

Navigating the politics and policy of AI infrastructure and data centres in Australia

Policy Brief

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Fitzpatrick & Co
Advisory

Executive Summary

The rise of artificial intelligence (AI) brings with it the promise of economic transformation unlike any other period of human history. Australia is now the second-most significant destination globally for data centre investment after the US with a boom driven by a historic influx of foreign capital.

Across Australia, governments at all levels are ramping up efforts to build AI capacity and realise the opportunities of this new technology across the economy, with a particular focus on productivity gains and responsible deployment. The ability for AI to live up to its promise will be underpinned by the buildout of AI infrastructure and data centre capacity as critical pieces of national infrastructure.

"We must build and strengthen our security by seeking to shape the future rather than waiting for the future to shape us."¹

ANTHONY ALBANESE MP
Prime Minister of Australia

The pros of a stable economy, access to advanced AI chips, and demand for growing on shore capacity from government and business come with challenges. Investment in data centres is shaped by a complex, multi-layered political and regulatory landscape and, increasingly, community sentiment.

Navigating Australia's foreign investment framework can add significantly to project timelines for data centre developers with designated critical national infrastructure subject to rigorous national security oversight and "zero-dollar" notification thresholds.

The Albanese Government's AI agenda – which spans a nascent AI Safety Institute (AISI), critical infrastructure security, privacy law reform, development of skills and human capital, sovereign capability, and energy market transformation – directly and indirectly shapes where and how fast AI data centres get planned, funded, approved, built, and powered. State governments too play a key role. NSW and Victoria – the two largest sub-national economies – are competing fiercely to secure investment while also confronting land supply, water consumption, and energy grid constraints.

Recent shifts in how government is setting the pieces for regulation underscore this complexity, as well as the rapid pace of decision making. The Albanese Government's plans for an AI Advisory Body (constituted by government appointed industry and academic experts) have been abandoned, replaced with the AISI which will be housed within the Department of Industry, Science, and Resources (DISR). This change will underpin the nature of industry engagement for the sector more broadly as the centre of gravity moves from a panel of external experts to a body within the bureaucratic machinery, with all of the rigour of the public-policy-making process. In practice, this shift will necessitate building direct relationships with DISR and the AISI and being open to transparently sharing insights, data, and perspectives to shape policymaking.

Whilst there are many touchpoints for the sector across diverse portfolios, the energy intensive nature of data centres stands as one of the most significant political lightning rods. The rapid rollout of data centres risks impacting grid stability in a politically fraught debate. The Australian Energy Market Commission (AEMC) has proposed new technical standards for large data centres and similar facilities connecting to the National Electricity Market. Following consultation and feedback, these standards will be finalised and set the new operating environment for the sector in terms of energy grid governance.

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This debate is not operating in a vacuum. Questions of social license to operate are coming into sharper focus as the benefits and drawbacks of AI infrastructure are debated and defined – and as the impact of AI and data centres on the lives, jobs, and economic opportunities of millions of Australians become more apparent.

Following the recent release of the Commonwealth Government’s expectations of data centres and AI infrastructure developers, additional consultations and inquiries that will crystallise political opinion and policy direction for the sector in 2026 include:

- ▶ The recently established NSW Legislative Council inquiry into data centres; and
- ▶ The Australian Energy Market Commission’s proposed new technical standards for large data centres.

For the boards and CEOs of AI infrastructure and data centre companies, strategic engagement with government is now imperative. Aligning siting, funding, cyber, privacy, power, water, sovereignty, and community engagement plans with a fast-moving policy landscape necessitates more than access to decision making forums. It requires a swift, proactive, solutions-forward mindset that resonates and builds trust with government and political stakeholders.

Firms will need to move beyond transactional approvals management and treat government engagement as a core commercial function. Without doing so, they risk prolonged approval cycles, heightened scrutiny, and increased investment uncertainty.

This brief sets out the political and regulatory environment as it stands. It identifies the key headwinds and opportunities for AI and data centres in Australia and offers up pragmatic insights for how to execute a successful government engagement program that delivers against business goals.

F&Co brings together deep insights into government decision making with commercial acumen and trusted relationships to enable leaders to shape outcomes rather than react to them. We have a track-record of guiding industry leaders through complexity to deliver results. For more information about navigating the politics and policy of AI infrastructure in Australia, please contact F&Co’s Managing Director Eamonn Fitzpatrick on +61 401 719 488 or Federal Director Huw Phillips on +61 413 624 836.

Political and regulatory environment

The national AI policy and governance picture – optimism balanced with caution

The Albanese Government's AI policy agenda is gathering pace and has set the scene for the policy direction of the AI sector's development across Australia. After AI was named as one of the 10 national priorities for Australia following the Economic Reform Roundtable in August 2025², the release of the first National AI Plan in December 2025 set out the Government's ambition to harness the power of AI and the policy architecture to support and govern the sector. The Plan rests upon three pillars:

1. **Capturing the opportunity**, which seeks to get the right policy settings to encourage investment and innovation, develop capability, and set-in-place the public-private partnerships which will grow a vibrant AI ecosystem to transform Australia's economy.
2. **Spreading the benefits**, which focuses on Labor's historical mandate to ensure that economic progress is shared equitably and that the dividends of AI for society, the economy, and our national culture are shared by all Australians, including in the regions.
3. **Keeping Australians safe**, which sends a clear signal that the Government will prioritise system safety and is prepared to introduce new rules to manage the risks of AI to consumers, business, and communities, backed up by the establishment of the AISI.³

"The question before us is not whether AI will change the economy – it will. The question is how we maximise the benefits to Australia and the Australian people."⁴

DR. ANDREW CHARLTON MP
Assistant Minister for Science, Technology and the Digital Economy

In sum, the Plan is the foundation stone for the Albanese Government's vision for enabling AI to succeed, delivering societal and economic benefits, and managing the risks of dramatic technological change. It also marks a significant shift in policy direction from establishing mandatory guardrails to actively govern AI, particularly in high-risk areas, to an approach that balances both optimism and caution, and oversight managed through the AISI to inform future legislative reform.

"If we don't seize this moment, it will pass. If we don't take this chance, we won't get another. If we don't act to shape the future, the future will shape us."⁵

ANTHONY ALBANESE MP
Prime Minister of Australia

This shift in policy direction is reinforced by the decision to abandon plans for an AI Advisory Body (constituted by government appointed industry and academic experts). Instead, the AISI – housed within DISR – will be the major, technical policymaking authority within government, heralding a shift in the landscape industry needs to navigate from a panel of external experts to a body within the bureaucratic machinery, with all of the rigour of the public policymaking process. In practice, this shift will necessitate building direct relationships with DISR and the AISI and being open to transparently sharing insights, data, and perspectives to shape policymaking.

The release of the Plan builds on the earlier release of the Government's AI Plan for the Australian Public Service 2025 in November 2025, which provides the framework "to improve service delivery, policy outcomes, efficiency and productivity by substantially increasing the safe and responsible use of AI in government"⁶. This includes a focus on upskilling through mandatory training of the Australian Public Service, the creation of an AI Delivery and Enablement Team, and the appointment of Senior Executive Service-level Chief AI Officers across each government agency by July 2026.

Political and regulatory environment

Enabling data centres – the key to building Australia’s AI future

Data centres are the next piece of critical national infrastructure that will underpin innovation, economic growth, and public utility. It is telling that the number one action the Albanese Government lists in the National AI Plan is building the smart infrastructure that will power Australia to become a successful AI-enabled economy: “reliable and extensive digital and computing infrastructure, such as data centres”.⁷ This sentiment has been reinforced ahead of the upcoming Budget with “significant investment in infrastructure” identified as a core requirement of the Government’s AI plan.⁸

To provide certainty and clarity, which encourages private sector investment and establishes clear guardrails, the Albanese Government released a set of expectations of data centres and AI infrastructure developers, a key milestone of the National AI Plan.⁹ The focal points include supporting energy security and the green transition, alignment with the national interest, investing in local jobs, skills, and capabilities, and safeguarding Australia’s water resources. Meeting or exceeding these expectations positions data centre and AI infrastructure operators as strategic partners of choice for building out Australia’s AI capabilities.

"I see AI as an incredibly valuable tool for advancing our government’s broader agenda for a Future Made in Australia."¹⁰

SENATOR TIM AYERS
Minister for Industry and Innovation

Closer scrutiny of data centres through Australia’s foreign investment framework

“We’re also looking to tighten our scrutiny of investments in sensitive sectors, strengthen enforcement powers and ensure non-compliance is penalised. And we’ll be consulting on a new enforceable undertakings power and conditions to make sure investment is in the national interest.”¹¹

DR. JIM CHALMERS MP
Treasurer

Australia has a long and continuing history of being an attractive and welcoming destination for foreign investment. It has been critical to lifting economic activity in the country. As such, Australia offers reasonably reliable and transparent processes to guide regulatory decision making.

Increasingly foreign investment is being considered through a lens of not only building economic prosperity but also a loosely articulated national interest framework. In this environment, foreign investment is becoming more contested as the debate widens around sources of investment and what this means for Australia’s national interest.

To that end, the Albanese Government has established tighter rules for all foreign investors in critical infrastructure, and the Foreign Investment Review Board is paying closer scrutiny to data centre transactions.¹² Moreover, a national security test provides the Treasurer with the ability to address new and emerging national security risks from foreign investment for all national security businesses. With further changes to tighten and streamline Australia’s foreign investment framework, government is acutely aware of the upside and challenges of foreign investment in a contested geopolitical environment and dynamic, global economic landscape.¹³

Political and regulatory environment

The global AI race is increasingly framed as a competition between the United States and China, and decisions on foreign investment into data centres risk being caught up in this dynamic. The incredible economic and technological power that AI brings will mean foreign investment into data centres in Australia faces rigorous, potentially long-winding, application and review processes. Identifying and articulating clear alignment with the national interest, in addition to economic benefits, addressing cyber security concerns, and building meaningful dialogue with government to define the investment narrative will help to position foreign investment opportunities for success.

Unlocking government incentives and financial support for AI infrastructure

Australian governments at a state and federal level have identified data centres as important infrastructure, critical to the economic growth of each state and Australia broadly.

The challenges to achieving development are real and large, but they are made more surmountable given government support. This support includes a range of incentives designed to increase data centre development, chief of which is the flagship National Reconstruction Fund (NRF). A \$15 billion sovereign investment vehicle established in the first term of the Albanese Government, the NRF's mandate is to invest in 7 priority areas – including enabling capabilities like AI technologies – through debt, equity, or guarantees.

The NRF has already made strategic investments in this space, including a \$200 million hybrid note investment in Macquarie Technology Group to support the “expansion of sovereign cloud services, the development of AI-enabled cybersecurity capability, and the fit-out of a new sovereign data facility.”¹⁴ This investment signals the Commonwealth's appetite to co-finance data centre infrastructure and AI-adjacent technologies, especially where government and critical-infrastructure customers are in scope.

Beyond the flagship NRF, there are a range of financial supports and incentives across the Commonwealth and state jurisdictions to enable development of data centres and AI infrastructure. This includes the Commonwealth's Cooperative Research Centres Projects – noting a recent grant awarded to solve a problem in the AI data centre infrastructure lifecycle by developing AI and blockchain-enabled tools for secure erasure, grading, and cybersecurity¹⁵ – and Research and Development Tax Incentives, which companies can apply for to offset the costs of eligible research.

Understanding which government incentives and financial supports can intersect with data centre projects and successfully navigating the application process can provide the competitive edge to help deliver projects effectively and efficiently.

Energy market transformation – supply, pricing, and reliability

Power availability, price certainty, and renewable energy supply are decisive for AI infrastructure and data centre competitiveness. Australia's energy policy targets net zero by 2050 and a legislated 43% emissions cut by 2030 as part of the decarbonisation of the economy.

Data centres are significant energy users and with more growth in AI infrastructure comes more pressure for energy supply to meet demand while the grid manages coal retirement, variable renewables, and transmission buildout. Generally, system reliability can be maintained if planned generation, storage, and transmission arrive on time, but data centres will invariably increase energy demand in some form. This demand has already become sufficiently material to be modelled explicitly, with the Australian Energy Market Operator signalling that data centres are a key driver of energy consumption, and “despite soaring increases in computational energy efficiency, the energy consumption of data centres in Australia is forecast to outstrip ... savings”.¹⁶

Political and regulatory environment

“Data centres have great potential to support our grid and expand new renewable investment, but it’s important we work together across jurisdictions and with industry to get the investment settings right so that we can continue to keep our system secure and energy prices low for all consumers.”¹⁷

CHRIS BOWEN MP
Minister for Climate Change and Energy

Government is already shaping the rules to adapt to a world where the rapid rollout of data centres risks impacting grid stability. The Australian Energy Market Commission has proposed new technical standards for large data centres and similar facilities connecting to the National Electricity Market.¹⁸ Following consultation and feedback, these standards will be finalised and set the new operating environment for the sector in terms of energy grid governance.

Energy supply, pricing, and reliability are all challenges for AI infrastructure companies and governments alike. While reliability is manageable if projects arrive on time, delays in generation, storage, transmission roll-out, or earlier coal exits raise risks.

Policymakers also understand that data centres and their associated infrastructure can play a positive role in ensuring clean and reliable electricity for Australia. Developments that support Australia's energy system through grid stabilisation or energy exports will be strongly positioned to ensure ongoing public support.

Dealing with the uncertainty and challenges of powering data centres stands to be one of the major political and reputational barriers to AI infrastructure – shaping community sentiment and presenting policy and political risk for the sector. Without clear commitments and follow-through ensuring that data centres are not a net-negative on the energy market, companies will face increasingly long delays to approvals. Consequently, offsetting risk so energy consumption does not become a political liability for the sector is imperative.

Critical infrastructure and cyber security

Data centres are increasingly strategic assets in a digital world where cyber threats are evolving to be more potent, convincing, and destructive, particularly against the backdrop of worldwide geopolitical uncertainty. As such, they sit squarely within Australia’s critical infrastructure regime under the *Security of Critical Infrastructure Act 2018* (SOCI). Notably, recent amendments to the SOCI have:

- Clarified that data storage systems can be regulated as part of critical infrastructure;
- Broadened the government assistance framework beyond cyber to all serious incidents; and
- Empowered regulators to compel remediation of deficient risk programs.¹⁹

In parallel, the Cyber and Infrastructure Security Centre has issued specific guidance on data storage, access and control, highlighting foreign ownership, control and influence risks for colocation and cloud technology.²⁰

This sharpened scrutiny underscores the Government’s approach to sovereign capabilities. AI firms can expect deeper scrutiny of ownership and control structures, offshoring arrangements, and access pathways (including law-enforcement reach from foreign jurisdictions). Further, risk management obligations will require demonstrable controls across physical, cyber, personnel, and supply chain domains, with uplift expectations for AI-adjacent operational technology.

Political and regulatory environment

Water stress management and implementation of cooling technologies

Any public debate in Australia about the competition between communities and industry for water will tap into historical anxieties about access and rights to this resource in what is the driest inhabited continent. Principally a concern of state governments, policymakers are currently assessing future impacts on water supply to inform policy decisions.

At its crux, this issue revolves around pitting the cooling needs of data centres against residential growth and climate resilience. In the regions and peri-urban landscapes, it will also come into conflict with water demands for agriculture and the needs of farmers in a changing climate.

Water security will factor into approvals, conditions of consent, and ongoing social licence. Opportunities to utilise non-potable water sources, leverage technologies to reduce dependency on large volumes of water, and proactive water offsets are options worth exploration to manage the politics and policy of water security.

State planning laws and approvals frameworks

Planning approvals for data centres and AI infrastructure are largely the remit of state governments. NSW and Victoria are in fierce competition to attract investment, and it is to be expected that this will intensify through approvals facilitation, skills packages, and AI infrastructure precinct planning counterbalanced by conditions on energy, water, and community impacts.

“Big investments like this don’t happen by chance – they happen because Victoria’s digital tech sector is leading the nation.”²¹

DANNY PEARSON MP
Victorian Minister for Economic Growth and Jobs

Moreover, land use in urban areas is a competitive market, with strong demand for parcels to locate new housing and existing industrial capacity in our cities, particularly Sydney and Melbourne.

NSW has streamlined planning pathways, including through the newly created Investment Delivery Authority, which was set up to accelerate approvals for major projects across all industries, including advanced technologies and energy. NSW has also defined “data centres” and is lifting thresholds aiming for faster, more predictable approvals for larger projects.²² Against this backdrop, the recently established NSW Legislative Council inquiry into data centres will examine the adequacy of the planning framework to enable data centres.²³ It will be a key opportunity for the industry to define itself as opinions are formed and policy direction accelerates.

“17 of Australia’s tech unicorns – billion-dollar companies – are based here in NSW. These businesses are the engines of jobs and growth. Supporting innovative businesses to scale is one of the greatest opportunities we have to improve the productivity and sustainability of the NSW economy.”²⁴

DANIEL MOOKHEY MLC
New South Wales Treasurer

Victoria is actively courting a “ruthless” data centre growth agenda through its Sustainable Data Centre Action Plan²⁵ focused on identifying and unlocking suitable development sites across the state by aligning land use planning, energy availability, water access, and digital connectivity.²⁶ Through mechanisms such as the Development Facilitation Program²⁷, eligible data centre developments can access streamlined assessment processes that reduce approval timeframes and provide greater certainty for investors. The adoption of an increasingly proactive and coordinated approach to attract data centre investment positions the sector as a critical enabler of the state's digital economy and AI ambitions to make Victoria a leading Asia-Pacific hub for sustainable data centre infrastructure.

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Ultimately, the politics of urban land management is contested and often messy. Running up against NIMBY elements of the community, existing commercial and industrial needs, and an ambitious housing agenda creates a complex theatre for AI infrastructure companies to navigate.

Social license to operate – align, partner, and deliver for communities

A strong social licence to operate is a defining factor for data centre firms in Australia as communities, civic society, and policymakers scrutinise the sector's environmental footprint, infrastructure impacts, and long-term alignment with local needs. Public sentiment is shaped increasingly by concerns over water security and the responsible use of energy. More broadly, concerns around the impact of AI on the labour market will also come into sharper relief as this technological transformation gathers pace and high-profile AI-related retrenchments hit the headlines.

Community anxiety is growing and the impact of AI and data centres on water security, energy prices and grid reliability, and employment in quality jobs need to be closely monitored with long-term alignment to local needs.

"If Australians own the tools, we share in the upside – higher incomes, stronger national wealth, broader opportunity. If the tools are owned elsewhere, and we simply rent them, the dividends flow offshore."²⁸

DR. ANDREW CHARLTON
Assistant Minister for Science, Technology and the Digital Economy

In the United States, OpenAI has already warned that "opposition [to data centres] is growing, and people are more likely to believe that they increase electricity costs than that they create good-paying jobs."²⁹ Public sentiment in Australia often lags the United States, particularly as technologies scale on different timelines in the two countries. It is fair to assume that Australia will reckon with similar shifts in public opinion that are impacting the sector in the US where support for banning new data centres is growing.³⁰

Firms that lead, rather than follow, on social licence will secure faster approvals, stronger government partnerships, and long-term operating certainty. This means coming to the table with solutions to societal problems and finding opportunities for alignment to support the Government's broader agenda, particularly regarding the energy transformation which stands out as a key public policy challenge.

Risk radar: what could shift in 2026 and beyond

The Albanese Government has adopted an approach that is expressly optimistic about Australia's AI future, whilst also continuing to monitor safety risks. State governments are competing to attract investment but need to continually manage community sentiment, particularly around energy, water, and land supply. Underpinning all of this is community anxiety about AI's impact on jobs. Key areas of risk include:

- ▶ **AI guardrails which create obligations in defined "high-risk" contexts**, raising assurance demands for hosted workloads and supplier transparency.
- ▶ **SOCI perimeter widens in practice** via rules and guidance, potentially leading to greater expectations for supply chain visibility, reporting, and resilience testing.
- ▶ **Energy supply pressure and transmission delivery challenges** impact social license and complicate the energy transition underway.
- ▶ **Water becomes a hard limiter** in some areas, where permits could condition cooling technologies or mandate recycled sources.
- ▶ **Delivering, quantifying, and communicating local value** will be key to shepherding Australia through its most consequential economic transformation with a social license to be earned and continually maintained in the face of societal anxiety towards new, highly-disruptive technologies.

A premium on structured government engagement

Australia's AI infrastructure and data centre sector is moving into its most critical phase. What happens over the coming months will inform policy settings that will have long-term impact on sector growth, investment decisions, and ongoing regulatory compliance burdens.

When it comes to government engagement, industry leaders that integrate siting, energy, water, security, privacy and community plans into a single, coherent narrative that meets government objectives and delivers for local communities will be most influential when it comes to policymaking.

F&Co's recommendation for the data centre and AI infrastructure sector is to avoid transactional approvals management and focus on a proactive, integrated public policy engagement strategy that builds trust to deliver business impact. In the race to define yourself before you are defined by others, a compelling story which integrates reliable, clean power; managing water security; resilient, sovereign-aware infrastructure; safe, responsible AI; and tangible local benefits will positively shape the development of government thinking.

Drawing on decades of experience at the very top of government and business decision-making, we know how important meaningful government engagement is to shape public policy outcomes. Cutting through the mystique of AI and successfully engaging with policymakers in government – across energy, water, planning, national security, AI governance, and social license concerns – with a focus on communicating narratives which resonate with alignment opportunities for the communities they represent is critical.

For more information about navigating the politics and policy of AI infrastructure in Australia, please contact F&Co's Managing Director Eamonn Fitzpatrick +61 401 719 488 or Federal Director Huw Phillips +61 413 624 836.



About Fitzpatrick & Co Advisory

Fitzpatrick & Co Advisory (F&Co) is Australia's leading provider of bespoke government relations, public affairs, and media and strategic counsel to clients seeking professional advice from experienced government relations professionals.

F&Co offers clients genuine insights into the operations of government and the media and helps them create and implement strategies for success. With unique insights and deep understanding of government operations and media, F&Co works with clients to develop a bespoke approach to achieve public affairs and business objectives, including managing campaigns and issues, engaging with media, and connecting with Labor Governments and Oppositions across the country.

F&Co brings decades of proven experience in guiding companies deploying emerging technologies to navigate complex political landscapes in dynamic policy and competitive procurement environments.

About Fitzpatrick & Co Advisory

Eamonn Fitzpatrick Managing Director



Eamonn has spent more than 30 years in media, politics, communications and consulting in Australia, representing some of the world's biggest brands including Uber Technologies, Google, Qatar Airways as well as many Top 100 ASX companies in highly regulated industries.

He has advised Labor leaders across the country in senior roles at federal and state level. He was a senior press secretary to Prime Ministers Gillard and Rudd and previously head of strategy within the Federal Opposition. He has excellent networks across Federal Labor and the entire current Federal Cabinet, the broader Ministry, as well as MPs and their staff.

Eamonn has also held senior roles with Premiers and Treasurers in NSW and Queensland and has a deep understanding of Federal and State Government decision making, funding and policy formulation processes within political leadership and bureaucratic structures, and the risks and opportunities these can create.

As a former Sydney Morning Herald journalist, he understands the political dynamic of news media coverage and maintains strong connections to senior journalists and editors across the country. He appears on Sky News weekly as a federal political commentator.

Huw Phillips Federal Director



Huw is an experienced public policy strategist who has led advocacy, government relations, and policy development across the public, private, and not-for-profit sectors. He has worked at the nexus of technology, public policy and politics to shape policy outcomes and ensure the benefits of innovation are understood and shared throughout communities.

During the 2022-25 term of the Albanese Government, he served as a Senior Adviser to Assistant Treasurer Stephen Jones, where he provided strategic advice on economic policy, financial services, and regulatory reform within the Federal Government. Huw brings a deep understanding of the policymaking process, political dynamics, and the machinery of government to all his work.

Prior to joining the Federal Government, Huw spent over eight years at Airbnb in senior public policy roles across Australia and the Asia-Pacific region. He led major advocacy campaigns, shaped digital economy policy, and built strategic partnerships with governments and industry, helping position the company as a constructive voice in the region's regulatory landscape.

Based in Canberra, Huw uses his sharp analytical skills, creative policy thinking, and ability to navigate complex, fast-moving policy environments to deliver impactful and sustainable outcomes.

End Notes

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