

Psychoactive Substances

Kāpiti Coast Local Approved Products Policy

June 2015 – renewed November 2020

Reviewed with renewal approved by the Strategy and Operations Committee on 19 November 2020

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REVISION HISTORY <i>Revision</i>	<i>Policy Sponsor</i>	<i>Approval date and date of next scheduled review</i>	<i>Decision</i>
1	Group Manager, Strategy & Partnerships	June 2015 Review before June 2020	Council
2	Group Manager, Corporate Services	November 2020 Review before November 2025	Strategy and Operations Committee

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 Kapiti Coast District Council) may have a Local Approved Product 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 Kapiti Coast District Council and its community 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 Kapiti Coast district.

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 Kapiti Coast District Council) must be met in respect of any premises holding a retail licence.

3. STRATEGIC ALIGNMENT

This LAPP assists in the delivery of one of the Kapiti Coast District Community Outcomes as set out in its Long Term Plan - that "the District has a strong, healthy, safe and involved community."

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.

Town Centre Zone	Means those areas of Kapiti Coast District defined by a Town Centre Zone in the Kapiti Coast District Plan as set out in Schedule 1.
Outer Business Zone	As mapped in the Provisional District Plan
Sensitive Site	Includes: <ul style="list-style-type: none">• pre-school care facilities such as kindergartens, early childhood centres, schools and alternative and tertiary facilities• residential retirement facilities

	<ul style="list-style-type: none"> • places of worship, addiction rehabilitation facilities, recreation grounds, places of known congregation, waahi tapu or other community facilities
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5. POLICY

The Policy of the Kapiti Coast District Council 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 area Kapiti Road West as identified in Schedule 1. Retail premises must be located on the ground floor and face Kāpiti Road.

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 premise from which approved products may be sold should not be permitted within 100 metres of a sensitive site existing at the time the licence application is made.
- ii. For the purposes of clause 5.1(i) the separation distances are measured from the legal boundary of any retail premise and any sensitive site.

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 (for example, kindergartens, early childhood centres, schools, places of worship, or other community facilities). This LAPP identifies sensitive sites as kindergartens, early childhood centres, schools, places of worship, or other community facilities.

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 100 metres of another retail premise 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

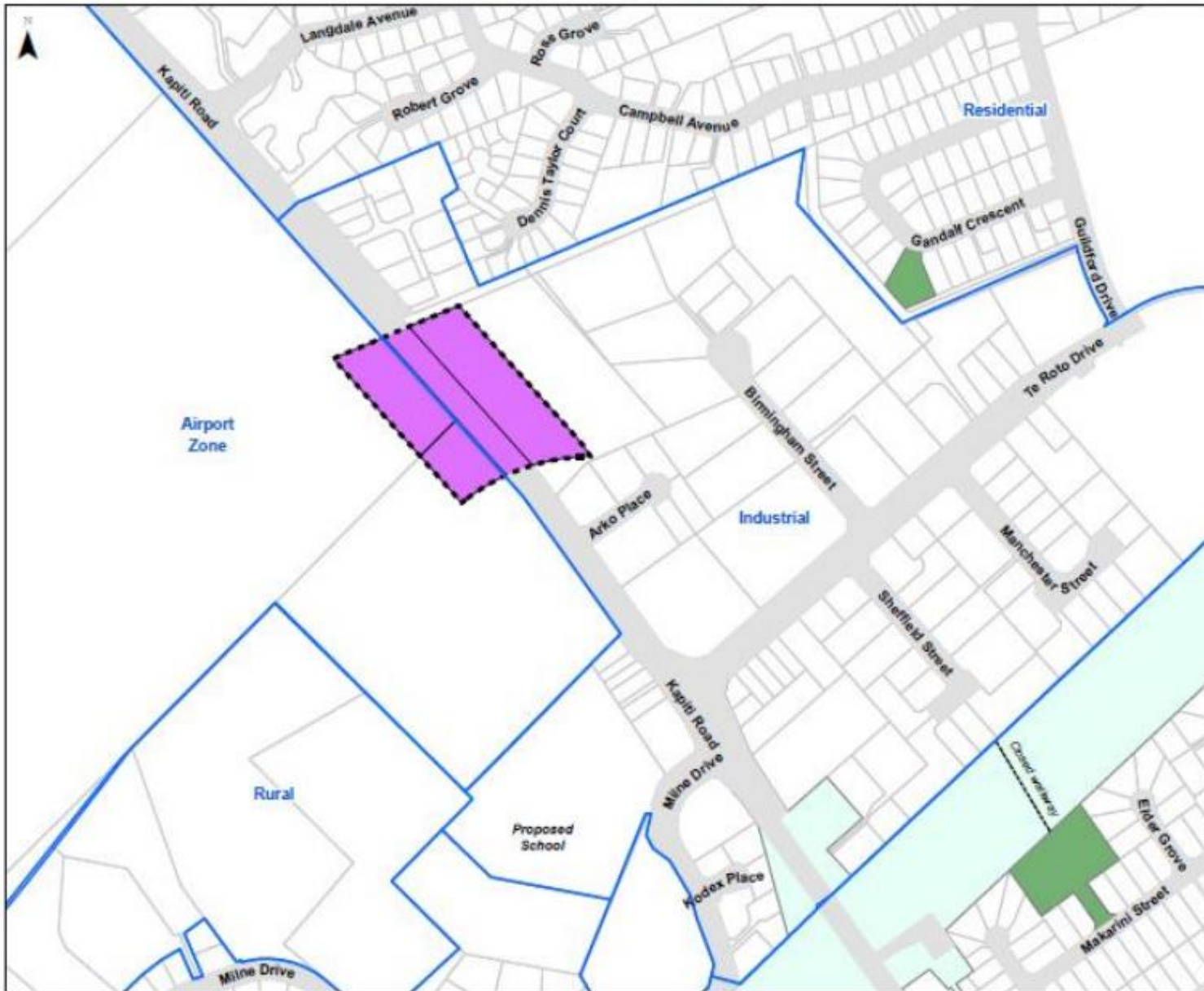
The Council will monitor the effect of this LAPP.

The LAPP will be reviewed every five years, or at the request of the Council, 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: Kāpiti Road West



Legend

-  Designated Area
-  Operative District Plan Zones
-  Expressway Designation
-  Park



17 June 2015

0 100 200 Metres