



Briefing

AUCKLAND BOUNDARY TRAVEL REQUIREMENTS FROM 15 DECEMBER 2021 TO 16 JANUARY 2022

To: Hon Chris Hipkins
Minister for COVID-19 Response

Date	6/12/2021	Priority	MEDIUM
Deadline	8/12/2021	Briefing Number	DPMC-2021/22-1027

Purpose

This paper seeks decisions on four outstanding policy details for the testing or vaccination requirements for people leaving Auckland from 15 December 2021 to Sunday 16 January 2022.

Recommendations

- Note** that on 15 November, Cabinet agreed to require people travelling out of Auckland to be vaccinated or to have a negative COVID-19 test result within 72 hours prior to exit, as a transitional measure to apply from the time at which the current restrictions on the Auckland boundary are removed (15 December) until 11.59 pm, Sunday, 16 January 2022, unless otherwise advised [CAB-MIN-0477 refers]
- Note** that the Port Waikato area is inside the Auckland Alert level 3 boundary, but is excluded from the Auckland Red area boundary
- Agree** that the testing and vaccination requirement applies to people leaving the Auckland region, not including the additional area of Port Waikato that is currently inside the Auckland Alert Level 3 boundary
- Agree** that the small number of unvaccinated residents of the Port Waikato area who need to enter Auckland to access basic services, can leave Auckland on the same day without evidence of a negative pre-travel test

YES NO

for the sake of
simplicity let's
continue to treat
Port Waikato as
part of Auckland

YES NO

5. **Note** that on 15 November, Cabinet noted the need to reconsider the existing surveillance testing regime for permitted workers in the Auckland region ahead of removal of the boundary restriction, in particular with a view to increasing laboratory capacity to process tests from symptomatic people and close contacts [CAB-MIN-0477 refers]
6. **Agree** unvaccinated permitted workers travelling out of Auckland can either continue with the surveillance testing regime (a negative test up to 7 days and is done by saliva testing and PCR), or they can opt for a negative rapid antigen test within 72-hours, until 16 January 2022 when the surveillance testing regime will cease YES NO
7. **Note** that officials recommend a few limited circumstances where an unvaccinated person travelling out of Auckland does not require evidence of a negative test, based on people who do not require evidence of a test to travel into and out of Auckland now under Alert Level 3 settings
8. **Agree** to the following exceptions to test or vaccination requirement:
- a) for urgent care for a child or care and support to a person in a critical or terminal condition (Sch. 3 item 7) YES NO
 - b) if the person is a student in years 0 to 13 at a registered school, to attend that registered school (Sch. 3 item 8) YES NO
 - c) emergencies – if necessary to preserve their own or any other person’s life or safety (Sch. 3 item 19) YES NO
 - d) people going home after isolation or quarantine or arrival in New Zealand (Sch. 3 item 20) YES NO
 - e) people accompanying others - who must comply with the same conditions as the person they are accompanying (Sch. 3 item 26) YES NO
 - f) returning home from one of the above activities (for people living outside Auckland) YES NO
 - g) people travelling through Auckland in one trip without stopping, for example, a person travelling to Northland from the Waikato YES NO
9. **Note** that while Air New Zealand has made evidence of vaccination or test a condition of carriage, other transport operators have not and therefore cannot automatically carry out spot checks of their passengers’ vaccine pass or test
10. **Agree** to enable Auckland transport operators to require evidence of test or vaccination to be produced by passengers on request YES NO

Proposed Release


11. **Consult** with the Prime Minister, Minister of Justice and the Minister of Health and any other Ministers you deem appropriate on these proposed amendments to the COVID-19 Public Health Response (Protection Framework) Order 2021, as required by section 9 of the COVID-19 Public Health Response Act 2020

YES NO

12. **Note** that, subject to your agreement, these changes will be included in the amendment to the COVID-19 Public Health Response (Protection Framework) Order 2021, which will come to you for consideration and signature on Thursday 9 December (to come into effect at 11.59pm Tuesday 14 December).


13. **Agree** that this briefing is proactively released, with any appropriate redaction where information would have been withheld under the Official Information Act 1982, in February 2022.

YES NO



Ruth Fairhall
Head of Strategy & Policy, COVID-19 Group

6...1/12/2021



Hon Chris Hipkins
Minister for COVID-19 Response

...7...12.../2021

Contact for telephone discussion if required:

Name	Position	Telephone	1st contact
Ruth Fairhall	Head of Strategy & Policy, COVID-19 Group	s9(2)(a)	✓
Kay Baxter	Special Advisor, COVID-19 Group	N/A	

Minister's office comments:

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- Noted
- Seen
- Approved
- Needs change
- Withdrawn
- Not seen by Minister
- Overtaken by events
- Referred to

Proactively Released

AUCKLAND BOUNDARY REQUIREMENTS FROM 15 DECEMBER 2021 TO 16 JANUARY 2022

Context

1. On 15 November, Cabinet agreed to require people travelling out of Auckland to be vaccinated or to have a negative COVID-19 test result within 72 hours prior to exit, as a transitional measure to apply from the time at which the current restrictions on the Auckland boundary are removed (15 December) until 11.59 pm, Sunday, 16 January 2022, unless otherwise advised [CAB-MIN-0477 refers]
2. This briefing covers four issues:
 - a) Clarifying the boundary for this requirement is the Auckland region boundary, so the requirement does not apply to Port Waikato residents;
 - b) Clarifying permitted worker surveillance testing requirements;
 - c) Exceptions to the testing requirement; and
 - d) Enabling transport operators in Auckland to request evidence of a negative test or a vaccine pass.

Rapid antigen testing for Auckland boundary travel

3. On 29 November, you agreed that (refer HR 20212550):
 - testing for travellers leaving Auckland over the holiday period should not utilise Community Testing Centre or GP nasopharyngeal swabbing or saliva testing that will be analysed by existing laboratories as this would place additional pressure on them and could negatively impact on testing turnaround times, including for symptomatic people.
 - rapid antigen testing be utilised as the form of testing best suited for the purpose of testing unvaccinated travellers leaving Auckland between 15 December 2021 and the end of January 2022.
 - testing for those unvaccinated individuals travelling out of Auckland should be publicly funded until the end of January 2022.
 - rapid antigen testing for the purpose of providing proof of testing for domestic travel for unvaccinated travellers be publicly funded and free to access across New Zealand until the end of January 2022.
4. The Ministry of Health is currently rolling out rapid antigen testing to healthcare agencies, government agencies and businesses from 1 December, and community use commencing on 15 December 2021 (supervised through pharmacies) with a quick turnaround of results on site.
5. Rapid antigen testing results are available within 15 minutes, which means a test can be done just before travel. A rapid antigen test would be more likely to pick up a pre-travel infection if done closer to the travel time than 72 hours e.g. within 24 hours. Health's communication messaging will recommend that the test is done as close to the travel time as feasible.

6. The unvaccinated traveller would be able to find participating pharmacies online at the Healthpoint website. They could go to the pharmacy for a test without a booking. A pharmacy worker would supervise the test. If they have a cell phone, then the results would be texted to them, as happens now for PCR testing. If they do not, then they would have to wait in the pharmacy for a print-out of the test result.

Mapping of the southern Auckland boundary

7. There are two potential options for the mapping of the southern Auckland boundary on 15 December: either
 - a) the Auckland Regional Council boundary, which excludes Port Waikato, and is currently the boundary between Red and Orange from 15 December, or
 - b) the existing Alert Level 3 boundary, which includes the Port Waikato area.
8. Officials recommend option a). Police advise that aligning the pre-travel test or vaccination requirement with the regional council boundary and the Red area boundary would be easier to communicate to people. This would mean that the small number of people who live in the Port Waikato area (fewer than 800) will not need to meet the pre-travel test or vaccination requirement.
9. Port Waikato was included in the Alert Level 3 Auckland area so that residents were not shut off from accessing basic services in Waiuku and Pukekohe. So that this is not problematic from 15 December to 16 January 2022, we propose a specific exception to allow unvaccinated Port Waikato residents to have an exception to the pre-travel test or vaccine pass requirement. This would enable them to travel into Auckland and out again on the same day to access basic services.

Permitted worker surveillance testing

10. On 15 November, Cabinet noted the need to reconsider the existing surveillance testing regime for workers in the Auckland region ahead of removal of the boundary restriction, in particular with a view to increasing laboratory capacity to process tests from symptomatic people and close contacts [CAB-MIN-0477 refers].
11. Most permitted workers currently leaving the Auckland Alert Level 3 boundary must carry evidence that they have had a COVID-19 test, or a medical certificate confirming they do not have COVID-19 symptoms and, for a particular physical or other need, are unable to have a COVID-19 test.
12. Workers must get tested or be examined in the 7 days before they cross the Alert Level boundary. A weekly test was more practical for many permitted workers making daily trips in and out of Auckland. There is no cost for workers who get a test for this purpose. Testing is available at community testing sites around Auckland or at GPs, and saliva testing is an option. Workers do not need to stay home or stay away from work while they wait for their test result.
13. There are estimated to be about 31,000 workers are able to travel across the Auckland boundary, but not all cross the boundary every week. As at 2 December the 7-day rolling average of tests on permitted workers crossing the Auckland boundary was over 2000 per day.

No testing for vaccinated permitted workers

14. Officials recommend that the existing requirement for routine weekly testing continues to apply to only unvaccinated workers from 15 December. There would be little value requiring vaccinated workers to also be tested given the much larger number of Aucklanders travelling out of the region over Christmas who will only be vaccinated. Removing the requirement for vaccinated workers to be tested may reduce some of the burden that surveillance testing puts on the laboratory test processing capacity. However, in the pre-Christmas period, freight and transport movements increase, which may counter this reduction.

7 day PCR testing still available for unvaccinated permitted workers

15. This approach would maintain the existing programme for workers, removing the operational challenges of changing a regime that is working well and is understood by the sector, for a period of a month.
16. This proposal does not extend to other workers who are not already part of the surveillance programme. Other workers will have to comply with the 72-hour pre-travel rapid antigen test requirement.
17. The permitted workers would need to carry evidence of the purpose of travel – such as a letter from their employer. Freight or delivery vehicles could provide delivery dockets. There will be no official record as the MBIE run Business Travel Document system will be discontinued on 15 December. This system will be shut down because proof of being a permitted worker will only apply to the relatively small portion of the workforce crossing the boundary that is the unvaccinated and running the Business Travel Document system is resource intensive across multiple agencies.

Optional rapid antigen testing for unvaccinated permitted workers

18. We also recommend that the “permitted workers” have the option of a rapid antigen test should they wish. This option would need to be specified by the Director-General of Health by amending the COVID-19 test notice.
19. Officials recommend that the worker surveillance testing regime expires on 16 January – at the same time as the Auckland travel requirements expire.

Exceptions to the testing requirement for unvaccinated people

20. There may be occasions when an unvaccinated person has to travel out of Auckland for a particular activity and cannot get a pre-travel test. Based on the list that do not require testing for cross-boundary travel now, these activities are:
 - a) for urgent care for a child or care and support to a person in a critical or terminal condition (Sch. 3 item 7)
 - b) if the person is a student in years 0 to 13 at a registered school, to attend that registered school, noting all schools will be finished by Monday 20 December (Sch. 3 item 8)
 - c) emergencies – if necessary to preserve their own or any other person’s life or safety (Sch. 3 item 19)

- d) people going home after isolation or quarantine or arrival in New Zealand (Sch. 3 item 20)
 - e) people accompanying others - who must comply with the same conditions as the person they are accompanying (noting that a person who is collecting someone from MIQ must have evidence of a negative test as per cl 96) (Sch. 3 item.26)
 - f) returning home from one of the above activities (for people living outside Auckland)
 - g) people travelling through Auckland in one trip without stopping. This means, for example, that people from the Waikato can visit Northland without a vaccination or test.
21. We propose that a) to g) above are listed as exceptions to the testing requirement in the amendment to the COVID-19 Public Health Response (Protection Framework) Order 2021.
22. The exception d) above would apply to New Zealanders who are not vaccinated arriving from Samoa, Tonga and Vanuatu – as well as small numbers of unvaccinated citizens arriving from Tokelau, Cook Islands and Niue who wish to onwards travel domestically straight away on arrival in New Zealand. Under quarantine-free travel arrangements they do not go into MIQ. A negative COVID-19 test is not a traveller requirement for one-way quarantine- free travel. It would be a burden our partner countries' health systems to require a pre-departure test given these countries have been assessed as low COVID-19 risk. It would also allow RSE workers coming through Auckland under one-way quarantine-free travel between 14 December and 1 January to not be caught by the test and vaccination requirement - before the New Zealand government's requirement for workers to be fully vaccinated comes in on 1 January 2022.

Enabling Auckland inter-regional transport operators to ask for evidence of test or vaccine pass

23. Transport operators are seeking to be empowered under the Order to ask for evidence of a pre-travel test or vaccine pass for their passengers. While Air New Zealand has made test or vaccine pass conditions of carriage, and therefore can ask, other airline operators have not made the requirement a condition of carriage. Interregional buses and trains cannot make a pass or test a condition of carriage because they are 'public transport'.
24. If enabled to do so, Jetstar, for example, would be able to carry out spot checks of their passengers' vaccine or test status. This would assist in the compliance checking of the Auckland travel requirement. Intercity buses would also be able to carry out spot compliance checks of their passengers, should they wish to do so.
25. This enabling power to request evidence of negative pre-travel test or vaccine pass would not extend to enforcement and only apply to travel leaving Auckland from 15 December 2021 to 16 January 2022. If a passenger does not comply and still wishes to get on the plane or bus, then the company would need to call airport security or the Police. Communications from the Ministry of Transport will make clear that there is no obligation on the transport operator to enforce the requirement.

Next steps

26. If agreed to, these proposals will be included in the amendment to the COVID-19 Public Health Response (Protection Framework) Order 2021 for your consideration on Thursday 9 December.

Financial implications

27. The cost of the proposal for free antigen testing is covered in briefings from Health. There are no financial implications for the other proposals in this paper.

Consultation

28. This paper has been consulted with the Ministry of Transport, the Ministry of Health, MBIE, and MPI.

Communications

29. The Ministry of Health is working with your office and DPMC to arrange communications of the rapid antigen testing decisions. Sectors' guidance will need to be updated to reflect your decisions.

Proactively Released