



Psychoactive Substances (Legal Highs) Policy

This is the MDC Local Approved Products Policy for Psychoactive Substances

19 May 2016

Introduction

This policy is made under sections 66 to 69 of the 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.

Council establishes a policy that regulates the location of retail premises by reference to:

- a) Areas within the district:
- b) Proximity to other premises selling psychoactive substances:
- c) The proximity of premises to sensitive sites.

Council acknowledges that the Act does not allow it to ban the sale of psychoactive substances in its district. Nor can it have a policy that is so restrictive that it effectively bans the sale of approved products. The Act does not give councils the ability to have a sinking lid policy.

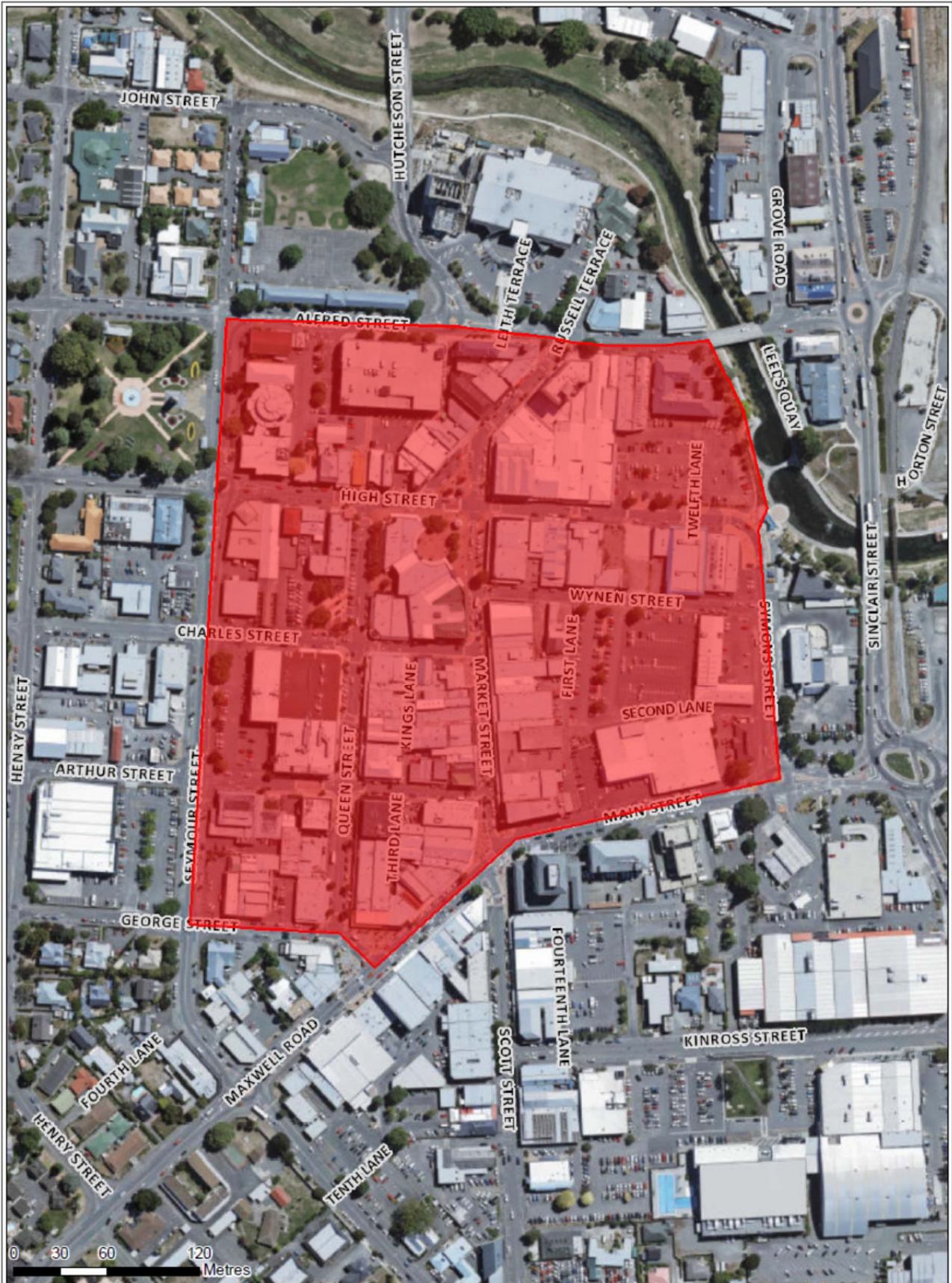
Policy Objectives

The objectives of this policy are to, by regulating the locations from which psychoactive substances may be sold,—

- a) Minimise the harm to the community caused by psychoactive substances by limiting the location and density of retailers of approved psychoactive products:
- b) Ensure that Council and the community have influence over the locations and density of retailers of approved psychoactive products:
- c) To minimise the exposure and potential harm to sensitive communities, such as children and families from the sale of approved psychoactive products:
- d) To support the intent of the Psychoactive Substances Act 2013 through the development of a Local Approved Product Policy which allows for the sale of psychoactive products in a regulated way.

Location of Premises from which approved psychoactive products can be sold

1. Premises licensed for the sale of approved products under the Psychoactive Substances Act 2013 must be located within the Blenheim Psychoactive Substances Policy Area 2016 as shown on the attached map; and
2. Premises must not be located within 100 metres (see 4. below) of any sensitive site (school, kindergarten, early childhood centre, place of worship or public library); and
3. Premises licensed for the sale of approved products under the Psychoactive Substances Act 2013 must not be located within 100 metres (see 4. below) of any other premise holding a licence to sell legal highs; and
4. For clarity, the 100 metre measurement from the premises licensed for the sale of approved products under the Psychoactive Substances Act 2013 to the sensitive site (see 2. above) or to any other premise holding a licence to sell legal highs (see 3. above) shall be by the most direct walking route, using public footpaths, between the two front entrances; and
5. Premises licensed for the sale of approved products under the Psychoactive Substances Act 2013 shall be restricted to areas within the Blenheim Psychoactive Substances Policy Area 2016 that are covered by CCTV; any retailer wanting to sell approved products from a premise not covered by security cameras will be required to negotiate a reasonable financial contribution to the installation of a camera based on Council's assessment of the balance of private/public good; and
6. Following the adoption of this Policy, if any sensitive site moves within the 100 metre distance of a premise licensed for the sale of approved products under the Psychoactive Substances Act 2013, there is no requirement for that premise to move outside that 100 metre distance.



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Blenheim Psychoactive Substances Policy Area 2016

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