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**Subject:** FW: Port of Darwin - media summary and talking points [SEC=OFFICIAL:Sensitive]  
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**Attachments:** [Port of Darwin - Talking Points and Background - Final.docx](#)

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Hi all,

Following the announcements from the weekend, PM&C has pulled together a document to assist with questions you may receive about Port of Darwin. We've kept this concise, but hopefully it should assist with aligning messages across our agencies.

Please don't hesitate to reach out if you have any questions or concerns. I understand agencies are also turning their minds to IGBs on these announcements. PM&C is keen to stay engaged with as your thinking develops.

Kind regards,

s22

s22

| Senior Adviser

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# Port of Darwin

## Talking points

- Election commitments made by the Prime Minister and Leader of the Opposition in relation to the ownership of the Port of Darwin are a matter for each party.
- As the Australian Government is in caretaker mode, we are unable to comment on the finer details or any implementation aspects of these announcements.
- Further questions should be referred to each party.

## Background

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. At the time the lease was entered into the *Foreign Acquisitions and Takeovers Act 1975* (FATA) did not apply to the sale of state- and territory-owned assets.

The FATA was amended in 2016, allowing the Foreign Investment Review Board to formally review critical infrastructure assets sold by state and territory governments, however there is no ability for a Government to undertake a retrospective review.

The *Foreign Relations (State and Territory Arrangements) Act 2020* (Foreign Arrangements Scheme) does not apply to arrangements with corporations that operate on a commercial basis, and therefore does not apply to the Port of Darwin.

### PM&C review into the Port of Darwin.

On 20 October 2023, PM&C publicly released the findings of its Review into the Circumstances of the Port of Darwin lease (the Review). 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.

The following regulatory mechanisms apply to the Port of Darwin:

- The *Maritime Transport and Offshore Facilities Act 2003*
- The *Security of Critical Infrastructure Act 2018* (SOCI Act)
- The *Ports Management Act 2015* (NT)
- *Defence Act 1903* and *Defence (Special Undertakings Act 1952)*
- Deed of License for Access to the Port of Darwin
- *Criminal Code Act 1995*

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## Media Summary

Date	Source/Link	Article Summary	Quotes/Commitments
Friday 4 April 2025	<a href="#">Coalition and Labor pledge to retake control of Chinese-controlled Port of Darwin – ABC News</a>	Article summarises that both Prime Minister and Opposition leader announce plans to return Port of Darwin to Australian hands if re-elected. Current owner Landbridge continues to stipulate the Port is not for sale.	Mr Albanese announced his Government is looking for a private buyer, particularly through superannuation funds to end the contract. “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 href="#">Election 2025: China’s northern expulsion from key port of Darwin – The Australian</a>		Opposition leader Mr Dutton identified the coalition would force Landbrige Group to sell back the Port to an Australian approved operator, or as last resort compulsory acquire and compensate the company. Under this plan, a specialist commercial adviser would work with the NT Govt and officials from DoF, Treasury, Defence and DITRDCA to find new operators. If no operator found, the Coalition will acquire the lease using Commonwealth compulsory acquisition powers.
	<a href="#">Chinese Firm Landbridge set to be stripped of its controversial lease of the Port of Darwin - SMH</a>	Article summarises the PM’s ABC Darwin radio interview and the subsequent Coalition announcement and plan regarding the Port of Darwin ownership. The article refers to the 2023 Government review of the Port quote “In 2023, the government announced, following the review, that it “was not necessary to vary or cancel the lease” because there was “a robust regulatory system in place to manage risks to critical infrastructure”.	Mr Albanese announced he wants to get the Port of Darwin “back into Australian hands” and “we’ve been working on this for some time”. He said the Government would move to kickstart negotiations, saying he would be prepared to directly intervene to enter a lease agreement if a private bidder cannot be found. Further details would be provided later in the campaign.
			The Coalition said in a statement that it “would not permit the lease of the port to any entity that is directly or indirectly controlled by a foreign government, including any state-owned enterprise or sovereign wealth fund”.
Saturday 5 April 2025	<a href="#">Parties eye end of Chinese port lease – the Age</a> <a href="#">China’s northern expulsion – the Australian</a>	Articles reiterate announcements and commitments from both parties on Friday, including quotes from Landbridge non-excutive director Terry O’Connor that the port is not for sale.	Non-Executive Director of Landbridge Asutralia stated ““We’ve gone back to China [on Friday night] to find out what the owners’ position is. But he is not interested to sell. He is quite happy to hold the asset. There has been no sense from him to potentially change his mind.” Mr O’Connor also said “Landbridge and Darwin Port have not been involved in any discussions with the federal government, opposition or Northern Territory government concerning our lease arrangements.”

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Saturday 5 April 2025	<a href="#">Peter Dutton says as defence minister he disagreed with national security advice on Darwin Port – ABC news</a>	Article considers Opposition Leader Peter Dutton's announcement regarding plans for the reacquisition of the Port of Darwin, including explanation for how the Port Lease came to be in 2015 – citing national security advice has changed since he was Defence Minister.	"Peter Dutton has revealed he disagreed with advice he received as Defence Minister that there was no need to act on Darwin Port being leased to a Chinese-owned company".
	<a href="#">Coalition To Secure The Port of Darwin – Liberal Media</a>	Coalition Media Releases on plan to acquire the Port of Darwin if elected.	"We will appoint a specialist commercial adviser to work with the Northern Territory Government and officials from the Departments of Treasury, Finance, Defence and Infrastructure to provide advice and engage with potential new operators of the Port."
	<a href="#">Joint Press conference Peter Dutton, Andrew Hastie, Gerard Maley (A/g Chief Min NT) and Liberabl Party Candidate for Solomon, Darwin Lisa Bayliss</a>		"If a private lease cannot be facilitated within six months of the process commencing, as a last resort, we will act to acquire the lease interest in the Port using the Commonwealth's compulsory acquisition powers. Under this course of action, the Australian Government would compensate Landbridge Group." "The intelligence briefings that I've had over the course of my time as Leader of the Opposition indicate that the position has only deteriorated and we've now seen of course, the circumnavigating of our country by Chinese naval ships, so we need to make sure that we recognise the times in which we live and why it's important for us to take back this particular asset."
Sunday 6 April 2025	FM Penny Wong on Insiders	Transcript from Penny Wong interview on Insiders includes questions on the Port of Darwi and why it should not be in the hands of the current Lease owner; the 2023 Review outcomes and any new security advice.	"I think it's pretty clear that critical infrastructure in a world that is more contested, in a region which is more contested, critical infrastructure such as ports, airports, and other critical infrastructure, you would want to be in Australian hands or in – we would want in Australian hands.... We have certainly been working on what a sensible mechanism to return it to Australian hands would be and that's what the Prime Minister has flagged."  "[on the 2023 PM&C review outcomes and any changes since] also said we should continue to monitor and what we have done since that time has been to engage with, for example, superannuation funds and I think the Prime Minister has said that publicly, about what a prospective sale could look like and what, how we could give effect to that."

Date	Source/Link	Article Summary	Quotes/Commitments
			<p>"[on whether the advice has changed] the elected representatives of the country have made a clear decision that this is a piece of critical infrastructure, that in the current circumstances we believe should be in Australian hands."</p> <p>And "you need to ensure that your strategic resilience, part of that is economic, part of that is your military deterrence, and part of that is hardening your infrastructure. We've been clear about that."</p> <p>"[On the PM indicating this is a political decision] A political-level decision, yes – elected representatives have made a call that in the current circumstances, this piece of critical infrastructure should remain in Australian hands"</p>
Monday 7 April 2025	<a href="#">Origin of the Specious: PM's credibility all at sea over Darwin Port Intervention – The Australian</a>	Article questions claims from the PM's Friday interview that Government has been considering the Port for some time citing a March meeting with Commonwealth officials and the NT Government	<p>Mr Albanese said on Friday that the NT's Country Liberal Party government had been consulted on his plan to bring the port back under Australian ownership.</p> <p>"NT Treasurer Bill Yan said the Territory had been blindsided by the announcement, despite a series of meetings with the federal government on the port's future since November last year..... The most recent formal discussions took place in early March where the federal government advised they were not considering any further action on the acquisition of the port," Mr Yan told The Australian".</p>