

# EASEMENTS AND COVENANTS

A one-day course for planning and property officers  
in municipalities and statutory authorities

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Presenter:  
**Astrid Di Carlo**

Special Counsel,  
Russell Kennedy  
solicitors

LLM (Emory [USA]),  
LLB (Deakin), BA  
(LaTrobe), Grad Dip  
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## Enquiries and Registrations

To book into one of our presentations, or arrange a presentation at your offices, contact

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Training Manager

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Maximum  
class size 10

Cost: \$495 per student  
including GST, Course  
Notes and Working Lunch

Predating the state's planning apparatus, easements and covenants are part of the tool kit for balancing public and private interests in land, and for regulating competing private interests.

This course won't make you a property lawyer, but it will introduce you to property lawyers' territory and help you recognise when you need them.

## COURSE CONTENT

### Refresher: Basic Property Law

- Crown land and Freehold land
- Old Law and Torrens title freehold
- Fee-simple and indefeasibility of title
- Common law and Statutory law
- Interests in land

### Easements

- The purpose of easements
- Positive and negative easements
- Easements in Common law; easements in Gross
- Creation by subdivision; by acquisition
- Implied and prescriptive easements
- Recording and registering easements
- Removal, extinguishment and abandonment of easements

### Covenants

- The purpose of covenants
- Statutory agreements and restrictions
- Restrictive and positive covenants
- Removal of covenants under planning law
- Provisions of the Property Law Act 1958

### Statutory Agreements

- Sec 173, Planning & Environment Act
- Sec 69, Conservation Forests and Lands Act
- Trust for Nature covenants
- Heritage Act covenants

### Crown Land Restrictions

- The Reservation of Crown land
- Conditional Crown Grants
- Easement-like provisions on Crown land

*"Victoria's law of easements and covenants is based on English common law, overlaid with property, planning and subdivision legislation. This means that the overall law is very complex and has significant gaps and overlaps."* – Law Reform Commission

This course will include segments on the LRC's 2010 recommendations and progress towards their implementation.