

STATUTORY RULES 2025

S.R. No. /2025

Land Act 1958

**Land (Tour Operator Licence Fee)
Regulations 2025**

The Governor in Council makes the following Regulations:

Dated:

Responsible Minister:

STEVE DIMOPOULOS
Minister for Environment

Clerk of the Executive Council

Part 1—Preliminary

1 Objectives

The objectives of these Regulations are—

- (a) to prescribe the fees payable in respect of tour operator licences granted in respect of Crown land that is not held under a lease under the **Land Act 1958**; and
- (b) to provide for the reduction, waiver or refund of tour operator licence fees.

2 Authorising provisions

These Regulations are made under sections 413 and 413A of the **Land Act 1958**.

3 Commencement

These Regulations come into operation on 29 June 2026.

4 Revocation

The following Regulations are **revoked**—

- (a) the Land (Tour Operator Licence Fee) Regulations 2021¹;
- (b) the Land (Tour Operator Licence Fee) Amendment Regulations 2023²;
- (c) the Land (Tour Operator Licence Fee) Amendment Regulations 2025³.

5 Definitions

In these Regulations—

adult means a person who is not a child;

child means—

- (a) a person who is under 16 years of age; or
- (b) a person of compulsory school age who is educated at a school;

compulsory school age has the same meaning as it has in the **Education and Training Reform Act 2006**;

high value area means an area that is the subject of a determination under regulation 9(2);

high value licence has the meaning given by regulation 9(1);

lifestyle licence has the meaning given by regulation 8;

limited availability area means an area that is the subject of a determination under regulation 10(2);

limited availability determination means a determination under regulation 10(2);

limited availability licence has the meaning given by regulation 10(1);

municipal district has the same meaning as it has in the **Local Government Act 2020**;

quarter, in relation to a financial year, means the period of 3 months ending on 30 September, 31 December, 31 March and 30 June in that year;

school has the same meaning as it has in the **Education and Training Reform Act 2006**;

standard licence has the meaning given by regulation 7;

the Act means the **Land Act 1958**.

EXPOSURE DRAFT

Part 2— Classes of tour operator licence

6 Classes of licence

For the purposes of section 413A(2)(d) of the Act, the classes of tour operator licence are the following—

- (a) standard licence;
- (b) lifestyle licence;
- (c) high value licence;
- (d) limited availability licence.

7 Standard licence

A *standard licence* means a tour operator licence that authorises an organised tour or recreational activity, other than a recreational activity referred to in regulation 8(a), to be conducted in an area of Crown land—

- (a) that is not held under a lease under the Act; and
- (b) that is not a high value area or a limited availability area for that organised tour or recreational activity or class of organised tour or recreational activity.

8 Lifestyle licence

A *lifestyle licence* means a tour operator licence granted for a period of one year or less that authorises a recreational activity—

- (a) that is—
 - (i) for health, fitness, wellbeing or educational purposes; and
 - (ii) undertaken by participants at least once per fortnight during a period of 6 consecutive weeks; and

- (iii) undertaken by participants who reside within the municipal district in which the activity is conducted; and
- (b) to be conducted in an area of Crown land—
 - (i) that is not held under a lease under the Act; and
 - (ii) that is not a limited availability area for that recreational activity or class of recreational activity.

9 High value licence

- (1) A *high value licence* means a tour operator licence that authorises an organised tour or recreational activity, other than a recreational activity referred to in regulation 8(a), to be conducted in an area that—
 - (a) the land manager has determined to be a high value area for that organised tour or recreational activity or class of organised tour or recreational activity; and
 - (b) is not a limited availability area for that organised tour or recreational activity or class of organised tour or recreational activity.
- (2) The land manager of Crown land that is not held under a lease under the Act may determine an area of that land to be a high value area if—
 - (a) the area contains significant visitor infrastructure; or
 - (b) the area contains a tourist feature that attracts international visitors; or
 - (c) the area attracts a large number of visitors.
- (3) A determination under subregulation (2) must be—

- (a) in writing; and
- (b) published on the land manager's Internet site.

10 Limited availability licence

- (1) A *limited availability licence* means a tour operator licence that authorises an organised tour or recreational activity specified in a limited availability determination to be conducted in a limited availability area for that organised tour or recreational activity or class of organised tour or recreational activity during the period of the determination.
- (2) The land manager of Crown land that is not held under a lease under the Act may determine an area of that land to be an area in which, for the organised tour or recreational activity or class of organised tour or recreational activity specified in the determination, only a limited number of licences are to be issued.
- (3) The land manager may make a determination under subregulation (2) for the following reasons—
 - (a) environmental reasons;
 - (b) cultural reasons;
 - (c) to ensure public safety;
 - (d) to manage the visitor experience;
 - (e) to ensure environmental sustainability.
- (4) A determination under subregulation (2) must specify—
 - (a) the organised tour or recreational activity, or the class of organised tour or recreational activity, to which the determination applies; and

- (b) the period of the determination.
- (5) A determination under subregulation (2) may apply to more than one organised tour or recreational activity or class of organised tour or recreational activity.
- (6) A determination under subregulation (2) must be—
 - (a) in writing; and
 - (b) published on the land manager’s Internet site.

EXPOSURE DRAFT

Part 3—Licence fees

11 Standard licence in force for one year or less— licence fee

- (1) For the purposes of section 140J(2) of the Act, the fee payable for a standard licence granted for a period of one year or less is—
 - (a) a base amount of 26·43 fee units; and
 - (b) an amount that comprises—
 - (i) 0·16 fee units for each day that an adult enters land to which the licence relates and participates in an organised tour or recreational activity that is authorised under the licence; and
 - (ii) 0·10 fee units for each day that a child enters land to which the licence relates and participates in an organised tour or recreational activity that is authorised under the licence.
- (2) The amount referred to in subregulation (1)(a) is payable on the day on which the licence is granted.
- (3) The amount referred to in subregulation (1)(b) is payable—
 - (a) in instalments at the end of each quarter of a financial year during which the licence is in force; or
 - (b) if the land manager determines that the total amount under subregulation (1)(b) is likely to be less than \$10,000, at the expiry of the licence.

**12 Standard licence in force for more than one year—
annual licence fee**

- (1) For the purposes of section 140K(1) of the Act, the annual licence fee payable for a standard licence granted for a period of more than one year is—
- (a) a base amount of 20·73 fee units for each year during which the licence is in force; and
 - (b) an amount that comprises—
 - (i) 0·16 fee units for each day that an adult enters land to which the licence relates and participates in an organised tour or recreational activity that is authorised under the licence; and
 - (ii) 0·10 fee units for each day that a child enters land to which the licence relates and participates in an organised tour or recreational activity that is authorised under the licence.
- (2) The amount referred to in subregulation (1)(a) is payable at a time determined by the land manager under subregulation (3).
- (3) The land manager may determine that the base amount of the annual licence fee for a standard licence is payable—
- (a) for the first year during which the licence is in force—on the day on which the licence is granted or at the end of the financial year during which the licence was granted; and
 - (b) for each subsequent year during which the licence is in force—on the anniversary of the day on which the licence is granted or at the beginning of each financial year.
- (4) The amount referred to in subregulation (1)(b) is payable—

- (a) in instalments at the end of each quarter of a financial year during which the licence is in force; or
 - (b) if the land manager determines that the total amount under subregulation (1)(b) is likely to be less than \$10,000 for a financial year during which the licence is in force, at the end of that financial year.
- (5) The holder of a standard licence granted for a period of more than one year may elect to pay the amount referred to in subregulation (1)(a) in a lump sum on the granting of the licence.

13 Lifestyle licence—licence fee

- (1) For the purposes of section 140J(2) of the Act, the fee payable for a lifestyle licence is 30·87 fee units.
- (2) The fee referred to in subregulation (1) is payable on the day on which the licence is granted.

14 High value licence in force for one year or less—licence fee

- (1) For the purposes of section 140J(2) of the Act, the fee payable for a high value licence granted for a period of one year or less is—
 - (a) a base amount of 39·64 fee units; and
 - (b) an amount that comprises—
 - (i) 0·24 fee units for each day that an adult enters land to which the licence relates and participates in an organised tour or recreational activity that is authorised under the licence; and
 - (ii) 0·16 fee units for each day that a child enters land to which the licence relates and participates in an organised tour or

recreational activity that is authorised under the licence.

- (2) The amount referred to in subregulation (1)(a) is payable on the day on which the licence is granted.
- (3) The amount referred to in subregulation (1)(b) is payable—
 - (a) in instalments at the end of each quarter of a financial year during which the licence is in force; or
 - (b) if the land manager determines that the total amount under subregulation (1)(b) is likely to be less than \$10,000, at the expiry of the licence.

**15 High value licence in force for more than one year—
annual licence fee**

- (1) For the purposes of section 140K(1) of the Act, the annual licence fee payable for a high value licence granted for a period of more than one year is—
 - (a) a base amount of 31·10 fee units for each year during which the licence is in force; and
 - (b) an amount that comprises—
 - (i) 0·24 fee units for each day that an adult enters land to which the licence relates and participates in an organised tour or recreational activity that is authorised under the licence; and
 - (ii) 0·16 fee units for each day that a child enters land to which the licence relates and participates in an organised tour or recreational activity that is authorised under the licence.

- (2) The amount referred to in subregulation (1)(a) is payable at a time determined by the land manager under subregulation (3).
- (3) The land manager may determine that the base amount of the annual licence fee for a high value licence is payable—
 - (a) for the first year during which the licence is in force—on the day on which the licence is granted or at the end of the financial year during which the licence was granted; and
 - (b) for each subsequent year during which the licence is in force—on the anniversary of the day on which the licence is granted or at the beginning of each financial year.
- (4) The amount referred to in subregulation (1)(b) is payable—
 - (a) in instalments at the end of each quarter of a financial year during which the licence is in force; and
 - (b) if the land manager determines that the total amount under subregulation (1)(b) is likely to be less than \$10,000 for a financial year during which the licence is in force, at the end of that financial year.
- (5) The holder of a high value licence granted for a period of more than one year may elect to pay the amount referred to in subregulation (1)(a) in a lump sum on the granting of the licence.

16 Limited availability licence—annual licence fee

- (1) For the purposes of section 140K(1) of the Act, the annual licence fee payable for a limited availability licence is—
 - (a) a base amount determined by the land manager for each year during which the licence is in force; and
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- (b) an amount that comprises—
 - (i) 0·24 fee units for each day that an adult enters land to which the licence relates and participates in an organised tour or recreational activity that is authorised under the licence; and
 - (ii) 0·16 fee units for each day that a child enters land to which the licence relates and participates in an organised tour or recreational activity that is authorised under the licence.
- (2) In determining an amount under subregulation (1)(a)—
 - (a) the land manager must have regard to the reasonable costs of administering the tour operator licensing scheme; and
 - (b) the amount must be not less than 39·64 fee units and not more than 612·37 fee units.
- (3) The amount referred to in subregulation (1)(a) is payable at a time determined by the land manager under subregulation (4).
- (4) The land manager may determine that the base amount of the annual licence fee for a limited availability licence is payable—
 - (a) for the first year during which the licence is in force—on the day on which the licence is granted or at the end of the financial year during which the licence was granted; and
 - (b) for each subsequent year during which the licence is in force—on the anniversary of the day on which the licence is granted or at the beginning of each financial year.
- (5) The amount referred to in subregulation (1)(b) is payable—

- (a) in instalments at the end of each quarter of a financial year during which the licence is in force; or
 - (b) if the land manager determines that the total amount under subregulation (1)(b) is likely to be less than \$10,000 for a financial year during which the licence is in force, at the end of that financial year.
- (6) The holder of a limited availability licence that is granted for a period of more than one year may elect to pay the amount referred to in subregulation (1)(a) in a lump sum on the granting of the licence.

EXPOSURE DRAFT

Part 4—General

Division 1—Record keeping

17 Licence condition to keep records

- (1) For the purposes of section 140L(1) of the Act, the conditions specified in subregulations (2), (3) and (4) are prescribed conditions.
- (2) The licence holder must keep a record of the number of persons who participate in an organised tour or recreational activity under the licence.
- (3) A record under subregulation (2) must—
 - (a) be kept for each day on which the organised tour or recreational activity is conducted; and
 - (b) be in Form 1 in Schedule 1.
- (4) The licence holder must give a record under subregulation (2) to the land manager at the end of each financial year during which the licence is in force.
- (5) The licence holder may elect to give a record under subregulation (2) to the land manager at the end of each quarter of a financial year during which the licence is in force.

Division 2—Reduction, waiver and refund of licence fees

18 Application to reduce, waive or refund licence fees

- (1) The holder of a tour operator licence may apply to the land manager for—
 - (a) the reduction of a fee that is payable for that licence; or
 - (b) the waiver, in full or in part, of a fee that is payable for that licence; or

- (c) the refund of a fee that has been paid for that licence.
- (2) Without limiting subregulation (1), the holder of a standard licence may apply for an amount determined in accordance with regulation 11(1)(b) or 12(1)(b) that is payable for that licence to be reduced by 5·12 fee units if the licence holder holds—
 - (a) another tour operator licence; or
 - (b) a licence issued in another State or a Territory that is equivalent to a tour operator licence.
- (3) Without limiting subregulation (1), the holder of a high value licence may apply for an amount determined in accordance with regulation 14(1)(b) or 15(1)(b) that is payable for that licence to be reduced by 5·12 fee units if the licence holder holds—
 - (a) another tour operator licence; or
 - (b) a licence issued in another State or a Territory that is equivalent to a tour operator licence.
- (4) An application under subregulation (1), (2) or (3) must be in writing.
- (5) An application under subregulation (2) or (3) must include a copy of the other tour operator licence or equivalent interstate licence.
- (6) No more than one application may be made under subregulation (2) in relation to a standard licence.
- (7) No more than one application may be made under subregulation (3) in relation to a high value licence.
- (8) If the holder of a tour operator licence applies for a reduction or waiver of a fee under this regulation

and the application has not yet been determined, the making of that application does not affect the licence holder's obligation to pay the fees that are payable for that licence when those fees are due to be paid.

19 Reduction, waiver or refund of licence fees—general

- (1) The land manager may reduce a fee that is payable for a tour operator licence or class of tour operator licence, unless the licence is suspended under section 140O of the Act or cancelled under section 140Q of the Act.
- (2) The land manager may waive, in full or in part, a fee that is payable for a tour operator licence or class of tour operator licence, unless the licence is suspended under section 140O of the Act or cancelled under section 140Q of the Act.
- (3) The land manager may refund a fee that has been paid for a tour operator licence or class of tour operator licence, unless the licence is suspended under section 140O of the Act or cancelled under section 140Q of the Act.
- (4) Despite subregulation (3), the land manager may refund a fee that has been paid for a standard licence, high value licence or limited availability licence that is suspended under section 140O of the Act or cancelled under section 140Q of the Act if the fee was paid in respect of a year that has not yet commenced.
- (5) In deciding whether to reduce, waive or refund a fee under this regulation, the land manager must have regard to the following matters—
 - (a) whether payment of a fee would cause, or has caused, undue financial hardship to the holder of a tour operator licence;

- (b) whether payment of the fee by the holder of a tour operator licence would be manifestly unfair;
 - (c) the impact of any natural or unnatural event on the ability of the holder of a tour operator licence to conduct an organised tour or a recreational activity that is authorised under the licence.
- (6) A reduction, waiver or refund under this regulation may be—
- (a) on an application by the licence holder; or
 - (b) on the land manager's own initiative.

20 Reduction of annual licence fee—standard or high value licence holders

- (1) Without limiting regulation 19, the land manager may reduce the amount determined in accordance with regulation 11(1)(b) or 12(1)(b) that is payable for a standard licence by 5·12 fee units on an application under regulation 18(2).
- (2) Without limiting regulation 19, the land manager may reduce the amount determined in accordance with regulation 14(1)(b) or 15(1)(b) that is payable for a high value licence by 5·12 fee units on an application under regulation 18(3).

21 Refund of fees paid in advance on surrender of licence

Without limiting regulation 19, if the holder of a standard licence or high value licence that is granted for a period of more than one year surrenders the licence, the land manager may refund any fees paid in respect of a year of the licence that has not yet commenced.

Land (Tour Operator Licence Fee) Regulations 2025
S.R. No. /2025
Schedule 1

Schedule 1

FORM 1

Regulation 17

TOUR OPERATOR TRIP RETURN

Licence No.:
Licence Class:
Licence Holder:

Date	Location	Activity	No. of adults	x No. of days/trips	A		No. of children	x No. of days/trips	Total	B		A + B totals = Total use amount
					x \$XX = Total	Total				x \$XX = Total	Total	
										Total use amount:	\$	

<i>I certify that the records above are a true and correct account of all tours and activities conducted under the licence for the period:</i>	
Please tick <input type="checkbox"/> 1 July–30 September	<input type="checkbox"/> 1 January–31 March
<input type="checkbox"/> 1 October–31 December	<input type="checkbox"/> 1 April–30 June

Address of land management agency:

Land (Tour Operator Licence Fee) Regulations 2025
S.R. No. /2025

¹ Reg. 4(a): S.R. No. 66/2021 as amended by S.R. Nos 43/2023 and 43/2025.

² Reg. 4(b): S.R. No. 43/2023.

³ Reg. 4(c): S.R. No. 43/2025.

EXPOSURE DRAFT