



# LEX 102

## Sustainability, Science and the Law

S1 External 2017

*Dept of Law*

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#### **Disclaimer**

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## General Information

### Unit convenor and teaching staff

#### Convenor

Kirsten Davies

[kirsty.davies@mq.edu.au](mailto:kirsty.davies@mq.edu.au)

Contact via By email please or 9850 8334

Building W3A, office 505

By appointment, Tuesdays preferred

#### Tutor

Ana Carolina Carneiro

[ana.napolicarneiro@mq.edu.au](mailto:ana.napolicarneiro@mq.edu.au)

Contact via via email

W3A-341

2-3 pm Thursdays

### Credit points

3

### Prerequisites

### Corequisites

### Co-badged status

### Unit description

Are human rights, economic prosperity, and community justice sustainable when we are running out of resources? This unit critiques whether legal innovation can integrate competing perspectives of environmental conservation, economic growth, democratic freedom, scientific certainty, and political practicality. We examine science-law relationships, socio-political governance, regulatory design, and capacity building. We consider legislation, court cases, treaties, institutions, and actors as sources of rights, obligations and influence. We illustrate water law, logging, fisheries, pollution, climate, food security, urbanisation, international trade, etc. Your major project will mentor you in legal problem-solving, stakeholder analysis and creativity to develop law reforms addressing global sustainability issues.

## 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. Define sustainability and the concept of sustainable development, and demonstrate a thorough understanding of philosophical principles and environmental ethics in sustainability.
2. Identify and describe the main issues currently in play in sustainability debates, including examples at local, regional and global levels of interest.
3. Identify the main stakeholders in sustainability, and describe the roles of law, science and society in addressing sustainability issues.
4. Critically assess sustainability issues in multidisciplinary and pluralistic (multi-standpoint) perspectives in terms of science and general sustainability principles.
5. Demonstrate a general knowledge of legal concepts, systems and processes and institutions that regulate environmental values and sustainability practices.
6. Develop viable options for change in the law and other policy dimensions to improve sustainability outcomes, through in-depth legal analysis, creativity and problem solving skills.

## Assessment Tasks

Name	Weighting	Hurdle	Due
<a href="#">Essay plan</a>	20%	No	24 March
<a href="#">Online quiz</a>	15%	No	14th -21st April
<a href="#">Research essay</a>	40%	No	26 May
<a href="#">Participation and Engagement</a>	25%	No	Ongoing

### Essay plan

Due: **24 March**

Weighting: **20%**

#### Assessment One – Essay Plan

**Due Date:** Midnight Friday 24 March (Week 4)

**Weight** - 20%

**Word limit:** 750 (excluding reference list / bibliography)

The major written assessments in LEX102 will be based on the five case studies outlined on iLearn. You will select one case study to focus on in the unit – your work for assessments 1 and 3 will be based on this case study. Assessment 1 gives you the opportunity to start preparing for the major assessment for this unit (assessment 3, research essay), and receive feedback that will help you refine your ideas and structure for assessment 3.

Assessment 1 asks you to start researching your essay, think through what you plan to say in your essay, and develop the essential elements of your essay in outline form. Each case study overview (on iLearn) sets out a range of issues raised by the case. Using these issues to guide you (and identifying additional relevant issues), you will draft your own essay question – you will use this question in writing Assessment 1 and Assessment 3.

The marking rubric for this assignment is available on iLearn.

On successful completion you will be able to:

- 1. Define sustainability and the concept of sustainable development, and demonstrate a thorough understanding of philosophical principles and environmental ethics in sustainability.
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- 3. Identify the main stakeholders in sustainability, and describe the roles of law, science and society in addressing sustainability issues.
- 4. Critically assess sustainability issues in multidisciplinary and pluralistic (multi-standpoint) perspectives in terms of science and general sustainability principles.
- 5. Demonstrate a general knowledge of legal concepts, systems and processes and institutions that regulate environmental values and sustainability practices.
- 6. Develop viable options for change in the law and other policy dimensions to improve sustainability outcomes, through in-depth legal analysis, creativity and problem solving skills.

## Online quiz

Due: **14th -21st April**

Weighting: **15%**

### **Assessment Two – Quiz**

**Due Date:** Friday 14<sup>th</sup> April ( week 7) – Friday 21<sup>st</sup> April

**Weight:** 15%

Students will be required to demonstrate their knowledge of the material covered in weeks 2-6

(inclusive), by answering 15 multiple choice questions online.

The quiz will be available for a week. You must ensure that you will be available to logon to ilearn to complete the quiz during this time. If you will be unable to do this, you must apply for special consideration (with supporting documentation) via <https://ask.mq.edu.au>.

Once you access the quiz, you will have 30 minutes to complete the quiz. Once 30 minutes have elapsed, your answers will automatically be submitted. Please ensure you have a reliable computer and internet connection before you attempt the quiz.

On successful completion you will be able to:

- 1. Define sustainability and the concept of sustainable development, and demonstrate a thorough understanding of philosophical principles and environmental ethics in sustainability.
- 2. Identify and describe the main issues currently in play in sustainability debates, including examples at local, regional and global levels of interest.
- 3. Identify the main stakeholders in sustainability, and describe the roles of law, science and society in addressing sustainability issues.
- 5. Demonstrate a general knowledge of legal concepts, systems and processes and institutions that regulate environmental values and sustainability practices.

## Research essay

Due: **26 May**

Weighting: **40%**

### Assessment Three – Research Essay

**Due Date:** Midnight Friday 26 May (Week 11)

**Weight:** 40%

**Word limit:** 2500 (excluding reference list / bibliography)

Building on the essay plan developed in assessment 1, students will be required to submit a 2500-word essay based on the case study selected for assessment. The essay will assess your ability to research relevant scholarly work on your chosen case study, form a thesis, analyse the available material, and then present a coherent and compelling argument as a polished academic essay. You will have drafted an essay question for assessment 1. You can update this question in consultation with your tutor (and the feedback you receive on assessment 1 might suggest this).

On successful completion you will be able to:

- 1. Define sustainability and the concept of sustainable development, and demonstrate a thorough understanding of philosophical principles and environmental ethics in sustainability.
- 2. Identify and describe the main issues currently in play in sustainability debates, including examples at local, regional and global levels of interest.
- 3. Identify the main stakeholders in sustainability, and describe the roles of law, science and society in addressing sustainability issues.
- 4. Critically assess sustainability issues in multidisciplinary and pluralistic (multi-standpoint) perspectives in terms of science and general sustainability principles.
- 5. Demonstrate a general knowledge of legal concepts, systems and processes and institutions that regulate environmental values and sustainability practices.
- 6. Develop viable options for change in the law and other policy dimensions to improve sustainability outcomes, through in-depth legal analysis, creativity and problem solving skills.

## Participation and Engagement

Due: **Ongoing**

Weighting: **25%**

### **Assessment Four – Participation and Engagement**

**Due Date:** ongoing

**Weight:** 25%

#### **Internal students**

Your participation and engagement mark will be based on your tutorial participation, attendance and general engagement ( 10%). Tutorial questions will be made available each week on iLearn. You are expected to contribute to discussions regularly. A further 15% will be dedicated to your participation in the group presentations in week 12.

#### **External students**

If you are an external student, your attendance at the on-campus-session (OCS) is compulsory. The OCS will be held on the 29<sup>th</sup> and 30<sup>th</sup> April, 9.00 am - 4 pm. 10% of your participation and engagement mark will be calculated based on your attendance and contributions during the OCS. A further 15% will be calculated based on your contributions to the online discussions ( via the ilearn site) each week.

On successful completion you will be able to:

- 1. Define sustainability and the concept of sustainable development, and demonstrate a thorough understanding of philosophical principles and environmental ethics in

sustainability.

- 2. Identify and describe the main issues currently in play in sustainability debates, including examples at local, regional and global levels of interest.
- 4. Critically assess sustainability issues in multidisciplinary and pluralistic (multi-standpoint) perspectives in terms of science and general sustainability principles.
- 5. Demonstrate a general knowledge of legal concepts, systems and processes and institutions that regulate environmental values and sustainability practices.
- 6. Develop viable options for change in the law and other policy dimensions to improve sustainability outcomes, through in-depth legal analysis, creativity and problem solving skills.

## Delivery and Resources

This unit requires students to attend or listen online (through Echo360) a weekly one-hour lecture. Students are also required to attend a one-hour tutorial each week. External students are encouraged to attend lectures whenever possible.

Student workload, in accordance with university guidelines, is 3 hours per credit point per week (over a 15 week term), and can be estimated as follows:

22 hours – attendance of lectures, tutorials (compulsory for internal students) and online participation ( for external students)

55 hours – readings, review of online content and self-study

63 hours – assessment tasks

### Suggested Text:

**Elizabeth Fisher, Bettina Lange and Eloise Scotford, *Environmental Law: Text, cases and materials* (Oxford University Press, 2013 edition)**

This text is available through the Co-op Bookshop ( external students please order through the bookshop). Copies will also be place on reserve through Macquarie University Library.

### Additional material:

There are many (free) student resources related to the prescribed text available online: [http://www.oup.com.au/titles/higher\\_ed/law/environmental\\_and\\_planning\\_law/9780195558760](http://www.oup.com.au/titles/higher_ed/law/environmental_and_planning_law/9780195558760)

Extra material, including reading lists, will be placed on the unit's iLearn page. Students are required to access the page regularly to review online content and readings.

## 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](http://mq.edu.au/policy/docs/academic_honesty/policy.html)

Assessment Policy [http://mq.edu.au/policy/docs/assessment/policy\\_2016.html](http://mq.edu.au/policy/docs/assessment/policy_2016.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](http://www.mq.edu.au/policy/docs/complaint_management/procedure.html)

Disruption to Studies Policy (in effect until Dec 4th, 2017): [http://www.mq.edu.au/policy/docs/disruption\\_studies/policy.html](http://www.mq.edu.au/policy/docs/disruption_studies/policy.html)

Special Consideration Policy (in effect from Dec 4th, 2017): <https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policies/special-consideration>

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/](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](http://ask.mq.edu.au).

All requests should be directed via the University's [Ask MQ](#) system.

1. < >[Ask MQ](#) or: [http://students.mq.edu.au/support/health\\_and\\_wellbeing/](http://students.mq.edu.au/support/health_and_wellbeing/)

### 1. Serious and unavoidable disruptions

When a student suffers a disruption to study which is 'serious and unavoidable', they may apply for special consideration. In order to do so, the student must meet the criteria



under the Macquarie University "Disruption to Studies" policy and be approved by the Unit Convenor. Applications are made online through: [ask.mq.edu.au](http://ask.mq.edu.au) Outcomes for recognised serious and unavoidable disruptions to studies are as set out in the University schedule - [http://www.mq.edu.au/policy/docs/disruption\\_studies/schedule\\_outcomes.html](http://www.mq.edu.au/policy/docs/disruption_studies/schedule_outcomes.html)

### 1. **General disruptions**

When a disruption to study is not serious or unavoidable, the approach to special consideration and the impact on student assessments will be as follows:

1. **Marked Attendance.** It is compulsory for internal students to attend tutorials and lecture attendance is strongly encouraged (roles will be marked in both). If more than two tutorials are missed in any semester, documentation is required (e.g. medical certificate) through [\*\*Ask MQ\*\*](#) to support the case for the student's absence.
2. **Graded Participation** for [tutorial, online]. Marks will be deducted from the final grade for lack of participation in tutorials and on-line discussions for internal students and on-line discussions for external students, unless evidence ( e.g. medical certificate) is provided through [\*\*Ask MQ\*\*](#) that demonstrates how the students' performance has been impacted.
3. **Assessment** (late or non -submission) students will receive a grade of zero if they do not submit an assignment by the due date, unless evidence (e.g. medical certificate) is provided through [\*\*Ask MQ\*\*](#) that demonstrates how the students' performance has been impacted. In such cases a time extension may be granted by the unit convenor following consultation with the students tutor, these will be assessed on an individual basis. **Requests for time extensions must be submitted before the due date of the assessment task in question.**

4. **Ongoing performance** When ongoing performance in this unit has been affected by an issue (e.g. prolonged illness) , consideration will be given to the following: extension of time to complete assessment tasks; provision of an additional assessment task; and or a recommendation to withdraw without penalty. This will be negotiated on an individual basis through the unit convenor following evidence (e.g. medical certificate) provided through **Ask MQ** that demonstrates how the students' performance has been impacted over a prolonged duration.

## 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](http://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](http://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/](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

### Capable of Professional and Personal Judgement and Initiative

We want our graduates to have emotional intelligence and sound interpersonal skills and to

demonstrate discernment and common sense in their professional and personal judgement. They will exercise initiative as needed. They will be capable of risk assessment, and be able to handle ambiguity and complexity, enabling them to be adaptable in diverse and changing environments.

This graduate capability is supported by:

## **Learning outcome**

- 5. Demonstrate a general knowledge of legal concepts, systems and processes and institutions that regulate environmental values and sustainability practices.

## **Discipline Specific Knowledge and Skills**

Our graduates will take with them the intellectual development, depth and breadth of knowledge, scholarly understanding, and specific subject content in their chosen fields to make them competent and confident in their subject or profession. They will be able to demonstrate, where relevant, professional technical competence and meet professional standards. They will be able to articulate the structure of knowledge of their discipline, be able to adapt discipline-specific knowledge to novel situations, and be able to contribute from their discipline to inter-disciplinary solutions to problems.

This graduate capability is supported by:

## **Learning outcomes**

- 1. Define sustainability and the concept of sustainable development, and demonstrate a thorough understanding of philosophical principles and environmental ethics in sustainability.
- 2. Identify and describe the main issues currently in play in sustainability debates, including examples at local, regional and global levels of interest.
- 3. Identify the main stakeholders in sustainability, and describe the roles of law, science and society in addressing sustainability issues.
- 4. Critically assess sustainability issues in multidisciplinary and pluralistic (multi-standpoint) perspectives in terms of science and general sustainability principles.
- 5. Demonstrate a general knowledge of legal concepts, systems and processes and institutions that regulate environmental values and sustainability practices.
- 6. Develop viable options for change in the law and other policy dimensions to improve sustainability outcomes, through in-depth legal analysis, creativity and problem solving skills.

## **Assessment tasks**

- Essay plan
- Online quiz

- Research essay
- Participation and Engagement

## Critical, Analytical and Integrative Thinking

We want our graduates to be capable of reasoning, questioning and analysing, and to integrate and synthesise learning and knowledge from a range of sources and environments; to be able to critique constraints, assumptions and limitations; to be able to think independently and systemically in relation to scholarly activity, in the workplace, and in the world. We want them to have a level of scientific and information technology literacy.

This graduate capability is supported by:

### Learning outcomes

- 1. Define sustainability and the concept of sustainable development, and demonstrate a thorough understanding of philosophical principles and environmental ethics in sustainability.
- 4. Critically assess sustainability issues in multidisciplinary and pluralistic (multi-standpoint) perspectives in terms of science and general sustainability principles.
- 6. Develop viable options for change in the law and other policy dimensions to improve sustainability outcomes, through in-depth legal analysis, creativity and problem solving skills.

### Assessment tasks

- Essay plan
- Online quiz
- Research essay

## Problem Solving and Research Capability

Our graduates should be capable of researching; of analysing, and interpreting and assessing data and information in various forms; of drawing connections across fields of knowledge; and they should be able to relate their knowledge to complex situations at work or in the world, in order to diagnose and solve problems. We want them to have the confidence to take the initiative in doing so, within an awareness of their own limitations.

This graduate capability is supported by:

### Learning outcome

- 6. Develop viable options for change in the law and other policy dimensions to improve sustainability outcomes, through in-depth legal analysis, creativity and problem solving skills.

## Assessment tasks

- Essay plan
- Research essay

## Effective Communication

We want to develop in our students the ability to communicate and convey their views in forms effective with different audiences. We want our graduates to take with them the capability to read, listen, question, gather and evaluate information resources in a variety of formats, assess, write clearly, speak effectively, and to use visual communication and communication technologies as appropriate.

This graduate capability is supported by:

## Learning outcomes

- 1. Define sustainability and the concept of sustainable development, and demonstrate a thorough understanding of philosophical principles and environmental ethics in sustainability.
- 2. Identify and describe the main issues currently in play in sustainability debates, including examples at local, regional and global levels of interest.
- 4. Critically assess sustainability issues in multidisciplinary and pluralistic (multi-standpoint) perspectives in terms of science and general sustainability principles.
- 5. Demonstrate a general knowledge of legal concepts, systems and processes and institutions that regulate environmental values and sustainability practices.

## Assessment tasks

- Essay plan
- Online quiz
- Research essay
- Participation and Engagement

## Engaged and Ethical Local and Global citizens

As local citizens our graduates will be aware of indigenous perspectives and of the nation's historical context. They will be engaged with the challenges of contemporary society and with knowledge and ideas. We want our graduates to have respect for diversity, to be open-minded, sensitive to others and inclusive, and to be open to other cultures and perspectives: they should have a level of cultural literacy. Our graduates should be aware of disadvantage and social justice, and be willing to participate to help create a wiser and better society.

This graduate capability is supported by:

## **Learning outcomes**

- 2. Identify and describe the main issues currently in play in sustainability debates, including examples at local, regional and global levels of interest.
- 3. Identify the main stakeholders in sustainability, and describe the roles of law, science and society in addressing sustainability issues.

## **Assessment tasks**

- Online quiz
- Participation and Engagement

## **Socially and Environmentally Active and Responsible**

We want our graduates to be aware of and have respect for self and others; to be able to work with others as a leader and a team player; to have a sense of connectedness with others and country; and to have a sense of mutual obligation. Our graduates should be informed and active participants in moving society towards sustainability.

This graduate capability is supported by:

## **Learning outcomes**

- 2. Identify and describe the main issues currently in play in sustainability debates, including examples at local, regional and global levels of interest.
- 3. Identify the main stakeholders in sustainability, and describe the roles of law, science and society in addressing sustainability issues.