



## BRIEFING

### COVID-19: Request for exemption to border restrictions for an essential employee of Kāinga Ora – Homes and Communities

<b>Date:</b>	1 May 2020	<b>Priority:</b>	High
<b>Security classification:</b>	In Confidence	<b>Tracking number:</b>	-

Action sought		
	Action sought	Deadline
Hon Phil Twyford <b>Minister for Economic Development</b>  Hon Dr Megan Woods <b>Minister of Housing</b>	<b>Agree</b> to make an exemption from temporary border restrictions for an essential employee of Kāinga Ora – Homes and Communities.	1 May 2020
Hon Ian Lees-Galloway <b>Minister of Immigration</b>	Copy for information only.	N/A

Contact for telephone discussion (if required)			
Name	Position	Telephone	1st contact
Rowan Macrae	DCE, Corporate, Kāinga Ora	s 9(2)(a)	✓
Patrick Dougherty	DCE, Construction and Innovation, Kāinga Ora		

The following departments/agencies have been consulted
MBIE, HUD

Minister's office to complete:

☐ Approved

☐ Declined

☐ Noted

☐ Needs change

☐ Seen

☐ Overtaken by Events

☐ See Minister's Notes

☐ Withdrawn

Comments



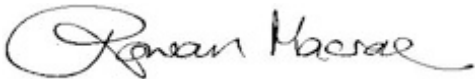
## Summary of requested action:

---

The Ministry of Business, Innovation and Employment (MBIE), Kāinga Ora – Homes and Communities, and the Ministry of Housing and Urban Development (HUD) request that you:

- a **Note** that on 19 March 2020, Cabinet agreed to border restrictions preventing entry to New Zealand [CAB-20-MIN-0122 refers].
- b **Note** that Cabinet also agreed high level parameters for case-by-case exemptions to COVID-19 border restrictions, including **essential workers identified by the group of Ministers with Power to Act**.
- c **Note** that officials have received the following request from Kāinga Ora to allow one of its employees (and their partner) who is currently on a Work to Residency Visa to re-enter New Zealand to perform the following essential task:
  - Project management of state housing construction sites deemed critical to current economic recovery from the COVID-19 crisis.
- d **Note** that this request is supported by MBIE and HUD, as the worker is critical to ensure continued security and resilience within the construction sector.
- e **Note** that, on arrival in New Zealand, the worker and their partner will be required to undergo quarantine or managed isolation in an approved facility for a minimum of 14 days.
- f **Note** that all costs associated with the employee's international and domestic travel, accommodation, and support will met by the worker and their partner.
- g **Agree** to make an exemption to the COVID-19 border restrictions for the essential employee of Kāinga Ora and their partner, as detailed in Annex One.

Agree



Rowan Macrae

**DCE, Corporate, Kāinga Ora**

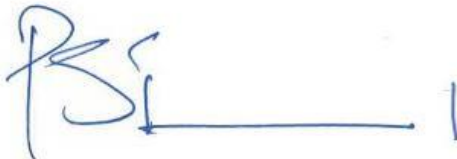
1 May 2020



Alan Vandermolen

Director, Entity Performance and Investment, MBIE

1 May 2020



Hon Phil Twyford

**Minister for Economic Development**

9 / 5 / 20

Hon Dr Megan Woods  
**Minister of Housing**

..... / ..... / .....

## Background

2. On 19 March 2020, Cabinet agreed to border restrictions preventing entry to New Zealand to all but New Zealand Citizens, residence class visa holders, and their dependents.
3. Cabinet also agreed high level parameters for case-by-case exemptions to COVID-19 border restrictions, which includes essential workers identified by the group of Ministers with Power to Act.
4. On 21 April 2020, the COVID-19 Ministerial Group agreed to delegate further decision making on exemptions to border restrictions for essential workers to the Minister for Economic Development and the relevant portfolio Minister.

### Exemption request for an exemption to travel restrictions for an essential employee of Kāinga Ora

---

5. Kāinga Ora is seeking this exemption to current travel restrictions to enable an essential employee, s 9(2)(a) and his partner to return to New Zealand with a new visa that is aligned with his current Work to Residence Scheme visa.
6. On 7 March 2020, s 9(2)(a) and his partner travelled overseas on their s 9(2)(a). They intended to return on 21 March 2020, however, the New Zealand border was closed on 20 March 2020 leaving s 9(2)(a) and his partner unable to return to New Zealand.
7. s 9(2)(a) citizen, is an essential worker for Kāinga Ora, leading key projects for large developments in Auckland. He holds knowledge that is not able to be transferred to another employee, or to a new employee (should one be found with immediate effect), without severely impacting the timing for recommencement of these key projects.
8. s 9(2)(a) was issued a visa to work in New Zealand under the Work to Residence Visa scheme. This was issued for the period 26 October 2018, allowing s 9(2)(a) multiple re-entry, and was valid for 30 months from the date of his first arrival in New Zealand. However, the visa approval has been superseded by the Cabinet decision on border restrictions preventing entry to New Zealand.
9. Project Managers like s 9(2)(a) are required to provide assurance, and lead and coordinate site visits and ensure ongoing compliance with COVID Alert Level requirements. These roles require a lot of face-to-face interaction and cannot be managed remotely.
10. To enable Kāinga Ora to recommence working on all sites across New Zealand, all available construction employees are recommencing work within their own programme teams. There are no additional available staff within Kāinga Ora with the requisite skills and experience to redeploy into the multiple projects for which s 9(2)(a) is responsible.
11. This request is supported by the Ministry of Business, Innovation and Employment (MBIE) as s 9(2)(a) is deemed to be critical to the provision of a range of essential services with immediate effect or they risk failure. The impact of that failure will be felt by the construction partners on those sites, who rely on s 9(2)(a) planning and leadership capability to maintain the continuity of their own employment.
12. MBIE considered the following factors in supporting this request:
  - why the worker is needed to ensure the continuity of an essential service
  - why it is not possible to redeploy workers already in New Zealand (this could include time constraints or the specific nature of the work being done)
  - what is happening to any staff currently performing the role(s)
  - the length of the visa required and the reason for that length of visa

- the requirement to undergo quarantine or managed isolation in an approved facility for a minimum of 14 days and whether appropriate domestic travel arrangements are in place.

*MBIE, HUD, and Kāinga Ora support an exemption for the family members of the worker*

s 9(2)(a)

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

15. On arrival in Auckland s 9(2)(a) will be required to undergo quarantine or managed isolation in an approved facility for a minimum of 14 days. Kāinga Ora will arrange transport (under the essential worker criteria) from Auckland Airport to a designated quarantine facility and transport to their home in Auckland after the quarantine period.
16. All costs associated with international travel, including quarantine costs, will be met by s

## Next steps

---

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

## Annexes

---

Annex One: Details of essential worker and their partner.

## Annex One – Details of essential worker and their partner


---

### Kāinga Ora - Homes and Communities

s 9(2)(a) – specific skills and responsibilities

#### Skills

s 9(2)(a)



#### Responsibilities

s 9(2)(a) is the Project Manager for the following Kāinga Ora critical projects:

- Atkinson Avenue, Otahuhu - a multi-level development of 83 new homes. When Kāinga Ora is able to recommence work on this project, it will require substantial support from s 9(2)(a) to ensure the project gets back on target for earliest delivery in 2021.
- 618 – 620 Great South Road/Cracroft Street – 28 new one-bedroom apartments on a complex multi-level build. This is nearing completion and at this key time we need s 9(2)(a) as Project Manager to be at the forefront of the project to fast-track suitability for consent and tenanting.
- Northcote State housing development – s 9(2)(a) is the Lead Project Manager for this programme, comprising a number of multi-level complex developments that will need to be designed and have full constructability reviews. This specific skillset is one that s 9(2)(a) brought with him to Kāinga Ora. The completion of these multi-unit tower blocks will deliver in excess of 250 new apartments in the Northcote master planned area.

s 9(2)(a)

