



POLICY PLATFORM · FLAGSHIP

The NSW AI Compact

Intelligence, on our terms.

Artificial intelligence will reshape how the people of New South Wales work, learn, vote and are governed. We won't meet it with hype, and we won't meet it with fear. We'll meet it with rules — rules that put people before processors, keep the benefits onshore, guard our water, our power and our sleep as the public goods they are, give every person a say in what is done with their face, their voice and their record, and make every data centre a good neighbour or no neighbour at all.

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01 THE MOMENT

The decade that decides who AI works for

Right now, the world's biggest technology companies are racing to build data centres wherever land, water and power are cheapest — and governments are racing to wave them through. The build-out is pushing west across Sydney and into the regions. As at March 2026, ninety data centres operate in New South Wales; fifteen more, collectively worth \$51.9 billion, have been endorsed by the state's Investment Delivery Authority; and data centres already account for twelve per cent of all non-residential building investment here. We can win from this: jobs, investment, research muscle, and the compute our own hospitals, universities and startups desperately need. Or we can lose from it: sold as 'digital investment' while the processing, the profits and the decisions all flow offshore, leaving us with the power bills, the water stress and the noise.

The buildings are only half of it. The same technology now sits inside decisions about your payments and your licence, inside the record an agency holds on you, inside the video of a candidate three weeks out from a poll, and inside a voice on the phone that may belong to nobody at all. No state government runs the internet, and we won't pretend otherwise. But New South Wales does run its own planning system, its own police, its own courts, its own public sector and its own elections — and that is a great deal more than nothing.

The difference between those two futures isn't luck. It's policy. The NSW AI Compact is our plan to make sure that when the intelligence age arrives in our state, it arrives on our terms. Every number and every legal claim on this page is sourced at the end of it.

50%

of new data-centre compute reserved for Australian use — including a 10% share free for government, schools and universities

125%

of a data centre's peak power draw built as new renewables the operator funds — the quarter above peak contracted to the host area at no cost to it

20 days

for a free Personal Data Statement from any NSW agency — what it holds, where it came from, who it went to, and whether it trained a model

0

government decisions about you made by AI without a human who is accountable for it

02 PRINCIPLES

Seven lines we won't cross

01 Humans and communities first

Technology is a tool, not a constituency. Every setting in this Compact starts from one question: does this leave the people of New South Wales — their jobs, their neighbourhoods, their power bills, their privacy — better off?

02 Our compute, our call

NSW's land, water and energy are not a free input for someone else's balance sheet. If the infrastructure is built here, a guaranteed share of its capacity works for Australians here.

03 Good neighbours or no build

Data centres are welcome when they employ locally, pay their way in the communities that host them, keep the night quiet, and meet the world's best cooling and water standards. Operators who won't sign the Compact don't build.

**04 Water and power are protected.
Full stop.**

Cooling technology is genuinely improving — closed-loop and immersion systems are slashing water use, and waste heat can warm pools and homes instead of the sky. We'll reward operators who prove it. But better technology earns a licence to operate, never a licence to be believed: NSW's water and electricity come first, every claim is checked at the meter, and an operator caught lying about its water use loses its licence. No exceptions. The same discipline now covers the night air — measured at the boundary, published every morning, enforced by a regulator rather than argued about inside a consent.

05 Sunlight over spin

A public register of every government AI system, independent audits, honest incident reporting and real whistleblower protection. If a machine helps make a decision about you, you have the right to know — and to reach a human.

06 Your face, your voice, your record

A person's likeness and a person's record are not raw material. If a machine can copy your face, clone your voice or hold your file, you get a say in what happens next: consent before it is used, disclosure when what you are looking at is synthetic, correction when it is wrong, and a remedy you can actually afford. A right that costs more than most people earn in a year is not a right.

07 **We won't promise what a state cannot deliver**

New South Wales runs its own planning system, its own police, its own courts, its own public sector and its own elections. It does not run the internet, the telephone network, copyright, or the privacy law that governs private companies. So every commitment here names the Act, the licence condition or the procurement rule that would carry it — and where the fix belongs to Canberra we say so plainly and use NSW's seat at National Cabinet to press for it. A promise a state cannot keep is just a longer way of saying nothing. And every factual claim here is sourced at the end of the page, so you can check our work — the same standard we ask of government.

03 THE COMPACT

The Compact — thirteen commitments with teeth

01 SOVEREIGNTY

1 rack in 2

The NSW Compute Reservation

Every new large-scale data centre approved in New South Wales must reserve at least 50% of its compute capacity — one rack in every two — for Australian customers: our researchers, hospitals, universities, startups and public services, at independently regulated, fair rates. Within that reservation, 10% of the facility's total capacity is provided free of charge to NSW Government services and public education — schools, TAFE and universities — so the state that hosts the machines never has to rent back their benefit. It is carried by a condition of the Compact licence created by the NSW AI Compact Bill, and by a condition of development consent under the Environmental Planning and Assessment Act 1979.

Why it matters — Without a reservation, New South Wales supplies the land, water and power while every processing cycle serves offshore customers. Half the capacity working for Australians is the difference between hosting the intelligence age and merely paying its bills.

02 COMMUNITY

Local jobs + an annual dividend

The Community Benefit Licence

No large data centre operates in New South Wales without a Community Benefit Licence under the NSW AI Compact Bill: enforceable local-hire targets for construction and operations, at least one in ten build roles filled by apprentices and trainees from the host region — and an annual Community Dividend with real machinery behind it. The dividend is set per megawatt by the independent regulator, indexed, published in full and paid for the entire life of the facility into a Community Benefit Fund governed by a local board on which residents and the council hold the majority. Half of it goes straight back out as an annual payment to every household in the host area — no forms, no means test, paid by the Fund itself so it never depends on somebody else's billing system. The rest the board grants to the things towns actually ask for: sports clubs, halls, childcare, libraries, pool upgrades, shade trees. The licence also locks in a guaranteed ongoing workforce — permanent local operations jobs for the life of the facility, not just the construction phase — and mandatory community engagement: funded outreach programs into local schools and TAFE campuses, open days, and STEM partnerships, written into the licence and reported on. Every payment, grant and program is published, down to the dollar.

Why it matters — The neighbours who live with the build, the noise and the grid load should be the first to feel the benefit — in their own accounts and in their own streets, every single year, for as long as the servers hum.

03 ENERGY

The quarter above peak

More power in than it takes out

Every data centre must bring enough new-build renewable generation and storage to cover 125% of its maximum possible draw — not its average, its absolute peak, plus a quarter again — before it switches on, so it never leans on the grid households rely on. That generation feeds the grid, as all generation does. What the Compact licence fixes is where the value of the extra quarter goes: the operator funds a long-term supply agreement for the host area, and the regulator sets a volume for every household, school and community facility inside it that arrives at no cost to them. Paid for by the operator, for the life of the facility, and audited at the meter like every other number in the Compact.

Why it matters — A data centre should make its neighbourhood's power cheaper and more reliable, never scarcer. Building a quarter more than the servers can ever draw is the easy half. Making sure that quarter lands in the streets around it rather than on the operator's balance sheet is the half that has to be written into a licence.

04 ENVIRONMENT

Lie about water, lose your licence

The Water Truth rule — world's-best cooling, honestly reported

Approval requires best-available cooling — closed-loop, immersion or better — with independently metered water and electricity use published every quarter, no potable water for cooling where recycled water is available, and a serious heat-reuse assessment so waste heat warms pools, greenhouses and homes instead of the atmosphere. Not one drop of toxic or contaminated water goes back into our rivers, aquifers or sewers: anything discharged is treated to independently tested standards, with zero tolerance. Any facility that needs water beyond its approved budget must first fund new water infrastructure — recycling plants, stormwater harvesting, storage — that adds more capacity than it takes, so households and farmers are never left short; in any shortage, data centres cut back first and drink last. Every figure is audited against the meters. The conditions ride on the Compact licence and on the site's environment protection licence under the Protection of the Environment Operations Act 1997. Misreporting water or power use is an offence that reaches directors personally, and an operator caught lying loses its licence to operate in New South Wales — immediately.

Why it matters — Cooling tech is improving fast and we'll back the operators who prove it — but NSW's water and electricity are a must-protect, not a bargaining chip. Trust is earned at the meter, not in the press release.

05 QUIET

You complain. They prove it.

The Quiet Line — a night limit that is actually policed

Large data centres become a scheduled activity under Schedule 1 of the Protection of the Environment Operations Act 1997, so every one of them holds an environment protection licence and the EPA is the regulator — not a planning department checking a consent condition once a year, from Parramatta, against a report the operator wrote itself. That licence sets a night noise limit at the most affected home. It can be no higher than 35 dB(A) — the lowest night project noise trigger level the EPA's own Noise Policy for Industry can produce at a residence, being the minimum night project intrusiveness level set out in that policy's own table. New South Wales already adds 2 to 5 dB to the assessment when a source is heavy in the low frequencies; we would go further and set a standalone C-weighted limit in the licence, so the hum is a limit in its own right rather than an adjustment to somebody's model. Where facilities cluster, one noise budget is shared across the precinct rather than granted afresh to each new arrival. Monitors run continuously at the boundary and at agreed homes, for the life of the facility, to the regulator's standard and at the operator's cost, and each night's readings are published the next morning. Generator testing stays in daylight hours, and the licence must state in advance how loud the site is when the diesels run. Any resident can lodge a date and a time and get a written answer from that record within ten working days, free. If the record is missing, the complaint stands. The Water Truth penalty ladder sits behind all of it.

Why it matters — New South Wales already publishes the numbers. What it does not do is make them stick. The EPA's amenity levels are not regulatory limits, and the trigger level is a benchmark, not a requirement: on a 250-megawatt proposal at Horsley Park the EPA's advice recommended night limits of 37 and 38 dB(A) at three of the four nearest homes. The EPA is at that site because of the diesel — fuel volume and generator hours bring the regulator, and noise never does. The consent that followed does require a continuous monitor, at one point on the boundary, until twelve months after the building is fully running. After that the operator reports on itself, once a year. Nothing obliges anyone to publish last night's reading, and a resident woken at 2am has nothing to point at.

06 CAPABILITY

Built here, benefiting here

Sovereign skills and public compute

The reserved compute — including the free 10% share for government, schools, TAFE and universities — feeds a public-interest allocation for NSW research, public services and startups. Under the NSW Procurement Policy Framework, government procurement weights Australian-owned AI firms and keeps sensitive NSW public data onshore, and TAFE NSW-led programs train the electricians, technicians and engineers the build-out actually employs.

Why it matters — Owning capability beats renting it. A state that can build, train and run its own systems negotiates from strength — and keeps the high-wage jobs at home.

07 INTEGRITY

Every system, on the record

The public AI register

Every AI system used by the NSW Government goes on a public register with its purpose, its accountable owner and its audit history — turning the NSW AI Assessment Framework paperwork agencies already complete under Circular DCS-2024-04 into something the public can actually check. The NSW AI Compact Bill puts the register, the audits and the reporting on a statutory footing, rather than leaving them to a circular a future government can quietly rewrite. Independent audits, mandatory incident reporting, and full whistleblower protection for the workers who speak up when systems fail people.

Why it matters — We were founded to keep the powerful honest. That job doesn't stop when the powerful start using algorithms.

08 PEOPLE

A human, accountable, always

The Humans First Guarantee

No NSW Government decision that affects a person's rights, payments or liberty may be made by AI alone — not at Service NSW, not in our schools, not on our roads. Every automated system that touches the public gets a named accountable human, a plain-English explanation, and a fast, free right to human review. The duty is written into the NSW AI Compact Bill so it binds agencies directly, and social scoring is banned outright by a rule in the NSW Procurement Policy Framework, so it cannot arrive quietly as a feature of something else.

Why it matters — Automation should take the drudgery out of government — never the responsibility. When the computer says no, anyone in New South Wales can always ask a person why.

09 CONTROL

Free. Twenty working days.

The Personal Data Statement

You can already ask a New South Wales agency what it holds about you. What you cannot ask is where it came from, who it was given to, which company stores it, which country it sits in, or whether it has helped train a model. The Personal Data Statement answers all of that — once a year, free, in plain English, within twenty working days. It is created as a new right in the Privacy and Personal Information Protection Act 1998, alongside the access right already there. If something in it is wrong you can have it corrected, and any automated assessment that relied on the wrong version is run again on the right one. Where there is no lawful reason to hold the information it is deleted; where the State Records Act 1998 requires it to be kept, the statement says so and says why. The exemptions that already protect a police

investigation, a child-protection notification, or another person's safety carry across unchanged: a statement request must never become a way to find someone. Refusals are written, reasoned and reviewable.

Why it matters — Consent means very little if you cannot see what was collected. Most dealings with the state are now mediated by systems nobody shows you, run by companies nobody chose, on records nobody has read. The right to see your file is old. What is new is that the file is no longer one file, and no longer in the building. This is the cheapest accountability measure in the Compact, and the one most likely to catch an error before a machine acts on it.

10 PRIVACY

A notice you have to obey

A privacy law with a regulator behind it

New South Wales has privacy principles for its own agencies and very little to enforce them with. The Privacy Commissioner can investigate, recommend and report. What nobody in this state can do is order an agency to fix something, or fine it when it doesn't. We would amend the Privacy and Personal Information Protection Act 1998 to give the Commissioner the two powers she lacks: a compliance notice an agency must obey, and a penalty for systemic failure. Victoria's regulator has held the compliance notice for years, and ignoring one there is an offence carrying up to 600 penalty units for an individual and 3,000 for a body corporate. Queensland's Information Commissioner can issue one too, backed by a maximum penalty of 100 penalty units. On this, New South Wales is behind. We would rather say that than dress catching up as leadership. The mandatory data-breach scheme extends to the contractors, cloud providers and AI vendors that actually hold the information, not only the agency whose name is on the letterhead. Personal information held by a NSW agency may not be used to train a commercial model without an express, published and lawful basis. And the blanket exemption for law-enforcement and investigative agencies goes: today the NSW Crime Commission and the Law Enforcement Conduct Commission each state on their own websites that the privacy principles reach them only in connection with their administrative and educative functions. That is an exemption written for a body, not for a job. In its place, purpose-based exemptions — so the shield covers the investigation, not the agency.

Why it matters — When a New South Wales agency loses your information, no regulator in this state can fine it. The Commissioner can investigate and recommend; what is left to you is an internal review by the agency that lost the data, and then a tribunal. Meanwhile agencies hold less and less themselves — the record sits with a contractor, in a vendor's cloud, and increasingly inside somebody's model. A duty that stops at the agency's front door stops a long way short of your file.

11 TRUTH

Label it, or don't publish it

If it's synthetic, say so

Since April 2026 two things have been offences in New South Wales. Publishing AI-generated campaign material that shows a real person doing something they never did. And running campaign material depicting an AI-created person, event or place that a reasonable viewer would take as real, without saying on the material that it is AI-generated. Both bite only during the regulated period: from the issue of the writ to 6 pm on polling day. We would amend the Electoral Act 2017 to run them from 1 October in the year before a state election. That date is already inside the same section — from 1 October the Minister may no longer carve material out of the offence by regulation — and it is the day the capped expenditure period began for the 2027 election. Parliament has already decided when a campaign starts; the offence should start with it. The Act carries no satire, parody or journalism defence: cartoons and animated drawings are lifted out of the definition, and nothing else is. The only defences are the subject's written consent, and having taken no part in the content and having had no reason to know what it was. The Opposition moved a defence of substantial truth or fair comment during the debate and the Government did not support it. We would add one, because extending the offence period without extending the defences would be indefensible. We would also let the Electoral Commissioner apply to the Supreme Court for an urgent order to correct or remove the material. A court decides, not an official. A power to pull down political material on one person's say-so is a power we would oppose in anybody else's hands, and we are not going to ask for it in ours. And government goes first: no NSW Government advertisement may use an AI-generated depiction of a person, place or event without disclosing it on the material — a rewrite of the advertising guidelines, needing no legislation at all.

Why it matters — A fabricated video of a candidate published a month before the writ falls outside these offences entirely, and a prosecution that finishes after the count fixes nothing. What is left is a defamation action, which costs more than most candidates and far more than most voters have. We are not promising to detect deepfakes. CSIRO and Sungkyunkwan University benchmarked sixteen leading detectors in 2025 and found that none of them could reliably identify real-world deepfakes. So the duty goes where it can actually be enforced: on the person who publishes, not on a machine that guesses.

12 IDENTITY

Your likeness, your consent

Your face and your voice are yours

If someone clones your face or your voice, New South Wales law helps only where the result is sexual, fraudulent or defamatory. A defamation action costs more than most people have. We would create a fast, low-cost application in the Local Court of New South Wales. Show that the material is a realistic synthetic depiction of you, made or spread without your consent, and you get an order: delete it, correct the record, pay modest damages. No need to prove reputation, commercial loss or serious harm. Satire, parody, news reporting and art are defences written into the section — the same protection we would add to the electoral offence, and for the same

reason. A likeness right that a minister could use to delete an unflattering cartoon is not a likeness right, it is a censorship tool. We would also close a gap Parliament's own researchers have named: creating or distributing a sexually explicit deepfake is an offence under the Crimes Act 1900, but publishing a sexualised image of a real person that stops short of explicit is not.

Why it matters — Australia has no personality right. A voice is not copyright subject matter, passing off needs a commercial reputation, and the Commonwealth's new privacy tort comes with a whole part of exemptions — journalists, state authorities, law enforcement, intelligence agencies. So an ordinary person whose likeness is cloned has, in practice, nothing. A Local Court order binds the person who made it. It will not bind an offshore platform. Only Canberra can do that, through an eSafety takedown power that reaches intimate images, cyberbullying of children, serious cyber-abuse of adults and illegal content — and stops there. A cloned face used to sell a product, or to put words in your mouth, is nobody's jurisdiction. We will press that case at National Cabinet, and we won't pretend a state law can do it for them.

13 SECURITY

No surveillance. No atrocities. Ever.

Hard red lines on what runs here

A condition of the Compact licence prohibits data centres in New South Wales from knowingly hosting or powering workloads that drive illegal mass surveillance, or that a Commonwealth agency has notified as a risk to Australia's national security or as enabling atrocities or human-rights abuses abroad. The licence does what a state can actually write: operators must vet high-risk customers, attest to what runs on their racks, name an accountable director, and cut a prohibited workload the moment they are put on notice — with the same penalty ladder as the Water Truth rule: directors personally liable, licence gone. Judging national security and foreign atrocity risk is Commonwealth work, and we say so rather than pretend otherwise; a state licence that purported to make those calls for itself would be picking a constitutional fight it does not need. So the licence acts on a Commonwealth notification, and we would use NSW's seat at National Cabinet to ask for a standing referral channel — so the notice arrives before the workload does.

Why it matters — Our land, our water and our power will never underwrite someone else's police state or war crimes. Canberra decides what counts as a threat. New South Wales decides whether it gets housed here — and that is a real decision, not a symbolic one.

04 THE DEAL

The data-centre deal, on one page

Under the Compact, hosting digital infrastructure becomes a straight, published exchange — and it is deliberately lopsided in NSW's favour. No secret incentives, no hollow 'investment' announcements: a ledger anyone in New South Wales can read. This ledger covers the buildings. The rest of the Compact — your record, your face, your voice — is not a bargain struck with anybody. It is law we would write.

What New South Wales gets back

13 binding guarantees

- ◆ 50% of compute reserved for Australian users at fair, regulated rates — 10% of capacity free for government, schools and universities
- ◆ Local-hire targets and 1-in-10 apprentices from the host region
- ◆ A guaranteed ongoing workforce — permanent local operations jobs for the life of the facility, not just the build
- ◆ Mandatory community engagement — funded outreach programs supporting local schools, TAFE campuses and community groups
- ◆ A life-of-facility Community Dividend — an annual payment to every host-area household, plus a locally governed benefit fund
- ◆ 125% of peak power draw built as new renewables — the quarter above peak contracted to host-area households, schools and community facilities at no cost to them
- ◆ Best-available cooling, independently metered water and power budgets, heat-reuse plans
- ◆ Zero toxic discharge — anything returned to our water is treated, tested and published
- ◆ New water infrastructure funded by the operator before any extra draw — households and farmers never left short
- ◆ A night-time noise limit at the most affected home — A-weighted, with a standalone C-weighted limit for the hum — monitored continuously at the operator's cost and published every morning
- ◆ A free written answer within ten working days for any neighbour who complains about noise, drawn from that published record — no acoustician required
- ◆ Quarterly public reporting audited at the meter — lie about water or power use, lose the licence
- ◆ Hard red lines — nothing hosted here may drive illegal mass surveillance, or any workload Canberra has notified as a threat to our security or as enabling atrocities abroad

What an operator gets

- ◆ A stable, corruption-free regulator that keeps its word
- ◆ A strong, skilled NSW workforce

That's the whole list. Good operators don't need favours — they need certainty. The Compact gives them exactly that, and New South Wales keeps everything else.

05 THE PATH

How we get there

FIRST 100 DAYS**Draw the line**

Introduce the NSW AI Compact Bill: the Compute Reservation, the Community Benefit Licence, the public AI register, the Humans First Guarantee — and large data centres added to Schedule 1 of the Protection of the Environment Operations Act 1997, which is the single line that makes the EPA their noise regulator. Amend the Electoral Act 2017 so the deepfake offences run from 1 October in the year before a state election — the date that section already uses for its own purposes — with the satire and journalism defence Parliament left out, and a correction power the Electoral Commissioner can actually use inside a campaign. Rewrite the Government advertising guidelines in the same week, because that one needs no legislation at all. Pause approvals for any new hyperscale facility that hasn't signed on.

YEAR ONE**Set the standards**

Stand up the independent regulator that sets the dividend rate, the cooling, water and power benchmarks, the zero-toxic-discharge standard, the metering-and-audit regime that keeps operators honest, and the fair-rate rules for reserved compute. Direct the EPA to write the night noise limit, the standalone C-weighted limit and one shared budget per precinct into every data-centre licence, and to revise its Noise Policy for Industry to match. Legislate the Privacy Commissioner's compliance-notice and penalty powers, create the Personal Data Statement in the PPIP Act, extend the data-breach scheme to contractors and vendors, and replace the blanket law-enforcement exemption with purpose-based ones. Publish the government AI register — every system, in the open. Put the likeness right and the takedown gap on the National Cabinet agenda, in writing.

YEAR TWO AND BEYOND**Build on our terms**

First Compact-certified data centres open: locally staffed, dividend-paying, best-in-class cooled, one rack in two working for Australians — and last night's noise reading published every morning. The Local Court's likeness jurisdiction is running and being used. Personal Data Statements are answered in twenty working days as a matter of routine. TAFE NSW pipelines running. New South Wales becomes the model other states copy.

We will treat artificial intelligence the way our party has treated every powerful force for nearly fifty years: welcome what serves people, regulate what threatens them, and never, ever take the operators' word for it.

06 SOURCES

Show your working

Every figure and every statement of current law on this page comes from a published source, listed here so you can check our work — the same standard we ask of government. Where we describe the law as it stands, this is where we got it. Where we say what we would change, that is our proposal and not a description of the law.

1. Ninety data centres operating in New South Wales; fifteen more, worth \$51.9 billion, endorsed by the Investment Delivery Authority; data centres at twelve per cent of non-residential building investment.

NSW Government, 'NSW Government backs data centre investment, sets course for sustainable development', ministerial media release · 27 March 2026

www.nsw.gov.au/ministerial-releases/data-centre-investment-sustainable-development

2. On the 250-megawatt Horsley Park proposal the EPA recommended night noise limits of 37 and 38 dB(A) at three of the four nearest homes (35 at the fourth), and recommended that generator testing be confined to daytime hours.

NSW EPA, advice on the Environmental Impact Statement, NEXTDC S4 Data Centre Horsley Park (SSD-63741210), DOC24/715661 · 3 September 2024

majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=PAE-73846462%2120240905T014715.063+GMT

3. The environment protection licence for that site is triggered by chemical storage — 2,850 tonnes of diesel under clause 9 of Schedule 1 of the POEO Act — and generator testing above 200 hours a year may separately trigger the 'electricity generation' activity under clause 17. Noise triggers neither.

NSW EPA, advice on the Environmental Impact Statement, NEXTDC S4 Data Centre Horsley Park (SSD-63741210) · 3 September 2024

majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=PAE-73846462%2120240905T014715.063+GMT

4. Continuous real-time noise monitoring at one boundary point is required only until twelve months after full operation (condition B10); the annual Compliance Report goes to the Planning Secretary and is made public no later than sixty days after it is submitted (conditions C14 and C15); a monitoring summary and a quarterly complaints register are published for the life of the development (condition C19).

NSW Department of Planning, Housing and Infrastructure, signed instrument of consent, NEXTDC S4 Data Centre Horsley Park (SSD-63741210) · December 2025

www.planningportal.nsw.gov.au/major-projects/projects/nextdc-s4-data-centre-horsley-park

5. Amenity noise levels 'are not used directly as regulatory limits'; the project noise trigger level 'is not intended for use as a mandatory requirement'; the minimum night project intrusiveness noise level is 35 dB(A) LAeq,15min (Table 2.1); low-frequency noise attracts a 2 dB or 5 dB correction where the C-weighted level exceeds the A-weighted level by 15 dB or more (Fact Sheet C, Table C1).

NSW EPA, Noise Policy for Industry, sections 2.1, 2.3 and 2.4, and Fact Sheet C · 2017

www.epa.nsw.gov.au/sites/default/files/17p0524-noise-policy-for-industry.pdf

- 6.** The two deepfake offences (sections 189A and 189B), the carve-out for cartoons and animated drawings, the two defences, and the bar on the Minister making a carve-out regulation from 1 October in the year before a general election.

Electoral Legislation Amendment (Elections) Bill 2026, as passed by both Houses, Schedule 1 item [81] — enacted as the Electoral Legislation Amendment (Elections) Act 2026 · 26 March 2026
www.parliament.nsw.gov.au/bill/files/18875/Passed%20by%20both%20Houses.pdf

- 7.** The period the offences run in is defined as the issue of the writ to 6 pm on election day; the Opposition moved a defence of substantial truth or fair comment and the Government did not support it; a sexually explicit deepfake is an offence under sections 91PA and 91Q of the Crimes Act 1900, while publishing a sexualised image that is not explicit is not.

L Roth, Political deepfakes and the new laws in NSW, NSW Parliamentary Research Service, Research Paper 2/2026, pages 16 to 18 · 29 April 2026
www.parliament.nsw.gov.au/_media/documents/parliamentary-business/research/research-paper/political-deepfakes.pdf

- 8.** The capped expenditure period for the 2027 election began on 1 October 2026, and the state election will be held on Saturday 13 March 2027.

NSW Electoral Commission, 2027 NSW State election: Bulletin No. 4 · 22 July 2026
elections.nsw.gov.au/bulletins/2027-nsw-state-election-bulletin-no-4

- 9.** CSIRO and Sungkyunkwan University assessed sixteen leading deepfake detectors and 'found none could reliably identify real-world deepfakes'. In the underlying paper, against in-the-wild material, 'no detector achieved an AUC over 70%'.

CSIRO, 'Research reveals major vulnerabilities in deepfake detectors'; B M Le and others, SoK: Systematization and Benchmarking of Deepfake Detectors in a Unified Framework, IEEE European Symposium on Security and Privacy 2025 · 13 March 2025
www.csiro.au/en/news/all/news/2025/march/research-reveals-major-vulnerabilities-in-deepfake-detectors

- 10.** The Commonwealth statutory tort for serious invasions of privacy carries a whole part of exemptions: journalists, agencies and State and Territory authorities, law enforcement bodies, intelligence agencies, and persons under 18.

Privacy Act 1988 (Cth), Schedule 2, Part 3 (sections 15 to 18) · in force
www.legislation.gov.au/C2004A03712/latest/text

- 11.** The eSafety Commissioner's takedown schemes cover cyberbullying material targeted at an Australian child, non-consensual intimate images, cyber-abuse material targeted at an Australian adult, and illegal and restricted online content.

Online Safety Act 2021 (Cth), sections 6, 7, 15 and 16, and Part 3 · in force
www.legislation.gov.au/C2021A00076/latest/text

- 12.** Victoria's regulator may issue a compliance notice under section 78 of the Privacy and Data Protection Act 2014; failing to comply is an offence under section 82, carrying up to 600 penalty units for an individual and 3,000 for other regulated bodies.

Office of the Victorian Information Commissioner, Regulatory Action Policy · current
ovic.vic.gov.au/regulatory-action/regulatory-action-policy

- 13.** Queensland's Information Commissioner may give a compliance notice under section 158; section 160 requires the entity to take all reasonable steps to comply, with a maximum penalty of 100 penalty units.

Information Privacy Act 2009 (Qld), sections 158 and 160 · in force
www.legislation.qld.gov.au/view/whole/html/inforce/current/act-2009-014

- 14.** 'Under the PPIP Act, the Privacy Commissioner already has regulatory powers and functions ... These include the power to investigate and make recommendations, and the ability to publish or furnish reports to the Minister responsible for the agency.'
- NSW Department of Communities and Justice, Proposed changes to NSW privacy laws · accessed August 2026
- dcj.nsw.gov.au/about-us/engage-with-us/public-consultations/statutory-reviews/proposed-changes-to-nsw-privacy-laws.html
- 15.** The information protection principles reach the NSW Crime Commission and the Law Enforcement Conduct Commission only in connection with their administrative and educative functions — each says so on its own website.
- NSW Crime Commission, Privacy; Law Enforcement Conduct Commission, Privacy · accessed August 2026
- www.crimecommission.nsw.gov.au/privacy
- 16.** All NSW Government use of AI must apply the NSW AI Assessment Framework, under the mandate in Circular DCS-2024-04.
- Digital NSW, NSW AI Assessment Framework · accessed August 2026
- www.digital.nsw.gov.au/policy/artificial-intelligence/ai-governance-assurance-and-frameworks/nsw-ai-assessment-framework

07 YOUR MOVE

This policy is a draft — you can change it.

Like every Democrats policy, the NSW AI Compact is built by contribution. Members bring the evidence, the arguments and the lived experience — engineers, farmers, teachers, neighbours of the next build, anyone who has had their likeness used without being asked — and the policy gets sharper with every voice added. Bring yours: join, and help write the rules the intelligence age will live by — then help put them to New South Wales at the state election on Saturday 13 March 2027.

Join, or send us the evidence, at nsw.democrats.org.au/join

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