities.

2. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].

7. The Council resolves to proactively release resolution 1 at the immediate conclusion of this meeting.

Moved by Cr Philips, Moved by Cr Reid

Passed unanimously

**From:** [Rex Capil](#)  
**To:** [Janet Copeland](#)  
**Cc:** [Rex Capil](#)  
**Subject:** Gore District Council - request from Council re being a good employer  
**Date:** Wednesday, 29 March 2023 9:03:00 AM

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Hello Janet

The Council conducted an extraordinary Council meeting in public excluded yesterday to receive an update from the CE Appraisal Committee. This extraordinary meeting was also scheduled by way of a requisition of the Mayor following a request from the CE to be provided an opportunity to raise matters of concern directly with the full Council as his employer.

In short, the meeting was chaired by the Deputy Mayor and I provided advice to the Council (primarily in an acting CE capacity) as a consequence that the matters on the table were related to the Mayor and CE working relationship. The Mayor and CE separately (and without each other in the room) were provided an opportunity to address the Council and then the Council (minus the Mayor) discussed and deliberated and passed the following resolutions – as below.

The Council has asked I provide this information to you and request legal advice to seek assurance they are acting as good employer and to identify if there are any gaps or further matters they could/should consider from a good employer perspective to provide support to their employee (the CE) and mitigate any possible future liability.

Obviously I am happy to discuss further as required prior to your responding by return email

Resolutions passed follow below

Regards

Rex

Resolution 1

**Cr Reid moved THAT with regards to relationships and being a good employer, the Council acknowledges and understands the obligations of the Local Government Act 2002, specifically Section 39 governance principles), Section 41 (governing bodies), Section 41A (role and powers of Mayors), Section 42 (Chief Executive) and Schedule 7 Part 1, clause 36 (local authority to be a good employer),**

**THAT as the employer of the Chief Executive, the Council note the breakdown in the relationship between the Mayor and the Chief Executive and agree to nominate and appoint an elected member (not the Mayor) to act as a dedicated intermediary between the Mayor and Chief Executive for governance and relevant operational matters,**

**THAT the dedicated elected member provide formal, bi-monthly written updates to be placed on the Council agenda,**

**AND THAT Terms of Reference and delegations for the designated elected member be drafted and presented for consideration and adoption at the April Council meeting.**

**The motion was seconded by Cr R McPhail.**

Resolution 2

**Cr P McPhail moved THAT with regards CE Appraisal Committee matters the Council request a Terms of Reference be drafted for the Chief Executive Appraisal Committee for consideration and adoption at the April Council meeting,**

**THAT in accordance with Schedule 7, Part 1, clause 31 (1) of the Local Government Act 2002, the Council remove the Mayor from the Chief Executive Appraisal Committee,**

**AND THAT the Council appoint Crs Hovell, R McPhail, Gardyne and Reid as members of the Chief Executive Appraisal Committee.**

**The motion was seconded by Cr Dickson.**

Resolution 3

**Cr Highsted moved THAT in respect of the mediation and/or facilitated meeting held on 19 December 2022, the Council notes this process is incomplete and therefore has not been concluded,**

[REDACTED]

[REDACTED]

**The motion was seconded by Cr Phillips, was put and it was carried.**

**From:** [Rex Capil](#)  
**To:** [.Councillors \(with e-mail\); Rex Capil](#)  
**Subject:** Interview sessions over next couple of days  
**Date:** Wednesday, 14 June 2023 11:28:32 AM

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Hi all

Just an FYI

I requested an indication of costs from the contractor to complete the urgent work that was signed off last night for the conversations with [REDACTED] to be incorporated into a report for the councils legal counsel [REDACTED]

[REDACTED]

[REDACTED]

I have also asked our new corporate services staff member to compile me a table to forward to [REDACTED] use to set up the sessions with you. I will forward to you all to please check and if it needs updated please come back to me asap with any updates or corrections - especially around the phone number provided as I know some people operate with more than one phone

Anyway - I will keep you in the loop and as I say please come back of the next email I send needs updated

Rex

Rex Capil  
GM Community Lifestyle Services

**From:** [Rex Capil](#)  
**To:** [Janet Copeland](#)  
**Cc:** [Stephen Parry](#); [Richard McPhail](#); [Nicky Cooper](#); [Rex Capil](#)  
**Subject:** [REDACTED]  
**Date:** Thursday, 4 May 2023 8:10:00 AM

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Hi Janet (Richard, Steve, Nicky copied in)

I have had a conversation with both Richard and Steve re the following resolutions:

[REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Please come back to me as required and let me know what else you require of me to assist in keeping this progressing

Thanks

Rex



**From:** [Rex Capil](#)  
**To:** [Janet Copeland](#); [Richard McPhail](#)  
**Cc:** [Rex Capil](#)  
**Subject:** [REDACTED]  
**Date:** Monday, 15 May 2023 9:49:00 AM  
**Attachments:** [image009.jpg](#)  
[image010.png](#)  
[image011.png](#)  
[image012.png](#)  
[image013.png](#)  
[image014.png](#)  
[image015.png](#)  
[image016.png](#)  
[image017.png](#)  
[image018.png](#)

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Hi Janet and Richard

Richard has asked for information [REDACTED]

Please see the email trail below FYI – which is the latest I have received from Lornae – dating back from November 2022 to 23 March

Please come back to me as required for anything further

Thanks

Rex

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**From:** Lornae Straith <[LStraith@goredc.govt.nz](mailto:LStraith@goredc.govt.nz)>  
**Sent:** Thursday, March 23, 2023 3:00 PM  
**To:** Rex Capil <[rcapil@goredc.govt.nz](mailto:rcapil@goredc.govt.nz)>  
**Subject:** [REDACTED ]

FYI

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**From:** [REDACTED]  
**Sent:** Thursday, 23 March 2023 2:50 PM  
**To:** Lornae Straith <[LStraith@goredc.govt.nz](mailto:LStraith@goredc.govt.nz)>  
**Cc:** [REDACTED]  
**Subject:** [REDACTED]

Thanks Lornae. Just a reminder, [REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]

If you have any queries concerning this please do not hesitate to give me a call.

Kind Regards,

[Redacted signature block]

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**From:** Lornae Straith <[LStraith@goredc.govt.nz](mailto:LStraith@goredc.govt.nz)>

**Sent:** Thursday, 23 March 2023 12:39 pm

**To:** [Redacted]

[Redacted content]

Kind regards,  
Lornae

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**Lornae Straith** | Chief Financial Officer  
**T:** 03 209 0330 | **DDI:** 03 209 0352 | **M:** 021 322 685  
**E:** [lstraith@goredc.govt.nz](mailto:lstraith@goredc.govt.nz) | **W:** [www.goredc.govt.nz](http://www.goredc.govt.nz)  
Gore District Council, 29 Bowler Avenue, PO Box 8, Gore, 9740



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**From:** [Rex Capil](#)  
**To:** [Janet Copeland](#)  
**Cc:** [Nicky Cooper](#); [Rex Capil](#)  
**Subject:** Privacy breach advice to Council  
**Date:** Tuesday, 4 April 2023 10:00:00 AM

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Janet

I have had a chat with Steve this morning regarding his concern with a breach of privacy based on statements in the Southland Times article from 3 April 2023.

Nicky (copied in) as the GDC Privacy Officer is following up on notifying this breach with Privacy Commissioner

Nicky and I will need to meet with the Deputy Mayor and the to be appointed Intermediary to update and inform them of their obligations as the Council as a result of this breach being notified and what it means from a process perspective for them to go forward.

[REDACTED]

[REDACTED]

Is it possible to suggest that with a breach of privacy being notified to the Privacy Commissioner, Council [REDACTED]

[REDACTED]

[REDACTED] Why I say this is it is in fact this situation related to a previous matter that has caused the breach.

Happy to discuss further as required

Rex

**From:** [Rex Capil](#)  
**To:** [Ben Bell](#)  
**Cc:** [Keith Hovell](#); [Richard McPhail](#)  
**Subject:** Re: Council Facilitation  
**Date:** Tuesday, 6 June 2023 4:40:06 PM  
**Attachments:** [0.jpg](#)  
[1.png](#)  
[image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)

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Thanks Ben for sending this through

I think i would cover this off with a recommendation to approve a generic approach and up to a certain amount of undudgeted expenditure for such facilitation for the council

Do you think an unbudgeted amount of up to \$15k be approved for this facilitation work will be sufficient??

Once we get a council resolution to support a generic approach and unbudgeted expenditure then we can look at entering into terms of engagement through me as the staff member having the role to enter into the contract

Look forward to your response

Thanks

Rex

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**From:** Ben Bell <[bbell@goredc.govt.nz](mailto:bbell@goredc.govt.nz)>  
**Sent:** Tuesday, June 6, 2023 4:31 PM  
**To:** Rex Capil <[rcapil@goredc.govt.nz](mailto:rcapil@goredc.govt.nz)>  
**Cc:** Keith Hovell <[khovell@goredc.govt.nz](mailto:khovell@goredc.govt.nz)>; Richard McPhail <[RMcPhail@goredc.govt.nz](mailto:RMcPhail@goredc.govt.nz)>  
**Subject:** Fwd: Council Facilitation

Hi Rex,

Below is the facilitation side of things, as mentioned I put a sudden halt on this process after your email regarding delegation as to not sidestep regular council processes.

Happy to chat further about the suggestion in this email and a potential proposed budget.

Cheers,  
Ben

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**From:** [REDACTED]  
**Sent:** Tuesday, May 30, 2023 10:29:22 AM  
**To:** Ben Bell <[bbell@goredc.govt.nz](mailto:bbell@goredc.govt.nz)>  
**Cc:** [REDACTED]  
**Subject:** Council Facilitation

Hi Ben

Same to you, really pleased to be able to support Council through the process which we discussed below. This is a 'starter for ten' and I think it is important that we remain agile so we fit what your team needs as events unfold. I understand that it is unpredictable and stressful.

### **Suggested Process**

*Objective:* To support the restoration and development of a collaborative working relationship between the 11 councillors on the Gore District Council.

*Scope:* This will run alongside, but independently, of the review being conducted by LGNZ [REDACTED]

*Background:* I talk with the person who is holding the training day on June 1 so I understand what Council will be working on regarding communication, engagement and a proposed code of conduct. Please give me the appropriate contact details in due course.

*First Stage:* I will have a private conversation with each Councillor to understand their perspective on recent events and how they want to move forward. [REDACTED]

[REDACTED] the different perspectives that Councillors have on that. By "how they want to move forward", I mean how they want to engage internally with each other, and externally with the community. It is important that these conversations remain totally confidential with me. If the people I talk to feel comfortable, I could report to Council's legal team on general themes but I do not want to undermine the Objective of this process which is focussed on building trust between the Councillors, and with external stakeholders. These conversations could happen online and start next week.

*Second Stage:* We hold a facilitated meeting with all Councillors. I anticipate this would be a full day session given the number of people involved. I think this needs to be in person and I can come to Gore. [REDACTED]

### **Engagement**

Please let me know your thoughts on the above. Then we can prepare a Letter of Engagement for Council as client. [REDACTED] Can you please advise who my team should connect with to deal with administrative matters, including setting up meeting times with the Councillors etc?

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] 

LogoDescription automatically generated

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**From:** Ben Bell <[bbell@goredc.govt.nz](mailto:bbell@goredc.govt.nz)>  
**Sent:** Tuesday, May 30, 2023 9:33 AM  
**To:** [REDACTED]  
**Subject:** Facilitation

Hi Kate,

Great chatting to you just now. Here is my email.

Cheers,  
Ben

---

**Ben Bell** | Mayor  
**T:** 03 209 0330 | **DDI:** 021 962 883  
**E:** [bbell@goredc.govt.nz](mailto:bbell@goredc.govt.nz) | **W:** [www.goredc.govt.nz](http://www.goredc.govt.nz)  
Gore District Council, 29 Bowler Avenue, PO Box 8, Gore, 9740

Gore DC logo



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**Privacy Notice:**

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

**From:** [Rex Capil](#)  
**To:** [Richard McPhail](#)  
**Subject:** Re: Councillor conversations  
**Date:** Saturday, 17 June 2023 5:24:51 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)  
[image008.png](#)

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Thanks Richard

Rex Capil  
GM Community Lifestyle Services

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**From:** Richard McPhail <RMcPhail@goredc.govt.nz>  
**Sent:** Friday, June 16, 2023 3:31:09 PM  
**To:** Rex Capil <rcapil@goredc.govt.nz>; Ben Bell <bbell@goredc.govt.nz>; .Councillors (with e-mail) <Councillors@goredc.govt.nz>  
**Subject:** Councillor conversations

Morning to all

Further to the emails below and phone conversations I have received from councillors and also [REDACTED] and discussion with Janet our legal yesterday.

[REDACTED]

To that end I am available to speak with any councillor who wishes to discuss their thought process around the outcomes . [REDACTED]

[REDACTED]

[REDACTED]

Thanks

Richard

Sent from my iPad

On 16/06/2023, at 5:28 PM, Rex Capil <rcapil@goredc.govt.nz> wrote:



Hi Ben and councillors

See email trail below - from the bottom up

I have taken heed of the professional and legal advice as you will note

Happy to discuss further as required

Rex

Rex Capil  
GM Community Lifestyle Services

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**From:** Rex Capil <rcapil@goredc.govt.nz>

**Sent:** Thursday, June 15, 2023 10:26 PM

**To:** [REDACTED]  
[REDACTED] Rex Capil  
<rcapil@goredc.govt.nz>

**Subject:** Re: Gore DC Update to LOE

Hi [REDACTED]

I am fully supportive of this approach and am pleased [REDACTED] has reached this conclusion with the council legal counsel  
Input and LGNZ input also

I am happy to agree to altering the LoE to this effect

The crucial thing that was identified in the early stages of these discussions a month or so ago was the need for facilitated conversations between and amongst the elected members to build and restore their trust amongst themselves and initiate a healing process to try and build a better and more effective working relationship for them in their governance capacity.

I am comfortable that [REDACTED] has identified the need to refocus this process as such after her initial conversations with elected members - and I totally agree it is important we do not confuse the purpose and the processes [REDACTED]  
[REDACTED]

I am happy to support this professional advice and I will inform the council of [REDACTED] the council legal counsel position so there are no surprises for all parties.

Thanks again

Rex

Rex Capil  
GM Community Lifestyle Services

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**From:** [REDACTED]  
**Sent:** Thursday, June 15, 2023 9:11 PM  
**To:** Rex Capil <rcapil@goredc.govt.nz>  
**Cc:** [REDACTED]  
**Subject:** FW: Gore DC Update to LOE

Tēnā koe Rex,

I had a phone call from [REDACTED] earlier today to update me on [REDACTED] progress with interviews. [REDACTED] spoken with the solicitor who was hesitant to information [REDACTED] also spoke with Local Government New Zealand [REDACTED]

Accordingly, [REDACTED] has suggested (and I agree with [REDACTED] subject to any comments you have) that [REDACTED] should keep the facilitation process [REDACTED]

[REDACTED] reported that the discussions are going well, with Councillors appreciating the opportunity to “clear the air” and see the merit of a facilitation to support the restoration and development of a collaborative working relationship within the Council, with the aim of conducting Council business for the benefit of residents. [REDACTED] will continue interviews under this understanding.

I'm happy to discuss this with you further.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED]

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[REDACTED]

**Sent:** Friday, June 16, 2023 1:20 PM  
**To:** [REDACTED]  
[REDACTED]  
**Subject:** Gore DC Upate to LOE

Hi [REDACTED]

As discussed, I have been in discussions with LGNZ this morning to ensure how best our facilitation process will complement the independent review that is being carried out, [REDACTED]

[REDACTED] the main objective of the facilitation process is to support the restoration and development of a collaborative working relationship between the 11 Councillors so that they can move towards becoming a highly functioning governance body. [REDACTED]

[REDACTED] Instead, I have taken the opportunity to have one-on-one conversations with the Councillors so I can understand the general themes of what will need to be focussed on when I come to have a jointly facilitated meeting with all Councillors. [REDACTED]

[REDACTED]

[REDACTED] Can you please update Rex with this as amendment to our LOE which are effectively my 'terms of reference'.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] [?] [?] [?]  
[?]

[REDACTED]

[REDACTED]

**From:** [Rex Capil](#)  
**To:** [Ben Bell](#)  
**Subject:** Re: Couple of questions I need to answer for [REDACTED]  
**Date:** Thursday, 15 June 2023 8:49:01 AM

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Ben

Thanks for your reply

I absolutely agree - straight to the legal reps [REDACTED]  
[REDACTED]

Let's stay safe (for all) at this stage

So again - we are in exactly same page

Thanks for that

Rex

Rex Capil  
GM Community Lifestyle Services

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**From:** Ben Bell <[bbell@goredc.govt.nz](mailto:bbell@goredc.govt.nz)>  
**Sent:** Wednesday, June 14, 2023 1:45 PM  
**To:** Rex Capil <[rcapil@goredc.govt.nz](mailto:rcapil@goredc.govt.nz)>  
**Subject:** Re: Couple of questions I need to answer for [REDACTED]

Hi Rex,

Open to advice on this one, but the way I see it is it should go stright to our legal counsel without elected members getting a copy.

My reason for this thinking is so that there is no chance that the report ends up in the hands of the other side or god forbid the media.

I do believe however, there is potential for it to be shared [REDACTED] all elected members.

Open to your thoughts on this one though, and yes those are the correct names of our lawyers.

Cheers,  
Ben

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**From:** Rex Capil <[rcapil@goredc.govt.nz](mailto:rcapil@goredc.govt.nz)>  
**Sent:** Thursday, June 15, 2023 2:13:47 AM  
**To:** Ben Bell <[bbell@goredc.govt.nz](mailto:bbell@goredc.govt.nz)>; Rex Capil <[rcapil@goredc.govt.nz](mailto:rcapil@goredc.govt.nz)>  
**Subject:** Couple of questions I need to answer for [REDACTED]

Hi Ben

Quick questions that I need to answer for [REDACTED]

Who should the report be addressed to? Is it the Council or the Council legal representatives?

Also confirming the report is going directly to the legal representatives or is it also going to each of the elected members as well?

Also, confirming the lawyers involved are Janet Copeland and Maria Dew KC?

Thanks - once I get your answers I will work with [REDACTED]

Rex

Rex Capil  
GM Community Lifestyle Services

**From:** [Rex Capil](#)  
**To:** [Keith Hovell](#)  
**Cc:** [Ben Bell](#); [Richard McPhail](#)  
**Subject:** Re: [REDACTED]  
**Date:** Tuesday, 23 May 2023 5:03:06 PM

---

Perfect

Thanks for the update

Rex

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**From:** Keith Hovell <[khovell@goredc.govt.nz](mailto:khovell@goredc.govt.nz)>  
**Sent:** Tuesday, May 23, 2023 5:02:05 PM  
**To:** Rex Capil <[rcapil@goredc.govt.nz](mailto:rcapil@goredc.govt.nz)>  
**Cc:** Ben Bell <[bbell@goredc.govt.nz](mailto:bbell@goredc.govt.nz)>; Richard McPhail <[RMcPhail@goredc.govt.nz](mailto:RMcPhail@goredc.govt.nz)>; Rex Capil <[rcapil@goredc.govt.nz](mailto:rcapil@goredc.govt.nz)>  
**Subject:** Re: [REDACTED]

Thanks Rex

Am in process of talking to all Councillors. [REDACTED]

[REDACTED].

Cheers  
KeithH

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**From:** Rex Capil <[rcapil@goredc.govt.nz](mailto:rcapil@goredc.govt.nz)>  
**Sent:** Tuesday, May 23, 2023 4:49:57 PM  
**To:** Keith Hovell <[khovell@goredc.govt.nz](mailto:khovell@goredc.govt.nz)>  
**Cc:** Ben Bell <[bbell@goredc.govt.nz](mailto:bbell@goredc.govt.nz)>; Richard McPhail <[RMcPhail@goredc.govt.nz](mailto:RMcPhail@goredc.govt.nz)>; Rex Capil <[rcapil@goredc.govt.nz](mailto:rcapil@goredc.govt.nz)>  
**Subject:** [REDACTED]

Hi Keith

[REDACTED] [REDACTED]

Do you want me to [REDACTED] and once you have done that you can then let me know so i can [REDACTED] after you have communicated with councillors

I will await your response before doing anything more

Thanks

Rex

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**From:** Keith Hovell <khovell@goredc.govt.nz>

**Sent:** Tuesday, May 23, 2023 2:21:31 PM

**To:** Rex Capil <rcapil@goredc.govt.nz>

**Cc:** Ben Bell <bbell@goredc.govt.nz>; Richard McPhail <RMcPhail@goredc.govt.nz>

**Subject:** [REDACTED]

Good afternoon Rex

[REDACTED]

Cheers

Keith

**From:** [Rex Capil](#)  
**To:** [Richard McPhail](#)  
**Subject:** RE: Extraordinary council meeting  
**Date:** Tuesday, 4 April 2023 8:15:00 AM

---

All good

Happy to discuss further as required once you work out how you wish to advance this critical issue

Rex

---

**From:** Richard McPhail <RMcPhail@goredc.govt.nz>  
**Sent:** Tuesday, April 4, 2023 8:14 AM  
**To:** Rex Capil <rcapil@goredc.govt.nz>  
**Subject:** Re: Extraordinary council meeting

Thanks for that Rex

Sent from my iPad

On 3/04/2023, at 9:14 PM, Rex Capil <[rcapil@goredc.govt.nz](mailto:rcapil@goredc.govt.nz)> wrote:

Hi Keith and Richard (SLT copied in)

See below - the email to Sonia at Thursday, 30 March 2023 4:49 PM from Rachael Kelly

I have copied in red what I believe is a significant point for the Council to consider - to hold each other accountable and the need for elected members to be held to account for their actions and fess up for leaking public excluded material. In red below is information from the journalist which talks about the source talking about the discussion (definitely) at the extraordinary meeting. Therefore this is not related to what ex Councillor Highsted has resigned about. As I read the media release – his was a pre meeting conversation – the journalist is explicit in talking about the source providing post meeting information which was in Public Excluded.

This explicitly states that the source (councillor or otherwise) has discussed with the journalist going on at the meeting. A councillor has also been quoted in the paper (he was named) about this particular subject being discussed – re the vote of no confidence. I refer to Saturday's front page article and headline in the S Times with the Cr quoted on this matter.

***“Our source has said that there was definitely discussion at the extraordinary meeting about passing the possibility of raising a vote of no confidence in the***



**mayor.**

***Can you please confirm that no discussion about a vote of no confidence in the mayor took place?***

***Also, we've been told that the council resolved to pay approximately \$9,000 in legal fees incurred by Stephen Parry in relation to his mediation with mayor Bell. Can you please confirm this?***

I will leave this with you both – but this is pretty explicit and specific – stating a source provided information from the meeting. Therefore when you get the 10 Councillors together tomorrow it should be top priority that this needs to be dealt with and each Cr needs be asked – will the real whodunnit please stand up?

This is a trust issue, a respect issue, a functionality issue, an honesty issue and one that as a staff we deserve the respect of the real source leak to fall on their sword plus any other elected member who may have used this information for their personal gain and as an attempt to hide behind information that others have provided from a PE meeting.

How can GDC staff trust or believe any of the remaining elected members – you are all implicated by association until the source reveals themselves.

This is definitely something that I will be raising with DIA when they meet with Steve and I and I also will be raising this email with LGNZ when I talk with an LGNZ Board member who has reached out to me with concerns, tomorrow. This is now nationally significant and also sector reputationally significant. All elected members must be accountable and the sector status and respect of the office of the Mayor and Councillors should not be compromised – if Gore is the council that compromises this then nationally the sector is reputationally scarred in what is already testing times as Future for Local Government Review final report is currently being finalised, plus 3 Waters plus RM Reform, plus Auckland Council withdrawing from LGNZ all putting a blow torch on credibility and respectability issues for us as a Council and us as a sector.

Also I must confirm to you both I have asked our GDC Privacy Officer to contact the Privacy Commission to report a breach of Privacy in relation to the S Times article today. I raised this in my meeting seeking legal advice on behalf of Council today and the advice was to report this breach

I am happy to discuss this further as required – operating in a professional advisory role to support Council

Rex

---

**From:** Sonia Gerken <[SGerken@goredc.govt.nz](mailto:SGerken@goredc.govt.nz)>  
**Sent:** Thursday, March 30, 2023 5:09 PM  
**To:** Rex Capil <[rcapil@goredc.govt.nz](mailto:rcapil@goredc.govt.nz)>; Stephen Parry <[SParry@goredc.govt.nz](mailto:SParry@goredc.govt.nz)>  
**Subject:** FW: Extraordinary council meeting  
**Importance:** High

Evening Gentlemen

Please see Rachael's questions below. Would either of you be able to respond  
cheers

---

**From:** Rachael Kelly <[rachael.kelly@stuff.co.nz](mailto:rachael.kelly@stuff.co.nz)>  
**Sent:** Thursday, 30 March 2023 4:49 PM  
**To:** Sonia Gerken <[SGerken@goredc.govt.nz](mailto:SGerken@goredc.govt.nz)>  
**Subject:** Re: Extraordinary council meeting

Hi Sonia

Thank you for sending through the statement.

Our source has said that there was definitely discussion at the extraordinary meeting about passing the possibility of raising a vote of no confidence in the mayor.

Can you please confirm that no discussion about a vote of no confidence in the mayor took place?

Also, we've been told that the council resolved to pay approximately \$9,000 in legal fees incurred by Stephen Parry in relation to his mediation with mayor Bell. Can you please confirm this? (Steve and I discussed this this morning).

Thanks

Rachael

**Rachael Kelly**  
Senior Journalist  
+64 27 641 4281  
Level 1, ASB House,  
46 Deveron Street,  
Invercargill 9810  
PO Box 805,  
Invercargill 9840



On Thu, 30 Mar 2023 at 16:25, Sonia Gerken <[SGerken@goredc.govt.nz](mailto:SGerken@goredc.govt.nz)> wrote:

Good afternoon

Thank you for getting in touch regarding this week's extraordinary Council meeting.

Attached is a statement from the Council.

Kind regards

Sonia

---

**Sonia Gerken** | GM Communications & Customer Support

**T:** 03 209 0330 | **DDI:** 03 209 0386 | **M:** 027 490 3296

**E:** [sgerken@goredc.govt.nz](mailto:sgerken@goredc.govt.nz) | **W:** [www.goredc.govt.nz](http://www.goredc.govt.nz)

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[<1.png>](#)

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**From:** [Rex Capil](#)  
**To:** [REDACTED]  
**Cc:** [Rex Capil](#)  
**Subject:** [REDACTED]  
**Date:** Tuesday, 20 June 2023 3:54:00 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image007.png](#)  
[image008.png](#)  
[image009.png](#)  
[image010.png](#)  
[image011.png](#)  
[image012.png](#)  
[image013.png](#)  
[image014.png](#)

---

Thanks

Happy for you to proceed as suggested below

Rex

---

[REDACTED]  
**Sent:** Monday, June 19, 2023 5:54 PM

**To:** Rex Capil <[rcapil@goredc.govt.nz](mailto:rcapil@goredc.govt.nz)>; [REDACTED]

**Cc:** Rex Capil <[rcapil@goredc.govt.nz](mailto:rcapil@goredc.govt.nz)>

**Subject:** [REDACTED]

Kia ora Rex,

Thank you for your email. [REDACTED] finished [REDACTED] interviews with the elected members on Fri 16 June. As discussed via email, the Councillors appreciated the opportunity to speak and supported the process. As part of the process [REDACTED] also liaised with LGNZ and other relevant third parties. Following these interviews and discussions, and as discussed with you via email, a report will not be prepared at this stage.

[REDACTED]  
[REDACTED] Our invoice for this work and the administration time will follow shortly.

[REDACTED] would like to proceed with the next step of scheduling the joint facilitation meeting with the elected members. [REDACTED] next availability for a full day meeting is Fri 7 July. [REDACTED] will travel the night before and can start from 9.30/10.00am. A brief round of 1:1 check-in meetings prior to the joint facilitation will also take place earlier that week, but [REDACTED] notes the majority of the preparatory discussions have already been completed.

Please confirm if we can proceed with the next step and whether the proposed date for the facilitated meeting suitable.

[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED] ? ? ?



**From:** [Rex Capil](#)  
**To:** [REDACTED]  
**Subject:** [REDACTED] [Rex Capil](#)  
**Date:** Wednesday, 14 June 2023 11:39:11 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.jpg](#)  
[image006.jpg](#)  
[image007.png](#)

---

Thanks [REDACTED]

No problem with dealing with this when away - I am used to working all over the world (with a break for Covid) but now back into it. When required

Just as an fyi - the council approved up to [REDACTED] for this piece of work - so can I suggest [REDACTED] sessions with councillors to 30 minutes as a baseline. If extra time is required then obviously it should be used so to not compromise the project and process

Also I will send the contact information now directly to [REDACTED] to start on it

Thanks again

Rex

Rex Capil  
GM Community Lifestyle Services

---

**From:** [REDACTED]  
**Sent:** Tuesday, June 13, 2023 4:08 PM  
**To:** Rex Capil <[rcapil@goredc.govt.nz](mailto:rcapil@goredc.govt.nz)>  
**Cc:** [REDACTED]  
[REDACTED]

OK thanks Rex,

Sorry you're having to deal with this while you're in Canada. Is there anyone else we can deal with in Gore and just keep you copied in rather than you actually dealing with it?

I've taken [REDACTED]. With the tight timeframe, could we please prioritise getting those contact details to [REDACTED]. Eleven interviews over the next 2 days will require some organisation and prioritisation.

To give you a quick indication of cost, [REDACTED]

[REDACTED] We'll get this formalised in a letter of engagement ASAP; the terms of engagement can probably be quite wide-ranging to allow an open discussion of thoughts rather than limiting scope for this initial phase?

Thanks again and I look forward to hearing from you.

[REDACTED]

[Redacted]

[Redacted]



---

**From:** Rex Capil <rcapil@goredc.govt.nz>  
**Sent:** Wednesday, June 14, 2023 10:38 AM  
**To:** [Redacted]  
[Redacted]  
[Redacted]

Hi [Redacted]

Thanks for your email

Very happy for you to seal direct with me interms of a letter of engagement, terms of reference for the report and case setup?

As far as people involved - it is to be only elected members - mayor and 10 councillors.

I am currently in Canada on a manager exchange - so am still working and happy to facilitate anything else from my end

The council has approved unbudgeted expenditure for each of the two projects we are to engage you on - so I will need to make sure we are within budget as part of signing off the terms of engagement

I will source each elected member contact details - mobile number and email asap - or please let me know if you already have this information

Thanks

Rex

Rex Capil  
GM Community Lifestyle Services

---

**Rex Capil** | General Manager Community Lifestyle Services  
**T:** 03 209 0330 | **DDI:** 03 748 0566 | **M:** 021 679 048  
**E:** [rcapil@goredc.govt.nz](mailto:rcapil@goredc.govt.nz) | **W:** [www.goredc.govt.nz](http://www.goredc.govt.nz)  
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---

**From:** [REDACTED]  
**Sent:** Tuesday, June 13, 2023 3:02 PM  
**To:** Ben Bell <[bbell@goredc.govt.nz](mailto:bbell@goredc.govt.nz)>; Rex Capil <[rcapil@goredc.govt.nz](mailto:rcapil@goredc.govt.nz)>  
**Cc:** [REDACTED]  
[REDACTED]

Tēnā kōrua Ben and Rex,

[REDACTED]  
My role is to support [REDACTED]. From Ben's email below, you've suggested a similar process with us dealing with Rex, [REDACTED]. Rex, are you happy for us to deal directly with you in terms of a letter of engagement, terms of reference for the report and case setup? We can provide a letter of engagement this morning.

For us to set up interviews with [REDACTED] we will need contact details for every party to the facilitation. I assume that this will be every Councillor? Is there anyone else that [REDACTED] need to speak with as part of her work? We use Teams [REDACTED]  
[REDACTED]

My direct phone numbers are in my signature below and I'm always happy to discuss things on the phone.

[REDACTED]  
[REDACTED]  
[REDACTED]

[Redacted]



**From:** Ben Bell <[bbell@goredc.govt.nz](mailto:bbell@goredc.govt.nz)>

**Sent:** Wednesday, June 14, 2023 9:01 AM

**To:** [Redacted] Rex Capil <[rcapil@goredc.govt.nz](mailto:rcapil@goredc.govt.nz)>

**Cc:** [Redacted]

Morning [Redacted]

At the end of a long meeting last night, the Council resolved to bring on board [Redacted] for two different objectives.

1. To help the council heal and become more united through facilitated conversation.
2. [Redacted]

The council opted for option 1 from yesterday's email: *Individual meetings over the next few days (Wednesday-Friday), over the phone or via Zoom, with a report being produced [Redacted] [Redacted] report would be anonymised and contain general themes based on my meetings with Councillors. I would not disclose any specifics that would be attributable to individual Councillors unless they consented to that.*

I have CC'd in Rex Capil who is the GM Community Lifestyle Services and has been helping elected members throughout this tricky process.

I will leave the logistics in your collective capable hands and step away from the process. I'm sure Rex will clarify exactly what the resolutions were last night and provide any more clarity on expected outcomes.

If either of you get stuck, please feel free to get in touch but I will leave it over to you both to keep the process independent.

Cheers,



Ben

---

**Ben Bell** | Mayor

**T:** 03 209 0330 | **DDI:** 021 962 883

**E:** [bbell@goredc.govt.nz](mailto:bbell@goredc.govt.nz) | **W:** [www.goredc.govt.nz](http://www.goredc.govt.nz)

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Let's Talk



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[Redacted]

[Redacted]

[Redacted]

[Redacted]

**From:** [Rex Capil](#)  
**To:** [Robert McKenzie](#)  
**Subject:** [REDACTED]  
**Date:** Monday, 29 May 2023 10:40:58 PM  
**Sensitivity:** Private

---

Cheers Cavey

This day next Monday has been cancelled

Council meeting tomorrow at 4pm though

Rex

Get [Outlook for iOS](#)

---

**From:** Robert McKenzie <RMcKenzie@goredc.govt.nz>  
**Sent:** Monday, May 29, 2023 9:01:21 PM  
**To:** Rex Capil <rcapil@goredc.govt.nz>  
**Subject:** [REDACTED]

Hi Rex I will do my absolute best to be there. PS I thought most of our Tuesdays were busy with council business at the moment do we actually have today off? Just want to make sure I have this correct. As I don't see anything for today. Cheers Mr Cman.

Get [Outlook for iOS](#)

---

**From:** Rex Capil <rcapil@goredc.govt.nz>  
**Sent:** Thursday, May 18, 2023 9:46:38 AM  
**To:** .Councillors (with e-mail) <Councillors@goredc.govt.nz>; Janet Copeland <janet.copeland@copelandashcroft.co.nz>  
**Cc:** Keith Hovell <khovell@goredc.govt.nz>; Ben Bell <bbell@goredc.govt.nz>

[REDACTED]

Hi all

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Thanks

Rex

---

Microsoft Teams meeting

Join on your computer, mobile app or room device

[Redacted]

[Redacted]

[Join on the web](#)

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---

**From:** [Rex Capil](#)  
**To:** [Janet Copeland](#); [Richard McPhail](#); [Rex Capil](#)  
**Subject:** [REDACTED]  
**Date:** Sunday, 14 May 2023 6:40:00 PM  
**Attachments:** [image001.jpg](#)  
[image002.png](#)  
[JosLogo\(002\)\\_5d8bdb62-c856-48a4-94f8-fb1ad4caa308.jpg](#)  
[CAL\\_FB\\_socialicon\\_cff3a35b-e985-4522-882e-e91a957b381e.png](#)  
[CAL\\_IN\\_socialicon\\_5d31c746-396a-4c9c-ad53-4703b836777d.png](#)

---

Thanks Janet

Yes leave with me re the administrative arrangements to sort

Will keep you both in the loop once all confirmed

Rex

Rex Capil  
GM Community Lifestyle Services

---

**From:** Janet Copeland <[janet.copeland@copelandashcroft.co.nz](mailto:janet.copeland@copelandashcroft.co.nz)>  
**Sent:** Sunday, May 14, 2023 6:37:04 PM  
**To:** Richard McPhail <[RMcPhail@goredc.govt.nz](mailto:RMcPhail@goredc.govt.nz)>  
**Cc:** Rex Capil <[rcapil@goredc.govt.nz](mailto:rcapil@goredc.govt.nz)>  
**Subject:** [REDACTED]

Hi Richard

[REDACTED]

[REDACTED]

Thanks for your help

regards



**Janet Copeland**  
MANAGING PARTNER

**T** +64 3 211 8143 **M** +64 27 444 0771

**E** [janet.copeland@copelandashcroft.co.nz](mailto:janet.copeland@copelandashcroft.co.nz)

**EA:** Rebecca Wilson | **EAE:** [Rebecca.Wilson@copelandashcroft.co.nz](mailto:Rebecca.Wilson@copelandashcroft.co.nz) | **EAP:** +64 3 211 3358

**W** [www.copelandashcroft.co.nz](http://www.copelandashcroft.co.nz)

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**From:** Richard McPhail <[RMcPhail@goredc.govt.nz](mailto:RMcPhail@goredc.govt.nz)>  
**Sent:** Friday, 12 May 2023 12:11 PM

**To:** Janet Copeland <janet.copeland@copelandashcroft.co.nz>

**Cc:** Rex Capil <rcapil@goredc.govt.nz>

**Subject:** [REDACTED]

[External Email] Caution! This email originated from outside of the organisation. Do not click links or open attachments unless you recognise and can confirm the legitimacy of the sender, and know the content is safe.

Good morning Janet

[REDACTED]

[REDACTED]

[REDACTED]

Thanks

Richard

Sent from my iPad

---

**Cr Richard McPhail** | Councillor, District-wide Ward  
**M:** 027 344 4460 | **E:** [rmcphail@goredc.govt.nz](mailto:rmcphail@goredc.govt.nz) | **W:** [www.goredc.govt.nz](http://www.goredc.govt.nz)  
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Let's Talk



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On 9/05/2023, at 8:13 AM, Richard McPhail <[RMcPhail@goredc.govt.nz](mailto:RMcPhail@goredc.govt.nz)> wrote:

Good morning Mayor, Councillors and Janet

I have started a second email trail [REDACTED] as the other email trail is becoming difficult to navigate with those on an iPad.

I would suggest all read the recent emails for transparency of discussion between legal and ourselves.

[REDACTED]

[REDACTED]

**From:** [Rex Capil](#)  
**To:** [Keith Hovell](#)  
**Cc:** [Ben Bell](#)  
**Subject:** [REDACTED]  
**Date:** Wednesday, 24 May 2023 9:59:00 AM

---

Thanks Keith for your sorting all that and the feedback on the ToR

Calendar item cancelled

Thanks

Rex

---

**From:** Keith Hovell <[khovell@goredc.govt.nz](mailto:khovell@goredc.govt.nz)>  
**Sent:** Wednesday, May 24, 2023 9:11 AM  
**To:** Rex Capil <[rcapil@goredc.govt.nz](mailto:rcapil@goredc.govt.nz)>  
**Cc:** Ben Bell <[bbell@goredc.govt.nz](mailto:bbell@goredc.govt.nz)>  
**Subject:** [REDACTED]

Good morning Rex

I have now talked to all Councillors chatting about the draft Terms of Reference and the letter from DIA. The only feedback on the ToR was a slight discomfort from one in looking at the culture of the organisation. However, I noted this is in the context of the Councillors undertaking their duties.

[REDACTED]

Cheers

Keith

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted] are our greatest reward. If you know of anyone who can benefit from our comprehensive range of services, we would appreciate the opportunity to assist.

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**From:** [Redacted]

[Redacted]

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[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

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[Redacted]

[Redacted]

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[Redacted]

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**From:** [Richard McPhail](#)  
**To:** [Councillors \(with e-mail\)](#); Ben Bell  
**Cc:** [REDACTED]  
**Date:** Tuesday, 9 May 2023 8:13:11 AM

---

Good morning Mayor, Councillors and [REDACTED]

I have started a second email trail for [REDACTED] administration as the other email trail is becoming difficult to navigate with those on a an Ipad.

I would suggest all read the recent emails for transparency of discussion between legal and ourselves.

[REDACTED]

[REDACTED]

[REDACTED]

I intend to speak to you all at LTP today if possible. We will also have to agree about Nicky Cooper and Rex Capil being used as our GDC conduits to facilitate this meeting ie : logistics of booking , food etc. admin services.

I note Ben has indicated the [REDACTED] process for any outcome - so we will need minute taking capabilities consideration. We would need to get advice on carrying out an extraordinary meeting which is another reason for having guidances from the two GM's.

As for actual process on the ground I will await that from [REDACTED]

[REDACTED]

Happy to take calls or discuss in email process.

regards  
Richard

Copy email for file

Dear Mayor Bell and Cr McPhail

I trust you both had a nice weekend.

Thank you for clarifying your position Mayor Bell. I appreciate your swift response

[REDACTED]

[Redacted]

[Redacted]

[Redacted]

regards

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted] my iPad

**From:** [Richard McPhail](#)  
**To:** [Senior Management Team](#)  
**Subject:** Personal Thanks  
**Date:** Wednesday, 17 May 2023 9:14:05 AM

---

Good morning.

The day after!

I would like to personally thank you all for the commitment and professionalism you have shown to myself and the rest of the council during this period of political disruption.

The honesty and advice given and firm but fair actions towards us has been a credit to yourselves and the Gore District Council staff. Please pass on this sentiment to all your staff.

From my corner I will always give you the backing you deserve and am hoping we now can get on with the essential work together in a more politically calm working environment for you all.

Kind Regards

Richard

Sent from my iPad

**From:** [Richard McPhail](#)  
**To:** [Stephen Parry](#)  
**Subject:** [REDACTED]  
**Date:** Thursday, 11 May 2023 12:27:59 PM

---

Hi Steve

Called into council to see you but you had left. [REDACTED]  
[REDACTED]

I am tied up for next couple hours but could catch up before 4pm council workshop this arvo. I realise there is more media in bound and you may want to discuss?

Thanks  
Richard

Sent from my iPad

On 11/05/2023, at 12:11 PM, Stephen Parry <[SParry@goredc.govt.nz](mailto:SParry@goredc.govt.nz)> wrote:

Hi Richard,

[REDACTED]  
[REDACTED]

Thanks,

Steve

**From:** [Richard McPhail](#)  
**To:** [.Councillors \(with e-mail\)](#); [Ben Bell](#)  
**Subject:** Re: Moving forward - Legal Privilege - Not for disclosure  
**Date:** Tuesday, 9 May 2023 1:11:46 PM

---

Good afternoon all

I have noted the commentary of the councillors below and agree there has been implied connection. The issue needs addressed separately.

I will defer this to the deputy Mayor to deal with [REDACTED]

Regards

Richard

Sent from my iPad

On 9/05/2023, at 12:42 PM, Paul McPhail <PMcPhail@goredc.govt.nz> wrote:

Good afternoon fellow councillors

We the undersigned councillors are concerned by the content of the recent emails from the Mayor and the indication it is giving that the council or councillors have a breakdown in communication with the CEO.

The resolutions passed were quite clear.

We are concerned by the implication from the Mayor that we have a dispute.

We want this clarified- we are acting as the employers [REDACTED] to attempt to remedy the dispute/relationship breakdown between the Mayor and CEO.

We reiterate the dispute exists between the Mayor and the CEO not as the email states the full council and the CEO

Cr P McPhail Cr B Reid Cr N Phillips

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**From:** Ben Bell <bbell@goredc.govt.nz>  
**Sent:** Monday, May 8, 2023 10:32:39 PM  
**To:** .Councillors (with e-mail) <Councillors@goredc.govt.nz>  
**Subject:** Fwd: Moving forward - Legal Privilege - Not for disclosure

Good evening all,

Please find the below email chain. This has been forwarded for transparency and is still legally privileged.

Happy to discuss further at tomorrow's meeting in a confidential setting if you

have any questions.

Regards,  
Ben

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**From:** Ben Bell <bbell@goredc.govt.nz>  
**Sent:** Monday, May 8, 2023 10:26:11 PM  
**To:** Richard McPhail <RMcPhail@goredc.govt.nz>; [REDACTED]  
**Subject:** Re: Moving forward - Legal Privilege - Not for disclosure

Good evening [REDACTED]

Thank you for your effort on this, I appreciate the pace this has taken.

I will circulate this email chain with Councillors for transparency and leave it in Cr McPhail's capable hands to speak with elected members and the CEO personally.

[REDACTED]

[REDACTED]

[REDACTED]

I trust that Cr McPhail will keep you updated.

Regards,  
Ben

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**From:** Richard McPhail <RMcPhail@goredc.govt.nz>  
**Sent:** Monday, May 8, 2023 7:33:02 PM  
**To:** [REDACTED]  
[REDACTED] Bell <bbell@goredc.govt.nz>  
**Subject:** Re: Moving forward - Legal Privilege - Not for disclosure

Good evening [REDACTED]

Thank you for the update. And yes it was good weekend spent with friends and family duckshooting. Always a good catch up.

[REDACTED]

[REDACTED]

Thanks and regards

Richard

Sent from my iPad

[Redacted]

Dear Mayor Bell and Cr McPhail

I trust you both had a nice weekend.

Thank you for clarifying your position Mayor Bell. I appreciate your swift response

[Redacted]

[Redacted]

[Redacted]

I look forward to hearing from you further

regards

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Client referrals are our greatest reward. If you know of anyone who can benefit from our comprehensive range of services, we would appreciate the opportunity to assist.

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**From:** Ben Bell <[bbell@goredc.govt.nz](mailto:bbell@goredc.govt.nz)>

**Sent:** Friday, 5 May 2023 5:46 PM

**To:** [REDACTED]

**Cc:** Richard McPhail <[RMcPhail@goredc.govt.nz](mailto:RMcPhail@goredc.govt.nz)>

**Subject:** Re: Moving forward - Legal Privilege - Not for disclosure

You don't often get email from [bbell@goredc.govt.nz](mailto:bbell@goredc.govt.nz). [Learn why this is important](#)

**[External Email]** Caution! This email originated from outside of the organisation. Do not click links or open attachments unless you recognise and can confirm the legitimacy of the sender, and know the content is safe.

Dear [REDACTED]

As we all understand, it is not in anyone's interests to engage in a prolonged email chain around these matters.

I am somewhat disappointed by the responses from yourself and Cr McPhail. I want to make it clear that nothing in what I have said contradicts what has been resolved. I have only provided further thoughts and questions on how what has been agreed upon by Council could best be implemented, taking into account how we might use the opportunity to move things forward for Council as a whole.

[REDACTED]

[REDACTED]

[REDACTED]

It is important to note that while I have agreed to Cr McPhail's appointment as an intermediary to facilitate communication between myself and the CEO, it cannot be construed as a delegation of my duties as Mayor. I also reject any suggestion that I am unaware that Councillors as a whole are the CEO's employer or that I have deviated from the doctrine of collective responsibility.

For clarity nothing has changed from my perspective in terms of the resolutions passed on Wednesday. I simply suggest that, in implementing the resolutions as passed, the points and possible approach I have raised be given consideration. I am willing to await



further updates and guidance as you and Cr McPhail move forward with the implementation of the resolutions.

Regards,  
Ben

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**Ben Bell** | Mayor  
**T:** 03 209 0330 | **DDI:** 021 962 883  
**E:** [bbell@goredc.govt.nz](mailto:bbell@goredc.govt.nz) | **W:** [www.goredc.govt.nz](http://www.goredc.govt.nz)  
Gore District Council, 29 Bowler Avenue, PO Box 8, Gore, 9740

<image001.jpg>

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<[image002.png](#)>

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**From:** [REDACTED]  
**Sent:** Friday, May 5, 2023 1:21:09 PM  
**To:** Ben Bell <[bbell@goredc.govt.nz](mailto:bbell@goredc.govt.nz)>  
**Cc:** Richard McPhail <[RMcPhail@goredc.govt.nz](mailto:RMcPhail@goredc.govt.nz)>  
**Subject:** RE: Moving forward - Legal Privilege - Not for disclosure

Dear Mayor Bell

Thank you for your email and I note your reaffirmation of your support [REDACTED]  
[REDACTED] My understanding from information received  
from Cr McPhail post our meeting on Wednesday was that Council  
unanimously resolved [REDACTED]  
[REDACTED]

As you may appreciate my understanding is that the Council resolved on 26 March 2023 that Councillor Richard McPhail would be the dedicated intermediary referred to in the below resolution:-

THAT as the employer of the Chief Executive, the Council note the breakdown in the relationship between the Mayor and the Chief Executive and agree to nominate and appoint an elected member (not the Mayor) to act as a dedicated intermediary between the Mayor

and Chief Executive for governance and relevant operational matters

Prior to receipt of your email I had received instructions via Richard [REDACTED]

[REDACTED]

If you are not united with your council in terms of how this process will be run and as previously agreed then it may not be worthwhile progressing [REDACTED]

[REDACTED]

I raise this because it seems your email is counter to the advice I have provided to Council and which I had until receipt your below email understood to have been unanimously accepted

I would welcome your urgent response

regards

<image003.jpg>

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**Client referrals are our greatest reward. If you know of anyone who can benefit from our comprehensive range of services, we would appreciate the opportunity to assist.**

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**From:** Ben Bell <[bbell@goredc.govt.nz](mailto:bbell@goredc.govt.nz)>  
**Sent:** Thursday, 4 May 2023 5:23 PM  
**To:** .Councillors (with e-mail) <[Councillors@goredc.govt.nz](mailto:Councillors@goredc.govt.nz)>  
**Cc:** [REDACTED]  
**Subject:** Moving forward - Legal Privilege - Not for disclosure

**[External Email]** Caution! This email originated from outside of the organisation. Do not click links or open attachments unless you recognise and can confirm the legitimacy of the sender, and know the content is safe.

The below email is covered by Legal Privilege - Not for disclosure

Dear Councillors,

I want to thank all of you for your participation and valuable input during yesterday's meeting, and especially to [REDACTED] for providing us with some helpful guidance on potential risks and a possible path forward.

[REDACTED]

resolve these issues promptly, so we can move on and refocus on delivering for the Gore District.

To achieve the best possible outcome, it [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

After our conversations yesterday and some reflection, my preferred approach is for all councillors to participate [REDACTED]. While my initial reaction was to form a smaller group of councillors [REDACTED]

[REDACTED]

using tools like breakout sessions.

Nonetheless, it is crucial from my perspective that we are all present [REDACTED] to work collaboratively [REDACTED] toward an agreed solution and receive the same information at the same time. This will give us an opportunity to share our concerns and find common ground towards a mutually beneficial resolution.

[REDACTED]

[REDACTED]

I would like to stress that the success of our council depends on a collaborative and respectful working relationship between all councillors and our CEO. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

I am confident that we can work together to find a solution that is in the best interests of our community and our council.

Regards,  
Ben

---

**Ben Bell** | Mayor

**T:** 03 209 0330 | **DDI:** 021 962 883

**E:** [bbell@goredc.govt.nz](mailto:bbell@goredc.govt.nz) | **W:** [www.goredc.govt.nz](http://www.goredc.govt.nz)

Gore District Council, 29 Bowler Avenue, PO Box 8, Gore, 9740

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[<image002.png>](#)

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