

BANKSTOWN CITY COUNCIL
MINUTES OF THE
EXTRAORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 11 MAY 2016

PRESENT: His Worship the Mayor, Councillor Asfour,
Councillors Kuskoff, Winterbottom, Nguyen, Waud, Stromborg,
Golledge, Daniel, Downey, Tadros, Najjar, Parker

APOLOGIES Nil

**HIS WORSHIP THE MAYOR DECLARED THE MEETING OPEN AT
6.00 PM**

REF: CONFIRMATION OF MINUTES

(1501) CLR. STROMBORG:/CLR. NAJJAR

RESOVLED that the minutes of the Ordinary Council Meeting held on 26 April 2016 be adopted.

- CARRIED

LEAVE OF ABSENCE

Nil

**DECLARATIONS OF PECUNIARY INTEREST OR NON-PECUNIARY
CONFLICT OF INTEREST**

Clr Stromborg declared a Significant, Non-Pecuniary Conflict of Interest in respect of Items 3.3 and 3.4 – South East Local Area Plan and South West Local Area Plan as he is a Board Member of the Revesby Workers Club who are a major land holder in respect of land subject to the Local Area Plans.

Clr Parker declared a Pecuniary Interest in respect of Items 3.3 and 3.4 – South East Local Area Plan and South West Local Area Plan.

Clr Daniel declared a Less than-Significant, Non-Pecuniary Conflict of Interest in respect of Items 3.1, 3.2, 3.3 and 3.4 – North Central Local Area Plan, North East Local Area Plan, South East Local Area Plan and South West Local Area Plan as he is an acquaintance of consultants who have made submissions in respect of the Local Area Plans.

Clr Asfour declared a Non-Significant, Non-Pecuniary Conflict of Interest in respect of Item 3.2 - North East Local Area Plan.

Clr Asfour declared a Significant, Non-Pecuniary Conflict of Interest in respect of Item 3.3 – South East Local Area Plan.

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SECTION 2: MAYORAL MINUTES

ITEM 2.1 PASSING OF JOHN JAMES (JACK) BEDFORD OAM
(1502) CLR. ASFOUR

RESOLVED that the Mayoral Minute be received.

- CARRIED

ALL THOSE PRESENT STOOD FOR ONE MINUTES SILENCE IN
MEMORY OF THE LATE JOHN JAMES BEDFORD OAM.

SECTION 3: PLANNING MATTERS

(1503) PUBLIC ACCESS
CLR. STROMBORG:/CLR. WINTERBOTTOM

RESOLVED that permission be granted to those people who have made
the necessary application to address Council for five minutes in respect of
the Local Area Plans.

- CARRIED

ITEM 3.1 NORTH CENTRAL LOCAL AREA PLAN

THE FOLLOWING SUBMISSIONERS ADDRESSED COUNCIL:

MR JOE CINCOTTA, MS DONNA PEARMAN, MR COLIN WILLS,
MR MATTHEW DANIEL/MR GARY PUNCH.

MOTION CLR. KUSKOFF:/CLR. GOLLEDGE

That

1. Council adopt the North Central Local Area Plan as shown in
Attachment A and incorporate the following amendments (to be read
in conjunction with Table contained in the report):
 - (a) As per the Draft LAP recommendation contained in the plan.
 - (b) As per the Draft LAP recommendation contained in the plan.
 - (c) As per the Draft LAP recommendation contained in the plan.
 - (d) As per the Draft LAP recommendation contained in the plan.

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- (e) Retain the property at No. 55A Gascoigne Road in Birrong (Gascoigne Reserve) as open space.
- 2. Based on the actions of the North Central Local Area Plan, Council delegate authority to the General Manager to prepare and submit a planning proposal to the Department of Planning & Environment to seek a gateway determination.
- 3. Council seek authority from the Department of Planning & Environment to exercise the delegation of the Minister for Planning regarding the plan making functions under section 59 of the Environmental Planning & Assessment Act 1979.
- 4. Subject to approval from the Department of Planning & Environment, Council exhibit the planning proposal to provide further community comment, and the matter be reported to Council following the exhibition.

AMENDMENT

CLR. DANIEL:/CLR WAUD

- 1. Council adopt the North Central Local Area Plan as shown in Attachment A and incorporate the following amendments (to be read in conjunction with Table contained in the report):
 - (a) For the properties bound by Highland Avenue, The Crescent, Dutton Street and Yagoona Lane in Yagoona; provide a maximum building height of 12 storeys and provide a FSR to match the height limit.
 - (b) For the properties at Nos. 176–184 Cooper Road in Yagoona; provide a maximum building height of 8 storeys and provide a FSR to match the height limit.
 - (c) For the properties at Nos. 255–291 Cooper Road in Yagoona; provide a maximum building height of 6 storeys and provide a FSR to match the height limit.
 - (d) For the properties at Nos. 11–31 Rookwood Road in Yagoona; provide a maximum building height of 6 storeys and provide a FSR to match the height limit.
 - (e) Retain the property at No. 55A Gascoigne Road in Birrong (Gascoigne Reserve) as open space.
 - (f) For the properties at Nos. 30-46 Auburn Road in Regents Park provide a maximum building height of 10-12 storeys and provide a FSR of 2.25:1.

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2. Based on the actions of the North Central Local Area Plan, Council delegate authority to the General Manager to prepare and submit a planning proposal to the Department of Planning & Environment to seek a gateway determination.
3. Council seek authority from the Department of Planning & Environment to exercise the delegation of the Minister for Planning regarding the plan making functions under section 59 of the Environmental Planning & Assessment Act 1979.
4. Subject to approval from the Department of Planning & Environment, Council exhibit the planning proposal to provide further community comment, and the matter be reported to Council following the exhibition.

THE AMENDMENT WAS PUT AND DECLARED LOST.

For:- Clrs Tadros, Daniel, Najjar and Waud

Against:- Clrs Kuskoff, Golledge, Parker, Downey, Nguyen, Winterbottom, Stromborg and Asfour

CLR WINTERBOTTOM PREVIOUSLY FORESHADOWED AN AMENDMENT.

AMENDMENT CLR. WINTERBOTTOM:/CLR NGUYEN

1. Council adopt the North Central Local Area Plan as shown in Attachment A and incorporate the following amendments (to be read in conjunction with Table contained in the report):
 - (a) For the properties bound by Highland Avenue, The Crescent, Dutton Street and Yagoona Lane in Yagoona; provide a maximum building height of 8 storeys and provide a FSR to match the height limit.
 - (b) For the properties at Nos. 176–184 Cooper Road in Yagoona; provide a maximum building height of 8 storeys and provide a FSR to match the height limit.
 - (c) For the properties at Nos. 255–291 Cooper Road in Yagoona; provide a maximum building height of 6 storeys and provide a FSR to match the height limit.

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- (d) As per the Draft LAP recommendation contained in the plan.
 - (e) Retain the property at No. 55A Gascoigne Road in Birrong (Gascoigne Reserve) as open space.
 - (f) For the properties at Nos. 30-46 Auburn Road in Regents Park provide a suitable building height and provide a FSR of 2.25:1, subject to traffic and public domain works.
- 2. Based on the actions of the North Central Local Area Plan, Council delegate authority to the General Manager to prepare and submit a planning proposal to the Department of Planning & Environment to seek a gateway determination.
 - 3. Council seek authority from the Department of Planning & Environment to exercise the delegation of the Minister for Planning regarding the plan making functions under section 59 of the Environmental Planning & Assessment Act 1979.
 - 4. Subject to approval from the Department of Planning & Environment, Council exhibit the planning proposal to provide further community comment, and the matter be reported to Council following the exhibition.

For:- Ctrs Tadros, Daniel, Parker, Nguyen, Najjar, Winterbottom, Waud and Asfour

Against:- Ctrs Kuskoff, Golledge, Downey and Stromborg

THE AMENDMENT WAS PUT AND CARRIED.

THE AMENDMENT THEN BECAME THE MOTION.

CLR NGUYEN PREVIOUSLY FORESHADOWED AN AMENDMENT.

AMENDMENT CLR. NGUYEN:/CLR. DANIEL

- 1. Council adopt the North Central Local Area Plan as shown in Attachment A and incorporate the following amendments (to be read in conjunction with Table contained in the report):
 - (a) For the properties bound by Highland Avenue, The Crescent, Dutton Street and Yagoona Lane in Yagoona; provide a maximum building height of 8 storeys and provide a FSR to match the height limit.

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- (b) For the properties at Nos. 176–184 Cooper Road in Yagoona; provide a maximum building height of 8 storeys and provide a FSR to match the height limit.
 - (c) For the properties at Nos. 255–291 Cooper Road in Yagoona; provide a maximum building height of 6 storeys and provide a FSR to match the height limit.
 - (d) For the properties at Nos. 11–31 Rookwood Road in Yagoona; provide a maximum building height of 6 storeys and provide a FSR to match the height limit.
 - (e) Retain the property at No. 55A Gascoigne Road in Birrong (Gascoigne Reserve) as open space.
 - (f) For the properties at Nos. 30-46 Auburn Road in Regents Park provide a suitable building height and provide a FSR of 2.25:1, subject to traffic and public domain works.
- 2. Based on the actions of the North Central Local Area Plan, Council delegate authority to the General Manager to prepare and submit a planning proposal to the Department of Planning & Environment to seek a gateway determination.
 - 3. Council seek authority from the Department of Planning & Environment to exercise the delegation of the Minister for Planning regarding the plan making functions under section 59 of the Environmental Planning & Assessment Act 1979.
 - 4. Subject to approval from the Department of Planning & Environment, Council exhibit the planning proposal to provide further community comment, and the matter be reported to Council following the exhibition.

For:-

Clrs Tadros, Daniel, Parker, Nguyen, Najjar and Waud

Against:-

Clrs Kuskoff, Golledge, Downey, Winterbottom, Stromborg and Asfour

THE MAYOR EXERCISED HIS CASTING VOTE AND VOTED FOR THE AMENDMENT.

THE AMENDMENT WAS DECLARED CARRIED.

THE AMENDMENT THEN BECAME THE MOTION.

(1504)

CLR. NGUYEN:/CLR. DANIEL

RESOLVED that

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1. Council adopt the North Central Local Area Plan as shown in Attachment A and incorporate the following amendments (to be read in conjunction with Table contained in the report):
 - (a) For the properties bound by Highland Avenue, The Crescent, Dutton Street and Yagoona Lane in Yagoona; provide a maximum building height of 8 storeys and provide a FSR to match the height limit.
 - (b) For the properties at Nos. 176–184 Cooper Road in Yagoona; provide a maximum building height of 8 storeys and provide a FSR to match the height limit.
 - (c) For the properties at Nos. 255–291 Cooper Road in Yagoona; provide a maximum building height of 6 storeys and provide a FSR to match the height limit.
 - (d) For the properties at Nos. 11–31 Rookwood Road in Yagoona; provide a maximum building height of 6 storeys and provide a FSR to match the height limit.
 - (e) Retain the property at No. 55A Gascoigne Road in Birrong (Gascoigne Reserve) as open space.
 - (f) For the properties at Nos. 30-46 Auburn Road in Regents Park provide a suitable building height and provide a FSR of 2.25:1, subject to traffic and public domain works.
2. Based on the actions of the North Central Local Area Plan, Council delegate authority to the General Manager to prepare and submit a planning proposal to the Department of Planning & Environment to seek a gateway determination.
3. Council seek authority from the Department of Planning & Environment to exercise the delegation of the Minister for Planning regarding the plan making functions under section 59 of the Environmental Planning & Assessment Act 1979.
4. Subject to approval from the Department of Planning & Environment, Council exhibit the planning proposal to provide further community comment, and the matter be reported to Council following the exhibition.

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For:- Ctrs Najjar, Tadros, Waud, Winterbottom, Asfour, Daniel, Nguyen and Parker

Against:- Ctrs Downey, Kuskoff, Stromborg and Golledge

ITEM 3.2 NORTH EAST LOCAL AREA PLAN

THE FOLLOWING SUBMISSIONERS ADDRESSED COUNCIL:

MR DAVID SALAZAR, MR PETER CARD, MR MATTHEW BENSON,
MS MAREE LEDSON

(1505) CLR. DANIEL:/CLR. TADROS

RESOLVED that

1. Council adopt the North East Local Area Plan as shown in Attachment A and incorporate the following amendments (to be read in conjunction with Table contained in the report):
 - (a) For the properties at Nos. 66–86 Waterloo Road and No. 2 Mimosa Road in Greenacre; rezone the properties to Zone R4 High Density Residential with a maximum building height of 3 storeys and provide a FSR to match the height limit.
 - (b) For the property at No. 102 Columbine Avenue in Punchbowl (Warwick Reserve); rezone the property to Zone R2 Low Density Residential with a maximum building height of 2 storeys (plus attic) and provide a FSR to match the height limit.
 - (c) For the property at 23 Canterbury Road in Punchbowl provide a maximum building height of 4 storeys.
2. Based on the actions of the North East Local Area Plan, Council delegate authority to the General Manager to prepare and submit a planning proposal to the Department of Planning & Environment to seek a gateway determination.
3. Council seek authority from the Department of Planning & Environment to exercise the delegation of the Minister for Planning regarding the plan making functions under section 59 of the Environmental Planning & Assessment Act 1979.
4. Subject to approval from the Department of Planning & Environment, Council exhibit the planning proposal to provide further community comment, and the matter be reported to Council following the exhibition.

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5. The funding requirements as outlined in this report be approved and reflected as part of Council's Quarterly Budget review process.

- CARRIED

For:- Ctrs Najjar, Tadros, Waud, Winterbottom, Daniel, Nguyen and Parker

Against:- Ctrs Downey, Kuskoff, Stromborg, Asfour and Golledge

ITEM 3.3 SOUTH EAST LOCAL AREA PLAN

CLR STROMBORG DECLARED A SIGNIFICANT, NON-PECUNIARY CONFLICT OF INTEREST IN RESPECT OF ITEM 3.3 - SOUTH EAST LOCAL AREA PLAN AS HE IS A BOARD MEMBER OF THE REVESBY WORKERS CLUB WHO ARE A MAJOR LAND HOLDER IN RESPECT OF LAND SUBJECT TO THE LOCAL AREA PLAN.

CLR PARKER DECLARED A PECUNIARY INTEREST IN RESPECT OF ITEM 3.3 - SOUTH EAST LOCAL AREA PLAN.

CLR ASFOUR DECLARED A SIGNIFICANT, NON-PECUNIARY CONFLICT OF INTEREST IN RESPECT OF ITEM 3.3 – SOUTH EAST LOCAL AREA PLAN.

CLRS STROMBORG, PARKER AND ASFOUR VACATED THE CHAMBERS AT 7.40 PM TAKING NO PART IN THE DEBATE.

THE DEPUTY MAYOR, CLR NGUYEN ASSUMED THE CHAIR.

THE FOLLOWING SUBMISSIONERS ADDRESSED COUNCIL:

MR ANTHONY BETROS, MR MARK RAYMUNDO, MR CHRIS BROGAN, MR BRETT COURT, MR MICHAEL CHAMLEY, MR NATHAN GREEN, MR WALT COULSTON, MS WENDY LINDSAY

(1506) CLR. DANIEL:/CLR. TADROS

RESOLVED that

1. Council adopt the South East Local Area Plan as shown in Attachment A and incorporate the following amendments (to be read in conjunction with Table contained in the report):

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- (a) For the properties at Nos. 41–75C Marco Avenue and Nos. 36–38 Polo Street in Revesby; provide a maximum building height of 8 storeys and provide a FSR to match the height limit.
- (b) For the properties at Nos. 2–26 Swan Street and Nos. 9–13 Polo Street in Revesby; provide a maximum building height of 6 storeys and provide a FSR to match the height limit.
- (c) For the properties bound by Bransgrove Road, Polo Street and The River Road (north of the proposed Revesby Village Centre Structure Plan boundary); rezone the properties to Zone R4 High Density Residential with a maximum building height of 3 storeys and provide a FSR to match the height limit.
- (d) For the properties at No. 60 McGirr Street and Nos. 60–80A Uranus Road in Revesby; rezone the properties to Zone R4 High Density Residential with a maximum building height of 4 storeys and provide a FSR to match the height limit.
- (e) For the properties at Nos. 20–26 Howard Road in Padstow; provide a maximum building height of 8 storeys and provide a FSR to match the height limit.
- (f) For the properties at Nos. 2–16A Banks Street and Nos. 43–49 Cahors Road in Padstow; rezone the properties to Zone B2 Local Centre with a maximum building height of 8 storeys and provide a FSR to match the height limit.
- (g) For the properties at Nos. 7–9 and 10–12 Jeanette Street, Nos. 18–22 Banks Street and Nos. 25–39 Stephanie Street in Padstow; provide a maximum building height of 8 storeys and provide a FSR to match the height limit.

For the remaining properties at Nos. 1–5 and 2–8 Jeanette Street, Nos. 24–30 Banks Street and Nos. 1–23 Stephanie Street in Padstow; provide a maximum building height of 6 storeys and provide a FSR to match the height limit.

- (h) For the properties at Nos. 1–31 Segers Avenue and Nos. 12–20 Faraday Road in Padstow; rezone the properties to Zone B2 Local Centre with a maximum building height of 6 storeys and provide a FSR to match the height limit.
- (i) For the properties Nos. 1–25 Banks Street and Nos. 1–8 Nigel Place in Padstow; provide a maximum building height of 8 storeys and provide a FSR to match the height limit.

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- (j) For the properties Nos. 42–86 and Nos. 45–89 Iberia Street in Padstow; rezone the properties to Zone R4 High Density Residential with a maximum building height of 4 storeys and provide a FSR to match the height limit.
 - (k) As per the Draft LAP recommendation contained in the plan.
 - (l) For the properties at Nos. 1-23 Gloucester Avenue rezone to R3 Medium Density with a building height of 3 storeys and properties at Nos. 8-12 Segers Avenue in Padstow rezone to R4 High Density Residential with a maximum building height of 4 storeys and provide FSR to match the height.
 - (m) Council investigate the heritage listing of Endeavour Hall at No. 89 The River Road, Revesby.
 - (n) The current proposal to rezone the properties at Nos. 89-99 Howard Road, Nos. 2-6 Segers Avenue and Nos. 2-6 Gloucester Avenue in Padstow be deferred and rezoning options be investigated.
- 2. Based on the actions of the South East Local Area Plan, Council delegate authority to the General Manager to prepare and submit a planning proposal to the Department of Planning & Environment to seek a gateway determination.
 - 3. Council seek authority from the Department of Planning & Environment to exercise the delegation of the Minister for Planning regarding the plan making functions under section 59 of the Environmental Planning & Assessment Act 1979.
 - 4. Subject to approval from the Department of Planning & Environment, Council exhibit the planning proposal to provide further community comment, and the matter be reported to Council following the exhibition.

- CARRIED

For:- Ctrs Najjar, Tadros, Waud, Winterbottom and Daniel

Against:- Ctrs Downey, Kuskoff, Golledge and Nguyen

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ITEM 3.4

SOUTH WEST LOCAL AREA PLAN

HIS WORSHIP THE MAYOR, CLR ASFOUR RETURNED TO THE MEETING AT 9.10 PM AND RESUMED THE CHAIR.

CLR STROMBORG DECLARED A SIGNIFICANT, NON-PECUNIARY CONFLICT OF INTEREST IN RESPECT OF ITEM 3.4 - SOUTH WEST LOCAL AREA PLAN AS HE IS A BOARD MEMBER OF THE REVESBY WORKERS CLUB WHO ARE A MAJOR LAND HOLDER IN RESPECT OF LAND SUBJECT TO THE LOCAL AREA PLAN.

CLR PARKER DECLARED A PECUNIARY INTEREST IN RESPECT OF ITEM 3.4 - SOUTH WEST LOCAL AREA PLAN.

CLRS STROMBORG AND PARKER VACATED THE CHAMBERS AT 9.15 PM TAKING NO PART IN THE DEBATE AND RETIRED FROM THE MEETING.

THE FOLLOWING SUBMISSIONERS ADDRESSED COUNCIL:

MS MARIA KATSELAS, MR CHRIS BROGAN, MR PETER MAY.

MOTION

CLR. KUSKOFF:/CLR WINTERBOTTOM

1. Council adopt the South West Local Area Plan as shown in Attachment A.
2. Based on the actions of the South West Local Area Plan, Council delegate authority to the General Manager to prepare and submit a planning proposal to the Department of Planning & Environment to seek a gateway determination.
3. Council seek authority from the Department of Planning & Environment to exercise the delegation of the Minister for Planning regarding the plan making functions under section 59 of the Environmental Planning & Assessment Act 1979.
4. Subject to approval from the Department of Planning & Environment, Council exhibit the planning proposal to provide further community comment, and the matter be reported to Council following the exhibition.
5. The funding requirements as outlined in this report be approved and reflected as part of Council's Quarterly Budget review process.

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AMENDMENT

CLR. DANIEL:/CLR. WAUD

1. Council adopt the South West Local Area Plan as shown in Attachment A and incorporate the following amendments (to be read in conjunction with Table contained in the report):
 - (a) As per the Draft LAP recommendation contained in the plan.
 - (b) As per the Draft LAP recommendation contained in the plan.
 - (c) As per the Draft LAP recommendation contained in the plan.
 - (d) Retain the property at No. 96 Malvern Street in Panania (Malvern Reserve) as Open Space.
2. Based on the actions of the South West Local Area Plan, Council delegate authority to the General Manager to prepare and submit a planning proposal to the Department of Planning & Environment to seek a gateway determination.
3. Council seek authority from the Department of Planning & Environment to exercise the delegation of the Minister for Planning regarding the plan making functions under section 59 of the Environmental Planning & Assessment Act 1979.
4. Subject to approval from the Department of Planning & Environment, Council exhibit the planning proposal to provide further community comment, and the matter be reported to Council following the exhibition.
5. The funding requirements as outlined in this report be approved and reflected as part of Council's Quarterly Budget review process.

CLR DOWNEY ABSTAINED FROM VOTING.

Clrs Kuskoff, Golledge, Tadros, Daniel, Najjar, Waud, Asfour

Clrs Nguyen, Winterbottom

For:-

THE AMENDMENT WAS DECLARED CARRIED.

Against:-

THE AMENDMENT THEN BECAME THE MOTION.

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(1507)

CLR. DANIEL:/CLR. WAUD

RESOLVED that

1. Council adopt the South West Local Area Plan as shown in Attachment A and incorporate the following amendments (to be read in conjunction with Table contained in the report):
 - (a) As per the Draft LAP recommendation contained in the plan.
 - (b) As per the Draft LAP recommendation contained in the plan.
 - (c) As per the Draft LAP recommendation contained in the plan.
 - (d) Retain the property at No. 96 Malvern Street in Panania (Malvern Reserve) as Open Space.
2. Based on the actions of the South West Local Area Plan, Council delegate authority to the General Manager to prepare and submit a planning proposal to the Department of Planning & Environment to seek a gateway determination.
3. Council seek authority from the Department of Planning & Environment to exercise the delegation of the Minister for Planning regarding the plan making functions under section 59 of the Environmental Planning & Assessment Act 1979.
4. Subject to approval from the Department of Planning & Environment, Council exhibit the planning proposal to provide further community comment, and the matter be reported to Council following the exhibition.
5. The funding requirements as outlined in this report be approved and reflected as part of Council's Quarterly Budget review process.

- CARRIED

For:-

Clrs Kuskoff, Najjar, Tadros, Waud, Winterbottom, Asfour, Daniel, Golledge and Nguyen

Against:-

Clr Downey

THE MEETING CLOSED AT 9.40 PM

Minutes noted 14 JUNE 2016

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Administrator