

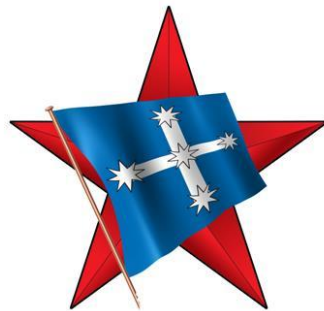
Nationalise

Australian

Ports!



Melbourne Port Source: Wikimedia



Nationalise Australian port operations

The controversy surrounding the 99-year lease for the Port of Darwin currently held by private Chinese company Landbridge raises the whole question of the operation of Australian ports.

Australia is an island continent. Apart from freight carried by commercial aircraft, everything that is imported to or exported from Australia must transit an Australian port.

Parliamentary and transport data sources state that over 99% of Australia's imports and exports by volume are carried by sea. Air freight accounts for only 1% of the volume, but it is generally of higher value, comprising pharmaceuticals, electronics, fresh seafood, medical supplies and urgent industrial components.

The responsibility for sea freight operations has never been vested in the Commonwealth government. This anomaly arises from the out-of-date and unworkable Australian Constitution adopted in 1901.

Australian Constitution an impediment to change

The Australian Constitution emerged as the result of a three-way tussle for power between the British and the colonial elites on the one hand, neither of whom wanted to surrender influence and power, and the proponents of a federated parliament with the power and influence required for a new central authority.

The end product was a weak three-way compromise with some powers retained by the Crown, some by the governments of the colonies and some being passed to the Commonwealth.

It was inherently reactionary recognising neither the existence of Aboriginal and Torres Strait Islander First Peoples nor any definition of the rights and freedoms of Australian citizens. It was, instead, a tedious, dry and cumbersome set of procedural rules for government at state and federal levels with a focus on trade, commerce, and fiscal relations. It is noted only for its complete unfamiliarity to the vast majority of those whose lives are governed and regulated by it.

Section 51 defined the powers of the federal government. Anything not specified here remained the prerogative of the states. included health and education. Jealousies over power and influence created stupid anomalies. Although rivers ran through states and sometimes defined their borders, and were thus a shared concern best suited to federal oversight, futile debates left the power for use of water in rivers with the states. This remains a problem to this day.

Ports, harbours, shipping infrastructure, land management, and local transport were largely left with the States.

The key Constitutional structure was:

- The Commonwealth received powers over:

- trade and commerce with other countries and among the States (s 51(i))
- customs and excise
- defence
- quarantine
- navigation and shipping in interstate/international contexts
- The States retained:
 - ownership of Crown land
 - harbours and port infrastructure
 - intrastate transport
 - local economic development
 - public works

Constitutionally, the responsibility for ports operation was a mixed bag where trade regulation could be federal, but the physical ports themselves were usually State assets.

This reflected pre-Federation reality. Before 1901, each colony had built and managed its own harbours through harbour trusts and marine boards. Federation did not nationalise them. Nor did it prevent the States from privatising them. They could retain the ports under State ownership, or they could corporatise them, lease them, or completely privatise them.

Nor was there any Constitutional prohibition on foreign companies operating ports, provided Commonwealth laws (including foreign investment and national security laws) were satisfied.

The controversy around the 99-year lease of Port of Darwin to the Chinese company Landbridge highlighted this division. The Northern Territory had legal authority to lease the port, but the Commonwealth retained national security and foreign investment powers.

Privatisation wave hits our shores

Before the wave of corporatisation and privatisation from the 1980s onward, almost all major Australian ports were publicly owned and operated — usually by State governments through statutory port authorities, harbour trusts, or marine boards.

In practice, this meant the ports were legally owned by the people of each State or Territory, not by private corporations or foreign investors.

The operation of ports was conducted according to capitalist management principles. Workers, including seamen and wharfies, had no say in the operations of their workplaces and were oppressed and exploited. Through their unity in struggle, they have overcome many of these conditions and fought for and won improvements. However, they have had

to face continual attacks, including attempts to smash and destroy their union, the Maritime Union of Australia (MUA).

Today, the only State which has kept its ports from being privatised is Western Australia, and even that is an ongoing issue.

The dominant model before privatisation was characterised by government ownership of the land, wharves, channels, and infrastructure; navigation, dredging, pilotage, and safety handled by port authorities responsible to the State governments; and stevedoring and cargo handling done either by government labour or licensed private firms.

Profits generally flowed back into public revenue or port development.

The privatisations from the 1980s and especially the 1990s onward generally took the form not of outright freehold sales, but of extremely long leases — commonly 50 to 99 years. For practical purposes, however, these leases transferred operational control and revenue streams to private consortia.

These privatisations included:

- Port of Geelong and Port of Portland privatised in 1996 under the Liberals
- Port Adelaide leased/sold in 2001 under the Liberals
- Port Botany (Sydney) and Port Kembla leased in 2013 under the Liberals

- Port of Newcastle privatised in 2014 under the Liberals
- Port of Darwin leased for 99 years in 2015 under the Country Liberals
- Port of Melbourne leased for 50 years in 2016 under Labor

No doubt the Labor Party and Liberal Party are pleased at such bipartisanship.

Even where ports themselves are leased, individual container terminals are often run by multinational operators such as:

- DP World (UAE),
- Hutchison Ports (Hong Kong),
- ICTSI (Philippines),
- PSA International (Singapore),
- and Qube (Australia).

Patrick Stevedores, which spearheaded the 1998 attack on the MUA, employing thugs to sack its entire workforce and replace them with scabs trained in Dubai, is now owned by Canadian-US Brookfield Asset Management and Qube Holdings.

The ownership and operation of major ports includes:

- Melbourne - Leased for 50 years to the Lonsdale Consortium (including Australian super funds and sovereign investors). Container terminals operated by

firms including ICTSI's Victoria International Container Terminal.

- Geelong - Privately operated by GeelongPort consortium including Stonepeak and Spirit Super interests.
- Botany (Sydney) - Leased by NSW to NSW Ports consortium (IFM Investors, AustralianSuper, QSuper/ART, Tawreed). Major terminal operators include DP World and Hutchison.
- Kembla - Controlled by NSW Ports consortium under long-term lease. Automotive terminals include Qube/AAT operations.
- Newcastle - Operated by Port of Newcastle consortium backed by superannuation and infrastructure investors.
- Brisbane - Leased to Q Port Holdings consortium (industry funds and infrastructure investors).
- Darwin - Operated under a 99-year lease by Landbridge Group, a Chinese private corporation.
- Adelaide - Operated by Flinders Ports, a privatised South Australian ports company now owned by institutional investors and super funds.

From the above, it can be seen that superannuation funds have become the dominant owners of Australia's major ports, while multinational terminal operators run the container terminals.

Patrick Stevedores launched its 1998 attack on the MUA to replace it with a lower-paid and compliant workforce. At that

stage, only the ports of Geelong and Portland had been privatised, and the MUA had consistently opposed the privatisation of Australian ports and had generally advocated continued public ownership — or at least strong public control — of strategic port infrastructure. The attempted smashing of the union was also designed to expedite other port privatisations. The MUA survived, but the privatisation wave continually advanced.

The MUA has argued that ports are strategic public assets that should not be sold or leased to private or foreign interests. For example, in a 2014 statement opposing Western Australian port privatisations, the MUA said: “selling assets that currently generate revenue for the State is a terrible legacy”, and in a 2015 statement against the proposed lease of the Port of Darwin, the union described Australian port privatisation as: “nothing short of scandalous”. Thomas Mayor, the NT Maritime Union of Australia (MUA) branch secretary, said, “On behalf of the MUA, I strongly condemn the sale of the publicly-owned Port of Darwin to a private Chinese investment firm...The port was a profitable piece of infrastructure that provided a revenue stream for much-needed health, education and other public services and this has been sold off for a short-term windfall.”

Currently, the MUA is engaged in another battle, this time to oppose the proposed automation and AI-driven overhaul of

container terminal operations at DP World's four Australian terminals (Brisbane, Sydney, Melbourne, and Fremantle).

Replacing skilled Australian wharfies with automated vehicles and robotic cranes is not about productivity or safety – it is another union-busting initiative.

DP World globally handles 70 million containers that are brought in by around 70,000 vessels annually. This equates to roughly 10% of global container traffic accounted for by their 82 marine and inland terminals present in over 40 countries. It is owned by the Dubai Royal Family, although Sultan Ahmed bin Sulayem, who became chairman of DP World in 2007, resigned from DP World in 2026 after it came to light that he had an extensive relationship with disgraced child sex offender Jeffrey Epstein.

On 17 March 2022, DP World-owned P&O Ferries sacked its entire British work force and abruptly suspended its operations, cancelling all sailings and offloading passengers and cargo. Eight hundred UK staff were told in a video call that their employment was "terminated with immediate effect due to redundancy", and that their work would in future be undertaken by staff contracted to a third-party supplier. The method of the expulsion, overseen by ex-military security guards, has been criticised by the British government to little effect.

The privatisation of ports through leasing arrangements, and the private, mainly multinational stevedoring, combines to

result in an unacceptable affront to our national sovereignty and to the wages and conditions of Australian workers.

Albanese only seeking to placate his US masters

In raising the issue of the repurchase of the lease for the operation of the port of Darwin, the Albanese government has avoided the adoption of an Australia-wide policy for the return of ports and their operations to public ownership.

This indicates that Albanese's motivation is service to the military requirements of US imperialism rather than any genuine concern for guarantees of Australian national independence coming out of the question of who owns and operates Australian ports.

The rotation of a small number of US marines (250) through a base at Darwin, established prior to the port's lease to Landbridge, has expanded to a permanent presence of 2500 "rotated" US marines, facilities for nuclear-armed US B-52 long-range bombers at the Tindal Air Base near Katherine in the NT, the illegal construction by owner-occupier US company Crowley of a dozen jet fuel tanks built to support US military activities in the Indo-Pacific at Darwin Harbour, and increased US use of the Delamere Air Weapons Range south of Katherine for live firing exercises and aerial bombings during exercises like Exercise Talisman Saber. In addition, the blank cheque given to the US military for use of Australian territory under the Force Posture Agreement means that the

US military presence in the Northern Territory is bound to grow as the US prepares for war with China.

Pressure from the US is behind the drive to end the Chinese lease on the port of Darwin. Pressure from the Australian people must focus on the demand for the removal of both US and Chinese control of Australian facilities. It must reflect a genuine anti-imperialist sentiment for an independent and peaceful Australia.

Of course, the US imperialists are spooked by the presence of a Chinese leased and operated port at Darwin, close to their expanding military facilities all directed at war with China. They probably have little need to be concerned at a consequential Chinese military or security threat since Landbridge's acquisition of the port was the result of a commercial transaction and there is no other Chinese presence at the port.

In addition, the Australian Security Intelligence Organisation (ASIO) has never stated that the lease of the Port of Darwin to the Chinese company Landbridge constitutes an identified national security threat requiring cancellation of the lease. ASIO's advice, from then Director-General Duncan Lewis, in 2015, was that "There was no reason, based on security consideration at any rate, as to why this transaction should not go forward." This was subsequently confirmed in a Defence-led review in 2021, and the 2022–23 review conducted by the Department of Prime Minister and Cabinet.

So, it is obvious that the motivation for cancellation of the lease, a goal of the Albanese government, is to allay US imperialist concerns about the operation by a Chinese company of Darwin's port. Albanese is looking at other multinationals to take it over, as long as they are not from China, North Korea or Iran!

Oppose Chinese use of ISDS provisions

The Chinese have hit back, initiating legal proceedings to sue the Australian government over cancellation of the lease, using the Investor-State Dispute Settlement (ISDS) provisions in the China-Australia Free Trade Agreement (ChAFTA). ISDS provisions give foreign (but not local) investors the right to sue governments for billions if they can convince an international tribunal that a change in law or policy breaches the terms of the agreement and will reduce their future profits.

Cancellation of the lease a decade after the start of the 99 years of the arrangement will enable Landbridge to claim billions of dollars in lost earnings rather than reimbursement of the initial cost of \$506 million.

Our demand is that all port assets, infrastructure and operations be nationalised without compensation and brought under the ownership and control of an Australian government national ports authority. That ports authority must have majority representation of unions involved in maritime operations.

This cannot be done under the archaic and impractical Australian Constitution of 1901. A new, republican and anti-imperialist Constitution must be adopted.

Nor can it be done under the ChAFTA rules. This is an unfair treaty which privileges foreign corporations over the Australian government and must be renegotiated without ISDS provisions.

Both measures really require an anti-imperialist and socialist Australia.

Anti-imperialist independence means the core of Australia's capitalist ruling class has been defeated. The assets of these foreign imperialists and their local collaborators, will be seized and used to benefit the majority of Australia's working class and the people. This gives a socialist character to this stage. It can only be successfully maintained under working class leadership using new revolutionary working class organs of state power.

The imperialists and local monopolies will not voluntarily surrender their power, their control and their assets just because such measures have been legislated via parliament.

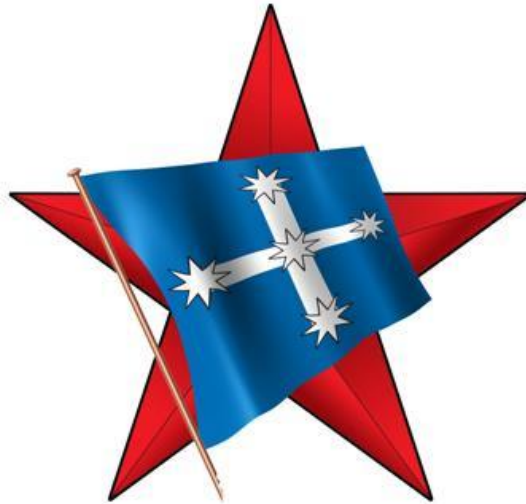
This anti-imperialist struggle of Australia's socialist revolution will empower the working people through the establishment and expansion of people's own democratic mass organisations and structures based on participatory democracy.

What is needed is the revolutionary seizure of power by the working class and its allies, and in particular the replacement of the current state machine (parliaments, courts, armies, police etc) and their replacement by new state machinery.

Of course, we struggle for immediate reforms and improvements, but we take a longer-term view as well.

For the nationalisation of Australian port operations!

For anti-imperialist independence and socialism!



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