SUBMISSION TO THE DEPARTMENT OF THE PRIME MINISTER AND CABINET

# Our Data, Their Profits

AI infrastructure, privatised property data and the price of land. A response to Getting it right: Building AI infrastructure that works for Australia.

Grounded Community Land Trust Advocacy

grounded.org.au · October 2026

Karl Fitzgerald, Managing Director

## Summary

The consultation paper assesses large data centres for the energy and water they draw. This submission takes up the paper's own question about wider costs and answers it with land. AI working on privatised property data adds the next layer of commodification to housing, and it arrives when households can least absorb it. The analytical capacity housed in these facilities increasingly prices Australia's largest asset class, and the gains flow to whoever holds the best property data. Grounded recommends that the AI standards:

1. Treat informational advantage in land and rental markets as a significant potential cost of data centre activity, and refer it to the ACCC for a market study reporting within twelve months.

2. Attach obligations about how compute is used to the entities using it, at any facility size, alongside the megawatt thresholds for energy and water.

3. Resolve competing land uses through an underground-first siting preference, a dedicated data centre zone that captures the economic rent its approvals create, community custodianship of released surface land, and waste heat recovery for homes.

4. Make housing and land-market research eligible for whichever research contribution mechanism the standards adopt.

5. Pay a citizens' data dividend from the licensing of public land and property data.

## Why I am writing

I am an economist and Managing Director of Grounded Community Land Trust Advocacy. Over the past decade my advocacy contributed to three changes in Victorian taxation that shift the tax burden toward land. I live in Drummond in central Victoria, and this work began with a worry that the price of a home in my district was being set by software none of us could see.[1]

Recently I wrote to the Office of AI asking whether any agency had examined how privatised land and property data, analysed with increasingly powerful software, shapes the way developers buy, hold and release land. The Office replied that its work covers mandatory energy and water standards for large data centres and protections for creators. This consultation is the place to widen that remit.

## 1. Other significant costs from data centre activity

The paper asks whether data centre activity carries significant costs beyond network augmentation, and how accountability should be provided.[2] Australian land is valued at around $10 trillion.[3] Every sale, listing, valuation, rental record and planning permit now feeds commercial models that forecast where land prices are heading. Combined with satellite imagery, school enrolments and council data, those models give their subscribers an early view of the market. The land titles registries of New South Wales and Victoria were concessioned to private

[1]Karl Fitzgerald, The Algorithm That Ate My Neighbourhood, karlfitzgerald.substack.com.
[2]Department of the Prime Minister and Cabinet, Getting it right: Building AI infrastructure that works for Australia, consultation paper, September 2026, Part 2, "Impose no net costs on consumers and communities", consultation questions.
[3]Australian Bureau of Statistics, Australian System of National Accounts, cat. 5204.0, Table 61.

operators in 2017 and 2018. We kept the national story public and licensed out the street-level map.

Housing has already been turned into a financial asset through negative gearing, capital gains concessions and credit. AI working on privatised property data adds the next layer of commodification, at a time when home ownership is falling and rents absorb a growing share of income. The pressure lands on the households with the least information.

The social cost is already visible. Young Australians who see no pathway to the security their parents took for granted are losing faith in the bargain itself. Rising youth crime, including car-jackings and knife attacks, has many causes, and a closed future is among them. Society frays first at its fringes. Feeding privatised property data into the AI superhighway will widen the divergence between those who hold land and those who never will.

The same data works in both directions. In a rising market it tells a master-planned estate how few lots it can release while holding price. In a falling market it flags the stressed landholder and the lapsing permit, so buying happens near the bottom. When the market cooled after mid-2017, the rate of lot sales across nine master-planned communities contracted 48.7 per cent, while prices kept rising for another fifteen months.[4] Developers held their price floor by rationing supply. This is gold tape, and better analytics sharpen its timing.

Rental housing shows the same pattern. In November 2025 the US Department of Justice settled its case against RealPage, restricting the software's use of competitors' non-public data and installing a monitor.[5] Yardi, which faces similar claims in the United States, markets its Revenue IQ product in Australia to the build-to-rent sector.[6] Build-to-rent developments are also exempt from the negative gearing limits commencing on 1 July 2027.[7] A concession retained in the segment most exposed to algorithmic pricing deserves examination. The government's own consumer priorities already list retail surveillance pricing.[8] Algorithmic rent setting is its housing case.

Accountability: refer the question to the ACCC, working with Treasury and housing agencies, for a market study of algorithmic pricing and land release tools in residential markets. Establish which systems inform rents, acquisitions and release rates, what data they draw on, and whether competing businesses share non-public information. Report within twelve months. Where the necessary powers sit outside the AI standards legislation, make the referral explicit, with a deadline.

## 2. Thresholds for application

A megawatt threshold suits energy and water obligations. Pricing power scales with data and software, and a rent model runs as easily in a small facility or offshore as in a 100 MW campus. The paper already contemplates placing some obligations on the organisations using compute rather than on facility owners.[9] Apply that principle here. Obligations concerning

---

[4]Prosper Australia, Staged Releases: Peering Behind the Land Supply Curtain, 2022.
[5]US Department of Justice, proposed settlement with RealPage, 24 November 2025.
[6]Yardi Systems, Revenue IQ, product material.
[7]Australian Taxation Office, Reforming negative gearing and capital gains tax, 2026; Treasury Laws Amendment (Tax Reform No. 1) Act 2026.
[8]Department of the Prime Minister and Cabinet, Getting it right: Building AI infrastructure that works for Australia, consultation paper, September 2026, Part 3, "Australia's security and safety will benefit from AI training".
[9]Department of the Prime Minister and Cabinet, Getting it right: Building AI infrastructure that works for Australia, consultation paper, September 2026, Part 1, "Approach to the application of the AI standards".

market-sensitive use of property data should attach to the user, at any facility size, with proportionate records of model inputs, recommendations and overrides.

## 3. Competing land uses: housing and agriculture

The paper asks how competing land uses should be managed where land also suits housing or agriculture.[10] Grounded offers four answers.

Site underground first. Handle My Complaint's submission to the Senate inquiry proposes a siting hierarchy of disused mine voids, then metropolitan caverns, with above-ground construction an exception the proponent must justify.[11] Data halls need stable temperature and security. Homes, schools and parks need daylight. The hierarchy gives the surface to people, and Grounded supports it.

Give data centres their own zone. Neighbouring residents carry the noise, exhaust and bulk of an above-ground facility, and their homes can lose value as a result. The gain lands on the data centre site itself. A rezoning, a grid connection and priority access to scarce network capacity lift the value of the land that receives them, and each is a public decision. Large data centres should sit in a dedicated zone of their own, with charges set to reflect the economic rent that zoning confers. Victoria's windfall gains tax already shares rezoning uplift with the public that created it, and a data centre zone should carry a higher rate in keeping with the rents at stake. Valuers-General should publish site values before and after approval as part of the transparency reporting the paper proposes.

Hold the surface in custodianship. Where underground siting releases surface land for housing, place it in community land trusts. The trust holds the land in perpetuity and sells or rents the homes under resale and occupancy conditions, so each household that follows inherits the same affordability.[12] Left to the market, that surface becomes the next speculative frontier.

Recover the heat. In Odense, waste heat from Meta's data centre warms up to 6,900 homes through the city's district heating network.[13] Metropolitan facilities in the southern cities should plan for the same, paired with new housing precincts above or beside them.

## 4. Research contributions

Firms hosting frontier AI training here gain access to Australian land, energy, water and data. A research contribution is the public's return on that concession. The paper asks how such contributions should be secured, listing options that include negotiated in-kind contributions, a compute reservation scheme and a public-interest research payment, and states that access should support researchers, research institutions and not-for-profit organisations.[14] Whichever mechanism is chosen, make housing and land-market research eligible, with access to licensed

---

[10]Department of the Prime Minister and Cabinet, Getting it right: Building AI infrastructure that works for Australia, consultation paper, September 2026, Part 2, "Engage meaningfully with local communities and councils", consultation questions.
[11]Jovanka Ucukalo, Build data centres underground, Handle My Complaint, submission to the Senate Environment and Communications References Committee inquiry into artificial intelligence and data centres, 21 September 2026.
[12]Grounded Community Land Trust Advocacy, Grounded in Affordability: The Economic Case for Community Land Trusts, 2025, grounded.org.au.
[13]DatacenterDynamics, "Facebook begins installing district heating system at Odense data center", 2020.
[14]Department of the Prime Minister and Cabinet, Getting it right: Building AI infrastructure that works for Australia, consultation paper, September 2026, Part 3, "Invest in local capability, skills, research and innovation", consultation questions.

property datasets, privacy safeguards and publication rights. Public compute should let councils and communities see the market as clearly as the subscribers do.

## 5. Our data, their profits

Land titles, valuations, planning permits and council records are public data, created through public institutions. Concessioned registries and commercial resellers now license that data to the firms whose models price our homes. The public carries the cost in higher land prices and receives little in return. A share of licensing revenue from public land and property data, and of any public-interest payment levied on AI firms using it, should flow back to citizens as a data dividend. Our data, their profits is the current settlement. The AI standards are the moment to reverse it.

## Closing

Governments still decide who sees the land market first. Every concession, licence and threshold in these standards is a choice about that. We did not democratise property. We gamified exclusion. Standards that count land among the costs of AI infrastructure would begin to reverse it.