

## 3.18 Minor Variations

### Objective

To provide a framework around determining what qualifies as a minor variation for in the context of financial matters and purchasing, scopes of work, and for land transaction documents (including but not limited to leases and licences).

### Policy

A 'minor variation' must be considered in the context of an overall cost, scope of work, land and its improvements, or instrument of land tenure.

By its nature, what may be considered a 'minor variation' in one set of circumstances will not necessarily constitute a 'minor variation' in another situation. The determination of such is a discretion that must be exercised in accordance with sound public administrative law and practice.

When exercising a discretion to determine whether a proposed variation is minor in nature, the decision maker is to have regard to the context of the following:

- the total price of goods or services sought through the invitation to tender or quote, or purchase order;
- the overall scope of works, that are necessary to complete the project; and/or
- the footprint, span of tenure, cost of rent, among other matters concerning the disposition of property,

as the case may be.

As a guide, the decision maker should also have regard to the standard determined by Council for the 2022/23 Budget for reportable 'materiality' variances for capital, which is 10% or \$50,000, whichever is the greater.

All minor variations valued at \$50,000 or above are to be reported to Council.

If a term or condition, or the intention of a term or condition has been specified in a resolution by Council approving the award of the tender, lease, etc, only Council may modify the term or condition.

The Chief Executive Officer is authorised to approve a variation up to an amount of 10% of the original purchasing value of the total goods or services sought through the RFX, and to then negotiate minor variations (up to an amount of 10% of the original purchasing value) with the successful tenderer before entering into a contract.

### Authorisation Details

<b>References:</b>	<i>Local Government (Functions and General) Regulations 1996, reg 20(1)&amp;(3)</i>		
<b>Authorised by:</b>	Council		
<b>Date:</b>	24 March 2023	<b>Item No.</b>	11.1.3
<b>Review/Amendment Date</b>		<b>Item No.</b>	
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