



## UNSW Course Outline

# JURD7283 Land Law - 2024

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## General Course Information

**Course Code :** JURD7283

**Year :** 2024

**Term :** Term 1

**Teaching Period :** T1

**Is a multi-term course? :** No

**Faculty :** Faculty of Law and Justice

**Academic Unit :** School of Private and Commercial Law

**Delivery Mode :** In Person

**Delivery Format :** Standard

**Delivery Location :** Kensington

**Campus :** Sydney

**Study Level :** Postgraduate

**Units of Credit :** 6

### Useful Links

[Handbook Class Timetable](#)

## Course Details & Outcomes

### Course Description

The course examines the fundamental principles of land law in Australia. Topics covered include native title, the Torrens system, co-ownership, leases, mortgages, easements and covenants. These topics are critically analysed in their historical, social, political and economic contexts. Professional and ethical approaches to dealing with interests in land are explored.

## Main Topics

- Native title
- Doctrines of tenure and estates
- Contracts for the sale of land
- Torrens system
- Equitable interests in land
- Leases
- Mortgages
- Co-ownership
- Easements
- Covenants
- Strata and community title

## Course Aims

This course aims to teach students the fundamental principles of land law or "real property". It begins by exploring the historical and social significance of land law in England and Australia, before moving to a detailed study of modern doctrines. It focuses on the Torrens system of title by registration, encouraging students to think critically about the different ways communities protect rights to land. The course will give students a sound understanding of the principal areas of land law, including leases, mortgages, easements, covenants, co-ownership, strata and community title. The course builds on content in the Principles of Private Law, Contracts and Equity and Trusts courses. Students will be expected to master legal and equitable doctrines in relation to land, as well as thinking critically and holistically about the role of property and property law in society.

## Course Learning Outcomes

Course Learning Outcomes
CLO1 : Demonstrate awareness of principles of land law and their relationship to the broader context (PLOs 1, 2, 3, 4, 5, 6, 7 & 8)
CLO2 : Engage in critical analysis of the historical and social significance of real property and property law (PLOs 1, 2, 3, 7 & 8)
CLO3 : Navigate the interaction of common law, equity and statute when applying real property law to hypothetical fact scenarios (PLOs 4, 5 & 6)
CLO4 : Engage in critical analysis of doctrines of land law (PLOs 1, 2, 7 & 8)
CLO5 : Demonstrate effective oral communication skills by discussing and debating course concepts in a scholarly, reflective and respectful manner (PLOs 9, 10 & 11)
CLO6 : Demonstrate effective written communication skills by articulating legal concepts clearly, persuasively and appropriately (PLOs 5, 6, 7 & 8)

<b>Course Learning Outcomes</b>	<b>Assessment Item</b>
CLO1 : Demonstrate awareness of principles of land law and their relationship to the broader context (PLOs 1, 2, 3, 4, 5, 6, 7 & 8)	<ul style="list-style-type: none"> <li>• Final Invigilated Examination</li> <li>• Class Participation</li> <li>• Assignment</li> </ul>
CLO2 : Engage in critical analysis of the historical and social significance of real property and property law (PLOs 1, 2, 3, 7 & 8)	<ul style="list-style-type: none"> <li>• Final Invigilated Examination</li> <li>• Class Participation</li> <li>• Assignment</li> </ul>
CLO3 : Navigate the interaction of common law, equity and statute when applying real property law to hypothetical fact scenarios (PLOs 4, 5 & 6)	<ul style="list-style-type: none"> <li>• Final Invigilated Examination</li> <li>• Class Participation</li> <li>• Assignment</li> </ul>
CLO4 : Engage in critical analysis of doctrines of land law (PLOs 1, 2, 7 & 8)	<ul style="list-style-type: none"> <li>• Final Invigilated Examination</li> <li>• Class Participation</li> <li>• Assignment</li> </ul>
CLO5 : Demonstrate effective oral communication skills by discussing and debating course concepts in a scholarly, reflective and respectful manner (PLOs 9, 10 & 11)	<ul style="list-style-type: none"> <li>• Class Participation</li> </ul>
CLO6 : Demonstrate effective written communication skills by articulating legal concepts clearly, persuasively and appropriately (PLOs 5, 6, 7 & 8)	<ul style="list-style-type: none"> <li>• Final Invigilated Examination</li> <li>• Assignment</li> </ul>

## Learning and Teaching Technologies

Moodle - Learning Management System | Echo 360

## Assessments

### Assessment Structure

<b>Assessment Item</b>	<b>Weight</b>	<b>Relevant Dates</b>
Final Invigilated Examination Assessment Format: Individual	50%	
Class Participation Assessment Format: Individual	20%	
Assignment Assessment Format: Individual	30%	Due Date: 18/03/2024 05:01 PM

# **Assessment Details**

## **Final Invigilated Examination**

### **Assessment Overview**

This assessment requires you to complete an invigilated written examination within the University examination period.

### **Course Learning Outcomes**

- CLO1 : Demonstrate awareness of principles of land law and their relationship to the broader context (PLOs 1, 2, 3, 4, 5, 6, 7 & 8)
- CLO2 : Engage in critical analysis of the historical and social significance of real property and property law (PLOs 1, 2, 3, 7 & 8)
- CLO3 : Navigate the interaction of common law, equity and statute when applying real property law to hypothetical fact scenarios (PLOs 4, 5 & 6)
- CLO4 : Engage in critical analysis of doctrines of land law (PLOs 1, 2, 7 & 8)
- CLO6 : Demonstrate effective written communication skills by articulating legal concepts clearly, persuasively and appropriately (PLOs 5, 6, 7 & 8)

### **Detailed Assessment Description**

This Assessment will be held within the University Examination Period

### **Assignment submission Turnitin type**

Not Applicable

## **Class Participation**

### **Assessment Overview**

This assessment requires you to prepare for and actively engage in class-based and online activities.

### **Course Learning Outcomes**

- CLO1 : Demonstrate awareness of principles of land law and their relationship to the broader context (PLOs 1, 2, 3, 4, 5, 6, 7 & 8)
- CLO2 : Engage in critical analysis of the historical and social significance of real property and property law (PLOs 1, 2, 3, 7 & 8)
- CLO3 : Navigate the interaction of common law, equity and statute when applying real property law to hypothetical fact scenarios (PLOs 4, 5 & 6)
- CLO4 : Engage in critical analysis of doctrines of land law (PLOs 1, 2, 7 & 8)
- CLO5 : Demonstrate effective oral communication skills by discussing and debating course concepts in a scholarly, reflective and respectful manner (PLOs 9, 10 & 11)

## Detailed Assessment Description

Guidelines for Class Participation will be published online once Term 1 commences.

## Assignment submission Turnitin type

Not Applicable

## **Assignment**

### Assessment Overview

This assessment requires you to prepare a written response to an assignment.

### Course Learning Outcomes

- CLO1 : Demonstrate awareness of principles of land law and their relationship to the broader context (PLOs 1, 2, 3, 4, 5, 6, 7 & 8)
- CLO2 : Engage in critical analysis of the historical and social significance of real property and property law (PLOs 1, 2, 3, 7 & 8)
- CLO3 : Navigate the interaction of common law, equity and statute when applying real property law to hypothetical fact scenarios (PLOs 4, 5 & 6)
- CLO4 : Engage in critical analysis of doctrines of land law (PLOs 1, 2, 7 & 8)
- CLO6 : Demonstrate effective written communication skills by articulating legal concepts clearly, persuasively and appropriately (PLOs 5, 6, 7 & 8)

## Detailed Assessment Description

This due date for this Mid Term Assignment will be 5pm on Monday 18 March 2024.

The word limit for the Assignment will be no more than 2000 words in total. The word limit includes all discursive text and headings, but will exclude references (which will be in footnotes) and the bibliography.

Further details about this Assignment will be published online during Term 1.

## Assignment submission Turnitin type

This assignment is submitted through Turnitin and students can see Turnitin similarity reports.

## **General Assessment Information**

### Grading Basis

Standard

# Course Schedule

Teaching Week/Module	Activity Type	Content
Week 1 : 12 February - 18 February	Seminar	Fundamental Concepts in Land Law, Origins of Australian Land law and Introduction to Native Title
Week 2 : 19 February - 25 February	Seminar	Native Title and Introduction to Torrens Title
Week 3 : 26 February - 3 March	Seminar	Indefeasibility of Title and Exceptions to Indefeasibility
Week 4 : 4 March - 10 March	Seminar	Exceptions to Indefeasibility
Week 5 : 11 March - 17 March	Seminar	Caveats and Equitable Interests in Torrens Title
Week 6 : 18 March - 24 March	Reading	Reading Week
Week 7 : 25 March - 31 March	Seminar	Leases
Week 8 : 1 April - 7 April	Seminar	Leases and Mortgages
Week 9 : 8 April - 14 April	Seminar	Easements and Freehold Covenants
Week 10 : 15 April - 21 April	Seminar	Easements and Freehold Covenants

## Attendance Requirements

Please see information about attendance requirements in **Law & Justice Assessment Procedure and Student Information** located in the Other Useful Information tab in the Academic Information field.

Please be advised there will be no classes on public holidays. If your class falls on a public holiday, alternative arrangements will be made by the course convenor to make up the missed class.

## Course Resources

### Prescribed Resources

There is no prescribed casebook or textbook for this Course.

A Reading Schedule including references to separate online Moodle Books for each Topic will be published, comprising a complete set of required and recommended readings for each class in the Course.

## Staff Details

Position	Name	Email	Location	Phone	Availability	Equitable Learning Services Contact	Primary Contact
Convenor	John Page		Room 351 The Law Building Kensington campus	0410 445 282	Monday-Wednesday	Yes	Yes

# Other Useful Information

## Academic Information

Upon your enrolment at UNSW, you share responsibility with us for maintaining a safe, harmonious and tolerant University environment.

You are required to:

- Comply with the University's conditions of enrolment.
- Act responsibly, ethically, safely and with integrity.
- Observe standards of equity and respect in dealing with every member of the UNSW community.
- Engage in lawful behaviour.
- Use and care for University resources in a responsible and appropriate manner.
- Maintain the University's reputation and good standing.

For more information, visit the [UNSW Student Code of Conduct Website](#).

## UNSW Law & Justice Assessment Policy

It is essential that all students undertaking this course read and abide by the [UNSW Law & Justice Assessment Policy & Student Information](#). This document includes information on Class Attendance, Late Work, Word Limits, Marking, Special Consideration, Workload, and Academic Misconduct & Plagiarism. More information can also be found at [Assessment & Exam Information](#).

Information regarding Course Outlines are subject to change and students are advised to check updates. If there is a discrepancy between the information posted here and the handbook or the UNSW Law & Justice website, please contact [Student Services via The Nucleus Hub](#) for advice. UNSW Law & Justice reserves the right to discontinue or vary such courses or staff allocations at any time. If your course is not here, please visit [Handbook](#) for information.

## Academic Honesty and Plagiarism

As a student at UNSW you are expected to display [academic integrity](#) in your work and interactions. Where a student breaches the [UNSW Student Code](#) with respect to academic integrity, the University may take disciplinary action under the Student Misconduct Procedure. To assure academic integrity, you may be required to demonstrate reasoning, research and the process of constructing work submitted for assessment.

To assist you in understanding what academic integrity means, and how to ensure that you do comply with the UNSW Student Code, it is strongly recommended that you complete the [Working with Academic Integrity](#) module before submitting your first assessment task. It is a free, online self-paced Moodle module that should take about one hour to complete.

## Submission of Assessment Tasks

Before submitting assessment items all students must read and abide by the [UNSW Law & Justice Assessment Policy & Student Information](#).

### Special consideration

Special consideration is primarily intended to provide you with an extra opportunity to demonstrate the level of performance of which you are capable. To apply, and for further information, see Special Consideration on the UNSW [Current Students](#) page.

### Feedback

UNSW Law & Justice appreciates the need for students to have feedback on their progress prior to the last date for withdrawal without failure. All courses will therefore provide feedback to students prior to this date, as well as throughout the course. However, students should note that feedback does not take the form only of formal grades and written comments on written assessments. Rather, formative feedback, which helps students to self-assess, to identify misunderstandings, and to identify areas requiring further work, will occur during class and possibly online. For example, where a teacher asks the class a question, all students should think about how they might answer. Even though not all students will necessarily be able to respond orally, everyone can reflect on their tentative answer in light of the teacher's response and subsequent class discussion. If you are struggling to understand what is being asked in class, or if your tentative answers prove incorrect and subsequent discussion does not clear things up, then you should continue to ask questions (of yourself, your peers or your teacher). Similarly, you can get a sense of your ability in a course through peer feedback during group work, your teacher's responses to your in-class contributions, and your own response to in-class problems and examples (whether or not you are called on to relay your answer to the class) and also your online activities and responses by others to those activities. Students enrolled in this course may check their Moodle course page for details on the specific feedback used in this course.

# **Faculty-specific Information**

## **Additional support for students**

- Student support: <https://www.student.unsw.edu.au/support>
- Academic Skills and Support: <https://student.unsw.edu.au/academic-skills>
- Student Wellbeing, Health and Safety: <https://student.unsw.edu.au/wellbeing>
- Equitable Learning Services: <https://student.unsw.edu.au/els>
- UNSW IT Service Centre: <https://www.myit.unsw.edu.au>

## **Course improvement**

Student feedback is very important to continual course improvement. This is demonstrated within the Faculty of Law & Justice by the implementation of the UNSW online student survey myExperience, which allows students to evaluate their learning experiences in an anonymous way. myExperience survey reports are produced from each survey. They are released to staff after all student assessment results are finalised and released to students. Course convenors will use the feedback to make ongoing improvements to the course. Students enrolled in this course may check their Moodle course page for details on the actions taken in response to evaluation feedback in Student Survey.

## **School Contact Information**

Please contact [Nucleus Student Hub](#) for all enquiries. The Nucleus acts as a central communications hub for UNSW and will distribute your enquiry to the best person to respond.