
MINERALS AND PETROLEUM

MP301

Petroleum and Geothermal Energy Resources Act 1967

**Petroleum and Geothermal Energy Resources
(Hydraulic Fracturing) Amendment
Regulations 2019**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Petroleum and Geothermal Energy Resources (Hydraulic Fracturing) Amendment Regulations 2019*.

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. Regulations amended

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

4. Regulation 3 amended

In regulation 3 insert in alphabetical order:

Dampier Peninsula hydraulic fracturing ban area means the area described in Schedule 1 Division 1 (a map of which is included for information purposes in Schedule 1 Division 2);

moratorium area means an area of the State that is not —

- (a) an existing petroleum authority area as defined in regulation 3A(1); or
- (b) an area referred to in regulation 4;

moratorium period means the period beginning on 9 December 2017 and ending on the day on which regulation 5 is repealed;

public drinking water source area means —

- (a) a catchment area or water reserve constituted under the *Country Areas Water Supply Act 1947* section 9(1); or

- (b) a catchment area or water reserve constituted under the *Metropolitan Water Supply, Sewerage, and Drainage Act 1909* section 13; or
- (c) an Underground Water Pollution Control Area constituted under the *Metropolitan Water Supply, Sewerage, and Drainage Act 1909* section 57A;

5. Regulation 3A inserted

After regulation 3 insert:

3A. Existing petroleum authority area

- (1) An area of the State is an *existing petroleum authority area* if —
 - (a) there was a petroleum authority in force in respect of the area on 26 November 2018; and
 - (b) in the period since that day there has always been a petroleum authority in force in respect of the area; and
 - (c) there is currently a petroleum authority in force in respect of the area.
- (2) For the purposes of subregulation (1) it does not matter that different petroleum authorities have been in force in respect of the area at different times.

6. Regulation 4 amended

In regulation 4:

- (a) in paragraph (c) delete “region.” and insert:

region;
- (b) after paragraph (c) insert:
 - (d) the Dampier Peninsula hydraulic fracturing ban area;
 - (e) a national park as defined in the *Conservation and Land Management Act 1984* section 3;
 - (f) a public drinking water source area;
 - (g) an area that is within 2 km of a public drinking water source area.

7. Regulation 5 amended

Delete regulation 5(1).

8. Schedule 1 inserted

After regulation 5 insert:

**Schedule 1 — Dampier Peninsula hydraulic
fracturing ban area**

[r. 3]

Division 1 — Description of area

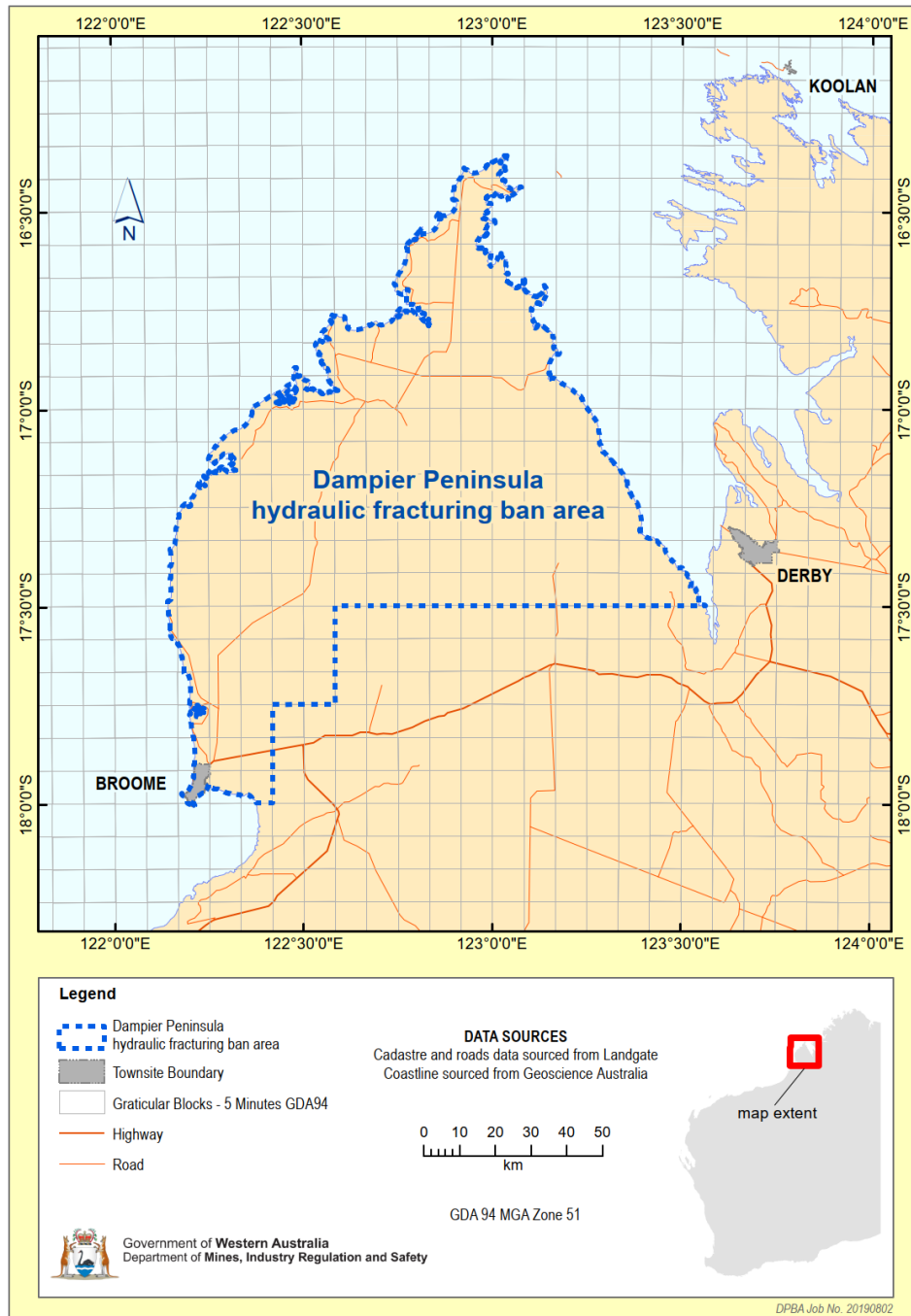
The Dampier Peninsula hydraulic fracturing ban area is the area of the State bounded by a line that —

- (a) starts at a point that is the intersection of 17°29'55.01" south latitude and 122°35'04.55" east longitude;
- (b) then continues south along the meridian to the intersection of 17°44'55.02" south latitude and 122°35'04.56" east longitude;
- (c) then continues west along the parallel to the intersection of 17°44'55.02" south latitude and 122°25'04.58" east longitude;
- (d) then continues south along the meridian to the intersection of 17°59'55.04" south latitude and 122°25'04.58" east longitude;
- (e) then continues west along the parallel to the intersecting point on the coastline at mean low water at 17°59'55.04" south latitude;
- (f) then continues along the coastline at mean low water generally westerly, then generally northerly, then generally north easterly, then generally south easterly to the intersecting point at 17°29'54.98" south latitude;
- (g) then continues west along the parallel returning to the starting point.

Note for this Division:

Coordinate references are to Geocentric Datum of Australia 1994 (GDA94) coordinates.

Division 2 — Map of area (for information purposes only)



C. BARRON, Clerk of the Executive Council.