Australian Capital Territory

Major Events (Spilt Milk 2026) Declaration 2026

Disallowable instrument DI2026-242

made under the

Major Events Act 2014, section 6 (Major event - declaration)

EXPLANATORY STATEMENT

Division 2.1 of the *Major Events Act 2014* (the Act) permits the Executive to declare that an event is major event if satisfied—

(a) that the event is a major event at an international, national, State or Territory level; and
(b) it is in the public interest to do so; and
(c) on reasonable grounds it is necessary and appropriate to do so.

The Executive is satisfied the events listed in the instrument meet these criteria based on the security environment for the event according to advice from ACT Policing.

Spilt Milk is a nationally recognised, multi-genre music and arts festival held annually across four Australian cities: Canberra, Geelong, Gold Coast, and Perth. Spilt Milk is the largest music festival hosted in Canberra and attracts thousands of attendees for the event. In 2026, Spilt Milk will take place on Saturday, 12 December 2026 at Exhibition Park in Canberra (EPIC).

Spilt Milk has a positive economic contribution to the Territory. In 2025, Spilt Milk generated an estimated $30.2 million and attracted more than 45,000 people. Hotel occupancy reached 95 per cent on the festival night, which recorded the highest single-night hotel revenue of the year.

Delivery of Spilt Milk requires consultation and engagement with stakeholders including the emergency services, media, live music and performance groups, businesses, and residents.

For Spilt Milk 2025, ACT Policing committed resources to support community and event safety during the event. It is expected that a similar presence is required in 2026.

This declaration applies the provisions of the Act to Spilt Milk 2026. This notice is a disallowable instrument.

The effect of this declaration is to enliven powers and offences under the Act, Part 3 (Crowd Management) for police officers. Crowd management in Part 3 of the Act includes offences in relation to the possession of prohibited items and interference with the events. Part 3 also provides crowd management powers including the power to search personal property, to conduct scanning searches and frisk searches.

While a major event declaration enlivens extraordinary powers for police officers, these additional crowd control powers will provide for the safe conduct of the event in 2026.

The powers enlivened for a major events declaration and the reduced threshold for the exercise of powers engages and limits rights under the *Human Rights Act 2004* (ACT; HR Act), including the right to privacy (s 12), right to freedom of movement (s 13), right to liberty and security of the person (s 18), right to peaceful assembly (s 15) and right to presumption of innocence (s 22(1)).

Section 28 of the HR Act provides that rights may be subject to reasonable limits that can be demonstrably justified in a free and open democratic society.

The purpose of the limitation of human rights under a declaration is to ensure effective controls are in place to manage the security environment.

The powers enlivened under a major events declaration have proportionate limitations on the duration and scope of their application to provide for the safe and secure conduct of the event.

The power of detention by police officers is a power of last resort under a major events declaration to protect the community and event. Strict liability offences enacted apply only to conduct that may threaten safety or security at an event.

This declaration supports the right to liberty and security of participants and people attending the event.

This declaration takes the least restrictive means of achieving the objective under the legislation.

1. It limits the period the declaration is in force and human rights are limited according to the times set out in the disallowable instrument.
2. It limits the exercise of powers under the Act to police officers, not other authorised persons.
3. It excludes some prohibited items under s 12 of the Act to minimise the limitation on freedom of movement and right to privacy, liberty and security of the person.

Public notice will occur through a range of communications channels prior to and during the event.

A major events declaration does not restrict peaceful assembly or gatherings, and the restrictions in the Act do not apply to public protests.