



LAWS2200

Property Law

Session 1, In person-scheduled-weekday, North Ryde 2025

Macquarie Law School

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Disclaimer

Macquarie University has taken all reasonable measures to ensure the information in this publication is accurate and up-to-date. However, the information may change or become out-dated as a result of change in University policies, procedures or rules. The University reserves the right to make changes to any information in this publication without notice. Users of this publication are advised to check the website version of this publication [or the relevant faculty or department] before acting on any information in this publication.

General Information

Unit convenor and teaching staff

Cathy Sherry

[iLearn](#)

Contact via via iLearn
via iLearn

Credit points

10

Prerequisites

60cp including LAWS104 or LAWS1200

Corequisites

Co-badged status

Unit description

Property law lies at the heart of our legal system. Jeremy Bentham once aptly observed: 'Property and Law are born together and die together. Before laws were made there was no property; take away law, and property ceases'. This unit provides a contextual analysis and outline of the Anglo-Australian law on property and covers such topics as the history and theory of property law; systems of title to, and resolution of competing interests in, property; concurrent ownership of property; native title; and mortgages, leases, easement and covenants in relation to real property.

Important Academic Dates

Information about important academic dates including deadlines for withdrawing from units are available at <https://www.mq.edu.au/study/calendar-of-dates>

Learning Outcomes

On successful completion of this unit, you will be able to:

ULO1: Explain the historical development of Australian property law, as well as its international, cultural, political and colonial context.

ULO2: Understand and critically analyse the law relating to Native Title.

ULO3: Understand the creation and enforceability of legal and equitable interests in property and the priority rules that apply between them.

ULO4: Understand and critically analyse the Torrens system, including strata title.

ULO5: Understand and critically analyse a range of interests in real and personal property.

ULO6: Communicate, interact and collaborate professionally and effectively in verbal and non-verbal contexts across diverse settings.

ULO7: Work independently, meet deadlines, take initiative and be adaptable to diverse and changing environments.

General Assessment Information

All written assessments submitted electronically must be submitted through the link provided in iLearn. This unit will utilise Turnitin plagiarism detection software. Students should carefully check that they submit the correct file for an assessment, as re-submissions will not be accepted after the due date and time, including instances where students upload an incorrect file in error.

The design, moderation and feedback of all assessments is in accordance with the Macquarie University Assessment Procedure (link provided under 'Policies and Procedures' below).

Late Submission Policy

A maximum penalty of five (5) percentage points of the total possible marks will be applied per day to late submissions, for up to a maximum of seven calendar days. Tasks that have not been submitted within the maximum number of additional late days will receive a mark of zero. This provision does not apply to online exams or other assessment with a time limit of less than 24 hours.

Penalties for late submission will be applied consistently and equitably to all students enrolled in the unit. Where short-term, serious and unavoidable circumstances have affected their ability to submit an assessment task, a student must submit a formal application for Special Consideration as per the Special Consideration Policy. Students should not request an informal arrangement from their tutor, lecturer or Unit Convenor.

Where an application for Special Consideration is approved, and the outcome is an extension to the due date of a task, submissions that are received after the new due date will be subject to late penalties that are calculated from the new due date. This only applies where the outcome is an extension to the due date – see the Special Consideration Policy for a schedule of all possible outcomes.

Special Consideration

Students should submit applications for Special Consideration electronically via the Service Connect portal, along with the supporting documentation. Before submitting their applications, students should refer to the Special Consideration Policy (link provided under 'Policies and Procedures' below).

Assessment Tasks

Name	Weighting	Hurdle	Due
<u>Exam</u>	40%	No	University exam period
<u>Professional Skills</u>	20%	No	Ongoing
<u>Practice-Based Task</u>	40%	No	15/04/2025

Exam

Assessment Type ¹: Examination

Indicative Time on Task ²: 20 hours

Due: **University exam period**

Weighting: **40%**

An invigilated exam held in the formal examination period. The exam may cover any or all topics and materials covered in the unit.

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- Explain the historical development of Australian property law, as well as its international, cultural, political and colonial context.
- Understand and critically analyse the law relating to Native Title.
- Understand the creation and enforceability of legal and equitable interests in property and the priority rules that apply between them.
- Understand and critically analyse the Torrens system, including strata title.
- Understand and critically analyse a range of interests in real and personal property.
- Communicate, interact and collaborate professionally and effectively in verbal and non-verbal contexts across diverse settings.
- Work independently, meet deadlines, take initiative and be adaptable to diverse and changing environments.

Professional Skills

Assessment Type ¹: Practice-based task

Indicative Time on Task ²: 0 hours

Due: **Ongoing**

Weighting: **20%**

Students will engage in classroom activities including mootings, presentations or demonstrations, structured discussion and problem solving, doctrinal analysis, simulated client consultations, and collaborative legal research. Through these activities students will develop skills in oral advocacy, legal analysis, critical reasoning, teamwork and team leadership, and/or strategic problem-solving. These activities are designed to strengthen students' ability to communicate legal concepts verbally and engage professionally within a supportive learning environment.

On successful completion you will be able to:

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- Understand and critically analyse the Torrens system, including strata title.
- Understand and critically analyse a range of interests in real and personal property.
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Practice-Based Task

Assessment Type ¹: Practice-based task

Indicative Time on Task ²: 18 hours

Due: **15/04/2025**

Weighting: **40%**

An assessment on professional skills and knowledge relevant to the unit. This could be a legal or policy brief, a report, an essay, a law reform proposal, legal pleadings or other related professional task. This assessment may require students to prepare a response through research and adhere to discipline-specific scholarly conventions.

On successful completion you will be able to:

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- Understand and critically analyse the law relating to Native Title.

- Understand the creation and enforceability of legal and equitable interests in property and the priority rules that apply between them.
- Understand and critically analyse the Torrens system, including strata title.
- Understand and critically analyse a range of interests in real and personal property.
- Communicate, interact and collaborate professionally and effectively in verbal and non-verbal contexts across diverse settings.
- Work independently, meet deadlines, take initiative and be adaptable to diverse and changing environments.

¹ If you need help with your assignment, please contact:

- the academic teaching staff in your unit for guidance in understanding or completing this type of assessment
- the [Writing Centre](#) for academic skills support.

² Indicative time-on-task is an estimate of the time required for completion of the assessment task and is subject to individual variation

Delivery and Resources

This unit is worth 10 credit points, which equates to 150 hours of work. Therefore, students should expect to commit an average of 10 hours per week to this unit, including all scheduled and unscheduled activities and preparing and executing the assessment tasks.

All readings and course content are contained in the online textbook on iLearn. **There is no hardcopy or e-copy text that students need to purchase.** Students must complete their reading each week.

13 x 2 hour tutorials are designed for students to discuss the law they have learned by doing their readings, asking questions and practising the application of law. **At least 3 hours of weekly work should be spent completing the set readings and preparing for the tutorial.**

13 x 2 hour lectures will be given each week, for students to ideally attend in person, or listen to online. Note, lectures are not the primary delivery of course content. Course content is contained in the readings.

Unit Schedule

Topics covered:

1. History of Anglo-Australian land law
2. Native Title
3. Torrens system
4. Co-ownership

5. Leases
6. Mortgages
7. Easements
8. Freehold covenants
9. Personal Property

A week by week schedule is available on iLearn.

Policies and Procedures

Macquarie University policies and procedures are accessible from [Policy Central](https://policies.mq.edu.au) (<https://policies.mq.edu.au>). Students should be aware of the following policies in particular with regard to Learning and Teaching:

- [Academic Appeals Policy](#)
- [Academic Integrity Policy](#)
- [Academic Progression Policy](#)
- [Assessment Policy](#)
- [Fitness to Practice Procedure](#)
- [Assessment Procedure](#)
- [Complaints Resolution Procedure for Students and Members of the Public](#)
- [Special Consideration Policy](#)

Students seeking more policy resources can visit [Student Policies](https://students.mq.edu.au/support/study/policies) (<https://students.mq.edu.au/support/study/policies>). It is your one-stop-shop for the key policies you need to know about throughout your undergraduate student journey.

To find other policies relating to Teaching and Learning, visit [Policy Central](https://policies.mq.edu.au) (<https://policies.mq.edu.au>) and use the [search tool](#).

Student Code of Conduct

Macquarie University students have a responsibility to be familiar with the Student Code of Conduct: <https://students.mq.edu.au/admin/other-resources/student-conduct>

Results

Results published on platform other than [eStudent](#), (eg. iLearn, Coursera etc.) or released directly by your Unit Convenor, are not confirmed as they are subject to final approval by the University. Once approved, final results will be sent to your student email address and will be made available in [eStudent](#). For more information visit connect.mq.edu.au or if you are a Global MBA student contact globalmba.support@mq.edu.au

Academic Integrity

At Macquarie, we believe [academic integrity](#) – honesty, respect, trust, responsibility, fairness and courage – is at the core of learning, teaching and research. We recognise that meeting the

expectations required to complete your assessments can be challenging. So, we offer you a range of resources and services to help you reach your potential, including free [online writing and maths support](#), [academic skills development](#) and [wellbeing consultations](#).

Student Support

Macquarie University provides a range of support services for students. For details, visit <http://students.mq.edu.au/support/>

Academic Success

[Academic Success](#) provides resources to develop your English language proficiency, academic writing, and communication skills.

- [Workshops](#)
- [Chat with a WriteWISE peer writing leader](#)
- [Access StudyWISE](#)
- [Upload an assignment to Studiosity](#)
- [Complete the Academic Integrity Module](#)

The Library provides online and face to face support to help you find and use relevant information resources.

- [Subject and Research Guides](#)
- [Ask a Librarian](#)

Student Services and Support

Macquarie University offers a range of [Student Support Services](#) including:

- [IT Support](#)
- [Accessibility and disability support](#) with study
- Mental health [support](#)
- [Safety support](#) to respond to bullying, harassment, sexual harassment and sexual assault
- [Social support including information about finances, tenancy and legal issues](#)
- [Student Advocacy](#) provides independent advice on MQ policies, procedures, and processes

Student Enquiries

Got a question? Ask us via the [Service Connect Portal](#), or contact [Service Connect](#).

IT Help

For help with University computer systems and technology, visit http://www.mq.edu.au/about_us/offices_and_units/information_technology/help/.

When using the University's IT, you must adhere to the [Acceptable Use of IT Resources Policy](#). The policy applies to all who connect to the MQ network including students.

Changes from Previous Offering

The content of Property Law changes each year, updating with changes in the law and variation of topics covered. Students should not rely on notes from previous years or other institutions.

Unit information based on version 2025.04 of the [Handbook](#)