



# TAMWORTH REGIONAL COUNCIL

Notice is hereby given, in accordance with the provisions of the Local Government Act 1993 that a **Extraordinary Meeting of Tamworth Regional Council** will be held in the **Council Chambers, 4th Floor Ray Walsh House, 437 Peel Street, Tamworth**, commencing at **5.30pm**.

## EXTRAORDINARY COUNCIL AGENDA

**29 MARCH 2021**

**PAUL BENNETT  
GENERAL MANAGER**

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## Order of Business

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## Council

Meeting Date: 2<sup>nd</sup> and 4<sup>th</sup> Tuesday of the month commencing at 6:30pm.

Matters determined by Ordinary meetings will include all those non-delegable functions identified in Section 377 of the Local Government Act as follows:

- *“the appointment of a general manager*
- *the making of a rate*
- *a determination under section 549 as to the levying of a rate*
- *the making of a charge*
- *the fixing of a fee*
- *the borrowing of money*
- *the voting of money for expenditure on its works, services or operations*
- *the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment)*
- *the acceptance of tenders which are required under this Act to be invited by the council*
- *the adoption of an operational plan under section 405*
- *the adoption of a financial statement included in an annual financial report*
- *a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6*
- *the fixing of an amount or rate for the carrying out by the council of work on private land*
- *the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work*
- *the review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the [Environmental Planning and Assessment Act 1979](#)*
- *the power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194*
- *a decision under section 356 to contribute money or otherwise grant financial assistance to persons*
- *the making of an application, or the giving of a notice, to the Governor or Minister*
- *this power of delegation*
- *any function under this or any other Act that is expressly required to be exercised by resolution of the council.”*

Other matters and functions determined by Ordinary Council Meetings will include:

- *Notices of Motion*
- *Notices of Motion of Rescission*
- *Council Elections, Polls, Constitutional Referendums and Public Hearings/Inquiries*
- *Ministerial Committees and Inquiries*
- *Mayor and Councillors Annual Fees*
- *Payment of Expenses and Provision of Facilities to Mayor and Councillors*
- *Local Government Remuneration Tribunal*
- *Local Government Boundaries*
- *NSW Ombudsman*
- *Administrative Decisions Tribunal*
- *Delegation of Functions by the Minister*
- *Delegation of Functions to General Manager and Principal Committees*
- *Organisation Structure*
- *Code of Conduct*
- *Code of Meeting Practice*
- *Honesty and Disclosure of Interests*
- *Access to Information*
- *Protection of Privacy*
- *Enforcement Functions (statutory breaches/prosecutions/recovery of rates)*
- *Dispute Resolution*
- *Council Land and Property Development*
- *Annual Financial Reports, Auditors Reports, Annual Reports and Statement of the Environment Reports*
- *Performance of the General Manager*
- *Equal Employment Opportunity*
- *Powers of Entry*
- *Liability and Insurance*
- *Membership of Organisations*

**Membership:** All Councillors  
**Quorum:** Five members  
**Chairperson:** The Mayor  
**Deputy Chairperson:** The Deputy Mayor

## Community Consultation Policy

The first 30 minutes of Open Council Meetings is available for members of the Public to address the Council Meeting or submit questions either verbally or in writing, on matters INCLUDED in the Business Paper for the Meeting.

Members of the public will be permitted a maximum of three minutes to address the Council Meeting. An extension of time may be granted if deemed necessary.

Members of the public seeking to represent or speak on behalf of a third party must satisfy the Council or Committee Meeting that he or she has the authority to represent or speak on behalf of the third party.

Members of the public wishing to address Council Meetings are requested to contact Council either by telephone, in person or online prior to 4:30pm the day prior to the Meeting to address the Council Meeting. Persons not registered to speak will not be able to address Council at the Meeting.

Council will only permit three speakers in support and three speakers in opposition to a recommendation contained in the Business Paper. If there are more than three speakers, Council's Governance division will contact all registered speakers to determine who will address Council. In relation to a Development Application, the applicant will be reserved a position to speak.

Members of the public will not be permitted to raise matters or provide information which involves:

- personnel matters concerning particular individuals (other than Councillors);
- personal hardship of any resident or ratepayer;
- information that would, if disclosed confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business;
- Commercial information of a confidential nature that would, if disclosed:
  - prejudice the commercial position of the person who supplied it, or
  - confer a commercial advantage on a competitor of the Council; or
  - reveal a trade secret;
- information that would, if disclosed prejudice the maintenance of law;
- matters affecting the security of the Council, Councillors, Council staff or Council property;
- advice concerning litigation or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege;
- information concerning the nature and location of a place or an item of Aboriginal significance on community land;
- alleged contraventions of any Code of Conduct requirements applicable under Section 440; or
- on balance, be contrary to the public interest.

Members of the public will not be permitted to use Community Consultation to abuse, vilify, insult, threaten, intimidate or harass Councillors, Council staff or other members of the public. Conduct of this nature will be deemed to be an act of disorder and the person engaging in such behaviour will be ruled out of the order and may be expelled.

### **Disclosure of Political Donations or Gifts**

If you have made a relevant planning application to Council which is listed for determination on the Council Business Paper you must disclose any political donation or gift made to any councillor or employee of the Council within the period commencing two years before the application is made and ending when the application is determined (Section 147(4) Environmental Planning and Assessment Act 1979).

If you have made a relevant public submission to Council in relation to a relevant planning application which is listed for determination on the Council Business Paper you must disclose any political donation or gifts made to any councillor or employee of the Council by you as the person making the submission or any associate within the period commencing two years before the submission is made and ending when the application is determined (Section 147(5) Environmental Planning and Assessment Act 1979).

## AGENDA

### **1 APOLOGIES AND LEAVE OF ABSENCE**

### **2 COMMUNITY CONSULTATION**

### **3 DISCLOSURE OF INTEREST**

Pecuniary Interest

Non Pecuniary Conflict of Interest

Political Donations

### **OPEN COUNCIL REPORTS**

### **4 GOVERNANCE, STRATEGY AND FINANCE**

#### **4.1 TECHNOLOGYONE SOFTWARE AS A SERVICE**

**DIRECTORATE: OFFICE OF THE GENERAL MANAGER**

**AUTHOR: Jason Collins, Executive Manager - Strategy and Performance**

**1 CONFIDENTIAL ENCLOSURES ENCLOSED**

#### **RECOMMENDATION**

*That in relation to the report “TechnologyOne Software as a Service”, Council:*

- (i) receive and note the report;*
- (ii) delegate the General Manager to negotiate and execute an agreement between Council and TechnologyOne, for a period of 7 years and 3 months; and*
- (iii) endorse to not invite tenders under Section 55(3)j of the Local Government Act 1993, because of extenuating circumstances, being the unavailability of competitive or reliable tenderers to provide Software as a Service for TechnologyOne software.*

#### **SUMMARY**

The purpose of this report is to provide a summary of why Council should enter into a new agreement with TechnologyOne for the provision of Software as a Service and authorise approval of an exemption from the tendering requirements.

Council has been considering a move to Software as a Service (SaaS) for a number of years. During this time Council has negotiated strongly to reduce the cost of this transition and has now received a proposal from TechnologyOne to convert the delivery of the TechnologyOne application from an on-premise configuration to the TechnologyOne SaaS platform. This proposal aligns with TechnologyOne’s financial reporting year and is only valid until 31 March 2021, at which point the price would need to be renegotiated.

## COMMENTARY

TechnologyOne is a leading provider of local government solutions in Australia and has provided enterprise software to Tamworth Regional Council for over 17 years. TechnologyOne currently delivers software for the following business solutions to Council:

- financial services including procurement and inventory, asset management, payroll, human services;
- land and property;
- regulatory;
- request management;
- integrated planning and reporting; and
- electronic document management (records management).

To date the provision of this technology has been provided by Council using infrastructure located within Council's premises and fully managed by Council staff. This is known as an on-premise environment. Council staff are responsible for all aspects of providing this service including the recurring maintenance of software and hardware in this environment.

Council has received a proposal from TechnologyOne to transition the delivery and maintenance of their software solution from an on-premise configuration to the TechnologyOne Software as a Service (SaaS) platform.

The SaaS platform is a subscription-based model including licensing, maintenance and support, delivered via an internet browser from TechnologyOne's own 'cloud' servers.

There are significant benefits transitioning to SaaS, among these are improved accessibility and performance, increased scalability, increased capability for online service delivery, greater cybersecurity prevention, and a robust business continuity capability.

TechnologyOne uses a Cloud provider, Amazon Web Services (AWS), to provide the computer power, storage and database service. AWS is a leading Cloud services company with server infrastructure located across the world, including multiple locations in Australia. TechnologyOne and AWS employ experts to manage this infrastructure and the databases to ensure that performance is optimised, the applications are always available and Council's data is secure. SaaS ensures that Council can achieve the level of performance, availability, redundancy and protection against cyber-attacks that is demanded by staff and the community.

TechnologyOne's strategic direction states that the focus of their business is shifting from perpetual on-premise licensing to SaaS and subscription licencing. The product roadmap further supports this direction, with new product development exclusively available for SaaS delivery only. This greatly assists with development and progress of automation projects such as digital field-based work orders and the transition to their Ci Anywhere platform; providing the power of a single integrated enterprise solution on any device.

Due to the length of time Council has used the Technology One software, Council has already made significant investment into product development and has extensive corporate knowledge into the existing product which has a proven history of being reliable, fit for purpose and its development aligns with various business strategies within Council. This relationship with TechnologyOne has allowed Council to negotiate a very competitive proposal both financially and for implementation timelines.

Council's Technology staff, who maintain the on-premise environment, are in high demand to support an increase in technology requests both regarding Council's fleet of hardware and software, along with the associated process improvements, ever-changing technology and change management challenges of the organisation, as it grows and remodels to meet the needs of Blueprint100. Removing some of the need to manage TechnologyOne software will allow staff to work on high value business focused tasks, including training, reporting, mobility and automation through business intelligence workflow.

SaaS and the TechnologyOne application provide a modern and reliable software suite that will support Council to deliver effective, efficient, cost effective and timely services and information to the community. Benefits include rationalisation of software, reductions in double handling of information from administration staff and improved service delivery internally.

Additionally, moving to SaaS allows Council to accelerate the rollout of Ci Anywhere which is the next evolution of TechnologyOne's software. Ci Anywhere delivers the entire enterprise suite through one centralised and integrated solution, transforming how we do business and interact with our customers and community, for example:

- field workers can instantly access information they need to do their job efficiently, available anywhere, any time;
- enhance our customer service with 24/7 online self-service functionality;
- consult with our community through direct engagement; electronically record submissions, track and manage assessments, provide instant real time reports;
- consolidation of corporate systems provides a single source of truth permitting us to simplify and streamline routine tasks, further improving data accuracy and availability for trend analysis, performance benchmarking and management reporting;
- make informed investment decisions, take control of capital expenditure and manage work processes with true cost and performance visibility through digital work orders – managing reactive work requests in the field, scheduling and data capture of inspections and defects, including photos and video;
- removal of data duplication and reduced processing times increasing efficiencies and improving our bottom line; and
- less back-office administration gives staff the flexibility to respond promptly to evolving business and customer demands, monitoring of and improving quality levels of service.

Council's strategic view is to meet current and future organisational needs and to provide a pathway that will support continual improvement in its information management practices. In order to do this, Council will need to enter a new agreement with TechnologyOne Limited.

The financial information is **ENCLOSED**, refer **CONFIDENTIAL ENCLOSURE 1**.

Due to the anticipated level of expenditure, exceeding the legislative threshold over the life of the contract with TechnologyOne Limited, Council would be required to publicly invite tenders for the services in accordance with Section 55(1) of the Local Government Act 1993.

However, Section 55(3)(i) of the Local Government Act 1993, details that the requirements for tendering under Section 55(1) do not apply to a contract where because of the unavailability of competitive tenders, and Council decides by resolution (which states the reasons for the decision) that a satisfactory result would not be achieved by inviting tenders.

Over 100 Councils have already moved to TechnologyOne SaaS, among them are Melbourne City Council, Sunshine Coast Council, Wollongong City Council, Newcastle City Council, Campbelltown City Council, Shellharbour Council, Narrabri Shire Council, Parkes Shire Council and Coffs Harbour City Council.

Coffs Harbour City Council is in close comparison to Tamworth Regional Council by way of the systems it uses and size of transactions. A recent discussion revealed that their SaaS experience was a good outcome, and if they had it over they would do it again.

Blueprint100 provides a pathway that will support continual improvement in its information management practices. In order to meet this, it is recommended Council enter into a new SaaS agreement with TechnologyOne.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

Provided in **CONFIDENTIAL ENCLOSURE 1**.

**(c) Legal Implications**

Council is already licenced for TechnologyOne software under a perpetual licence model. This proposal is to move away from an on-premise environment to a Software as a Service model provided by TechnologyOne.

TechnologyOne is the only supplier that can deliver, manage and support their software under a Software as a Service model. It is recommended that pursuant to Section 55(3)(i) of the Local Government Act 1993, that Council resolves not to call for public tenders for a contract for carrying out the services, as it is satisfied that extenuating circumstances and an unavailability of competitive tenderers exists.

Section 55 of the Local Government Act 1993, requires Councils to publicly tender for contracts when expenditure exceeds \$250,000.

**(d) Community Consultation**

Nil

**(e) Delivery Program Objective/Strategy**

A Region of Progressive Leadership – L21 Transparency and accountability of government.

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