



SUPPLEMENTARY BUSINESS PAPER

(Late Item Memo - Item 4)

GENERAL MEETING

**Wednesday 10 December 2025
at 6:30 PM**



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ITEM 4 PC19/25 - Cherrybrook precinct state-led rezoning proposal***Additional information with CHANGE to Recommendation***

Since the finalisation of Director's Report No. PC19/25, an additional matter has been identified for inclusion in Council's submission. The submission raises concerns on the adequacy of the infrastructure provision to support the Precinct. However, it does not specifically raise concerns around the provision of education facilities needed to support the growing population.

The 2022 finalised Place Strategy identified that based on the (then) proposed growth of 3,200 dwellings there would be a requirement for at least an additional primary school, secondary school and support services. However, the exhibited rezoning package does not identify a site for a new school within the precinct. It is unclear if there has been any investigation or identification of new school sites within or in close proximity to the precinct to accommodate the additional and substantial increase in dwelling capacity planned for the area, which is now 9,350 dwellings. Provision of primary and secondary school facilities is essential state infrastructure which should be considered further by DPHI as part of the rezoning package.

An updated submission is attached for Council's endorsement, with the addition of a new paragraph on Page 7 as follows:

Provision for primary schools and secondary schools

- *Recommendation: Identify the requirements and locations for new and upgraded primary and secondary schools to support the additional dwelling capacity proposed through the rezoning proposal.*

The 2022 finalised Place Strategy identified that based on the proposed growth of 3,200 dwellings there would be a requirement for at least an additional primary school, secondary school and support services. Based on the information provided as part of the rezoning package, it is unclear if there has been any identification of new school sites within the Precinct or in close proximity to the Precinct to accommodate the additional and substantial increase in dwelling capacity planned for the area. Provision of primary and secondary school facilities is an essential state infrastructure provision which must be considered further by DPHI as part of the rezoning package.

It is recommended that Council endorse the submission as amended and attached to this Late Item Information Memo report.

RECOMMENDATION

THAT the submission regarding the Cherrybrook state-led rezoning proposal attached to Report No. LM16/25 be forwarded to the Department of Planning, Housing and Infrastructure in response to the exhibition to advocate for detailed analysis of issues, refinement of the proposed yield and provision for adequate infrastructure to support the Cherrybrook Precinct prior to implementation.

ITEM 4

KATHERINE VICKERY

Acting Director - Planning and Compliance
Planning and Compliance Division

Attachments:

1.  Cherrybrook Rezoning submission - updated LM16/25

File Reference: F2020/00123-002
Document Number: D09276225



OFFICE OF THE GENERAL MANAGER

ATTACHMENT 1 - ITEM 4

10 December 2025

Brendan Metcalfe
 Director – State Rezoning
 Department of Planning, Housing and Infrastructure
 Locked Bag 5022
 Parramatta NSW 2124

Via email: cherrybrook@planning.nsw.gov.au
brendan.metcalfe@planning.nsw.gov.au

Dear Brendan

Submission - Cherrybrook Precinct State-led rezoning proposal

Thank you for the opportunity to provide feedback on the exhibited Cherrybrook Precinct state-led rezoning proposal.

At its meeting on 10 December 2025, Council considered Director's Report No. PC19/25 and a Late Item Information Memo LM16/25 and resolved to forward this submission on the state-led rezoning proposal.

The concept of development in proximity to the Cherrybrook Metro Station is supported in principle as a means to deliver a sustainable and accessible centre. However, a number of issues need to be resolved prior to finalisation.

As you are aware, Hornsby Shire Council officers have been involved in working groups over the past several years in relation to planning for Cherrybrook and made officer level submissions raising a number of concerns as part of the pre-exhibition stakeholder process. Each submission has raised concerns regarding implications for Cherrybrook residents and issues with respect to liveability, transport infrastructure, delivery of community facilities, built form, connectivity to the surrounding Cherrybrook area and open space provision for the projected Cherrybrook population.

Based on a review of the currently exhibited state-led rezoning proposal documentation, substantial changes have been made to the finalised Place Strategy in response to the NSW Government's priority to deliver housing. Council maintains a number of concerns raised in previous submissions and has identified additional issues which need to be addressed as summarised below.

Strategic justification for the increased dwelling yields

- **Recommendation:** Reduce the yield of the Precinct to be compatible with the capacity and servicing constraints of the area and the original vision for Cherrybrook in proportion to other town centres.

Since the 2022 Place Strategy was finalised, the dwelling capacity for the Precinct has increased from 3,200 dwellings to over 9,350 (with 4,256 of these to be located with the Hornsby Shire). Overall, this represents an increase of 292%. No strategic justification or evidence has been provided to support the increase other than the need for more housing to address the housing crisis.

Hornsby Shire Council

ABN 20 706 996 972 PO Box 37, Hornsby NSW 1630 Phone 02 9847 6666 Email hsc@hornsby.nsw.gov.au
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Furthermore, the Hornsby Town Centre (TOD) was recently rezoned for an additional 6,000 dwellings and commercial development to enable an additional 2,900 jobs. Cherrybrook is anticipated to enable capacity of over 9,350 new dwellings and only provide 210 jobs. The housing opportunity for Cherrybrook exceeds Hornsby Town Centre by nearly double, without the associated employment opportunities that Hornsby Town Centre will provide.

Exclusion of Neighbourhood 6 from the overall dwelling capacity

- Recommendation: Do not rezone Neighbourhood 6 as part of the Precinct, or if it is rezoned, include the dwelling capacity in the total dwelling capacity and update the provision of supporting infrastructure to reflect the updated dwelling capacity for the precinct.

Review of the exhibition documentation has highlighted that the area known as Neighbourhood 6 (within Hornsby Shire) has not been master planned and is not included in the total dwelling capacity figures for the Precinct. It is estimated that this Neighbourhood could yield around an extra 2,000 new dwellings. Therefore, should the dwelling capacity of the Cherrybrook precinct be fully realised the total dwelling capacity is closer to 11,341 new dwellings. This has significant implications for the adequacy of necessary supporting infrastructure upgrades including but not limited to open space provision, traffic and transport infrastructure, provision of schools and other community facilities.

Affordable Housing

- Recommendation: The 10% affordable housing proposed for the government land be provided in perpetuity.

While the increased affordable housing provision on government land is supported, the limitation of this provision to 15 years is not adequate. Given the large increase in yield this rezoning provides on government owned land, the State government should be leading by example in the provision of affordable housing and providing increased amounts of affordable housing stock in perpetuity.

Community and library facilities provisions and funding

- Recommendation:
 - Re-calculate of the size of the community and library facilities based on the full yield of the precinct (inclusive of Neighbourhood 6)
 - Provide further consideration and advice on how development contributions funds collected by The Hills Shire Council will be provided to Hornsby Shire for the fit-out and embellishment of the facilities.
 - Identify the establishment of library resources (such as books, digital records, cultural and educational resources) as a required inclusion in the draft Infrastructure Schedule.
 - Request that the ongoing running costs for the library and community facilities are shared by between the Hills and Hornsby Shire Council.

The inclusion of a multi-purpose community facility and library within the Precinct is supported. However, the adequacy of the size of these facilities to meet the needs of the new population is uncertain.

The exhibition material proposes the inclusion of a combined multi-purpose community and library facility of 3,000m². However, based on the benchmarks used to calculate the size of these facilities for the 2022 rezoning package, and the updated provision of 9,350 new dwellings within the Precinct, the size of these facilities should be closer to 3,200m². Further to this, the omission of 2,000 dwellings from Neighbourhood 6 in the overall dwelling capacity means that the size should be reinvestigated to ensure its adequacy to meet future needs.

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296 Peats Ferry Rd, Hornsby 2077 Fax 02 9847 6999 Web hornsby.nsw.gov.au

Notwithstanding the above, the proposed mechanism to deliver these facilities is through incentive provisions for the delivery of the "cold shell" to Council with development contributions collected to fund the fit out and embellishment.

The costs associated with the fit out of this facility are contained within the draft Infrastructure Schedule for both the Hills Shire Council and Hornsby Council. Council needs to be provided with some assurances that the funds raised by The Hills Shire will not be diverted to a separate nearby facility and will be provided directly to Hornsby Shire to enable the timely realisation of the fit-out and embellishment costs.

Additionally, the facility will have significant ongoing running costs which cannot be funded from development contributions and for which Hills Shire residents will benefit from. For example, the provision of updated books, digital records, cultural and educational resources. The cost sharing aspect of this needs to be further considered.

Adequacy of commercial floor space and jobs

- **Recommendation:** The provision of commercial floor space be reinterrogated to ensure an adequate quantum is planned to support the Precinct, including consideration of Neighbourhood 6.

It is unclear from the exhibited documentation how much commercial floor space is proposed as different figures are quoted ranging from 5,400m² up to 8,250m². Notwithstanding this, when compared to the 6,000 new homes, 101,500m² of commercial/retail floor space and 2,900 new jobs provided via the Hornsby Town Centre TOD rezoning proposal, the proposal for Cherrybrook appears to have a significant shortfall in the provision commercial floor space (approximately 8,250m²) and 210 new jobs to service the 9,350 new dwellings. It is essential that the Precinct accommodate appropriate levels of access to retail, business and service facilities, ideally so residents do not have to travel to other centres to have day to day shopping or services needs met.

Public plaza and associated public domain works

- **Recommendation:**
 - Provide Council with clarification of the method of delivery of the public plaza and who is responsible for its ongoing management it into the future.
 - Ensure careful planning and design of the public plaza and public domain considerate of the existing natural topography and user needs which should be factored in including urban play equipment and public toilets.

There is very little detail is included as part of the exhibition rezoning material to understand how this area will be designed and function. Due to the natural topography of the site, significant design treatments such as external lifts and ramps will be required to enable adequate functionality and usability of this public area. There also needs to be careful planning and design to ensure that the active frontages along the adjacent buildings are achieved and contribute to positive public domain/streetscape outcomes. It is also unclear from the exhibition material who is responsible for developing this public plaza, how it will be delivered and if this will be an asset managed by Council or the landowner.

Quality and adequacy of open space

- **Recommendation:**
 - Provide Council with clarification as to the future ownership and management of the OSD basin in Park 01.

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- Investigate the potential impacts of any new development on the health and integrity of the Blue-Gum High Forest with further consideration of the need for possible offsets to mitigate the impacts of any low impact walking trails included through this area.
- Relocate Park 03 to the corner of and Edward Bennett Drive and to Curtis Close to provide three street frontages for enhanced safety, passive surveillance, visibility and permeability.
- That land under the transmission easement, adjacent to the commuter car park be considered as an area to provide an off leash dog park.

The provision of quality open space to support the Precinct will be an important factor in the liveability of the area and should be provided in accordance with DPHIs Greener Spaces Guide. The quantum of open space being provided within the precinct is minimal compared to the proposed number of residents. It is essential that the open space provided be of a high quality and usability for future residents. The provision of playgrounds, space for off leash dogs, fitness equipment and picnic facilities (tables, seats and shelters) are critical.

There are a number of issues for each of the proposed open spaces proposed within the Hornsby Shire LGA as follows:

Park 01: This park is largely constrained by the existing onsite detention (OSD) basin which was originally built to service the Sydney Metro land. It is difficult to see how this water body can be converted into a feature for recreation or any other function suitable for a local park. It also limits the design of the land and restricts the creation of useable local open space capable of meeting the needs of future residents.

The basin is currently an asset of Transport for NSW. It is not clear whether there is an intention to shift the ownership away from the State. The OSD basin currently only serves the Metro Station and should not become an asset for Council to maintain as part of the any redevelopment. Either undergrounding or beautification of the OSD basin should be considered as part of incentive provisions for new development with 100% of this cost attributed to the developer.

Park 02: This park contains a significant amount of Blue Gum High Forest. This area will offer little value in terms of useable public recreation space and concern is raised with this area being included as part of the Precinct's overall open space provision. Council's previous submissions have suggested that the provision of low impact walking trails on raised boardwalks could be included to allow for public access. However, the potential impact of any new built infrastructure on this Critically Endangered Ecological Community would need to be further considered and possible offsets provided.

Park 03: As proposed in the draft Master Plan, this park is irregular in shape with a small frontage to Curtis Close. For enhanced safety, passive surveillance, visibility and permeability, the boundaries of Park 03 should be review and extended to the corner of Edward Bennett Drive and to Curtis Close to provide an open space with three street frontages.

Due to the increase in pet ownership in apartments and pet ownership generally, Council is under increased pressure to provide off leash dog parks. To service this demand, it would be appropriate to consider the land located under the transmission line easement and adjoining the commuter car park for an off leash dog park.

Provision of offsite playing fields

- **Recommendation:** An updated Social Infrastructure Needs Assessment be prepared which considers the full development yield of the Precinct (inclusive of Neighbourhood 6), so that it is possible to cross-reference where the calculations for community infrastructure come from and whether this would be adequate to support the Precinct.

Council understands that the provision of community infrastructure for the rezoning proposal is based on 9,341 additional dwellings, with provision of playing fields based on the need for one field per 4,000 people

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(referenced from the 2022 exhibition – *Cherrybrook Station Government Land State Significant Precinct Social Infrastructure Needs Assessment, Cred, May 2022*). This benchmark is generally supported by Council. However, with the potential dwelling capacity of the precinct being closer 11,341 (inclusive of Neighbourhood 6) this means that over six playing fields would be required to adequately service the Precinct's population.

Preservation of Blue Gum High Forest

- Recommendation: Reconsider the proposed zoning of the Blue Gum High Forest area in Park 02 from C2 Environmental Conservation to C3 Environmental Management based on the intended management activities and future use of the area.

The rezoning proposal appropriately recognises the presence of Blue Gum High Forest (BGHF) as a critically endangered ecological community within the Precinct and has proposed to integrate these areas into the proposed open space network, with additional areas on private land flagged for protection or restoration. While the intent to retain and enhance BGHF is clear, the rezoning proposal documentation does not identify enforceable buffers, limits on recreation, lighting, and hard surfaces, or mechanisms for long-term management and funding of these areas. Council's previous feedback has consistently highlighted the need for a precinct-wide, enforceable ecological management plan for the BGHF, with clear objectives, performance measures, and adaptive management triggers for conservation, restoration, and recreation management.

Further, the proposed approach to bushfire management for these areas, as outlined in the Strategic Bushfire Study, proposes that BGHF areas adjacent to new development be managed as "low threat" vegetation or within Asset Protection Zones (APZs), potentially requiring regular fuel reduction and modifications of structure. This approach risks degrading the ecological integrity of BGHF and is inconsistent with the avoidance hierarchy required under the BC Act and the strategic intent of Planning for Bushfire Protection 2019.

While the original intent of the protection of the BGHF is admirable, the proposed passive open space usage and hence management of this area is not in keeping with the stated protection intentions outlined in the rezoning package. The proposed zoning of C2 Environmental Conservation for Park 02 should be changed to C3 Environmental Management if DPHI continues to see the BGHF as an area not being used or managed purely for environmental conservation purposes.

Transport and infrastructure

- Recommendation:
 - Undertake remodelling of the traffic generated from the Precinct based on the ultimate dwelling yield (including Neighbourhood 6) and use this information be used to inform and update the Infrastructure Schedule.
 - Augmentation of the metro commuter car park be included in the Infrastructure Schedule and identified as a State responsibility.
 - That legacy issues with New Line Road be resolved and funding allocated separately by the State Government to fix the existing road network issues.

Council's previous submissions have raised concerns with the ability of the existing road network to accommodate densification within the Precinct and how any required traffic and infrastructure upgrades will be delivered and managed into the future. This concern remains a critical issue for the state-led rezoning proposal.

It is acknowledged that the Traffic and Transport Study prepared by Bitzios has been updated. However, the Study only necessitates road upgrades based on the 3,200 dwelling model, with some additional upgrades which could be provided to support a medium growth scenario of approximately 5,200 new dwellings (if dwelling yields exceeded 3,200 in the future).

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It is critical that traffic and transport infrastructure planning for the Precinct (as well as community facilities and commercial offering) are based on the total permissible dwelling capacity for the precinct (now also including Neighbourhood 6).

It is also not clear if the updated Traffic and Transport Study has considered the wider traffic network issues which are likely to be exacerbated by growth within the Cherrybrook Precinct. For example, the potential cumulative traffic impacts further along New Line Road may be significant, given Cherrybrook Station is the closest Metro station for many rural areas to the north.

Issues with the broader regional road network should be identified now, with solutions identified and programmed in conjunction with the current rezoning proposal. The State Government should commit to any funding shortfall should the rezoning proposal be supported, given the wider implications on the surrounding area and the legacy issues with New Line Road.

No commuter parking is identified in the Infrastructure Schedule. An additional deck on the existing metro commuter car park to accommodate demand generated by the rezoning should be identified to be provided by the State.

Capacity of the Metro line

- Recommendation: Include further evidence to demonstrate the additional housing capacity that could realistically be supported by the Metro line.

It is not clear from the documentation whether the capacity of the existing metro line to support the additional population has been taken into consideration as part of the rezoning proposal. While the strategic merit for some additional development around the Cherrybrook Metro station is supported, the increase in yield over and above the finalised 2022 Place Strategy and whether the Metro can cope with the proposed increases, particularly considering that cumulative impact of existing and planned new development at Showground, Norwest and Castle Hill, has not been demonstrated.

Infrastructure provision and funding

- Recommendation:
 - Update the draft Infrastructure Funding and Delivery Schedule to include detailed descriptions of each item and the associated costings.
 - Update the draft Infrastructure Schedule to include the potential dwelling capacity of Neighbourhood 6 and the infrastructure upgrades that an additional 2000 new dwellings may have on the infrastructure needs for the Precinct.
 - Organise a workshop with The Hills Shire Council and Hornsby Shire Council to discuss the mechanism for transfer of funds and the apportionment of monetary contributions with The Hills Shire Council prior to the draft s7.12 plans being finalised.
 - Provide assistance with identifying alternate mechanisms to support the timely delivery of essential infrastructure required to ensure high standards of urban amenity within the Cherrybrook Precinct, given the lag in collection of development contributions.

The rezoning proposal includes a draft Infrastructure Funding and Delivery Schedule. However, the draft Schedule lacks detailed descriptions of each item and the associated costings. Council acknowledges the separate work that is currently underway to prepare s7.12 Plans to support the delivery of necessary infrastructure to support the Precinct. However, the contributions framework (both local and state) needs to be in place prior the rezoning being finalised. Details of the supporting financial strategy including clear identification of the essential works list, timing for delivery, funding sources and responsible authority are required.

A key concern is the funding arrangement for the fit out and embellishment of the community facility, library and cultural facilities. While these facilities will be located within land located in the Hornsby LGA, the facilities

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will be used and directly benefit residents of The Hills Shire Council as well. The delivery of these facilities should be prioritised with adequate funding mechanisms in place to expedite their completion. Council's preferred approach is to have funds for the fit out collected across s7.12 plans for both The Hills Shire and Hornsby Shire Council areas. We would welcome the opportunity to workshop the mechanism for transfer of funds and the apportionment of monetary contributions with DPHI and The Hills Shire Council prior to the draft s7.12 plans being finalised.

Concern remains that the increased density proposed for the Precinct is a significant variation to the finalised Place Strategy. There is no strategic justification or evidence included as part of the exhibited material to support that the inclusions in draft Infrastructure Funding and Delivery Schedule will be appropriate to cater to the current and future needs of the Precinct. Further, with Neighbourhood 6 dwelling yields not considered in the total dwelling capacity for the Precinct and the traffic study recommending infrastructure upgrades based on 3,200 new homes, the effectiveness of the proposed infrastructure to support the ultimate yield of the Precinct is questioned.

With infrastructure provision included through State and local contributions, there will be a significant time lag for the new infrastructure to be delivered. Alternate mechanisms should be considered and incorporated to assist and support in the timely delivery of essential infrastructure required to support the growing population.

Provision for primary schools and secondary schools

- Recommendation: Identify the requirements and locations for new and upgraded primary and secondary schools to support the additional dwelling capacity proposed through the rezoning proposal.

The 2022 finalised Place Strategy identified that based on the proposed growth of 3,200 dwellings there would be a requirement for at least an additional primary school, secondary school and support services. Based on the information provided as part of the rezoning package, it is unclear if there has been any identification of new school sites within the Precinct or in close proximity to the Precinct to accommodate the additional and substantial increase in dwelling capacity planned for the area. Provision of primary and secondary school facilities is an essential state infrastructure provision which must be considered further by DPHI as part of the rezoning package.

Heritage

- Recommendation: Lower the maximum building height incentives on and around the heritage items to minimise any adverse impacts on these items and their landscape setting.

The rezoning proposal includes two heritage listed items in Neighbourhood 3 located within the grounds of the Inala School. The rezoning material includes provision for buildings of between 6 to 20 storeys on or around these heritage listed properties. The Statement of Heritage Impact, (SHI) prepared by Artefact Heritage, states that the proposed new maximum building heights would have physical and visual impacts on these items and their settings.

Integrated Water Cycle Management (IWCM)

- Recommendation: Prepare a single integrated water management plan to be applied across the Precinct. The plan should identify priority areas for water sensitive urban design, sets quantitative targets for stormwater retention, reuse, or water quality, or links water management to open space and biodiversity outcomes.

The rezoning documents focus IWCM and Water Sensitive Urban Design on individual lot-based controls, rather than producing a single integrated water management plan that identifies priority areas for WSUD, sets

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ABN 20 706 996 972 PO Box 37, Hornsby NSW 1630 Phone 02 9847 6666 Email hsc@hornsby.nsw.gov.au
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quantitative targets for stormwater retention, reuse, or water quality, or links water management to open space and biodiversity outcomes.

The exhibited Master Plan does not clearly identify or secure land for regional bio-retention basins, constructed wetlands, or daylighted watercourses, and the open space network is not explicitly designed to function as part of the stormwater management system. There is also little detail provided on how overland flow paths, detention basins, or riparian buffers will be protected or enhanced, and no clear mechanism for ensuring that WSUD and IWCM measures are delivered, maintained, and monitored over time.

A comprehensive single IWCM plan should identify priority areas for water sensitive urban design, sets quantitative targets for stormwater retention, reuse and quality.

Road width and design to enable waste collection services

- **Recommendation:** Consider areas for waste collection within the Master Plan's "Movement and Access Networks" and the Design Guide for the precinct.

Garbage collection and rigid truck circulation whether onsite or from the street, is often overlooked when master planning new developments. Consideration of street width, on-street parking provision and building design are factors which influence the ability of Council's contractor to be able to service developments.

Accuracy and adequacy of the documentation to support the rezoning proposal

- **Recommendation:** Allocate additional time prior to finalisation of the rezoning proposal to undertake the essential updates to the technical evidence base for the rezoning proposal to determine the appropriate levels of supporting infrastructure required to service the Precinct.

Many of the exhibited documents are presented as updates to the 2022 Place Strategy. This makes it difficult to fully understand and interpret what potential dwelling capacities have been used to determine the infrastructure needs. The exhibition material also lacks a sound evidence base to support the commercial and retail floor space offerings as well as the social and community infrastructure required to support the Precinct. Given the substantial increase to the dwelling capacity, it is crucial that there is appropriate justification and a sound evidence base to support the increases and the ensure the Precinct will be provided with adequate amounts of supporting infrastructure.

Given the issues raised above, the rezoning proposal is not ready for implementation and requires refinement. Further consideration needs to be given to the strategic justification for the increased dwelling yields and the adequacy of the associated infrastructure provision to support the Precinct.

We would welcome the opportunity to discuss these issues further prior to the finalisation of the project.

Should you wish to discuss Council's submission, please do not hesitate to contact Katherine Vickery, Acting Director Planning and Compliance on 9847 6744 or kvickery@hornsby.nsw.gov.au

Yours faithfully,

Glen Magus

Acting General Manager

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Hornsby Shire Council

ABN 20 706 996 972 PO Box 37, Hornsby NSW 1630 Phone 02 9847 6666 Email hsc@hornsby.nsw.gov.au
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