



The University of Southern Queensland

## Course specification

The current and official versions of the course specifications are available on the web at <http://www.usq.edu.au/coursespecification/current>.  
Please consult the web for updates that may occur during the year.

### Description: Land Law and Valuation

Subject	Cat-nbr	Class	Term	Mode	Units	Campus
SVY	4306	90559	2, 2009	EXT	1.00	Toowoomba

<b>Academic group:</b>	FOENS
<b>Academic org:</b>	FOES05
<b>Student contribution band:</b>	2
<b>ASCED code:</b>	031101

### STAFFING

Examiner: Shane Simmons

Moderator: Peter Gibbings

### SYNOPSIS

This course provides a general introduction to government and public administration responsibilities for land administration in Australia. Students are introduced to the basic principles and practices of land law and valuation to enable the surveyors to appreciate the importance of land law and valuation to land administration and the cadastre. The course introduces students to the impact and responsibilities of the processes of law making, legislation, acts and other laws affecting land administration, and the basic principles of land valuation and property investment for the practicing land professional.

### OBJECTIVES

The course objectives define the student learning outcomes for a course. The assessment item(s) that may be used to assess student achievement of an objective are shown in parenthesis. On completion of this course, students should be able to:

1. describe in detail how land is administered in Australia including: the legal requirements and differences between the various States (Assignment 1 and Part A of Exam);
2. list the various Acts and Regulations that impact land administration in their State (Assignment 1 and Part A of Exam);
3. describe the various types of land ownership and tenure and discuss the legal requirements associated with each (Assignment 1 and Part A of Exam);
4. demonstrate a knowledge of: Native Title, the role of the Native Title Tribunal, and the implications of Native Title for professionals working in the land development industry (Assignment 1 and Part A of Exam);
5. describe the Torrens System of Land Registration as it is implemented in their State (Assignment 1 and Part A of Exam);
6. demonstrate a knowledge of the principles of valuation to obtain a valuation for a range of properties including allotments in a new land development (Assignment 2 and Part B of Exam);

7. describe the method and principles used for determining compensation for the compulsory acquisition of land (Assignment 2 and Part B of Exam).

## TOPICS

Description	Weighting (%)
1. Government and public land administration of estates and interests in land	5.00
2. Torrens system of land registration	5.00
3. Process of law making and types of laws relevant to:	40.00
3.1. Land administration	
3.2. The practicing land professional	
3.3. Laws relevant to 3.1 and 3.2, property boundaries, strata title, leasehold estates, easements, minerals, mortgages, licences, covenants affecting land, co-ownership, adverse possession and native title.	
4. Concepts of value and purposes of valuation	5.00
5. General principles of valuation	15.00
6. Valuation of improvements to land	5.00
7. Valuation of land	15.00
8. Valuation of interests in land	5.00
9. Compensation and compulsory acquisition	5.00

## TEXT and MATERIALS required to be PURCHASED or ACCESSED

ALL textbooks and materials are available for purchase from USQ BOOKSHOP (unless otherwise stated). Orders may be placed via secure internet, free fax 1800642453, phone 07 46312742 (within Australia), or mail. Overseas students should fax +61 7 46311743, or phone +61 7 46312742. For costs, further details, and internet ordering, use the 'Textbook Search' facility at <http://bookshop.usq.edu.au> click 'Semester', then enter your 'Course Code' (no spaces).

## REFERENCE MATERIALS

Reference materials are materials that, if accessed by students, may improve their knowledge and understanding of the material in the course and enrich their learning experience.

'Queensland Government Legislation' (Available: <http://www.legislation.qld.gov.au/OQPCHOME.htm>).

'General Law Information and Case Law database' (Available: <http://www.austlii.edu.au/>).

Boykin, JW & Ring, AA 1993, *The Valuation of Real Estate*, 4th edn, Regents/Prentice Hall, Englewood Cliffs, NJ.

- Bradbook, AJ, McCallum, SV, & Moore, AP 2007, *Australian Real Property Law*, 4th edn, The Law Book Company Ltd, Pymont, NSW.
- Bradbook, AJ & Croft, CE 1997, *Commercial Tenancy Law in Australia*, 2nd edn, Butterworths, Sydney.
- Butt, PJ 2006, *Land Law*, 5th edn, The Law Book Co Ltd, Pymont, NSW.
- Cheshire, GC, & Byrne, EH 2006, *Modern Law of Real Property*, 17th edn, Butterworths, London.
- Duncan, WD, & Vann, PJ 1982, *Property Law and Practice in Queensland*, Looseleaf Lawbook Co Ltd,
- Edgeworth, B, Rossiter, CF & Stone, MA 2004, *Sackville and Neave Property Law: Cases & Materials*, 7th edn, Lexis, Nexis, Chatswood, NSW.
- Hepburn, S 2006, *Principles of Property Law*, 3rd edn, Routledge-Cavendish, Coogee, NSW.
- Lovell, DD, & Martin, LS 1993, *Subdivision Analysis*, Appraisal Institute, Chicago, ILL.
- Megarry, R, & Wade, W 2000, *The Law of Real Property*, 6th edn, Sweet & Maxwell, London.
- Rost, RO, & Collins, HG 1984, *Land Valuation and Compensation in Australia*, Australian Institute of Valuers, Canberra.
- Tan, PL, Webb, E & Wright, D 2002, *Land Law - Tutorial Series*, 2nd edn, Butterworths,
- Whipple, RTM 2006, *Property Valuation and Analysis*, 2nd edn, Law Book Co Ltd, Australia.

## STUDENT WORKLOAD REQUIREMENTS

ACTIVITY	HOURS
Directed Study	53.00
Examinations	2.00
Private Study	40.00
Report Writing	60.00

## ASSESSMENT DETAILS

Description	Marks out of	Wtg (%)	Due date
ASSIGNMENT 1	250.00	25.00	31 Aug 2009
ASSIGNMENT 2	250.00	25.00	12 Oct 2009
PART A & B OF 2 HOUR OPEN EXAM	500.00	50.00	END S2 (see note 1)

### NOTES

- The 2 hour examination consists of two equal parts; Part A (land law) and Part B (valuation). Student Administration will advise students of the date of their examination during the semester.

## IMPORTANT ASSESSMENT INFORMATION

- Attendance requirements:

There are no attendance requirements for this course. However, it is the students' responsibility to study all material provided to them or required to be accessed by them to maximise their chance of meeting the objectives of the course and to be informed of course-related activities and administration.

- 2 Requirements for students to complete each assessment item satisfactorily:  
To satisfactorily complete an individual assessment item a student must achieve at least 50% of the marks or a grade of at least C-. (Depending upon the requirements in Statement 4 below, students may not have to satisfactorily complete each assessment item to receive a passing grade in this course.)
- 3 Penalties for late submission of required work:  
If students submit assignments after the due date without extenuating circumstances then a penalty of 5% of the assigned mark may apply for each working day late up to a maximum of ten working days at which time a mark of zero can be recorded for that assignment.
- 4 Requirements for student to be awarded a passing grade in the course:  
To be assured of receiving a passing grade in a course a student must obtain at least 50% of the total weighted marks for the course.
- 5 Method used to combine assessment results to attain final grade:  
The final grades for students will be assigned on the basis of the weighted aggregate of the marks (or grades) obtained for each of the summative assessment items in the course.
- 6 Examination information:  
In an Open Examination, candidates may have access to any material during the examination except the following: electronic communication devices, bulky materials, devices requiring mains power and material likely to disturb other students.
- 7 Examination period when Deferred/Supplementary examinations will be held:  
Any Deferred or Supplementary examinations for this course will be held during the examination period at the end of the semester of the next offering of this course.
- 8 University Regulations:  
Students should read USQ Regulations 5.1 Definitions, 5.6. Assessment, and 5.10 Academic Misconduct for further information and to avoid actions which might contravene University Regulations. These regulations can be found at the URL <http://www.usq.edu.au/corporateservices/calendar/part5.htm> or in the current USQ Handbook.

## **ASSESSMENT NOTES**

- 1 The due date for an assignment is the date by which a student must despatch the assignment to the USQ. The onus is on the student to provide proof of the despatch date, if requested by the Examiner.
- 2 Students must retain a copy of each item submitted for assessment. This must be despatched to USQ within 24 hours if required by the Examiner.
- 3 In accordance with University's Assignment Extension Policy (Regulation 5.6.1), the examiner of a course may grant an extension of the due date of an assignment in extenuating circumstances.
- 4 The Faculty will normally only accept assessments that have been written, typed or printed on paper-based media.
- 5 The Faculty will NOT accept submission of assignments by facsimile.
- 6 Students who do not have regular access to postal services or who are otherwise disadvantaged by these regulations may be given special consideration. They should contact the examiner of the course to negotiate such special arrangements.

- 7 In the event that a due date for an assignment falls on a local public holiday in their area, such as a Show holiday, the due date for the assignment will be the next day. Students are to note on the assignment cover the date of the public holiday for the Examiner's convenience.
- 8 Students who have undertaken all of the required assessments in a course but who have failed to meet some of the specified objectives of a course within the normally prescribed time may be awarded one of the temporary grades: IM (Incomplete - Make up), IS (Incomplete - Supplementary Examination) or ISM (Incomplete -Supplementary Examination and Make up). A temporary grade will only be awarded when, in the opinion of the examiner, a student will be able to achieve the remaining objectives of the course after a period of non directed personal study.
- 9 Students who, for medical, family/personal, or employment-related reasons, are unable to complete an assignment or to sit for an examination at the scheduled time may apply to defer an assessment in a course. Such a request must be accompanied by appropriate supporting documentation. One of the following temporary grades may be awarded IDS (Incomplete - Deferred Examination; IDM (Incomplete Deferred Make-up); IDB (Incomplete - Both Deferred Examination and Deferred Make-up).