

Australian Property Law Journal (APLJ)
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(articles and book reviews included in this part are linked to the LexisNexis platform)

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Articles

[The 'serious business' of lawyers lodging and maintaining caveats over land](#)

— *Robert Hay and Brett Harding*

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The lodgment of caveats forms the bread and butter work of any property lawyer. However, the significance of lodging a caveat can often be overlooked. Improper caveats have the potential to affect the lives and financial interests of others. This article considers situations where compensation may be payable by a caveator for lodging a caveat 'without reasonable cause'. It also considers the potential disciplinary and cost consequences for legal practitioners involved in lodging and maintaining caveats without a proper basis.

[The intrinsic nature and limits of the easement: 'Numerus clausus', and the intersection of contract and property law in the context of *Regency Villas*](#)

— *Lee Aitken*

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For an obvious reason, the law of real property has always narrowly categorised the types of property interests which may be recognised and enforced by the common law. Were it otherwise, any individual could create and 'attach' an 'interest' to do something on or with the land, subject only to the terms of the contract between the parties themselves. This would be attractive commercially but would raise limitless difficulties in relation to how and for how long such an 'interest' might be enforced. In *Regency Villas Title Ltd v Diamond Resorts (Europe) Ltd* the United Kingdom Supreme Court has considered what may properly be made the subject matter of the grant of an easement in relation to a country club providing recreational facilities to its members — on one view, the majority judgment goes too far in seeming to permit rights governed by contract to be incorporated into the property interests protected by the easement itself.

Book Reviews

[Principles of Property Law](#) by Bruce Ziff

— *Paul Babie*

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[Helen Carr, Brendan Edgeworth and Caroline Hunter \(eds\), *Law and the Precarious Home: Socio Legal Perspectives on the Home in Insecure Times*](#)

— *Samuel Tyrer*

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