



Memo to: Mayor Watton and all Councillors

Copy to: Directors, Senior Leadership Group, and Communications & Engagement Team

From: Peter Chrystal, Interim General Manager

Subject: Reminder of Code of Conduct responsibilities

Date: 5 February 2026

Reference: DOC2026/009188

Dear Mayor Watton and all Councillors,

We are aware that following the decision of Council to apply for a special variation this can be an challenging and emotional time for staff, Councillors and the community.

I take this opportunity to remind you of related obligations and encourage you as community leaders to direct community comments appropriately.

Ongoing community consultation

We are aware that there has been a lot of feedback and criticism from the community on social media. At times that commentary moves beyond fair comments and into territory that casts unfounded and spurious allegations against Council staff.

I encourage you to remind members of the community that IPART will undertake its own community consultation process.

Caring for our employees

I also urge you to remember that our staff are also significantly impacted by this as employees and we have obligations to staff in relation to workplace health and safety. In addition, the majority of our staff are ratepayers who are also personally impacted. They are also members of our community.

Our staff do an amazing job often in the face of unwarranted and unfounded criticism. Their job is to implement the decisions of the elected Council. They continue to turn up daily dedicated to their jobs that contribute to the functioning and wellbeing of our Cessnock community.

Council staff are not the decision-makers, and their role may extend to providing strategic advice to you as the democratically elected Councillors', via the senior executive team in order that you may make informed decisions. This arrangement is in place across New South Wales and is underpinned by the *Local Government Act 1993* (NSW) (the Act).

It is entirely inappropriate to make comments about individual staff members, particularly in public forums. If you are concerned about their performance, you should raise the matter directly with me. If members of the public have specific concerns, they can also raise these in writing.

Defamation

We have previously provided Councillors with a reminder about your obligations if you publish information online. We provided you more detail in previous memos including 25 November 2025 "Social media interactions" which you can continue to access on The Hub.

In general, your obligations extend to your behaviour and interactions on social media. Where you manage your own social media accounts, you should seek your own legal advice as to your rights and obligations in relation to the *Defamation Act 2005* (NSW). This is because you are considered a "publisher" if you create, and administer a public Facebook page and encourage publication of comments from third parties. In addition to the above "liking" a post or comment, can be considered an offence.

Code of Conduct for Councillors

Given all of the above, this is a timely reminder to all Councillors of your obligations under the [Code of Conduct](#) and your elected civic duties under the Act.

The Code of Conduct is prescribed by regulation and sets the minimum requirements of conduct for Councillors, Council staff and other Council officials (including contractors and volunteers) to act with integrity in the course of carrying out official duties.

The Code of Conduct assists Council officials to:

- understand and comply with the standards of conduct that are expected of them;
- enable them to fulfil their statutory duty of acting honestly and exercise a reasonable degree of care and diligence;
- act in a way that enhances public confidence in local government.

Council's Code of Conduct incorporates the provisions of the Office of Local Government's Model Code of Conduct for Local Councils in NSW, as required by legislation.

Civic Duties

In addition to your obligations under the Code of Conduct, the role of a Councillor is prescribed under section 232 of the Act. The role of Councillors is as follows:

- to be an active and contributing member of the governing body;
- to make considered and well-informed decisions as a member of the governing body;
- to participate in development of the Integrated Planning and Reporting framework;
- to represent the collective interests of residents, ratepayers and the local community, rather than individuals;
- to facilitate communication between the local community and the governing body;
- to make all reasonable efforts to acquire and maintain the skills necessary to perform the role of Councillor.

More information

Resources from the Councillor Induction continue to be available on the Hub for you to refresh at any time. Additionally, the Office of Local Government has resources available on their [website](#), as well as their Councillor portal.

Please note a copy of this memo will be uploaded to Council's website.