**BirdLife Malta feedback to the planning and design framework for temporary outdoor sports events and facilities**

14/10/2026

---

BirdLife Malta welcomes the planning and design framework for temporary outdoor sports events and facilities. We recognise the growing popularity of obstacle course racing as an outdoor sport and acknowledge the need for a framework to regulate these activities whilst safeguarding sensitive habitats.

Nonetheless, we would like to raise several concerns regarding the proposed framework and provide recommendations for improving specific sections to strengthen the safeguards needed to protect sensitive habitats and the environment.

**Lack of differentiation between events and facilities**

The Framework fails to differentiate between outdoor sports events and facilities. We believe that these should be subject to separate regulatory frameworks. Events are typically short-term activities lasting only a few days, whereas facilities are intended for longer-term use. The two differ in scale, duration and potential impacts and should therefore be subject to separate requirements.

**Stricter environmental safeguards**

The Framework appears to proceed from the assumption that temporary and reversible sporting structures have a low environmental impact. This assumption requires considerably greater scrutiny. The potential ecological effects arise not merely from the structures themselves, but also from the activities they facilitate. Regular organised use can introduce sustained human presence, noise, lighting, traffic, trampling and disturbance into areas which may previously have experienced little intensive human activity. This has implications for protected species and habitats.

In this regard, the Framework lacks specific environmental safeguards. These should include:

- Temporary structures should not be permitted on sensitive habitats, such as garrigue or agricultural land (including abandoned ones) that serve as an important wildlife corridor.
- Night-time activities within the area of influence of Natura 2000 sites should not be permitted at any time of the year.

- Stricter specifications should be established for lighting. For any lighting necessary for safely accessing the site, we recommend that these operate with motion sensors and none of these light fixtures should be directed towards the sea, cliffs and any other ecologically sensitive areas to avoid spill-over and avoid contributing to skyglow. All necessary light fixtures must:
    - Be fully downward-facing - any upward light emission or light spill towards ecologically sensitive areas is unacceptable;
    - Be full cut-off fixtures, ensuring an Upward Light Output Ratio (ULOR) of 0%; and
    - Be limited to the minimum number of fixtures, the lowest possible light intensity, and color temperature not exceeding 2300K.
- Each outdoor event should be subject to a proper waste management plan, ensuring that waste is cleared immediately and not left overnight, where it could attract rodents or be dispersed by the wind.
- Sensitive areas should be clearly demarcated and protected by temporary barriers to prevent trampling and damage to sensitive habitats, including garrigue.

Care should also be taken to prevent multiple temporary facilities from being established next to one another, thereby creating cumulative impacts. A single obstacle-course facility might appear relatively insignificant when assessed in isolation. However, several such facilities, or successive temporary facilities operating within the same rural area, may produce an entirely different environmental outcome.

The relevant effects may include the cumulative impacts of human presence, traffic, parking, noise, lighting, trampling, habitat disturbance and visual intrusion.

While we acknowledge that the Framework stipulates that sites “must be fully restored to original state within a specified period following cessation of activity”, it is unclear how this requirement will be monitored and enforced. The Framework should require evidence of restoration, including photographic documentation taken before and after the activity, followed by inspections by the competent authority.

In addition, the Framework does not specify the conditions that will be attached to the development permission. These conditions should be clearly defined in the permit, which should be subject to revocation if the conditions are not complied with or if the event/facility are having an adverse impact on the surrounding environment.

**Insufficient controls over frequency and intensity**

The proposed legal agreement is intended to specify:

"the site boundary, land uses and the frequency and intensity of the activities".

Yet the Framework lacks clear limits on the frequency and intensity of activities. Events should be subject to limits on their size, frequency, and the number of participants, particularly in areas close to Natura 2000 sites.

There is an obvious difference between an occasional outdoor sporting event and a facility used daily, or several times a week, by substantial numbers of participants over a period of five consecutive years.

**Revising the length of the development permission**

We believe that granting development permission for a temporary, non-renewable period of five years is excessive. Furthermore, a clear distinction should be made between permissions for facilities and those for individual events. Events may vary in scale and format over time and should therefore be assessed on a case-by-case basis. Five years is also a considerable period during which circumstances may change. Accordingly, different requirements should apply to events and facilities when determining the duration and conditions of development permission, taking into account the nature, frequency and intensity of the proposed activities.

There is also a fundamental distinction between physical reversibility and environmental reversibility. The fact that a structure can eventually be dismantled does not mean that five years of organised activity will leave the affected land in the same condition as it was before the activity commenced. Repeated recreational use may cause trampling and vegetation loss; soil compaction and erosion; disturbance to fauna; disturbance during nesting and breeding periods; increased human activity within otherwise undisturbed areas; noise; lighting; traffic and parking pressures; waste and litter; creation of informal pathways and access routes; and cumulative disturbance arising from several recreational activities within the same rural area.

In addition, successive permits granted for the same area could effectively allow facilities to remain in place indefinitely. A five-year permission followed by a further five-year permission affecting substantially the same land should therefore be assessed in the context of the previous permission, rather than as an entirely separate development.

**The proposed Framework risks undermining the sequential approach required by SPED**

One of the fundamental concern is that the proposed Framework creates a new planning mechanism through which organised, potentially intensive and repeated non-agricultural activities may be introduced onto rural and Outside Development Zone ("ODZ") land.

The Framework itself acknowledges that SPED paragraph 3.1 requires a sequential approach to development in the rural area:

1. reuse of existing developed land and buildings;
2. redevelopment of existing developed land and buildings; and
3. only where no feasible alternatives exist, use of vacant rural land.

The Framework itself consequently acknowledges that land take-up within the Rural Area is to be regarded as a last resort.

Nevertheless, paragraph 5.3 potentially opens considerable categories of ODZ land to these activities, including sites within 250 metres of the Principal Urban Area, previously developed or committed ODZ sites, disused livestock farms and disused quarries.

The Framework therefore risks converting what SPED regards as a last resort into a positive category of land potentially available for recreational development.

The mere suitability or attractiveness of a rural location for a particular sporting activity cannot in itself justify the displacement of the sequential approach established by SPED.

**Good-quality agricultural land: an apparent prohibition which contains its own loophole**

Paragraph 5.4 provides that temporary outdoor sports events and facilities shall not be favourably considered on: "Sites of good quality agricultural land unless AAC clearance is obtained."

This is not an absolute prohibition. The words "unless AAC clearance is obtained" transform what initially appears to be a protection of good-quality agricultural land into a discretionary exception. This sits uneasily with the Framework's own acknowledgement that SPED TO 7.7 and RO 1.1 protect good-quality agricultural land.

It is difficult to reconcile the strategic protection of such land with a policy mechanism under which that protection may effectively be displaced through an administrative

clearance. Moreover, this formulation raises an additional concern concerning agricultural land which may not formally be classified as "good quality". Agricultural land does not cease to possess environmental, landscape or rural value merely because it does not meet a particular agricultural-quality classification. Such land may contribute to ecological corridors, feeding and foraging grounds, soil conservation, and the wider ecological functioning of the countryside. The ecological and planning value of rural land cannot therefore be reduced to the question of whether it qualifies as "good-quality agricultural land".

**Stakeholder consultation and exclusion of land forming part of the public domain**

BirdLife Malta also considers that land forming part of the public domain should be expressly excluded, which also includes the foreshore. Such land should not become susceptible to prolonged occupation through five-year sporting or recreational permissions which may interfere with its public character, accessibility or enjoyment.

In addition, relevant NGOs and other stakeholders with conservation, environmental or cultural heritage interests in land proposed for use under temporary outdoor sports permits should be consulted at an early stage of the decision-making process. This would help identify potential environmental and cultural impacts, facilitate the consideration of appropriate mitigation measures, and ensure that decisions are informed by relevant expertise.

**Enforcement actions**

While we have no objection to the use of outdoor areas for sporting events and facilities, we stress that the Framework must be implemented alongside an effective enforcement mechanism. Enforcement provisions are lacking in the proposed Framework. The competent authority should ensure that applicants comply with all conditions set out in their permits and that events and facilities do not cause harm to their surroundings.

The Framework should explicitly provide for frequent enforcement inspections and the necessary corrective and enforcement actions, including the cessation of activities and revocation of permits where appropriate. These measures should be clearly stipulated in the Framework to ensure that applicants are fully aware of the consequences of non-compliance.

**Concluding remarks**

In conclusion, BirdLife Malta recognises the importance of providing opportunities for outdoor sporting activities but stresses that these must not come at the expense of Malta's natural environment. The proposed Framework should be strengthened to ensure that environmental safeguards are clearly defined, cumulative impacts are adequately assessed, and appropriate limits are established on the duration, frequency and intensity of activities. Particular care must be taken to protect sensitive habitats, Natura 2000 sites and agricultural land, while ensuring that the sequential approach established by SPED is upheld. Equally important are effective monitoring and enforcement mechanisms to ensure compliance with permit conditions and prevent long-term or permanent impacts arising from successive and/or multiple temporary permissions. We therefore urge the Planning Authority to address these concerns and incorporate the necessary safeguards before adopting the Framework, ensuring that outdoor sporting activities can take place without compromising biodiversity, ecological integrity and the protection of Malta's Natura 2000 sites and rural environment.