

LOCAL APPROVED PRODUCTS POLICY 2015

(PSYCHOACTIVE SUBSTANCES)



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QUEENSTOWN
LAKES DISTRICT
COUNCIL

DEFINITIONS

Act means the Psychoactive Substances Act 2013.

Approved location means an area where premises from which approved products may be sold are permitted to be located.

Authority means the Psychoactive Substances Regulatory Authority established by Section 10 of the Act.

Licence means a licence, as defined by the Act.

Psychoactive Product means a finished product packaged and ready for retail sale that is a psychoactive substance or that contains one or more psychoactive substance.

Psychoactive Substance means a substance, mixture, preparation, article, device, or thing that is capable of inducing a psychoactive effect (by any means) in an individual who uses the psychoactive substance.

Regulations means regulations made under the Act.

Retail premises means premises for which a licence to sell approved products by retail has been granted.

Retailer means a person engaged in any business that includes the sale of approved products by retails.

Sell includes sold and sale. Includes every method of disposition for valuable consideration, for example, -

- A. offering or attempting to sell or giving in possession for sale, or exposing, sending, or delivering for sale, or causing or allowing to be sold, offered, or exposed for sale;
- B. retailing;
- C. wholesaling

Sensitive Site as specified in Schedule 2

Street means any legal road

INTRODUCTION

This policy is made under the provisions of Section 66 of the Psychoactive Substances Act 2013 ("Act").

The purpose of this Local Approved Products Policy ("LAPP") is to establish a clear framework to be applied to all applications that the Psychoactive Substances Regulatory Authority ("Authority") considers when granting licences for premises that sell approved products in the Queenstown Lakes District to achieve the purpose of the Act:

"The purpose of this Act is to regulate the availability of psychoactive substances in New Zealand to protect the health of, and minimise harm to, individuals who use psychoactive substances."

The policy is a set of criteria stipulated by Council in consultation with its community to restrict the location of premises selling psychoactive products in its geographical area.

This policy addresses community concerns regarding the location of premises selling psychoactive products, while meeting the statutory requirements of the Act.

This policy only applies to the retail premises and does not apply to premises where the sale of approved products is by wholesale only.

This Local Approved Products Policy 2015 (Psychoactive Substances) comes into force on the 1 July 2015.

OBJECTIVES

The Council's principal objectives are:

- A.** To minimise the actual and potential harm to the community caused by the retail sale of psychoactive substances by defining the permitted location of retail premises; and
- B.** To ensure that Council and the community have influence over the location and density of retail premises in the Queenstown Lakes District.

STRATEGIC ALIGNMENT

This policy assists in the delivery of the following Council outcomes and goals:

- Protects the interests of the District and its community;
- Is cost effective and achieves the regulatory objectives; and
- Enables our community to comply with national and local legislation because they are well understood and easy to comply with.

PREMISES LOCATIONS

This policy does not limit the number of retail premises or restrict the issuing of a licence issued by the Psychoactive Substances Regulatory Authority, established by the Director-General of Health for the retail sale of psychoactive substances, provided the policy criteria outlined below are met:

- A** The location of retail premises from which approved products may be sold is restricted by this policy to an approved location identified in Schedule 1.
- B** Premises within the approved locations identified in Schedule 1:
 - (i)** must be located directly on the street frontage in any approved location i.e. this does not include pedestrian only locations/thoroughfares; and
 - (ii)** must not be within 100 metres of another retail premises from which approved products are sold; and
 - (iii)** must not be within 200 metres of an education facility e.g. school, childcare facility; and
 - (iv)** must not be within 30 metres of an On Licensed premises; and
 - (v)** must not be within 50 metres of an Off Licensed premises; and
 - (vi)** must be within 1km of a 24/7 Police station; and
 - (vii)** must be within 20km of a 24/7 Hospital with Emergency Department; and
 - (viii)** must be within 1km of a medical centre and Support Centres; and
 - (ix)** must not be within 25 metres of all other sensitive site sites in Schedule 2.

For the purpose of clarity the distance is measured from the legal boundary of the sensitive site and the retail premises.

REVIEW

MAP

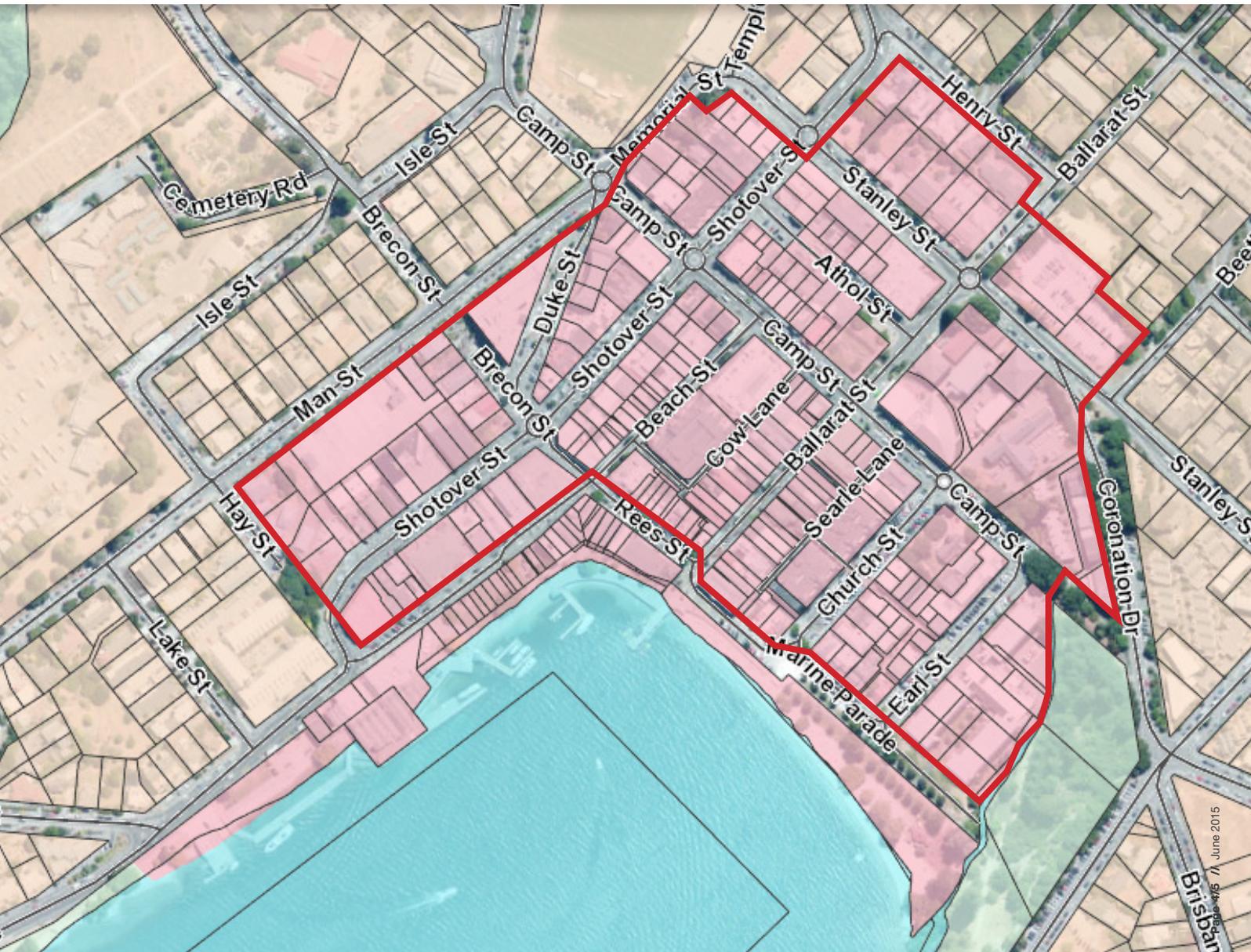
The policy will be reviewed at the first anniversary of the granting of the first licence under this policy and within 5 years as required by the Act.

SCHEDULE 1

PSYCHOACTIVE SUBSTANCES



 Permitted retail area for psychoactive products



SCHEDULE 2

- Accommodation – e.g. Hotels, camping ground, Backpackers
- Bus stops
- Cemetery,
- Dairy,
- Museum,
- Pharmacy,
- Place of worship,
- Children’s shops
- TAB/Casino
- Sports Grounds, Recreational facilities and reserves
- Libraries
- Licensed premises
- Community Halls
- Public Toilets
- Schools, Childcare facilities, Youth Centres and Education Facilities
- Mental Health Facilities