



Matamata-Piako District Council
Legal Highs Policy
(Local Approved Products Policy) 2014
Adopted 26 March 2014



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1. Introduction and overview

- 1.1 A Local Approved Products Policy (policy) is a set of policy criteria and decisions made by a council in consultation with its community which may 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 Psychoactive Substances Act 2013.
- 1.2 A Local Approved Products Policy provides the Authority with a policy framework when making decisions on licence applications, to enable the Authority to better meet the purpose of the Psychoactive Substances Act 2013 (the Act) which states that “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.”

2. Policy objectives and scope

- 2.1 The purpose of this policy is to set a clear framework to be applied to all applications that the ‘Psychoactive Substances Regulatory Authority’ considers when granting licenses for premises that sell approved products in the Matamata-Piako District.
- 2.2 The objectives of this policy are to:
 - (a) minimise the harm to the community caused by psychoactive substances by defining the permitted location of retail premises.
 - (b) ensure that Council and the community have influence over the location of retail premises in the District.
- 2.3 The policy applies to any application for a licence as defined in the Act to sell approved products from a retail premise from the date that this policy comes into force.
- 2.4 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.
- 2.5 The requirements of the Resource Management Act 1991 and Hazardous Substances and New Organisms Act 1996 must be met in respect of any premises holding a licence.

3. When this policy comes into force

3.1 This Local Approved Products Policy comes into force on 26 March 2014.

4. Definitions

Approved location	Means an area identified in Schedule 1 where premises from which approved products may be sold are permitted to be located
Approved Product	Means a psychoactive product approved by the Authority under Section 37 of the Act.
Authority	Means the Psychoactive Substances Regulatory Authority established by Section 10 of the Act.
Licence	Means a licence, granted under Section 16 of the Act that is in force.
Direct route of travel	Means the shortest route between two locations for a pedestrian using the public footpath or, if there is no footpath, the street.
Psychoactive Product or 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.
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 retail.
Sell	Includes sold and sale. Includes every method of disposition for valuable consideration, for example, - 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: retailing: wholesaling
Sensitive Site	Includes: (a) any community facility including library, museum, community hall or recreational facility, or place of worship; (b) any school, kindergarten, early childcare centre, or other educational institution; (c) any premises occupied by a social welfare agency such the Salvation Army or similar agency;
The Act	Means the Psychoactive Substances Act 2013

5. Policy

5.1 This policy does not limit the number of retail premises or restrict the issue of new licences, provided the policy criteria outlined below are met.

6. Location of retail premises from which approved products may be sold

6.1 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.

7. Location of retail premises in relation to other retail premises from which approved products are sold

7.1 Retail premises from which approved products may be sold are not permitted within 300 metres of another retail premises from which approved products may be sold.

7.2 For the purposes of clause 7.1 the separation distances are measured from the nearest side of the public entrance of each premises along the most direct route of travel.

8. Location of retail premises in relation to premises or facilities of a particular kind or kinds

8.1 Retail premises from which approved products may be sold are not permitted within 25 metres of a sensitive site.

8.2 For the purposes of clause 8.1 the separation distances are measured from the nearest side of the public entrance of each premises along the most direct route of travel.

9. Review

9.1 The policy will be reviewed:
(a) every five years as required by the Psychoactive Substances Act 2013; or
(b) at the request of Council

Schedule 1 - AREAS WHERE APPROVED PRODUCTS CAN BE SOLD FROM RETAIL PREMISES MATAMATA



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Schedule 1 - AREAS WHERE APPROVED PRODUCTS CAN BE SOLD FROM RETAIL PREMISES

MORRINSVILLE



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Schedule 1 - AREAS WHERE APPROVED PRODUCTS CAN BE SOLD FROM RETAIL PREMISES TE AROHA



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