

Briefing

UPDATES TO ALERT LEVEL AND BOUNDARY SETTINGS

To: Hon Chris Hipkins (Minister for COVID-19 Response)

Date	24/09/2021	Priority	High
Deadline	24/09/2021	Briefing Number	DPMC-2021/22-411

Purpose

This briefing proposes updates to testing requirements for people moving across the Alert Level 3/2 boundary for personal reasons and recommends that Upper Hauraki shifts down to Alert Level 2 at 11.59am Saturday 25 September.

Recommendations


1. **Note** that the Director-General of Health has advised that Upper Hauraki now presents a low risk and that it is safe for it to move to Alert Level 2;
2. **Agree** to move Upper Hauraki to Alert Level 2 from 11.59^{am} Saturday 25 September; *pm*
3. **Note** the timing of this move allows sufficient time for checkpoints to be safely relocated and for local iwi to communicate with hard to reach communities in the area;
4. **Note** Cabinet previously agreed on Monday 20 September that the requirement to carry evidence of testing for personal movement across the Alert Level 2/3 boundary would depend on the category of permitted movement and would include either:
 - 4.1. a negative pre-departure test within 72 hours (for most categories),
 - 4.2. a test as part of the seven-day surveillance testing regime (for those attending a medical appointment or caring for pets and animals), or
 - 4.3. no testing requirement in some situations (such as an emergency);

YES / NO

- 5. **Note** that the Director-General of Health has recommended that people travelling into the Alert Level 3 area from a lower Alert Level area for permitted personal reasons (and remaining there), do not need to carry evidence of a COVID-19 test;
- 6. **Agree** that people covered by the testing evidence requirements in recommendation 4 be required to carry that evidence when travelling out of, but not into, an Alert Level 3 area; YES / NO
- 7. **Agree** to an exception to the testing requirement for people travelling into an Alert Level 3 area for a health-care appointment (including vaccinations) and then back to their usual place of residence (outside the Alert Level 3 area); YES / NO
- 8. **Note** that the exception in recommendation 7 would only apply for people travelling into, then back out of an Alert Level 3 area;
- 9. **Note** that people who live in an Alert Level 3 area who cross the boundary for a health-care appointment and then return would be required to carry evidence of a test within the last seven days when travelling out of the Alert Level 3 area;
- 10. **Note** that workers crossing the Alert Level boundary will continue to be required to carry evidence of a COVID-19 test within the past seven days for travel into and out of the Alert Level 3 area;
- 11. **Agree** that this briefing is proactively released, with any appropriate redactions where information would have been withheld under the Official Information Act 1982, following any announcements of decisions taken. YES / NO


Ruth Fairhall
Head of Strategy & Policy
COVID-19 Response

24/9/21
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Hon Chris Hipkins
Minister for COVID-19 Response

24/9/21
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Contact for telephone discussion if required:

Name	Position	Telephone	1st contact
Ruth Fairhall	Head of Strategy and Policy, COVID-19 Response	N/A	s9(2)(a) ✓
Sam Willis	Senior Policy Advisor	N/A	s9(2)(a)

Minister's office comments:

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

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Situation report for upper Hauraki

1. Following the identification of COVID-19 cases in the upper Hauraki area on Sunday 19 September, the area was moved to Alert Level 4 at 11.59pm Monday 20 September. On Tuesday 21 September the Director-General of Health recommended that the upper Hauraki area should move to Alert Level 3 with no additional public health measures and upper Hauraki was moved to Alert Level 3 at 11.59pm that evening together with Auckland.
2. In addition, on Tuesday 20 September the Director-General of Health made a section 70 Notice under the Health Act 1953 requiring people who had been in the area since Wednesday 8 September but were no longer there to self-isolate. On Thursday 23 September the Director-General revoked the Section 70 Notice.

Public health advice is that restrictions for Upper Hauraki could be eased

The Director-General of Health recommends that Upper Hauraki can now shift to Alert Level 2

3. A Public Health Risk Assessment was undertaken on Thursday 23 September that concluded the risk in the upper Hauraki area is now low. This assessment is based on:
 - a) **Extensive community testing, with all negative results.** More than 1000 tests have been undertaken in the immediate area since Monday. All close contacts at the school, both staff and students, have been tested. All but one have returned negative results with one still outstanding. The only positive test results to date in this area are from the original household (four in total);
 - b) **Widespread wastewater testing has produced no unexpected detections.** There have been no unexpected detections from samples taken from Maramarua, Meremere, Ngatea, Paeroa, and Waitakaruru. However, the widespread use of septic tanks in the upper Hauraki area means that we cannot have complete certainty regarding detections; and
 - c) **There have been high levels of community engagement and compliance.**
4. Public Health advice is that based on current data, maintaining Alert Level 3 in the upper Hauraki would now be disproportionate. Given that risk in the area is assessed as low, the Director-General of Health recommends that the upper Hauraki area shift from Alert Level 3 to Alert Level 2, with effect as soon as operationally feasible and subject to community engagement.
5. The Alert Level settings for the rest of the country are scheduled to be reviewed on Monday 4 October, and the Director-General of Health proposes that the upper Hauraki area should be assessed as part of that process. If cases emerge in the community who are not known contacts and/or there is an unexpected wastewater result prior to that date a review will be undertaken.

Feedback from iwi leaders and the Mayor of Hauraki District

6. The Department of the Prime Minister and Cabinet (DPMC) has engaged with the Mayor of Hauraki District and iwi leaders. Both the mayor and iwi leaders have expressed a level of comfort with the area being at Alert Level 3, and an appetite for understanding the level of risk. For iwi leaders, an issue is communicating with communities in the area who do not have television or internet connections. They advise that it is important that iwi leaders have time following any decision to move the area down Alert Levels to make contact with these communities to advise them of what the new public health measures will be.

Ability to operationalise a move to Alert Level 2

7. Following a decision to move Upper Hauraki to Alert Level 2, Police and Waka Kotahi advise they would need a minimum of 12 hours to relocate checkpoints but that up to 24 hours would be desirable. It is also their preference that the change in Alert Levels comes into effect during daylight hours.

Recommended time for the move to Alert Level 2

8. In light of operational considerations and local sentiment, we consider there should be approximately 24 hours between an announcement that Upper Hauraki will move to Alert Level 2 and it coming into effect. If a decision is taken today (24 September) and announced at the 1pm press conference, we propose the amendment to the Alert Level Requirements Order is made this evening to come into effect at 11.59am Saturday 25 September.
9. DPMC also proposes they contact iwi leaders and the Mayor of Hauraki immediately following the decision to move the area to Alert Level 2 to advise them of it.

Proposed updates to the testing requirements for personal travel across the Alert Level 3/2 boundary

Cabinet has agreed to the testing requirements for people crossing the Alert Level 3/2 boundary for personal reasons

10. On 20 September Cabinet agreed that most people moving across an Alert Level 4/2 or 3/2 boundary for personal reasons be required to carry evidence of a negative COVID-19 test (or having taken a test in some instances) [CAB-21-MIN-0379 refers]. Cabinet agreed that testing evidence required for personal movement would depend on the category of permitted movement and would include either a negative pre-departure test within 72 hours (for most categories), a test as part of the seven-day surveillance testing regime (for those attending a medical appointment or caring for pets and animals), or no testing requirement in some situations (such as an emergency).
11. Additional testing requirements for people moving across the boundary for personal reasons have been included in the COVID-19 Public Health Response (Alert Level Requirements) Order (No 12) 2021 and took effect from 11.59 pm, Thursday, 23 September 2021.
12. In considering this decision, Cabinet also noted the Director-General of Health's advice that requiring a negative pre-departure test for people travelling out of the Alert Level 3 area for personal reasons would provide the greatest level of assurance that individuals are not transmitting COVID-19 to parts of the country with lower Alert Levels. However, it was

agreed that the requirement to provide evidence of a COVID-19 test applied to people travelling both into and out of Auckland. This requirement came into effect at 11.59pm on 23 September (last night).

13. We understand Police are intending to take a pragmatic approach to monitoring and enforcement of testing requirements at the boundary, and will be focusing their efforts on checking evidence of a COVID-19 test for those traveling out of the Alert Level 3 area, where the risk of transmission is highest.

Updates can be made to the testing requirements for those crossing the Alert Level 3/2 boundary

14. On Thursday 23 September the Director-General of Health recommended that Cabinet-agreed testing requirements be amended so that people travelling into an Alert Level 3 area for personal reasons are not required to provide evidence of a COVID-19 test. Testing people travelling across the Alert Level boundary is most important when they are travelling out of the Alert Level 3 area where there is a higher risk of transmission. People travelling into the Alert Level 3 area (particularly those making a single trip across the boundary) carry a lower public health risk.
15. We consider that there is little value to be gained by requiring evidence of a COVID-19 test for those traveling into an Alert Level 3 area (and remaining there) and that updates can be made to testing requirements at the Alert Level boundary so that the settings to more appropriately address public health risk.
16. We recommend that the Order is amended so that people crossing the Alert Level 3/2 boundary for personal reasons be required to carry evidence of a negative COVID-19 test within 72 hours (or evidence of a test in some situations) when travelling out of, but not into, an Alert Level 3 area. This would ensure that people travelling into an Alert Level 3 area and remaining there, who carry a low risk of COVID-19 transmission, would not be required to undergo testing unnecessarily.
17. In addition, the Director-General of Health has proposed, and we recommend, that people travelling into Auckland for a health-care appointment (including vaccinations) and then back to their usual place of residence (outside the Auckland Alert Level 3 area) should not be required to carry evidence of a test in either direction.
18. This testing exception would only apply for people travelling into, then back out of Auckland; rather than people who live in Auckland and who cross the boundary to for a health-care appointment and then return to Auckland. (Such people would be required to carry evidence of a test within the last seven days when travelling out of Auckland). The rationale for only allowing this exception to operate one way is this is that people who live in the Alert Level 3 area present a higher risk of transmitting COVID-19 than those who visit it for a short period of time.
19. We consider that this exception would support people to access essential medical care, such as cancer treatment, who may find it difficult to comply with these testing requirements. However, this exception would add complexity for Police, and may not be operationally practicable to enforce. Police has noted that officers at checkpoints could not establish whether the individual seeking to leave the Alert Level 3 area had complied with the conditions of their movement into that area and there would be no ability to monitor the movements of those entering into and moving around the Alert Level 3 area. A high trust

approach would need to be taken. This is also likely to be difficult to communicate and understand from a communications perspective.

20. If Ministers agree that the Order should be amended on this basis, we propose that the amendment comes into force as soon as possible.

Communications

Upper Hauraki Alert Level change

21. Following a decision and ministerial announcement, a fact sheet with the latest information will be sent to stakeholders in upper Hauraki. A hui will be arranged with mayors, iwi leaders and community leaders to discuss and answer questions. Engagement with government agencies will take place following the announcement to update the response system. The UAC channels will be updated and there will be targeted advertising to support the changes.

Personal Travel Boundary Testing

22. Fact sheets have been developed for Alert Level 3 and boundary testing for use by Police and Aviation Security staff. Testing messages will be promoted through paid advertising and motorway signage over the weekend.

Human rights implications

s9(2)(h)



s9(2)(h)



Proactively Released

ATTACHMENT A – MINISTRY OF HEALTH ADVICE

Proactively Released