Southland's Councils combine approach to the sale of psychoactive substances

The Gore District, Invercargill City and Southland District Councils have developed a draft combined Local Approved Products Policy (LAPP) that restricts the location of businesses selling legal highs.

The production of a combined policy delivers cost sharing benefits and efficiencies, as well as ensuring cross boundary consistency. It has the support of the regulatory agencies.

The LAPP proposes to limit the location of retail outlets to the Invercargill town belt and parts of the main streets of Gore, Winton, and Te Anau.

Feedback received during the development of the draft policy was that local communities do not want retail outlets of psychoactive substances in their areas. Councillors are also opposed to the retail of legal highs in their districts.

However, the Psychoactive Substances Act 2013 permits the sale of these products and councils do not have the option of prohibiting retail outlets in their districts.

The Government passed this legislation amid concerns a ban on psychoactive products would result in more harm, with dangerous products being supplied through the black market. The proposed regulatory regime puts the onus on manufactures to prove their substances are low risk before being offered for sale.

Psychoactive substances, in the context of this policy, include herbal highs and party pills, it does not include tobacco products, alcohol, medicines, marijuana or other illegal drugs.

The councils believe having a LAPP is desirable because the location of retail outlets can be strictly controlled. If there was no policy retail outlets could be located anywhere, such as in residential areas or beside a school.
The councils decided that business locations should be as restricted as legally possible, highly visible, in the largest towns, and not in an area with a high deprivation index rating. Other councils in New Zealand are taking a similar approach.

The draft LAPP is out for public consultation from this Saturday (15 March) to 14 April.

At the close of submissions there will be a hearing before a combined committee of the three councils. The committee will take into consideration feedback received through the submission process when preparing the final LAPP for ratification.

For further information on the LAPP please contact the licensing inspector at your local council.

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