



01 Understand your rights

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01 Understand your rights

Before starting a project on Country, make sure you understand your rights — like legal ownership of land/waters, Native Title rights, or other interests.

What someone can do on Country often depends on who owns the land/waters and the laws that apply.

In Australia, these are the main systems that determine legal rights at a specific location – they may overlap:

- **Torrens (Freehold) Title** – This is the main system used to record who owns land
- **Native Title** – Recognises Aboriginal and Torres Strait Islander peoples' rights to land and water
- **Indigenous Land Use Agreements (ILUAs)** – Agreements between Traditional Owners and others about land and water use
- **State/Territory Land Rights** – Laws that give Aboriginal groups rights to land
- **Pastoral and Mining Leases** – Long-term use of land for farming or mining
- **Crown Land** – Land owned by the government

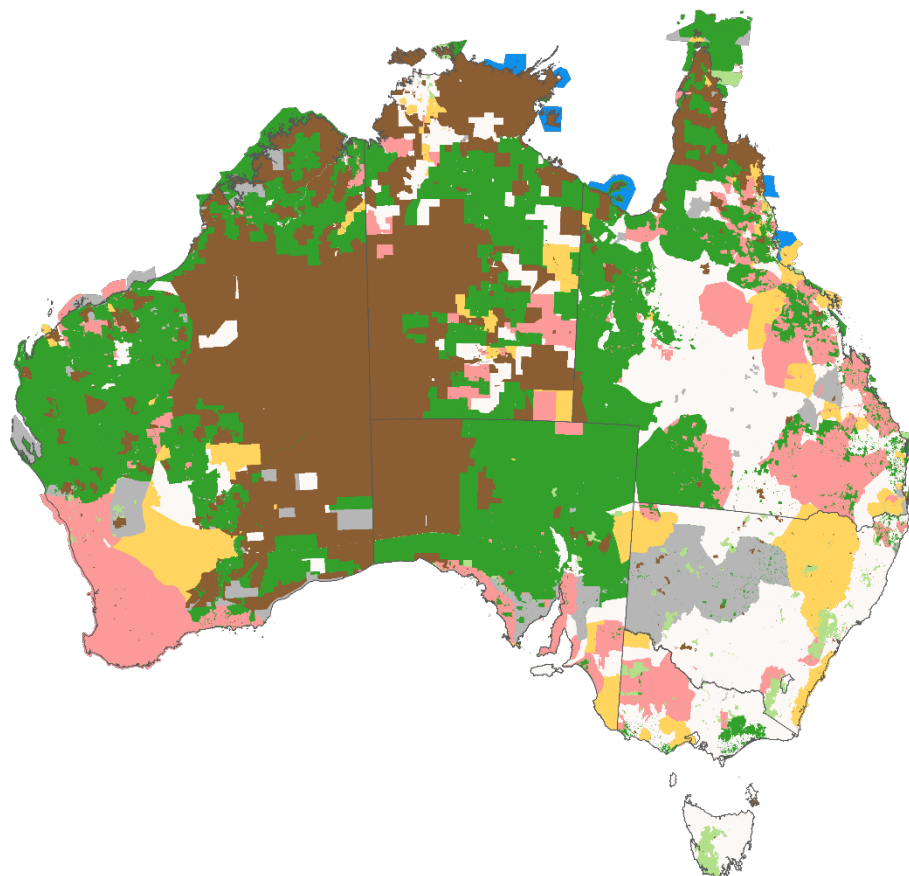
It is important to understand your rights under Commonwealth and state/territory laws, and to seek independent legal advice about specific project details.

Your rights can give you the power to negotiate, protect Country, and make sure projects align with your Community's priorities. They may also give you the authority to approve or reject a project.

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Indigenous rights and interests

Image provided by the Indigenous Carbon Industry Network



- Class 1 - Legal Right (Indigenous owned tenure, or Exclusive Possession Native Title Determined)
- Class 2 - Eligible Interest Holder (Non-Exclusive Possession Native Title Determined)
- Class 3 - Eligible Interest Holder or Agreement (Jointly Managed Parks)
- Class 4 - Indigenous Land Interest (BAI - ILUA)
- Class 5 - Indigenous Land Interest (BAI - Native Title Claim Pending Decision)
- Class 6 - Management Responsibility (Indigenous Protected Areas)
- Class 7 - Determined (No Native Title)
- Class 8 - Other

Note: The dataset underlying this map is based primarily on publicly available spatial data, complemented by private information sources. It is acknowledged that there may be some errors in the dataset and that Indigenous land and sea interests are broader than what is presented in the dataset. Further, due to the scale of the analysis, the data should not be relied upon for accuracy at a local or project-level scale.