



Waimate
District Council



18/03/2025

314 Local Approved Products Policy

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POLICY OVERVIEW

1. PURPOSE

- 1.1 To support the purpose and the intent of the Psychoactive Substances Act 2013 (the Act); AND
- 1.2 To minimise the potential for adverse effects from the sale of psychoactive substances; AND
- 1.3 To minimise the potential for harm to communities or occupants of premises likely to be sensitive to issues arising from the sale of psychoactive substances; AND
- 1.4 To provide a policy framework as to advise/inform the Psychoactive Substances Regulatory Authority (PSRA) on the feasibility of license applications and the permissibility of sought locations for the purpose of selling/distributing psychoactive substances in the Waimate District.

2. APPLICABILITY

- 2.1 The policy applies to all parties intending to sell or supply psychoactive substances in the boundaries of the Waimate District, with the following exceptions:
 - Retail premises where only internet sales are made; AND/OR
 - Premises where the sale of approved products is by wholesale only.

3. BACKGROUND

- 3.1 The purpose of the Act is to regulate the availability of psychoactive substances in order to protect the health of, and/or minimise harm to, individuals who use such substances.
- 3.2 The Act provides for licences to be issued by the PSRA for the right to retail psychoactive substances. As significant social harm may be generated by inappropriate positioning of retail premises for legally-approved psychoactive substances, the Act accordingly permits territorial authorities to develop a policy framework, specific to their respective districts, as to define areas in which psychoactive substance retail premises may be positioned. The Act refers to such a policy framework as Local Approved Products Policy.

4. DEFINITIONS

- 4.1 For the purpose of the present policy, the following terms are defined as hereby outlined:
 - Act: Psychoactive Substances Act 2013
 - Approved Area: an area identified by Appendices I and II, where premises from which approved products may be sold are permitted to be located;

- Approved Product: a psychoactive product approved by the PSRA under Section 37 of the Act;
- Waimate Business 1 Zone: the area of Waimate defined by the map presented in Appendix I of the present document;
- District: the Waimate District Council territorial authority area;
- Licence: a licence granted under Section 16 of the Act;
- Psychoactive Product: a finished product, packaged and ready for retail sale that is a psychoactive substance or contains one or more psychoactive substances;
- Psychoactive Substance: a substance, mixture, preparation, article, device, or thing that is capable of inducing a psychoactive effect by any means in an individual who uses psychoactive substance (see Section 9 of the Act for full definition);
- Retail Premises: premises for which a licence to sell approved products by retail has been granted, excluding premises where only internet sales are made, or where the sale of approved products is by wholesale only.
- Sensitive Site: any school, preschool, kindergarten or any early childhood education centre, pharmacies, places of worship, or other community facilities that offer medical treatment, mental health counselling, or addiction services.

PROCEDURES

5. BROAD AREAS

- 5.1 The retail premises selling psychoactive substances shall be restricted to the Business 1 Zone of the Waimate Township, as defined by the Waimate District Council's District Plan (See Appendix I).

6. PROXIMITY TO OTHER AREAS

- 6.1 New licences for the sale of approved psychoactive products are not permitted within a distance of 100 metres of the closest legal boundary of an existing premise holding an either interim or full licence. For the purposes of this policy, the total distance measured shall be from boundary to boundary.

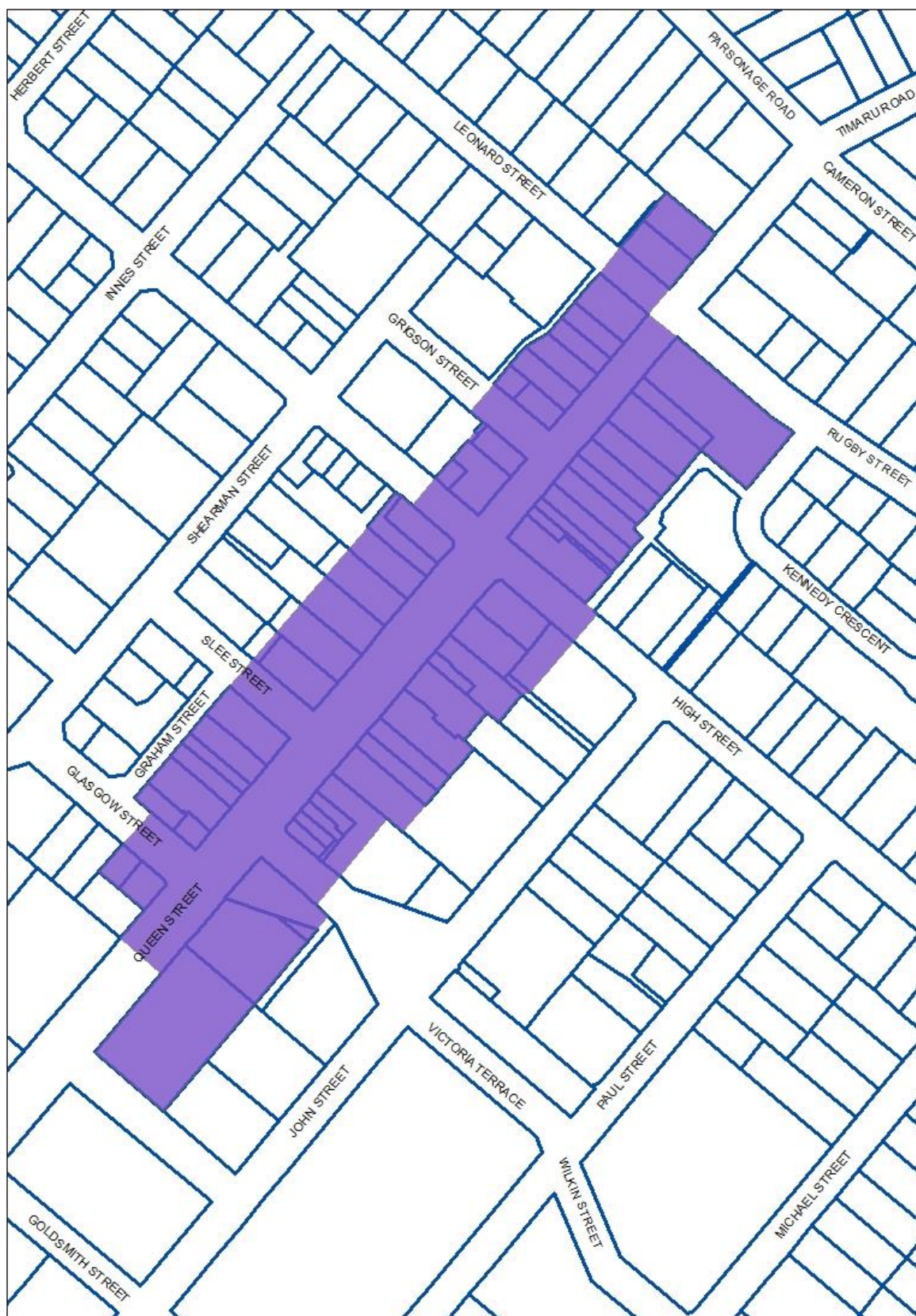
7. PROXIMITY TO SENSITIVE SITES

- 7.1 Premises within the District from which approved products may be sold are not permitted to be located within a distance of 100 meters of the closest legal boundary of any sensitive site existing at the time the licence application is made. For the purpose of this policy, the total distance measured shall be from boundary to boundary (See Appendix II).

8. Document Control

Document owner:	Regulatory and Compliance Group Manager
Effective:	18/03/2025
Previous review date(s):	19 December 2019 25 November 2014
Next review date:	March 2029
Policy can only be amended by:	Resolution of Council
Council resolution number:	2025/40

APPENDIX 1: Business 1 Zone



APPENDIX 2: Sensitive Sites

