

South Australia

Petroleum and Geothermal Energy (Ban on Hydraulic Fracturing) Amendment Act 2018

An Act to amend the *Petroleum and Geothermal Energy Act 2000*.

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The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *Petroleum and Geothermal Energy (Ban on Hydraulic Fracturing) Amendment Act 2018*.

2—Amendment provisions

In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

Part 2—Amendment of *Petroleum and Geothermal Energy Act 2000*

3—Insertion of Part 3 Division 1A

Part 3—after Division 1 insert:

Division 1A—Hydraulic Fracturing

11A—Moratorium on hydraulic fracturing

- (1) Despite any other provision of this Act, the Minister must not, during the prescribed period, grant a licence under this Act that authorises the carrying out of hydraulic fracturing within the designated area.
- (2) A condition of a licence that purports to authorise the carrying out of hydraulic fracturing will be taken to be void and of no effect.
- (3) Subsection (2) applies to a licence granted before or after the commencement of this section.
- (4) No compensation is payable by or on behalf of the Crown, the Minister or any other person in connection with the operation of this section.
- (5) In this section—

designated area means the area comprised of the following council areas:

- (a) the area of the City of Mount Gambier;
- (b) the area of the District Council of Grant;
- (c) the area of the Kingston District Council;
- (d) the area of the Naracoorte Lucindale Council;
- (e) the area of The District Council of Robe;
- (f) the area of The Tatiara District Council;
- (g) the area of the Wattle Range Council;

hydraulic fracturing means the high-pressure injection of a substance or a combination of substances into a wellbore so as to create, or that is likely to create, fractures in rocks or rock formations;

prescribed period means the period beginning on the commencement of this section and ending on the tenth anniversary of that commencement;

wellbore includes a reference to a hole, tunnel or well drilled into the ground to aid in the exploration and recovery of natural resources.