LAW 859

Heritage Law and Policy

S1 External 2016

Dept of Law

Contents

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General Information

Unit convenor and teaching staff
Convener,lecturer
Judith Preston
judith.preston@mq.edu.au
Contact via 0410-108-371
N/A
By appointment only

Credit points
4

Prerequisites
Admission to MEnvLaw or PGDipEnvLaw or PGCertEnvLaw or MIntEnvLaw or
PGDipIntEnvLaw or PGCertIntEnvLaw or PGDipPP or LLM or MIntLawGovPP or
GradDipIntRel or MPPP or GradDipPP or 42cp in LAW or LAWS units at 400 or 500 level or
(admission to JD and 32cp in LAW or LAWS units at 800 level)

Corequisites

Co-badged status
Law 592 Issues in Heritage Conservation

Unit description
This unit examines the concept of heritage and the various mechanisms for conservation of
natural and cultural, intangible and tangible, elements of heritage. Specific areas include world
heritage, underwater cultural heritage, movable heritage, Indigenous conceptions of heritage,
intangible heritage and cultural expression. Legal regimes for heritage conservation at
international, national, state and local levels are examined and case studies are used to
illustrate the policy tensions inherent in environmental decision making in this area.
International initiatives to address issues in heritage conservation are examined and the
challenges to effective implementation in developed and developing countries assessed.

Important Academic Dates

Information about important academic dates including deadlines for withdrawing from units are
available at https://www.mq.edu.au/study/calendar-of-dates

Learning Outcomes

On successful completion of this unit, you will be able to:

1. Demonstrate an understanding of the philosophical and contextual frameworks

underpinning definitions of heritage.

2. Display a sound knowledge of the scope of natural and cultural heritage, including intangible, tangible (moveable and immoveable), Indigenous and underwater heritage.

3. Develop an appreciation of the international legal regime for conserving heritage and the challenges involved in effectively implementing international heritage conventions at the domestic level.

4. Demonstrate an ability to identify and recommend potential law reforms to address issues in international; national; and local heritage conservation.

5. Demonstrate an ability to assess the effectiveness of heritage conservation under the Australian legal system at Federal, State and local government levels.

6. Demonstrate an enquiring, critical and creative approach to established heritage law and policy.

General Assessment Information

All written assessments are to be submitten by iLearn and a copy to the Convenor via email.

Assessment Tasks

Name	Weighting	Due
Class Participation	10%	22-24 April 2016
Research Essay	50%	6 June 2016
Class Presentation /Paper	40%	23 April 2016

Class Participation

Due: **22-24 April 2016**
Weighting: **10%**

Class participation will be assessed on the basis of involvement in the on campus session (OCS). Students should ensure they have completed the required reading for each session before the on campus sessions commence, and be prepared to discuss this material in each session. Guiding questions are set out in the *Course Readings and Preparation* document on iLearn and students should be prepared to participate in further discussion and analysis beyond these. Students will not be awarded participation marks just for attending class. The following non-exhaustive list of criteria will be used to assess your class participation:

• The level of preparedness for each OCS assessed by responses to questions, answers and opinions offered throughout class;

• The level of analysis you display in class;

- Your ability to answer questions put directly to you in class;

- Your ability to make an educated and legally feasible arguments in class;

- The way in which you engage in a constructive way with other students and the Unit Convenor in class.

Please note that the onus to participate in class is on you not the Unit Convenor. In other words, it is not the job of the Unit Convenor to engage you in discussion so that you may avail yourself of the class participation assessment.

On successful completion you will be able to:
- 1. Demonstrate an understanding of the philosophical and contextual frameworks underpinning definitions of heritage.
- 2. Display a sound knowledge of the scope of natural and cultural heritage, including intangible, tangible (moveable and immoveable), Indigenous and underwater heritage.
- 3. Develop an appreciation of the international legal regime for conserving heritage and the challenges involved in effectively implementing international heritage conventions at the domestic level.
- 4. Demonstrate an ability to identify and recommend potential law reforms to address issues in international; national; and local heritage conservation.
- 5. Demonstrate an ability to assess the effectiveness of heritage conservation under the Australian legal system at Federal, State and local government levels.
- 6. Demonstrate an enquiring, critical and creative approach to established heritage law and policy.

Research Essay

Due: **6 June 2016**
Weighting: **50%**

The research essay requires students to select a topic from the list of essay topics provided by the Unit Convenor on iLearn. If a student wishes to select his or her own topic, he or she must seek approval of the topic at least 3 weeks before the due date for the essay. The word length is a maximum of 6,500 words exclusive of citations and a bibliography. The essay should be fully referenced in compliance with the most recent edition of the *Australian Guide to Legal Citation*.

On successful completion you will be able to:
- 1. Demonstrate an understanding of the philosophical and contextual frameworks underpinning definitions of heritage.

- 2. Display a sound knowledge of the scope of natural and cultural heritage, including intangible, tangible (moveable and immoveable), Indigenous and underwater heritage.
- 3. Develop an appreciation of the international legal regime for conserving heritage and the challenges involved in effectively implementing international heritage conventions at the domestic level.
- 4. Demonstrate an ability to identify and recommend potential law reforms to address issues in international; national; and local heritage conservation.
- 5. Demonstrate an ability to assess the effectiveness of heritage conservation under the Australian legal system at Federal, State and local government levels.
- 6. Demonstrate an enquiring, critical and creative approach to established heritage law and policy.

Class Presentation /Paper

Due: **23 April 2016**
Weighting: **40%**

 Students are to select topics relevant to the Learning outcomes from items in the media- print and online occurring in the last 12 months.

An oral presentation must be made to the class on Day 2(23/4/16) of the OCS supported by multimedia source such as powerpoint. for up to 10 minutes(20%).

A summary of the presentation should be contained in a written paper of up to 1,000 words(excluding footnotes and bibliography) to be submitted to the Convenor on Day 2 of the OCS with a copy handed to the Convenor at the time of the presentation.(20%)

On successful completion you will be able to:
- 2. Display a sound knowledge of the scope of natural and cultural heritage, including intangible, tangible (moveable and immoveable), Indigenous and underwater heritage.
- 3. Develop an appreciation of the international legal regime for conserving heritage and the challenges involved in effectively implementing international heritage conventions at the domestic level.
- 4. Demonstrate an ability to identify and recommend potential law reforms to address issues in international; national; and local heritage conservation.
- 5. Demonstrate an ability to assess the effectiveness of heritage conservation under the Australian legal system at Federal, State and local government levels.
- 6. Demonstrate an enquiring, critical and creative approach to established heritage law and policy.

Delivery and Resources

You will find all resources and required reading list in the online unit available at ilearn.mq.edu.au.

Unit Schedule

This Unit is being delivered by weekly recorded seminars held Tuesday 4-6pm in **E3A Room 165.These seminars are compulsory for internal students.**

The intensive On Campus Session(OCS) session will take place on 22-24 April 2016 in **E5A Room 120**. **This is compulsory for ALL students** and students unable to attend these sessions cannot undertake the unit.

Learning and Teaching Activities

On Campus Session Outline

The OCS outline will be uploaded to the iLearn site and may be subject to change. Students should regularly check iLearn for any Announcements

Policies and Procedures

Macquarie University policies and procedures are accessible from Policy Central. Students should be aware of the following policies in particular with regard to Learning and Teaching:

Academic Honesty Policy http://mq.edu.au/policy/docs/academic_honesty/policy.html

New Assessment Policy in effect from Session 2 2016 http://mq.edu.au/policy/docs/assessment/policy_2016.html. For more information visit http://students.mq.edu.au/events/2016/07/19/new_assessment_policy_in_place_from_session_2/

Assessment Policy prior to Session 2 2016 http://mq.edu.au/policy/docs/assessment/policy.html

Grading Policy prior to Session 2 2016 http://mq.edu.au/policy/docs/grading/policy.html

Grade Appeal Policy http://mq.edu.au/policy/docs/gradeappeal/policy.html

Complaint Management Procedure for Students and Members of the Public http://www.mq.edu.au/policy/docs/complaint_management/procedure.html

Disruption to Studies Policy http://www.mq.edu.au/policy/docs/disruption_studies/policy.html *The Disruption to Studies Policy is effective from March 3 2014 and replaces the Special Consideration Policy.*

In addition, a number of other policies can be found in the Learning and Teaching Category of Policy Central.

Student Code of Conduct

Macquarie University students have a responsibility to be familiar with the Student Code of Conduct: https://students.mq.edu.au/support/student_conduct/

Results

Results shown in *iLearn*, or released directly by your Unit Convenor, are not confirmed as they are subject to final approval by the University. Once approved, final results will be sent to your student email address and will be made available in eStudent. For more information visit ask.mq.edu.au.

In the absence of a successful application for special consideration due to a disruption to studies, any assessment task submitted after its published deadline will not be graded and will receive a mark of zero. Applications for a Disruption to Studies are made electronically via Ask.mq,edu.au and should be accompanied by supporting documentation. Students should refer to the Disruption to Studies policy for complete details of the policy and a description of the supporting documentation required.

Student Support

Macquarie University provides a range of support services for students. For details, visit http://students.mq.edu.au/support/

Learning Skills

Learning Skills (mq.edu.au/learningskills) provides academic writing resources and study strategies to improve your marks and take control of your study.

- Workshops
- StudyWise
- Academic Integrity Module for Students
- Ask a Learning Adviser

Student Services and Support

Students with a disability are encouraged to contact the Disability Service who can provide appropriate help with any issues that arise during their studies.

Student Enquiries

For all student enquiries, visit Student Connect at ask.mq.edu.au

IT Help

For help with University computer systems and technology, visit http://www.mq.edu.au/about_us/offices_and_units/information_technology/help/.

When using the University's IT, you must adhere to the Acceptable Use of IT Resources Policy. The policy applies to all who connect to the MQ network including students.

Graduate Capabilities

PG - Capable of Professional and Personal Judgment and Initiative

Our postgraduates will demonstrate a high standard of discernment and common sense in their professional and personal judgment. They will have the ability to make informed choices and decisions that reflect both the nature of their professional work and their personal perspectives.

This graduate capability is supported by:

Learning outcomes

- 4. Demonstrate an ability to identify and recommend potential law reforms to address issues in international; national; and local heritage conservation.
- 6. Demonstrate an enquiring, critical and creative approach to established heritage law and policy.

Assessment tasks

- Class Participation
- Class Presentation /Paper

PG - Discipline Knowledge and Skills

Our postgraduates will be able to demonstrate a significantly enhanced depth and breadth of knowledge, scholarly understanding, and specific subject content knowledge in their chosen fields.

This graduate capability is supported by:

Learning outcomes

- 1. Demonstrate an understanding of the philosophical and contextual frameworks underpinning definitions of heritage.
- 2. Display a sound knowledge of the scope of natural and cultural heritage, including intangible, tangible (moveable and immoveable), Indigenous and underwater heritage.
- 3. Develop an appreciation of the international legal regime for conserving heritage and the challenges involved in effectively implementing international heritage conventions at the domestic level.
- 4. Demonstrate an ability to identify and recommend potential law reforms to address issues in international; national; and local heritage conservation.
- 5. Demonstrate an ability to assess the effectiveness of heritage conservation under the Australian legal system at Federal, State and local government levels.
- 6. Demonstrate an enquiring, critical and creative approach to established heritage law

and policy.

Assessment tasks

- Class Participation
- Research Essay
- Class Presentation /Paper

PG - Critical, Analytical and Integrative Thinking

Our postgraduates will be capable of utilising and reflecting on prior knowledge and experience, of applying higher level critical thinking skills, and of integrating and synthesising learning and knowledge from a range of sources and environments. A characteristic of this form of thinking is the generation of new, professionally oriented knowledge through personal or group-based critique of practice and theory.

This graduate capability is supported by:

Learning outcomes

- 1. Demonstrate an understanding of the philosophical and contextual frameworks underpinning definitions of heritage.
- 2. Display a sound knowledge of the scope of natural and cultural heritage, including intangible, tangible (moveable and immoveable), Indigenous and underwater heritage.
- 3. Develop an appreciation of the international legal regime for conserving heritage and the challenges involved in effectively implementing international heritage conventions at the domestic level.
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- 5. Demonstrate an ability to assess the effectiveness of heritage conservation under the Australian legal system at Federal, State and local government levels.
- 6. Demonstrate an enquiring, critical and creative approach to established heritage law and policy.

Assessment tasks

- Class Participation
- Research Essay
- Class Presentation /Paper

PG - Research and Problem Solving Capability

Our postgraduates will be capable of systematic enquiry; able to use research skills to create new knowledge that can be applied to real world issues, or contribute to a field of study or practice to enhance society. They will be capable of creative questioning, problem finding and

problem solving.

This graduate capability is supported by:

Learning outcomes

- 2. Display a sound knowledge of the scope of natural and cultural heritage, including intangible, tangible (moveable and immoveable), Indigenous and underwater heritage.
- 3. Develop an appreciation of the international legal regime for conserving heritage and the challenges involved in effectively implementing international heritage conventions at the domestic level.
- 4. Demonstrate an ability to identify and recommend potential law reforms to address issues in international; national; and local heritage conservation.
- 5. Demonstrate an ability to assess the effectiveness of heritage conservation under the Australian legal system at Federal, State and local government levels.

Assessment tasks

- Class Participation
- Research Essay
- Class Presentation /Paper

PG - Effective Communication

Our postgraduates will be able to communicate effectively and convey their views to different social, cultural, and professional audiences. They will be able to use a variety of technologically supported media to communicate with empathy using a range of written, spoken or visual formats.

This graduate capability is supported by:

Learning outcomes

- 5. Demonstrate an ability to assess the effectiveness of heritage conservation under the Australian legal system at Federal, State and local government levels.
- 6. Demonstrate an enquiring, critical and creative approach to established heritage law and policy.

Assessment tasks

- Class Participation
- Research Essay
- Class Presentation /Paper

PG - Engaged and Responsible, Active and Ethical Citizens

Our postgraduates will be ethically aware and capable of confident transformative action in

relation to their professional responsibilities and the wider community. They will have a sense of connectedness with others and country and have a sense of mutual obligation. They will be able to appreciate the impact of their professional roles for social justice and inclusion related to national and global issues

This graduate capability is supported by:

Learning outcomes

- 1. Demonstrate an understanding of the philosophical and contextual frameworks underpinning definitions of heritage.
- 3. Develop an appreciation of the international legal regime for conserving heritage and the challenges involved in effectively implementing international heritage conventions at the domestic level.
- 4. Demonstrate an ability to identify and recommend potential law reforms to address issues in international; national; and local heritage conservation.
- 6. Demonstrate an enquiring, critical and creative approach to established heritage law and policy.

Assessment task

- Class Participation

OCS and assessments

See iLearn for an outline.

Changes since First Published

Date	Description
08/ 02/ 2016	The unit will be delivered by weekly recorded seminars(compulsory for internal students) and intensive OCS. The OCS will be compulsory for internal and external students as it incorporates assessments,guest lectures and a field trip.