

**In Confidence**

Office of the Minister of Energy and Resources  
Office of the Minister for Economic Development  
Office of the Minister of Immigration

Ad-hoc Cabinet Committee on COVID-19 Response

**COVID-19: Request for exemption to temporary border restrictions for essential electricity sector workers**

**Proposal**

- 1 This paper seeks agreement to an exemption to COVID-19 temporary border restrictions to enable essential workers in the electricity sector to enter New Zealand.

**Relation to government priorities**

- 2 This proposal supports New Zealand's management of the response to COVID-19.

**Background**

*Cabinet has agreed high-level parameters for exemptions to the COVID-19 border restrictions*

- 3 On 19 March 2020, Cabinet agreed to border restrictions preventing entry to New Zealand [CAB-20-MIN-0122 refers]. The following groups are not subject to the restrictions:
  - 3.1 New Zealand citizens and residence class visa holders;
  - 3.2 The partner, legal guardian or any dependent children travelling with a New Zealand citizen or residence class visa holder;
  - 3.3 Australian citizens and permanent residence class visa holders ordinarily resident in New Zealand; and
  - 3.4 People subject to regulation 25 or the Immigration (Visa, Entry Permission, and Related Matters) Regulations 2010, which includes air and marine crew.
- 4 Cabinet also agreed high-level parameters for case-by-case exemptions to COVID-19 border restrictions, which include [CAB-20-MIN-0122 refers]:
  - 4.1 Those who need to travel for humanitarian reasons;
  - 4.2 Essential health workers;
  - 4.3 Citizens of Samoa and Tonga for essential travel to New Zealand;

- 4.4 Partners or dependents of a temporary work or student visa holder, and who normally live in New Zealand; and
- 4.5 Any other essential workers identified by the group of COVID-19 Ministers with Power to Act.

**Requests have been made for exemptions to the travel restrictions for essential workers in the electricity sector**

- 5 Officials have received requests to enable six essential workers in the electricity sector to enter New Zealand to perform essential maintenance work. Details of these workers is provided in Annex One. The essential nature of the work is discussed below.

**Worker required for critical maintenance on Todd Generation's McKee and Junction Road power stations**

- 6 An exemption is sought for one worker to perform critical maintenance on Todd Generation's McKee and Junction Road 'peaker' facilities. Peaker plants have fast start-up times, and operate to meet electricity demand during periods when demand is high or increasing rapidly.
- 7 Having this generation available in the coming months is important for the security of New Zealand's energy supply especially as we are entering winter where electricity demand reaches its peak.
- 8 The specialist expertise is required to perform critical maintenance on a high pressure General Electric turbine at the McKee power station. This requires technical capability which we do not hold in New Zealand under normal circumstances.
- 9 Deferral of this work will result in an increased risk of damage to the operation of turbines which may result in unplanned outages should damage occur. This would adversely affect New Zealand's energy security. It would likely require further overseas workers and parts to fix any issues that arise.
- 10 The identified worker is employed by General Electric in s 9(2)(a) as a Gas Turbine Maintenance Technician. Todd Generation initially requires the worker in late April and intends to bring them into the country as soon as possible. Todd Generation intends to keep the worker in New Zealand after this work is complete to provide support for any unplanned outages, or any further critical maintenance, to support ongoing provision of electricity over the next couple of months.

**Three workers required to recommission Aratiatia Power Station**

- 11 The Aratiatia Power Station, operated by Mercury Energy, is currently in the process of being overhauled. Once the station is operational again, the Station will provide electricity to the national grid. Having the station available as a generation option gives more flexibility to deal with risks of a dry winter, which might otherwise compromise security of supply.

- 12 In order to bring the Station back into service, Mercury Energy seeks exemptions to allow three *Andritz Hydro* workers from s 9(2)(a) to enter New Zealand and undertake the recommissioning work. These staff are necessary because only approved *Andritz Hydro* staff can perform the tasks necessary to commission the power station (which utilises *Andritz Hydro* turbines, generators and control systems) and no New Zealand based staff have this approval.
- 13 If these staff are unavailable, the Aratiatia Power Station cannot be recommissioned, which means it will not be available for electricity production during the coming winter. This will have a negative impact on the security of electricity supply.
- 14 The three workers are scheduled to arrive in Auckland on 22 April 2020

**Two workers required to service the Edgecumbe co-generation plant gas turbines**

- 15 Nova Energy has two Siemens Gas Turbines embedded in the Fonterra Dairy Factory at Edgecumbe. The co-generation plant provides both steam and electricity to the Edgecumbe dairy factory which continues to operate as an essential service during Alert Level 4. Maintenance work on the turbines is scheduled for May-June to coincide with the off-season for dairy production.
- 16 Delaying this work is not a viable option. If the gas turbines suffer a plant failure due to a lack of maintenance, Fonterra's ability to process milk will be severely compromised, which may result in milk dumping. The next window to perform this maintenance work will be after the peak of the dairy season, but in any case would need to be completed by November-early December 2020.
- 17 Siemen Gas Turbines are specialist technology, and Nova Energy is unable to locate domestic expertise to perform the required maintenance work. Accordingly, Nova Energy has sought two specialist workers from Siemens directly. Siemens have provided details for three potential workers – only two of whom will be dispatched to New Zealand. Siemens was unable to identify at this point which two of the three workers will be sent, therefore, we seek approval for all three workers on the understanding that only two of those three will travel to New Zealand.
- 18 It is intended that the two technicians arrive from s 9(2)(a) in late-April.

**The workers will be quarantined on arrival in New Zealand**

14. On arrival in New Zealand the workers will be required to undergo quarantine or managed isolation in an approved facility for a minimum of 14 days. Before quarantine is completed, they will only be able to provide remote support to their employers.
15. All costs associated with the workers, including international and domestic travel, quarantine, and accommodation and support if they become stranded in New Zealand, will be met by Todd Energy, Mercury Energy and Nova Energy respectively as the sponsoring employers.

### **Next steps**

- 19 If the requests are approved, in accordance with Immigration Instructions, *H5: COVID-19 Support Restricted Temporary Entry Instructions*, the workers will be invited to apply for supported temporary visas or variations of conditions as essential workers “critical to the maintenance of critical infrastructure.”

### **Financial Implications**

- 20 There are no financial implications associated with these proposals.

### **Legislative Implications**

- 21 There are no legislative implications associated with these proposals.

### **Impact Analysis**

#### *Regulatory Impact Statement, Climate and Population Implications*

- 22 A regulatory impact statement is not required.
- 23 There are no climate implications associated with these proposals and no impacts on population groups.

### **Human Rights**

- 24 This paper has no immediate human rights implications in terms of the rights and freedoms affirmed in the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993.

### **Consultation**

- 25 This paper has been prepared by the Immigration and Energy and Resources branches of the Ministry of Business, Innovation and Employment. The Ministry of Health was consulted and is comfortable with the proposals. The Department of the Prime Minister and Cabinet was informed.

### **Communications**

- 26 Proactive communication is not planned. If an exemption is granted, the worker will be contacted by Immigration New Zealand.

### **Proactive Release**

- 27 The Ministry of Business, Innovation and Employment will proactively release this paper subject to redactions as appropriate under the Official Information Act 1982.

## Recommendations

The Ministers of Economic Development, Energy and Resources and Immigration, recommend that the Committee:

- 1 **note** that on 19 March 2020, Cabinet agreed further border restrictions [CAB-20-MIN-0122 refers] to prevent travel to New Zealand for anyone other than:
  - 1.1 New Zealand citizens and residence class visa holders;
  - 1.2 The partner, legal guardian or any dependent children travelling with a New Zealand citizen or residence class visa holder;
  - 1.3 Australian citizens and permanent residence class visa holders ordinarily resident in New Zealand; and
  - 1.4 People subject to regulation 25 or the Immigration (Visa, Entry Permission, and Related Matters) Regulations 2010, which includes air and marine crew.
- 2 **note** that Cabinet also agreed high level parameters for case-by-case exemptions to COVID-19 border restrictions, which include [CAB-20-MIN-0122 refers]:
  - 2.1 those who need to travel for humanitarian reasons;
  - 2.2 essential health workers;
  - 2.3 citizens of Samoa and Tonga for essential travel to New Zealand;
  - 2.4 partners or dependents of a temporary work or student visa holder, and who normally live in New Zealand; and
  - 2.5 any other essential workers identified by the group of Ministers with Power to Act.
- 3 **note** that officials have received the following requests from the electricity sector to allow foreign workers to enter New Zealand to perform the following essential tasks:
  - 3.1 Critical maintenance on Todd Generation's Mckee and Junction Road power stations (one worker);
  - 3.2 Recommission the Aratiatia Power Station (three workers); and
  - 3.3 Service the Edgecumbe co-generation plant gas turbines (two workers);
- 4 **note** the name, date of birth, nationality, and passport number of the workers associated with these requests is outlined in Annex One
- 5 **note** that these requests are supported by the Ministry of Business, Innovation and Employment, as the work these workers are required to

undertake cannot be performed by local staff, and the work ensures security of electricity supply

- 6 **note** that, on arrival in New Zealand, the workers will be required to undergo quarantine or managed isolation in an approved facility for a minimum of 14 days
- 7 **note** that all costs associated with the workers, including international and domestic travel, quarantine, and accommodation and support if they become stranded in New Zealand will be met by Todd Energy, Mercury Energy and Nova Energy respectively as their sponsoring employers
- 8 **agree** to make an exemption to the COVID-19 border restrictions for the essential workers described in recommendations 3 and 4 above

Authorised for lodgement

Hon Megan Woods  
Minister of Energy and Resources

Hon Phil Twyford  
Minister for Economic Development

Hon Iain Lees-Galloway  
Minister of Immigration

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## Annex One - List of essential workers

### Mckee and Junction Road Maintenance

NAME	DOB	NATIONALITY	PASSPORT NUMBER
s 9(2)(a)			

### Aratiatia Power Station Recommissioning

NAME	DOB	NATIONALITY	PASSPORT NUMBER
s 9(2)(a)			

### Edgecumbe Maintenance

NAME	DOB	NATIONALITY	PASSPORT NUMBER
s 9(2)(a)			

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