Port of Darwin

Handling Note:

Deputy Secretary Economy, Industry & Resilience, *Nadine Williams,* to answer questions on the Port of Darwin election commitment.

First Assistant Secretary, National Security Division, *Richard Sadleir*, to answer questions on the Prime Minister and Cabinet 2022-23 review of the Port of Darwin.

Detailed questions should be directed to the Department of Infrastructure, Transport, Regional Development, Communications, Sports and the Arts (DITRDCSA), s 47C [redacted]

Key Messages:

- The Australian Government is committed to returning the Port of Darwin to Australian ownership, and aims to resolve arrangements in a way that is satisfactory to all parties.
- The Australian Government is working closely with the Northern Territory Government on next steps.

Talking Points

What is the Government's commitment?

- On 4 April 2025, the Prime Minister committed to return the Port of Darwin to Australian hands and to continue to prioritise a plan for the Port of Darwin to be privately owned by an Australian company (Attachment A).

When will the Port be returned to Australian ownership?

- *Refer to DITRDCSA.*

Will the Port of Darwin commitment have implications for foreign ownership of other Ports?

- Foreign investment in critical assets is monitored and considered in accordance with the *Foreign Acquisitions and Takeovers Act 1975* (FATA Act) and through the Foreign Investment Review Board.

What is the Northern Territory Government's role in this commitment?

- *Refer to DITRDCSA.*

Was the Port discussed with the Chinese President and Premier during the Prime Minister's trip to China in July 2025?

- As the Prime Minister has said before, it was not raised.

Are any other countries interested in the Port?

- The Government is aware of media reporting about parties interested in acquiring the lease for Darwin Port.
- *Refer to DITRDCSA.*

Why did the Australian Government allow the Northern Territory Government to sell off the Port of Darwin in 2015?

- State and territory governments are responsible for land use planning and controls, including for ports, their adjacent land areas and connecting transport systems.
- At the time the lease was entered into the FATA Act did not apply to the sale of state and territory owned assets.
- The FATA Act was amended in 2016, however, there is no ability for a Government to undertake a retrospective review.
- *Further questions about the Port of Darwin should be directed to DITRDCSA*.

Background

2015 acquisition by Landbridge

- In 2015, Landbridge, via a wholly-owned subsidiary, acquired a 99-year lease from the Northern Territory Government of parts of Darwin Harbour at a cost of $506 million. The Port of Darwin is a small portion of the Darwin Harbour precinct.
- Landbridge Group is a private firm headquartered in Shandong, China.

The Department of the Prime Minister and Cabinet 2022-23 review of Port of Darwin

- On 31 March 2023, the Department of the Prime Minister and Cabinet (PM&C) provided the Review into the Circumstances of the Port of Darwin Lease (the Review) to the Prime Minister.
- Consistent with the findings of previous reviews, the Review advised that it was not in the national interest to vary or cancel the lease arrangement at that time. The review found that:
  - there is a robust regulatory system in place to manage risks to critical infrastructure, including the Port of Darwin
  - existing monitoring mechanisms are sufficient and will be ongoing
  - as a result, it was not necessary to vary or cancel the lease.
- The Government accepted the findings, which were publicly released on 20 October 2023.

Supporting information

Questions on Notice

- No QoNs asked.

Freedom of Information (FOI) Requests

- On 3 June 2025, the Department of Finance disclosed 'PM&C talking points'. The disclosure includes email correspondence between departments, including PM&C, on a draft of whole-of-government talking points for the Port of Darwin election commitment. This included a draft talking points page and a media summary covering several days of reporting immediately following the Prime Minister's 4 April 2025, announcement.
- **FOI/2025/085:** On 28 April 2025, PM&C received a request for access to documents relating to the Port of Darwin. On 26 June 2025, the decision refused access in full. On 23 July 2025, PM&C was notified that the applicant had sought internal review of the FOI decision. On 12 September 2025, the refusal decision was upheld.
- **FOI/2025/082:** On 23 April 2025, PM&C received a request for access to documents relating to the Port of Darwin from an ABC Darwin journalist. On 27 May 2025, the application was refused under section 24A(1) of the FOI Act as the requested documents did not exist.
- **FOI/2025/013:** On 28 January 2025, PM&C received a request for access to documents relating to the Port of Darwin from an ABC Darwin journalist. On 27 February 2025, the application was refused under section 24A(1) of the FOI Act as the requested documents did not exist.

Recent Ministerial Comments

- On 11 April 2025, the Prime Minister was reported as saying the Government was 'prepared to use compulsory acquisition powers' if required.
- On 16 July 2025, the Prime Minister responded to questions at a press conference during his visit to China on whether Chinese Premier Li Qiang had raised the Port of Darwin during a meeting with the Prime Minister. The Prime Minister confirmed the topic had not been raised.

Relevant Media Reporting

- Australian media has reported extensively on the election commitment following its announcement on 4 April 2025.
- Media reporting on 24 July 2025, (Attachment B) outlined that Industry stakeholders were claiming that the Government had been delaying a forced divestment of the Port by owners Landbridge, despite the election commitment to return the Port to Australian ownership.

Division: Industry, Infrastructure & Environment	
PDR No: SB25-000114	
Prepared by: s 22(1)(a)(ii) **Mob:** s 22(1)(a)(ii) **Ext:** s 22(1)(a)(ii) **Date:** 27 August 2025	**Cleared by Branch Head:** Joe Ritchie **Mob:** s 22(1)(a)(ii) **Ext:** s 22(1)(a)(ii) **Date:** 28 August 2025
Consultation: National Security **Name:** s 22(1)(a)(ii)	**Date:** 21 August 2025 **Ext:** s 22(1)(a)(ii)
Cleared by Deputy Secretary: Nadine Williams, Deputy Secretary, Economy Industry and Resilience Group	**Date:** 3 September 2025
Clearance of updates (if applicable)	
Update cleared by: Joe Ritchie	**Date:** 24 September 2025
Update cleared by: Nadine Williams	**Date:** 2 October 2025

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Document 3A

Attachment A
4 April ABC News

The Port of Darwin looks set to return to Australian ownership no matter who wins the federal election after both the Coalition and Labor pledged to negotiate a deal.

The port has been in a Chinese company's hands after the Northern Territory government awarded a 99-year lease to Beijing-controlled Landbridge Group in 2015, under a deal approved by the then-Turnbull government.

Federal politics live updates: Get the latest on the post-election landscape
Live results: Find out what's happening in your seat as counting continues

Citing the current geo-political environment, the Coalition said it would force Landbridge Group to sell back the port to an Australian government approved operator, or as a last resort compulsorily acquire it and compensate the Chinese-owned company.

Under their plan, a specialist commercial adviser would work with the NT government and officials from the Departments of Treasury, Finance, Defence and Infrastructure to find new operators.

Why did we lease Darwin Port to a Chinese company?
Photo shows Darwin Port sign behind barbed wire. Darwin Port sign behind barbed wire.
The controversial lease Darwin Port remains in the spotlight amid China’s new security pact with Solomon Islands. So, how and why did it happen?

And if a private lease can't be found within six months, the Coalition, if-elected would acquire the lease using the Commonwealth's compulsory acquisition powers.

Landbridge would receive federal compensation under this scenario.

Pre-empting a Coalition announcement planned for Saturday, Mr Albanese on Friday told ABC radio his government is also looking for a private buyer, particularly through superannuation funds, to end the $506 million contract with Landbridge to operate the strategic facility in Australia's north.

"What we are doing is we will enter into negotiations," he said.
"That is what we've been doing informally, through potential buyers up to this point already, and if it reaches a point where the Commonwealth needs to directly intervene, then we'd be prepared to do that."

A spokesperson for the Coalition said Mr Albanese's announcement on Friday "is another demonstration of a prime minister who has had three years to act in Australia's national interest and didn't."

Silos at Darwin Port.

Darwin Port sits in an industrial precinct not far from the CBD. (ABC News: Che Chorley)

The prime minister predicted Mr Dutton would "pretend" the original Northern Territory deal "had nothing to do with the LNP federally, and will just blame the former Northern Territory government."

"The CLP (Country Liberal Party) should've never flogged it off," Mr Albanese told ABC Radio Darwin.

"We want it to be in Australian hands," he said.

Mr Albanese flagged this week his government was considering options to end the port's lease.

He declined to detail how much his government would be willing to pay but told Radio Darwin that the government would have more to say before May 3.

'Port is not for sale', says Landbridge
Landbridge non-executive director Terry O'Connor told the ABC the company had not had any discussions with the federal government or the NT government around any of the proposals that the prime minister had announced.

"As far as the owner is concerned, there's no intention to sell the port and there's been no negotiations around selling the port," he said.

"We've said repeatedly that the port is not for sale."
Mr O'Connor added that similar announcements had been made in other election campaigns and staff were not concerned.

"At this stage, there's nothing that's changing the current arrangement that we have."

"We understand the politics that are being played out here. Our perspective is we're a commercial organisation in a legally binding contract, which involves us operating the facility for the next 90 years or so.

"So any negotiations would have to take that into account, and I can say quite straightforward, that there's been no engagement at any level in relation to the governments around terminating that contract or any change to the existing contract rule arrangement."

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Mr O'Connor also addressed security concerns around Landbridge's connection with the Chinese government.

"Our day-to-day operations are run by Australians, operating inside the Australian requirements. Under our security arrangements … there is no input from China.

"There is no input from the Chinese owners. In relation to the day-to-day operation, we're dealing with Australian agencies as we operate the port."

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Document 3A

ATTACHMENT C

24 July 2025 Australian Financial Review

Full speed ahead on Darwin Port sale

Potential buyers circling Darwin Port expect the Albanese government to ramp up plans to force the Chinese owner to relinquish the key infrastructure asset following the prime minister's well-received trip to China last week.

Industry players say there had been a bureaucratic go-slow over making the port's owner, Landbridge, divest the asset despite Anthony Albanese and the Coalition promising in April during the election campaign to bring the port back into Australian hands.

"It was a good meeting in China and the government knows it has to get on with it," said an industry source familiar with discussions.

"This is in the national interest."

US officials continue to press the government to resolve the port's ownership, according to a government source not authorised to speak publicly, as the Trump administration seeks to ensure China-linked entities are stopped from owning key infrastructure in the West, most notably Panama canal ports.

Super funds flagged

Albanese has said he would like Australian superannuation funds to take ownership of the port. IFM Investors, which represents industry super funds, was an underbidder in 2015 and is said to remain interested, although it was not commenting publicly.

US-based Cerberus Capital Management and logistics powerhouse Toll, owned by Japan Post, have partnered to signal their interest in buying the port.

Infrastructure Minister Catherine King and her department are taking the lead on the matter, but the Finance Department has also been brought in recent weeks.

Labor MP Luke Gosling, who represents Darwin in federal parliament, said good people were working in the department to drive the change in ownership.

"I'm optimistic that with former Royal Australian Naval officers both on the Landbridge board and running Darwin Port for Landbridge, the transition to Australian ownership will be smooth and a win-win for all stakeholders," Gosling said.

Ahead of Albanese's China visit, there had been anticipation Beijing officials would reinforce their objection to the port policy. But the issue was not raised in Albanese's meetings with Chinese President Xi Jinping, which included a private lunch, and Premier Li Qiang.

Li did publicly urge Albanese to ensure Chinese businesses were treated fairly under Australia's foreign investment regime, but this was a generic call and applies beyond just the port.

Criticism of the government's port decision instead came from Chinese state media, although it was relatively muted. A blogger warned that Australia's iron ore trade could be at risk but an editorial by the staunchly nationalist *Global Times* described the port lease as a specific issue to be discussed, rather than voice strong opposition.

But the success of Albanese's five-day, six-night visit, which was warmly reported in China and included visits to the Great Wall and a panda breeding centre, suggests the port issue may not be as contentious if a face-saving solution can be found.

King's spokesman said the government was working with the Northern Territory government on the next steps.

"The Albanese government is committed to returning the Darwin Port to Australian control," he said.

Landbridge denies seeking buyer

Landbridge, owned by Chinese businessman Ye Cheng, won a bidding war in 2015 to secure the port for $506 million with a 99-year lease after the Northern Territory government privatised it.

China hawks have long attacked the sale on national security grounds, citing the closeness of Darwin's US Marine deployment and the optics of a Chinese-owned company owning a key piece of infrastructure.

Despite several government reviews finding there were no national security grounds to terminate the lease, Albanese and then opposition leader Peter Dutton promised in the run-up to the May election to end Landbridge's tenure.

Landbridge director Terry O'Connor said this week the company's position remained that it was not interested in selling the port, denying the company was seeking a buyer.

While a commercial transaction would arguably be more palatable for Landbridge and the Chinese government and deliver a better return, Albanese has powers under the Constitution to forcibly acquire the port, putting it in government ownership.

Australia-China Relations Institute executive director James Laurenceson said a face-saving solution would help soften the blow for China.

"Albanese is very keen for it to end up in Australian hands. If it ended up with an American buyer then the Chinese response would be a lot stronger," he said.

"The fact that it [the port] wasn't raised by Chinese leaders does send a signal that it is not Beijing's No.1 complaint. I don't think Beijing is going to blow up the relationship over this."

Port of Darwin 2022-23 Review

Key Messages:

- PM&C led the Review into the circumstances of the Port of Darwin lease (the Review) in 2022-23.
- The Review was conducted by PM&C in consultation with relevant agencies.
- The Review advised that it was not in the national interest to vary or cancel the lease arrangement at the time.

Handling Note:

- Deputy Secretary, Economy, Industry and Resilience Group, *Nadine Williams*, to lead on Port of Darwin election commitment questions.
- First Assistant Secretary, National Security Division, *Richard Sadleir*, to only lead on the PM&C's *2022-23 Review into the Circumstances of the Port of Darwin Lease.*
- The Department of Infrastructure, Transport, Regional Development, Communications, Sports and the Arts (DITRDCSA) is the lead agency for Port of Darwin election commitment.
- The Department of Home Affairs is the lead agency for security aspects relating to ports and other critical infrastructure.

Port of Darwin 2022-23 Review	NSIP25-000852
Contact Officer	s 22(1)(a)(ii)
Sponsoring Officer	Assistant Secretary Andrew Rose, s 22(1)(a)(ii)
Cleared by First Assistant Secretary Richard Sadleir on 23 September 2025	

Talking Points

- **On 31 March 2023**, PM&C provided the Review to the Prime Minister.
- Consistent with the findings of previous reviews, the Review advised that it was not in the national interest to vary or cancel the lease arrangement at this time. The review found that:
  - There is a robust regulatory system in place to manage risks to critical infrastructure, including the Port of Darwin;
  - Existing monitoring mechanisms are sufficient and will be ongoing; and
  - As a result, it was not necessary to vary or cancel the lease.
- **On 9 August 2023**, the Prime Minister agreed to accept the findings of the recommendations of the Review. The findings were publicly released on 20 October 2023 (Attachment A).
- The Review found a range of Commonwealth and Northern Territory legislative measures that support security of Commonwealth interest at the Port of Darwin, including:
  - The *Maritime Transport and Offshore Facilities Act 2003*, which places obligations on port operators, including the Port of Darwin, to safeguard against unlawful interference. The Department of Home Affairs may also conduct regular compliance assurance activities to ensure port operators are implementing agreed maritime security plans.
  - The *Security of Critical Infrastructure Act 2018* (SOCI Act) complements the maritime transport security regime by establishing an all-hazards framework for 20 designated ports to uplift the resilience of Australia's critical infrastructure, including the Port of Darwin.
  - The *Ports Management Act 2015* (NT), which sets out ongoing monitoring responsibilities over the Port, which are aimed at detecting any suspicious behaviour and providing the Northern Territory Government the right to direct vessel movements in certain circumstances.

s 33(a)(iii) [redacted]

Section 33(a)(iii) [redacted]

If asked about the Review process?

- The 2023 Review considered the findings and outcomes of previous reviews into the Port of Darwin lease to the Landbridge Group, and concluded that the previous findings and outcomes remained contemporary, and no further action was required at the time.
- PM&C conducted consultations with relevant agencies to support the Review's assessment.
- The Department of Defence, Department of Home Affairs, and Department of Foreign Affairs and Trade, ONI and ASIO provided written responses to inform PM&C's review.

If asked: why was a Review required?

- s 33(a)(iii) [redacted]
- The Government asked PM&C to look into the findings and outcomes of previous reviews including any updated assessments, and advise if any action is required.
- The Review found that there is a robust regulatory system in place which is able to manage risk to critical infrastructure, including the Port of Darwin.
- The previous government undertook a number of reviews into the Port of Darwin and its lease.

Supporting information

Date	Action
April 2025	During the 2025 federal election, both the government and the opposition advocated for discontinuing the lease.
20 October 2023	The findings of the Review were made public (Attachment A).
s 33(a)(iii)	[redacted]
9 August 2023	The Prime Minister agreed to accept the findings and recommendations of the Review.
31 March 2023	PM&C provided the Review to the Prime Minister.
27 January 2023	The Prime Minister stated that: "Given the nature of the report, we will report when it is finalised".
s 33(a)(iii)	[redacted]
25 October 2022	PM&C responded to Landbridge.
4 October 2022	PM&C Secretary received a letter from Landbridge seeking advice on the nature and scope of the Review, and whether Landbridge would be provided with an opportunity to respond.
20 September 2022	PM&C provided advice to the Prime Minister's Office on a pathway forward for consideration of the lease.
22 August 2022	The Prime Minister stated that: "I have asked for advice and when we receive it we will make it public".
8 June 2022	The Prime Minister announced there would be a "review of the circumstances of the Port [or Darwin].
December 2021	Media reported that the 2021 Defence review of the Port of Darwin lease had not found sufficient national security grounds to overturn the lease.
December 2020	The *Foreign Relations (State and Territory Arrangements) Act 2020* passed both Houses of Parliament.
July 2018	Commencement of the *Security of Critical Infrastructure Act 2018.*
March 2016	Amendments to the Foreign Investment Review Board process to consider sale of state and territory government assets.
October 2015	Landbridge Group formally wins bid for the lease of Port of Darwin.
May 2015	Commonwealth Deed of Licence agreed with the NT Government.

Freedom of Information (FOI) Requests

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PORT OF DARWIN

Sections 33(a)(iii), 45, 47C, 47D [redacted]

Sections 33(a)(iii), 45, 47C, 47D [redacted]

Sections 33(a)(iii),45,47C, 47D [redacted]

In 2015, Landbridge Group acquired a 99-year lease from the Northern Territory Government of parts of Darwin Harbour at a cost of $506 million. Landbridge Group is a private firm headquartered in Shandong, China. At the time the lease was entered into the *Foreign Acquisitions and Takeovers Act 1975* did not apply to the sale of State and Territory owned assets but this was amended in 2016 on a prospective basis.

Sections 33(a)(iii), 45, 47C, 47D [redacted]

Section 22 [redacted]

Port of Darwin

s 33(a)(iii) [redacted]

- The Port of Darwin is a critical infrastructure asset s 33(a)(iii) [redacted]

- The Government is committed to returning the port to Australian ownership, preferably through commercial means.

Section 22 [redacted]

Section 22

[redacted]

First Assistant Secretary, Industry, Infrastructure and Environment, *Narelle Luchetti*, to lead on Port of Darwin.

Section 22

[redacted]