This chapter examines torts of trespass to land and nuisance. Trespass to land is concerned with direct harm, and the tort’s primary importance is the protection of property rights. Harm in this context does not necessarily mean actual damage to the land concerned. The harm lies in the fact that land owned by one party has been unjustifiably interfered with by another. Private nuisance deals with indirect and unreasonable interferences to land, including what might be called consequential interferences resulting from a direct action. Private nuisance regulates relationships and conflicts between neighbours, defining their mutual rights and obligations with respect to land use. Many aspects of the law of nuisance, including determining whether an injunction or damages is the appropriate remedy, have recently been clarified by the Supreme Court in Coventry v Lawrence [2014].
18. Trespass to land and nuisance

abstracts and keywords for each book and chapter without a subscription.

Please subscribe or login to access full text content.

If you have purchased a print title that contains an access code, please see the information provided with the code or instructions printed within the title for information about how to register your code.

For questions on access or troubleshooting, please check our FAQs, and if you can't find the answer there, please contact us.