



First Nations

Defence Legislation Amendment (Accelerating Capability and Protecting Bases) Bill 2026

Native title, cultural heritage and ongoing engagement

1. Defence recognises that many Defence activities occur on, or in proximity to, areas where Aboriginal and Torres Strait Islander peoples have cultural, historical, environmental and native title interests.
2. The Government also recognises the important role played by Traditional Owners, Prescribed Bodies Corporate, Native Title Representative Bodies, Land Councils and other First Nations organisations in representing those interests and facilitating engagement with communities.
3. The purpose of this page is to explain how the reforms interact with those interests and the safeguards that accompany the legislation.

Native title and land access

4. The Government's policy intention is that the reforms do not diminish native title rights and interests.
5. The reforms are intended to support Defence capability development and preparedness activities, not alter existing native title arrangements or reduce rights and interests held by First Nations peoples.
6. Similarly, the reforms are not intended to reduce existing access arrangements or coexistence arrangements involving Traditional Owners and other authorised users of Defence land.

Cultural heritage

7. Defence recognises the significance of Aboriginal and Torres Strait Islander cultural heritage and expects cultural heritage considerations to continue to be taken into account when Defence activities are planned and undertaken.
8. The reforms are not intended to diminish cultural heritage protections or reduce consideration of places, landscapes or areas of cultural significance.

Environmental protection

9. The Government's position is that Commonwealth environmental legislation continues to apply.
10. The reforms are not intended to create blanket environmental exemptions or remove Defence's environmental management responsibilities. Environmental values, cultural



heritage values and community interests continue to be important considerations in Defence planning and activities.

Engagement and consultation

11. Defence recognises that meaningful engagement with First Nations communities is an important part of the way Defence conducts activities that may affect matters of significance.
12. The reforms are not intended to replace or diminish existing engagement arrangements.
13. Defence expects to continue engaging with Traditional Owners, Prescribed Bodies Corporate, Native Title Representative Bodies, Land Councils and other First Nations organisations where activities may affect cultural heritage, native title interests, land access arrangements or other matters of significance.

Woomera Prohibited Area

14. The Government's policy intention is that the reforms do not alter the existing Woomera Prohibited Area coexistence framework.
15. Existing access arrangements, coexistence arrangements and engagement practices involving Traditional Owners, pastoralists, resources companies and other authorised users are intended to continue.

What this means for First Nations stakeholders

16. The Government's position is that the reforms are intended to operate alongside existing native title arrangements, cultural heritage protections, access arrangements and consultation practices, rather than replace them.
17. The reforms are also intended to support ongoing engagement with First Nations communities while ensuring Defence has a modern legislative framework capable of supporting Australia's future capability and preparedness requirements.