
Land Acquisition, 7th ed
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LexisNexis Butterworths
288 pp
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This is the 7th edition of this book originally written and in previous editions edited by Douglas Brown. A text book does not survive for almost half a century and 7 editions without a market and without answering the needs of that market.

This market or this work is for practising lawyers more so than for students.

This is a classic text book rather than a practice manual. For example, there are no templates. There is some limited and not sophisticated advice as to the conduct of practice; commentary for instance that small firms are unlikely to have significant turnover of land acquisition files.

The original text dates back to 1972 when the book commented that new legislation was required in all jurisdictions except South Australia and Queensland. Since then the new legislation has come to pass in all jurisdictions but the area remains difficult.

A forced acquisition is often a stressed and unhappy transaction. Parties reluctantly locked together resolving separate interests can be problematic.

Just as with separating business partners, co-owners and spouses, the parties to a compulsory acquisition typically are burdened by difficult conflict.

The four-step matrimonial property settlement construct under the Family Law Act gives an often underappreciated, elegant and effective tool to guide parties to a dispute resolution. The legislation and case law on land acquisition also usefully structures a dispute, provided that structure is well understood and well applied.

Practitioners will find this book a useful summary of the legislation and case law to guide them in the conduct of land acquisition matters.

Practitioners conducting land acquisition matters would be well rewarded by careful review of this book, cover to cover; an overview initially to get an understanding of the key concepts, as opposed to reading page to page, but coming back for the detail as needed

The text comprehensively refers to the legislation in each Australian jurisdiction, generally one paragraph after another. The legislation is indexed, with text referenced rather than quoted at length. The comparison of the various jurisdictions is in the text rather than in a comparative table.

I found the book to be comprehensive. It appears to summarise the case law accessibly and well.

This book is a useful guide for what can be a frustrating journey for the client and their lawyer.