

---

---

## MINERALS AND PETROLEUM

---

---

MP301

Petroleum and Geothermal Energy Resources Act 1967

### **Petroleum and Geothermal Energy Resources (Hydraulic Fracturing) Regulations 2017**

Made by the Governor in Executive Council.

#### **1. Citation**

These regulations are the *Petroleum and Geothermal Energy Resources (Hydraulic Fracturing) Regulations 2017*.

#### **2. Commencement**

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

#### **3. Terms used**

In these regulations —

***hydraulic fracturing*** means the underground petroleum extraction process that involves the injection of fluids under high pressure into low permeability rock to induce fractures for the purpose of increasing the rock's permeability;

***metropolitan region*** has the meaning given in the *Planning and Development Act 2005* section 4(1);

***Peel region*** means the region described in the *Planning and Development Act 2005* Schedule 4 item 6;

***petroleum authority*** means an authority under Part III Divisions 2, 2A or 3 of the Act to carry out a petroleum operation;

***South West region*** means the region described in the *Planning and Development Act 2005* Schedule 4 item 8.

**4. Prohibition on hydraulic fracturing in certain areas of the State**

A person must not, in the course of carrying out a petroleum operation under a petroleum authority, carry out hydraulic fracturing in any of the following areas of the State —

- (a) the metropolitan region;
- (b) the Peel region;
- (c) the South West region.

Penalty: a fine of \$10 000 for each day on which the offence occurs.

**5. Moratorium on hydraulic fracturing in other areas of the State**

- (1) In this regulation —

*moratorium area* means an area of the State other than an area referred to in regulation 4;

*moratorium period* means the period beginning on the day after the day on which these regulations are published in the *Gazette* and ending on 30 June 2020.

- (2) During the moratorium period, a person must not, in the course of carrying out a petroleum operation under a petroleum authority, carry out hydraulic fracturing in a moratorium area.

Penalty for this subregulation: a fine of \$10 000 for each day on which the offence occurs.

R. NEILSON, Clerk of the Executive Council.