



BRIEFING

End to end process for urgent managed return flights from NSW

Date:	11 July 2021 (14:30)	Priority:	Urgent
Security classification:		Tracking number:	NSW-003

Action sought		
	Action sought	Deadline
Hon Chris Hipkins Minister for COVID-19 Response	Note the ongoing operationalisation of managed return flights. Agree to share this information with Border Ministers and Cabinet colleagues.	11 July 2021

Contact for telephone discussion (if required)			
Name	Position	Telephone	1st contact
Christine Stevenson	Chair of the Border Executive Board		
Kara Isaac	General Manager, MIQ Policy	Privacy of natural persons	✓
Privacy of natural persons	Principal Policy Advisor		

The following departments/agencies have been consulted
The Ministry of Transport, MBIE Immigration, the NZ Customs Service, the Ministry of Foreign Affairs and Trade, the Ministry of Health, the Department of Prime Minister and Cabinet and Crown Law.

Minister's office to complete:

- | | |
|---|--|
| <input type="checkbox"/> Approved | <input type="checkbox"/> Declined |
| <input type="checkbox"/> Noted | <input type="checkbox"/> Needs change |
| <input type="checkbox"/> Seen | <input type="checkbox"/> Overtaken by Events |
| <input type="checkbox"/> See Minister's Notes | <input type="checkbox"/> Withdrawn |

Comments



BRIEFING

End to end process for urgent return managed return flights from NSW

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Purpose

To inform you of the operationalisation of the Government's decision to implement red flights and 14 days in MIQ for the urgent managed return of people currently in lockdown in NSW, and to highlight some of the potential risks and implications of the process.

Recommended action

The Ministry of Business, Innovation and Employment recommends that you:

- a **Note** that, following The Government's decision to implement a managed return from NSW for eligible travellers, we have been working closely across partner agencies to operationalise this decision.
Noted
- b **Note** that you have agreed to progress regulatory amendments to enable a Ministerial waiver for fees, and to create an exemption from the use of the MIAS voucher process to facilitate the managed return.
Noted
- c **Note** that you have agreed to a process and criteria to enable a traveller with an urgent or exceptional need to return to NZ to access a small quota of airline tickets withheld for this purpose [MBIE briefing NSW-002 refers]
Noted
- d **Note** that we anticipate the relevant infrastructure to support people wishing to return from NSW will be in-place by tomorrow, including an airline-led allocation for tickets, a call-centre to access the quota for an urgent or exceptional need to return, and publicly available communications.
Noted
- e **Note** that MIQ will make available 1000 rooms in Auckland and Christchurch between 13 July and 25 July, with 610 of these in the first week.
Noted

Risks

- f **Note** there is an ongoing risk that some people may travel interstate in Australia to avoid MIQ on return to New Zealand, and that while there are systems in place to detect this, these are significantly limited
Noted
- g **Note** that making available contingency/reserve for the NSW managed return means that MIQ has no capacity to respond to significant other issues, e.g. an outbreak in the Cook Islands.
Noted

Next steps

h **Agree** to share this briefing with Border Ministers and Cabinet colleagues in-advance of Cabinet on Monday 12 July 2021. .

Agree / Disagree

i **Note** that the Minister of Immigration will certify immigration instructions to support the implementation of the eligibility criteria

Noted

j **Agree** to proactively release this briefing with appropriate redactions consistent with the Official Information Act 1982.

Agree / Disagree



Christine Stevenson
Chair of the Border Executive Board

..... / /

Hon. Chris Hipkins
Minister for COVID-19 Response

11/7/2021

..... / /

Background


1. On Friday 9 July, Ministers announced that managed return flights for people in New South Wales (NSW) would begin from Tuesday 13 July.
2. MBIE advised you that 1000 rooms will be available for these people, leveraging the 500 rooms set aside for Quarantine-Free Travel (QFT), cohorting underutilisation, and contingency capacity [MBIE briefing NSW-001 dated 9 July refers]. MBIE also sought your agreement to create a Ministerial exemption from the requirement for these people to have a confirmed MIQ allocation under the COVID-19 Public Health Response (Air Border) Order (No 2) 2020. That exemption is necessary to expedite the return of affected travellers.
3. Ministers also asked for advice on whether access to managed return flights can be arranged for those with an urgent or special need to return. MBIE advised you that the managed isolation allocation system (either online or offline) is not a suitable way to prioritise access to managed return flights. You agreed to the process for withholding a small quota (20% of available flights) for travellers with urgent or exceptional need to return to New Zealand [MBIE briefing NSW-002 dated 10 July refers].
4. This briefing provides further details on the end to end process for travellers in NSW wishing to return on managed return flights, including:
 - a. Information about how potential travellers will access information about managed return flights, and the process for managing access to the quota for those with an urgent or special need.
 - b. Screening of passengers before they board flights
 - c. An update on the scheduling and logistics of flights from NSW to New Zealand.
 - d. How airports (Auckland and Christchurch) will manage
 - e. Impact on MIQ facilities and workforce.
5. There are a number of potential impacts and consequences associated with the proposed managed return; these are described in the second half of this briefing.

The operationalisation of managed return flights is well underway, although a number of details are still to be resolved.

People seeking information about managed return flights from NSW will have access to a number of channels.

6. As for previous responses to outbreaks in Australia since QFT began, the Unite Against COVID (UAC) website will be the New Zealand Government's central source of information about the managed return process. This will be amplified through messaging to be sent out via MFAT's Safe Travel registration system.
7. As the UAC portal does not have a call centre function, MIQ's call centre and MFAT's call centre, which is being stood up to assist travellers with urgent travel applications, will receive calls from affected travellers with queries about the wider returns process. Call centre staff will refer callers back to the information on the UAC website wherever possible.
8. Officials are also working closely with airlines to ensure that they have relevant information to share with interested travellers. People will be encouraged to use government channels in the first instance.

We are continuing to work with airlines and airports to schedule flights

9. The Ministry of Transport (MOT), MBIE and the NZ Customs Service continue to work with airlines (Qantas Group and Air NZ) and airports (Auckland and Christchurch) to determine airline schedules for managed return flights to New Zealand from New South Wales from Tuesday.
10. We will provide Ministers with noting information about airlines' proposed schedules to support managed returns from NSW from Tuesday, as soon as possible. Air New Zealand will have their proposed schedules through to officials on Sunday 11 July. Qantas has provided an indication of the flights it will run, with some detail still to be provided. Airlines will endeavour to post schedules late Sunday. Air crew restrictions and crew availability is creating some delays in airlines being able to confirm their schedules.
11. We are working with airlines on how they will allocate seats to passengers. At this time, it is unlikely that passengers will be able to book online, rather existing airline travel disruption systems will be used to reallocate seats based on a number of metrics – for example, how long people have been waiting to return. Passengers who have been allocated a place by the airline will receive clear communications that they have been booked on a flight and the conditions of travel, and will be asked to confirm if they still need the seat. If passengers do not want the seat, then the seat will be re-allocated through the same process. Passengers will not be required to have an MIQ voucher. Airlines will also hold 20 percent aside for those who have an urgent or exceptional need to travel.
12. Officials have developed an allocation model for seats between airlines, which was informed by the number of estimated stranded passengers each airline has in NSW. These are not exact numbers but estimates-based information previously supplied by each of the airlines.
13.  Commercial information
14. MOT advised airlines on Saturday afternoon of the number of seats to inform schedules, and will be in a position to provide an update to Ministers shortly.

A call centre to support access to the urgent or special needs quota will be operational from tomorrow

15. For travellers who are not allocated a seat by the airline as part of the 80 percent allocation but consider they have an urgent need for travel which meets the agreed criteria, the Ministry of Foreign Affairs and Trade (MFAT) will provide the “front door” for expressing interest and making an application.
16. MFAT is standing up a dedicated call centre and email address for any travellers to make contact. MFAT call centre staff will be drawn from a pool of those with relevant experience from previous consular responses. These officials will sense check that the traveller's account of their situation would in principle be a broad fit with one of the defined urgent travel criteria. If so, the traveller will be provided with the application form to complete and send on to MBIE. MBIE will then check that all information is complete but will not undertake any assessment of whether the information provided is true or accurate, consistent with this being a high-trust model.

17. Assuming the information provided is complete, MBIE will inform the traveller that their request has been accepted and will copy in the appropriate airline customer journey manager to ensure the airline is advised directly. Depending on demand for the 20 percent allocation, this may not guarantee the traveller a seat on the flight depending on how many seats have already been allocated.
18. In keeping with the high-trust model for returns, this step is not an assessment of applicants' bona fides or relative priority. But officials judge it may be of some additional help for limiting the applications which are received to those people who most need an early return flight.
19. The call centre will begin operating on Monday 12 July, and operate from 8am – 8pm NSW time Monday to Friday (i.e. 10am – 10pm NZT, to include all of the working day in New South Wales). The call centre will operate while the first tranche of flights is being arranged, with need and fit for purpose to be reviewed after those flights are fully booked and in light of demand.

Checks to confirm eligibility to travel will be undertaken

20. The Minister of Immigration will certify immigration instructions to enforce the eligibility decisions. These will establish that ineligible people will not be granted entry permission to New Zealand and therefore will not be permitted to board. This applies to Australian citizens, Australian permanent residents, temporary visa holders and electronic travel authority holders who are not normally resident in New Zealand, identified as people who have not been in New Zealand or who last left New Zealand before 6 April 2021.
21. Immigration New Zealand (INZ) will screen check-in information to identify whether any intending travellers are not eligible to travel, and to refuse upload to identified travellers. In addition, the Airline Liaison Officer based at Sydney airport will support airlines to check and screen passengers as they arrive.
22. Border officials note that there is an ongoing risk that ineligible travellers (including New Zealand citizens) who are in a pause location and want to travel to New Zealand may relocate to another Australian state (including by driving) and provide inaccurate pre-departure declarations. This will continue to be difficult to detect.
23. Whilst pre-departure testing will not be a condition for the NSW return flights, there are existing baseline pre-departure questions that passengers are asked that officials consider should remain in place. These are:

Have you been in a current COVID-19 location of interest?
Have you been advised to self-isolate; or are you awaiting the results of a COVID-19 test?
Are you currently experiencing any of the following symptoms?: <ul style="list-style-type: none"> • new or worsening cough • sore throat • shortness of breath • runny nose • loss of sense of smell • fever
Have you completed the online NZ Traveller Declaration, Nau Mai R ?

Transit of passengers through airports being arranged

24. Customs has engaged with Auckland and Christchurch Airport companies and will continue to keep them updated.

25. These flights will operate as red flights and follow standard operational processes, including entry to MIQ for 14 days. The only variation is that passengers will not need to undertake pre-departure testing.
26. Customs is confident that operations at Auckland and Christchurch Airports can be managed, particularly given the expected low number of flights and low loading of passengers.
27. Auckland and Christchurch Airports are expected to operate business as usual commercial red zone and slot allocation processes with airlines to confirm schedules. This is a commercial negotiation between airports and airlines. However, agencies recognise that with government setting the parameters of return flights and MIQ allocation between the airlines, officials will need to closely monitor the situation with respect to slot availability between the airlines.

Operational implications on airlines are being worked through

28. Aircrew arrangements for managed return flights will need to be confirmed as soon as possible. These will affect the operational viability of flights, with the key issue being the ability for aircrew who have operated from Sydney to then operate from other Australian and New Zealand ports. MOT has been working with the Ministry of Health (MOH) and the Department of Prime Minister and Cabinet (DPMC) on this and agencies anticipate being able to reach an outcome that meets public health, operational and legal needs. Our current expectation is that these aircrew will be treated as if they are operating green flights.

29. Commercial information

30.

MIQ will make available 1000 rooms between the 13th and 25th of July, aligned with flights arriving from NSW

31. MIQ is working on the basis of 1000 rooms over a two-week period. Availability will be front loaded in the first week and takes account of expected demand at the front end of the two-week period. This recognises the urgency of people who have been stranded for a longer time period that need to come back.
32. Airlines advise that the way in which MIQ availability will be front loaded in the first week is the right approach. Demand may drop off – with some passengers choosing to wait it out. Allocations have been made on a “rooms” basis with an initial approach from MIQ to work on the basis of 1 person per room. However, where there are two people on the same booking (e.g. couples), then this will be counted as one room. Initially, bookings with more than two passengers will still be counted on a 1:1 basis (so 4 passengers will be assumed to require 4 rooms). This will be monitored on an ongoing basis and adjustments made as appropriate.
33. Airlines are able to provide Passenger Name Record (PNR) data to provide more granularity around the make-up of passengers booked. (For example, bookings comprising couples and family groups). MIQ is comfortable with 2 passengers being allocated to one room where airlines’ booking data gives confidence they are a couple. This could add more than 100

places a fortnight, with around Commercial information of Air New Zealand passengers and Commercial information of Qantas passengers travelling in “groups” of two.

34. Discussions with the Four Points were held on Sunday 11 July to confirm the change in plans for the facility, given scheduled maintenance which was due to close the facility. The Four Points has confirmed that they are able to accommodate these returnees and this facility will be for NSW returnees only. Returnees will be accommodated from 19 July.

City	Rooms	Tue 13-Jul	Wed 14-Jul	Thu 15-Jul	Fri 16-Jul	Sat 17-Jul	Sun 18-Jul	Mon 19-Jul	Tue 20-Jul	Wed 21-Jul	Thu 22-Jul	Fri 23-Jul	Sat 24-Jul	Sun 25-Jul
Auckland	Rydges		80											
	Grand Millenium	70	70	50										
	Pullman			50										
	So				30									
	Waipuna				40									
	Crowne Plaza						80	20						
	Novotel Airport						70							
	Four Points							60	80	80				
	Grand Mercure													80
Christchurch	Commodore CHC	40												
	Distinction CHC	30												
	Sudima CHC											70		
		140	150	100	70	80	70	80	80	80	0	70	0	80
							610	rooms						rooms
														Fortnight rooms
														1000

35.

Infection prevention and control in facilities.

36. As under normal circumstances, comprehensive infection prevention and control measures in MIQ facilities will be in place. As per existing requirements, all workforce will be required to be vaccinated.
37. For the most part we have managed to allocate the flights so that they will enter facilities during the intake period of 96 hours, so cohorting will be able to be maintained. The release of 1000 additional rooms over the next two weeks requires the suspension of cohorting in some facilities.

There are a number of risks for the wider border response and MIQ system from the implementation of managed flights

38. We anticipate that potential risks will continue to emerge given the pace of operationalisation and the likelihood of unintended consequences.
39. We have previously advised you of the impact on the MIQ system [MBIE briefing NSW-002 10 July refers]. Impacts include: delayed ventilation remediation for the Four Points, loss of contingency for any other emergency situation, withholding the release of the rest of August’s MIAS vouchers.
40. Scaling up to a 4500 room utilisation in the space of a week will result in significant strain on various aspects of the border and MIQ systems. We are currently working to identify and mitigate impacts, including those on the workforce and logistics. Initial forecasts are that this level will not be sustainable beyond the initial two-week period. MIQ may need to drop back to the 500-room reserve after the first NSW returnee cohort has been accommodated. We will provide you with further information on this in the next few days.

We expect that border averters may increase

41. Border officials note that there is an ongoing risk that ineligible travellers (including New Zealand citizens) who are in a pause location and want to travel to New Zealand may relocate to another Australian state and provide inaccurate pre-departure declarations.
42. Airlines and agencies are anticipating that, following the announcement of managed returns from NSW, there may be an increase in people seeking to return to New Zealand via another Australian port to avoid MIQ. Systems are in place to detect such people, but there are significant limitations. MBIE can detect some passengers who have crossed state borders by air – this caught at least one passenger just before a flight was set to depart from Melbourne on Saturday. Passengers are also required to confirm through airline checks at the airport that they have not been in an area from which the New Zealand government does not allow quarantine-free travel. The risks are further mitigated by the restrictions other Australian states have on travel from NSW. Anyone who arrives in New Zealand who is found to have been in New South Wales since 26 June is required to enter MIQ for 14 days.
43. It is becoming apparent that there are non-compliant travellers, who have jumped across state lines to travel to New Zealand. For example, a Melbourne QFT flight to Queenstown had one passenger who had travelled from NSW, and is now in a MIF. Queenstown is struggling with managing the number of non-compliant travellers. Yesterday, on a Brisbane-Queenstown flight, eight passengers across two groups were identified as ineligible travellers as they are not resident here and were travelling on holiday. They are now being returned to Australia.
44. The requirement for pre-departure testing compliance is assisting with the identification of border averters as an 'interstate jumper' may produce a test issued in NSW.
45. We anticipate that more people will look to circumvent the rules as an inevitable consequence of the red flights requiring MIQ. Whilst border agencies are doing their best undertaking screening we are operating under significant limitations when it comes to having visibility of domestic Australian travel and operating in a high trust model.

The increased utilisation of MIQ capacity means the system will be less able to respond to unforeseen crises elsewhere

46. We have previously provided advice to you that the release of rooms for NSW returning travellers will impact on the operating contingency held by MIQ in Auckland and Christchurch [MBIE briefing NSW-022 refers].
47. As the NSW managed returnees will use all or most of the emergency room buffer in the MIQ system, it will constrain the choices available to the Government should there be a concurrent outbreak in the Cook Islands which presents a need to return travellers to New Zealand quickly and at scale. In particular, it would not be possible to use a similar model to the one being deployed for New South Wales, until the travellers currently stranded there have returned and passed through MIQ.
48. As well as planned returnees from NSW, we are anticipating that a number of border averters who seek to enter New Zealand using green flights from other jurisdictions will need to enter MIQ. These border averters will further erode the rooms kept available for contingency.
49. Following provision planning for the allocation of rooms to accommodate returning travellers, there are approximately 400 rooms available as a final backstop contingency (as at 3pm 10 July for the weekend of 18 July). We expect that this will change significantly as numbers of returnees are confirmed, and we will provide you with further updates.

We have identified a range of impacts on the workforce

50. Scaling up capacity in the system within this compressed timeframe and at short notice has a range of workforce implications.
51. There will be increased pressure on the Auckland health teams that have experienced increasing staff attrition over the past two months. A request to all DHBs to provide additional seconded resource to support Auckland over the next 2-3 weeks has been issued by their Chief Executive over the weekend. However, the DHB has plans in place to ensure they will be able to support the NSW arrivals from Tuesday regardless of whether secondments are forthcoming from other regions. MOH is supporting the DHB with a number of initiatives in an effort to reduce demands on the MIQ health workforce.
52. Christchurch health teams have confirmed the additional arrivals can be managed with the existing MIQ workforce.
53. MIQ anticipates there will be additional demands placed on both Police and security teams at MIQ facilities due to increases in breaches as, prior to the Australian travel bubble being implemented, travellers from Australia were the leading cause of disruptive and/or non-compliant behaviour
54. Across other workforces, a range of measures are being taken, including the cancellation of leave.

Legal challenge

55.

Legal professional privilege

There are emerging reputational risks, including a perceived lack of fairness

56. As we are starting to see from media reports, there are high levels of public interest and scrutiny in the provision of managed return flights.
57. In summary, key emerging issues include:
 - a. The decision to support the managed return of people in NSW but not other locations that have or are grappling with COVID. International relations
 - b. That capacity in MIQ has been made available to returnees from NSW at a time when there is no availability on MIAS. The approximately 400 remaining MIAS vouchers for August which were due to be released have been withheld in order to remain within safe operating parameters and rebuild the MIQ operational contingency.
 - c. That returnees will not have to pay for their 14-day MIQ stay at significant cost to the Government, particularly in light of previous communications that travellers from New Zealand in QFT zones will be responsible for their own costs in the event of disruption.

- d. The establishment of a precedent for how New Zealand will respond to future issues in QFT zones, including the expectations travellers will have of the support they can access.
58. We anticipate that as this change is operationalised and travellers begin to return other issues may emerge around:
- a. Travellers being unable to access flights due to eligibility criteria or a lack of capacity.
 - b. Travellers who meet the criteria for urgent or exceptional need being unable to access flights due to the exhaustion of the 20% quota.
 - c. Due to the time taken to stand up this emergency response, the MIQ experience for NSW returnees may not be the same as for others, for example the ability to meet special requirements may be constrained.
59. The main mitigation for these issues will be the continuation of clear and consistent advice. We will continue to work with your office to ensure that you are in a position to provide this.

Government communications are critical

60. Clear and accurate government-led communications will continue to be critical. We need to ensure travellers know where they can go to get information from an authoritative source. Airlines need to be able to provide clear messaging to passengers. Travellers should not be directed to contact their airlines by government sources until airlines have had the opportunity to confirm flight schedules, crewing arrangements and their own internal mechanisms for allocating bookings and seats.
61. Airlines have emphasised the need for clear messaging about the overall level of MIQ availability, and availability over the two-week period. Those wanting to return will need to be patient.
62. Government messaging to date has been clear that the number of seats available on a managed flight will be determined by the number of spaces available in managed isolation. That messaging will need to continue over the foreseeable future, given that constrained supply means some travellers may need to wait until later in the two-week period to return from NSW to New Zealand and others may have to wait it out for a longer period. Given flights will not be full, there may be a perception that the Government is not fully focused on enabling returns.
63. The pace at which we are working means there are invariably going to be issues to contend with and we expect media reporting and public commentary when those issues arise. Agencies will continue to work with airlines and airports throughout the implementation period to manage issues as they arise. Proactive all of government communications will be critical to manage traveller and wider public expectations and respond to issues when they arise.

Next steps

64. Airlines are currently developing flight schedules and engaging with airports on slot coordination. We anticipate that airlines will confirm schedules with the Ministry of Transport by late Sunday evening.
65. We previously provided you with talking points to support your discussion with Cabinet colleagues related to fees exemptions [MBIE briefing NSW-001 refers].

66. The Parliamentary Counsel Office are considering how best to structure the legal mechanisms to enable managed return red flights and on Monday you will be provided with a briefing describing how these requirements operate together with the exemption for signing:
- a. The legal mechanisms required to enable the managed return red flights from New South Wales are an exemption under section 26 of the current Air Border Order as well as amendments to the Immigration Instructions and to the COVID-19 Public Health Response (Managed Isolation and Quarantine Charges) Regulations 2020.
 - b. The exemption from the Air Border Order will provide for an exemption from the requirement for a confirmed allocation to MIQ for travellers and for travellers to make the same declarations as required for QFT flights, but not to be required to have undertaken a pre-departure test.
 - c. For aircrew, the exemption will provide for an exemption from the requirement to isolate and quarantine as well as for the settings for air crew working on the managed return flights (to reflect the QFT aircrew settings and to ensure aircrew are still able to work on QFT flights also). There is some drafting complexity to these arrangements, which are a hybrid of red and green travel requirements.