

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.