



PSYCHOACTIVE PRODUCTS RETAIL LOCATION POLICY

(Local Approved Products Policy)

1. Introduction

1.1 Overview

Under the Psychoactive Substances Act 2013 (the Act), the Council may have a Local Approved Products Policy (the policy) relating to the sale of approved products within the district. The policy may include provisions which provide restrictions on the location of retail premises that sell approved products.

1.2 Psychoactive Substances Act 2013 (the Act)

The purpose of the 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 Act gives territorial authorities control over where the retail premises that sell approved products can be located, by reference to broad areas in this district, proximity to other such premises and proximity to sensitive sites.

1.3 Policy purpose

The **purpose** of this Psychoactive Products Retail Location Policy is to provide the Psychoactive Substances Regulatory Authority with a clear view from the Thames-Coromandel District Council and its communities of where retail premises that sell approved psychoactive products may be located within the district.

1.4 Policy scope

This policy applies to any application for a licence as defined in the Act to sell approved products from a retail premises from the date this policy comes into force.

This policy does not apply to retail premises where internet sales only are made or to premises where the sale of approved products is by wholesale only.

The requirements of the Resource Management Act 1991 and any other applicable regulation (including all applicable bylaws of the Thames-Coromandel District Council) must be met in respect of any premises holding a retail licence.

2 Definitions

Approved products	A psychoactive product approved by the Psychoactive Substances Regulatory Authority
Psychoactive product	A product packaged and ready for retail sale that is a psychoactive substance or contains one of more psychoactive substances
Psychoactive substance	Chemicals that cross the blood-brain barrier and act primarily upon the central nervous system to affect brain function, resulting in alterations in perception, mood, consciousness, cognition and behaviour. It does not include medicines, food and alcohol, or tobacco.
Retail premises	A premises for which a licence to sell approved products by retail has been granted by the Psychoactive Substances Regulatory Authority

3 Policy statement

3.1 Objectives of the policy

The objectives of this policy are to minimise the harm to the community caused by psychoactive products by defining the permitted location of retail premises, and to ensure that the Council and the community have influence over the location of retail premises in the district.

3.2 Location of premises from which approved products may be sold

This policy restricts the location of a retail premises from which approved products are sold to within the pedestrian frontage zone/pedestrian core zone (as per the operative/proposed Thames-Coromandel District Plan) in Thames, Whangamata and Whitianga. Maps showing these areas can be found in schedule one.

3.3 Location of retail premises in relation to sensitive sites

A retail premises from which approved products are sold is not permitted within 50 metres (in a straight line) from the legal boundary of a sensitive site existing at the time the licence application is made.

Sensitive sites for the purpose of this policy are:

- Education facilities, schools, early childhood centres, kohanga reo, kindergartens and youth facilities
- Council administered playgrounds and swimming pools
- Skate parks
- Libraries including toy libraries
- Community halls
- Sports fields
- Medical centres and community health providers
- Social welfare and support centres
- Places of worship.

3.4 Location of retail premises in relation to other retail premises

A retail premises from which approved products are sold is not permitted within 300 metres (in a straight line) of the legal boundary of another retail premises from which approved products may be sold.

4 Policy review

The Chief Executive will monitor the effect of this policy. The policy will be reviewed every 5 years, at the request of the Council, or in response to changes in legislation or statutory requirements.