

8.1 NOTICE OF MOTION- USE OF SMART GLASSES IN PUBLIC SPACES

Submitting Councillor/s:	Cr Dr Josh Fergeus
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RECOMMENDATION

That Council

1. **Receives a report no later than that 28 February 2027 Council meeting on how Council can appropriately mitigate the risk of smart glasses and other recording devices and technologies at Council's facilities including recreation centres, parks, playgrounds, libraries, civic centre and childcare centres. The report should consider amongst other matters:**
 - a) **whether amendments to conditions of entry for Council facilities is appropriate;**
 - b) **whether an amendment to the Local Law is required to facilitate and support any amendments to the conditions of entry to Council's facilities including recreation centres, parks, playgrounds, libraries, civic centre and childcare centres; and**
 - c) **how to best protect the rights of those for whom smart glasses are an accessibility aid.**
2. **Advocates to the state and federal governments for updates to the Privacy Legislation to ensure it is fit for purpose and able to respond to the risks of new wearable technology.**

INTRODUCTION

This Notice of Motion calls for Council to take additional measures to ensure that the use of 'smart glasses' are not used in a way to capture images of people without their consent on Council property.

ISSUES AND DISCUSSION

Council takes the privacy of those that it welcomes into its public spaces and facilities seriously. Council has an obligation to ensure the safety of the community when they attend Council's facilities. The rise of smart glasses, particularly now that the cost of smart glasses has dramatically decreased, has allowed more people to have access to this technology.

The devices, which look like ordinary glasses, allow the wearer to capture images, video, and audio with the press of the button. While this is true of other technology such as phones and cameras, smart glasses are different as it is not always clear when they are in use.

Further, additional concerns are now being raised regarding the ability to hack into smart glasses, meaning that the data collected may be accessible to more than just the wearer.

There is currently insufficient regulation to ensure that users are wearing and using smart glasses safely. The risks of misuse are not hypothetical and are already being realised. Circumstances include the use of filming for social media, often seeking to normalise watching, recording, and controlling women. It has been used to perpetrate image-based abuse, where images captured without consent can be used to blackmail. It has been used to capture images and audio of children.



It is appropriate to acknowledge that smart glasses do play an important role, particularly in accessibility. Smart glasses can make a meaningful difference for people with disabilities. For example, blind or low vision people can use them to assist in understanding objects in the field of sight. Deaf users are assisted with functionality such as speech to text. The same innocuousness that is problematic for people misusing the technology is also what is beneficial for those who may value discreet aids.

As such, it is important to ensure that a balance is struck with any actions that Council takes to manage this issue. This includes considering the options put forward by Council officers and making informed decisions regarding the protection of all individuals.

CONCLUSION

The misuse of smart glasses represents a significant issue for the unauthorised recording and capture of images and audio of individuals. While Council cannot address this harm more broadly in its community, it does have the power to regulate or prohibit their use on Council land.

ATTACHMENT LIST

1. Officers Response to NOM [8.1.1 - 2 pages]

RESPONSE TO NOTICE OF MOTION- USE OF SMART GLASSES IN PUBLIC SPACES

Responsible Manager:	Greg Talbot – Manager Community Safety and Amenity
Responsible Director:	Peter Panagakos – Director City Development

BUDGET IMPLICATIONS

The preparation of a report on how Council can appropriately mitigate the risks associated with smart glasses at Council facilities is likely to require legal advice. This advice would help inform the report, particularly in relation to the potential need for changes to Council's Local Laws. The cost of obtaining legal advice is estimated to be up to \$10,000 and can be accommodated within existing budgets.

IMPACT ON INTERNAL RESOURCES

The research and development required to prepare the requested report can be delivered within existing operational priorities and commitments.

COUNCIL PLAN AND COUNCIL POLICIES

Responding to privacy concerns and the risks associated with the use of smart glasses, and advocating for State and Federal Government intervention, is relevant to the following Council Plan objectives and strategies:

Inclusive Services

- Community development and advocacy to support the Monash community
- Deliver high-performing services
- Fostering an equitable, just and inclusive Monash.

RELEVANCE TO WORK ALREADY UNDERTAKEN BY OFFICERS OR COMMITTEES

Work is currently underway to address risks associated with occupational violence and aggression. The potential misuse of data captured by devices such as smart glasses may fall within the scope of this work and may help inform Council's response to the associated risks. This work will likely not be completed prior to a report on this issue being presented back to Council if this NOM is supported by Council.

FURTHER CONSIDERATIONS

We understand that the State and Federal Government(s) are looking into the issue and any action or intervention that they may introduce may also help inform the report and any recommendations. There also a potential that anything Council considers and introduces may

ultimately be in conflict if the State or Federal Government(s) introduce any changes, and this would need to be considered at the appropriate time.