



Psychoactive Substances

Local Approved Products Policy

DECEMBER 2020

Psychoactive Substances

Local Approved Products Policy

**was adopted by the Masterton District Council
at the Policy & Finance Committee
held on Wednesday 15th July 2015**

and

**the Carterton District Council at the
Council Meeting held on
Wednesday 29th July 2015**

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REVISION HISTORY

<i>Revision</i>	<i>Policy Sponsor</i>	<i>Approval date and date of next scheduled review</i>	<i>Council Committee Decision</i>	<i>Policy Reference</i>
1	Planning & Regulatory Services Manager, Masterton District Council and Planning & Regulatory Manager, Carterton District Council	April 2015 Review before April 2020	Council	LAPP/001
2	Strategic Planning Manager, Masterton District Council and Planning & Regulatory Manager, Carterton District Council	December 2020 Review before December 2024	Council	MDC017

1. INTRODUCTION AND OVERVIEW

The purpose of the Psychoactive Substances Act 2013 (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."

To advance this purpose, the Act provides that territorial authorities (such as the Masterton and Carterton district councils) may have a Local Approved Products Policy ('LAPP') relating to the sale of approved products within its district. In particular, a LAPP may include policies concerning the location of premises that sell approved products - by reference to broad areas in the district, proximity to other such premises and proximity to certain facilities (such as kindergartens, early childhood centres, schools, places of worship, or other community facilities).

The LAPP is intended to provide the Psychoactive Substances Regulatory Authority ('Authority') with a clear view from the Masterton and Carterton district councils and their communities about the location of premises.

2. POLICY OBJECTIVES AND SCOPE

The objectives of the LAPP are to:

- Minimise the harm to the community caused by psychoactive substances by providing a clear view to the Authority of where retail premises that sell psychoactive substances may be located in the Masterton and Carterton districts.

This LAPP 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 Masterton and Carterton district councils) must be met in respect of any premises holding a retail license.

3. STRATEGIC ALIGNMENT

This LAPP supports the Masterton and Carterton district councils' vision for each of their districts, and the Community Outcomes, or priority areas, identified by each Council to achieve these visions.

	Vision for the District	Key Outcomes that the LAPP contributes to:
Masterton District Council	That Masterton is a great place to live, visit and do business, providing the best of rural provincial living.	An active, involved and caring community A knowledgeable, learning community
Carterton District Council	A welcoming and vibrant community where people like to live.	A safe district A healthy district A district that encourages lifelong learning A district that enjoys creativity and recreation

4. DEFINITIONS

When interpreting this LAPP, unless the context requires otherwise, the definitions of words or terms used in the LAPP that are also used in the Psychoactive Substances Act 2013 are those defined in that Act. Otherwise, use the definitions set out below.

Central Business District (CBD)	Means those areas of Masterton and Carterton districts defined as the CBD by the Wairarapa Combined District Plan, as set out in Schedule 1.
Reasonable	For the purpose of this Local Approved Products Policy, reasonable is defined as a position that the average Wairarapa resident would perceive to be fair, sensible and balanced.

Sensitive site	Includes: schools, children’s playgrounds/recreational facilities, health/social services and high deprivation areas.
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5. POLICY

The Policy of the Masterton and Carterton district councils is as follows:

5.1 Location of premises from which approved products may be sold

- (i) The location of retail premises from which approved products may be sold should be restricted to locations within the specified section of the main shopping area of each Central Business District, as identified in Schedule 1.

Section 68(a) of the Psychoactive Substances Act provides that the location of premises from which approved products may be sold may be indicated by reference to broad areas within a district.

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

- (i) Any retail premises from which approved products may be sold should not be permitted within 100 metres of a sensitive site existing at the time the license application is made.
- (ii) For the purposes of clause 5.1(i) the separation distances are measured from the legal boundary of any retail premises and any sensitive site.
- (iii) This LAPP identifies sensitive sites as schools, children’s playgrounds/recreational facilities, health/social services and high deprivation areas.

Section 68(c) of the Act provides that the location of premises from which approved products may be sold may be indicated by reference to proximity to premises or facilities of a particular kind or kinds within the district.

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

- (i) New retail premises from which approved products may be sold should not be permitted within 500 metres of another retail premises from which approved products may be sold.
- (ii) For the purposes of clause 5.3(i) the separation distances are measured from the legal boundary of the premises.

Section 68(b) of the Act provides that the location of premises from which approved products may be sold may be indicated by reference to proximity to other premises from which approved products are sold.

6. REVIEW

The Policy Advisor will monitor the effect of this LAPP. The LAPP will be reviewed every five years, or at the request of the councils, or in response to changed legislative and statutory requirements, or in response to any other issues that may arise.

7. REFERENCES

- Psychoactive Substances Act 2013

SCHEDULE 1: TOWN CENTRE ZONE WHERE RETAIL PREMISES MIGHT BE LOCATED

Retail premises must be located in the specified sections of the each Central Business District:

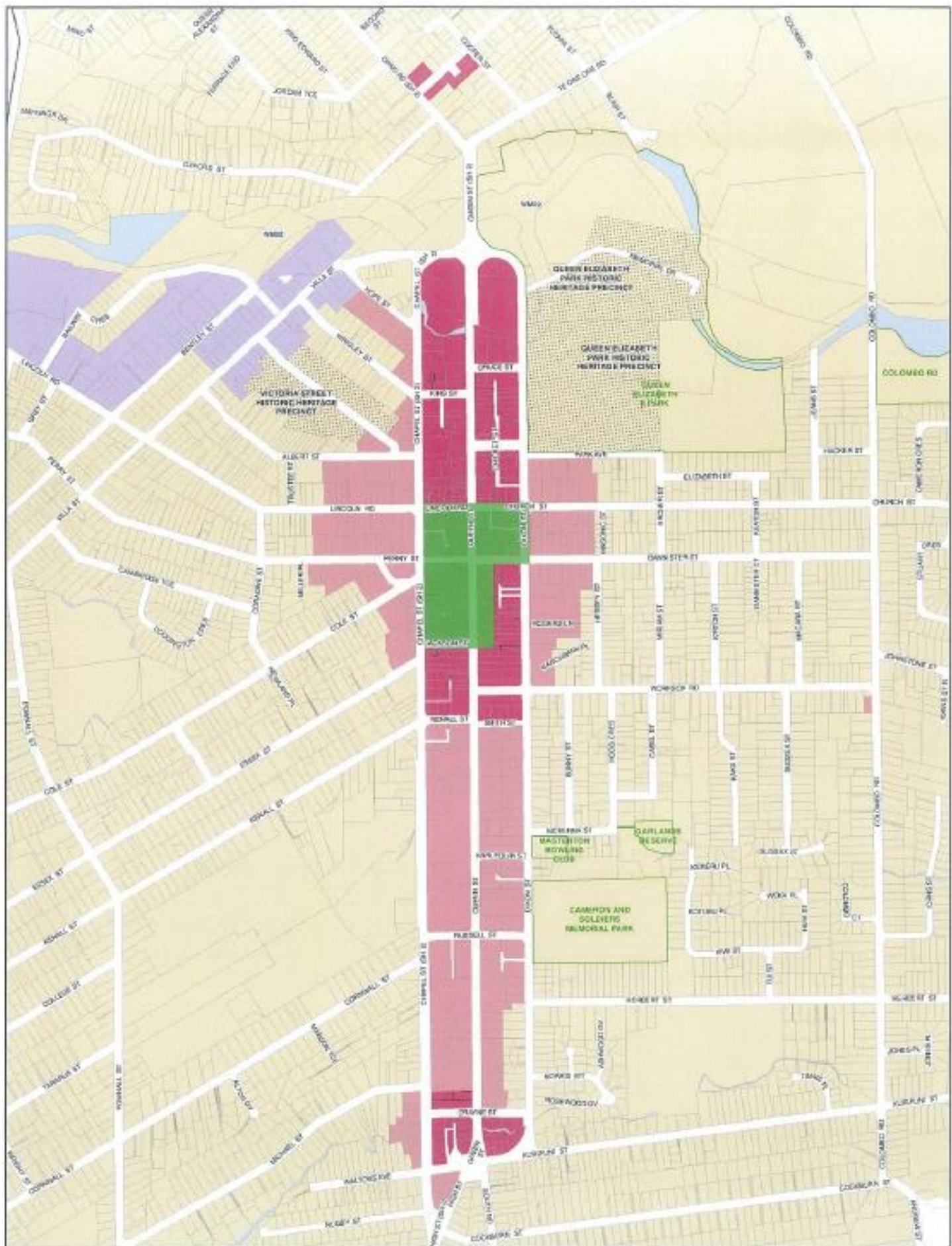
- In Masterton on the section of Queen Street between Jackson Street and Lincoln Road / Church Street; the eastern side of Chapel Street between Jackson Street and Lincoln Road; on Dixon Street between Perry Street and Church Street; on Jackson Street; and on sections of Perry, Church and Lincoln Road between Chapel and Dixon Streets; and only in premises where access is gained directly from the named streets. Please refer to the map of the Masterton Central Business District Zone – Attachment 1.
- In Carterton, on the section of High Street between Belvedere Road and Pembroke Street; and only in premises where access is gained directly from High Street. Please refer to the map. Please refer to the map of the Carterton Central Business District Zone – Attachment 1.

SCHEDULE 2: SENSITIVE SITES

Schools, children's playgrounds/recreational facilities, health/social services and high deprivation areas have been identified as sensitive sites and will be considered when assessing the effects of resource consent applications.

SCHEDULE 3: PSYCHOACTIVE SUBSTANCES INTERIM RETAIL LICENCES IN MASTERTON AND CARTERTON

There are currently no retail licenses for psychoactive substances in the Masterton or Carterton districts.






■ Reserve, Parklands, Recreation, etc.
■ Retail Area
■ Historic Area
■ Residential
■ Other

Date: 28/04/2018

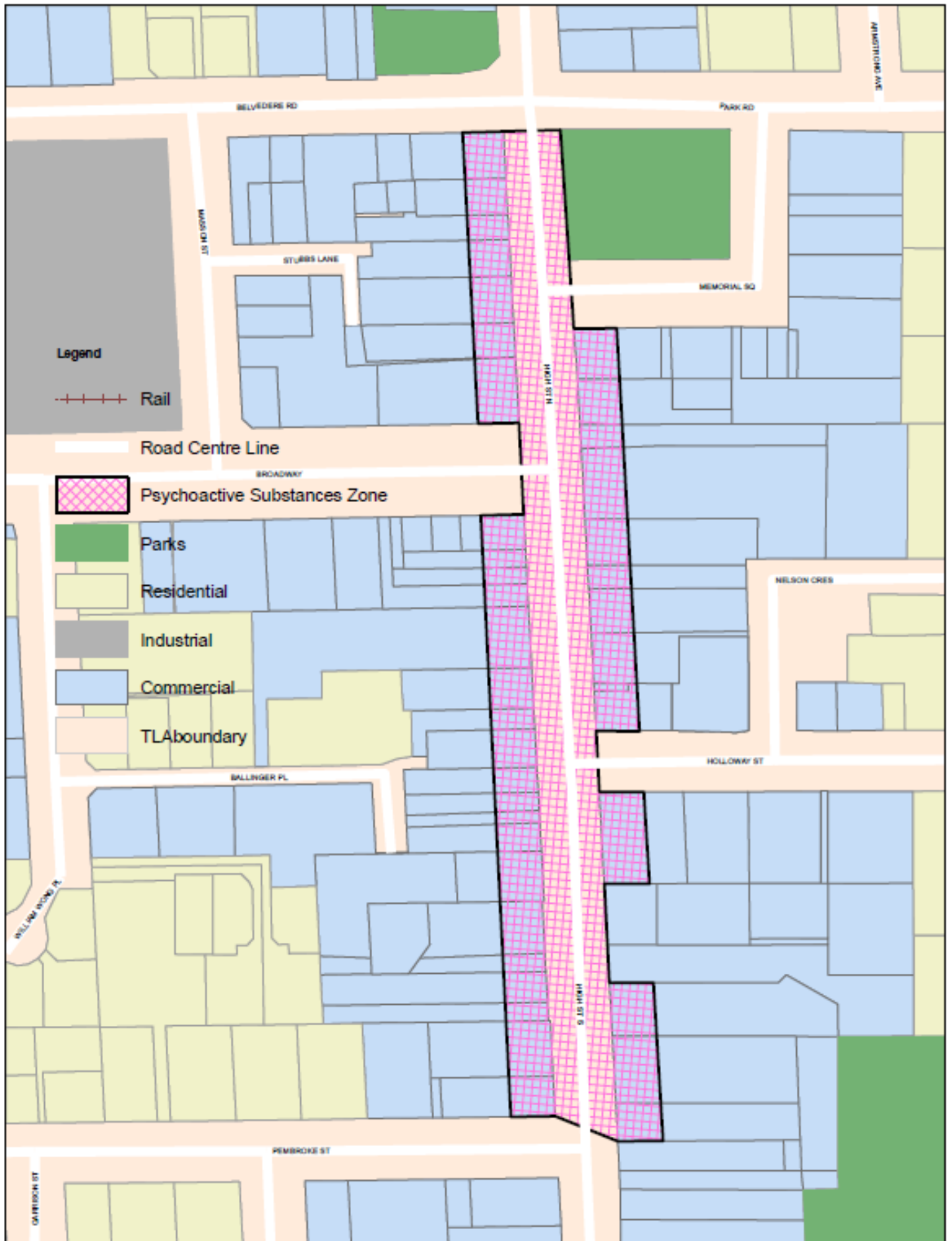
Masterton Retail Areas

Information: The Masterton Council, and not the Masterton District Council, accept responsibility for errors or omissions underwritten or not in changed records. By any method of publication or display, using all or any of the information provided on this map. The Councils are not liable for any loss or damage, or for any liability, arising from the use of this information or any other information. The information displayed on this map may contain errors or omissions or be incorrect for specific purposes.



Scale: 1:7,500

Drawn by: [Name]



Date: 6/5/2015

CDC Psychoactive Substances Approved Zone May 2015

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Wellington District Council, Lower Hutt City Council, 2015