

WELLINGTON CITY COUNCIL ORDINARY MEETING

MINUTES

THURSDAY 6 APRIL 2006

9.16 – 9.17AM 3.16 – 5.29PM

COUNCIL CHAMBER
FIRST FLOOR, TOWN HALL
WAKEFIELD STREET
WELLINGTON

PRESENT:

Mayor Prendergast

Councillor Ahipene-Mercer

Councillor Armstrong

Councillor Foster

Councillor Gill

Councillor Goulden

Councillor McKinnon

Councillor Morrison (9.16 – 9.17am, 3.28 – 5.29pm)

Councillor Pepperell

Councillor Ruben

Councillor Shaw

Councillor Wade-Brown

Councillor Wain

APOLOGIES:

Councillor Cook

LEAVE OF ABSENCE:

Councillor Ritchie

047/06C ADJOURNMENT OF MEETING

(1215/11/IM)

Moved Mayor Prendergast, seconded Councillor Wain, the motion that the Council meeting adjourn until the conclusion of the Strategy and Policy Committee meeting.

The motion was <u>put</u> and <u>CARRIED</u> on voices.

RESOLVED:

THAT Council:

1. Adjourn this Council meeting until the conclusion of the Strategy and Policy Committee meeting.

(The meeting adjourned at 9.17am.)

(The meeting reconvened at 3.16pm.)

(Councillor Wade-Brown joined the meeting at 3.16pm.)

048/06C **APOLOGIES**

(1215/11/IM)

Moved Mayor Prendergast, seconded Councillor Shaw the motion that Council accept apologies for absence from Councillor Cook and note Councillor Ritchie's leave of absence.

The motion was <u>put</u> and declared <u>CARRIED</u> on <u>voices</u>.

RESOLVED:

THAT Council

- 1. Accept apologies for absence from Councillor Cook.
- 2. Note Councillor Ritchie's leave of absence.

049/06C PUBLIC PARTICIPATION

(1215/11/IM)

NOTED:

There was no public participation.

050/06C ANNOUNCEMENTS BY THE MAYOR

(1215/11/IM)

NOTED:

There were no announcements from the Mayor.

051/06C **PETITIONS**

(1215/11/IM)

NOTED:

There were no petitions presented.

052/06C CONFLICT OF INTEREST DECLARATIONS

(1215/11/IM)

NOTED:

There were no conflicts of interest declared.

053/06C STRATEGY AND POLICY COMMITTEE

Meeting Thursday 6 April 2006.

(1215/11/IM) (REPORT 1)

ITEM 067/06C COUNCIL POSITION ON THE WESTERN CORRIDOR PLAN

(1215/52/IM) (REPORT 1)

Moved Mayor Prendergast, seconded Councillor Shaw, the substantive motion.

The substantive motion recommendation 1(vi) was put.

Voting for: Mayor Prendergast, Councillors Armstrong, Foster,

Gill, Goulden, McKinnon, Shaw and Wain.

Voting against: Councillors Ahipene-Mercer, Pepperell, Ruben and

Wade-Brown.

Majority Vote: 8:4

The substantive motion recommendation 1(vi) was declared <u>CARRIED</u>.

The remainder of the substantive motion was put.

Voting for: Mayor Prendergast, Councillors Ahipene-Mercer,

Armstrong, Foster, Gill, Goulden, McKinnon, Pepperell, Ruben, Shaw, Wade-Brown, Wain.

Voting against: Nil.

Majority Vote: 12:0

The remainder of the substantive motion was declared **CARRIED**.

RESOLVED:

- 1. Agree the following position on the Western Corridor Plan:
 - (i) Note Council agreed to the Hearings Subcommittee process to consider the Western Corridor options.
 - (ii) Note the overwhelming public support for Transmission Gully to proceed without delay.
 - (iii) Note that while the Hearings Subcommittee has found that Transmission Gully performs poorly against existing benefit-cost ratio criteria, it takes a wider view and identifies the need to change funding criteria in the case of such "critical, strategic and special" projects.
 - (iv) Note that the Hearings Subcommittee found that Transmission Gully had unique characteristics that warrant this status which might include:
 - its strategic importance to maintain a link between the North and South Islands and access to the Capital, a city vulnerable to earthquake risk;
 - its strategic importance as a project that supports the future growth of the region;
 - the scale of the project and unsuitability for staged construction which makes it difficult to accommodate in a 10 or even 20 year roading programme;
 - the difficult terrain for construction that potentially puts it beyond the means of the regional community.
 - (v) Support Transit and Land Transport New Zealand developing a case for new funding criteria to determine whether or not "critical, strategic and special" projects with low benefit cost ratios should be funded.

- (vi) In light of having agreed to the process and the public feedback through the consultation process, accept subject to the provisions below, the main conclusion of the Hearings Subcommittee that Transmission Gully should proceed.
 - (a) That Transmission Gully should not be funded at the expense of essential public transport and roading projects required to meet the transport needs of all communities in the region and ensure their future growth and prosperity
 - (b) That in particular, projects in the Ngauranga to Airport Corridor must not be compromised.
 - (c) That in particular, the proposed Grenada to Hutt Valley link must not be compromised.
 - (d) That concrete regulatory land use controls and other mechanisms be introduced potentially including land ownership and binding access limitations to avoid generating urban sprawl by relevant local authorities
 - (e) That mechanisms be urgently investigated to reduce induced traffic growth and avoid adverse impact on passenger transport patronage, including the investigation of congestion charging on the Western Corridor.
 - (f) The early implementation of passenger transport projects in advance of the completion of Transmission Gully to help ensure public transport patronage is maintained and enhanced.
- 2. Request the Regional Land Transport Committee to consider seriously how to respond to the clear scientific threat of climate change in terms of reducing emissions.
- 3. Agree that the Mayor convey the agreed position to the Regional Land Transport Committee meeting scheduled for 11 April 2006.

ELECTED MEMBER REMUNERATION: 2006/2007 FINANCIAL YEAR

(1215/52/IM) (1215/10/01) (REPORT 2)

Moved Councillor Shaw, seconded Mayor Prendergast, the substantive motion with an amendment to recommendation 8 (as follows) and recommendation 4 with the salary amounts (as follows).

"4. Recommend to Council that the following salaries be paid to the elected members of the Wellington City Council and the Tawa and Makara/Ohariu community boards for the 2006/2007 financial year and that the Council's proposal be referred to the Remuneration Authority for its approval:

Mayor	\$141,571 pa
Deputy Mayor	\$97,696 pa
Chair, Strategy & Policy Committee	\$94,543 pa
Portfolio Leader (x 5)	\$81,937 pa
Chair, Regulatory Processes Committee	\$75,634 pa
Chair, Audit & Risk Management Subcommittee	\$69,331 pa
Chair, Grants Subcommittee	\$69,331 pa
Councillor (x 4)	\$63,028 pa
Tawa Community Board Chair Elected Member (x 5)	\$19,431 pa \$7,431 pa
Makara/Ohariu Community Board Chair Elected Member (x 5)	\$12,015 pa \$4,691 pa

"8. THAT Council agree to amend the current mileage allowance rules, subject to the approval of the Remuneration Authority, to allow Councillors and community board members to claim mileage for attending formal briefings and discussions with the Mayor, Chief Executive, members of the Management Team or Business Unit Managers relating to official Council business and for which an elected member has been specifically invited to attend."

(Councillor Morrison returned to the meeting at 3.28pm.)

The substantive motion recommendation 1 was <u>put</u>.

Voting for: Mayor Prendergast, Councillors Ahipene-Mercer,

Armstrong, Foster, Gill, Goulden, McKinnon, Morrison, Ruben, Shaw, Wade-Brown and Wain.

Voting against: Councillor Pepperell.

Majority Vote: 12:1

The substantive motion recommendation 1 was declared CARRIED.

The substantive motion recommendations 2, 3, 4 (with the numbers as outlined above), 5, 6, 7, 9 and 10 were <u>put</u>.

Voting for: Mayor Prendergast, Councillors Ahipene-Mercer,

Armstrong, Foster, Gill, McKinnon, Morrison, Shaw,

Wade-Brown and Wain.

Voting against: Councillors Goulden, Pepperell and Ruben.

Majority Vote: 10:3

The substantive motion recommendations 2, 3, 4 (with the numbers as outlined above), 5, 6, 7, 9 and 10 were declared <u>CARRIED</u>.

The substantive motion recommendation 8 as amended was <u>put</u>.

Voting for: Mayor Prendergast and Councillors Ahipene-Mercer.

Voting against: Councillors Armstrong, Foster, Gill, Goulden,

McKinnon, Morrison, Pepperell, Ruben, Shaw, Wade-

Brown and Wain.

Majority Vote: 2:11

The substantive motion recommendation 8 as amended was declared LOST.

RESOLVED:

- 1. Receive the information.
- 2. Confirm the salary only model as its basis of remuneration for the elected members of the Wellington City Council for the 2006/2007 financial year.
- 3. Note that a review of the terms of reference and delegated authorities for both the Makara/Ohariu and Tawa community boards is nearing completion and that, as a result of the work done to date, no significant changes are proposed that would warrant an increase or decrease to the current level of remuneration paid to the Council's community board members, other than that proposed under recommendation 4 below.
- 4. Refer to the Remuneration Authority for its approval the following salaries be paid to the elected members of the Wellington City

Council and the Tawa and Makara/Ohariu community boards for the 2006/2007 financial year and that the Council's proposal be:

Mayor	\$141,571 pa
Deputy Mayor	\$97,696 pa
Chair, Strategy & Policy Committee	\$94,543 pa
Portfolio Leader $(x 5)$	\$81,937 pa
Chair, Regulatory Processes Committee	\$75,634 pa
Chair, Audit & Risk Management Subcommittee	\$69,331 pa
Chair, Grants Subcommittee	\$69,331 pa
Councillor (x 4)	\$63,028 pa
Tawa Community Board	
Chair	\$19,431 pa
Elected Member (x 5)	\$7,431 pa
Makara/Ohariu Community Board	
Chair	\$12,015 pa
Elected Member (x 5)	\$4,691 pa

Note:

- (a) The Mayor's salary is set by the Remuneration Authority.
- (b) These figures represent a salary increase of 3.83% for the Mayor and a 5.03% salary increase for all other elected members, including community board members.
- (c) The Tawa and Makara/Ohariu community boards have given their approval to the recommended remuneration rates for the elected members of their respective boards.
- (d) The new salary rates will come into effect on 1 July 2006, after the Remuneration Authority has approved the Council's remuneration proposal.
- (e) No additional payments are to be made to the two Northern Ward Councillors who have been appointed by the Council as members of the Tawa Community Board.
- 5. Note that it has recently come to the Council's attention that the Remuneration Authority would favourably consider a proposal which recommended a greater percentage of the total remuneration payable to the Council's community board members being met from the remuneration pool than the 50% (maximum) the Council understood was permitted. Based on that information another allocation option has been developed that will provide an across the board increase of 3.83% for all elected members (including the Mayor and community board members). Unfortunately, because of timing issues, the Tawa and Makara/Ohariu community boards have not had the opportunity to consider this option.
- 6. Confirms that the car currently supplied to the Mayor is for mayoral use only and that the Remuneration Authority be advised of this.

Note:

The Remuneration Authority has determined that "mayoral use only" means that the car can be used by other officers, can be driven home and garaged by the Mayor but does not permit any private use.

- 7. Agree to pay, subject to the approval of the Remuneration Authority, a home-based technology allowance of \$45 per month to the Chairs of the Tawa and Makara/Ohariu community boards to reimburse the incumbents of those positions a portion of the communication costs (i.e. business related phone calls, internet connection, fax machine etc) incurred by them in carrying out their duties.
- 8. Recommend to Council that it agree to amend the current mileage allowance rules, subject to the approval of the Remuneration Authority, to allow Councillors to claim mileage for attending briefings and discussions with the Mayor, Chief Executive, senior managers and officers.
- 8. Confirms its current rules and policies for the reimbursement of expenses to its elected members (with the exception of the changes proposed under recommendation 7) and that it be referred to the Remuneration Authority for approval.
- 9. Note it is required to notify the Remuneration Authority of any dissent expressed by members of the Council or its community boards in relation to the Council's final remuneration proposal.

REPRESENTATION REVIEW: CONSULTATION AND COMMUNICATIONS PLAN

(1215/52/IM) (1225/07/06/IM) (REPORT 3)

Moved Councillor Shaw, seconded Councillor Wade-Brown the substantive motion.

Moved Councillor Gill, seconded Councillor Ruben the following amendment.

"8. THAT Council rescind its decision of 30 October 2003 to "carry out a full review of community boards to be completed in sufficient time for any proposals to be implemented in a further representation review which would be completed in time for the 2007 elections", and request officers to prepare a report on this decision for the Council meeting on 26 April 2006."

Note that if agreed to Recommendation 9 becomes redundant.

The ammendment was <u>put</u>:

Voting for: Councillors Ahipene-Mercer, Gill, McKinnon, Ruben

and Shaw.

Voting against: Mayor Prendergast, Councillors Armstrong, Foster,

Goulden, Morrison, Pepperell, Wade-Brown and

Wain.

Majority Vote: 5:8

The ammendment was declared **LOST**.

The substantive motion was <u>put</u>.

Voting for: Mayor Prendergast, Councillors Ahipene-Mercer,

Armstrong, Foster, Gill, Goulden, McKinnon,

Morrison, Pepperell, Shaw, Wade-Brown and Wain.

Voting against: Councillor Ruben.

Majority Vote: 12:1

The substantive motion was declared **CARRIED**.

RESOLVED:

- 1. Receive the information.
- 2. Note that the Local Electoral Act 2001 requires local authorities to carry out a representation review at least once every six years and that the Wellington City Council carried out its last representation review in 2003 (in time for the 2004 local authority elections).
- 3. Note that, although not legally required to carry out its next representation review until 2009 (in time for the 2010 local authority elections), the Council agreed at its meeting on 30 October 2003 to:
 - "carry out a full review of community boards to be completed in sufficient time for any proposals to be implemented in a further representation review which would be completed in time for the 2007 elections".

- 4. Note that legal advice has confirmed that:
 - The Council is not required under the Local Electoral Act 2001 to carry out a representation review in 2006. However, it may choose to do so.
 - The Council is not bound to implement its 2003 resolution to carry out a representation review, including a full review off community boards in 2006.
 - However, if the Council does not wish to carry out a representation review in 2006, it should formally revoke the relevant part of its 2003 resolution.
 - The risks arising from a decision not to conduct a representation review in 2006 can be significantly reduced by fully recording the reasons for that decision.
- 5. Note that a review of community boards can only be carried out through the representation review process and that such a review must also deal with the Council's other representation arrangements (i.e. a review of community boards cannot be undertaken in isolation to a full review of the Council's overall representation arrangements).
- 6. Note the legislative requirements and timeframes the Council is required to comply with in carrying out its representation review (attached as Appendix 1 of the officers report).
- 7. Note that the Local Government Commission has released guidelines to assist local authorities in carrying out their representation reviews and that although these guidelines are not legally binding, local authorities are required to have regard to them in undertaking their reviews.
- 8. Agree to undertake a "pre-review" public consultation before commencing the formal statutory representation review process and that it approve the draft discussion document on which consultation for the representation review will be focused, including the proposed timetable (attached as Appendix 3 of the officers report).
- 9. Approve the draft Consultation and Communications Plan for the review of the Council's representation arrangements for the 2007 local authority elections (attached as Appendix 2 of the officers report).

CHANGES IN SUBCOMMITTEE GOVERNANCE ARRANGEMENTS AND APPOINTMENT MATTERS (1215/52/IM) (REPORT 4)

Moved Councillor Shaw, seconded Councillor Foster the substantive motion with a new recommendation 5 (as follows).

"5. Discharge Councillor Goulden as a member of the Development Contributions Subcommittee."

The Mayor requested that Councillor Goulden withdraw and apologise for comments that he had made. He refused to do so and was asked to leave the meeting.

(Councillor Goulden left the meeting at 4.37pm.)

The substantive motion with a new recommendation 5 was put.

Voting for: Mayor Prendergast, Councillors Ahipene-Mercer,

Armstrong, Foster, Gill, McKinnon, Morrison, Pepperell, Ruben, Shaw, Wade-Brown and Wain.

Voting against: Nil.

Majority Vote: 12:0

The substantive motion with a new recommendation 5 was declared <u>CARRIED</u>.

Councillors were asked for expression of interest for the following:

- Chair of the Temporary Road Closures Subcommittee. Councillor Morrison indicated that he was prepared to be the Chair.
- Member of the Development Contributions Subcommittee.
 Councillor McKinnon indicated that he was prepared to be the new member of the Subcommittee.
- Councillor Shaw indicated that he was prepared to be the LGNZ Zone 4 representative.

Moved Councillor Shaw, seconded Councillor Armstrong the motion that Councillor Morrison be the Chair of the Temporary Road Closures Subcommittee.

The motion was put.

Voting for: Mayor Prendergast, Councillors Ahipene-Mercer,

Armstrong, Foster, Gill, McKinnon, Morrison, Pepperell, Ruben, Shaw, Wade-Brown and Wain.

Voting against: Nil.

Majority Vote: 12:0

The motion was declared CARRIED.

Moved Councillor Shaw, seconded Councillor Wain the motion that Councillor McKinnon be the new member of the Development Contributions Subcommittee.

The motion was put.

Voting for: Mayor Prendergast, Councillors Ahipene-Mercer,

Armstrong, Foster, Gill, McKinnon, Morrison, Pepperell, Ruben, Shaw, Wade-Brown and Wain.

Voting against: Nil.

Majority Vote: 12:0

The motion was declared **CARRIED**.

Moved Mayor Prendergast, seconded Councillor Wade-Brown the motion that Councillor Shaw be the LGNZ Zone 4 representative.

The motion was put.

Voting for: Mayor Prendergast, Councillors Ahipene-Mercer,

Armstrong, Foster, Gill, McKinnon, Morrison, Pepperell, Ruben, Wade-Brown and Wain.

Voting against: Councillor Shaw.

Majority Vote: 11:1

The motion was declared **CARRIED**.

RESOLVED:

THAT Council:

- 1. Receive the information.
- 2. Establish a Temporary Road Closures Subcommittee with the terms of reference and delegations as follows:

Temporary Road Closures Subcommittee

Voting Membership: The Temporary Road Closures Subcommittee will have three Councillors as members.

External Membership (non-voting): Nil.

Quorum: 2

Chair: The chair will be elected by Council.

Frequency of Meetings: The Temporary Road Closures Subcommittee will meet on an as required basis.

Parent Body: The Temporary Road Closures Subcommittee will report to the Strategy and Policy Committee.

General Purpose and Objectives: The Temporary Road Closures Subcommittee has primary responsibility for approving temporary road closures.

Terms of Reference: The Temporary Road Closures Subcommittee will have authority to:

- 1.0 Make decisions under Clause 11(e) of the Tenth Schedule of the Local Government Act 1974 and the Transport (Vehicular Traffic Road Closure) Regulations 1965
- 1.1 Determine the procedure to be adopted by the Subcommittee when making a decision in 1.0 above.

Delegated Authority

The Temporary Road Closures Subcommittee will have delegated authority to carry out activities within its terms of reference.

- 3. Appoint Councillors Gill and Shaw as members of the Temporary Road Closures Subcommittee.
- 4. Appoint Councillor Morrison as Chairperson of the Temporary Road Closures Subcommittee.
- 5. Discharge Councillor Goulden as a member of the Development Contributions Subcommittee.
- 6. Appoint Councillor McKinnon as a new member to the Development Contributions Subcommittee.
- 7. Alter the quorum of the Development Contributions Subcommittee from four to three.
- 8. Appoint Councillor Shaw as a representative to Zone 4 of Local Government New Zealand.

MAYORAL DELEGATION TO CHINA – NOVEMBER 2006 (1215/52/IM) (REPORT 5)

Moved Councillor Shaw, seconded Councillor Morrison the substantive motion.

The substantive motion recommendation 1 was put.

Voting for: Mayor Prendergast, Councillors Ahipene-Mercer,

Armstrong, Foster, Gill, McKinnon, Morrison, Pepperell, Ruben, Shaw, Wade-Brown and Wain.

Voting against: Nil.

Majority Vote: 12:0

The substantive motion recommendation 1 was declared CARRIED.

(Mayor Prendergast vacated the Chair due to conflict of interest issues.) (Councillor Shaw Chaired the meeting.)

The substantive motion recommendation 2 was put.

Voting for: Councillors Ahipene-Mercer, Armstrong, Foster, Gill,

McKinnon, Morrison, Pepperell, Ruben, Shaw, Wade-

Brown and Wain.

Voting against: Nil.

Majority Vote: 11:0

The substantive motion recommendation 2 was declared CARRIED.

(Mayor Prendergast resumed chairing the meeting.)

Moved Councillor Foster, seconded Councillor Wade-Brown the following amendment.

"New 6. Instruct our delegates to raise our deep concerns regarding human rights in China.

New 7. Instruct our delegates to raise our concerns regarding climate change and ways in which we can work together to tackle climate change.

8. Note that a detailed itinerary is currently being developed in association with relevant Wellington and Chinese parties."

(Councillor Ruben left the meeting at 5.20pm.)

The ammendment new 6 was <u>put</u>:

Voting for: Councillors Ahipene-Mercer, Foster, Morrison,

Pepperell and Wade-Brown.

Voting against: Mayor Prendergast, Councillors Armstrong, Gill,

McKinnon, Shaw and Wain.

Majority Vote: 5:6

The ammendment new 6 was declared **LOST**.

(Councillor Ruben returned to the meeting at 5.21pm.)

The ammendment new 7 was <u>put</u>:

Voting for: Mayor Prendergast, Councillors Ahipene-Mercer,

Foster, Gill, McKinnon, Morrison, Pepperell, Shaw,

Wade-Brown,

Voting against: Councillors Armstrong, Wain,

Majority Vote: 9:2

The ammendment new 7 was declared **CARRIED**.

The substantive motion recommendation 3 was put.

Voting for: Mayor Prendergast, Councillors Ahipene-Mercer,

Armstrong, Foster, Gill, McKinnon, Morrison, Pepperell, Ruben, Shaw, Wade-Brown and Wain.

Voting against: Nil.

Majority Vote: 12:0

The substantive motion recommendation 3 was declared **CARRIED**.

The substantive motion recommendations 4, 5, 6 and a new 7 were put.

Voting for: Mayor Prendergast, Councillors Ahipene-Mercer,

Armstrong, Foster, Gill, McKinnon, Morrison, Pepperell, Ruben, Shaw, Wade-Brown and Wain.

Voting against: Nil.

Majority Vote: 12:0

The substantive motion recommendations 4, 5, 6 and a new 7 were declared CARRIED.

Councillors were requested to express and interest in being part of the delegation to accompany the Mayor to China. Councillors Armstrong, Morrison and Wade-Brown indicated that they wished to be considered.

As there were 3 nominations for 2 places a French Presidential Vote was required.

(Councillor Wade-Brown did not participate in the French Presidential Vote.)

Voting for Councillor Armstrong: Mayor Prendergast, Councillors

Armstrong, Gill, McKinnon, Morrison, Shaw and Wain.

Votes received: 7

Voting for Councillor Morrison: Mayor Prendergast, Councillors

Ahipene-Mercer, Armstrong, Foster, Gill, McKinnon, Morrison, Pepperell, Ruben, Shaw and Wain.

Votes received: 11

Voting for Councillor Wade-Brown: Councillors Ahipene-Mercer,

Foster, Pepperell and Ruben.

Votes received: 4

Moved Councillor Shaw, seconded Mayor Prendergast the motion that Councillors Armstrong and Morrison accompany the Mayor to China.

Voting for: Mayor Prendergast, Councillors Ahipene-Mercer,

Armstrong, Foster, Gill, McKinnon, Morrison, Pepperell, Ruben, Shaw, Wade-Brown and Wain.

Voting against: Nil.

Majority Vote: 12:0

The motion was declared **CARRIED**.

RESOLVED:

- 1. Receive the information.
- 2. Accept the invitation for the Mayor to lead a delegation to visit China in November 2006 and that the costs will be met from the International Relations budget (COST02 C145).
- 3. Councillors Armstrong and Morrison accompany the Mayor and that the costs will be met from the International Relations budget (COST02 C145).
- 4. Agree that the Mayor can endorse the Memorandum of Understanding for Co-operation between the Cities of Wellington and Beijing.
- 5. Agree that the Mayor can endorse the Memorandum of Understanding for Co-operation between the Cities of Wellington and Xiamen.
- 6. Note that a detailed itinerary is currently being developed in association with relevant Wellington and Chinese parties.
- 7. Instruct our delegates to raise our concerns regarding climate change and ways in which we can work together to tackle climate change.

Ί	he	meet	ting	conc	ludec	l at	5.29	pm.
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Confirmed:					
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