

COUNCIL POLICY			
BORROV	BORROWINGS POLICY		
			15 May 2019
		Next review date:	May 2020
Senior Manager:	Director Corporate & Comm	nunity Services	
Responsible Officer:	Finance Manager Coordinate	or	
Functional Area:	Financial Services		
Introduction & Background	This policy outlines the West Wimmera Shire Council Borrowings strategy and provides an agreed framework or policy structure for the consideration of existing and future long term borrowings by Council.		
	West Wimmera Shire Council is required to comply with the provisions relating to borrowings as detailed within the <i>Local Government Act</i> <u>19892020 and any regulations made under this Act</u> . Refer Schedule 1 .		
Purpose & Objectives	To communicate Councils planned financial management for existing and future long term debt.		
	The clear articulation that operational or recurrent works are not to be funded from long term debt.		
	3. To establish framework that compliments and maximises the effectiveness of the Council long term investment in infrastructure and other capital assets.		
	To support the objectic capital investment propose be financed.		
	5. To compliment a considered and agreed capital works evaluation framework on which future Council budgets can be premised and for various capital works proposals to be considered objectively.		
	6. To safeguard the long term financial viability of the West Wimmera Shire Council.		
	Council has a desire to m where the new capital asse cost of loan finance, or v liquidated and the capacity accordingly. The life cycle r short term prior to asset funding.	thas an income flow on where the capital asse for loan funding commi nature of the new capital	which to compare the t is capable of being tments to be reviewed asset may be finite or



Policy Details

1. Background

Council recognises the Local Government sustainability ratios that are issued on an annual basis by the <u>Victorian Auditor-General's Office</u> (VAGO). These ratios provide a set of interrelated indicators for Local Government to use to assess individual Council and sector financial performance and position.

Financial sustainability trends in Victorian Local Government are being tracked and monitored by VAGO via a series of sustainability indicators. The indicators produced by VAGO are as follows:

- · Underlying Result Indicator
- Liquidity Indicator
- · Self Financing Indicator
- Indebtedness Indicator
- · Capital Replacement Indicator
- Renewal Gap Indicator

The Indebtedness Indicator has a formula being:

Non Current Liabilities divided by Own - Sourced Revenue.

Council is also regulated in relation to long term borrowings by indicative prudential limits set by <u>Local Government Victoria</u> (LGV). LGV survey Councils in relation to proposed long term borrowings on an annual basis, and maintain a watch over the levels of Council borrowings and other indicators applied against individual Councils and the Local Government sector.

2. Policy Principles

- a) Council aims to finance new capital works and assets to the greatest extent possible from revenue, grants, subsidies or any specific cash backed reserves established to fund capital works.
- b) Council shall not borrow to fund operational or ongoing regular maintenance
- Council may consider to undertake borrowings to fund an external obligation placed upon it that is outside of its direct control (i.e to fund a superannuation liability call, etc)
- d) Long term borrowings for capital works and new capital assets will be for intergenerational assets that are expected to reduce expenditure or increase revenue to service finance costs with benefits exceeding the repayment period.
- e) Council will not enter into any financing arrangement which would involve the repayment of interest only unless that interest is at least matched by income



generated from the asset financed.

- f) West Wimmera Shire will not use long term debt to finance operational or recurrent works
- g) Council will review annually the Indebtedness Indicator, together with other sustainability indicators, as issued by the Victorian Auditor-General and Local Government Victoria as applies to West Wimmera Shire, other small rural Councils and the Victorian Local Government sector as a whole.
- h) The repayment of new and existing long term borrowings will be set at between 20 25 years for major significant long life infrastructure. Capital works for Community and social infrastructure where no commercial revenue streams apply, shall generally be for a lesser period of no greater than 10 years. The above criteria will be assessed on case by case basis and will include consideration of prevailing circumstances and finance market conditions.
- Council will consider any borrowings proposal on merit based on the Council borrowings policy parameters that will maintain the Council position of not exceeding the parameter being the 'Low risk' category pertaining to the Indebtedness indicator as maintained by VAGO.
- j) This policy is premised on long term debt being a sound business practice when the long term debt is the appropriate form of finance, is used to finance capital assets / investments, and the debt servicing costs are within the capacity of Council to service effectively without placing Council under undue financial stress.
- k) The Finance <u>Manager_Coordinator</u> will be responsible for arranging loan funding that is appropriate for the requirements and situation at the time. Quotations are to be sourced from no less than three institutions and evaluated based on total finance costs and other relevant factors such as timing and restrictions.
- 3. Borrowings in the Context of Rate Capping

Council acknowledges that it must evaluate all other funding options when determining whether or not it would request a variation to any rate cap applied by the Minister for Local Government.

Before making any request for a rate cap variation Council will evaluate the possibility of financing future capital works from borrowings rather than an increased rate cap. This shall be done in accordance with the Policy Principles as set out in part 2 of this policy. Such evaluation shall form part of any rate cap variation application and must form part of the public consultation process for any proposed rate cap variation.

4. Schedule 1 – Local Government Act 1989 extract

Extract from Local Government Act 2020:

104 Borrowings

A Council cannot borrow money unless the proposed borrowings were included in the budget or a revised budget.

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Extract from the Local Government Act 1989:

144. Power to borrow

- (1) Subject to the principles of sound financial management, a Council may borrow money to enable the Council to perform the functions and exercise the powers conferred on the Council under this Act or any other Act.
- (2) This section also applies to borrowings in the form of finance leases.
- (3) The amount borrowed on the security of any special rates or special charges must not at any time exceed the estimated income from the special rates or special charges.

145. Circumstances in which power to borrow may be exercised

- (1) Without limiting the generality of section 144, the power to borrow conferred by section 144 may be exercised—
 - (a) to repay the principal money owing under any previous borrowings; or
 - (b) to meet the consideration still outstanding under a contract which has been partly or wholly performed and in respect of which the power to borrow conferred by section 144 could have been exercised at the time the contract was made.
- (2) The power to borrow conferred by section 144 cannot be exercised to repay an advance by overdraft under section 150(1) or 150(3) unless—
 - (a) the approval of the Minister has been obtained; and
 - (b) any conditions imposed by the Minister are complied with.

146. Budget or revised budget must include proposed borrowings

- (1) A Council cannot borrow money for ordinary purposes or the purposes of municipal enterprises unless the proposed borrowings were included in a budget or revised budget
- If the proposed borrowings are to re-finance existing loans, the Council is not required to include the proposed borrowings in a budget or revised budget.

147. Use of loan for different purpose

A Council may only apply unexpended money previously borrowed for a particular purpose for capital works included in the current budget or a revised budget.

148. Borrowings to be secured

- (1) Except in the case of a finance lease, money borrowed under section 144 is to be secured by entering into a security—
 - (a) in the case of borrowings for ordinary purposes, over the general rates; or
 - (b) in the case of borrowings for the purposes of municipal enterprises, over the total value of the assets of the municipal enterprise and the income from the municipal enterprise; or
 - (c) in the case of borrowings under section 144(3), over the special rates and special charges.
- (2) Unless expressly forbidden by the Act or instrument under which a body corporate or company acts, a security under this section is a lawful investment for any money which a body corporate incorporated under an Act or any company is authorised to invest.



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COUNCIL	. POLICY			
COUNCIL EXPENSES POLICY		Policy No:		
			Adopted by Council:	[date]
			Next review date:	May 2021
Senior Ma	ınager:	Director Corporate & Comm	unity Services	
Responsib	ole Officer:	Director Corporate & Comm	unity Services	
Functional	l Area:	Governance		
Introduction Backgrour		During the course of undertaking their responsibilities as representatives of Council, Councillors and/or Committee Members will from time to time incur out of pocket expenses. To ensure equitable participation by all Councillors these incurred out of pocket expenses where appropriate should be reimbursed to Councillors and/or Committee Members by Council		
Purpose & Objectives		To provide guidance and policy on the reimbursement of out of pocket expenses Councillors and Members of Council committees to to ensure that they are not financially or otherwise disadvantaged in undertaking their official Council duties.		
		The payment and/or reimbursement of expenses must only be for the actual cost of legitimate business use and not for time and effort spent in performing these duties		
Definitions	3			
Policy Det	tails			
1.	Scope			
	Section 41 of the <i>Local Government Act 2020</i> provides for the reimbursement of necessary out of pocket expenses incurred while performing duties as a Councillor or delegated committee member.			
	The policy adopted by Council under this section must: a) specify procedures to be followed in applying for reimbursement and in reimbursing expenses; and			oursement and in
		comply with any requirements nbursement of expenses; and	prescribed by the regula	tions in relation to the



	c) provide for the reimbursement of childcare costs where such childcare is reasonably required for a Councillor or delegated committee member to perform their role; and
	d) have particular regard to a expenses incurred by a Councillor who is a carer within the meaning of section 4 of the <i>Carers Recognition Act 2012.</i>
	Recognising the leadership role of the Office of Mayor, the policy also provides for some additional resources and facilities specific to that office.
	The basic test that will be applied to determine whether or not an expense is lawfully incurred, is whether the expenditure is necessary because it is supplemental or incidental to or consequent on the exercise of Council functions.
2.	Accountability – Council Plan Objective / Strategy
	The aims or objectives of the policy are aligned with Council's Council Plan objectives and strategies.
3.	Accountability – Legislation / Standards
	Local Government Act 2020
	Local Government (General) Regulations 2020
	Carers Recognition Act 2012
4.	Accountability – Responsibilities
	The Director Corporate and Community Services is responsible for the development and management of this policy.
5.	Accountability – Review
	The policy is to be reviewed after each general election of the Council with suggested revisions to be submitted to the Council for consideration and adoption. Operational amendments may be made as required between review periods in accordance with Council's/CEO's approval.
6.	Accountability – Communication / Implementation
	a) The policy will be communicated to Councillors and relevant staff. The policy is referred to in the Councillor Induction and Development Program.
	 b) The policy will be published on Council's website and a copy will be available for inspection at the Council's Registered Office.
7.	Accountability – Charter of Human Rights Compliance
	It is considered that this policy does not impact on any human rights identified in the



Charter of Human Rights & Responsibilities Act 2006.

8. Submitting an Expense Reimbursement Claim

A claim for reimbursement of expenses must be submitted on the appropriate form 'Councillor Travel / Expenses Allowance Form'.

Appropriate evidence of expenditure must be attached for all expense claims.

It is noted that for a Councillor or Committee Member to be eligible for reimbursement then the expense must be incurred as part of official Council business.

Official Council business is where Council has authorised the activity that gave rise to the expense. If a Councillor or Committee member incurs an expense due to activities of their own undertaking they are not eligible to be reimbursed for that expense. (For example, if a Councillor or Committee Member attends a meeting or event where they are not the designated Council representative, they shall not be entitled to reimbursement of expenses arising from attending that meeting or event).

9. Approval of an Expense Reimbursement Claim

All expense reimbursement claims submitted are to be approved by the Chief Executive Officer.

All expense claims are to be supported by relevant appropriate evidence of expenditure. This may take the form of:

- Receipts in the case of direct expenses
- Evidence of attendance at Council activities in the case of travel (i.e km car travel) reimbursement claims this may take the form of:
 - Councillor diary to evidence meetings
 - Minutes of meetings
 - o Registration paperwork for attendance at conferences
 - Statutory Declaration of attendance
- Statutory Declaration of the incurring of expenses

All expense claimed must be incurred in the undertaking of Council business. Council business refers to only those events, meetings or activities attended as a formal agreed representative of Council. If a Councillor or committee member attends an event, meeting or activity in a private capacity or not as a formal representative of Council then they are not eligible for reimbursement of any expenses or travel incurred.

The Chief Executive Officer has the right at his/her discretion to request further evidence to support any expense reimbursement claim that is submitted.



10. Eligible Expenses:

Any expense, other than those declared ineligible, that are reasonably incurred in undertaking of official Council business are eligible for reimbursement. These may include, but are not limited to, the following:

- Travel expenditure to attend meetings/events, including
 - Per kilometre car reimbursement for the use of private vehicle, with reference to the Australian Taxation Office deductible rates
 - o Taxi fare
 - Train fare
 - Air fare

Travel expenses may only be approved where all alternative methods of Council provided travel (i.e pool cars, etc) are unavailable.

Air travel must be pre-approved by the Mayor and Chief Executive Officer.

- Accommodation costs, up to the reasonable accommodation rates limits published by the Australian Taxation Office
- Meal costs, up to the reasonable meal limits published by the Australian Taxation Office
- Conference registration. All efforts should be made for Council to directly pay these costs on behalf of the Councillor/Committee member
- Childcare costs as a direct result of requiring childcare due to attendance to Council business
- Costs incurred as a result of providing care to a dependent where the Councillor or Committee member is a carer in a care relationship within the meaning of section 4 of the Carers Recognition Act 2012 which arise from the attendance to Council business by the carer. This may include costs around transporting or caring for assistance animals and mobility aids where these are impacted by Council business.
- Other incidental costs incurred in carrying on Council business.
 Examples of this may include:
 - Minor information technology costs such as printer ink or toner, or copier paper, but only to the extent that such items are used for approved Council business
 - Any reasonable repairs required to Council equipment that cannot be reasonably pre or post-paid by Council.

11. Ineligible Expenses

The following expenses shall be ineligible for reimbursement:

The purchase of alcohol (except where incidental to consuming a meal)



- Tickets to entertainment (i.e cinema, theatre, concert, etc) or sporting events (except where they form part of an approved conference package)
- Any expenditure incurred which can reasonably be judged to be of a personal nature
- Any expenditure incurred which in the opinion of the Mayor and Chief Executive
 Officer has no reasonable nexus to the undertaking of Council business
- Any expenditure incurred where the Councillor or Committee Member was not acting or attending as an official representative of Council.

Any expenditure incurred which arise from activities that are illegal under any law of the State of Victoria and/or Commonwealth of Australia.

12. Reporting of Expenses

All expense claims which are approved and reimbursed shall be detailed in a report to the next meeting of the Audit Risk Committee, as per s.40(2) of the *Local Government Act 2020*.

A summary of all expenses reimbursed during a financial year shall be provided in Council's Annual Report for that financial year, listed by Councillor, in accordance with the requirements of the regulations.

13. Addendums:

The Reasonable Accommodation and Reasonable Meal Reimbursement Rates as determined by Australian Taxation Office shall define the maximum reimbursement rates under this Policy for meals and accommodation.

Reference shall be made to the most recent of these determinations for use in the Policy.

Policy Adopted:	Ordinary Meeting [date]	Minute Book Page [number]	RecFind
Policy Reviewed:	Ordinary Meeting [date]	Minute Book Page [number]	RecFind



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Taxation Determination

Income tax: what are the reasonable travel and overtime meal allowance expense amounts for the 2019–20 income year?

Relying on this Ruling

This publication (excluding appendixes) is a public ruling for the purposes of the *Taxation Administration Act* 1953.

If this Ruling applies to you, and you correctly rely on it, we will apply the law to you in the way set out in the Ruling. That is, you will not pay any more tax or penalties or interest in respect of the matters covered by this Ruling.

Further, if we think that this Ruling disadvantages you, we may apply the law in a way that is more favourable to you.

Ruling

- 1. This Determination sets out the amounts that the Commissioner considers are reasonable (reasonable amounts) for the substantiation exception¹ in Subdivision 900-B of the *Income Tax Assessment Act 1997* (ITAA 1997)² for the 2019–20 income year in relation to claims made by employees for:
 - overtime meal expenses for food and drink when working overtime
 - domestic travel expenses for accommodation, food and drink, and incidentals when travelling away from home overnight for work (particular reasonable amounts are given for employee truck drivers, office holders covered by the Remuneration Tribunal and Federal Members of Parliament), and
 - overseas travel expenses for food and drink, and incidentals when travelling overseas for work.
- 2. The approach outlined can only be used where you receive an allowance to cover the particular expenses you are claiming for example, you received an accommodation allowance and are claiming accommodation expenses. This Determination is not relevant to you where you do not receive an allowance to cover your expenses.
- 3. The reasonable amounts only provide the maximum amount you can claim without being required to substantiate your expenditure (refer to paragraph 33 of TR 2004/6). If

¹ This Determination should be read together with Taxation Ruling TR 2004/6 *Income tax: substantiation exception for reasonable travel and overtime meal allowance expenses* which explains the substantiation exception and the way in which these expenses are able to be claimed.

² All legislative references are to the ITAA 1997 unless otherwise indicated.

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you rely on the reasonable amounts and the ATO checks your income tax return, you will still be required to show:

- you spent the money in performing your work duties (for example, in travelling away from home overnight on a work trip)
- how you worked out your claim (for example, you kept a diary)
- you spent the money yourself (for example, using your credit card statement or other banking records) and were not reimbursed (for example, a letter from your employer), and
- you correctly declared your allowance as income in your tax return.

Reasonable amount for overtime meal expenses

4. For the 2019–20 income year the reasonable amount for overtime meal expenses is \$31.25.

Example 1

- 5. Samantha works for the local government. She is asked to work overtime one night to complete an urgent task. Samantha works her eight-hour day followed by four hours of overtime. Samantha receives an overtime meal allowance of \$14.98 pursuant to her agreement which is shown on her payment summary. During the overtime Samantha takes a rest break to get a meal and returns to continue her overtime. Samantha spends \$20 on her meal.
- 6. Because Samantha has spent less than the reasonable amount for overtime meal expenses, she can claim a deduction for the \$20 she spends and she is not required to substantiate the expenditure (for example, get and keep the receipt for the meal).
- 7. If Samantha's tax return is checked by the ATO she may be asked to explain her claim for deduction. To do this, Samantha would show that she worked overtime, that she was paid an overtime meal allowance under an industrial instrument, that she correctly declared this allowance as income in her tax return, and that she costed her meal at \$20 based on the cost of the curry and drink she purchased from a nearby Thai restaurant.
- 8. If Samantha had spent more than the reasonable amount and wanted to claim the higher amount that she spent, she would need to get and keep the receipt for the meal.
- 9. If Samantha's overtime meal allowance was not shown on her payment summary and she fully spent the allowance, she can choose to leave it out of her tax return and not claim a deduction for the meal she purchases when working overtime.

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Reasonable amounts for domestic travel expenses

- 10. The following reasonable amounts do not apply to employee truck drivers³, office holders covered by the Remuneration Tribunal⁴, or Federal Members of Parliament.⁵
- 11. Reasonable amounts are provided for three salary levels. Salary excludes any allowances received. Use Table 1 if your salary is \$124,480 and below. Use Table 2 if your salary is between \$124,481 and \$221,550. Use Table 3 if your salary is \$221,551 or more.
- 12. Reasonable amounts are given for:
 - accommodation at daily rates (for domestic travel only)
 - meals (showing breakfast, lunch and dinner), and
 - expenses incidental to travel.
- 13. These amounts are shown for the following travel destinations:
 - each Australian State and Territory capital city (see Tables 1 to 3 of this Determination)
 - certain specified high cost regional and country centres (see Table 4 of this Determination for individual amounts)
 - other specified regional and country centres (a common amount is given for locations listed in Table 5 of this Determination), and
 - all other regional and country centres (a common amount is given for all locations not listed in Tables 4 or 5 of this Determination).
- 14. The reasonable amount for accommodation applies only for short stays in commercial establishments like hotels, motels and serviced apartments. If a different type of accommodation is used (for example, a hostel or caravan park), the reasonable amount cannot be used even if you receive an allowance.
- 15. The reasonable amount for meals depends on the period and time of travel. That is, the reasonable amounts only apply to meals (that is, breakfast, lunch and dinner) that fall within the time of day from the commencement of your travel to the end of your travel that is covered by the allowance. For example, if you leave at 10.00am on Monday and return home at 3.00pm on Tuesday you can apply the reasonable amounts for lunch and dinner on Monday and breakfast and lunch on Tuesday.
- 16. The reasonable amount for incidentals applies in full to each day of travel covered by the allowance, without the need to apportion for any part-day travel on the first and last day.

⁴ Paragraphs 66 to 69 of TR 2004/6 say claims made by office holders covered by the Remuneration Tribunal are considered to be reasonable amounts if they do not exceed the rate of allowances set by the Remuneration Tribunal for that office holder.

³ See paragraphs 23 to 30 of this Determination for the rates for truck drivers.

⁵ Paragraphs 70 and 71 of TR 2004/6 say travel allowances paid to Federal Members of Parliament and Federal Parliamentary Secretaries, under the arrangements that commenced on 14 April 1998, are considered reasonable amounts for the recipients of those allowances. This includes the capital city and Canberra travel allowance rates for domestic travel, having regard to the circumstances under which those allowances are paid.

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17. The reasonable amounts for domestic travel expenses, according to salary levels and destinations, for the 2019–20 income year, are shown in Tables 1 to 5 of this Determination as follows:

Table 1: Employee's annual salary – \$124,480 and below				
Place	Accomm. (\$)	Food and drink (\$) Incidentals (\$) Da breakfast 28.15 Iunch 31.65 dinner 53.90		Daily total (\$)
Adelaide	157	as above	20.05	290.75
Brisbane	175	as above	20.05	308.75
Canberra	168	as above	20.05	301.75
Darwin	220	as above	20.05	353.75
Hobart	147	as above	20.05	280.75
Melbourne	173	as above	20.05	306.75
Perth	180	as above	20.05	313.75
Sydney	188	as above	20.05	321.75
High cost country centres	see Table 4	as above	20.05	variable
Tier 2 country centres (see Table 5)	134	breakfast 25.20 lunch 28.75 dinner 49.60	20.05	257.60
Other country centres	114	breakfast 25.20 lunch 28.75 dinner 49.60	20.05	237.60

Table 2: Employee's annual salary – \$124,481 to \$221,550					
Place	Accomm. (\$)	breakfast 30.60 (\$) lunch 43.35 dinner 60.65		Daily total (\$)	
Adelaide	208	as above	28.70	371.30	
Brisbane	257	as above	28.70	420.30	
Canberra	246	as above	28.70	409.30	
Darwin	293	as above	28.70	456.30	
Hobart	196	as above	28.70	359.30	
Melbourne	228	as above	28.70	391.30	
Perth	245	as above	28.70	408.30	
Sydney	251	as above	28.70	414.30	
High cost country centres	see Table 4	as above	28.70	variable	
Tier 2 country centres (see Table 5)	152	breakfast 28.15 lunch 28.75 dinner 56.05	28.70	293.65	
Other country centres	134	breakfast 28.15 lunch 28.75 dinner 56.05	28.70	275.65	

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Table 3: Employee's annual salary – \$221,551 and above					
Place	Accomm. (\$)	Food and drink (\$) breakfast 36.10 lunch 51.15 dinner 71.55	Incidentals (\$)	Daily total (\$)	
Adelaide	209	as above	28.70	396.50	
Brisbane	257	as above	28.70	444.50	
Canberra	246	as above	28.70	433.50	
Darwin	293	as above	28.70	480.50	
Hobart	196	as above	28.70	383.50	
Melbourne	265	as above	28.70	452.50	
Perth	265	as above	28.70	452.50	
Sydney	265	as above	28.70	452.50	
All country centres	\$195, or the relevant amount in Table 4 if higher	as above	28.70	variable	

Table 4: High cost country centres – accommodation expenses			
Country centre	\$	Country centre	\$
Albany (WA)	179	Kalgoorlie (WA)	172
Alice Springs (NT)	150	Karratha (WA)	215
Ballarat (VIC)	148	Katherine (NT)	158
Bathurst (NSW)	135	Kununurra (WA)	204
Bega (NSW)	145	Launceston (TAS)	141
Benalla (VIC)	137	Mackay (QLD)	161
Bendigo (VIC)	135	Maitland (NSW)	152
Bordertown (SA)	149	Mount Gambier (SA)	137
Bourke (NSW)	165	Mount Isa (QLD)	160
Bright (VIC)	162	Mudgee (NSW)	146
Broken Hill (NSW)	139	Muswellbrook (NSW)	143
Broome (WA)	220	Newcastle (NSW)	169
Bunbury (WA)	155	Newman (WA)	170
Burnie (TAS)	164	Norfolk Island (NSW)	190
Cairns (QLD)	153	Northam (WA)	140
Carnarvon (WA)	156	Orange (NSW)	155
Castlemaine (VIC)	146	Port Hedland (WA)	175
Chinchilla (QLD)	143	Port Lincoln (SA)	170
Christmas Island (WA)	184	Port Macquarie (NSW)	158
Cocos (Keeling) Islands (WA)	302	Port Pirie (SA)	150
Coffs Harbour (NSW)	137	Queanbeyan (NSW)	139
Colac (VIC)	138	Queenstown (TAS)	136

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Dalby (QLD)	162	Roma (QLD)	139
Dampier (WA)	175	Shepparton (VIC)	145
Derby (WA)	170	Swan Hill (VIC)	136
Devonport (TAS)	158	Tennant Creek (NT)	146
Emerald (QLD)	156	Toowoomba (QLD)	144
Esperance (WA)	155	Thursday Island (QLD)	200
Exmouth (WA)	190	Townsville (QLD)	143
Geraldton (WA)	165	Wagga Wagga (NSW)	144
Gladstone (QLD)	155	Wangaratta (VIC)	139
Gold Coast (QLD)	209	Weipa (QLD)	138
Gosford (NSW)	140	Whyalla (SA)	145
Halls Creek (WA)	170	Wilpena-Pound (SA)	193
Hervey Bay (QLD)	157	Wollongong (NSW)	155
Horn Island (QLD)	200	Wonthaggi (VIC)	146
Horsham (VIC)	148	Yulara (NT)	400
Jabiru (NT)	216		

Table 5: Tier 2 country centres			
Country centre	Country centre		
Albury (NSW)	Kadina (SA)		
Ararat (VIC)	Kingaroy (QLD)		
Armidale (NSW)	Lismore (NSW)		
Ayr (QLD)	Mildura (VIC)		
Bairnsdale (VIC)	Naracoorte (SA)		
Bundaberg (QLD)	Nowra (NSW)		
Ceduna (SA)	Port Augusta (SA)		
Charters Towers (QLD)	Portland (VIC)		
Cooma (NSW)	Renmark (SA)		
Dubbo (NSW)	Rockhampton (QLD)		
Echuca (VIC)	Sale (VIC)		
Geelong (VIC)	Seymour (VIC)		
Goulburn (NSW)	Tamworth (NSW)		
Griffith (NSW)	Tumut (NSW)		
Gunnedah (NSW)	Warrnambool (VIC)		
Hamilton (VIC)	Wodonga (VIC)		
Innisfail (QLD)			

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Example 2

18. Michelle is an accountant earning \$145,000 a year. As part of her duties, she is required to travel to and work in Sale for four days and three nights each month. Michelle's employer pays for her accommodation directly and gives her a meal and incidental allowance of \$80 per day for the four days of travel. This allowance is shown on her payment summary. Michelle's usual pattern is to eat three times a day, spending \$20 on breakfast, \$25 on lunch and \$40 on dinner (that is, a total of \$85 per day). Michelle calculates the daily reasonable amount for meals and incidentals as follows:

- Table 2 of this Determination applies because Michelle's salary is between \$124,481and \$221,550
- Sale is listed as a Tier 2 country in Table 5 of this Determination
- Table 2 of this Determination provides reasonable amounts for Tier 2 country centres as \$112.95 per day for meals and \$28.70 per day for incidentals (that is, a total of \$141.65 per day).
- 19. Because Michelle has spent less than the reasonable amount on meals and incidentals, she can claim a deduction for the \$85 per day that she spends on meals and she is not required to substantiate the expenditure (for example, get and keep all of the receipts for the meals). Michelle cannot claim anything for accommodation because her employer paid for it.
- 20. If Michelle's tax return is checked by the ATO she may be asked to explain her claim for deduction. To do this Michelle would show she travelled to and worked in Sale for four days each month, that she received an allowance for the meals and incidentals for each day she travelled, that she correctly declared this allowance as income in her tax return, and that she typically spent \$85 a day on meals and incidental expenses (for example, by reference to diary entries, bank records and receipts that she kept for some of the trips).
- 21. If Michelle had spent more than the reasonable amount on meals and incidentals and wanted to claim the higher amount that she spent, she would need to get and keep all of the receipts.
- 22. If Michelle's meal and incidental allowance was not shown on her payment summary and she fully spent the allowance, she can choose to leave it out of her tax return and not claim any deductions for the meals and incidentals that she purchases whilst travelling and working in Sale.

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Reasonable amounts for domestic travel expenses for employee truck drivers⁶

23. Reasonable amounts are given for meals (breakfast, lunch and dinner). The amounts are for all domestic travel destinations (that is, capital cities, regional and country centres). For the 2019–20 income year, the relevant amounts are as set out in Table 5a:

Table 5a: Employee truck driver's meals (food and drink)				
Breakfast Lunch Dinner				
\$25.20	\$28.75	\$49.60		

- 24. The amounts for each of these meal breaks are separate and cannot be aggregated into a single daily amount. This is of particular importance for the days on which travel commences and ends, when some meals may not be deductible because they are not consumed in the course of work travel. A driver's work diary (as maintained for fatigue management purposes) can be used to demonstrate when meal breaks were taken, since employee truck drivers may take meal breaks at different times of the day compared to other taxpayers. It should also be noted that amounts can't be moved from one meal to another (for example, if the full amount for breakfast is not expended, it cannot be carried over to lunch or dinner).
- 25. The deduction allowed for each meal is the amount actually spent and not simply the reasonable amount specified in paragraph 23 of this Determination. Although the formal substantiation requirements don't apply for claims up to the reasonable amount, taxpayers should still be able to demonstrate the basis for their claims. Example 3 of this Determination shows how this can be done.
- 26. All accommodation expenses and incidental expenses (for example, the cost of a shower) incurred by employee truck drivers as part of work-related travel must be substantiated with written evidence (for example, a receipt).

Example 3

- 27. Glenn is an employee truck driver. He is required to drive from Melbourne, Victoria to Adelaide, South Australia. Glenn leaves Melbourne at 9.00pm, sleeps away from home overnight in his truck cab, then drives back to Melbourne the following day. Glenn is paid a travel allowance of \$40 for each day. These amounts are shown on his payment summary.
- 28. Glenn stops around midnight at a 24-hour truck stop in Horsham and spends \$25 on food and drink. He then continues to Adelaide where he snacks on a sandwich and fruit that he brought from home, before having a sleep in the truck cab. In the morning Glenn spends \$20 on food and drink at the truck stop where he parked overnight. After the truck is unloaded and reloaded Glenn heads to Bordertown, South Australia where he stops for lunch. Here he spends \$25 on food and drink. He then continues to Melbourne arriving at 5.00pm, snacking on almonds and water that he brought from home as he drives.
- 29. Because Glenn spent less than the reasonable amount for each of dinner, breakfast and lunch, he can claim a deduction for the full amount that he spent on those meals (\$70) and is not required to obtain and keep all of the receipts for these meals. He

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⁶ For further information on truck drivers refer to paragraphs 72 to 75 of TR 2004/6 and to Taxation Ruling TR 95/18 *Income tax: employee truck drivers-allowances, reimbursements and work-related deductions.*

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may still need to provide a reasonable explanation of the expenses and so the receipts could be useful in demonstrating a pattern (see paragraph 30 of this Determination).

30. If Glenn's tax return is checked by the ATO he may be asked to explain his claim for these amounts. Glenn would need to show that he travelled to and from Adelaide (for example, his work diary), that he received an allowance for the meals for each day that he travelled, that he correctly declared this allowance as income in his tax return, and demonstrate his typical spending pattern on meals. This could be by reference to diary entries, bank records and receipts kept for some (a representative sample) of his trips.

Reasonable amounts for overseas travel expenses

- 31. If you are travelling overseas and are away from your usual residence for six or more nights in a row, you must still keep travel records even if you rely on the reasonable amounts and don't have to substantiate your expenses. Travel records may include ticketing information, diary entries or other information setting out the nature of your travel, the day and time it began, how long it lasted and where you travelled.
- 32. Reasonable amounts are provided for three salary levels. Salary excludes any allowances received.
 - Use Table 6 of this Determination if your salary is \$124,480 and below.
 - Use Table 7 of this Determination if your salary is between \$124,481 and \$221,550.
 - Use Table 8 of this Determination if your salary is \$221,551 or more.
- 33. Reasonable amounts are given for:
 - meals (showing breakfast, lunch and dinner), and
 - expenses incidental to travel.

Any expenditure on accommodation overseas must be fully substantiated.

- 34. Reasonable amounts are shown for cost groups to which a country has been allocated. Table 9 of this Determination sets out the cost group to which a country has been allocated.
- 35. If you travel to a country that is not shown in Table 9 of this Determination, use the reasonable amount for Cost Group 1 in the table relevant to your salary range.
- 36. If you travel to two or more countries in the same day, use the cost group of the country that is in the higher cost group in determining the reasonable amount for that day.
- 37. The reasonable amount for incidentals applies in full to each day of travel covered by the allowance, without the need to apportion for any part-day travel on the first and last day.

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38. The reasonable amounts for overseas travel expenses per day according to salary levels and cost groups for the 2019–20 income year are shown in Tables 6 to 9 of this Determination as follows:

Table 6: Employee's annual salary – \$124,480 and below				
Cost Group	Meals	Incidentals	Total	
1	\$60	\$25	\$85	
2	\$95	\$30	\$125	
3	\$130	\$35	\$165	
4	\$170	\$35	\$205	
5	\$200	\$40	\$240	
6	\$240	\$45	\$285	

Table 7	Table 7: Employee's annual salary – \$124,481 to \$221,550					
Cost Group	Meals	Incidentals	Total			
1	\$75	\$25	\$100			
2	\$110	\$35	\$145			
3	\$150	\$40	\$190			
4	\$190	\$45	\$235			
5	\$240	\$50	\$290			
6	\$295	\$50	\$345			

Table 8: Employee's annual salary – \$221,551 and above					
Cost Group	Meals	Incidentals	Total		
1	\$95	\$30	\$125		
2	\$140	\$40	\$180		
3	\$185	\$45	\$230		
4	\$235	\$50	\$285		
5	\$295	\$60	\$355		
6	\$340	\$60	\$400		

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Table 9: Table of countries							
Country	Cost Group	Country	Cost Group	Country	Cost Group	Country	Cost Group
Albania	2	Ecuador	4	Laos	3	Rwanda	3
Algeria	3	Egypt	3	Latvia	4	Saint Lucia	5
Angola	4	El Salvador	3	Lebanon	5	Saint Vincent	4
Antigua and Barbuda	6	Eritrea	4	Lithuania	3	Samoa	4
Argentina	2	Estonia	4	Luxembourg	5	Saudi Arabia	4
Armenia	3	Ethiopia	3	Macau	5	Senegal	4
Austria	5	Fiji	3	Malawi	3	Serbia	3
Azerbaijan	3	Finland	6	Malaysia	3	Sierra Leone	3
Bahamas	6	France	5	Mali	3	Singapore	6
Bahrain	5	French Polynesia	6	Malta	4	Slovakia	4
Bangladesh	4	Gabon	6	Mauritius	4	Slovenia	3
Barbados	6	Gambia	2	Mexico	3	Solomon Islands	4
Belarus	2	Georgia	2	Monaco	6	South Africa	2
Belgium	5	Germany	5	Morocco	4	Spain	5
Bermuda	6	Ghana	4	Mozambique	3	Sri Lanka	3
Bolivia	3	Gibraltar	4	Myanmar	3	Sudan	2
Bosnia	2	Greece	4	Namibia	2	Surinam	2
Brazil	3	Guatemala	4	Nepal	3	Sweden	5
Brunei	3	Guyana	4	Netherlands	5	Switzerland	6
Bulgaria	3	Hong Kong	5	New Caledonia	5	Taiwan	4
Burkina Faso	3	Hungary	3	New Zealand	4	Tanzania	3
Cambodia	1	Iceland	6	Nicaragua	3	Thailand	4
Cameroon	4	India	<u> </u>		Tonga	3	
Canada	4	Indonesia	3	North Macedonia	2	Trinidad and Tobago	6
Chile	3	Iran	1	Norway	6	Tunisia	2
China	5	Iraq	5	Oman	6	Turkey	3
Colombia	3	Ireland	5	Pakistan	2	Uganda	3
Congo Democratic Republic	5	Israel	6	Panama	4	Ukraine	3
Cook Islands	4	Italy	5	Papua New Guinea	4	United Arab Emirates	6
Costa Rica	3	Jamaica	4	Paraguay	2	United Kingdom	5
Cote D'Ivoire	4	Japan	5	Peru	4	United States of America	5
Croatia	3	Jordan	6	Philippines	3	Uruguay	3
Cuba	3	Kazakhstan	2	Poland	3	Vanuatu	4
Cyprus	4	Kenya	4	Portugal	4	Vietnam	3
Czech Republic	3	Korea	6	Puerto Rico	5	Zambia	3
Denmark	6	Kosovo	2	Qatar	6		
Dominican Republic	4	Kuwait	5	Romania	3		
East Timor	4	Kyrgyzstan	2	Russia	5		

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Example 4

39. Toby travels to China on business for two weeks and is paid a travel allowance of \$500 per day (made up of \$250 for meals and incidentals and \$250 for accommodation). Toby's annual salary is \$191,000. Toby usually spends \$250 per day on meals and incidentals and \$300 per night on accommodation when travelling in China. Toby calculates the daily reasonable amount for his overseas travel as follows:

- Table 7 of this Determination applies because Toby's salary is between \$124,481 and \$221,550
- Table 9 of this Determination lists China as Cost Group 5, and
- Table 7 of this Determination provides reasonable amounts for meals and incidental expenses for Cost Group 5 as \$240 per day for meals and \$50 per day for incidentals (that is, a total of \$290 per day).
- 40. Because Toby has spent less than the reasonable amount on meals and incidentals, he can claim a deduction for the \$250 per day that he spends and he is not required to substantiate the expenditure (for example, get and keep all of the receipts for the meals and incidentals). Because he has spent more than six nights away in a row, Toby must keep travel records for the two weeks he is in China. Toby can claim a deduction for the \$300 per day he spends on accommodation but he must fully substantiate this expenditure (by getting and keeping a receipt or other documentary evidence of the expenditure).
- 41. If Toby's tax return is checked by the ATO he may be asked to explain his claim for deduction. To do this Toby would show he travelled to China for work, that he received an allowance for the meals and incidentals for each day he travelled, that he correctly declared this allowance as income in his tax return, and that he typically spent \$250 a day on meals and incidental expenses (for example, by reference to diary entries, bank records and some receipts that he kept).
- 42. If Toby's travel allowances were not shown on his payment summary and he fully spent the allowance, he can choose to leave them out of his tax return and not claim any deductions for the meals and incidentals he purchases when travelling and working in China.

Date of effect

43. This Determination applies to the 2019–20 income year only. However, this Determination will not apply to taxpayers to the extent that it conflicts with the terms of settlement of a dispute agreed to before the date of issue of this Determination (see paragraphs 75 to 76 of Taxation Ruling TR 2006/10 *Public Rulings*).

Commissioner of Taxation

3 July 2019

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References

Previous draft: Previous Rulings/Determinations:

Not previously issued as a draft TD 2014/19; TD 2015/14; TD 2016/13;

TD 2017/19, TD 2018/11

Related Rulings/Determinations:

TR 95/18; TR 2004/6; TR 2006/10 Legislative references:

- ITAA 1997

- ITAA 1997 Subdiv 900-B

- TAA 1953

ATO references

NO: 1-IAVIDBG ISSN: 2205-6211 BSL: IND

ATOlaw topic: Income tax ~~ Deductions ~~ Work related expenses ~~ Accommodation and

meal expenses

Income tax ~~ Deductions ~~ Work related expenses ~~ Travel expenses

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FINANCIAL PERFORMANCE REPORT

March 2020



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INTRODUCTION

This report provides financial information for the period 1 July 2019 to 31 March 2020.

It provides information on Council's operating performance via the Operating Statement and Council's financial position as at 31 March 2020 via the Balance Sheet. A summary statement of Capital Works is also included for Council's information.

Figures included in these statements are for the financial year to date ended 31 March 2020. Year to date (YTD) figures are provided for actual results, along with the full year budget and the YTD allocation of that budget.

Where the YTD actual varies from the YTD budget allocation by more than 10% **and** \$20,000, **or** more than \$100,000 a variance explanation is given.

Information is also provided on some of the more pertinent financial indicators, including:

- Cash and investments
- Working capital
- Rates debtors outstanding
- Sundry debtors outstanding



OPERATING STATEMENT

The year to date Operating Statement is presented as per the AASB101 format for Council's information. Variances are calculated as YTD actuals less the YTD current budget, with the variance also being displayed as a percentage of the YTD current budget.

West Wimmera Shire Council Comprehensive Income Statement

1 July 2019 to 31 March 2020

	YTD Actual \$	Original Annual Budget	Revised Annual Budget	Annual Revised Budget Met %	YTD Budget	YTD Variance \$	YTD Variance %	Notes
Income	Ş	\$	\$	70	\$	ş	70	
Rates & Charges	7,745,167	7,754,087	7,754,087	99.88%	7,758,331	(13,164)	-0.2%	
Statutory Fees & Fines	97,446	141,029	141,029	69.10%	91,270	6,176	6.8%	
User Fees	338,784	396,330	385,610	87.86%	283,666	55,118	19.4%	1
Grants - Operating	4,027,126	7,396,301	7,939,026	50.73%	6,014,170	(1,987,044)	-33.0%	2
Grants - Capital	2,114,536	3,078,472	3,078,472	68.69%	1,670,072	444,464	26.6%	3
Contributions - Monetary	105,755	86,000	182,950	57.81%	182,950	(77,195)	-42.2%	4
Net Gain/(Loss) on Sale of Assets	24,980	90,000	90,000	27.76%	-	24,980	100.0%	5
Other Income	1,784,900	2,911,446	2,924,142	61.04%	2,176,556	(391,656)	-18.0%	6
Total Income	16,238,694	21,853,665	22,495,316	72.19%	18,177,015	(1,938,321)	-10.7%	
Expenses								
Employee Costs	6,043,001	7,707,400	7,777,162	77.70%	5,778,640	264,361	4.6%	7
Materials & Services	4,722,178	6,153,566	7,334,447	64.38%	5,634,106	(911,928)	-16.2%	8
Depreciation	5,248,691	6,998,255	6,998,255	75.00%	5,248,674	17	0.0%	
Borrowing Costs	-	7,000	7,000	0.00%	5,250	(5,250)	-100.0%	
Other Expenses	201,553	266,451	266,451	75.64%	191,818	9,735	5.1%	
Total Expenses	16,215,423	21,132,672	22,383,315	72.44%	16,858,488	(643,065)	-3.8%	
Surplus/(Deficit) from Operations	23,271	720,993	112,001	20.78%	1,318,527	(1,295,256)	-98.24%	
Total Comprehensive Result	23,271	720,993	112,001	20.78%	1,318,527	(1,295,256)	-98.24%	



Notes	
1. User Fees	User Fees are currently 19.4% (\$55,118) higher than anticipated for the financial year to date. This can be attributed to higher than expected reimbursements for private works.
2. Grants - Operating	Operating grants received by Council are 33% (\$1.99m) behind the year to date budget. This variance is predominantly due to a timing difference between the budget and receipt of Victorian Grants Commission funding.
3. Grants – Capital	Capital grants received by Council to 31 March 2020 are 26.6% (\$444,464) higher than the year to date budget. This variance is largely due to the reversal of a prior year accounting accrual.
4. Contributions - Monetary	Monetary contributions are 42.2% (\$77,195) below the year to date budget. This is a result of a budget timing difference with the anticipated contributions to be received as part of the Edenhope Community Centre project. Council is confident that the contributions budget for this project will be met but had budgeted for them to be received earlier than they will be.
5. Net Gain/(Loss) on Sale of Assets	The net gain/(loss) on sale of assets will be reconciled at yearend, as part of the asset reconciliation process.
6. Other Income	Other income is 18% (\$391,656) below budget at 31 March 2020 due to the timing of VicRoad works and subsequent reimbursement.
7. Employee Costs	Employee costs are 4.6% (\$264,361) above the year to date budget. This is mainly due to sick leave being higher than anticipated, with several staff currently on long term sick leave.
8. Materials & Services	Materials and services show a variance of 16.2% (\$911,928) below the year to date budget. This is predominantly due to contractor and material expenses in relation to the Edenhope & Districts Community Centre Redevelopment Project, having not yet been incurred.



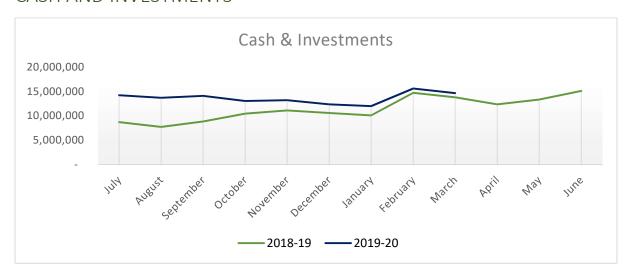
BALANCE SHEET

West Wimmera Shire Council Balance Sheet As at 31 March 2020

	\$	\$
ASSETS	31-Mar-20	31-Mar-19
Current Assets		
Cash & Investments	14,666,547	13,464,224
Rate Debtors	648,788	603,372
Sundry Debtors	381,428	611,857
Other Financial Assets	26,994	10,716
Inventories	287,209	230,877
Current Assets Total	16,010,966	14,921,047
Non Current Assets		
Investments in Associates	435,500	430,460
Other Non-Current Assets	160,000	180,000
Property, Infrastructure, Plant & Equipment	196,036,074	220,311,841
Non Current Assets Total	196,631,575	220,922,301
TOTAL ASSETS	212,642,541	235,843,347
LIABILITIES		
Current Liabilities		
Trade & Other Payables	458,584	531,379
Trust Funds & Deposits	24,319	24,319
Provisions	2,024,937	1,701,026
Current Liabilities Total	2,507,840	2,256,724
Non Current Liabilities		
Provisions	579,421	592,215
Non Current Liabilities Total	579,421	592,215
TOTAL LIABILITIES	3,087,261	2,848,938
NET ASSETS	209,555,280	232,994,409
EQUITY		
Accumulated Surplus/(Deficit)	43,784,924	38,503,728
Reserves	165,770,356	194,490,681
TOTAL EQUITY	209,555,280	232,994,409

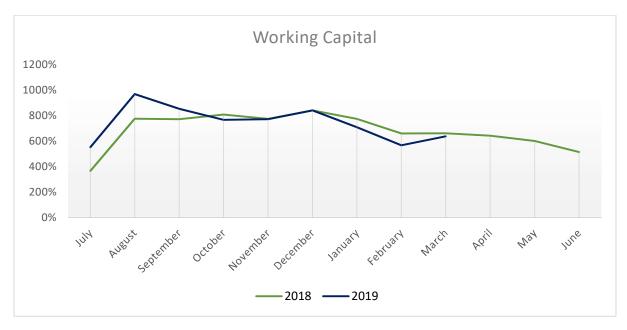


CASH AND INVESTMENTS



As at 31 March 2020, Council was holding a total of \$14.67m in cash and investments. As seen in the above graph, this is an increase of \$0.85m from the same time last financial year. Council's current cash position includes the receipt of approximately \$4.9m of rate payments during February and March.

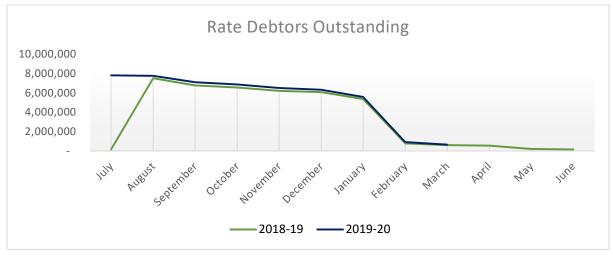
WORKING CAPITAL



Council continues to hold a strong working capital level, with current assets at 638% of current liabilities as at 31 March 2020. This is fairly consistent with the working capital level at the same time last financial year, being 23% lower.

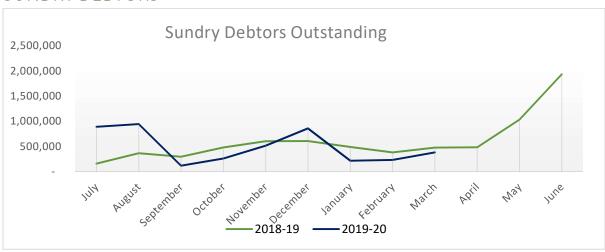


RATE DEBTORS



Council raised \$7.1 million in rates and charges in July 2019. Approximately 65% of Council's ratepayers opt not to pay through the instalment option – for these ratepayers 100% of their rates are due by the end of February 2020. Therefore, as expected, Council saw a significant decline in rates debtors during the March quarter to bring the total rate debtors outstanding at 31 March 2020 to \$0.65m.

SUNDRY DEBTORS



The total outstanding sundry debtors at 31 March 2020 was \$0.38m, a decrease of \$1.55m since 30 June 2019 and \$94,000 lower than at the same time last financial year.



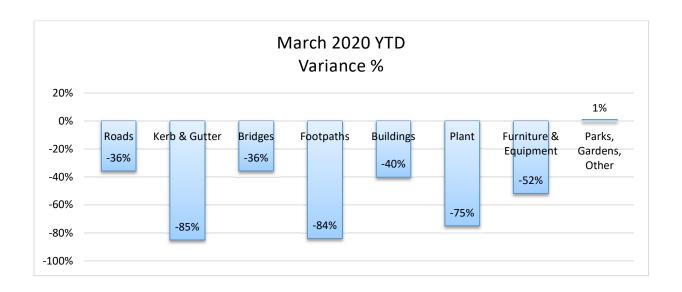
CAPITAL WORKS

A summary of Council's capital works as at 31 March 2020 is presented. As with the operating statement, variances are calculated as YTD actuals less the YTD current budget, with the variance also being displayed as a percentage of the YTD current budget.

Notes and explanations are provided where the variances exceed 10% **and** \$20,000, **or** where the \$ variance is greater than \$100,000.

West Wimmera Shire Council Capital Works As at 31 March 2020

	YTD	Annual Current	YTD Current	YTD	YTD Variance	
Program	Actuals (\$)	Budget (\$)	Budget (\$)	Variance (\$)	(%)	Note
Roads	3,856,364	6,641,250	6,001,531	-2,145,167	-35.7%	1
Kerb & Gutter	18,143	131,093	120,244	-102,101	-84.9%	2
Bridges	248,421	435,262	385,262	-136,841	-35.5%	3
Footpaths	20,953	155,852	129,259	-108,306	-83.8%	4
Buildings	1,139,837	1,930,123	1,898,728	-758,891	-40.0%	5
Plant	351,800	1,404,001	1,390,629	-1,038,829	-74.7%	6
Furniture & Equipment	13,396	31,500	27,750	-14,354	-51.7%	
Parks, Gardens, Other	392,527	391,077	388,577	3,950	1.0%	
<u> </u>	·		•			
Total	6,041,443	11,120,158	10,341,980	-4,300,537	-41.6%	





	Capital Works - Variance Notes					
1.	Roads	Capital works on roads are currently 35.7% (\$2.1m) lower than the budget for the year to date. This is mainly due to budget timing differences, with planned works expected to be completed during the last quarter of 2019/20.				
2.	Kerb & Gutter	Capital works on kerb and gutter are currently 84.9% (\$102,101) lower than the budget for the year to date. As with the capital works on roads, this is due to budget timing differences, with planned works yet to be completed.				
3.	Bridges	Capital works on bridges are 35.5% (\$136,841) below budget for the year to date. This is due to budget timing differences, with work expected to be carried out during the final quarter of the 2019/20 financial year.				
4.	Buildings	Capital works on buildings are currently 40% (\$758,891) lower than anticipated for the financial year to date. This is mainly due to planned works, including those to the Edenhope & Districts Community Centre, which are expected to progress as planned during the next quarter.				
5.	Plant	Plant purchases are currently 56% (\$388,908) below budget for the year to date. This is due to budget timing differences, with several budgeted plant items yet to be purchased.				