

## Schedule 4—Exclusions from definition of development—general

### Note—

An act or activity specified in this Schedule is declared not to constitute development for the purposes of the Act, subject to the limitations set out in regulation 3C. For example, that regulation provides that an exclusion under Schedule 4 does not apply in respect of a State heritage place.

### 1—Advertising displays

The commencement of an advertising display containing an advertisement—

- (a) that is a traffic control device displayed and erected under the *Road Traffic Act 1961*; or
- (b) that is displayed by reason of a statutory obligation on the Crown, a Minister of the Crown, an agency or instrumentality of the Crown, a council, or a person requiring such display; or
- (c) that is on enclosed land or within a building and is not readily visible from land outside the enclosure or the building; or
- (d) that is displayed for the purposes of identification, direction, warning or other information in relation to a detached, semi-detached, row or multiple dwelling or residential flat building (including an advertisement displayed for the purposes of a home activity), subject to the following conditions:
  - (i) that the advertisement area is not more than 0.2 m<sup>2</sup>;
  - (ii) that the advertising display—
    - (A) does not move; and
    - (B) does not flash; and
    - (C) does not reflect light so as to be an undue distraction to motorists; and
    - (D) is not internally illuminated;
  - (iii) that not more than 2 such advertisements are displayed in relation to the same building; or
- (e) that is displayed on a building or a building in separate occupation (other than the side or rear walls of the building) used primarily for retail, commercial, office, business or community purposes, subject to the following conditions:
  - (i) that the advertisement is not displayed or erected above any verandah or the fascia of a verandah or, in a case where there is no verandah, that no part of the advertisement is more than 3.7 m above ground level;
  - (ii) that the advertising display—
    - (A) does not move; and
    - (B) does not flash; and

- (C) does not reflect light so as to be an undue distraction to motorists; and
  - (D) is not internally illuminated; or
- (f) that announces a local event of a religious, educational, cultural, social or recreational character, or that relates to an event of a political character, subject to the following conditions:
  - (i) that the total advertisement area of all advertisements of that kind displayed on 1 building or site is not more than 2 m<sup>2</sup>;
  - (ii) except for an advertisement that relates to a federal, State or local government election, that the advertisement is displayed for a period not exceeding 1 month prior to the event and 1 week after the conclusion of the event;
  - (iii) that the advertising display—
    - (A) does not move; and
    - (B) does not flash; and
    - (C) does not reflect light so as to be an undue distraction to motorists; and
    - (D) is not internally illuminated; or
- (g) that is on land on which building work is being lawfully undertaken, subject to the following conditions:
  - (i) that the information in the advertisement refers to the work being undertaken;
  - (ii) that the advertising display—
    - (A) does not move; and
    - (B) does not flash; and
    - (C) does not reflect light so as to be an undue distraction to motorists; and
    - (D) is not internally illuminated;
  - (iii) that the advertisement area is not more than 3 m<sup>2</sup>; or
- (h) that constitutes a moveable sign under the *Local Government Act 1999* and is placed on a public street, road or footpath within an area of a council under that Act; or
- (i) that is a real estate "for sale" or "for lease" sign, subject to the following conditions:
  - (i) that the sign is situated on the land which is for sale or for lease;
  - (ii) that the sign—
    - (A) does not move; and
    - (B) does not flash; and

- (C) does not reflect light so as to be an undue distraction to motorists; and
- (D) is not internally illuminated;
- (iii) that the sign is not more than 4 m<sup>2</sup> in advertisement area;
- (iv) that the sign is removed within 2 weeks after the completion of the sale or the entering into of the lease.